

## Part Eleven: Polygyny

Monogamy is the most natural form of matrimony. In monogamy the spirit of special exclusiveness exists, that is to say, of individual and particular “having”, which is, of course, different from the feeling of the possession of material things. In monogamy both the wife and the husband consider the sentiments, affections and sexual advantages from the other as his or her own and special to him or her.

The converse of monogamy is polygamy or the shared condition of being a wife or husband. Polygamy, or the shared condition of being a wife or husband, can be envisaged in several forms.

### Sexual communism

One of these forms is that there is no special exclusiveness on either side; no man has an exclusive relationship with any particular woman, and no woman is exclusively tied to any man. This imagined situation is the very one which is known as sexual communism. This form pre-supposes the rejection of family life. Neither history nor even guesses and theories concerning pre-history give any clue of a time when human beings had absolutely no family life at all and when sexual communism prevailed.

The way of life which they call by this name and which they claim existed among some primitive peoples was really a middle stage between an exclusive family system and sexual communism. It is said that in some tribes several brothers would marry several sisters jointly, or that a group of men from one tribe would jointly marry a group of women from another tribe.

In the first volume of *The Story of Civilization*, Will Durant writes: In a few cases we find “group marriage,” by which a number of men belonging to one group married collectively a number of women belonging to another group. In Tibet, for example, it was the custom for a group of brothers to marry a group of sisters, and for the two groups to practice sexual communism between them, each of the men cohabiting with each of the women. Caesar reported a similar custom in ancient Britain. Survivals of it appear in the “levirate,” a custom existing among the early Jews and other ancient peoples, by which a man was obliged to marry his brother’s widow”

## Plato's view:

According to what can be inferred from Plato's Republic, and from what historians in general confirm, it seems that he, in his theory of philosopher-kings and king-philosophers, proposed a shared family for this class of citizen. As we know, some communist leaders of the nineteenth century also made the same proposal, but, according to the book *Fru'id va tahrīm-e zanashu'i ba maharim* (Freud and the Forbidding of Incest)<sup>1</sup> as a result of numerous bitter experiences, the law of monogamy was recognized as the only official law in 1938 by some of the powerful communist countries.

## Several husbands:

Another form of multiple partnerships is that of polyandry. In other words at one time a woman may have more than one husband. Will Durant writes: "This state of affairs can be observed in the tribe of Tuda and in some of the tribes of Tibet."

In *Sahih al-d-Bukhari*,<sup>2</sup> A'ishah (the Prophet's wife), is reported to have related that "In Arabia in the pre-Islamic period four kinds of matrimony were practiced: One kind was the same as that which prevails at present, that is, a man, through the father of the girl, asks for girl's hand in marriage and after settling the dower marries her. As the child, born to that girl after marriage is of determined parenthood, the father's responsibilities towards that child are clear. In another kind, the man, at the same time as he is married to a particular woman, transfers or entrusts her wifeness to some other man for a limited period for the purpose of having noble children through him. The custom was that he himself kept away from his wife and advised her to surrender herself to that particular man, as long as she had not become pregnant by that man, while he himself continued to keep himself away from her.

As soon as it was established that she was pregnant, he renewed his sexual relations with her. They did this with those men whom they considered worthier than themselves to make the woman pregnant. In all good faith they took this step for the improvement and welfare of their progeny and the improvement of their stock. This kind of matrimony, which was matrimony during the period of matrimony to another man, was called as "*nikahu l-istibda*" (i.e., marriage pact from which some benefit is sought).

Another kind of matrimony was that a group of men, less than ten in number, used to arrange to have sexual relations with a particular woman. When the woman became pregnant and a child had been born to her, the woman summoned all the members of that group, and, in conformity with the convention of that period, none of them could refuse to be present at her call. Everyone used to turn up and on that occasion that woman made a choice of a father for her child from amongst that group according to her own inclination. That man, however, was not entitled to refuse to acknowledge that child as his own. Thus, the child was considered to be the legal and official child of that man.

"The fourth form of conjugal relationship was that the woman was officially a kind of prostitute. Any man, without exception, could have sexual intercourse with her. Women of this class used to set up flag on

the top of their house, and by that sign they could be distinguished. Whenever a child was born to a woman of this class, the women gathered together all the men with whom she had sexual intercourse and then fortune-tellers and physiognomists were called in. In the light of the distinctive marks and features of the child, the physiognomists declared their expert opinion as to whom the child belonged, and that chosen man was obliged to accept the view of the physiognomists and had to consider that child his official child.

“All these systems of conjugal relationship existed in the pre-Islamic period till Allah chose Muhammad (s.a.w.a.) for the Prophethood, and he annulled all these customs except the one which is at present in practice.”

By this it is evident that the custom of plurality of husbands existed among the Arabs of the pre-Islamic age. In *The Spirit of Laws*, Montesquieu<sup>3</sup> wrote:

“Albuzeir-el-Hassen (Abu az-Zahir al-Hasan) one of the Mahomedan Arabs who, in the ninth century went into India and China thought this custom (i.e., polyandry) a prostitution (vol. 1, p.272)

He also wrote:

“In the tribe of the Naires, on the coast of Malabar, the men can have only one wife, while a woman, on the contrary, may have many husbands. The origin of this custom is not I believe difficult to discover. The Naires are the tribe of nobles, who are the soldiers of all the nations. In Europe soldiers are forbidden to marry; in Malabar, where the climate requires greater indulgence, they are satisfied with rendering marriage as little burden-some to them as possible: they give one wife amongst many men, which consequently diminishes the attachment to a family, and the cares of housekeeping, and leaves them in the free possession of a military spirit.” (*ibid.* p.273)

## **The difficulty with polyandry:**

The greater difficulty that lies with polyandry, and which has been the cause of this custom not being successful in practice, is that there is a problem because the parentage of the children is not known. In this kind of conjugal relationship the connection between a father and his children is unspecified. Just as sexual communism could not find a foot-hold, so also polyandry could not make itself popular in any society worth the name.

The reason is that, as we have pointed out in one of the preceding articles, family-life, which is the establishment of a secure shelter for the next generation and a definite attachment between the previous and the future generations, is an instinctive demand of human nature. If, incidentally, and as an exceptional case, polyandry happened to exist among certain categories of men, it does not serve as an argument for the theory that the setting up of one's own family is not the result of an instinctive human urge; just as preference for an unmarried life, and a dislike for setting up a family among a section of

men or women is only a kind of deviation and cannot be adduced as an argument to show that human beings are not inherently disposed to living in families. Polyandry is eventually not only inconsistent with man's innate desire for exclusivity and love for his children, but it is against the nature of woman also. Psychological research has proved that women are in favour of monogamy more than men.

## Polygyny:

The other form and the other kind of multiple partnerships is polygyny. Polygyny unlike polyandry and sexual communism is more usual and has a comparatively more accepted status. It does not exist only in savage tribes, but many civilized nations have also adopted it. Leaving aside the pre-Islamic Arabs, the custom existed also amongst the Jews, amongst the Iranians in the Sassanid period, and in some other nations.

Montesquieu wrote: "This law (equality in behavior towards all wives in polygyny) is also in force in the Maldivian Isles, where they are at liberty to marry three wives." (*The Spirit of Laws*, vol. 1, p.274)

He also wrote: "Some particular reasons induced Valentinian to permit polygamy in the (Roman) empire. That law, so improper for our climates, was abrogated by Theodosius, Arcadius and Honorius." (*ibid.* p.271)

## Islam and polygyny:

Islam did not completely do away with polygamy, although it did do so as far as polyandry was concerned. Instead, it limited and restricted it. It abolished its non-restrictedness and confined it to a maximum of four wives. Islam, moreover, laid down conditions and restrictions, and did not allow everybody, to have several wives. We shall comment upon those limits and restrictions in the coming sections, and shall likewise throw light upon the reasons why Islam did not absolutely abolish polygyny.

It is strange that in the Middle-ages, among all the propaganda that was carried out against Islam, it was alleged that it was the Prophet of Islam who introduced polygyny into the world for the first time, and it was claimed that the foundation of Islam lay in polygyny. It was asserted that the cause of the speedy conversion to Islam among the various nations and peoples of the world is the permissibility of polygyny, and it was also given to be understood that the prime cause of the decline of the east was again polygyny.

In the first volume of his *The story of Civilization* Will Durant writes: Medieval theologians thought that Mohammed had invented polygamy, but it antedated Islam by some years, being the prevailing mode of marriage in the primitive world. Many causes conspired to make it general. In early society, because of hunting and war, the life of the male is more violent and dangerous, and the death rate of men is higher than that of women. The consequent excess of women compels a choice between polygamy and the barren celibacy of a minority of women; but such celibacy is intolerable to peoples who require a high

birth rate to make up for a high death rate, and who therefore scorn the mateless and childless woman.

“Doubtless polygamy was well adapted to the marital needs of a primitive society in which women outnumbered men. It had a eugenic value superior to that of contemporary monogamy; for whereas in modern society the most able and prudent men may marry latest and have least children, under polygamy the most able men, presumably, secured the best mates and had most children. Hence polygamy has survived among practically all mature peoples, even among the majority of civilized mankind; only in our day has it begun to die in the Orient. Certain conditions, however, militated against it. The decrease in danger and violence, consequent upon a settled agricultural life, brought the sexes towards an approximate numerical equality; and under these circumstances open polygamy, even in primitive societies, became the privilege of the prosperous minority. The mass of the people practiced a monogamy tempered with adultery, while another minority of willing or regretful celibates, balanced the polygamy of the rich.”

In *La Civilization des Arabes*, Gustave Le Bon<sup>4</sup> writes: There is no custom more despised and on which more erroneous ideas have been pronounced than polygamy. For the most serious of historians, polygamy has been the corner-stone of Islamism, the principle cause of the spread of the Koran, and at the same time of the decadence of the Orientals. These peculiar assertions are generally followed by indignant tirades on the unfortunate lot of the miserable women confined to the far reaches of the harem, guarded by ferocious eunuchs, and killed without pity when they no longer please their master.

“Such a picture is the opposite of the truth, and the reader who wishes to read this chapter putting aside his European prejudices will, I hope, be convinced that oriental polygamy is an excellent institution which greatly raises the moral standard of the peoples who practice it, gives much stability to the family and, as a final result, renders the woman infinitely more respected and more happy than in Europe.

“Before embarking on the proof of this, I will recall, firstly, that polygamy is completely independent from Islamism, for it existed before Mahomet among all the peoples of the East: the Jews, the Persians, the Arabs, etc. Those nations who adopted the Koran, therefore, had nothing to gain on this score by adopting polygamy. There has never been a religion, anyway, strong enough to transform traditions to the point of creating or preventing a similar institution. It is simply the consequence of the climate, of race and the various conditions of existence particular to the Orientals .....

“In the West, where the climate and the temperament are however very much less demanding, monogamy is no longer to be found except in the law, and no one will contest, I think, that it is very rarely to be found in the behavior of people. I cannot see in what way the legal polygamy of the Orientals is inferior to the hypocritical polygamy of the Occidentals; rather, I can, on the contrary, very well see in what way it is superior. One can therefore perfectly well understand how the Orientals who have visited our great cities find our indignation towards them to be most strange and judge it most unfavorably.” (pp. 421–2)

Truly, Islam did not initiate polygyny but limited its number, and at the same time laid down stringent conditions for it. Amongst most of the peoples and the communities which accepted Islam, this practice was customary, and under the commandments of Islam they had to comply with the limits and the conditions ordained by Islam.

### Polygyny in Iran:

The Danish Pahlavi scholar Arthur Christenson wrote: (In Sassanian Iran) the family was based on polygamy. In practice, the number of wives a man had been related to his means, and, in general, the less well-off probably only had one wife. The master of the house the *kadhagh-khvadhay*, enjoy the right of *patria potestas* (*sardarih-i dudhagh*). The principle wife, *zan-i padheshayiha*, the “privileged” wife, was distinct from the “second-rank” wife, the “servant wife.” (*Zan-i tchghariha*).

The legal situations of the two classes of wives were different. It would appear that bought slaves and women plundered in war were in the second class. We do not know if the number of “privileged” was limited, but the case of men who had two principle wives is often mentioned in matters of law. Every privileged wife was “woman of the house” (*kadhagh-banugh*), a household being specially set aside, it seems, for each one. The privileged wife had the right to be fed and kept by the husband for all her life; the same right belonged to her son up to the age of majority and to her daughters until marriage. As for a “servant-wife”, only her male children were adopted into the father’s family.”<sup>5</sup>

In *Tarikh-e ijtimā ‘i-e Iran az inqirad-e Sasaniyan ta inqirad-e Umawiyan* (The Social History of Iran from the Fall of the Sasanids to the Fall of the Umayyids) written by late Sa’id Nafisi, it is stated that: “The number of wives that a man could have was unlimited and in Greek documents it has been found mentioned that a man sometimes had several hundred wives in his house.”

In *The Spirit of Laws* Montesquieu relates from the Roman historian Agathias that: “In the reign of Justinian, many philosophers, displeased with the constraint of Christianity, retired into Persia. What struck them most .....was that polygamy was permitted amongst men who did not even abstain from adultery.” (vol. 1, p.274)<sup>6</sup>

It should not be passed over unmentioned that the philosophers of Byzantium took refuge in court of Anūshiravan, King of Iran, and not in the court of Khusru Parviz. Montesquieu mistakenly wrote the name of Khusru.

Amongst the Arabs there was no limit to the number of wives. The restrictions ordained by Islam, and the laying down of a maximum limit in the number of wives were a difficult problem for a number of Arabs who had more than four wives. There were certain individuals who, it so happened, had ten wives, and they were obliged to give up six of them.

So it is clear that Islam did not introduce or originate polygyny. It has, on the other hand, laid down restrictions and limitations on it, but of course, it by no means abolished absolutely or annulled it. In the

coming chapters we shall examine the causes of polygyny among humans and shall look into the question as to whether the cause of it is the high-handedness of man and his domination over woman, or whether there are some special necessities that have produced it.

