

## The Positive Role of Polygamy in Reducing Women Socio-Related Problems in Malaysia

**Dr. Raudlotul Firdaus Binti Fatah Yasin**

Assistant Professor

The Department of Qur'an and Sunnah Studies  
Kulliyah of Islamic Revealed Knowledge  
International Islamic University Malaysia  
Kuala Lumpur.

**Dr. Mohd. Shah Jani**

Assistant Professor

The Department of Qur'an and Sunnah Studies  
Kulliyah of Islamic Revealed Knowledge  
International Islamic University Malaysia  
Kuala Lumpur.

### Abstract

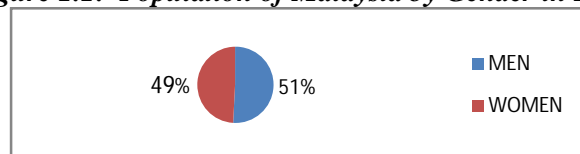
Islam has never imposed polygamy as a universal principle nor has it put a restriction on the plurality of wives. In other words, Islam neither compels Muslims to practice polygamy nor prohibits them from doing so if certain conditions are fulfilled. Islam came at a time when people were scrambling to marry as many women as they could, just for fun and for the sake of leisure and pleasure. After a careful scrutiny of the situation, Islam regulates it and gives it a human face. It could have been prohibited like other pre-Islamic practices, such as gambling, adultery, fornication, drinking, etc. However, as a way of life that takes cognisance of natural impulse of humankind, Islam arrives with its primary sources – the Qur'an and Sunnah – to serve as unbiased umpire between a man and his wives. This paper seeks to elucidate how Islam ensures that polygamy means to protect the rights and well-being of women, by making them proud of their union with a lawful husband. In the same vein, products of such union are also regarded as bona fide offspring of the man. Islam also saves women through polygamy from illegal relationships that are detrimental to the persons involved and the society at large. To avoid being in a relationship as a mistress or concubine, who is solely responsible for single parenthood and to overcome the increasing number of divorce in some societies today, Islam ameliorates the plight of women as a result of disparity in man-to-woman ratio by offering a solution that alleviates a woman's status from being a mere object or commodity in the hands of men. A number of Qur'anic verses and Prophetic traditions are quoted and analysed to identify the objective and wisdom behind the permissibility of polygamy.

**Key words:** polygamy, positive role, women socio-related problems

### 1.0. Introduction

The population of Malaysia in the year 2009 was estimated at 28,306.7 million people. Out of the figure, 13,899.4 million are women, which represent 49% of the whole population. With women contributing to almost half of the population in Malaysia, we will definitely be witnessing quite a large number of women's involvement in social problems, namely prostitution, HIV/AIDS, adultery and pregnancy out of wedlock. In the last ten years, reported cases of these vices have drastically increased, which is a source of serious concern for the government and other stakeholders in nation building.

**Figure 1.1: Population of Malaysia by Gender in 2009**



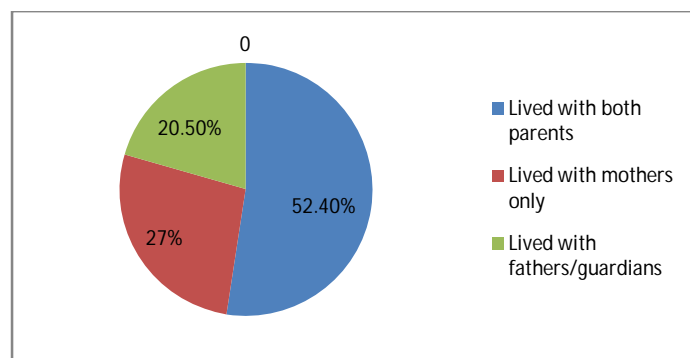
## 2.0. The Positive Role of Polygamy in Reducing Prostitution, Adultery and Pregnancy out of Wedlock in Malaysia

### 2.1. Prostitutions

According to a statistic issued by the Women National Congress (*Kongres Nasional Wanita*) in 2006, about 300,000 women were said to be involved in prostitution across Malaysia. It was also reported that one of the nightclubs in Kuala Lumpur, which runs commercial sex business as its main source of income earns close to RM500,000 per night. Similarly, the figure released by the Social Welfare Department of Malaysia (*Jabatan Kebajikan Masyarakat*) between 1995 and 1999 indicates that about 4,315 prostitutes in Malaysia are found to be girls below eighteen years old. Among the underlying reasons why some women involved in prostitution are divorce, poverty and unemployment. In fact, another study on women's involvement in prostitution shows that the phenomenon cuts across all socio-economic status in Malaysia, "They come from all socio-economic classes, races and ethnic groups. Studies show that not only lower class children are involved in prostitution, middle and upper class young people are increasingly vulnerable to prostitution too". Furthermore, there is no single pattern that can explain how children are drawn into prostitution. The root causes of children's involvement in prostitution are multiple and complex. However, it is widely believed that many young women who are involved in prostitution have a history of childhood abuse, particularly sexual abuse.

