

Standing up for Polygyny in today's World!

Colonel Hardstone (Abu Salih Muadh Khan)

This humble servant dedicates this booklet to *Shaykh (Maulana) Imad Hussain
Madani (HA)!*

Note: please report all errors and omissions with page numbers (& all relevant details) to [webmaster@central-
mosque.com](mailto:webmaster@central-mosque.com)

Table of Contents

Background.....	3
The issue of “Adl”:	3
Permission from the 1 st wife?.....	4
Taking a younger, prettier virgin as a second wife:.....	5
Taking a righteous <i>Muslimah</i> as a second wife:.....	5
Taking a <i>Muslimah</i> to have more children:.....	5
Widows/Divorcees/Single Mothers:.....	6
Kind treatment of first wife:.....	6
Specific problems in the west:.....	7
Secret affairs & illicit contacts:.....	7
Representation from a <i>Wali</i> :.....	7
Secret 2 nd marriages:.....	8
The issue of “imports”:	8
Pent up Sexual frustration:.....	8
Financial constraints of life in the west:.....	9
Voluntarily giving up rights:.....	9
I loved him and now he got another woman! What’s in it for me?.....	9
Its not common anymore.....	10
Appropriate and acceptable in the East but not in the West!.....	10
Polygyny due to rising number of women?.....	10
Conclusion?.....	10

Background

Asslamu Allaikum Wa Rahmatullahi Wa Barakatuh,

Dear respected Sayyidi & Sannadi Shaykh (Maulana) Imad Hussain (HA),

I have read many of your beneficial posts on sunniforum on the subject of polygyny and it's heartening to see your stance in support of an established *Hukum* of *Allah (SWT)* during these times when everything associated with Islam and Muslims is under direct and deliberate scrutiny, both from within our ranks and from the outside. Assault upon us from the outside is understandable because there will always be a clash between "Right and Wrong", unfortunately many from within our ranks have trained their sights on us and to me (personally) it is extremely painful. We pray for our beloved Muslim brothers and sisters and we invite them towards the *Hukum* of *Allah (SWT)* and the noble *Sunnah* of *Sayyidina Rasul-ullah (Sallaho Alaihe Wassallam)* and we will use the best of our abilities and the best of our talents and then make dua to *Allah (SWT)* for them to open their eyes for them to see Islam in its pure and pristine manifestation for verily it is the only way acceptable to *Allah (SWT)*:

[3:19] Truly, the (recognized) religion in the sight of Allah (SWT) is Islam.

Once we have accepted Islam as our final religion and realised that our salvation is only in Islam then we have to remove our research, intellect, emotions, thoughts, likes and dislikes as the benchmark and take the noble *Sunnah* of *Sayyidina Rasul-ullah (Sallaho Alaihe Wassallam)* as the sole criterion:

[59:7]...And whatever the Messenger gives you, take it, and whatever he forbids you from, abstain (from it). And fear Allah. Indeed Allah is severe in punishment.

It doesn't befit a believer to move away from the *Hukum* of *Allah (SWT)* and the noble *Sunnah* of *Sayyidina Rasul-ullah (Sallaho Alaihe Wassallam)* once it has been made clear to him:

[33:36] It is not open for a believing man or a believing woman, once Allah and His messenger have decided a thing, that they should have a choice about their matter; and whoever disobeys Allah and His messenger, he indeed gets off the track, falling into an open error.

The issue of polygyny is clearly and candidly permitted in the *Qur'aan* and there is no ambiguity in the matter:

[4:3]...Then, marry the women you like, in twos, in threes and in fours. But, if you fear that you will not maintain equity, then (keep to) one woman, or bondwomen you own. It will be closer to abstaining from injustice.

The above verse alone should be sufficient, nevertheless in today's world where we are bombarded with Anti-Islamic propaganda we will try our best to explain some of the matters clearly according to *Qur'aan* & *Sunnah* in an attempt to pull back our beloved brothers and sisters from the deep dark trenches of "Modernism" and "Secularism".

The issue of "Adl":

The opponents of polygyny quote the commandment of Allah (SWT) and make it appear that "Adl" amongst wives in our times is impossible thereby polygyny is impossible! Much of this is a result of misunderstanding "Adl". "Adl" means absence of "oppression" and doesn't mean that the two spouses will need to be treated absolutely equally.

