

## The western Misconception on Islamic Polygamy: an assessment of Islamic Polygamy's Benefits from Islamic Perspective

المفهوم الغربي لتعدد الزوجات في الإسلام: دراسة لفوائد التعدد في المنظور الإسلامي

Muhammad Babagana\*

Yobe State University, (Nigeria)

[muhammedbabagana82@gmail.com](mailto:muhammedbabagana82@gmail.com)

Bello Tukur

Yobe State University, (Nigeria)

[Bellotukur0046@ysu.edu.ng](mailto:Bellotukur0046@ysu.edu.ng)

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**Abstract :** Marriage to more than one wife (Polygamy) is a practice as old as the history of man, and is allowed in Islamic Shari'ah law. This article aims to posit some benefits of polygamy to human in contemporary human race and detect some mis-understanding of western countries on polygamous nature of Islamic marriage and the failure they encounter in introducing new form of marriage based on their innovation (Same-sex relation). Finally, the research finds out that based on the establishment of new form of so called same-sex relation and transformed it into marital relationship have gotten contemporary human race into contracting diseases. The research also recommends that it is only through proper scholarly teaching of principle of marriage (polygamy) that problem of widow women and right of women can be protected .

**Keywords:** Misconception; Western; Polygamy; Islam; Assessment; Benefit.

**الملخص:** يعتبر الزواج بأكثر من زوجة (تعدد الزوجات) ممارسة قديمة قدم التاريخ، وهي مسموح بها في الشريعة الإسلامية. تهدف هذه المقالة إلى طرح بعض فوائد تعدد الزوجات للإنسان المعاصر، وكشف بعض مظاهر سوء الفهم عند الغربيين لطبيعة تعدد الزوجات في الإسلام، وإبراز الفشل الذي يواجهونه في تقديم شكل جديد للزواج بناءً على ابتكاراتهم (المثلية الجنسية). ويخلص البحث إلى أن إنشاء شكل زواج جديد بما يسمى المثلية الجنسية وتحويلها إلى علاقة زوجية رسمية قد أوصل الجنس البشري المعاصر إلى أمراض مستعصية. كما أوصى البحث بأنه لا يمكن التكفل الأمثل بمشكلات الأراامل ورعاية حقوق المرأة إلا من خلال الفهم والتطبيق الصحيحين لمبدأ الزواج وإمكانية تعدده.

**الكلمات المفتاحية:** مفهوم خاطئ؛ الغرب؛ تعدد الزوجات؛ دين الإسلام؛ تقييم؛ المنفعة.

\* Corresponding author.

## 1.0 INTRODUCTION:

Existence of polygamy's legality has always been a debatable issue with many arguing that polygamy is perceived as a human rights violation of a gender. Discussions dealing with polygamy have been continuously heating among many western scholars, some Muslim scholars also hold it as a hot topic. Most scholars recommend polygamy as an implementation of obeying Allah's command and some may refuse polygamy with some argumentations that always relate to gender inequality. As an endless topic to talk about, polygamy is always an interesting hot topic to be deliberated for better understanding of humanity.

Marriage is perhaps the most important aspect of human-being and lies at the heart of the ideal future of successful society. The importance of marriage is highlighted in Islam by the saying of prophet (S.A.W);

“When a man marries, he has fulfilled half of his religion; so, let him fear God regarding the remaining half. (Mishkat al-masabih 3096).

Men in Islam are allowed to be married with restriction for up to four wives at a time. Men who finish the circle of their marriage intentionally with a fifth wife commits fornication. The privilege of polygamy is primarily rooted in the Quranic verse which states:

“If you fear that you shall not be able to deal justly with the orphans, marry the women of your choice, two, or three or four. But if you fear that you shall not be able to deal justly with them, then only one.” (Q4:3).