A study on the number of prostitutes from Peninsular Malaysia states that more than half of the respondents (52.4%) lived with both parents. However, 47.5% were found not to be living with both parents during childhood, of which 27% spent most of their childhood with their mothers, while 20.5% lived with either their fathers, guardians or grandparents. This shows that almost half of the prostitutes did not have a complete family to bring them up as normal people.

**Figure 2.1: Prostitutes lives with both or either parents**



The study further indicates that the respondents gave many reasons why they were not living with both parents, "About 73% attributed it to broken marriages, 10% because of the death of one of the parents and 6.7% as a result of the demise of both parents. A few respondents (10%) stated that their adoption by other families prevented them from living with both parents". This study indicates that a complete family has essential roles in influencing the psychological and mental developments of the child to grow up as a responsible person. The existence of a responsible father is important in disciplining the children and he is the main figure as well as the role model in the family. In modern Malaysian culture and indeed in other parts of the world, it is very rare to find a young bachelor who is willing to marry a widow with many children. Therefore, in this kind of situation, polygamy may be arguably identified as one of the rational solutions to help widows and her children to cope with the challenges posed by the demise of their breadwinners. Prostitutes are vulnerable to the deadly HIV/AIDS, which is spreading at an alarming rate all over the world.

Most women who contracted this incurable disease are said to be victims of relationships with multiple partners, or infected by unfaithful husbands. This is different from men who are mostly infected by HIV through drug addiction, especially while sharing tools such as the syringes which most of the time are shared by more than five persons.

If one of the addicts is HIV positive, the rest of the group may be infected through the sharing of needles and other related objects. In a statistic obtained from the Ministry of Women Development, 15.5% of women were reported to be infected with HIV in 2008, while the rest 84.5% were men. Prostitution is closely related to the major causes of women's infection of this virus. The spread of the disease can be minimised and properly controlled if prostitution is curtailed or eradicated in Muslim societies. In fact, this kind of virus is a warning from Allāh (SWT) for the entire humankind as a deterrent from committing adultery. Allāh (SWT) says in the Qur'ān, "...and come not near unto adultery. Verily! it is an abomination and an evil way".

The word *fāḥishah* (abomination) in the verse indicates that adultery is not just a major sin, but also a social disease that has negative impacts on the life of any person who indulges in it, which will lead him or her to ply evil ways and consequently, ruin him or her. Once a person is infected with HIV, he or she will find it difficult to live a normal life. Self-esteem and the fighting spirit of people living with HIV/AIDS are seriously affected, which contributes to low life expectancy and sudden death. In a situation where a woman might be desperate to have a means of livelihood to sustain herself and her family but has no husband to seek shelter, she might choose this job to resolve her temporary economic crisis. However, in the Islamic perspective she should try her best to find a job that she can do with her honour and dignity intact. In one of his traditions, the Prophet (PBUH) was reported to have said:

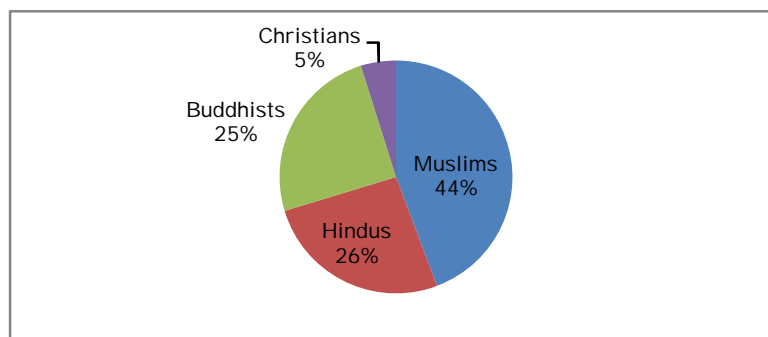
If you put your absolute trust in Allāh (*tawakkal*), your livelihood will be granted like the bird, (they) fly away in the morning with hunger, and return back in the evening with full.

