

Polygamy in Islam

(Translated)

Intellectuals, social scientists, and many others have given polygamy great importance as a highly controversial subject, it is still and will remain so as long as the war on Islam and its rules is ongoing.

The issue of polygamy deems a subject rich with material for criticizing and attacking Islam and Muslims, especially since people are deluded to think that polygamy exists only in the Islamic Ummah, but the reality is that it is known to many nations all over the world and throughout history before and after the mission of our Prophet Muhammad (saw).

Before the advent of Islam, polygamy prevailed in many nations such as the Chinese, the Indians, the Persians, the ancient Egyptians, the Hebrews, the Arabs, the Germanic and Saxon people of Eastern and Western Europe, such as Germany, Austria, Switzerland, Sweden, the Netherlands, Norway and others. Islam did not create polygamy but rather limited it. Islam did not make it an obligation (*fard*), but allowed and regulated it with rules to reduce the harm and the damage that existed in human societies in which it was practiced.

The legislation of polygamy in the noble Qur'an was specifically mentioned in two verses only of Surat An-Nisa':

Allah (swt) says: ﴿فَأَنْكِحُوا مَا طَابَ لَكُمْ مِنَ النِّسَاءِ مَثْنَى وَثُلَاثَ وَرُبَاعَ فَإِنْ خِفْتُمْ أَلَّا تَعْدِلُوا فَوَاحِدَةً أَوْ مَا مَلَكَتْ أَيْمَانُكُمْ ۚ ذَٰلِكَ أَذْنَىٰ أَلَّا تَعُولُوا﴾
“And if you fear that you will not deal justly with the orphan girls, then marry those that please you of [other] women, two or three or four. But if you fear that you will not be just, then [marry only] one or those your right hand possesses. That is more suitable that you may not incline [to injustice]” [An-Nisa': 3]

And Allah (swt) says: ﴿وَلَنْ تَسْتَطِيعُوا أَنْ تَعْدِلُوا بَيْنَ النِّسَاءِ وَلَوْ حَرَصْتُمْ فَلَا تَمِيلُوا كُلَّ الْمِيلِ فَتَدْرُوهَا كَالْمُعَلَّقَةِ﴾
“And you will never be able to be equal [in feeling] between wives, even if you should strive [to do so]. So do not incline completely [toward one] and leave another hanging. And if you amend [your affairs] and fear Allah - then indeed, Allah is ever Forgiving and Merciful” [An-Nisa: 129] These verses provide Shariah rules concerning the rule of polygamy in Islam.

The first verse was revealed to the Prophet (saw) in the eighth year of Hijra; to limit the number of wives to four, before that the number of wives was not limited. The verse means that men can marry whom they like from women, two, three and four. *Mathna* (two) and *thulath* (three) and *ruba'* (four) represent repeated numbers, so the one who wants to marry several women can do so provided that the combination of those whom he wants to marry should be limited to this number (four).

And the noble verse permits polygamy and limits it to four, but it orders the justice between the wives. The meaning of the verse ﴿فَإِنْ خِفْتُمْ أَلَّا تَعْدِلُوا فَوَاحِدَةً﴾ **“But if you fear that you will not be just, then [marry only] one”** [An-Nisa': 3] means if you fear that you cannot be just between the many wives then marry one. And the verse encourages limiting marriage to one in case of fear of unfairness, this is closer to non-injustice, which must characterize the Muslim. The meaning of the verse ﴿ذَٰلِكَ أَذْنَىٰ أَلَّا تَعُولُوا﴾ **“That is more suitable that you may not incline [to injustice]”** [An-Nisa': 3] This is closer to non-injustice.

But it must be noted that justice here is not the condition of the permissibility of polygamy, but it is a ruling relating to the man who marries a number of women, and the state that should exist in the case of polygamy, and it encourages limiting the number of wives to one, in case of fear of unfairness, because the phrase: **﴿فَإِنْ خِفْتُمْ﴾** **“But if you fear”**. is not a condition because it did not relate to the first statement, **﴿فَإِنْ كُنْتُمْ مَرْضَىٰ أَوْ عَلَىٰ سَفَرٍ أَوْ أُنْفَكْتُمْ فَابْتَاعُوا مِنْكُمْ وَلَا يَتَّبِعُوا مَنَافِعَ النَّاسِ أَلَّا يَكُونُوا لَكُمْ حُرْمًا﴾** **“...then marry those that please you of [other] women, two or three or four.”** Allah (swt) first allowed polygamy of four wives without restriction and without any condition or any reason. Then came another ruling that gave priority to marrying one wife over being unjust when marrying more than one.

So what justice is required between wives, it is not absolute justice, but it is the justice that is humanly possible between the wives, Allah (swt) says: **﴿لَا يُكَلِّفُ اللَّهُ نَفْسًا إِلَّا وُسْعَهَا﴾** **“Allah does not charge a soul except [with that within] its capacity”** [Al-Baqara: 286]. The word: **﴿تَعَدَّلُوا﴾** **“to be equal”** is mentioned in the first verse in general, but this generalization is specified to what man can do with the second verse **﴿وَلَنْ تَسْتَطِيعُوا أَنْ تَعْدِلُوا بَيْنَ النِّسَاءِ وَلَوْ حَرَصْتُمْ فَلَا تَمِيلُوا كُلَّ الْمِيلِ فَتَدْرُوهَا كَالْمُعَلَّقَةِ﴾** **“And you will never be able to be equal [in feeling] between wives, even if you should strive [to do so]. So do not incline completely [toward one] and leave another hanging. And if you amend [your affairs] and fear Allah - then indeed, Allah is ever Forgiving and Merciful”** [An-Nisa: 129].