We shall examine those necessities and shall see whether certain factors are geographical and relate to particular regions or whether they are universally applicable. We shall look closely into the question of why Islam did not abolish this custom and also the limits, restrictions and conditions that it has laid down in connection with polygyny. We shall examine what, after all, the reasons are that human beings, men and women, are against polygyny. Does it have its root-cause in any human or moral reason, or are some other factors at work? These are the points which we shall discuss in the forthcoming chapters.

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## [The historical causes of polygyny \(1\)](#)

What are the historical and social causes of polygyny? Why have numerous peoples of the world, especially the Orientals, adopted it while some peoples, like the occidentals, never adopted it? Why, out of the three forms of multiple marriages, was only polygyny accepted and favored by people, unlike polyandry and sexual communism? The latter two forms were either never adopted, or else were very rarely resorted to and were by way of exception.

Until we closely examine these causes, we cannot discuss the Islamic view of polygyny and we also cannot properly study this question and how it has any bearing on present day human requirements.

If we overlook the numerous psychological and social considerations that exist, and think like many superficial writers, it is enough to explain and interpret the historical and social causes of polygyny according to the same well-played tune which is so often repeated in connection with these subjects. We also can say, "It is very obvious what the cause polygyny is, and what it was in the past. It is the tyranny and domination of man and the slavery of woman. The root-cause of it is the patriarchal system. As man has had the domineering position and has been the "sovereign" over woman, he has moulded all customs and rules in his favour. He has, accordingly, made polygyny a rule for his own benefit and against the interests of woman for centuries. As the woman has been under the subjugation of man, she could not establish polyandry as a custom in her favour. However, since the present age is an age of the decline of the tyranny of man, the privilege of taking several wives, like very many other wrongful privileges, is giving place to equality and to identical rights."

If we form opinions like this it will be a very superficial and crude way of thinking. Neither has the cause of the custom of polygyny been the tyranny of man, nor has the cause of the failure of polyandry been the weakness and subjugation of women. Furthermore, neither is the cause of the decline in polygyny the fact that tyranny is on the decline, nor has man suffered any loss in giving up the distinction of having more than one wife. He rather earns an advantage for himself as opposed to woman.

I do not deny that the factor of force and authority was one that brought about changes in human history, and I also do not deny the fact that man, throughout history, had taken undue advantage of his authority over woman. Nevertheless, I do not believe force and authority to be the only factor, especially in the interpretation and explanation of the nature of the family relations of husband and wife. The idea that the use of force was the only force in shaping the history of mankind is due to a lack of insight.

Let us suppose, for a while, that the above viewpoint is correct. Then the rare and exceptional times when polyandry was common, like the pre-Islamic period among the Arabs, or in the days, according to Montesquieu, when it was adopted among the Naires of the coasts of Malabar, were occasions when woman had come into power, had taken her chance and seized the opportunity to impose polyandry upon man. These periods should consequently be regarded as the golden periods for woman, while, as a matter of fact, we know that the days of the pre-Islamic period were dark and awful days for the life of woman. In the preceding section we quoted from Montesquieu that the custom of polyandry among the Naires was not on account of the authority and honor of woman. The decision was taken by that community for the purpose of keeping the soldiers away from family attachments and so as to maintain the spirit of valor.

Besides, if the cause of polygyny is the patriarchal system or the domination of man, why did occidentals not adopt it? Was patriarchy confined to the orient? Had occidentals so closely interwoven Jesus and Mary that from the beginning they believed in equality and identicalness of rights for woman and man? Was the factor of authority effective in the factor of authority effective in turning things in favour of man only in the orient, and, in the west, was that factor used only to uphold justice?

Western woman, half a century ago, was the most unfortunate woman in the world. Even in the matter of her own property, she required the guardianship of her husband. Occidentals themselves admit that in the Middle Ages eastern woman was far better off than western woman.

Gustave Le Bon<sup>7</sup> writes: "In the days of the Islamic civilization, women were given exactly the same position and status which European women held a long time after. This meant that after the chivalrous conduct of the Andalusian Arabs, the example was set to be propagated in Europe..... Among Europeans, chivalrous behavior, an aspect of which is the gallant treatment of women, came down from the Muslims, and was copied from them. The religion which was able to deliver woman from a low and inferior position and could raise her to a position of respect and honor was Islam and not Christianity, as is commonly imagined. For we see that in the Middle-ages our kings and monarchs had no respect for women, despite their being Christians. After the study of ancient histories, there remains no doubt that in the days before the Moslems taught our forefathers to have kindly feelings and respect for women, our kings and monarchs treated women with extreme brutality.....<sup>8</sup>

Others also have described, almost in the same terms, the condition of women in the Middle-ages. Why, then, in spite of patriarchy, and in spite of all those conditions for the force and authority of man being at their highest in Europe of the Middle-ages, was polygyny not adopted by man?

The real fact is that where polyandry was common, it was not because of chance and the authoritative hold of women over men, nor was the cause of the abolishing of polyandry the weakness and feebleness of woman, and further neither was the cause of the custom of polygyny in the Orient the force and domination of man, nor was the fact that there is no custom of polygyny in the West by virtue of the faith of occidentals in the equality of authority of woman and man.

### **The cause of the disappearance of polyandry:**

The cause of the disappearance of polyandry is that it is not agreeable to the temperament of either man or of woman. As for man, it is incompatible, firstly, with his tendency towards exclusive and restricted attachment, and secondly, it is discordant with any certainty regarding the fatherhood of the children, on the basis of which attachment to them is a natural and instinctive urge in man. A human being naturally wants to reproduce, and he wants the connection with the future and the past generations to be specified and clearly defined, he wants to know for certain which child he is the father of, and who is his own father. Polyandry is thus unfitting for the human temperament and instinct, while polygamy injures the feelings of neither man nor woman in this respect.

It is said that a group of women, about forty in number, assembled and presented themselves before 'Ali (a.s) and put this question to him: "Why Islam does allow man to have more than one wife, and why does it not allow woman to have more than one husband? And is this not an unjust discrimination?" 'Ali ordered small cups of water to be fetched and every one of those women was handed one cup of water. He then asked the women to pour all that water into a big bowl that was put in the middle of the gathering. The women accordingly poured the water in the bowl, and then Ali (a.s) asked each one of them to fill up their cup with water again, but stipulated that every one of them should take out the very same water that she had previously had in her cup and had poured into the bowl. They all asked how that would be possible. The water had become mixed up and separation was impossible. Ali (a.s.) then said that if woman had several husbands she would necessarily have sexual intercourse with everyone of them, and then she would be pregnant. How then, he asked, would it be possible to distinguish whose child it was? That is from the point of view of man.

As for the point of view of woman, polyandry is inconsistent with her nature and is also against her interests. A woman does not require man only as a source of, or as a factor in, the satisfaction of her sexual urges, so that it may be said 'the more the merrier'. A woman wants a man whose heart will be in her hand. He should be her protector and defender. He should be self-denying and devoted to her. He should take effort to bring in money, to present the fruits of his toils and earnings to her, and should look after her with tender care. The money which a man used to pay and still pays a prostitute is the money which that woman used to get and gets in return of her "work" and activity, and not for her financial needs, which are great and several times more than a man's personal needs, and such a sum is never the same as that money which a man presents to his wife for the attachment of love and affection. Man has always paid for the extensive material needs of woman in self-sacrifice. Also the best and the

strongest incentive for work and activity is the peace and the welfare of his home life, that is, his wife and children.

A woman in polyandry has never been able to attract the protection, love, sincere attachment and devotion of man towards her. That is the reason why polyandry, like prostitution has always been an object of disgust for woman. And thus, polyandry has always been in harmony neither with the taste and requirements of man nor with the taste and requirements of woman.

### **The failure of sexual communism:**

The cause of the failure of sexual communism is the same. Sexual communism, doing away with every personal attachment on either side so that neither has the woman any special interest in any particular man nor the man in any special woman was, as we mentioned before, proposed by Plato, only it was for the circle of the ruling class, that is, the king-philosophers or philosopher-kings, as Plato said. This behavior was disapproved of not only by others, but Plato himself also deviated from his idea.

A century back Fredrick Engels, the second father of Communism, also proposed this idea and wrote in its defense, but the communist world did not approve of it. It is said that the Soviet Government, in view of many bitter experiences which followed from the enforcement of Engels' communist family theory, passed laws for the benefit of the family in 1938, and monogamy was adopted as the officially approved communist form of matrimony.

Polygyny might be a mark of distinction for a man, but polyandry has never been, and could never be, a distinctive mark of respect for a woman. The cause of this difference is that man is in quest of the person of a woman, while the woman is in need of the heart and the love of a man and of his devotion. For a man, as long as he has the person of the woman under his control attaches no importance to the matter of whether the heart of woman is with him or not. This is the reason why, in polygyny, he attaches little importance to matters of the heart and the subtleties of delicate feelings. But for a woman the heart and love of a man is the real thing. If she is bereaved of that she loses all.

In other words, in the matter of marriage, two elements hold sway. One of them is material and the other spiritual. The material element of matrimony is its sexual aspects, which in youth are in a state of excitement, and are at their zenith, and which gradually subside and calm down. The spiritual aspect relates to those kind, tender, sincere sentiments which rule the couple, and which, incidentally increase with time. One of the differences between man and woman is that for a woman, unlike a man, the latter element is more important than the former. Marriage for a woman means the spiritual aspect, more, and for a man the material aspect, or, at least the material and the spiritual aspects of marriage are equal for him.

Besides this, as we said in a previous section and quoted from a European female psychologist as our witness, because woman is the nourisher of the child, both in her womb and at her breast, she has a

very special mental attitude which makes her acutely in need of the kind sentiments of her husband as the father of her child. It is to this extent true that the measure of the love of the children very much depends upon the measure of love and attachment of the husband to the mother on the score of his being the father of her child, the factor which has brought the child into existence. This need of the woman can be satisfied only when she has one husband.

Therefore, to compare polyandry with polygyny, and to imagine that there is no difference between the two, and that the cause of polygyny being a custom in some parts of the world is that man was stronger, and to imagine that the cause of a woman not being able to keep polyandry as a mark of distinction for herself is her weakness and frailty, is all a glaring mistake.

Ms. Manuchihriyan in her book *Criticism of the Constitution and Civil Law of Iran*, writes on page 34: "In clause 1049, the Civil Law says: No one can marry the daughter of the brother or of the sister of his wife except with the permission of his wife.... In case the wife does permit it, her husband can marry the daughter of the brother or of the sister of his wife. Now let us imagine what the consequences would be if the wife did not allow it. Nothing! As they say 'don't worry, there is an alternative. The man will marry someone else'. Very well! But if we reverse the proposition. For example, we say that the wife cannot marry the son or the brother or the son of the sister of her husband (while she is married to him) except with the permission of her husband. On hearing these words, the blood boils in the veins and people cry out that such a suggestion would be against human principles, and moreover, that it is basically against the nature and the innate disposition of the woman. In reply, it should be said that this proposition is only against the principle of the slavery of woman. Just as property does not have more than one owner, or, if it has, after partition, its produce goes to one owner, the woman also, under the explicit and implicit laws of our land, is in the category of property and consequently she should not have more than one owner...."

On page 73 of her book she says:

"We can say that just as a man can have up to four wives, a woman, so as to become a human should possess similar and equal rights to those which the man has. The result of the logical major and minor premises would be very dreadful for man. Here it is that the blood rises in their veins, and with an excited face and flaming eyes they cry out, 'how is it possible for a woman to have more than one husband?' We would very coolly and calmly say in their reply, 'how can a man have more than one wife?'

"We do not want here to incite to immorality, and also we do not think it proper to be petty and depreciate the piety and chastity of women, but we want to impress upon men that as regards women their ideas and beliefs are not based, as they imagine, upon a strong and unassailable foundation. Woman is one and man is one, each of them is equal. If this right to have up to four wives has been given to men because they are men, women also should have the same right. Even if they are not stronger than men in intellect, it should be acknowledged that in brightness of the spirit and in quality of

the soul a woman is not inferior to man.”

As you have seen in the above quoted statements, no difference is taken into account between polygyny and polyandry except that, man is strong, he has established polygyny in his favour, while woman has had no independence to defend and safeguard polyandry for the only reason that she was a slave. In the above passage it is also stated that the establishment of polygyny and the banning of polyandry was due to the fact that man was the owner of woman and woman the slave. Because man was the owner of woman, he was in a position to keep several wives, that is, he could possess plenty of wealth. Woman was something owned, and an owned thing cannot have more than one owner. So she could not reap the benefit of having more than one husband.

Incidentally, contrary to the views of the lady writer, her own non-acceptance of polyandry is by itself evidence that man has not been looking at woman as her owner. The partnership or several persons in a property and all getting profit from that one property, is one of the laws in force in all human societies regarding property. If man looked on woman as his property, he would have allowed partnership in her, as he has allowed partnership in the ownership of property and the participation of its profits. Where in the world is there a system where property cannot have more than one owner, so that we can consider it the basis of the law of a single husband.

They say: “As man is one and woman is one, it is necessary that they should have equal rights. Why should a man benefit from the rights of polygyny while woman cannot enjoy the right to polyandry?” I say that it is here that you are mistaken. You have imagined that polygyny is the part of the rights of man, and that polyandry is a part of the rights of woman while, as a matter of fact, polygyny is part of the rights of women, and polyandry is neither part of the rights of men nor part of the rights of women. It is against the interest and advantage of man as well as against the interest and advantage of woman. We shall hereafter prove that the law regarding polygyny in Islam was created with the object of reviving and vindicating the rights of women. If the intention were to put man in a favorable position, Islam would have done the same as the western world has done. To man it would have given the right to use and enjoy other women along with the first one, but would not have accepted any commitment or undertaking from the man as regards the interests of the woman and the children as his legal wife and his legal children.

Polyandry was not in the interests of woman, and so it cannot be said that one of her rights has been forfeited.