Marriage to more than one wife at the same time (Polygamy) is a practice as old as the history of man, and is allowed in Shari'ah law. Islam has never imposed polygamy as a universal principle nor has it put a restriction on the plurality of wives. In other word, Islam neither compels Muslims to practise polygamy nor prohibits them from doing so. Islam came at a time when people were scrambling to marry as many women as they could, just for fun and for the sake of leisure and pleasure. After a careful scrutiny of the situation, Islam regulated and gave it a human face. It could have been prohibited like other pre-Islamic practices, such as gambling, adultery, fornication, drinking, etc. However, as a way of life that takes cognisance of natural impulse of humankind, Islam arrives with its primary sources – the Qur'an and Sunnah – to serve as unbiased umpire between a man and his wives (Fatah Yasin & Jani, 2013).

## 2.0 Concept of Polygamy in Islam

Islam was the only religion that regulated its practice (polygamy). Other religions make no mention of restriction on the number of wives. According to Islamic scriptures, upon the revelation of the Quran, the number of women a man was allowed to marry was limited to four and a woman was allowed to have only one husband. The revelation to the Prophet Muhammed (SAW) on polygamy, should be understood in context. It occurred after his migration from Mecca to Medina in 620 A.D, and more specifically after the Battle of Uhud, in which the new Muslim community suffered

the loss of many male lives. Many widows and young orphan children were left with no one to take care of them.

Most of the Muslim scholars and theologians maintain that, the rationale behind the granting of permission for limited polygamy was concern for the welfare of widows and orphans (Sharief, 2004).

It's known that Islam did not initiate the system of polygamy; it existed from the early dawn of human history. When Islam came on world scene in the seventh century of the Common Era, it inherited the existing marriage system. The laws of polygamy were revealed at a time when corruption and severe maltreatment of women was the dominant practice in Arabia. The women of Arabia had zero rights and were certainly not given any respect. A man could marry as many wives as he wanted and treat them in any way he desired. Women were considered disposable properties. It is to the credit of Islam that it modified and reformed the system in existence at the time. Firstly, Islam put a limit to the numbers of wives that a person can have a one-time maximum of four wives at one time.

Secondly, Islam put stringent conditions on a person who wanted to marry a second wife. He must be able to provide and maintain the family, and also deal with both on basis of justice and fairness (Sayyid, 2007).

In Chapter 4 (Surah an-Nisaa), verse 3, after allowing the Muslim men to marry two, three or four wives, the Qur'an immediately says

“But if you fear that you will not do justice (between them), then (marry) only one...” (Surah an Nisaa, 4:3)

Looking at the psychology of humans, only exceptional people have that quality of justice and fairness. The Qur'an itself, in the same Chapter 4, verse 129, says:

“And you do not have the ability to do justice between the wives, even though you may wish (to do so)” (Surah an-Nisaa, 4:129)

Polygamy is allowed, though not mandatory, as a remedial measure for certain situations that may arise from time to time.

### **2.1 Basic Principles of Polygamy**

- (a). Husband must exercise justice among his wives
- (b). It is obligatory for a husband to satisfy his wives' sexual needs
- (c) . Husband must protect the dignity of his wives, feed, clothe, shelter and them.
- (d). Husband must not show discrimination among his children, feed them, enrol them in schools and must show equal treatment among them

### **3.0 Mis-conception of western world on Islamic polygamy**

The UN Committee that monitors the implementation of the 1981 UN Convention on the Elimination of All Forms of Discrimination Against Women Convention (CEDAW) has consistently campaigned against polygamy, and in 1992 issued a General Recommendation that included the following statement: “Polygamous marriage contravenes a woman's right to equality with men, and can have such serious emotional and financial consequences for her and her dependants that such

marriages ought to be discouraged and prohibited. The Committee notes with concern that some state parties, whose constitutions guarantee equal rights, permit polygamous marriage in accordance with personal or customary law. This violates the constitutional rights of women, and breaches the provisions of article 5 (a) of the Convention (Ali, 2012).

Despite condemnation by many activists on the practice of polygamy they still make room for it to be practice based on biological need of our creation.

Many also argue that there are profound biological reasons why it makes sense to move against polygamy particularly in Canada. Sexual dimorphism, that is, men's greater size and strength and late maturity as compared to their women counterparts, it is argued, has evolved our species towards a tendency of engaging in polygamous relationships. This is cited as the primary reason why polygamy has been the more widely-accepted form of marriage throughout our history (even if only a limited number of people actually practiced it (Ali, 2012).