Allah says in the verse that it is impossible to be able to do justice between women, there should not be no inclination, no increase or decrease in their rights. So justice is required, but is not so when it come to love and intercourse, justice in these two areas is not required because a man cannot be just in his love, and this is supported by what is narrated from Aisha (ra): **﴿كَانَ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقْسِمُ فَيَعْدِلُ وَيَقُولُ: اللَّهُمَّ إِنَّ هَذَا قَسَمِي فِيمَا أَمْلِكُ، فَلَا تَلْمَنِي فِيمَا تَمْلِكُ وَلَا﴾** **“The Messenger of Allah (saw) divided in fairness and said: Oh Allah, this is my division in what I own, do not blame me in what you own and I do not own.”** He meant his heart, narrated by Al-Hakim and Ibn Hibban.

Allah has commanded to avoid absolute inclination (or yield if you wish) to one wife, meaning that some inclination is allowed, because the concept of forbidding absolute inclination means that some of it is allowed. So the meaning of the verse is to avoid complete/absolute inclination, because an absolute inclination leaves women ‘hanging’, as if she has no husband yet she is not divorced. It was narrated from Abu Hurayrah (ra) that the Prophet (saw) said: **﴿مَنْ كَانَتْ لَهُ امْرَأَتَانِ يَمِيلُ لِأَحَدَاهُمَا عَلَى الْأُخْرَىٰ جَاءَ يَوْمَ الْقِيَامَةِ يَجْرُ أَحَدُ شِقْبَيْهِ سَاقِطًا أَوْ مَائِلًا﴾** **“Whoever had two women and he inclined towards one more than the other, on the Day of Judgment, he will come dragging one of his two legs that fell or is bent.”** (Narrated by Ibn Hibban in his Sahih).

This is the subject of polygamy as stated in the Shariah texts. The reality of what is happening today is a falsification of the effect of this ruling on women as an injustice to them and a violation of their rights. It is a deliberate act aimed to tarnish this Shariah ruling making it look like a destructive practice towards the society. All the discussed problems that face the family from oppression, violence practices, displacement of children and dismantling families, is made to appear as if it only happens in families where there is a second wife!

Those who falsify the facts have overlooked the good impact of polygamy in the community; where polygamous marriages are allowed, “polygamy” of mistresses does not occur, whereas the group in which polygamous marriages are prohibited will have the problem of “polygamy” of mistresses. In addition polygamy addresses many of the problems

that arise in the human community as a humanitarian community and need to be addressed by polygamy. Here are examples of these problems:

1- The wife can be infertile, if the husband is not allowed to marry another woman, he should either divorce his first wife, and this demolishes the family, or it will deprive the man from enjoying his offspring and children. This aggravates the paternal instinct emanating from his procreation instinct.

2- The wife may be sick, and cannot meet the sexual needs, or to serve the house, husband and children, and the husband does not want to divorce her, but to live with her alone without another wife will not give him peace.

3- Reproduction in a nation, people or country may not achieve equal number of males and females. The number of females may be more than the number of males. There is no balance between men and women, and this is almost the reality in many people and nations. In this case, there is no solution to this problem except the permissibility of polygamy.

4- Wars or revolutions may claim thousands of lives, but rather millions of men, causing an imbalance in the number of men and women, as in World War I and World War II. Germany, for example, encouraged polygamy because the number of men who died in the war was very large which led to the demographic imbalance of the population.

These are real problems in the human community in peoples and nations. If polygamy is forbidden, these problems remain untreated, and the solution for them will be only polygamy. However, it should be known that these and other cases that may happen to a Human and to the human community are real problems that do occur, and they are not the reason for polygamy, nor a condition for it.

Islam has allowed polygamy and has not made it an obligation. Although polygamy is a Shariah rule in the explicit text of the Qur'an, the capitalist culture and Western propaganda, which is biased and antagonistic to Islam in particular, and not other religions, has distorted polygamy and saw it as an attack and weak point that reduced the Deen. This propaganda has influenced Muslims. Some of them took the position of the defender and gave false interpretation to prevent polygamy, following the false propaganda promoted by the enemies of Islam. And some took the position of these enemies inadvertently and raised slogans, and took to platforms and launched campaigns after campaigns using the slogan of equality and women's rights, which has become a global demand that conferences are held for and laws are adopted for, which are binding for implementation in the Muslim world alone.

Therefore, it is necessary to alert the Muslims to the fact that the pretty (*Husn*) is what Shariah says is pretty, and the ugly (*Qubh*) is what Shariah says is ugly. And that what is permitted by Shariah is *Hasan* and what is forbidden by Shariah is the *Qubh*, and that polygamy, whether it has a positive tangible effect, or not, and whether it treated problems that have occurred or not, it is permitted by the Shariah and it is mentioned in the Qur'an, and therefore it is *Hasan*, and preventing polygamy is *Qubh*, because it is a Kufr ruling. The permissibility of polygamy and being a non-obligation is what makes polygamy one of the most effective solutions for the human community and society.

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