Macalester Islam Journal

Volume 1 *Spring* 2006 Issue 1

Article 11

4-11-2006

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Recommended Citation

Jones, Rachel (2006) "Polygyny in Islam," $Macalester\ Islam\ Journal$: Vol. 1: Iss. 1, Article 11. Available at: http://digitalcommons.macalester.edu/islam/vol1/iss1/11

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Polygyny in Islam

Rachel Jones

Introduction

Polygyny is an institution that has been misinterpreted, misunderstood, and misused. These faults have been with both Islamic communities and with their Western critics. However, the actual practice of polygyny itself does not seem to be as much of an issue as does the way in which it is applied.

In Western literature, polygyny is often depicted as a cruel and repressive custom that sacrifices women's freedom for men's pleasure. Ideas of harems and tyrannical husbands are evoked. Yet, the reality of polygynous households is a far cry from these fantasies. As anthropologist Lila Abu-Lughod explains, "polygyny is an institution oppressive to women in that it causes them pain," yet the stressors that women face are not what an outside observer would automatically think of (19). Rather, they are heavily influenced by personality and individual relationships and circumstances. Indeed, it is impossible to summarize what *the* experience of a polygynous household is.

Indeed, the motivation behind Muslim men's decision to marry multiple women is not necessarily self-evident either. Many supporters invoke verses from the Quran as an endorsement of their position, but others focus more on the propagation of their family lineage. Still others point to economic and social factors that make polygyny a more beneficial option than monogamy. This is the case in modern African American Muslims. However, there is by no means a single opinion on the topic among Muslims. Many scholars, including modern feminists, look at the practice as archaic and misogynistic.

By first examining the position of Islam on marriage in general, the positions of Muslim jurists and scholars will be contextualized. Their discussions and interpretations of the Quranic passage that mentions polygyny have influenced current law in Islamic countries. However, there appears to be a disconnect between rights that women are guaranteed in the Quran and rights that they are given in reality. Evidence for this

disparity is found in the Egyptian Bedouin community of Awlad 'Ali. Finally, modern scholars and the positions they hold will be discussed.

The Role of Marriage in Islam

In order to understand where Islamic interpretations of polygyny come from, it is necessary to first be familiar with the set up of Muslim families. Marriage in Islam is defined by the law of the jurists. Who can marry whom is described in detail, and there are many stipulations regarding the religion and familial relationship of marriage partners. Islamic societies fundamentally patriarchal, and most are patrilocal. Islamic law assumes that membership in a family is a "natural condition among humans and that individuals will rarely become totally bereft of family connections" (Weiss 154). Moreover, the classical jurists regarded marriage as the "normal ultimate state of human beings" that "inevitably [resulted] under normal circumstances in offspring" (155). For the jurists, marriage is mostly a "means of regulating human procreation in such a way that the identification of offspring and assignment of responsibility for nurture and maintenance will be assured" (155). Indeed, the preservation of lineages is one of the five objectives (Magasid) of Islamic law (Weiss 78). Consequently, adult males are expected to guarantee the Muslim law of maintenance (nafaga), which entails providing food, clothing, and shelter for themselves, their dependant children, and adult females in the family (Weiss 151-159).

However, marriage is not a religious sacrament in Islam. It is recommended for every Muslim, and there are multiple examples in the Quran and Sunna that demonstrate the Prophet's support of the institution. The Prophet is reported to have said: "Marriage is of my ways," as well as, "When a man has married, he has completed one half of his religion" (Faruqi 56). He was even as explicit as to say, "Whoever is able to marry, should marry" (Faruqi 56). Marriage in Islam is seen as an important aspect of social life, and Faruqi notes that matrimony is "as much a joining of two families as it is a joining of two individuals" (56). Marriage is a contractual agreement in which provisions can be made by either party regarding their rights.

Islamic marriage law interprets matrimony in a specific, legalistic way. In order to better understand how the issue came to be constructed this way, scholars have studied marriage in pre-Islamic societies. In these Arab societies, polygyny was a common practice (Mashhour 658). There was no limit on the number of wives allowed at any one time. The actual quality of life for women in pre-Islamic times is not easy to gauge, according to Smith (520). However, she concludes: "...sometime well before the coming of the Prophet women did enjoy a relatively advantageous position, but by the period immediately preceding the Qur'anic revelation circumstances had deteriorated substantially" (520). Islam thus brought certain rights to women that they were not given right before the time of the Prophet.

