

A Multidimensional Study of Polygamy from Islamic Point of View

Ramin Faghani

Department of Theology-Religious Jurisprudence and Islamic Laws, Payame Noor University,

ABSTRACT

Polygamy in Islam is one of the cases which have made the church masters and the western authors to criticize it and excessively slander against it. They even sometimes went further and criticized the Islam Holy Prophet that why he took numerous wives. They believe that each Muslim man can marry more than one woman for the sake of variety in sexual pleasures, and put them in the prison of his lusts, and without the wives daring to express the least protest. The present project conducts a philosophic and scientific investigation on the juristic basis of polygamy, its philosophy, and some reasons behind it. Then the Islamic solutions and results are presented.

This false and biased propaganda as well as many other libels has affected western people and even some Muslims, and some Muslim men and women without any study have started criticizing this rule just based on feelings. They want it to be abolished. They are not aware that one of the advantages and prides of Islamic law is that it considers all the human needs and necessities, and Islam Shari'a has the capacity to progress towards the vital purposes. Polygamy is one of these rules.

KEYWORDS: Islam, jurisprudence, polygamy, justice

INTRODUCTION

By Regarding American professor RASEL LI as an American scientist and researcher, he significantly emphasizes on couples pluralism permit and attracted authors such as ALAME SHEIKH MOHAMMAD MADANI the director of Religion College of AZAHRA university and he estate that Islam doesn't know couples pluralism permissible and marrying more than once would be taboo also believes that if in a case of war or campaign many people perish, many women who are without spouse like couples pluralism would be considered and these statements have been announced based on 3& 129 verse of Nesa sura.

Sexual communism or negating the family life means that there should be no specification in any party. Neither the man should belong to a particular woman, nor the woman to a specific man.

This type of matrimonial relation is one of the examples of meanness and upbringing or morality depreciation of ignorant people. In the initial human communities, man and woman associated with each other in absolute mixture without any modesty, shame, decency, and restriction. In Sontal tribe, India, all the young males and females married each other once in a particular time of the year. They had absolute association for six days and nights. Then, the inclined ones allocated himself or herself to one of them.

In the eleventh century, there was a sect in the old Mexico, called Exwinam, in which men and women lived in absolute association. They involved in drinking, intoxication, and different sensuality.

On the collective marriage in the initial communities, Will Durant says:

In some areas, marriage took place collectively. Some men of a tribe married some women from another tribe. In Tebat, some brothers took some sisters from another family as their wives. A sexual communism ruled among them. It was not clear that which sister belonged to which brother, and each man slept with each woman he preferred.

Some communism forerunners such as Fredrick Engles had also suggested this type of matrimonial life in nineteenth century. As it was quoted from the book under the title "Freud and forbiddance of marrying the persons within the prohibited degrees of marriage", painful and traumatic experiences of this issue resulted in abolishing the sexual communism and marriage sharing, and monogamy rule was enacted as the single official rule.

Polyandry is another form of polygamy. In this case, a woman takes more than one husband at the same time. It is similar to the associations and confusions which were common in the first days of the formation of the human community, sexual communism, and it seems as the continuance of those disorders.

In Indian Toda tribes, the woman coupled with all the smaller brothers of her husband. Each of them became her husband after puberty.

It was also common in Malabar Nair tribes. In this tribe, men were not allowed to take more than one wife, but the women could take various husbands.

*Corresponding Author: Ramin faghani, Department of theology-religious jurisprudence and Islamic lows, payame noor university, po box 19395-3697 Tehran, Iran

The main problem of polyandry has prevented this tradition to succeed, and cause the human communities to reject it. It is misleading about relations, and keeps the children unknown. It is not clear that each child belongs to which husband. The right status of such a child would be completely obscure. For instance, since the relation between heirs and inheritor should be clarified, this child could not take anything from the unknown father by inheritance, unless it found out which husband is the father.

In addition to relations problem which is brought about as a result of polyandry, masculine zeal and ardor (gheytrat) jettisons polyandry. This is true about the decisive majority of men.

Furthermore, our tradition considers this ardor and masculinity as a good and defining characteristic for men. In women, however, it is considered as jealousy, an illegitimate characteristic for them.

In this regard, Imam Sadeq, peace be upon him, states that ardor and zeal is only for men, and it is called jealousy in women. Hence a woman is legitimate, halal, only to her husband, and illegitimate to other men. A man may marry three other women in addition to the first wife, though. God is more Generous to test women for their ardor or zeal, that is why men are allowed to marry three other women as well as the first wife.