Allama Ibn Abideen (RA) says in *Ar-Raddul-Muhtaar* about “Adl”:

"And you perhaps know that 'justice' in his statement refers to 'not oppressing' and it does not refer to 'equality', since this "Adl" doesn't apply in the proving Nafaqah (maintenance allowance). In Bahr it's mentioned that it is stated in Badāi, ' It is compulsory upon him to be equal between two free women and two slave girls in (the following):

1. food and drink,
2. clothes,
3. Accommodation and spending of the nights. '

The same is recorded in Walwālijyah. The truth is that it will be based on the opinion of those who consider the condition of the male alone in expenditure (i.e. the male will give according to his financial status, not according to the financial status of the female). As for the view (upon which Fatwā is given) that expenditure will be given upon the financial status of both spouses, then it won't be the case since one can be wealthy whilst the other spouse is poor. In that case equality in expenditure will not be compulsory at all."

Equality will be required between the two wives in case of spending the nights and giving extra gifts but as far as providing for food, clothing and shelter is concerned then it will be provided to the wife according to her family and status and where the social standards are the same then equality will become obligatory. In other words if a man has a rich and poor wife in his *Nikah* then the *Nafaqah* (maintenance allowance) will be provided according to their status and where both of them are poor it will decrease even further.

Nobody is perfect so its upto a *Muslimah* to genuinely gauge the sincerity and effort of her husband. If he is truly trying and makes a mistake then we appeal to your conscious in the words of the Qur'aan:

[5:13]...So, forgive them and forego. Indeed, Allah loves those who are good in deeds.

Someday it may be your turn to wish that he would forgive you!

Permission from the 1st wife?

There is no legal requirement for the husband to take permission from the 1st wife simply because her *Creator (SWT)* has already granted the permission. Nevertheless, this matter should be discussed to give due concern and importance to her feelings as the *Muslimah* will need time to come to terms with the matter. She should be particularly loved, cared for and looked after throughout this process because our *Deen* teaches us to be kind to our families in general but in this particular scenario special and due concern should be given to her feelings.

Narrated Sayyidina Masruq (RA) that Sayyidina Abdullah bin 'Amr (RA) mentioned Allah's Apostle (Sallaho Alaihe Wassallam) saying that he was neither a Fahish nor a Mutafahish. Sayyidina Abdullah bin 'Amr (RA) added, Allah's Apostle (Sallaho Alaihe Wassallam) said, 'The best among you are those who have the best manners and character.' [Bukhari]

The noble *Sunnah* teaches us to be kind to our wives to be spend on them in order to console them.

Narrated Sayyidina Abu Masud Al-Badri (RA): The Prophet (Sallaho Alaihe Wassallam) said, "A man's spending on his family is a deed of charity." [Bukhari]

Taking a younger, prettier virgin as a second wife:

Many supporters of polygyny state that there are many older divorced or widowed *Muslimahs* so considering their plight, polygyny should be encouraged and supported. We say that *Allah* (SWT) and *Sayyidina Rasul-ullah* (Sallaho Alaihe Wassallam) didn't qualify the credentials for a second wife so if a brother wants to take a much younger, prettier virgin into his *Nikah* then there is nothing wrong with it!

A Muslim man is not required to have a charitable or altruistic motive to take a *Muslimah* into his *Nikah* and he may do so simply to enjoy and benefit from her and we make no apology for our *Deen*.

Sayyidina Jabir bin 'Abdullah (RA) narrated, "I was with the Prophet (Sallaho Alaihe Wassallam) in a *Ghazwa* (Military Expedition) and my camel was slow and exhausted. The Prophet (Sallaho Alaihe Wassallam) came up to me and said, "O Jabir." I replied, "Yes?" He said, "What is the matter with you?" I replied, "My camel is slow and tired, so I am left behind." So, he got down and poked the camel with his stick and then ordered me to ride. I rode the camel and it became so fast that I had to hold it from going ahead of Allah's Apostle . He then asked me, have you got married?" I replied in the affirmative. He asked, "A virgin or a matron?" I replied, "I married a matron." The Prophet said, "Why have you not married a virgin, so that you may play with her and she may play with you?" Jabir replied, "I have sisters (young in age) so I liked to marry a matron who could collect them all and comb their hair and look after them." The Prophet said, "You will reach, so when you have arrived (at home), I advise you to associate with your wife (that you may have an intelligent son)." Then he asked me, "Would you like to sell your camel?" I replied in the affirmative and the Prophet purchased it for one *Uqiya* of gold. Allah's Apostle reached before me and I reached in the morning, and when I went to the mosque, I found him at the door of the mosque. He asked me, "Have you arrived just now?" I replied in the affirmative. He said, "Leave your camel and come into (the mosque) and pray two *Rakat*." I entered and offered the prayer. He told Bilal to weigh and give me one *Uqiya* of gold. So Bilal weighed for me fairly and I went away. The Prophet sent for me and I thought that he would return to me my camel which I hated more than anything else. But the Prophet said to me, "Take your camel as well as its price." [Bukhari]