Polygyny in the Qur'an

These rights that women were granted by the Quran are largely legalistic. Most are outlined by correct actions and proceedings. This is the case with polygyny. The practice is mentioned only once explicitly in the Quran:

And if ye fear that ye shall not be able to deal justly with the orphans, marry women of your choice, two, or three, or four; But if ye fear that ye shall not be able to deal justly (with them), then only one, or (a captive) that your right hands possess. That will be more suitable, to prevent you from doing injustice. (Ali: Sura 4, verse 3)

While this is the only verse that overtly refers to polygyny, many jurists use a second verse to interpret its meaning. The second verse is found later in the same Sura:

Ye are never able to be fair and just as between women, even if it is your ardent desire: But turn not away (from a woman) altogether so as to leave her (as it were) hanging (in the air). (Ali: Sura 4, verse 129)

From these two verses, some conclusions can be drawn, according to Jawad. First, polygyny as an institution is essentially upheld by the Quran. In the first verse, it does permit men to marry more than one wife. Second, all the verse really does is give permission

to do practice polygyny; it does not necessarily encourage it. Also, many restrictions are put on the implementation of polygyny. Third, this acquiescence to have multiple wives was originally intended to protect widows and orphans. The practice was not for an individual's pleasure or indulgence (185).

The restrictions put upon the practice of polygyny by these Quranic verses are also summarized by Jawad. Firstly, the husband is firmly forbidden from abusing the practice of polygyny. He is not allowed to marry more than one wife simply for sexual gratification. Secondly, prior to actually marrying another wife, a husband is required to think ahead. He must decide if he is actually capable of treating his wives equally and justly. In Islamic societies, this treatment entails quite a bit: "This implies that he should be able to give each of his wives an equal share of food, clothing, material comforts and whatever kind of treatment he can provide. It also implies that he should not be partial to one wife at the expense of another" (Jawad 185). These restrictions demonstrate that Islam's stance on polygyny is not the laissez-faire approach that many Westerners believe it to be. Rather, it has a purpose – protecting women and children – and a specific way in which to go about it – after thought and reflection.

Interpretations of Jurists and Scholars

However, Islamic interpretations of these verses have varied greatly. There are many areas in these verses that are not specifically defined, allowing scholars and jurists to interpret the practice of polygyny differently. A main point of contention among scholars is how to define the "just" treatment of wives. While the definition used by Jawad above is quite common, Mashhour notes that the concept of "justice" in these verses is explained. However, Quranic explicitly "unanimously" interpret this type of justice to imply equality in food, clothing, and housing among wives. This is the Muslim law of maintenance (nafaga) mentioned by Weiss. Mashhour also notes that the Mu'tazille school, founded during the eighth century in Basra, adds love and tenderness to these practical needs. Mashhour concludes, then, that equality is impossible to attain because he believes it is impossible to love multiple people equally (570). This criticism is supported by the second verse from the Quran, which claims that one can never be just among multiple women. The first Quranic quotation claims that men can only have multiple wives if they are just and equal in their treatment to all. Therefore, some jurists have come to argue that it is impossible to allow polygyny because it is impossible to follow the necessary stipulations that are required for its practice (Mashhour 570).

This view was also supported by modern scholars, such as Sayyid Ahmad Khan, who wrote during the nineteenth century. He argued against the right of men to have multiple wives because, like the Mu'tazille school, he believed that being "just" required the husband to simultaneously be in love with multiple women. He thought this was impossible, and therefore rejected the practice. Khan also believed that Islamic law allows many more rights to women than other religious or secular laws. He alleged that there was not an advanced country in the world where women were given the same significance and equality as they are in Islamic law (Moaddel 115-116).

Another way in which scholars have approached the issue of polygyny is by looking at the specific circumstances from which the Prophet was speaking. The main Quranic verse on polygyny was revealed just after the battle of *Uhud*, in which many Muslim men died. Their deaths created a large number of widows and orphans in the society. Mashhour concludes that this verse was intended to protect these specific widows and orphans financially and physically (569).

Indeed, Jawad describes four instances of "exceptional circumstances" that allow polygyny. One such instance is when a man discovers that his first wife is unable to give him children, and therefore he is unable to produce heirs. According to Jawad, polygyny is preferable in this situation because the only other option Jawad sees for the man is to divorce his first wife for another. In taking another wife, the first wife can continue to be a part of a kin group that provides for her and protects her. Yet, this situation is also advantageous for the husband. Indeed, Jawad states: "It is also not expected that a man should be deprived of his right to father children" (186).