Interestingly, there are some current arguments being presented by female legal experts that the Qu'ranic verses on marriage actually favour monogamy. A conference held at the United Nations in Geneva in 2004 on the topic of Islam, Women and Human Rights, coorganised by the European Islamic Conference and the World Islamic Call Society, provided an instructive forum for this debate. In her keynote speech, the Egyptian-born and Al-Azhar-trained scholar Fawzia Ashmawi, from the University of Geneva, declared categorically:

“Although polygamy is allowed in Islam, it is not the rule but the exception. This authorisation is strictly limited and linked to specific social contexts”.

This line of argumentation has been incorporated even by senior European politicians. The French rapporteur, Ms Yvette Roudy, of a 2002 report submitted to the Parliamentary Assembly of the Council of Europe, entitled “Situation of Maghrebi Women”, notes that:

“The Koran explicitly states that men may have more than one wife only providing they are able to provide, financially, for all their wives equally, which in fact is practically impossible.

Therefore, Muslim immigrants are subject to English or Scottish family laws. Then, problems arise in the case of marriages and divorces conducted abroad. Thus, the UK is the European country in which polygamy has been the most strictly contested. The ban concerns not only polygamous marriages on British soil but also polygamous marriages conducted abroad and even potentially polygamous marriages, at least until 1972 (Cesari, *et al*,2004).

### **3.1 Introduction of New Concept by the Western World to Counter Concept of Polygamy**

The concept of marriage/polygamy now appears to attain a new ideology. At the dawn of 21st century, a radical change to marriage emerged, essentially based on the

fundamental rights agitation and the need for gender neutrality in marriage and marriage laws. Concept of same sex marriage was unknown to legal jurisprudence till about the end of the 20th century. It was towards the tail end of the 20th century and the dawn of the 21st century that countries from the different continents of the world predominantly western societies commenced the process of reviewing their legal systems to legalise same-sex union or association. These reviews brought about the introduction, acceptance and legal recognition of same-sex union in the form of civil partnership and later marriage between same sex partners (Cortina *et al*, 2013).

The process of legalization of homosexual partnerships in Europe started during the 90's and took different forms in each country. While some countries unlocked the way to the registration of homosexual unions in the context of registered cohabiting partnerships (Norway, France, Germany), others accepted same-sex marriage establishing a direct equivalence with heterosexual couples (Sweden, the Netherlands, Belgium and Spain). In both cases, the legalization of the couples constitutes an extension of the rights of the spouses although such rights are not usually equated to those of heterosexual couples. (Cortina *et al*, 2013)

Growing number of governments around the world are considering whether to grant legal recognition to same-sex marriage. More than a dozen countries have national laws allowing gays and lesbians to marry, mostly in Europe and the Americas. Many countries have given the freedom of marriage to same-sex couples nationwide such as Netherlands, Belgium, Spain, Canada, South Africa, Norway, Sweden, Portugal, Iceland, Argentina, Brazil, France, Uruguay, and New Zealand, plus Britain, which has passed a law that has not yet taken effect), while two others have regional or court. However, there are a number of countries where it is illegal for same sex marriage to be practised. Besides, there are over 83 countries in the world today which cut across Africa, Asia including the Middle East, Americas, the Oceania and Europe where homosexuality is a crime. (Odiase-Alegimenlen, 2014).

### **3.2 Same Sex Relation and its Effects on Humanity**

For a large part of the past century, homosexuality itself was seen as a mental disorder. In 1973, the American Psychiatric Association removed homosexuality from its list of mental disorders. This removal came about because of support from research findings and as a result of a persistent plea by both professionals and activists (Sanfort, Thoe, GM, et al, 2001).

Affective anxiety, and substance use disorders and other indicators of subclinical distress appeared to be especially reactive to the effects of social stress. One causal factor presumed to play critical role in placing lesbians and gay men at higher risk than heterosexual people for psychiatric morbidity is the social stigma surrounding homosexuality itself. Studies have shown that lesbians and gay men commonly report experiences with social inequalities arising from their sexual orientation, including incidents of victimization and discrimination (Coheran, 2001)

Levels of substance abuse were also expected to be higher in gay men and lesbians as compared with heterosexual people. Furthermore, negative health consequences such as body image dissatisfaction and eating disorders also came to be

seen as related to the specific lifestyle and subculture of openly gay and lesbian people (Sanfort, Thoe, GM, et al, 2001).