Taking a righteous Muslimah as a second wife:

A righteous and pious *Muslimah* is one of the greatest bounties and blessings of Allah (SWT) in this world and such a gift is to cherished and treasured and if a man comes to know of a righteous *Muslimah* then there is nothing wrong with him taking her into *Nikah*:

Sayyidina Abdullah Ibn Amr (RA) reported Allah's Messenger (Sallaho Alaihe Wassallam) as saying: *The whole world is a provision, and the best object of benefit of the world is the pious woman.* [Muslim]

Taking a Muslimah to have more children:

Muslim men are advised to take *Muslimahs* into marriage who are able to produce more children and thus increase the numbers in the Ummah; thus if a man comes to know of a *Muslimah* of child bearing age and ability then there is nothing wrong with him taking her into *Nikah*:

Sayyidina Ma'qil ibn Yasar (RA) narrated that a man came to the Prophet (Sallaho Alaihe Wassallam) and said: *I have found a woman of rank and beauty, but she does not give birth to children. Should I marry her?* He (Sallaho Alaihe Wassallam) said: *No.* He came again to him, but he (Sallaho Alaihe Wassallam) prohibited him. He came to him third time, and he (the Prophet (Sallaho Alaihe Wassallam)) said: *Marry women who are loving and very prolific, for I shall outnumber the peoples by you.* [Abi Dawud]

Widows/Divorcees/Single Mothers:

This is an issue which is plaguing our communities as there are many *Muslimahs* who are widowed or divorced and need to have them and their children looked after. All Muslim communities have *Muslimahs* in need of husbands and children in need of fathers and generally polygyny is accepted to be a general solution to this issue. We as Muslims don't need to look for solutions outside of the *Islamic* framework and there is nothing wrong with a *Muslim* man proposing to a *Muslimah* under these circumstances and stepping up to look after her and her children (like his own) and his reward will *Insha'Allah* be paradise. The virtues and rewards mentioning looking after the orphans will *Insha'Allah* also apply to such a *Muslim* man:

Narrated Sayyidina Sahl (RA): Allah's Apostle (Sallaho Alaihe Wassallam) said, "I and the one who looks after an orphan will be like this in Paradise," showing his middle and index fingers and separating them.
[Bukhari]

Kind treatment of first wife:

Taking a 2nd wife (younger or older) doesn't warrant turning away from the 1st wife and secluding her to a life of permanent or semi-retirement. In fact the superiority of a man is conditional to him being the caretaker of a woman so men who are negligent towards their 1st wife don't deserve to be called "men".

[4:34] Men are caretakers of women, since Allah has made some of them excel the others, and because of the wealth they have spent. So, the righteous women are obedient, (and) guard (the property and honor of their husbands) in (their) absence with the protection given by Allah. As for women of whom you fear rebellion, convince them, and leave them apart in beds, and beat them. Then, if they obey you, do not seek a way against them. Surely, Allah is the Highest, the Greatest.

Mistreatment of a wife is such a grievous matter that *Sayyidina Rasul-ullah (Sallaho Alaihe Wassallam)* specifically mentioned it as a parting advice in his Sermon:

Sayyidina Umar ibn al-Ahwas (RA) reported that he heard the Messenger of Allah (Sallaho Alaihe Wassallam) say during his Farewell Pilgrimage: "Verily, you have rights over your women, and your women have rights over you. As for your rights over your women, they are that they should not allow anyone to sit on your beds whom you dislike, or allow anyone into your houses whom you dislike. Verily, their rights over you are that you should treat them well with regard to their clothing and food."
(Tirmidhi).

Mistreatment of a wife is not only a sin but also grounds for the *Muslimah* to request *Khu'l* and all such cases should be referred to competent Scholars or *Islamic Shariah* council for resolution.

<http://www.central-mosque.com/fiqh/khula.htm>

It should however be kept in mind that although these cases are unfortunate and painful but they are not in any way linked to polygyny since *Islamic Shariah* neither recommends nor commands retiring or semi-retiring the first wife and in fact considers it a major sin and grounds for separation where her rights are being violated.