Secondly, polygyny is permitted by the Quran, according to Jawad, if the husband's first wife becomes seriously ill. If the wife becomes unable to "fulfill her duties as a wife," Jawad believes that Islam allows a man to take a second wife. Again,

polygyny is seen as a preferable option to divorce. It is also better than the husband having an extra-marital affair, which is prohibited by Islam. Jawad states: "The man should also not be expected to be celibate for the rest of his life" (186). However, Jawad does not mention the status of women if their husband becomes critically ill.

The third circumstance in which Jawad believes the Quran allows polygyny is when it is a "social necessity" as a result of war. In battle, men have historically been the ones who disproportionately lose their lives. Thus, after the war, there are many more women of childbearing age than men, creating an imbalance. Jawad believes polygyny is acceptable to protect women who have become widows as a result of war, as well as women who cannot find an unmarried man to wed as a result of high mortality during war. This allows women to be protected and cared for, as well as providing them with a kin group.

Finally, Jawad sees polygyny as allowable in certain economic situations. When families are impoverished, children are often seen as a source of labor. This is especially true when the area in which they live has a high prevalence of poverty. Thus, the more children a family is able to produce, the more economically viable they will be. Jawad believes that polygyny is acceptable in this situation because having more wives allows a man to have more children, thus increasing the economic stability and productivity of their family (186).

However, many scholars do not completely agree with Jawad. They do not see polygyny as an institution that is still allowed in certain circumstances today. Rather, these scholars seem to feel that it was not the Prophet's intention to advocate polygyny as the standard way of life. Instead, they feel that he did not want to promote extreme social change while trying to spread Islam. These scholars believe that the Prophet wanted to encourage a gradual change in social customs. Therefore, Quranic passages on polygyny were not meant by the Prophet to endorse the practice, but rather to limit it as much as was possible at the time, without alienating prospective converts (Khadduri 217).

Another historical interpretation of the topic looks at the life of the Prophet himself. During his lifetime, the Prophet had multiple wives. However, he was monogamous for a number of years, and many of his subsequent marriages had arguably political motivations. Some scholars believe that because the Prophet practiced polygyny, it follows that Muslims can do the same. Mashhour disagrees, claiming that the Quran clearly states that the Prophet and his wives are not like other men and women. For instance, the Prophet's wives were not allowed to marry after his death, despite the fact that he encouraged other widows and divorcees to marry again (Mashhour 570).

Other scholars do not claim that there is a problem with using the Prophet's matrimonial life as an example for others to follow. Stowasser agrees with Jawad's idea of "exceptional circumstances" and notes three ways in which the example of the Prophet and his wives support the practice of polygyny. First, polygyny is preferable to monogamy since it is a "more honorable and compassionate system because it protects the older, sick, or barren wife from divorce while ensuring progeny for the man who may take a second young and healthy spouse" (122). Also, the practice allows for the continuation of family life after wars, in which many males perish. If the men that survive marry more than one woman, a greater number of women have the opportunity to become mothers. This also allows the population to increase at a faster rate. Moreover, the practice of polygyny as a response "to situations of necessity is far superior to the type of monogamy practiced in the West where 'positive laws' leave loopholes (e.g., by tacitly permitting extramarital sexual liaisons) that create grave social inequities and also always lead to social hypocrisy" (Stowasser 122). Thus, the practice of polygyny does have a positive social function for women, although there is contention as to whether or not this outweighs its overall affect on women's position in society.

Other scholars support the practice of polygyny from a very different mindset than Stowasser. This more extreme view claims that men have greater sexual potential than women, which they are not able to control when their wife is unable to have sex (because of menstruation, recent delivery, etc.). Therefore, the argument claims, men should be allowed to have more than one wife so that they are not driven to affairs outside of the marriage contract during times when their wife cannot satisfy them. This is an argument that does not have a basis in either the Quran or the Sunna (Mashhour 571).