## 2.2 Adultery and Pregnancy Out of Wedlock

Another wide spread women socio-related problems is the issue of adultery and pregnancy out of wedlock. The new trends of unlimited relations between genders, lack of pious man and woman, and the increasing number of irresponsible Casanovas in the society is one of the major reasons for the widespread of adultery and pregnancy out of wedlock. In a statistic issued by the Department of National Registration (*Jabatan Pendaftaran Negara*), between 2000 and 2008, about 257,000 children were registered without a father's name, which means about 2,500 children were born out of wedlock per month or 84 infants per day. Illegal infants born without fathers are mostly the result of adultery, in which the men involved refused to marry the women. It is heart-breaking to discover that out of the above figure, Muslim children outnumbered children from other faiths. According to the details given by the Department of National Registration in year 1999 until 2003, there were Muslim 30,978 births, 18,085 Hindus, 17,236 Buddhist and Christian 3,395 infants.

**Figure 2.2**

**Percentage of illegal infants born without fathers according to their religions**



This phenomenon of pregnancy out of wedlock is encouraged by adaptation to foreign culture in the name of civilisation. In the same vein, amenities such as telecommunication and uncensored Internet facilities where youngsters are exposed to pornographic materials are other sources of concern. It is an undeniable fact that women are instinctively vulnerable to *zinā*, that is why in the Qur'ān, the explanation of Sharī'ah penalty for this crime starts with the female fornicator and then followed with her male counterpart (*al-zāniyahwa al-zānī*).

Similarly, she is usually the real victim who suffers the consequences most, in terms of the agony of unwanted pregnancy and labour pains, and having a child out of wedlock. Regarding the punishment of adultery, Allāh (SWT) states in *Sūrah al-Nūr*:

The woman and the man guilty of adultery or fornication - flog each of them with a hundred stripes: let not compassion move you in their case, in a matter prescribed by Allāh, if you believe in Allāh and the Last Day: and let a party of the Believers witness their punishment.

In this situation, these embittered women would find it difficult to explain to their family or another man that they had committed adultery with another man, which is considered unacceptable by most religious and pious bachelors in Malaysia. Virginity is seriously taken into consideration, even though the same criterion does not apply in the case of men. In the same vein, it is also unfair to a woman to remain neglected and treated like an outcast if she has sincerely repented to Allāh (SWT), asking for His forgiveness and striving to be a better believer. Allāh (SWT) reminds Muslims not to despair of religious solutions, for He is the Most Forgiving, thus He says:

Say: "O 'Ibādī (My slaves) who have transgressed against themselves (by committing evil deeds and sins)! Despair not of the Mercy of Allāh, verily Allāh forgives all sins. Truly, He is Oft-Forgiving, Most Merciful".

Allāh (SWT) also persuades those who have committed the sins to stop the negative habits, and turn to Allāh with sincere repentance, for it is the route for salvation, and the means to deliver them from sense of guiltiness and anxiety:

O you who believe! Turn to Allāh with sincere repentance: In the hope that your Lord will remove from you your ills (sins) and admit you to Gardens beneath which Rivers flow,- the Day that Allāh will not permit to be humiliated the Prophet and those who believe with him. Their Light will run forward before them and by their right hands, while they say, "Our Lord! Perfect our Light for us, and grant us Forgiveness: for Thou hast power over all things.

The consequence of wide spread prostitution and adultery is pregnancy out of wedlock. Once a woman loses her virginity, or is found to be pregnant out of wedlock, it will be almost impossible for her to be married legally by a responsible and qualified unmarried man. The only option left for her is to get married with her partner in crime, and that is only possible if the partner is willing to take the responsibility for their act. In most cases, such a possibility is very remote because the majority of the male partners usually refused to admit the crime and refused to be responsible for the act. Part of the psychological consequences is that the woman might remain unmarried for the rest of her life due to feeling guilty of her past mistakes, losing her self-esteem and the motivation to get married with another man. Worse than that, many of the victims chose to become a prostitute as an expression of their frustrations. This psychological state that the female victims have to live up with for the rest of their life is in fact stated in the Qur'ān. It is stated therein that those who have committed adultery are usually inclined to marry people of their ilk or the non-believers (*mushrik*) who do not consider adultery a crime or a sin. The Qur'ān says,

Let no man guilty of adultery or fornication neither marries any but a woman similarly guilty, or an Unbeliever nor let any but such a man or an Unbeliever marries such a woman: to the Believers such a thing is forbidden.