They say they want to impress upon men that their (men's) ideas regarding woman are not “based upon secure and unassailable foundation, men mistakably imagine.” Accidentally, it was just what we want. We shall explain the basis of the Islamic view- point regarding polygyny. We earnestly implore this writer and every reasonable person to examine and consider whether the Islamic view rests upon a firm and unassailable footing or not. I declare on my word of honor that if anyone can point to a loophole in the foundation of the Islamic view in the problem under discussion, I shall discard everything I have said

concerning the rights of women.

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## The historical causes of polygyny (2)

Sensuality and the indisputable domination of man cannot, by themselves, be enough to bring into being the custom of polygyny. Certainly other causes and factors must also have contributed to establishing it as a regular custom, because there is an easier and less troublesome way available to the sensuous man for satisfying his fondness for change. He could have his favorite woman as a girl friend or mistress without entering into an engagement with her as a wife and without involving himself in any responsibility regarding her and regarding her children, of uncertain parentage. Thus, in communities in which there is ordinarily a practice of marrying several wives, either there are moral and social checks on being openly given to lewdness and prostitution, and a sensuous man is obliged to pay the price for his passion for variety by accepting his favorite woman as his legal spouse along with the responsibility of fatherhood of her children, or in other cases we may suppose that there are some other causes, geographical, economic or social, other than sensual ones, and other than the fondness for variety.

### Geographical factors:

Montesquieu and Gustave le Bon insist a lot on attributing polygyny to geographical factors. These thinkers believe that the climate of the east necessitates the custom of polygyny. Woman in the east attains puberty earlier and becomes old sooner, and because of this, man feels in need of a second and third wife. Besides that, a man brought up in the climate of the east is in such state of sexual vitality that one woman cannot satisfy him.

Gustave le Bon writes: "Polygyny is simply the consequence of the climate, of race and the various conditions of existence particular to the Orientals.

"The influence of climate and race is too obvious for it to need being emphasized. The physiological constitution of the (oriental) woman, the necessity of child-bearing, her sicknesses, etc., force her to remain often at a distance from her husband, and since this momentary widowhood is impossible in the climate of the Orient and with the temperament of the Orientals, polygamy is absolutely necessary." (*La Civilization des Arabes*, p. 422)

On pages 270—271 of *The Spirit of laws*, Montesquieu writes: "Women, in hot climates, are marriageable at eight, nine or ten years of age, thus, in those countries, infancy and marriage generally go together. (Prideaux, in his *Life of Mohomet* says: 'Mahomet (Mohammad) married Cadhisja (sic) (Khadijah) at five, and took her to his bed at eight years old') They are old at twenty: their reason therefore never accompanies their beauty. When beauty demands empire, the want of reason forbids the claim; when reason is obtained, beauty is no more... In temperate climates, where the charms of

women are best preserved, where they arrive later at more advanced season of life, the old age of their husbands in some degree follows theirs; and as they have more reason and knowledge at the time of marriage, if it be only on account of their having continued longer in life, it must naturally introduce a kind of equality between the two sexes, and, in consequence of this, the law of having only one wife.....

“Thus the law which permits only one wife is physically conformable to the climate of Europe and not to that of Asia.”

This explanation is by no means correct. Firstly, the custom of polygyny is not confined to the warm regions of the East. In Iran, in spite of its having a temperate climate, there was polygyny in the pre-Islamic period. The observation of Montesquieu that in tropical countries women get old at the age of twenty years is a pure exaggeration. All the more extravagant is the statement which he makes, citing that the Prophet of Islam married Khadijah when she was five years of age and that the marriage was consummated when she was eight years old, while it is a well-known fact that the prophet of Islam married Khadijah in his twenty-fifth year and that at that time she was forty years of age.

Secondly, if it is true that eastern women get old earlier, and that the excitement of men's passions is the real cause of polygyny, why did the men of the east not have recourse to the same way of life which western men of the Middle Ages and the present time adopted? Why, instead of having several wives, did they not succumb to the western pattern of free love, promiscuity and licentiousness? For, according to Gustave le Bon, the custom of monogamy in western countries is a mere farce and a hollow formality which is inscribed only in law books, whereas in actual social life there is no trace of it.

Again, according to him, polygyny has existed in the orient in a legal form, that is, an acceptance of a marriage contract with woman and of paternal responsibility for her children, while in the west it has had a hypocritical and illegal form, in the form of indulging in intimate associations with girl-friends and lovers without entering into a marriage contract with the woman, and without having any responsibility as a father for her children.

### [The form of polygyny in western countries:](#)

I think it necessary at this stage to give a brief account of the manner of polygyny according to the western pattern in the Middle Ages in the words of one of the eminent western historians. This is simply so that my worthy readers, and all those persons who find fault with the east in the name of polygyny, and who occasionally censure the east for the keeping of harems, and consider these aspects of eastern life to be a source of disgrace before occidentals, should know that whatever existed and happened in the east, with all its evils and shameful aspects, is a thousand times preferable to what took place in the west.

Will Durant, in the 17th volume of his *The Story of Civilization*, has written a section on the decline of morals. He has given an account of the general condition of morals in Italy during the Renaissance. The

whole of this section, which is divided into eleven chapters, is worth reading. I quote a summary of what he has written under the heading of "Sexual Morality".

Firstly he gives a brief introduction containing certain items. For example, he wishes beforehand to tender an apology.

To begin with he says: "Turning now to laic morals, and beginning with the relations of the sexes, we should remind ourselves at the outset that man is by nature polygamous, and that only the strongest moral sanctions, a helpful degree of poverty and hard work, and uninterrupted wifely supervision, can induce him to monogamy.

"It is not clear that adultery was less popular in the Middle Ages than in the Renaissance. And as medieval adultery was tempered with chivalry, so in the Renaissance it was softened, in the lettered classes, by an idealization of the refinement and spiritual charms of the educated woman... Girls of good family were kept in relative seclusion from men not of their own household. They were sedulously instructed in the advantages of premarital chastity; sometimes with such success that we hear of a young woman drowning herself after being raped. She was doubtless exceptional, for a bishop proposed to raise a statue to her.

"Nevertheless there must have been considerable premarital adventure; otherwise it would be difficult to account for the extraordinary number of bastards to be found in any city of Renaissance Italy. Not to have bastards was a distinction; to have them was no serious disgrace; the man, on marrying, usually persuaded his wife to let his illegitimate progeny join the household and be brought up with her own children. To be a bastard was no great disability; the social stigma involved was almost negligible; legitimation could be obtained by lubricating an ecclesiastical hand. In default of legitimate and competent heirs bastard sons could succeed to an estate, even to a throne, as Ferrante succeeded Alfonso I at Naples, and as Leonello d' Este succeeded Niccolo III at Ferrara. When Pius II came to Ferrara in 1459 he was received by seven princes, all illegitimate. The rivalry of bastards with legitimate sons was a rich source of Renaissance violence.

"As for homosexuality, it became almost an obligatory part of the Greek revival.... San Bernardino found so much of it in Naples that he threatened the city with the fate of Sodom and Gomorrah. Aretino described the aberration as quite popular in Rome. We may say likewise of prostitution. According to Inifessura – who liked to load his statistics against papal Rome– there were 6,800 registered prostitutes in Rome in 1490, not counting clandestine practitioners, in a population of some. 90,000. In Venice the census of 1509 reported 11,654 prostitutes in a population of some 300,000. In the fifteenth century a daughter unmarried at fifteen was a family disgrace; in the sixteenth century the age of disgrace was deferred to seventeen, to allow time for higher education. Men, who enjoyed all the privileges and facilities of promiscuity, could be lured into marriage only by brides bringing substantial dowries. In the Medieval theory of marriage it was expected that love would develop between man and wife through the varied partnerships of marriage in joy and sorrow, prosperity and adversity; and apparently the

expectation was fulfilled in the majority of cases. Nevertheless adultery was rampant. Since most marriages among the upper classes were diplomatic unions of economic or political interests, many husbands felt warranted in having a mistress; and the wife, though she might mourn, usually closed her eyes – or her lips – to the offense.

“Among the middle classes some men assumed that adultery was a legitimate diversion; Machiavelli and his friends seem to have thought nothing of exchanging notes about their infidelities. When, in such cases, the wife avenged herself by imitation, the husband was as like as not to ignore it, and wear his horns with grace”.

Yes. This was a specimen of the life of the men who always condemned polygyny as the unforgivable sin of the Orient, and occasionally put the blame of this so-called inhuman conduct on the climate of the Orient whereas their own climate in no way allowed them to be unfaithful to their wives or to transgress the limits of monogamy.

By the way, the point should also be made that the fact that there was no custom of polygyny in its lawful form among Occidentals, whether it be good or bad, had no relation with the religion of Christianity. In the original Christian religion, there is no commandment forbidding polygyny, rather the matter is just the reverse. For it is an admitted fact that Christ confirmed the Mosaic Law, and in Mosaic Law polygyny is formally recognized. Thus we may say that in the original Christian religion, polygyny was permissible, and that is why the ancient Christians had several wives. So the abstention of Occidentals from polygyny must have some other cause or causes apart from religion and its laws.

### Menstruation:

Some others have attributed polygyny to the monthly period of woman, and her inability to have sexual intercourse during that period and also to her exhaustion after child-bearing, her abstention from the sexual side of life, and her involvement in the feeding and upbringing of her children.

Will Durant says: “Also, men like youth in their mates, and women age rapidly in primitive communities. The women themselves often favored polygamy; it permitted them to nurse their children longer and therefore to reduce the frequency of motherhood without interfering with the erotic and philoprogenitive inclinations of the male. Sometimes the first wife, burdened with toil, helped her husband to secure an additional wife, so that her burden might be shared, and additional children might raise the productive power and the wealth of the family.”

Without any doubt, the monthly period of woman, as also her exhaustion from childbirth, puts her and man in different sexual states, and brings about a situation where man is more or less inclined to look for some other woman. But neither of the above two factors can by itself be a cause of polygyny unless there is actually some moral or social obstacle restraining the man from gratifying his passions by having free recourse to mistresses, and lovers. So the above two factors were effective whenever there were

such circumstances that prevented man from having complete freedom in licentiousness.

### **The child-bearing period of woman is limited:**

Some people think that the fact that there is a limit to a woman's, as opposed to a man's, reproductive years, that is the event of the menopause, is one of the causes of polygyny. In certain cases a woman may have reached that age without having borne sufficient children, or after the elder children had died.

The wish of a man to have children, and his disinclination to divorce his first wife, is then the cause of his marrying a second or a third wife, just as the barrenness of the first wife is another cause for him to go on to marry a second wife.

### **Economic factors:**

Economic causes have also be suggested for polygyny. It is said that in ancient times, contrary to the present day, having numerous wives and plenty of children was economically beneficial for man. Man used to set his wives and children to work like slaves, and occasionally used to sell his children. The source of the slavery of many persons was not their being captured during wars; their fathers had brought them to the markets and had sold them.

This thing may have been as a cause of polygyny because a man, by merely acknowledging a woman as his formal wife, could benefit from having many children. Prostitution and free love could not give man these advantages. Nevertheless, as we know, it cannot be generalized to a cases in which polygyny is practiced.

Let us suppose that primitive communities had polygyny for this purpose; even then not all communities have been like this. In the ancient world polygyny was common in that class of society that had luxurious and splendid life-styles, and generally kings, princes' aristocrats, priests and merchants kept several wives. Obviously these strata of society never used to make any economic gain from their numerous wives and their large number of children.

### **Factor of number and tribe:**

The interest in having children in large numbers, and any addition to the number of family members, was, in itself, another factor which contributed to the causes of polygyny. One of the things which put woman and man in different situations is that the number of children a woman can bear is very limited, whether she has one husband or more, but the number of children that a man can beget, depends upon the number of women that he has under his control. It is possible for a man to beget thousands of children by hundreds of wives.

In the ancient world, unlike the present, number and tribe are regarded as important social factors. Tribes and communities used to try by every means to add to their numbers and to put a check upon all

those elements which restricted any addition to their numbers. One source of pride for them was the large number of their tribe. Obviously, polygyny could be the only source of the abundance in their numbers.

### **There are more women than men:**

The last and the most important of all the factors has been the excess of the number of women over the number of men. The births of female children have not been and are not any more than those of male children. If it happens that in some lands the births of female children are in excess of those of male children, in other lands it is the reverse and the births of male children are more. The thing which always causes the number of marriageable women to be more than the number of marriageable men is that the deaths of men have always been and still are more than those of women. The excess of the deaths of men has always been and still is the cause of a large number of women in monogamous societies remaining deprived of lawful husbands, homes, lives and lawful children.

There is no dispute about the fact that it was so in primitive societies. We previously quoted Will Durant who said that, “ In early society because of hunting and war, the life of the male is more violent and dangerous, and the death rate of men is higher, than that of women. The consequent excess of women compels a choice between polygamy and the barren celibacy of a minority of women.”

### **An analysis:**

The causes that can be supposed to have been historically effective in initiating polygyny are no more than those that have been recounted above. Nevertheless, as already observed, some of these causes are not actually causes, and have been put down for no good reason as the causes of polygyny: as, for example, the climate. After disposing of this one, we come across three kinds of causes. In the first kind there is some effect from marrying a number of wives but no justification is put forward for the man to act in this way; it only stems from his force, cruelty and tyranny. The economic cause mentioned before is in this class.

Obviously the selling of children is one of the most savage and most cruel of human activities, and polygyny for this hideously criminal purpose is as detestable as the act itself.

The second category containing those causes that are connected with rights is worth careful attention and may be reckoned as justifiable for man and society: such as when the wife happens to be barren or is too old, and the husband wants children, or it may be in the interest of the tribe or the country to increase its population. As a general rule natural causes, when, for example, the husband and the wife are put in different situations concerning the satisfaction of sexual urges or as regards having children, justify polygyny because of their connection with rights.