Analogy is has also been applied to the topic of polygyny by scholars. The Quranic verse that speaks of polygyny refers to female slaves in the phrase, "what your right hands possess" (Mashhour 569). Mashhour observes that jurists now have come to a consensus that slavery is immoral and illegal. However, there is not a clear verse in the Quran stating that slavery is prohibited. Jurists have concluded that the Quran was working towards the abolition of slavery, and its elimination was the ultimate goal. Verses in the Quran only go as far as to restrict its use and encourage its end, rather than requiring its dissolution at that moment. Using analogy, some scholars have argued that because female slavery is now seen as illegal and immoral, and the Quranic verse mentions female salves, the practice of polygyny should be considered illegal as well (Mashhour 569).

Finally, Islamic law provides women with various ways of preventing their husband from practicing polygyny. In the Hanafi school, the Quranic verses on polygyny are thought to be permissive, not obligatory. Therefore, it was not contrary to the spirit of marriage for a man to have a single wife. This belief allowed the Hanafi school to endorse the use of contractual agreements between spouses that do not allow the husband to take more than one wife. However, three other juristic schools – Shafi'i, Hanbali, and Maliki – believed that the husband's right to marry multiple women was of the "essence of marriage." Consequently, these schools did not allow contractual agreements between husbands and wives that denied the husband the ability to marry multiple women (Ahmed 91).

Jawad also outlines ways in which women have been protected by Islam from the practice of polygyny. Besides the contractual agreements discussed above, Jawad also states "the practice of polygamy is a voluntary course of action and is not to be imposed. Thus, if harm or injustice is done to a wife, she has the right to go to the judicial authorities for protection or divorce" (186). However, it is clear that this specific protection is highly variable, and can only be used in societies that are open to this line of thinking. Furthermore, a jurist must be both available and willing to look into the specific case in order for this line of action to work. These intrinsic stipulations render this form of protection to be only useful for women in certain situations.

Islam also allows women to protect themselves from polygyny through what Jawad refers to as "delayed dowry." In this situation, women and their families hold back a substantial amount of the marriage endowment. The woman can then claim this sum if a divorce should take place in the future, thus ensuring her some stability. In theory this seems like a viable option for a woman, but Jawad does not clarify where this protection has been used or how effective it has been (186).

Governmental Laws

While scholars and jurists have debated the validity of polygyny in Islam for centuries, practicality necessitated that Muslim societies employ some sort of regulation of the practice. Until the beginning of the twentieth century, marriage law had basically been unaltered in the Islamic world. Of course variations existed between different geographic regions and countries. The first significant changes in family law came in 1917, just as the Ottoman Empire was about to breakdown. The Ottoman Law of Family Rights was put into affect by reformers in accordance with the *Hanafi* school. This law was repealed by some countries and retained by others (Khadduri 214).

In some Arab countries, polygyny was severely restricted or prohibited during the twentieth century. In 1953, the Syrian Law of Personal Status allowed a man to have a second wife only under the condition that he could prove that he could support both wives. In 1956, Tunisia banned polygyny, the lone Islamic country to do so (Ahmed 175). Khadduri notes that this was a significant decision at the time because it was the first law in an Islamic country to revoke a basic tenet of the Quran. The justification for this was the second Quranic quotation (Sura 4, verse 129) that states that a man can never be just to multiple wives. Other countries may invoke self-imposed restrictions on polygyny. Yet others have allowed a judge to decide polygyny cases (Khadduri 215-216).

Polygyny was restricted, but not eradicated, in Egypt. In 1927, legislation came close to passing that would restrict polygyny and a husband's right to divorce. However, King Fuad refused to endorse the legislation (Ahmed 175). In 1962, the

Egyptian Law of Personal Status was ratified. This law restricted the practice of polygyny by "prohibiting the husband from unilaterally divorcing his wife" (Khadduri 215). However, according to Fawzy, this prohibition has not been effectively implemented:

Egyptian personal status law addresses the issue [of polygyny] only by requiring the husband to notify his existing and intended wives of his intention to marry polygynously. In the Islamic *shari'a*, polygyny is permitted only in exceptional cases, but in Egyptian law and practice there are no constraints on or scrutiny over the use of this theoretically restricted permission, with the result that in many cases it is exercised arbitrarily, with no reasonable justification, and with potentially very damaging effects on the feelings of self-worth and self-respect of the affected wife as well as on the interests of children. (87).