### 3.3 Homosexuality and Mental Health

An individual who has a homosexual orientation is not different from the individual who has a heterosexual orientation. Homosexual orientation is not a symptomatic illness. However, there is an emerging consensus from recent studies that young people who are engaged in homosexual behaviour are at an increased risk of mental health problems and suicidal behaviour, such as:

1. Confusion associated with homosexual feelings
2. Stresses associated with homosexual behaviour
3. Rejection by family, friends and society
4. Lack of social support
5. Academic and Job-related problems
6. Fear of AIDS
7. Suicidal attempts of homosexual friends.
8. Depression and suicidal ideations (Ahmad, 2006).

A number of studies have also suggested that internalized homophobia may be a valid antecedent of a range of psychological problems. One area that has attracted particular interest is that of self-injurious behaviors including substance abuse, eating dis-orders, self-mutilation and suicidality. A number of studies have shown the increased vulnerability of young lesbians and gay men to suicide generally. Research by (Rofes, 1983) amongst others suggests that internalized homonegativity may explain differences within lesbian and gay communities. (Hammelman, 1993) found that young lesbians and gay men were at greater risk of attempted suicide if they discovered their same sex preference early in adolescence, experienced (Williamson, 2000).

### 3.4 Sexual Transmitted Disease

Sexually transmitted diseases (STDs), or sexually transmitted infections (STIs), are infections that are passed from one person to another through sexual contact. The contact is usually vaginal, oral, and anal, but sometimes they can spread through other intimate physical contact. This is because some STDs, like herpes and HPV, are spread by skin-to-skin contact. There are more than 20 types of STDs, including; Chlamydia, Genital herpes, Gonorrhea, HIV/AIDS, HPV, Pubic lice, Syphilis, Trichomoniasis etc. Most STDs affect both men and women, but in many cases the health problems they cause can be more severe for women. If a pregnant woman has an STD, it can cause serious health problems for the baby. The term sexually transmitted diseases (STDs) refer to a variety of clinical diseases and infections caused by pathogens that can be acquired and transmitted through sexual, activity. (Adamu,2021).

Sexually transmitted disease has been rising among gay and bisexual men, with increase in syphilis being seen across various countries. In 2014, gay, bisexual, and other men who have sex with men accounted for 83% of primary and secondary syphilis cases where sex of sex partner was known in the United States. Gay, bisexual,

and other men who have sex with men often get other STDs, including chlamydia and gonorrhea infections. HPV (Human papillomavirus), the most common STD in the United States, is also a concern for gay, bisexual, and other men who have sex with men. Some types of HPV can cause genital and anal warts and some can lead to the development of anal and oral cancers. Gay, bisexual, and other men who have sex with men are 17 times more likely to get anal cancer than heterosexual men. (<https://www.cdc.gov/std/>).

#### 4.0 Benefits of Islamic Polygamy

##### 4.1 The Wisdom of Polygamy in Islam

In Islam, it is not compulsory to have more than one wife. Islam only permits, encourages and sometimes discourages the practice of polygamy. Allah (SWT) is aware that it is impossible to establish or perfect equality of love among plural wives, yet He permits polygamy because of its importance to the society. The Justice referred to (Q4:3) means equal treatment of wives in respect of Food, clothes, shelter and maintenance. Qur'an enjoins believers to emulate the life style of Prophet Muhammad (SAW). Therefore, polygamy is a divine mechanism whose purview is social security and stability. It takes into account all the human variables and provides men and women with viable options. Islam permits a Muslim to marry up to four wives if he is sure of fair treatment among them (Q4:3). The wisdom behind polygamy is to provide comfort for the new converts, provide security for the orphans, unite families together, and provide opportunity for the widowed and divorced women to be married again. In other words, it accommodates the increasing number of unmarried women. It is also a natural solution if the wife is barren and the husband wants to have children of his own, or if the wife is unable to perform her marital duties due to illness and the couple don't want divorce. If the wife cannot cope with the excessive sexual needs of her husband, polygamy then is a tool that controls the widespread of fornication, adultery, abortion, lesbianism and homosexuality. Polygamy is also a means of reconciling the imbalance or variation between the population of men and women (Safiyanu,2014).