However, among the causes detailed previously, there is the third kind which, if we suppose that it existed in the past or exists in the present day world, is more important in itself in justifying man or

society in resorting to polygyny. Not only that, but it creates a right in favour of woman and a duty and responsibility for man and society. That cause is the excess of the number of women as compared to men. If we suppose that in the past, or at present, the number of women fit to be married is in excess of the number of men fit to be married, and that monogamy is the only lawful form of marriage, a group of women would be left without husbands and would remain deprived of any kind of family life. In that case polygyny should be considered the right of deprived women and the 'responsibility' of men and married women.

The right of marriage is the most natural human right. No person should be deprived of this right on any pretext or on any grounds. The right of marriage is a right which every individual can claim from his or her society. A society cannot do anything to deprive a group of this right.

Just in the same way as the right to work, the right to food, the right to a dwelling, the right to education and instruction, and the right to liberty are counted as the part of basic and fundamental rights of a human being and an individual cannot for any reason, and on any ground be deprived of those rights, so the right to marry is also a natural right. If the number of women fit to be married exceed the number of marriageable men, the law restricting marriage to monogamy will be inconsistent with this natural right. So this law would be antagonistic to fundamental and natural human rights.

These things concern the past. What is to be said in respect of the present? Do the causes justifying polygyny which can give it official recognition as a right exist at the present time or not? Suppose these causes at present exist, then what is to be said concerning the rights of women in the past? In the coming chapters' replies to these questions will be given.

## **The right of woman in Polygyny**

We have given an account of the decline of the custom of polyandry and of the general acceptance of the custom of polygyny. We elucidated various causes that have contributed to bringing about the custom of polygyny. Some of those causes, no doubt, have their root in the dominating and despotic mentality of the male sex, and some have their origin in the difference of the natural dispositions of woman and man in producing children, and in woman's capability to produce the number of children desired. This may be regarded, in certain circumstances, a justification for man to have more than one wife. Nevertheless, the state of affairs which has always been mainly effective throughout history, due to which polygyny is rendered a woman's right and the performance of a duty by man, is the comparative excess in the number of women fit to be married as compared to men in a similar situation.

For the sake of brevity, we shall abstain from going into the details and recounting the causes which may be considered sufficient justification for man in marrying several wives. We shall confine our discussion to one cause which, if it really exists, would make polygyny the right of the woman.

In establishing this point two premises ought to be made clear. One of them is that according to quite

certain and indisputable statistics, the number of women fit to be married exceeds the number of men in the same situation. The other one is that if this state of affairs is a fact, it creates a right in favour of the left-out and the deprived women which can be claimed from men and married women, because of human rights.

Now as regards the first premise, fortunately relatively exact statistics on this subject are available in the world today. All the countries of the world, every few years, count their inhabitants and collect statistics relating to them. In these census reports, which, in advanced countries are prepared with minute precision, not only are the figures for the male and female sexes available, but the comparative number of each sex in different age-groups is noted down. For example, in these reports it is clearly mentioned that the number of the men in the twenty to twenty-four year age-group is this much, and the number of women in the twenty to twenty four year age-group is this much, and in like fashion the comparative numbers of all age-groups are mentioned. The United Nations Organization, in its annual population studies, continuously publishes these statistics, and till now there have probably been sixteen issues. The latest publication to date is for the year 1964, which was issued in 1965.

We should, of course, keep in mind one point from the very start: that, for our purposes, it is not sufficient to know what is the total number of members of the male sex in a particular country and what is the number of females in that country. What serves our purpose and what is necessary to know is the comparative proportion in the number of males and females of marriageable age. Mostly the proportion of the number of men and women of marriageable age is different from the proportion of the total number of men and women. This is for two reasons. One reason is that the time of puberty for girls is earlier than it is for the boys. It is for this reason that generally all over the world the legal marriageable age for the girls is lower than it is for boys, and almost invariably marriages between men and women all over the world take place while the man is, on the average, five years older than the woman.

The other cause which is more fundamental and more important is that in spite of the fact that births of girls are no more in number than births of boys, and occasionally in some countries births of boys exceed births of girls, deaths in the male sex occur sooner than deaths among females, and so, on reaching marriageable age, that harmony is disturbed and upset. Sometimes that difference is plainly evident and the number of women of marriageable age largely exceeds the number of men of marriageable age. So it is possible that the total number of males in a country may be the same as the females, or may be more, but in the category which has reached the legal age of marriage, the position may be the reverse.

This position is fully clear from the latest issue of the population statistics of the U.N.O. for the year 1964.

For example, according to the statistics detailed in that issue the total population of the Republic of Korea is 26,277,635 and out of them 13,145,289 are male and 13,132,346 are female. Thus in the total population the number of males is more than the number of females by 12,943. This proportion in

children below one year of age, and in children from one year to four years, from five years to nine years, from twelve to fourteen years and from fifteen to nineteen years of age has been uniformly maintained.

Statistics show that in all these age-groups the number of males is more than the number of females. Nevertheless, from twenty to twenty-four years of age this proportion is changed. The total number of males in this age-group is 1,083,364 and the total number of females is 1,110,051. From this age-group where the legal age of marriage for males and females occurs as we go upwards, the number of females is higher than the number of males.

Moreover, the Korean Republic is in an exceptional position in that in the total population the number of men exceeds the number of women. In almost all other countries, and not only in the years of marriage, the number of females is more than that of males; in the total population also the number of females is more than that of males. For example, in the Soviet Republic the total population is 216,101,000 and out of them 97,840,000 are males and 118,261,000 are females. This difference exists before the age of marriage, and it is likewise seen in the marriageable years, that is, in the twenty to twenty-four year age-group, and in the twenty-five to twenty-nine year, the thirty to thirty-four year and the eighty to eighty-four year age-groups.

Similarly, in England, France, East and West Germany, Czechoslovakia, Poland, Rumania, Hungary, America, Japan, and so forth. However, in certain areas such as East and West Berlin the difference in the number of women and men is more, conspicuous.

In India, even in the marriageable age, the number of men exceeds the number of women. It is only from fifty years upwards that the number of women exceeds the number of men. Perhaps the cause of the shortage in the number of women in India is the old habit of the superstitious people of that country who burn women whose husbands have died.

The latest census which was made in Iran showed that Iran is one of those exceptional countries where in the total population; the number of males is higher than the number of females. The total population of Iran, according to that census is 25,780,910 and out of those 13,337,334 is males and 12,443,576 are females, so in all males are in excess of the number of females by 893,758.

I remember that some of the authors who used to take exception to polygyny in their writings took this factor of the comparative population of males and females in Iran as a part of their evidence and used it as an argument against those writers who wrote in support of polygyny. In this way, they adduced that the law of polygyny should be annulled.

I was all the time surprised and distressed by the writings of these people, and wondered why they had not understood, first of all, that the law of polygyny is not confined to Iran, and that secondly what is important in connection with this subject is that we should know for certain whether the number of men fit to be married is really at par with the number of women of marriageable age, or whether it is more. The

fact that the total number of males is greater than the total number of females is not by itself sufficient as far as the subject under consideration is concerned. We saw that in the Republic of Korea, and also in certain other countries, the total number of males is greater than that of females, but that amongst persons able to marry the number of females is higher than the number of males. Leaving alone the fact that in countries like Iran these census figures are not so very dependable, we should keep in mind the common partiality of Iranian women to pose as having given birth to a son to the extent that even in reply to census officials they would not be ready to declare that they had given birth to a daughter. Thus they see that a son is recorded instead of a daughter. This one thing in itself is sufficient to reduce our trust in these figures.

The practical matter of supply and demand in our country is a sufficient proof of the fact that the number of women fit to be married is greater than the number of men. The reason for this is that, in this country, although polygyny was and still is practiced from the cities to the villages and even among the tribal people, yet nobody has felt the shortage of woman and woman has not found a place on the black market. On the contrary this supply has always exceeded the demand. Girls or widows or young women who have been left without husbands by the force of circumstances have always been far in excess of unmarried young men. A man, however penniless or ugly, if he wants to get married, need never be disappointed, for there are many women who have been compulsorily left unmarried. These are every day observations which are more telling and more certain than any statistics.

Ashley Montagu, in his book *The Natural Superiority of Women*, while vainly attempting to explain that the strong inclination of women towards beautification and elegance arises from self display in public, affirms the fact of the greater number of women. He says, "All over the world the total number of women fit to be married taken together exceeds the number of men.

"The 1950 census showed that the number of women fit to be married in The United States of America exceeded the number of men by one million three thousand four hundred."

Bertrand Russell in his book *Marriage and Morals* in the chapter concerning population writes: "There are in England some two million more women than men, and these are condemned by law and custom to remain childless, which is undoubtedly to many of them a great deprivation."

A few years back we read in the Iranian newspapers that the enormous number of unmarried German women who, as a result of the great number of casualties among Germans in the Second World War, were deprived of having legal husbands and a family life, formally applied to their Government to annul the law of monogamy and to allow polygyny. The German Government, on the basis of this one formal application, asked the Islamic University of al-Azhar to provide them with a formula to implement this. We gathered information, afterwards that the Church had emphatically opposed this step. The Church preferred that women be deprived and that promiscuity should actually increase rather than that there should be polygyny, only because it was an Oriental and Islamic formula.

## Causes of the excess of the number of women fit to be married over the number of men:

What is the cause of this? In view of the fact that births of girls are no more in number than births of boys, why should the number of women fit to be married be more than that of Men?

The cause of this thing is evident; deaths among the male sex are more than deaths among females. These deaths happen, generally, in those years in which man, if he were alive, might have been the guardian of family. If, for a while, we think over the casualties that occur due to wars, drowning, falls, burials under debris, collisions, etc., we shall see that most of these accidents and casualties are met with by men. Woman is rarely seen amidst these happenings. It may be a struggle of mankind against mankind, or a contest against nature but it is mostly men who meet with the casualties. If we only take war into consideration, we will see that from the beginning of human history there has not been a single day without warfare at several places in the world — and when man has not been a victim of mortality. This one thing is sufficient for us to understand why the balance of men and women of marriageable years is disturbed.

The total number of casualties in wars in the industrial age is hundreds of times greater than in the age of hunting and agriculture. The deaths among the male sex which occurred in the last two World Wars reached seventy million. This number is equal to the deaths among mankind as the result of war in the last few centuries. If you only keep in mind the wars that were going on a few years ago, and the wars that are still going on in the Far East, the Middle East and Africa, you will agree with us.

Will Durant says: “A number of factors have been effective in the decline of this custom (polygyny). An agricultural existence has an element of constancy in it. This kind of life lessened the hardships and discomforts to man. The dangers of life decreased and this was the cause for the number of men and women becoming almost equal.”<sup>9</sup>

This is a very strange thing that Will Durant has said. If the loss of life of men depended exclusively upon his encountering natural forces, then of course there might be a difference between the hunting age and the settled agricultural age. Nevertheless, the main cause of casualties among the male sex is war, and that was by no means less in the agricultural age than in the hunting age. Besides that, there is another cause of this thing. Man has always taken woman under his protection, and undertaken himself to do the hard difficult and hazardous tasks in which there was a danger of death. So this disproportion was maintained in the agricultural age just as in the hunting age.

Will Durant, does not make any mention of the machine and industrial age, while this period has created havoc in the life of men and the imbalance has become all the more glaring and obvious.

## Women have more resistance to disease:

Another thing which is the cause of more deaths among the male sex than the female sex is an important factor which has recently been discovered as a result of the advances of science.

In 1956, the newspaper *Itila'at* reported: "The French Office of statistics reports that although births of male children exceed births of female children, and although as against every hundred girls a hundred and five boys are born, yet the number of women is greater by one million five thousand and seventy-six than men. They attribute this difference to the resistance of the female sex against disease."

In the magazine *Sukhan* (year 6; no. 11), an article under the title "Woman in Politics and Society", originally published in the illustrated monthly magazine of UNESCO, was translated by Dr. Zahra Khanlari. In that article it was quoted from Ashley Montagu that the nature of woman is scientifically superior to the nature of man. The X-chromosome, which is related to the female sex, is stronger than the Y-chromosome, which is related to the male sex. As a result, the age of woman is longer than the age of man. The average age of woman is greater than that of man. Woman is generally healthier than man.

Her power of resistance against many diseases is greater. She mostly recovers sooner. For every stammering woman five stammering men are seen. For every color-blind woman sixteen color-blind men are found. The tendency to hemorrhage is almost particular to males. Woman has more stamina in duress. During the last war, it was everywhere confirmed that, in the same conditions, women fared better during the hardships of a siege, a prison or a concentration camp. In almost all countries the incidence, of suicide among men is three times that among women.

The view of Ashley Montagu concerning the greater resistance of the female sex against diseases was at a later period translated by Husamu'd-Din Imami from a part of the book *The Natural Superiority of Women* and was published in the 70th issue of *Zan-e ruz*.

The power of resistance of woman against disease may be the cause of a situation in which some day man may seek authority to take his vengeance on the female sex, to drag her to the hard and hazardous tasks in which there is a danger of death and destruction, especially to take her to the battlefield, and make her elegant body the target of shells, machine-guns and bombs, and to give her a taste of these activities. Even then, because of the greater power of resistance against disease, the balance of the number of men and women will not be disturbed. All this in connection with the first issue, that is, the comparative excess of women fit to be married over men in a similar position. Thus it has become clear that this is a true situation as its cause, and that the cause or causes have been and still are in existence from the very beginning of human history to this day.

## Right of woman in polygyny:

As for the second issue, namely that the excess in the number of women fit to be married over the number of men creates a right in favour of the woman and a duty for men and married women, in so far as the right of marriage is concerned it is one of the most natural and the most basic right of human beings. This is something that cannot be argued. Every individual, man or woman, has the right to a family life, and should have their share of comfort in having wife, or a husband, and children. Everyone has this right, just as he has the right to work, to a dwelling, to profit from education and training, and from proper sanitation, and to have security and freedom.

Society should not only not create obstacles to the vindication of these rights, it should, instead, provide facilities for securing these rights.