Thus, a disconnect appears between actual practice and Islamic law in many countries, specifically Egypt. According to Jawad, polygyny has been abused by men, who interpret the Quran to suit their desires, ignoring some aspects of the verses: "Many times, a man remarries in his old age and chooses a young bride purely for the sake of feeling younger. So, to legitimize the relationship, he will interpret the Qur'an as he wishes" (187). In situations such as these, religion is used as a justification for polygyny, but convenience and personal preference are actually indulged.

Quranic interpretations of polygyny seem to run the gamut. Some jurists believe that the restrictions are so stringent that no one is able to abide by them, and thus consider polygyny to be unacceptable. Others look upon polygyny as a good and correct practice, sponsored and endorsed by the Prophet. Whether one subscribes to either of these views, or to one in between, it does not change the reality of polygyny. Women and men daily live the reality of polygyny, and in the following case study the benefits and struggles that come as a result of the institution are revealed.

The Awlad 'Ali Bedouin Community

In the 1980s, Lila Abu-Lughod did anthropological fieldwork in a small Bedouin community in Egypt. The Awlad 'Ali community is located on the northwest coast of Egypt. Bedouin communities are patrilineal and patrilocal. Marriages in these societies are arranged by families, rather than by individuals, and this is done in terms of a set of ideals. The best marriage is between patrilineal parallel-cousins, meaning the children of two brothers marry each other. However, the circumstances within each family involved and the relationships between the families change continually, making the marriages more or less desirable.

Abu-Lughod takes an intimate look at one Bedouin family in the community. Sagr, or Haj Sagr, is the husband of three women: Gateefa (his senior wife and first cousin), Safiyya (his second wife who lives in a separate household with her grown son), and Azza (his third wife). The discussion of polygyny begins by describing the way in which Azza had helped Gateefa give birth to her newest child. While Azza was recounting the way in which Gateefa had cried and prayed to God for protection for her daughters because she thought she was dying, Azza herself broke into tears. While the two wives looked at each other, Abu-Lughod describes what she had come to understand about the relationship between these co-wives:

Despite their difficulties with each other – and they had many – there was between them a closeness and dependency, perhaps as women who give birth, [⁻] perhaps as women bound together by sharing a household, daily life, and a history. Fourteen years of shared history made for a bond, even if life together was often tense. (90)

This emotional attachment comes as a result of living and working together on a daily basis. Co-wives often share the duties of a household – including cooking, cleaning, and childcare.

However, Abu-Lughod goes on to recount the many problems the family has had as a result of the relationships between the wives. Gateefa, as is common among senior wives, often wins the support of her husband over the other wives. This situation was exemplified when Gateefa hit Azza with a wooden spoon after Azza insulted her. Azza then ran to Sagr to complain about Gateefa's behavior. However, he implored her to ask forgiveness from Gateefa: "I said, 'You go to [Gateefa's] room and make up and kiss her on the head.' I said, 'Either you go or I'll divorce you. I'll write your divorce papers and take you home to your relatives" (94-95). Azza did what her husband asked of her, but Gateefa was still not happy with the situation. She accused her husband of causing the conflict by saying, "But aren't you the one that brought her here?" Sagr protested that he had no choice: "All of my brothers are married". What am I supposed to do? It's not just me – everyone has two or three wives." Gateefa replied by saying: "But they're not like this one the other women are decent, they're respectful." Her husband agreed with this assessment (95).

This story exhibits the way in which differential treatment from a husband toward his wives is very easy to allow. Because one of the wives is looked upon as senior, she commands some power over the other women. This can create a living situation in which the younger women are not treated justly by their husband, which is not in line with the verses from the Quran.

Another way in which Haj Sagr is not following the Quranic injunction on polygyny is evidenced in his treatment of Azza when he first married her. Initially, he set her up in a separate apartment in Alexandria away from the rest of his household in Awlad 'Ali. He spent a large amount of money bringing her clothes and large cuts of meat. When his mother reproached him for this, he replied, "that his two other wives were just old donkeys – they'd eat anything, and their clothing was full of fleas. Why worry about them?" (95). These remarks show that not only was Haj Sagr treating his wives differently, and providing for them differently, he had also married Azza, at least partly, because she was young and novel.

However, Haj Sagr says that his decision to marry multiple women was largely based on his desire for male heirs (94). Yet he emphasizes the importance of his first wife: "Everything is hers [Gateefa's]. To this day she's the mistress of my house, she's the one with the last word, her requests are the ones honored. And it will be this way until she dies, until she dies" (94).