However, this verse does not imply a prohibition to marry an ex-fornicator who has repented and reformed himself or herself to a better Muslim. It is recorded in a tradition narrated by AbūḤātim that there was a man who asked Ibn 'Abbās's permission to marry a woman with whom he committed adultery. Now both of them have repented. Ibn 'Abbās did not object his request, and furthermore encouraged him to marry his former adultery partner because he knew that both of them were now striving to be better Muslims. Another tradition recorded that there was a man who came to Ṭāriq bin Ziyād, proposing to his sister who used to commit adultery; Ṭāriq rejected the proposal due to her past mistakes. The man consulted Caliphate 'Umar on his point of view regarding his rejected proposal. 'Umar r.a. asked, "Did she not ask for (Allāh's) forgiveness?". The man replied, "Yes.", 'Umar r.a. immediately said, "Then marry her". The wisdom of polygamy in overcoming the problem of prostitution and adultery can be seen when responsible and eligible men save repented women who struggle to seek Allah's forgiveness by marrying them and guarding them under their protection instead of letting them suffer and remain single all their lifetime.

This idea is derived from some traditions whose meaning comes to effect that repented women of their past mistakes such as adultery deserve marriage to good pious men so that they can reform themselves to be a better *Muslimah*. Knowing that in Malaysia virginity is seriously taken into consideration before marriage, it is extremely difficult for this category of women to get married with bachelors, even though they strive to be better persons. In such circumstances, polygamy is the best solution to the problems that single mothers are facing in Malaysia. It can also be the best place of moral and psychological rehabilitation for single mothers who had traumatic experience to bring up their children alone because of being abandoned by their male adultery partners. Polygamy in this case can be the best solution for these abandoned single mothers to be legally married in which their rights as a woman and wife are protected under the Sharī'ah Law. It is an undeniable fact that naturally, the possibility of abandoned single mothers, who have been found guilty of certain social problems as pointed out in the previous discussion, to get involved once again into the same tumultuous state of life is much greater if they continually deprived of the opportunity to get married.

In a cultural mind-set in which virginity, young age and positive attitude are taken as important requirements in a formal marriage, it is extremely difficult for these abandoned single women to be married by a bachelor. The possibility of them to lead a life within a legal family unit as husband and wife is very slim. By taking into account of this social reality, the article thus recognizes the positive role of polygamy as the best solution not only to reduce the numbers of abandoned single mothers and the negative social problems related with them, but more importantly to help them salvage their dignity and elevate their social mobility and rights as women and human beings. In this regard, anti-polygamy authors should not be mistaken with the increasing cases of the abuse of polygamy in Malaysia, and use this as a reason to oppose polygamy and make it illegal whereas it is permissible according to the Sharī'ah Law. In fact, polygamy is an integral part of the Sharī'ah Law. It should not be therefore treated as an independent provision as if it was introduced by Sharī'ah scholars for the purpose to downgrade the status of women. Such a view is misleading and unfair to the purposes (*maqāṣid*) and integrity of the Sharī'ah Law, which is addressed to resolve problems facing human beings as they are "human beings", not because of their gender. This holistic philosophy has properly placed polygamy within the whole system of Sharī'ah Law with such a profound harmony. It has treated polygamy as another alternative to monogamy in the provision of Sharī'ah Law on marriage due to human necessities, interests and preferences. Consequently, we have to recognize the fact that the purpose of polygamy is equally similar with the purpose of monogamy in marriage, that is, to nurture emotional and psychological tranquility (*sakīnah*) within human beings – men and women – as a key factor enabling them, as a social unit, to perform their respective duties for sustainable development of humanity as God's vicegerent on earth. About this purpose, the Qur'ān says,

And among His signs is this that He created for you mates from among yourselves, that you may dwell in tranquility with them, and He has put love and mercy between your (hearts): verily in that are signs for those who reflect.