In our opinion serious deficiency in the Universal Declaration of Human Rights is that it did not pay any attention to the right of marriage. This Declaration endorses rights like the right of liberty and security, the right to seek effective redress from national tribunals, the right to acquire and to give up nationality, the right to marry a person of any race and religion, the right of ownership, the right to form unions, the right to rest and leisure, the right of instruction and education.

However, as for the right of marriage, that is, about the right to have lawful familial home, not a word is said. This right is all the more important for a woman, because a woman is more in need of family life. In a previous section we said that for man marriage is more important for its material aspect and for woman it is more important in view of its spiritual and emotional aspect. If a man abandons family life, he can, by indulging in love affairs and by having girl friends, satisfy at least half of his needs, but for a woman the importance of family life is more than just these things. If woman gives up the environment of the family, she cannot, by indulging herself in, promiscuity and love affairs, by any means satisfy, even to the slightest extent, her material or spiritual needs.

The right of marriage for a man means the right to satisfy an instinct, the right to have a wife, a partner, a trustworthy companion, and the right to have lawful children, but for a woman the right of marriage means, besides all these things, the right to have a protector, a patron, a dependable man to look after her feelings.

Now, after these two introductory remarks:

1. The comparative excess of the number of women over the number of men,
2. The right of marriage is natural human right,

we can derive the result that if monogamy is the only legal form of marriage, a large group of women will be, in practice, deprived of their natural human right (the right to marriage). It is only by the provision of the law of polygyny (of course with special conditions) that this natural right is revived.

It is thus the job of enlightened Muslim women to realize their real individuality and, in the name of just rights, in the name of morals, in the name of the most natural human right, to propose to the Commission of Human Rights of the United Nations Organization that Polygyny, with all the logical conditions which Islam has ordained, should be formally acknowledged. Thus the U.N.O. would do the greatest service to the female sex and to morality. But it should not be considered a sin for a formula to be presented by the Orient and accepted by the West.

### Russell's view:

Bertrand Russell, as we pointed out before, is aware to this point, that if monogamy is the only lawful form of marriage, it necessarily results in the deprivation of a large group of women. So, in *Marriage and Morals*, he proposes a solution. A wonderful solution indeed! The very simple and very easy way he puts forward that is this. The excess women should be allowed to hunt out men and bear fatherless children so that they may not remain deprived of having offspring. In view of the fact that a woman, when she bears a child in her womb, or during its infancy, is in need of material help, usually the father of the child, by means of maintenance, helps her. In the position suggested, the State would function as a substitute for the father and would give material assistance to her. After saying this: "There are in England some two million more women than men, and these are condemned by law and custom to remain childless which is undoubtedly to many of them a great deprivation.", he goes on to say: "Strict monogamy is based on the assumption that the number of the sexes will be approximately equal. Where this is not the case, it involves considerable cruelty to those whom arithmetic compels to remain single. And where there is reason to desire an increase in the birth-rate, this cruelty may be publicly as well as privately undesirable."

This is the solution which a philosopher of the 20th century proposes for this social problem and it is the solution which Islam proposed before. Islam says: "Solve this problem in this way that one man possessing the necessary financial, moral and physical abilities should undertake to maintain more than one woman. He should give the second woman the position of his religiously lawful wife. He must not think of discrimination and difference between her and his first wife, neither between her children and the children of his first wife. The first wife, in the spirit of social duty, should, for the sake of her sister, make sacrifices. She should willingly agree to this kind of sharing and socialism which is the most immediate form of socialism."

This twentieth-century philosopher, on the other hand, says that the deprived women should steal the husbands of the other women, and that the fatherless children who thus come into existence should be maintained by the State.

The view of this modern philosopher seems to be that a woman is in need of marriage only to three ends.

One of them is the sexual urge and that can be satisfied by means of a display of beauty and charm. The other concerns having children, and that too can be secured at the same time by the way of

stealing.

The third objective is financial, and that should be given by the State. In the view of this celebrated English philosopher, among those things which have no importance, one is that woman is in need of the sincere affection of her husband, and requires that her husband should take her under his protection and that his attachment to her should not be only for the sexual matters in life.

The other thing which in the eyes of this philosopher is of no consequence is the disturbed and unpleasant position of the child who is born into this world under these conditions. Every child, rather every human being needs to be known to the father and known to the mother. Every child is in need of the sincere love of the parents. Experience has shown that the mother of an illegitimate child who has not had enough loving attention from the father of that child, very seldom has love for that child. Whence would this deficit in the affections of love be provided and made up? Can the State fill up this gap?

Lord Russell is anxious that if his proposal is not made a law a large group of women will remain childless. Nevertheless, Lord Russell himself knows very well that the unmarried women of England do not have the patience to wait for that. They have, on their own, solved the difficult problem of being left unmarried, and have also created the problem of fatherless children.

### **One in every ten English children:**

In the newspaper *Itila'at* in December 1959 an article entitled: 'Out of every ten British, children, one is a bastard' appeared. "London–Reuters 16th December –A.F.P.– In the report which Dr. Z. A. Scott, a Medical Officer of the city of London, presented, it was noted that in London last year, out of every ten children born, one was illegitimate. Dr. Scott has emphasized that the number of illegitimate births is continually rising, and from 33,838 births in 1957 it rose to 53,433 in the following year."

Without waiting for Lord Russell's proposal to be made an Act of Parliament, the British nation has solved the problem themselves.

### **Polygyny is prohibited while homosexuality is lawful!**

However, the British government took steps exactly in the direction opposite to the view of Lord Russell. Instead of proceeding to determine the proper course for alleviating the deprivations of unmarried women, they formally acknowledged the rivalry of the male sex against them and deprived them more than before of the male sex. They did it by way of enacting the law of homosexuality. In July 1961, the newspaper *Itila'at* gave the news in these words: "London–After an eight hours' debate, the British House of Commons passed the Homosexual Act and sent the bill to the House of Lords for approval."

After ten days the above mentioned newspaper wrote: "The House of Lords has passed the Homosexual Act at its second reading. This Bill, which was sent for approval by the Parliament, shall soon receive the Royal Assent of Queen Elizabeth II of England."

In England at present polygyny is illegal and forbidden, but homosexuality is permitted and is lawful.

In the eyes of these people if a man brings in a rival for his wife from the female sex, it is forbidden and is considered to be an inhuman act, but if he brings a rival for his wife from the male sex, it is an honourable and human act and is proper and befits the exigencies of the twentieth century. In other words, in view of those in power in Britain if a wife's rival has a beard and moustache there is no harm in polygamy. It is said by some of our people that the Western world has found a solution for sexual and family problems, and that we should make use of the ways that they have adopted in solving these problems. Now, the Western world has found a solution in a way that you have seen.

The way that the West has paved out for themselves with regard to sexual and family matters could have led them only to these consequences and to no other. If they had reached some other result, it would have been a matter for surprise.

The thing which gives me much surprise and regret is why our men should have given up their ability to think. Why should the young and educated persons of the present day have less ability to analyze and evaluate statements? Why should they have lost their own identities? Why is it that when they have a precious jewel in their hand, and men on the other side of the world say that it a walnut, they believe them, and throw it away, but that when there is a walnut in the hand of a foreigner, and it is said to be a jewel, they become envious of it.

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## [Is it the nature of man to be polygynous?](#)

You are bound to be astonished to hear that psychologist and sociologists in the west generally believe that man is a born polygynist, and that monogamy is against his nature.

On page 80 of his *The Pleasures of Philosophy*, after commenting on the moral confusions of today with regard to sexual matters, Will Durant says: "Some of it (i.e., the increase in 'social evil') doubtless, is to be accounted for by our incorrigible love of variety; nature does not build us for monogamy."

He also says: "Man is naturally disposed towards having numerous wives. Only the most scrupulous moral susceptibilities and the balancing of the scales due to poverty, hard labor and the constant vigil of the wife impose monogamy upon him."[10](#)

In the 112th issue of *Zan-e ruz* under the heading, "Is Man Innately Promiscuous?" A German, Professor Schmidt, is quoted as saying: "Throughout history, man has always been promiscuous and woman a guard against promiscuity. Even in medieval times, according to the existing testimony, ninety per cent of young men used to occasionally change their wives and fifty per cent of married men committed some breach of trust against their wives.

Dr. Robert Kinsey, the well-known American researcher, in his report known as the *Kinsey Report*, has written: 'The men and women of America have beaten all the nations of the world in faithlessness and

breach of trust....' Kinsey, under another heading in the report says: 'Woman, unlike man, is bored by seeking variety in love affairs and pleasure, and this is the reason why woman is at a loss to understand what to do about the behavior of man.' Nevertheless, man treats the business of looking for variety as a sort of adventure. He easily deviates from the right path and, if there is one thing which is important for him, then it is physical gratification and not emotional or spiritual enjoyment. The display of a man's being emotionally and spiritually affected is only up to the time he gets an opportunity to get his physical pleasure.

One day a well-known medical practitioner told me: 'That a man is a polygamist, and that a woman is a monogamist, a self-evident proposition. The reason is that in man millions of spermatozoa are created, while in the woman, when she is ready to become pregnant there is no more than one seed in her ovary'. Leaving aside from Kinsey's theory, is there any harm if we ourselves think over the question of whether it is difficult for man to remain faithful?

"Henri de Motherland of France in reply to this question writes: 'To be faithful is not difficult for man. It is, rather, impossible. One woman is created for one man and one man is created for life and for all women. If man helplessly stumbles and commits infidelities with his wife, it is not his fault; it is the fault of his creation and natural disposition that all the factors which cause a breach of faith have been brought together in him.'"

In the issue 120 of the same magazine, under the heading, 'Love and Marriage-French Style' the following is written: "The French husband and wife have settled the matter of unfaithfulness between themselves by conforming to certain rules of conduct, certain limits and restrictions in this respect. As long as the man does not transgress the limits of these rules of conduct, a leap into the dark is not a difficulty for him. Can a man, in principle, after two years of married life remain faithful? Certainly not, because it is against his nature. Nevertheless, with regard to women he discriminates, to a certain extent between them, and, fortunately, they (the wives) are aware of this discrimination. In France if a husband commits an infidelity, his wife does not get annoyed or does not let it go on her nerves. She consoles herself: 'He took his body to someone and not his spirit and his sentiments His sentiments and spirit are mine.'"

A few years back the views of biology Professor, Dr. Russell Lee, were published in the newspaper *Kayhan* on the same topic, and for long they were discussed by the writers of Iran. Dr. Lee believed that the satisfaction of a man with one woman is an infidelity against reproduction, not as regards quantity but as regards quality. The reason is that limiting a man to one woman weakens his offspring. If he had numerous wives the generations would get stronger and more powerful.

We do not at all agree with this description of the nature of man. For these thinkers, the source of their inspiration is the special form of their social environment and not the real nature of man.

Of course, we do not believe man and woman to be biologically and psychologically the same as each

other. Rather, we believe that they are in both respects dissimilar, and that creation has its own purpose in this dissimilarity. For this very reason identicalness of rights for man and woman, and the exact correspondence of the rights of one to the other should not be claimed. From the point of view of monogamy as well, man and woman have absolutely different mentalities. Woman is by nature a monogamist. Polyandry is incompatible with her natural tendency. The kind of things she desires from her husband does not fit in with polyandry. However, man is by disposition not a monogamist, in the sense that polygyny is not against his nature. Polygyny is not at variance with what he wishes and expects from a woman.

However, we do not agree with the belief that the natural disposition of man is at variance with monogamy. We are against the idea that the inclination of man towards variety is beyond reform. We are opposed to the belief that faithfulness is impossible for man, and that one woman is created for one man, and one man for all women.

We believe that the social environment brings into being the factors of infidelity in man, and not his creation and nature. Creation is not responsible for unfaithfulness; it is the social environment. The factors of unfaithfulness are brought into being by the social environment, which on the one hand induces a woman to use all her tactics for temptation and attraction on a complete stranger, to use a thousand and one tricks for enchanting him, to divert man from his way, and which, on the other hand, deprived hundred of thousands of women, fit and in need of marriage, from getting married, and sends them out into society to tempt and seduce men on the excuse that only legal form of marriage is monogamy.

Before the manners and customs of the West became widely received with approbation in the Muslim East, ninety men out of hundred were earnest monogamists. Neither had they more than one legal wife nor did they amuse themselves with concubines and loves. Exclusive marriages, in the real sense of the word, were in vogue in almost all Islamic families.

### **Polygyny is a source of protection for monogamy:**

You will be surprised if I say that, in the Muslim East polygyny has been the foremost factor in the protection of monogamy. Yes, to be allowed to have more than one wife was the safety device of monogamy. This means that when there are conditions, where polygyny is justified where the number of women in need of marriage is above the number of marriageable men, and the right of marriage of these women is not formally recognized, and where those men who fulfill the moral, financial and physical conditions for marrying more than one wife are not permitted to marry another wife, devotion to loves and girl friends withers the very root of real, genuine monogamy.

In the Muslim East, on the one hand, polygyny was permissible, while on the other hand, there were none of these tempting means to excitement, no stirring up of the emotions. This was the reason that in most families' monogamy was the rule, and the love affairs of men did not reach such limits that

eventually philosophies would be devised in their support, and it should be said that man is created for numerous women, and monogamy is some thing impossible and unattainable for man.

You may possibly ask what man is supposed to do in the view of the theory of those who think that man is naturally disposed to polygyny, and in view of the social law which condemns polygyny.

The proper course in the school of thought of these worthy thinkers is evident. Man should legally be a monogamist, but in a practice a polygamist. He must not have more than one lawful wife, but, as for love affairs and mistresses, he may have any number he likes. There are no restrictions to this. According to these gentlemen love affairs and mistresses are the natural, in disputable and lawful right of man, and to restrict man to one woman for life means a sort of impotency.