Haj Sagr's second wife, Safiyya, had moved to a separate household years ago, and he still supported her and her children. Sagr said that the separation was by "mutual consent," but Abu-Lughod notes that Safiyya really did not have another choice: "she had eight children and was not about to go anywhere because it would mean leaving them" (109). Indeed, in Islamic law, men do retain children after a divorce. Even in her circumstances, however, Safiyya did not criticize the fairness of men having more than one wife. Rather, she felt that the difference in treatment between her and Gateefa was a result of Gateefa being Sagr's first cousin, and thus they had close kinship ties. Safiyya was not related to Sagr, and felt that she suffered because of this (109).

Indeed, kinship ties seem to be more important to the women's' perceptions of their power than their status within their own household in relation to their husband. During a fight, Azza threatened to return to her family, saying that her brothers were alive. This implied that they would defend her in her struggle with Gateefa. The senior wife took this insult to heart. She slapped Azza on the cheek and replied, "These are my kin, and this is my house" (113). Gateefa was so adamant about this because Azza's remark pointed at something that was partly true. Gateefa was Sagr's first cousin and therefore part of his kin group, but she herself actually had no living father or brothers. Consequently, leaving her husband's household was not a real option for her as it was for Azza (112-114).

Aub-Lughod's account seemingly complicates the issue of polygyny. While women's lives are not ruined by the practice, as many Westerners believe, neither are they necessarily improved, as many Islamic supporters of the institution purport to be true. Indeed, the women of Sagr's household recognize that their co-wives complicate their life:

One day a friend who was grooming her [Gateefa] commented on how grey her hair was getting. "It's the women who've made you grey," she suggested in a loud voice. Looking over at Azza, Gateefa said, "It's Azza. She's the one who's made me go grey. She does things that hurt one's insides. (123)

While individual's personalities and personal relationships between people must be taken into account, Abu-Lughod's depiction of modern polygyny is not altogether an ideal one. However, supporters of men having multiple wives would point to the institution of monogamy, and ask if the same could not be said of one man married to one woman.

Modern Views on Polygyny

As is evidenced by Aub-Lughod's anthropological fieldwork, it seems that a disconnect has developed between the rights allowed to women in the Quran and the rights that women are given in reality. This disparity is apparent in many of the writings of modern Islamic scholars. Stowasser explains that the specific topic of polygyny provokes a defensive reaction in modern conservative Muslims that is somewhat due to Western criticism of the practice.

Indeed, it is not difficult to find evidence of Westerners' criticism of polygyny. Smith generalizes that polygyny is detrimental to society: "it is certainly the case that traditionally polygamy has caused hardship for the women of Islam, both for the first wife who has had to live with the threat of added competition and for succeeding spouses faced with the difficulty of breaking into an already established household" (522). Smith does not mention the advantages of polygyny for women, such as the sharing of household chores, food cultivation, meal preparation, and childcare, among other responsibilities.

This ethnocentrism can be traced back to feminist writings in the early twentieth century. Cromer purports to criticize polygyny because he feels women are at a disadvantage, yet he actually condemns the practice because it is not Western: "Look now to the consequences which result from the degradation of women in Mohammedan countries there is a radical difference between the position of Moslem women and that of their European sisters the East is polygamous, the West is monogamous" and he continues, "Monogamy fosters family life, polygamy destroys it" (Cromer qtd. in Moaddel 119).

Stowasser contends that Western critics, such as Smith and Cromer, have caused conservative Muslims to defend polygyny. However, she believes that while modern Islamic scholars who write in support of polygyny seem to direct their

arguments to the West, they are actually aimed at Muslims who have come to reject polygyny because of these Western influences. This first became an issue in the early twentieth century when Muhammad Abduh, an Egyptian scholar, introduced new and inventive interpretations of the Quran and wrote legal opinions (fatwas) that supported the dissolution of polygyny in Islamic societies. He believed that the practice had been positive and practical during the early years of Islam, but he felt that over time polygyny had become distorted into "a corrupt practice of unbridled lust, devoid of justice and equity, and thus was no longer conducive to the community's welfare" (Stowasser 121). Many scholars, who were more conservative or fundamentalist, rejected Abduh's arguments.