Bilal Philips describes the term *taskunū* (derived from *sakan*) in the verse, as tranquillity, which is not simply "what one may feel after satisfying sexual impulse but is the serenity, which follows a psychological need which has been fulfilled. Every individual is aware of feeling lack of sense or loss within himself/herself which needs completion; a weakness that requires strengthening or loneliness that can only be removed by someone who is truly committed to him/her". Hence, getting married that can be achieved through either monogamy or polygamy is a completion of one's faith and religion. It is one of women's basic needs and necessities as human beings so that, like their male counterparts, they will be able to perform their prescribed duties and determine their rights are protected. With regard to this, Prophet Muḥammad (PBUH) mentioned in a tradition:

If a man is married, he has completed half of his religion, so fear Allāh for the other half of it.

The essential needs of a woman for a husband are described by Allāh (SWT) as a garment for the husband and vice versa:

They are your garments and you are their garments.

AbūḤātim and IbnKathīr interprets garment as "*sakan*" which is tranquillity. This metaphorical term is used to emphasize the importance of marriage in Islam, in which men and women as a legal couple are able to complement each other to ensure the survival of humanity on the bases of mutual love, compassion, cooperation.

Nevertheless, problems such as poverty and economic hardship are a kind of test from Allāh (SWT) upon His servants. Therefore, a simple-mindedness that views marriage whether it be monogamy or polygamy can resolve all human problems is not a down-to-earth reality. However, as it were proven by many successful polygamous marriages, all these problems can be overcome if the Qur'ānic metaphor illustrating husbands and wives as "garments toward each other" is truly realized in a social unit of marital life with mutual love, compassion, cooperation, and perseverance. On this the Qur'ān says;

Be sure We shall test you with something of fear and hunger, some loss in goods, lives and the fruits (of your toil), but give glad tidings to those who patiently persevere.

It is within the mercy of Allāh (SWT) that polygamy is stipulated as one of the solutions for women with social problems as stated above, but it would be a cause of many problems if it is abused for purposes other than as laid down by Allāh (SWT) in the Qur'ān. Allāh (SWT) promises those who are patient in their struggle to ensure the success of their polygamous marriage with good news (glad tidings) in the Hereafter, the aspiration of all believers. As for those who are impatient while facing the tumultuous tests and continue committing major sins in order to fulfil their desires and material wishes, and neglect Allāh's warnings and commandments, they are liable to severe punishment in the Hereafter.

### ***3.0. The Positive Role of Polygamy in Saving Widows, Single Mothers and Unmarried Aging Women in Malaysia***

#### ***3.1. Widows and Single Mothers in Malaysia***

The rate of divorce in Malaysia is recorded to be increasing every year, especially in the last eight years. In the year 2008, a total of 22,289 divorce cases among Muslim couples were recorded from 130,314 marriages, which represents 17% of the entire marriages registered in that year. This shows that the number of widows and single mothers is rapidly increasing every year. The summary of the statistics of Muslim marriages and divorces are shown in the following tables:

***Table 3.1***

***Summary of Muslim Marriages in Malaysia***

<b>YEAR</b>	<b>2000</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
<b>TOTAL</b>	93,560	91,489	95,182	102,062	112,239	113,132	114,422	132,511	130,314

***Table 3.2***

***Summary of Muslim Divorces in Malaysia***

<b>YEAR</b>	<b>2000</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
<b>TOTAL</b>	13,536	13,187	13,841	15,543	16,509	17,708	21,419	21,051	22,289

Single mothers in the Malaysian society are often closely related to the negative stigma and assumptions of seducing bachelors or married men to marry them. Although it is not very true, it is clear that some of them are in dire need of husbands to protect them. The need of a new husband usually depends on the single mother's needs for protection, which include herself, her children and their maintenance. In the case that she is psychologically and financially strong, or her former husband is fulfilling his financial obligation towards his former family, the widow may not really need a new husband. However, in a situation where the ex-husband never fulfils his obligation, which is a common phenomenon in Malaysia, the single mother has two options, either to get employment and thus leave their children unattended, or to remarry in order to support herself and the existing children. Once again, in this kind of condition, the positive role of polygamy cannot be downplayed, because it could be considered as a practical solution to address the plight of widows and single mothers through marriage. Similarly, it can arguably serve as a preventive measurement to curb the involvement of vulnerable women in various crimes, social problems and other non-Shari'ah compliant activities, such as prostitution, drug abuse and trafficking, gambling, illegal abortions, abandonment of new-born baby, and others because of economic destitution, unfulfilled desire for sex and reproduction, and the demand for security.

Successful polygamous marriages are the best testimony to prove that polygamy is one of the contributing factors to curb the involvement of widows and single mothers in those illegal activities.