The real point at issue:

In my opinion, by now my worthy readers should have grasped what the problem really is; the problem of mankind's polygyny, that was and still is under study. The point at issue is not whether monogamy is better than polygyny. There is no dispute about the matter that monogamy is better. Monogamy which means an undisturbed, secure family life, in other words, that the body and soul of each, the husband and the wife, are one for each other. It is evident that the spirit of matrimonial life which is oneness and unity is attained better and with more perfection with a single spouse. One does not have to make a choice of one of two alternate routes on which to proceed. The problem that is to be tackled in earnest is that for social necessities, especially those due to an excess of the comparative number of women in need of marriage to the number of men in need of marriage, absolute and unrestricted monogamy is in practice at stake.

For this reason, pure monogamy in each and every family is no more than, a fiction. One of two alternatives should be chosen: either the formal acceptance of polygyny, or the love affairs system. In other words, a few married men should marry more than one wife, and these will certainly not exceed ten per cent, and unmarried women should settle, get a home and make a life for themselves; or else open the way for love affairs. In the latter case every lover may associate at her own free will with several men, and, as a result, almost all married men will in practice be polygamists.

Yes, this is the correct position as regards the problem of polygyny, but the missionaries of western life-styles are not prepared to pose the problem in its right perspective. They are not prepared to speak the truth out openly. They are actually defender of prostitution and a promiscuous life. They consider lawful wives to be irksome and a source of inconvenience, and they consider even one wife to be more than necessary, let alone two, three or four wives. They delight and feel great pleasure in being free from the bondage of marriage, but in their talk with simple persons they pretend to be defenders of monogamy and, in an innocent tone, they say they advocate the cause of monogamy. "We want man to marry only one wife and to remain faithful to her and not to be a polygynist and unfaithful."

## Twentieth-century man's fraudulence:

In many matters concerned with family rights twentieth century man has been able to deceitfully misrepresent the facts, and, by deluding women with elegant expressions of equality and independence, he has evaded his responsibilities towards her and added to his own countless successes. Nevertheless, in few matters was he as successful to the degree he was in polygyny.

I sometimes see such things in the writings of the Iranian writers that I truly doubt whether it is due to simplemindedness or whether it is a deception.

One of the writers has put down his view about polygyny thus:

“At present, in the developed countries, the relations between husband and wife rest upon reciprocal rights and responsibilities, and so the recognition of polygyny in any form or manner (permanent or temporary) would be as difficult for a woman to accept as it would be to expect man to tolerate a rival in matrimonial affairs.”

I do not know whether really the ideas of these people are the same concerning this matter, or whether they purposefully misrepresent the facts. Do they really not know that polygyny rises from a social problem which rests heavily on the shoulders of all men and married women, and that for the solution of this difficulty something better than polygyny has not yet been found? Do they not know that if they shut their eyes and hold demonstrations, crying out ‘long live monogamy’ and ‘death to polygyny’ that this will not remedy the ailment?

Do they not know that polygyny is the right of women and not part of rights of men, and has no connection with the comparative rights of men and women?

How ridiculous it is when they say “polygyny would be as difficult for a woman to accept as it would be to expect a man to tolerate a rival in matrimonial affairs.” Apart, from the fact that it is a false analogy, perhaps they do not know that the ‘modern world’ (which name these people assign to every new phenomenon when they are not prepared to entertain any doubt against its soundness) continuously calls man forth to hold the love of his wife in esteem, and to endure with patience the existence of rivals in matrimonial affairs. The modern world condemns cases of impatience with the names envy, bigotry intolerance, fanaticism, etc... I wish that our young men were, to some extent, aware of the depth of what is going on in this respect in the west.

In view of this fact, polygyny rises from a social difficulty and is not due to the innate nature of man. If there did not exist in society the problem of an excess of the number of women in need of marriage over the number of marriageable men, the custom of polygyny would have ceased to exist, or would have rarely existed. If we wish to completely abolish the custom of polygyny under these conditions (supposing that these conditions actually exist) a legal ban on it would be neither nor correct. For this purpose, a few other things are necessary. The first thing is social justice, and work with sufficient

income for every man who wishes to marry, so that he may make proper arrangements for the peaceful environment of the family before he gets married. Secondly, freedom and independence for the woman in making the choice of a husband, so that she may not be given in marriage by her father, brother or any other person against her will to a wealthy man, who already has a wife. Evidently if a woman has freedom and has a chance to marry a bachelor, she will not want to be the wife of a man who already has a wife and will not like to go to face a rival wife. Are these the guardians of women who, out of their greed for money, sell away their daughters and sisters to moneyed men who already have wives?

Thirdly, the factors of stimulation, excitement and overpoweringly effective home destruction should not be rampant every where. The factors of temptation attract married women from the homes of their husbands to the houses of strangers, to say nothing of unmarried women. If society wants reform, and in all earnest wishes to redeem and reestablish monogamy it should try for the establishment of these three factors, otherwise legally tabooing polygyny will only pave the way for promiscuity and sensuality, and will not have any other result.

### **The crises arising from the frustration of unmarried women**

Now, if the number of women who need to marry is above the number of marriageable men, forbidding polygyny is treason against humanity, as it is only trampling on the rights of women. If the matter had ended there, it may have perhaps been acceptable, but the crisis which will arise from it will be more dangerous than any other crises, because the peace of the family is more sacred than the security of any other institution.

The reason for this is that the person who is being deprived of her natural rights is a living entity, capable of all the reactions, which a living entity can display when it is deprived. That entity is human soul, with all the mental and emotional consciousness and psychic complexes which result from failures. It is woman with the power of female magic: She is the daughter of Eve with all the potential to deceive Adam.

It is not wheat and barley which may be thrown into the sea when it is more than required, or which can be stored in the warehouse as a precautionary measure; it is not a house or a room that may be locked when, not required. It is a living entity, a human being, a woman; she shall display her amazing power. She is bound to take complete vengeance on the social order of the world. She will say:

*I tell you the truth, I cannot be patient  
while others enjoy food and I merely look upon them.*

This very thing, 'cannot be patient and look upon them', will do marvels. It shall ruin houses and families. It shall create complex problems, rancours and grudges. Woe unto mankind! When they are confronted with problems that come down upon them together with instinctive urges, both hand in hand.

The women deprived of a home life will do their best to entice men, who is not as unsteady and

irresolute in any other matter as he is in this matter, and obviously “when there is more mud, ever, the elephant slips.” We regretfully say that even a small quantity of this ‘mud’ is sufficient to make this elephant slip.

Will the matter stop here? No. It shall take into its embrace married women. The women who see their husbands in the state of unfaithfulness will also make up their mind to take vengeance upon their husbands and will contemplate infidelity. They also will follow in the footsteps of man. What will be the ultimate result?

The ultimate result is written down in a short and a well known sentence in the *Kinsey Report*: “In faithlessness and infidelity American men and women have beaten all the nations of the world.”

Please see that the matter does not end with the corruption and immorality of man only. The flames of this fire will spread and ultimately scorch the skirt of the mistress of the house.

### **Various results following from the phenomenon of the excess in the number of women:**

The phenomenon of the comparative excess of the number of women has always been there in the life of mankind. What is noticeable in this connection is that the reactions to this phenomenon, which create difficult problems for society, have not been alike. Those communities whose spiritual self is more imbued with piety and chasteness through the guidance of the great divine religions have solved this problem by means of polygyny and those communities whom the values of piety and virtue do not so much suit have made of this phenomenon the means to sensuality and corruption.

Neither was polygyny in the east devised and originated by Islam, nor does the renunciation in the west have any connection with the Christian religion. For in the east the custom of polygyny existed before the advent of Islam, and eastern religions had allowed it; even in the original Christian religion there is no prohibitory commandment on this subject. Whatever is there depends upon the western nations themselves, and not the Christian faith.

Those communities that have settled for indulgence in sensual gratification and promiscuity have suffered more harm than those that approve of polygyny.

In the book, *The Life of Muhammad*, after discussing the verse in the Qur’an concerning polygyny, Dr. Muhammad Husayn Haykal says: “This ayah considers it better to restrict oneself to one wife, and it says: if you fear that you cannot behave in conformity with justice, take only one wife; then it underlines that one cannot behave with justice. However, since there may arise occasions in the life of society when polygamy become necessary, it is recognized with the condition of justness in behavior, In the midst of the wars of the Muslims, when some of them were killed and their wives naturally widowed, Muhammad (s.a.w.) acted in this way. Truly, can you say that after wars and epidemics and civil disturbances which leave thousands and millions of people dead and many women widowed, that

restriction to one wife is better than several wives with the condition of fairness in behavior? Can Occidentals claim that after the World War the law of restriction to one wife was enacted to the letter?" [11](#)

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## **Disadvantages and shortcomings in Polygyny**

Matrimonial happiness and prosperity consists in purity, sincerity, forbearance, sacrifice, oneness and unity, while all these things are exposed to danger in polygyny.

Besides the unusual condition of the wives and the children with two different mothers, as also the man himself, there are such burdensome and bewildering responsibilities that to meet them is to do away with all pleasure and ease of life.

Most of those people who are satisfied and happy with polygyny are those who practically ignore the religious obligations and moral responsibilities. They take an interest in one wife and totally neglect the rights of the other wife and, in the words of the Qur'an "leave her alone like someone hanging on." This thing these people call polygyny is, as a matter of fact, some thing in the nature of monogamy with some added cruelty, crime and savagery.

There is a vulgar saying common among people. They say, "One God and One wife."

Most men had and still have the same belief. If we regard the joy and pleasure of life as the criterion as reflect on it from an individual and personal point of view, then that is the correct belief for them. It may not be universally true for all men, but for the majority of men it is the correct one.

If a man thinks that polygyny, with all its religious and moral obligations, is in his interest, and considers it worthwhile for his own pleasure, he is seriously mistaken. There is no doubt that monogamy, from the point of view of personal joy and well-being, is preferable to polygyny, but.....

### **A correct analysis:**

Research into the right or wrong of matters like polygyny which arise from personal and social necessities is not correctly done by comparing it with monogamy.

Correct research into this kind of problem depends, on the one hand, on keeping in view the causes and motives that necessitate their coming into existence, and then seeing what the consequences are and why they are usually ignored. Then, on the other hand, we should take into account the evil effects and the consequential shortcomings that arise from these very problems. It is only then that a judicious and overall examination of the effects and consequences that arise from either side of the problem can be made. It is only in this way that problems of this nature, in their real form, can be seriously propounded and deliberated upon.

To explain myself I would like to give an example. Suppose we want to think about conscription. If we look at it from the angle of the benefits and advantages to the family to which the man, recruited under compulsion, belongs, undoubtedly the law of compulsory military service is not a good law. How good it would have been if there had been no law of conscription, and the dear ones of the family had not gone far away, and, it may happen, if they had not been dragged in the soil and blood of the battlefield.

Anyhow, it is not correct if we look into this problem in this way. The proper way to analytically solve this problem is that along with attention to the separation of the son and the fear of loss to the family, the consequences of the non-existence of the country's defensive forces should be kept in view. It is only then that one can realistically and logically arrive at the conclusion that a number of the sons of the homeland should be prepared to go as soldiers to defend their country, and that their families should bear the sufferings consequent on military operations.

We hinted in our preceding discussion at the personal and social needs which sometimes justify polygyny. Now we propose to look into the disadvantages and ill consequences of polygyny, so that a basis may be available for a thorough examination of the problem. By the way, we want it to be understood that, while we admit that there is series of unfortunate consequences in polygyny, we nevertheless do not accept some of the objections and misgivings raised against it, as will soon be made clear. The disadvantages of polygyny which are worth mentioning are many, and we shall discuss them under different headings.

### **From the psychological point of view:**

Matrimonial relations are not limited to material and physical matters, that is, they are not confined to bodily and monetary matters. If they had involved only this much, polygyny would have been justifiable because the material and physical things could be shared among numerous individuals and to everyone a part could be given.

In matrimonial relations the main and basic thing is the spiritual and emotional aspect. This is love, emotions and the feelings. The focus and point of unison for matrimony in both sides is the heart, Love and feelings, like other psychological matters, are not divisible and cannot be divided into portions. It is not possible to distribute and ration them out among several persons. Is it possible to cut the heart into two halves, and devote it to two situations? Is it possible to surrender it to two individuals? Love and adoration knows only one person and does not acknowledge a partner or a competitor. It is not like barley and wheat which can be weighed out and distributed to everybody. Besides that, the feelings cannot be controlled: man is under the control of the heart while the heart is not in the control of man. So the thing which is the real spirit of matrimony, its human aspect which distinguishes two human beings from two animals, which is not limited to sexual and instinctive drives, is neither divisible nor controllable, and so polygyny is out of question.

We believe that the above statement is somewhat exaggerated. Though it is true that the real spirit of

matrimony is the feelings and the sentiments and that it is also right that heart-felt emotions are not under the control of man, to say that the feelings are not divisible is merely a poetic fancy and deceptive fallacy. There is no question of dividing any particular sentiment into two parts, like dividing a physical body and handing over to each one its share, in justifying idea that emotional matters are not divisible. The question is to do with the mental or emotional capacity of a human being. Undoubtedly the emotional capacity of man is not so limited that he is unable to be attached to more than one person. A father may have ten sons, and he may love them all to the point of devotion, and make all sorts of sacrifices for them all.

We certainly accept that love and the sentiments do not rise to the same height in the case of several persons as they do in the case of a single individual. The rising of love and the sentiments to such heights does not fit in with polygyny, just as it does not fit in with reason and logic.

In *Marriage and Morals*, Russell says: "Many persons of the present age consider love the equitable exchange of sentiments and this argument by itself, leaving aside all other arguments, is sufficient for the rejection of polygyny."

I am at a loss to appreciate this proposition. If he claims that the exchange of sentiments should be equal and reciprocal, and as a consequence should be exclusive and monopolistic, the proposition is just not tenable. When a father loves his several children and those children, likewise love their father, the reciprocity is not evenly balanced. Many a time, the position that in spite of the sons being several, the attachment of the father to every one of his sons outweighs the attachment of each son to the father.