Main body

Marriage & engendering as the human's right is a natural order that god considered for human in order to get mature and reach perfection, remarrying and being multi spouse are matters which Islam has emphasized on it more. But couples pluralism matter is not Islam's originality but also has been common among Arabs and different nations.

Polygamy

Polygamy was also common prior to Islam among the other people and nations, whether civilized or uncivilized and religious or unreligious. Hence, Islam is not its innovator. Here, we briefly look at polygamy in the other groups and religions:

Polygamy in different nations

This tradition was completely prevalent among Iranians, Egyptians, Babylonians, Assyrians, and American red skin tribes. In this respect, Will Durant says:

In the American red skin tribe, men marry various women right after getting old. They do not even know their children. They scorn the white skin people for living with only one woman.

Polygamy was also widespread among ignorant Arabs without any restriction.

Furthermore, polygamy was the basis of family in ancient Iran, and a man could marry different women based on his financial ability.

Gustav Lobon emphasized that this tradition was also widespread among the eastern people, including the Jewish, Iranian, Arabs, etc.

According to some historians, polygamy dates back to the ancient period. Montesquieu states that due to some particular reasons, Valentine, the Roman emperor, permitted men to take various wives. However, this rule did not agree with Europe atmosphere, it was abolished by the other Roman emperors such as Theodore, Acardios, and Monoreus.

Polygamy in religions

Prior to Islam, this tradition was common among all the current divine religions. According to the Jewish holy book, the great divine prophets such as Abraham, Jacob, and Moses had various wives. Furthermore, polygamy was legitimate in Zarathustra, Confucius, and Buda sects. According to Liki, which has some followers in China, a man may marry up to 230 wives.

In Christianity, there is no particular text which forbids polygamy. And history confirms that some great Christian figures, such as Ladiar Mat, the Irish king, and Charlemagne, had two wives.

To know about Islam viewpoint on polygamy, two main issues should be observed:

First, we should see whether Islam deems polygamy legitimate, or jettisons it like polyandry and sexual communism. Second, if Islam admits polygamy, does it do it the same as ignorant Arabs, ancient Iranians, and the other nations, or it considers some provisions and restrictions, without allowing everyone to take various wives?

DISCUSSION AND FINDINGS

Justification of polygamy in Islamic sources

Contemplating on Islamic sources, polygamy may be justified:

1. Quran

COUPLES pluralism decree is of signatory decrees of Islam, means multi spouse tradition was among various nations pre- Islam and Islam hasn't generally nullified it but also has furbished it, means on one hand nullified it's limitation and consider maximum scale for it and stated that multi wives at maximum would be 4 wives and on the other hand considered severe conditions for it and didn't let everyone be multi spouse. by accurate observation about doctrine, the main and fundamental reason for couples pluralism permit had been at each time by title of " women 's overpopulation than men" and Islam confirmed and signed couples pluralism rule because of it's necessity and importance. Hence, an experienced legislator has to evaluate all aspects and consider all people's advantages and doesn't just think about his personal or special group's opportunity. As god is all creatures' creator, so considered all people's opportunities such as married men & women, widow or divorced and single while confirming couples pluralism rule. Jealous, sensitive, widow& alone women have also been considered .this rule is prescribed for rescuing these women that have been deprived of marriage & having spouse because marriage is the most natural right of human and as employment, nutrition, house, education are main rights of human, marriage right is also a definite right of human and nobody will be deprived of this right. Therefore, couple pluralism matter mustn't be considered by "first women "outlook because this matter must be evaluated of "without spouse & widow women" outlook .married women or anyone who complains of this rule should be in widow shoes for a second that they just have two ways because of the forbidden rule of couples's pluralism.

1-they have to pass all their life without husband and children and be deprived of any emotional and financial reliance.

2-they have to make offenses for making themselves satisfied about emotional and financial needs and perish their social & personal values

Marry two, three, and four wives, but marry just one wife, if you are afraid of not ensuring equality.

This is one of the most explicit verses which justifies polygamy, and allows men to marry at most four permanent wives. There are some provisions to be observed, though.

1. Numerous narrations have affirmed polygamy, and they implicitly and sometimes explicitly accept it. Some narrations state the orders on polygamy, and some of them express the reasons behind it.

Imam Sadeq, peace be upon him, said that if someone has four wives and goes through divorce from one of them, he could not take another wife before the end of the divorcee's period of abstention – three consecutive menses.