### 3.2. Unmarried Aging Women in Malaysia

The idea of polygamy as a solution for unmarried aging women is derived from the fact that in Malaysia, qualified women who are suitable for marriage outnumber qualified and eligible men. Although according to statistics, women are 49% of the whole population of Malaysia in 2008 and 2009, this figure actually includes all age groups from the newly born babies to the people who have attained old age. Therefore, for the average age of marriage, which is estimated between 18 and 50 years old, women are only slightly less than men, as shown in Table 2.3,

**Table 3.3**

**Summary of Malaysian Population by Age, Group and Sex**

Age Group	Male (million)	100%	Female (million)	100%	Total (million)
15-19	1,349	51%	,273	49%	2,622
20-24	1,284.8	50.90%	1,240.3	49.10%	2,525.1
25-29	1,180.5	50.60%	1,148.9	49.30%	2,329.3
30-34	1,039.7	50.50%	1,017.2	49.50%	2,056.8
35-39	960.9	50.5%	940.1	49.5%	1,901.0
40-44	912.4	50.7%	888.1	49.3%	1,800.4
45-49	812.3	50.8%	785.5	49.3%	1,597.8
50-54	693.7	51%	664.5	49%	1,358.2

According to Maulana Wahiduddin Khan, “marrying more than one woman is possible only when there are more women than men” because Islam would only prescribe upon its believers religious commandments which are both possible and practical. Even though according to the statistics, men are seen as outnumbering women with almost one percent per category of age group, this includes thousands of male prisoners who are serving jail terms in various prisons across the country, as well as drug addicts who are being treated in several Drug Addicts’ Healing Centres (*Pusat Pemulihan Dadah*) all over Malaysia. Most of them are male teenagers and young men within the marriageable age bracket according to Malaysian standards. This is supported by another statistics issued by the National Agency of Anti Drug, which clearly indicates that the majority of drug addicts are males. (See Table 3.4),

**Table 3.4: Drug Addict Report from 2007 until January-July 2008**

Gender	2008	Percent	2007	Difference 2008/2007
Male	12076	97.77%	14141	-14.60%
Female	276	2.23%	348	-20.69%
<b>Total</b>	<b>12352</b>	<b>100.00%</b>	<b>348</b>	<b>-14.75%</b>

When compared with the overall figure of male population in 2008, which was 14,114.3 million (50.9%), the number of the drug addicts was said to be approximately 12,076 representing 0.86% of men while female addicts were only 0.02% of the whole female population, which was 13,614.4 million (49.1%). This indicates that from the total number of men, almost 1 percent of them were considered as ineligible to be good husbands because of their drug addiction. After deducting male prisoners, the remaining figure will definitely reduce the number of qualified and eligible men for marriage, which leads to the increase rate of unmarried aging women, widows and single mothers in Malaysia. Unfortunately, the figure keeps increasing every year, which is a big threat to the family structure in Malaysian society.

On, 25<sup>th</sup> October 2001, a total of about 29,642 young men and teenagers were found guilty of various crime and have been sent to prison for probation and moral rehabilitation (*Pusat Pemulihan Akhlak*). They are probably husbands or prospective husbands who left a vacuum in the society, in terms of support for the family they left behind or prospective wives who have to look elsewhere for future partners.

Briefly, there is a glaring disparity in the number of eligible and qualified men for marriage, compared to the number of female population in Malaysia. As a result, many social problems remain unsolved. It is envisaged that if polygamy is properly practised with due consideration to abide by the rules of polygamy prescribed by the Sharī'ah Law, it could be the right step towards the right direction to protect our society from further deterioration.

Due to the situation that was briefly highlighted above, we have to recognize that the difficulty to find eligible and qualified men for marriage in Malaysia nowadays is no longer a surprise. It is a reality that Muslim society in Malaysia has to face as a subsequent to the rapid process of modernization, which was started since the last five decades ago. In fact, it has been prophesied by Prophet Muḥammad PBUH in an authentic tradition that one of the signs of the Last Day is that women will outnumber competent and qualified men (*al-qayyim*):

From among the portents of the Hour are (the following): Religious knowledge will decrease (by the death of religious learned men), religious ignorance will prevail, there will be prevalence of open illegal sexual intercourse, women will increase in number and men will decrease in number so much so that fifty women will be looked after by one qualified man.