What is surprising is that this thing is said by a man who is always exhorting husbands to honor the love of their wives for a stranger, and who says they should not stand in the way of their wives' love affairs. He correspondingly puts in the same advice for the wives. According to Russell, is the exchange of sentiments then still equal between husband and wife?

### **The point of view of up-bringing:**

A rival wife is a bi-word for discord. For a woman an enemy deadlier than a rival wife does not exist. Polygyny opens the way for confrontation and strife between the wives and in certain cases with the husband also. The environment of married life, which should be a milieu of peace and cordiality, is transformed into a battlefield, into a site of malice and revenge. The enmity, rivalry and hatred between the mothers are transmitted to their respective children. Two or more hostile groups are formed. The family environment which is the first school and spiritual nursery for children, and should be the inspirer of righteousness and courtesy, becomes an institute of discord and foul play.

There is no doubt that polygyny paves a way for all these unpleasant impressions in connection with the up-bringing of future generations. However, one salient point should not be lost sight of, and it is this: it should be examined how much these impressions arise from the very nature of polygyny and how much

they are due to the attitude which the husband and the second wife assume. We believe that all these troubles do not arise from the nature of polygyny itself. Very many of these troubles spring from the way it is put into practice.

A husband and a wife live together and their life proceeds in its normal course till the husband comes in contact with a woman and is fascinated by her and the fancy for another marriage gets a hold of him. Then after surreptitious negotiations and secret agreements, all at once a second wife steps into the house, the previous refuge of the first wife, and grabs her husband and her life. The new-comer makes a surprise attack by night on the life of the first wife.

Evidently the mental reaction of the first wife is bound to be nothing except that of grudge and revenge. There is nothing more distressing for a wife than to be despised by her husband. The deadliest defeat for a woman is that she should feel that she was unable to win and attain the heart of her husband, and see that somebody else has won him over. When the husband assumes an attitude of obstinacy and capriciousness and the second wife maintains the stance of a surprise attack, then to expect forbearance and fortitude from the first wife in these circumstances is hoping against hope.

However, if the first wife feels that her husband is justified in what he has done, and is not fully satisfied with just her, and that the bringing in of a certain number of wives does not mean giving her the cold shoulder, and if the husband on his part does not pose an attitude of willfulness, obstinacy and capriciousness, and if he adds to his regard, care and kindly feelings for the first wife; likewise if the second wife is considerate, and is alive to the fact that the first wife has certain inviolable rights and to encroach upon them is not permissible; if everyone concerned takes special care to take steps to solve a social problem, undoubtedly most of the infernal worries will be alleviated.

The law of polygyny arises from a progressive and advanced outlook in solving a great social problem, and so, inevitably, its promoters must put it into practice on a high moral level; they should be gifted with a higher Islamic vision.

It has been observed that in cases where the husband did not assume an attitude of willfulness and capriciousness, and the first wife acknowledged that her husband was really in need of a second wife, she herself took the initiative for that purpose and brought the second wife to the house of the husband, and none of the above-mentioned troubles were created. As a matter of fact most of the troubles arise due to the unmanly ways that men adopt in pulling this legal right into practice.

### **From the moral point of view:**

They say that permission for polygyny is permission for a promiscuous and lustful life. It is permission for man to indulge in sensualism. Morality demands that one should lessen and combat ones passions to the lowest possible degree, for it is the nature of mankind that as much as one allows freedom to one's passions, the appetite and desire increases, and the passions are all the more excited.

In *L'Esprit des Lois*, Montesquieu says concerning polygyny: "The King of Morocco has in his harem women of all races, white, yellow and black, but if he had twice that number even then he would have desired more women. The reason is that sensuality is like stinginess and meanness. The more one indulges in it the more it increases, just as when one gets a large amount of wealth, the greed for more wealth and riches increases. Polygyny also leads to the usage of unnatural (homosexual) love affairs, because, when someone is involved in lustful practices, any action which is in transgression of the normal limits induces one to other perversions. When there was a revolt in Istanbul, not even one woman was found in the palace of its ruler because he indulged solely in unnatural sexual practices."

This objection should be examined from two aspects: One aspect is, they say, that good morals are incompatible with sex and that for moral purity sexual inclinations should be curbed to the lowest possible degree. The other psychological aspect, they claim, is that it is the nature of a human being that the more his requirements are met the more he longs for better and more, while the more these desires are curbed, the more he is relaxed and is calm.

Now, concerning the first aspect of the objection, we would regretfully say that it is wrong; The Christian code of ethics has self-mortification as its base and is impressed by Hindu and Buddhist ethics and the ethics of the Cynics. Islamic ethics is not based upon this maxim. Islam does not uphold the view that the more one curbs his passions the nearer he approaches to a higher standard of morality (and that if he curbs his passions to zero point, he is a hundred per cent pious), Excessive voluptuousness is, of course, incompatible with morality.

To decide whether polygyny is an act of extravagance, we should see whether man is by nature monogamous. In a previous discussion we arrived at the conclusion that today not a single person can be found who thinks that man is by nature monogamous and considers polygyny to be an act of excess and extravagance. On the contrary, the belief of many persons is that man naturally tends towards polygyny, and that monogamy is some thing like a bachelor's life which is against the nature of man.

Although we do not subscribe to the view that man is by nature polygamous, yet neither do we maintain that the nature of man is monogamous, and that polygyny is against the nature of man, a sort of perversion which is against the nature of man like homosexuality.

Those like Montesquieu who consider polygyny equivalent to voluptuousness have their eyes on the question of the harem. They think that Islam meant leveling the grounds for the harems of the 'Abbasid and Ottoman caliphs and others like them. Islam is against these acts more than anybody else. The limits and conditions that Islam has laid on polygyny have altogether barred a licentious man's freedom.

We now take up the other aspect of the question that the more a person is provided with his requirements, the more his longings and desires are excited, and conversely, that the more a man's desires are curbed, the more peaceful he becomes. This statement is exactly contrary to the belief which is nowadays held by the followers of Freud and regularly propagated by them.

Freudians say that human nature finds peace and tranquility by satisfaction and satiation, and by abstinence the longings and desires are intensified and stirred up. So this group is a hundred percent in favour of freedom and the breaking of all formalities and conventions, especially in sexual matters. We wish that Montesquieu were alive today to see how his theory is ridiculed by the Freudians.

In the view of Islam, both of these beliefs are mistaken. Human nature has rights and limitations, and those rights and limitations should be understood. Human nature rebels and is perturbed as a result of two factors. One is deprivation, and the other is being given full liberty, removing all checks and limitations.

However, neither is polygyny an immoral act, nor is it a cause for neither reproaches by the conscience, nor is it against piety as people like Montesquieu said; nor is being content with one legal wife or wives against morality, as the Freudians actually say.

### **From the point of view of rights:**

By virtue of the marriage contract, each of the married couple is attached to the other and becomes part and parcel of the other. The right to get satisfaction and contentment is reciprocal, which means that each of the parties is equally entitled to all benefits which come from the other. On this basis, when the husband marries another wife, the first rightful person is the first wife. The deal that the husband concludes with another woman is, as a matter of fact, an 'unauthorized' contract. The reason is that the subject matter of the bargain, namely the benefits of marriage with regard to him have previously been sold out entirely to the first wife and are the parts of her rights. So the person who first of all matters is the first wife. If, however, the husband intends to marry a second wife it should depend upon the permission and consent of the first wife. It is really the first wife who is empowered to take a decision with regard to her husband and whether he should marry another wife or not.

For this reason marrying a second, third and fourth wife is exactly like selling certain goods, which he has already sold to someone, for a second, third and fourth time to someone else. The genuineness of this transaction depends upon the consent of the first, second and third owners. If the seller actually transfers the said goods to the latter persons and puts them in possession thereof, he surely deserves punishment.

This objection rests upon our assuming that the nature of the rights created on account of the marriage is a deal of exchange of profits, and on our supposing that each one of the married couple is the owner of profits accruing from the other. I will not here discuss this interpretation, which is, of course, doubtful and objectionable. We may, for the while, suppose that the nature of rights created by marriage is as asserted.

This objection may be relevant only when this step is taken by the man for the sake of amusement and out of a desire for variety. Evidently, if the nature of the marriage union is an exchange of interests, and

the wife is in a position in every respect to guarantee her husband's interests, the husband would not be justified in taking another. However, in case mere entertainment and variety is not meant, but one of the grounds of justification which we pointed in our last articles, this objection would not be valid. For example if the wife is barren or has reached her menopause and the husband wishes to have children, or if the wife is ill and not fit to performance of the function of a wife, how could the objection is maintained? In cases like these the right of the first wife would not stand in the way of polygyny.

Anyhow, all this is if the justification of polygyny is a personal matter related to the husband. However, if there is social importance and polygyny becomes an altruistic obligation due to the excess of the number of women over the number of men, or if it is resolved to be necessary in the public interest to increase the number of the population, this objection would be viewed differently. On occasions like that polygyny would be a general obligation and a binding duty for the deliverance of society from corruption, immorality and prostitution; similarly when, for the increase of the population, this public duty is to be performed.

Obviously where there is the question of a social duty, the permission and consent of anybody is meaningless. If we consider that society is really suffering from an excess in the number of women over the number of men, or is in need of an increase in the population, there is a duty for, and a general obligation on, all married men and women. There arises a question of sacrifice and self-denial for the married woman for the sake of an altruistic good. It is exactly like the responsibilities of military service which are faced by the families of the recruits. They should bear the heartfelt agony of parting with their dear ones and sending her to the battlefield. On such occasions as that it is a mistake to make it conditional on the consent and permission of the interested parties.

Those persons who claim that rights and justice demand that polygyny should be with the permission of the first wife have in their mind only those cases when that step is taken for the sake of pleasure and a desire for change and have altogether ignored the cases of personal as well as social necessity. In principle, if personal and social forces do not exist, polygyny even with the permission of the first wife is not acceptable.

### **From the philosophical point of view:**

The law of Polygyny is inconsistent with the basic philosophy of the equality in the rights of men and women which rests upon their equality as human beings. As a man and a woman are both human beings, and have equal rights, they should either both be allowed to have several spouses or neither of them should be allowed to have more than one. However, the idea that a man should have the freedom to have several wives, while a woman should not have the freedom to have several husbands is an unjust discrimination, and an act of undue favour to man: To allow a man to have up to four wives means that the value of one woman is equivalent to one fourth of the value of man. This is an extremely insulting thing for a woman and is inconsistent with even the Islamic view in connection with inheritance and evidence where in the evidence of two women and the share in inheritance of two women is equal

to the evidence and share in inheritance of one man.

This objection is one of the most foolish objections that are leveled against polygyny. It seems that those who try to find fault with polygyny have not given the least attention to the rationale and obligations of individuals and society. They seem to think that the only subject under discussion in connection with polygyny is its physical aspect, and that is why they say the sensuality of men is being attended to, but the sensuality of women is ignored.

As we have previously examined in detail the causes, obligations and cases of justification of polygyny, especially with reference to the situations where polygyny becomes a right of unmarried women to be claimed from men and married women, we shall not discuss the matter any more.

Here we shall only say this much that if the basis of Islamic philosophy in polygyny, inheritance and evidence were an insult to women and the result of indifference towards their rights, and if Islam had believed in discrimination between men and women, it would have consistently maintained this attitude. It would not have ordained in one place that a woman shall inherit half the share of a man and at other place ordained that a woman shall inherit as much as that of man. Similarly, on another occasion it would not have said that a man may marry up to four wives. It would not have commanded a particular course in particular situations. By this, it can clearly be understood that Islam has some other philosophy in view.

In a previous section we have explained the matter of inheritance, and in another part we have said that in the view of Islam the matter of man and woman as human beings and the rights accruing from that position is a basic and fundamental matter. In the view of Islam, there are certain matters with respect to man and woman which are far above the question of equality, and it is necessary that these things should be scrupulously observed and enforced.

## **7. The Role of Islam in Polygyny**

Islam neither devised the system of polygyny, because this existed centuries before the advent of Islam, nor did it abolish for it, for, in the view of Islam, difficulties would arise for the society, the solution of which depends exclusively upon polygyny. Nevertheless Islam brought about reforms in these customs.

### **Limitations**

The first reform that Islam enforced was that it imposed restrictions upon it. Before the advent of Islam there was no limit to the number of wives. One man could keep hundreds of wives and thus establish a harem for them. However, Islam put a maximum limit on their number, and an individual was not allowed to have more than four wives. In narrations and traditions, the names of those men who had more than four wives when they accepted Islam have been mentioned, and how their faith in Islam obliged them to give up the number in excess of four. Of those men, one called Ghilan ibn Aslamah, who had ten wives,

is mentioned and the Prophet of Islam ordered him to give up six of them. Likewise a man called Nawfil ibn Mu'awiyah had five wives. After his conversion to Islam the Holy Prophet ordered him to let one go.

In Shi'ite traditions it is related that an Iranian Magian (Zoroastrian), in the days of Imam (Ja'far) as-Sadiq (a.s.) was converted to Islam while he had seven wives. The Imam was asked what the man, who was by that time a Muslim, should do regarding his seven wives. The Imam replied that he must let three of them go.

### Justice:

The other reform that Islam enforced was that it made it a condition that there must never be, for any reason, discrimination between the wives or their children. The Qur'an most explicitly commanded:

خِفْتُمْ أَلاَّ تَعْدِلُوا فَوَاحِدَةً

### ***If you fear that you will not be equitable, then only one (wife) (4:3)***

In the pre-Islamic world there was no regard for justice in any respect, neither as regards the wives themselves nor as regards their children. In a previous section we quoted from Christenson<sup>12</sup> and others that in the Sassanian era in Iran polygyny was customary, and that the people believed in discrimination between wives as well as between their children. The distinguished wives were called "*padshah-e zan*" and they had full rights, while the other wives were called "*chakir-e zan*" etc. (servant wife), and their legal status was lower. The children of *chakir-e zan* if males were accepted as sons in the house of their father, and if daughters, were not accepted at all.