Abu Huraira reported the Noble Prophet (S.A.W) to have said; The man who had two wives and was inclined toward one of them will come on the Day of Judgment bent to one side (Sunan Tirmidhi: Hadith No. 1141).

##### 4.2 Impact of Polygamy in Reducing Women Socio-Related Problems.

One of the common traditions is to associate polygamy with Islam as if it were introduced by Islam or is the norm according to its teachings. No verse in the Qur'an or Sunnah, which states that either monogamy or polygamy is the norm. Like many peoples and religions, however, Islam did not out-law polygamy but regulated it and restricted it. It is not obligatory but permissible under certain conditions-one of which is to be capable of being fair and just to the spouses and ability to feed, shelter and clothe them, accordingly. The only passage in the Qur'an:

If you fear that you shall not be able to deal justly with the orphans, marry women of your choice two or three

or four; but if you fear that you shall not be able to deal justly (with them) then only one. (Qur'an 4:3).

This is the only verse, which explicitly mentioned polygamy and restricted its practice in terms of the number of wives permitted and the requirement of justice between them. The verse was revealed after the Battle of Uhud in which dozens of Muslims were martyred leaving behind widows and orphans. This provides a moral, practical, and humane solution to the problems of widows and orphans who are likely to be more vulnerable in the absence of a husband/father figure to look after their needs: financial stableness, companionship, proper upbringing, and other social and psychological needs (Batagarawa & Yahaya, 2018).

### **5.0 Islamic Perspective on the New Innovation (same sex relation or marriage)**

According to Ahmad (2006), all monotheistic religions of the world (Judaism, Christianity and Islam) prohibit homosexual behavior and regard it as a major sin. Islam teaches that homosexual acts are sinful and punishable by Allah. The story of Prophet Lut (PBUH) is mentioned in several Qur'anic passages:

Will you [people of Lut] fornicate with males from among the creatures of the worlds and leave these women your Lord has created for you to be your mates? Nay you are people who have transgressed all limits!" They replied 'If you do not stop, O Lut, you should become one of the expelled'.... We rained down on them the rain of brim stones; and evil was the rain which fell in those who were forewarned. (Qur'an 26-160-3)

The Qur'an has mentioned in several passages condemnation of homosexual behaviour:

O before you? For you practice your lusts on men in preference to women; you are indeed a people transgressing beyond limits." (Qur'an, 7:84 see also 11: 82-.and 29:28-9)

There is total condemnation of the act by Allah (S.W.A) and prophet Muhammad (S.A.W) said;

“Allah has cursed the one who commits bestiality (sex with animals), and (he- S.A.W repeated three time that): Allah has cursed the one who act like the people of the prophet lut (PBUH) did.” (Musnad imam ahmad)

In another hadith Prophet is reported to have said;



There is nothing I fear more for my Ummah (the Muslim community Globally) than the deed of the people of prophet lut (PBUH)- i.e Homosexuality. (Sunan Al-tirmidhi)

From the above saying whoever engaged in this activity has committed a grieved sin. These Qur'anic verses and this hadith. It is clear that homosexual behaviour is condemned and prohibited. Active homosexuals' moral behaviour shows degradation due to their fulfilling of prohibited sexual acts for sexual gratification. Heterosexual behaviour is acceptable, but Islam also prohibits and condemns heterosexual behaviour among unmarried people that is Zina (Adultery).

### 6. Conclusion:

Marriage and polygamy in Islam is a matter of mutual consent which the Quran has limited the maximum number of wives to four. In the early days of Islam, those who had more than four wives at the time of embracing Islam were required to divorce the extra wives. Islam further reformed the institution of polygamy by requiring equal treatment to all wives. The Muslim is not permitted to differentiate between his wives in regards to sustenance and expenditures, time, and other obligations of husbands. Islam does not allow a manking to engage in any illegal form finding pleasure in a name of civilization like western world did in mis-understanding the true concept of polygamy.

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