2. Limits and conditions of polygamy

Islamic sources clarified that Islam has not abolished the polygamy rule completely, and it has approved it under some limits and conditions. Now, we study the Islamic point of view on polygamy:

Before Islam, polygamy was widespread among various communities unlimitedly. For example, a man could take tens or maybe hundreds wives. Though, Islam restricts this, and no one is permitted to take more than four permanent wives, as it was mentioned in the third verse of surah "Women".

According to the Islamic narrations, there were some people who had more than four wives when they had joined Islam followers. This religion made them to give up the extra ones. Gheylan ebn-e Aslameh is a person who had ten wives. The Great Prophet, peace be upon him, made him to give up six of them. And someone called Nofel ebn-e Ma'avieh, who had five wives when he joined Islam, gave up the extra one as the Holy Prophet, peace be upon him, ordered. In Imam Sadeq era, peace be upon him, an Iranian who had seven wives joined Islam. The Imam, peace be upon him, said "Now that you are a Muslim, you must give up three of them"

3. One of the provisions and amendments prescribed by Islam is equality. Islam never permits discrimination against wives and children and the violators are prohibited from remarriage. It states that if you are afraid of not ensuring equality among the wives, you do not have the right to have more than one wife. Hence, you must live with one wife.

4. Some justifications for polygamy

Maybe one of the reasons behind polygamy is the geographical conditions and girls pubertas praecox in some regions. In this regard, Gustav Lobon says:

Polygamy is just because of east land climate, race characteristics, and some other life elements in the people of these areas, and religion did not bring it about. Hence, climate and ethnic characteristics are the main determining factors. In addition, nature and structure of the eastern women and the necessity of custody of children, diseases, side effects, etc. have made them to abstain from husband and since east land climate and ethnic situation have made it impossible for the man to tolerate this temporary abstention, polygamy is needed.

Montesquieu says that women in hot lands reach puberty at the age of eight, nine, and ten. They become fertile after getting married. Hence, women's marriage and fertilization happen sequentially.

Maybe sometimes, it is necessary to generate more offspring. If the woman is barren and her husband loves her or she loves him, and they would not like to get divorced for any other reason, since having children and offspring is

a public and natural need, though the woman can not be blamed for it, but there is no reason to neglect this natural need and burn in desire, this right should be given to him to marry another woman to achieve this ultimate objective. Thus, polygamy is the solution here.

6. Another justification for clarifying the need for polygamy is that the women who lose their husband for any reason and become widow would less attract the single men attention. Therefore, polygamy makes it possible for these women to enjoy husband, children, and family.

7. Polygamy is a legitimate way for millions of people in each era and billions of people during centuries. Not having such a way, they may go astray, commit sin, and corrupt the society. That is why Europe and America suffer more from sexual corruption and obscene act than Islamic countries. Hence, polygamy is a necessity to maintain the society moral health.

According to statistics, an indefinite number of men make illegitimate children. People undertake the expense of keeping these children and its shame is on human society. If polygamy had been prescribed, the children would have been legitimate and their mother could live with dignity and without any hardship, misery, and meanness.

Shopenhawer, the German famous philosopher, says that marriage rules in the Europe make the men to suffice with one woman. It is based on corruption.

No woman suffers from not having husband in the countries which have accepted polygamy. Though, the married women are the minority in Europe, and there are many single women. In the higher classes of the society, there are some single girls who get old, wander, and live in desire without getting married. There also some girls in the low classes who undergo difficult job to earn their living, because they do not enjoy husband. In addition, many of the girls of this class are obliged to sell themselves, thus they live in shame and abjectness. Only in London city, eighty thousands girls live so. They are the victims of the rule against polygamy.

Conclusion

In fact, no woman with or without husband wants to pass his life without spouse but also all women want to marry and become mother as well and Islam has been sent for human perfection as the thorough and last religion, couples pluralism rule has been considered as a social necessity and provide a situation that all women enjoy it. therefore, all world women from different religion want to identify their real personality and recommend by support name of woman right, marriage right, human right to human right commission in nation organization that couples pluralism rule get identified at logical condition which is stated by Islam

Polygamy is one of the confirmed rules in Islam, the clear religion. It was performed in different nations prior to Islam, and this religion did not abolish it completely, but placed some restrictions on it. Islam abolished the excessiveness, and considered a maximum number for it, that is four. Furthermore, some decisive restrictions and conditions were defined which do not allow everyone to take numerous wives.

According to the abovementioned reasons, polygamy is a personal and social necessity, if equality and justice are observed. That is why Islam, having observed the natural innate needs of man and woman and considered the present facts in the society, issues this command which is for the benefit of both men and women.

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