The noble objective of helping single mothers and women, who have passed the marrying age, find a husband has been promoted by the Ikhwan Polygamy Club. The club was established in Malaysia in August 2009 and managed by Global Ikhwan. They have 1000 members across Malaysia, Indonesia, Australia, Singapore, Thailand, the Middle East and Europe. It started its branch in Bandung, Indonesia, and opened another in Jakarta. Most of the members are employees of Global Ikhwan or former members of Al-Arqam. However, the club has come under fire from government authorities and religious leaders due to suspicion that it may be an attempt to revive Al-Arqam, a defunct “extremist” Islamic group headed by Ashaari Mohamad, who was the founder and owner of Global Ikhwan. We do not have the statistic about the number of successful polygamous marriage that were registered under and arranged by the Ikhwan Polygamy Club, but based on the number of single mothers and widows who have registered as members of the Club, one has to admit that polygamy is in fact still relevant and can be the right avenue for them to find qualified candidates as future husbands.

### **3.0. The Positive Role of Polygamy in Solving the Problems of Barren Wives**

It has been established clearly that polygamy in Islam is practised as a way of providing means of protection not just for women who are widows and in need of protection and financial support, but also for those who are ill or barren. The wisdom of polygamy in solving this prevailing reality may be analyzed from different angles, as such:

1. When a husband discovered that, his wife is barren, while at the same time he instinctively aspires to have his own children and heirs. In this situation, the husband would either have to suffer the deprivation of fatherhood for his whole life, or divorce his barren wife and marry another woman who is not barren. However, neither solution can be considered as the best alternative. Here, polygamy would have the advantage of preserving the marital relationship without depriving the man of his right to have children and the woman of her rights as a wife.
2. The husband whose wife becomes barren or chronically ill would have one of possible alternatives; firstly, he may suppress his instinctive sexual needs for the rest of his life which may harm his mental and physical stability, or he may divorce his sick wife at the time when she needs the presence of her husband and his compassion in facing this difficult situation. As of the latter, the husband can marry another woman and legally satisfy his instinctive biological needs, but the divorced wife will have to suffer emotional and psychological depression for the rest of her life. Secondly, the husband can tolerate the problem by keeping his sick wife, and secretly takes for himself one or more illicit sex partners. Once again, both solutions cannot be solutions to this unfortunate husband and wife, but polygamy can.

Jamāl Badawī, a modern Azharian scholar in commenting the wisdom of polygamy states that Islam is a religion “against immorality, hypocritical pretence of morality, and against divorce unless no better solution is available, provides for a better alternative which is consistent with human nature and with the preservation of pure and legitimate sex relationships. In a situation like this, it is doubtful that any solution would be better than polygamy, which is after all, an optional solution”.



### 5.0. The Positive Role of Polygamy in Solving the Problem of Menopausal and Disabled Wives

Part of the natural challenge of a woman is to go through the stage of the biological change of her body, called menopause. Due to this stage, she may lose interest to have sexual intercourse, or be disabled from doing so. Scientifically, this is due to her significant drop in estrogens hormone levels, which leads to changes in her sexual function and reproductive system. The most common age range of women to experience menopause is between 48 to 55 years old. In contrast, according to a research, 70% of all 70 year-old men remain sexually potent and active. In such situation, if the man finds it difficult to keep himself busy with any social or welfare activities to reduce his sexual desire and needs, then polygamy can be the best solution for him to find another wife, which is not only approved by the Sharī'ah Law, but also can prevent him from divorcing the current menopause wife or committing adultery and other illicit sexual activities.

Some Muslim scholars insist that there are categories of men who are not able to restrain themselves from having sexual intercourse for a long period, although they have taken all the preventive steps such as not looking at prohibited objects as commanded in the Qur'ān, *sūrah al-Nūr*: 30, and to perform *nawāfil* fasts, etc. This sexual urge becomes very strong specially when the wives are menstruating for a long period or have just given birth (post-natal bleeding) in which they are not able to entertain the request of their husbands for sexual intercourse. The Jerusalem Supreme Sufi Council head, Sheikh Muḥammad Sa'īd al-Jamāl al-Rifā'ī explains, "Perhaps some men cannot be satisfied with one woman. In these cases, if the door to taking another wife is closed to them, they will wear out their only wife with unceasing sexual relations or will cast their eyes upon other women permitted in marriage by Allāh".