Other scholars of the early twentieth century took a decidedly Muslim approach to the issue. Malak Hifni Nassef (1886-1918) took a feminist stance that did not necessarily ally itself with Western thought. Indeed, she was not an advocate of unveiling, which many other progressive Islamic scholars of the time encouraged (Ahmed 179-180). However, Nassef made a point of condemning polygyny, as well as unlimited divorce by men, marriage of girls at a young age, and marriages in which there was a large gap between the spouses' ages. She describes polygyny in severe terms:

It [co-wife] is a terrible word – my pen almost halts in writing it – women's mortal enemy How many hearts has it broken, how many minds has it confused and homes destroyed, how much evil brought and how many innocents sacrificed and prisoners taken for whom it was the origin of personal calamity? [It is] a terrible word, laden with savagery and selfishness. Bear in mind that as you amuse yourself with your new bride you cause another's despair to flow in tears and children whom you taught to sorrow, weep for her tears. You hear the drums and pipes [at a wedding], and they hear only the beat of misery. (qtd. in Ahmed 182)

This evocative and mournful depiction of polygyny has its roots in a distinctly Muslim approach to feminism. Yet, unlike Islamic jurists, Nassef focuses on the experiences of the women involved rather than on interpreting verses from the Quran or shari'a. Indeed, there appears to be a trend in modern scholarly work that emphasizes the secular reasons behind decisions to participate in polygyny rather than religious ones. In a twentyfirst century study, Essam Fawzy surveyed 200 Egyptians in four governorates in order to access their attitudes on family and social laws. When asked for the reasons they used to justify polygyny, men responded with "religion allows it" least often (see Figure 1). The most common reason was that the first wife could not have children, and thus could not produce heirs. Fawzy also questioned the women in the survey about relationships between co-wives: "[In] the relationship between the first and subsequent wives, a large proportion of the female respondents said that in most cases it was hostile" (52). Fawzy's results seem to imply that polygyny is beginning to be looked upon in terms of its social utility, rather than its religious function.

| 'Wife can't have kids' | 12 | 9.5 | 21.5 |
|-----------------------------------|-----|-----|------|
| Wife has chronic illness | 8.5 | 5 | 13.5 |
| Husband's high capabilities | 5 | 2 | 7 |
| 'Religion allows it' | 8 | 4.5 | 12.5 |
| Wife is irritable and troublesome | 3.5 | 1.5 | 5 |

Figure I – Reasons for justifying polygyny (% of total) (males) (Fawzy 52)

Another arena in which Islamic polygyny is garnering interest is in the African American Muslim community. According to Debra Mubashshir Majeed, many in this community practice polygyny because they see it as a way to abide by their religion:

They say that the conditions of twenty-first century black America mirror the social fabric of seventh-century Arabia when the Prophet Muhammad first received the revelation of the Qur'an. Then, as now, the lack of marriageable (i.e., single, heterosexual, and available) men, and/or the high number of female-led

households, and the continued economic disparity experienced by mothers and their children makes the practice of polygyny both mandated and permissible. Unlike Arabia's first Muslim women, their contemporary counterparts in black America are often more financially stable than Muslim men. Thus African American Muslim women may choose polygyny because they believe it to be the only way they authentically can practice half of their religion, since marriage and family life are believed to be integral to their religious practices.

Majeed goes on to list the social benefits of polygyny, including that it is a way to reduce high divorce rates and decrease the number of single parents. Indeed, some America Muslims believe that the United States' ban on polygyny infringes on their freedom of religion. Many also believe that Islamic law takes precedence over secular law, and therefore practice polygyny despite American laws (Quraishi and Syeed-Miller 192).

Modern Islamic views of polygyny, just as traditional juristic views, vary widely. This variance is a result of what they value: the words of the Prophet, interpretations of Islamic law, equality in all situations, the power of women in society, or numerous other principles.

Conclusion

Islamic views on polygyny have varied over time, yet they always seem to be heavily influenced by the cultural context in which they occur. Current trends seem to be looking toward the social utility of the institution, rather than its religious validity. Indeed, the reasoning given by the men of the Awlad 'Ali community for practicing polygyny was to produce male heirs and because other men in the community had multiple wives as well. Religion, while ever present in their minds, was not used explicitly as a justification. As African American Muslims grow in number, it will be interesting to note whether the number of polygynous marriages increases as well. If this is this case, conflicts with the state will likely be unavoidable. Negotiating a religious life based on Islamic law is difficult to do in a country with a secular government. Indeed, as many Islamic countries

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themselves become more secular, it will be important to note how polygyny and other social institutions are affected.

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