Specific problems in the west:

Growing up and living in Non-Muslim lands has resulted in certain problems which are tailor made for polygyny when handled according to *Sunnah* and *Insha'Allah* in this section we will discuss certain issues and pitfalls specific to western Muslims and *Muslimahs*.

Secret affairs & illicit contacts:

It is unfortunate that many of our *Muslimahs* are duped into affairs with married men and then secret marriages with 2 witnesses. It must be categorically stated that contact between a man or a woman outside the bond of *Nikah* is expressly forbidden i.e. a man is not permitted to talk and discuss matters with a *Muslimah* and they are to lower their gaze:

[24:30] Tell the believing men that they must lower their gazes and guard their private parts; it is more decent for them. Surely Allah is All-Aware of what they do. [24:31] And tell the believing women that they must lower their gazes and guard their private parts...

To fantasise, speak, listen, hold or walk towards a strange person (man or woman) is fornication and expressly forbidden in *Islam*. There is absolutely no room for “chatting up” to get to know a *Muslimah*:

Sayyidina Abu Huraira (RA) reported Allah's Messenger (Sallaho Alaihe Wassallam) as saying. Allah fixed the very portion of adultery which a man will indulge in. There would be no escape from it. The adultery of the eye is the lustful look and the adultery of the ears is listening to voluptuous (song or talk) and the adultery of the tongue is licentious speech and the adultery of the hand is the lustful grip (embrace) and the adultery of the feet is to walk (to the place) where he intends to commit adultery and the heart yearns and desires which he may or may not put into effect. [Muslim].

The Qur'aan has declared all pathways and avenues leading to fornication as reprehensible and expressly commanded for all to stay away from them:

[17:32] Do not even go close to fornication. It is indeed a shameful act, and an evil way to follow.

The reprehensibility of fornication should be further made clear by the fact that a person engaged in this heinous act isn't a believer while he is engaged in it!

Sayyidina Abu Huraira (RA) reported that the Messenger of Allah (Sallaho Alaihe Wassallam) observed: The fornicator who fornicates is not a believer so long as he commits it and no thief who steals is a believer as long as he commits theft, and no drunkard who drinks wine is a believer as long as he drinks it. [Muslim]

Representation from a Wali:

Allah (SWT) has given a *Muslimah* protection in the form of a *Wali* who is to look after her interests, safety and security and continue to negotiate with the man on her behalf. Due to express mention of the permission of *Wali* many Scholars consider marriage without the permission of a *Wali* as invalid:

Narrated Sayyidina Abu Musa (RA): The Prophet (Sallaho Alaihe Wassallam) said: There is no marriage without the permission of a guardian [Abi Dawud]

The prophet (Sallaho Alaihe Wassallam) said, “Any woman who gets married without the permission of her guardian, her marriage is invalid, her marriage is invalid, her marriage is invalid.” [Tirmidhi]

A great misconception is that the *Hanafi Madhab* permits or encourages marriages without *Wali*! Nothing can be farther from the truth; in certain circumstances the ruling of the *Hanafi Madhab* is that such a *Nikah* would be valid but this is in no way endorsement of “Wali-less” marriages:

http://www.daruliftaa.com/question?txt_QuestionID=q-20342384

In case of unreasonable behaviour i.e. refusing marriage to a suitable partner simply on the grounds of ethnicity, caste, creed, colour or origin then a *Muslimah* has the right to recourse to and seek help from local Mosque or *Ulamah* or *Islamic Shariah* council.

When a *Muslimah* chooses to let go of this protection which *Allah (SWT)* has granted her then often she has no one to blame but herself!

Secret 2nd marriages:

The principles of 2nd marriage are the same as those of first marriage and the all aspects of *Sunnah* still apply including publicising and announcing the matter and making the community aware of it. Many of the *Fuqaha* in Islam have declared it praiseworthy to have the *Nikah* take place at the Mosque:

Sayyida Aisha (RA) narrated that Rasul-ullah (Sallaho Alaihe Wassallam) said, “Publicise these marriages, conduct them in mosques, and beat the duff (tambourines) to announce them”. [Tirmidhi]

When a *Muslimah* chooses to become an active participant in violating this noble *Sunnah* of publicising the *Nikah* and announcing it then often she has no one to blame but herself! Due to the unique circumstances in the West where polygyny is not recognised by law, it is recommended to *Muslimahs* that they must (for their own protection):

1. Insist on marrying at the *Masjid* and after congregational Salah e.g. Friday prayers to make the community aware of the marriage;
2. Where not possible, Ulama, notable and respectful members of the Muslim community should be informed thus there is room for recourse in the future (if required);

The issue of “imports”:

There are many Muslim men who chose to return to the lands of their fore-fathers (India/Pakistan etc.) and take a *Muslimah* into *Nikah* and there is nothing intrinsically wrong with this matter except that as years pass by differences in thought patters and language barriers begin to emerge. Emotional and mental differences lead to physical differences which lead to mental anguish and torture. *Allah (SWT)* has permitted these men to avail *Muslimahs* who are available and take them into *Nikah* thus enabling two households to be happy rather than one household to be eternally unhappy!