Hence, Dr Sa'īd Ramaḍān al-Būṭī further emphasizes the wisdom of polygamy in this situation:

Hence, suppose that a husband is tempted to infidelity so powerfully that he finds himself before two choices: either resist the temptation and go on limiting himself to his one wife despite the difficulty this poses for him, or surrender to the temptation at hand and commit adultery.

In view of such a husband's moral and spiritual vulnerability, what is most likely to happen, realistically speaking, is that he will end up adopting the second course of action, allowing himself to be drawn into sexual misconduct... Islamic law has established that if there is no avoiding the presence of another woman in a given husband's life – given the condition of sexual tension from which he is suffering – then let this other woman also be bound by a marriage contract, and let the man shoulder toward her the same responsibilities which he shoulders toward his original wife....

The same wisdom applies to a husband who travels frequently to distant lands for legal and permissible purposes such as earning financial income to support the family, pursuing studies or business transactions. Sometimes the job requires him to stay abroad for a couple of months outside the region, while the wife refuses to accompany him for personal reasons and interests. It is then better that he takes another wife who is willing to travel far away than be secretly involved in adultery or with prostitutes. To conclude, the legislation of polygamy is one of the signs that Islam is a complete religion; it has a solution for every single problem in the *Ummah*, including women's socio-related problems. Apparently, men and women are both responsible towards all their deeds in this world, which will be judged by Allāh (SWT) on the Day of Judgment. Man as a leader of family and society, has more obligations towards his responsibility in leading women. Hence, Allāh (SWT) praises the man who manages to educate a female slave, educate her, set her free and finally marry her:

Three (categories) with double rewards, the man who owns a female slave then he educates her until she is well educated, and disciplines her until she is well disciplined, then sets her free and marries her, for him double rewards.

It is understood from the *ḥadīth* that women are to be loved and cared for, not to be manipulated and exploited; they are to be guided under the leadership of responsible and qualified men to produce a great generation of *Ummah*.



Jamal Badawi, *Polygamy in Islamic Law*, 9. (November 2010).

<[http://teachislam.com/dmdocuments/Jamal\\_A\\_Badawi\\_POLYGAMY\\_IN\\_ISLAMIC\\_LAW.pdf](http://teachislam.com/dmdocuments/Jamal_A_Badawi_POLYGAMY_IN_ISLAMIC_LAW.pdf)>

Kongres Nasional Wanita, held on 1<sup>st</sup> September 2006, Kuala Lumpur, Malaysia. (23<sup>rd</sup> November 2010).

<<http://fuziahshalleh2.wordpress.com/2006/11/19/kemusnahan-kehidupan-wanita-yang-disengajakan/>>

“Menopause Overview”. Retrieved from E-Medicine Health official website. (9<sup>th</sup> January 2011).

<[http://www.emedicinehealth.com/menopause/article\\_em.htm#Menopause Overview](http://www.emedicinehealth.com/menopause/article_em.htm#Menopause_Overview)>

Ministry of Women, Family and Community Development. Retrieved from the Ministry’s official website. (25<sup>th</sup>

Nov 2010). <<http://www.kpwkm.gov.my/BM/Upload/5.jad1.2.pdf>>

“Shrinking Vaginas: Challenges of Sex after 50”, Retrieved from National Women’s Health Information Center

official website. (8<sup>th</sup> January 2011). <[http://www.healthywomen.org/content/article/shrinking-vaginas-](http://www.healthywomen.org/content/article/shrinking-vaginas-challenges-sex-after-50?context=healthcenter/55&context_title=55&context_description=>)

[challenges-sex-after-50?context=healthcenter/55&context\\_title=55&context\\_description=>](http://www.healthywomen.org/content/article/shrinking-vaginas-challenges-sex-after-50?context=healthcenter/55&context_title=55&context_description=>)

Social Welfare Department of Malaysia. Retrieved from Berita Harian official website, (25<sup>th</sup> Nov 2010).

<<http://www.bharian.com.my/m/BHarian/Sunday/Mukadepan/20061125234331/Article/>>

Table 1.3: Population by Age, Group and Sex. Ministry of Women, Family and Community

Development. Retrieved from the Ministry’s official website of the Ministry. (1<sup>st</sup> December 2010).

<<http://www.kpwkm.gov.my/BM/Upload/6.jad1.3.pdf>>

Table 6.3: Muslim Marriage by State, 2000-2008. Retrieved from Ministry of Women Development’s Official

Website. (3<sup>rd</sup> December 2010). <<http://www.kpwkm.gov.my/BM/Upload/43.jad6.3.pdf>>