Islam abolished these customs and usages. It did not allow a lower legal status for any wife or for any of her children.

In the first volume of his *The Story of Civilization*, Will Durant writes, concerning the discussion of polygyny: "As the wealth of someone gradually reaches sizeable proportions, and he becomes anxious that, since his wealth will be divided into many parts, the capital of each of his children will be small, this person begins to think that he should distinguish between his original and favorite wife and his concubines, so that his legacy may become the exclusive lot of the children of his original wife."

The result of all this is that discrimination between wives and their sons was a common thing in the ancient world, but what is surprising is that Will Durant then says, in his own word:

"Up to the present generation, roughly, marriage was of this kind in the Asian continent. Gradually the original wife takes the role of the exclusive wife, and other wives either become secret loves or else disappear altogether."<sup>13</sup>

Will Durant did not notice, or did not want to notice that it is now fourteen centuries since under the auspices of Islam, the custom of discrimination between children was abolished. The keeping of one as the main wife, and the other as secret loves is the European custom and not the Asian. This custom has of late been contagiously transmitted to Asia.

In any case, the second reform that Islam enacted was that it put an end to all discrimination, whether between the wives or between the children.

According to Islam, favoritism in any form and in any manner between the wives is not permissible. The jurists of Islam are almost unanimously of the opinion that discrimination among wives in any respect is impermissible. Only a few groups among the jurists of Islam have interpreted the rights of wives in such way which is conducive to discrimination. I feel no hesitation in saying that this view is not correct, and is against the meaning of the above Qur'anic verse. The Holy Prophet said one thing about this which both Shiah and Sunnis have referred to and quoted. The Prophet said: "Anyone who has two wives and does not behave with them with justice and shows more inclination to one than the other, he will be resurrected on the Day of Judgment, and one side of his body will be dragged along the ground till at last he shall enter the Fire."

Justice is the most excellent human virtue. To make justice a condition means requiring that people attain the highest moral strength. When we look with due attention at the fact that generally the emotions and likes of a husband are not alike, we can see that uniformly similar treatment towards each of his wives, observing justice and abstaining from discrimination, should be regarded as one of the most difficult tasks for a husband.

We all know that the Holy Prophet in the last ten years of his life, that is, during the period he was in Medina, which was the period of the Islamic wars when there were many unmarried women amongst the Muslims, married several women. Most of the wives of the Holy Prophet were widows and were of advanced age, and most of them had children by their deceased husbands. The only virgin whom he married was 'A'ishah, who used to boast with other wives only on this count, saying that she was the only woman whom no husband, except the Holy Prophet, had touched.

The Holy Prophet observed the utmost justice with regard to each and every one of them, and never discriminated in favour or against any one of his wives in any respect, 'Urwah ibn Zubayr, the son of 'A'ishah's sister questioned his aunt about the behavior of the Holy Prophet with his wives. A'ishah said: "The Prophet as a rule never discriminated against any one of us as opposed to another. He treated everyone of his wives in a scrupulously just and uniform manner. It was very seldom that he did not call daily on each and every one of his wives to enquire about her welfare. There was a rota system for every one of his wives but he did not fail to enquire about the welfare of others, and then he would pass the night in the residence of the wife whose turn it was. If it was not the turn of a wife, but it happened that the prophet waited to stay with some other wife, he used to come and formally seek the permission of the wife whose turn it was. If she allowed him, he used to go otherwise he would not. I was personally

of the attitude that whenever the Prophet sought my permission, I always turned down his request.”

The Prophet even during the illness which resulted in his death, when he had no strength to move about, acted with full and complete justice. To observe justice and in compliance with the rota rule, his bed was taken each day from room to room, till one day he assembled all of his wives and sought their permission to stay in one room, and every one of them allowed him to stay in the room of ‘A’ishah.

‘Ali Ibn Abi Talib (a.s.) in the days when he had two wives, even if he wanted to perform his ablution, would not perform it in the house of the wife who turn was not on that day. Islam is so particular about justice that it does not allow one even to make a proviso on the occasion of the marriage contract with the second wife that she should live with unequal status and with unequal living conditions as compared to the first wife. This means that in the view of Islam the observance of justice and equal behavior is an obligation from which a husband cannot be absolved even by a condition arranged with the second wife. Neither a man nor a woman has the right to put in any proviso to that effect in the marriage contract.

The second wife can do this much: she can in practice, dispense with her rights but she must not agree to the condition that she does not have rights equal to the rights of the first wife. Just as the first wife also can willingly and voluntarily relinquish her rights, but she must not take any legal step to the effect that she shall have no rights.

Imam Muhammad al-Baqir (a.s.) was questioned as to whether it was possible for a man to make it a condition with his wife that he would call on her only for one hour a day, or meet her only once a month or once a week or make it a condition with her that he would not give her full maintenance equal to his other wife, and for the wife herself to agree to those conditions from the beginning? The Imam ordained. “No. Such conditions as these are not permissible. Every woman, by virtue of the marriage contract, automatically and compulsorily creates the full rights of wifhood for herself. The only thing that is permissible is that after the marriage any wife can in practice give up, of her own free will, all or part of her rights, to seek the pleasure of her husband, so that he might not repudiate her, or for some other reason”

Polygyny with this strict and severe moral condition, instead of being a source of sensuality for man, takes the shape and form of the performance of a duty. Sensuality and lasciviousness is compatible only with complete liberty and free indulgence in one’s desires. Sensuality takes the form of action when man delivers himself to the dictates of his heart, and his heart is over powered by alluring desires and fancies. The heart and its desires do not obey logic and do not reckon limits. Where the question of discipline, justice and the performance of a duty come in, sensuality and licentiousness should be done away with. These are the reasons that polygyny with its Islamic conditions, cannot in any way be regarded as a source of licentiousness.

Those who have made polygyny a source of indulgence in sensuality have made the Islamic law an excuse for a misdeed. Society has the right to take them to task, penalize them, and take that excuse

out of their hands.

### **The danger of injustice:**

As a matter of fact those individuals who can observe full justice with a number of wives are very few. In Islamic jurisprudence it is said: “If you fear that it may be harmful for you to use water, do not make the ablution. If you fear that the keeping of the fast is harmful for you, do not keep the fast.” These two rules of jurisprudence are known to everybody. You might have heard people saying: “I am afraid water will harm me, should I make the ablution? I am afraid that fasting will be harmful to me, should I fast?” Certainly these questions are valid. These persons should not make the ablution and should not fast.

Nevertheless, it is ordained in the Qur’an: “If you fear that you shall not be able to behave justly among your wives, do not have more than one woman as your wife.” In spite of that did you ever hear during your life from even one individual: “I want to marry a second wife, but I am afraid I may not be able to observe justice and equality between my wives, should I marry?”

I have never heard anyone saying this and I am certain that you also have not heard this. It is so easy. Our people in the full knowledge and with full intention that they will not behave with justice, marry several wives, and do it in the name of Islam and under the cover of Islam. These are the people who misrepresent and discredit Islam by their mischievous deeds.

If these persons who act according to the custom of polygyny would at least fulfill this one condition, there would be nothing objectionable in it.

### **Harems**

The other matter, which tends to bring up a lot of criticism against Islam on account of polygyny, is the organization of harems by the caliphs and kings of the past. A number of Christian’s writers and missionaries have represented polygyny in Islam as being the same as the setting up of harems, with all their shameful manifestations and limitless cruelties, and have given to understand that the polygyny in Islam actually meant the same thing as the harems of the caliphs and Muslim kings.

It is a pity that some of our own writers echo word by word the ideas, beliefs and attitudes of occidentals. Wherever they mention polygyny they class it with harems. They do not have sufficient strength of character or independence of thought to be able to distinguish between the two things.

### **Other conditions and possibilities:**

Besides the condition of justice, other conditions and duties are also the responsibility of the man. We all know that a wife, by herself, has a series of rights, both financial and sexual, which must be met by the husband. A man has a right to decide to have number of wives provided his financial resources permit

him to take that step. A sound financial position is a condition when there is only one wife as well, but it is not the suitable moment to enter into a discussion of this subject.

Physical capability and stamina is also, by itself another condition which the man must have.

In *al-Kafi* and *Wasa'il*, [14](#) it is related that Imam as-Sadiq (a.s.) said: "If any man gathers a number of women around him and is incapable of giving them full sexual satisfaction, and, as a result of this, these women are led to adultery and promiscuity, that person is answerable for the sin of these illegal acts." The histories of harems contain so many tales of youthful women who were gifted with hot instinctive passions, and who used to have recourse to promiscuous behavior, after which promiscuities murders and other crimes were occasionally committed.

After a perusal of the seven sections that I have written in all regarding polygyny, my worthy readers may have fully understood the origin, the causes and the occasions of justification of polygyny and why Islam did not abolish it, as well as under what conditions, limits and restrictions it is permissible. It may have become clear to them that Islam, by declaring polygyny permissible, did not mean to degrade woman; instead it has done her a great service. If, in case of a proportional excess in the number of women fit and in need of marriage over the number of marriageable men, which always has been and always will be, polygyny is not allowed, women become the lowest plaything of men. The behavior of men towards them becomes worse than towards a slave-girl. The reason for this is that in case of a slave-girl the man honors his undertaking at least in so far as he acknowledges her issue to be his child, while in the matter of a girl-friend, there is not even this much of an idea of any undertaking.

## Modern Man and Polygyny

Modern man refrains from polygyny. Why? Is this attitude of modern man the result of his desire to remain faithful to his wife and to be content with one wife, or is it for the purpose of gratifying, to the utmost extent in a sinful way, his longing for variety, the sources for which are available to him? Today sin has taken the place of polygyny and not faithfulness. That is why man has a strong resentment against polygyny. It creates certain obligations and duties for him, so he has a strong grudge against it.

If the man of the past desired variety and took to promiscuous acts, the sources of sin would not have been to this extent available to him. He was helpless, and so under the cover of polygyny, he indulged in sensuality. In spite of the fact that he used to shirk many of the responsibilities, he could not avoid some of the financial and human obligations with regard to his wives and children, while the man of today is not confronted with any obligation or compulsion and is not bound to even the smallest commitment in connection with his limitless indulgence in sensuality. He should, as a result, necessarily take a stand against polygyny.

Modern man, on the supposed need of a secretary, a typist and on hundreds of other grounds, makes use of woman, and the financial burden falls upon the Exchequer of the State, or the company, or the

foundation in which he is employed, without his having to spend a penny from his own pocket.

Modern man changes his girl-friends after short intervals without any need of the formalities of dower, maintenance or divorce. Naturally, Moise Tshombe<sup>15</sup> is against polygyny because he always has a youthful, charming secretary by his side whom he changes every year. With all these possibilities what is the need of polygyny?

In the auto-biography of Bertrand Russell, who is one of the most headstrong opponents of polygyny, we read that in his early life, apart from his mother, two women created a great impression upon him. One of them was Alys, his first wife, and the other, his friend Lady Ottoline Morell, one of the well-known women of that period, and a friend of many of the early twentieth-century writers. Naturally, such a man could not favour polygyny.

It seems that it was his love-affairs which brought to an end his relations with his wife. Russell himself has written that one afternoon he resolved to ride to one of the country houses near the city on a bicycle and that “all of a sudden, I felt that I no longer loved Alys.”

<sup>1</sup>. Translated from the Persian, original untraced, (tr.)

<sup>2</sup>. The first of the Kutub as-sittah, or “six” correct books of hadith transmitted in Sunni Islam. Compiled by Abu Abdillah Muhammad ibn Ismail al-Bukhari (194/256–810/870).

<sup>3</sup>. Montesquieu (1689–1755) took fourteen years to write L’Esprit des lois. It was translated into English as The Spirit of Laws. (tr)

<sup>4</sup>. Gustave Le Bon (1841–1931), doctor, psychologist and sociologist, travelled in North Africa and subsequently in India. Apart from La civilisation des Arabes he also wrote many other books, the most famous being Les Lois Psychologiques de Revolution des Peuples. (Tr.)

<sup>5</sup>. A.Christenson: L’Iran sous les Sassanides. (2nd ed. Copenhagen, 1944) pp. 322–323 (translated from the French)

<sup>6</sup>. In the French original, unlike the Persian translation, Khusru Parviz is not mentioned; the reference is only to “La Perse”. The Arabic translation has Kasra, seemingly on the correct assumption that the reference was to the time of the Khusru, Anushiravan. The Persian translator seems to have thought the reference was to Khusru II, Khusru Parviz. See what fellows. (Tr.)

<sup>7</sup>. Gustave Le Bon (1841–1931), doctor, psychologist and sociologist, travelled in North Africa and subsequently in India. Apart from La civilisation des Arabes he also wrote many other books, the most famous being Les Lois Psychologiques de Revolution des Peuples. (Tr.)

<sup>8</sup>. Translated from the Persian, original untraced. (tr.)

<sup>9</sup>. Translated from the Persian, original untraced. (tr.)

<sup>10</sup>. *ibid.*, translated from the Persian, original untraced. (tr.)

<sup>11</sup>. Translated from the Persian. (tr.)

<sup>12</sup>. A.Christenson: L’Iran sous les Sassanides. (2nd ed. Copenhagen, 1944) pp. 322–323 (translated from the French)

<sup>13</sup>. Translated from the Persian, original untraced. (tr.)

<sup>14</sup>. Kitab al-Kafi, vol.5, p.566 (Tehran ed.) (See note p.264)

Wasa’ilu’sh-Shi’ah, vol.14 p.571 (Tehran ed.) Wasa’ilu’sh-Shi’ah is the largest and most well-known collection of hadith from the Prophet and Imams in Shi’ite jurisprudence (fiqh). It is in 20 volumes, and was compiled by Shaykh Mohammad ibn al-Hassan al-Hurr al-Amili.

<sup>15</sup>. One-time president of the secessionist Republic of Katanga, and for a short while premier of the Congo, he is famous for having once declared in a newspaper interview that one wife was enough when he could change his secretary every year.

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