Pent up Sexual frustration:

Allah (SWT) has primarily tasked the Muslim men to look after their household and to deal with the outside world. It is often observed that the “glitter and glamour” of the outside world makes many Muslim men feel dissatisfied at their home and pent up sexual frustration leads to indulgence in illicit material and falling into sin. Again, *Allah (SWT)* has permitted these men to avail *Muslimahs* who are available and take them into *Nikah* thus enabling two households to be happy rather than one household to be eternally unhappy!

Financial constraints of life in the west:

A Husband in *Islam* is required to provide for food, clothing and shelter for a wife according to his means and to the best of his ability and a wife is not entitled to a fancy separate house or a palatial residence or a life of eternal luxury. She is entitled to a living accommodation in which she has privacy and where she can secure her belongs and in *Islamic Shariah* this can be fulfilled by providing a separate room.

Voluntarily giving up rights:

A Husband in *Islam* is required to spend equal time amongst both spouses however one of the women can choose to give up some of her rights voluntarily as narrated in the *Sunnah*:

Narrated Sayyida Aisha (RA): Whenever Allah's Apostle (Sallaho Alaihe Wassallam) wanted to go on a journey, he would draw lots as to which of his wives would accompany him. He would take her whose name came out. He used to fix for each of them a day and a night. But Sayyida Sauda bint Zam'a (RA) gave up her (turn) day and night to 'Aisha (RA), the wife of the Prophet in order to seek the pleasure of Allah's Apostle (by that action). [Bukhari]

In our context it is often difficult for husbands who work away from home to spend equal time with both wives and it is matter which can be discussed and arranged between spouses.

I loved him and now he got another woman! What's in it for me?

Sister, Allah (SWT) has given him the right to take another *Muslimah* into his *Nikah* and it is natural for you to feel jealous or perhaps even inadequate. In one word you have, “*Jannah*” to look forward to if you exercise patience.

Narrated Sayyiduna Abdullah Ibn Mas'ood (RA) that Allah's Apostle (Sallaho Alaihe Wassallam) said, "Allah (SWT) has decreed jealousy for women and jihad for men, so whoever bears that with patience out of faith and in the hope of reward will have a reward like that of a martyr." [Tabarani]

You say that you loved him? My Sister in Islam this is your opportunity to submit to the *Hukm* of Allah (SWT) and sacrifice your love upon the commandment of Allah (SWT). Your sacrifice will give you righteousness.

[3:92] You shall never attain righteousness unless you spend from what you love. Whatsoever you spend, Allah is fully aware of it.

Have you considered that perhaps a commandment of Allah (SWT) in his infinite wisdom which you may not like may actually be good for you? The following verse was revealed about *Jihad* but is equally applicable to many things which we may dislike:

[2:216] Fighting is enjoined upon you, while it is hard on you. It could be that you dislike something, when it is good for you; and it could be that you like something when it is bad for you. Allah knows, and you do not know.

And lastly this life is a test and a place of trials and tribulations and your submission to the commands of Allah (SWT) is part of the test. Your life with him wasn't meant to be forever but your union with him in *Jannah* “can be” forever should you wish to take this as an opportunity rather than as an event of total ruin.

If he has followed the *Sunnah* and tried to support another *Muslimah* then put yourself in her shoes.

Its not common anymore...

Popularity or lack of it, majority or minority has never been a *criterion* in Islam. Majority of the people in this world don't worship *Allah (SWT)* and don't submit to him, does that make the majority correct? Unfortunately, many acts of *Sunnah* aren't common in our times, so should we abandon them as well?

[6:116] If you obey the majority of those on earth, they will make you lose the way of Allah. They follow nothing but whims, and they do nothing but make conjectures.

[5:100] Say, .The evil and the good are not equal, even though the abundance of (what is) evil may attract you. So, fear Allah, O people of understanding, so that you may be successful.

Appropriate and acceptable in the East but not in the West!

The verse of *Allah (SWT)* is clear and there is no condition to state that it will become invalid in 1978 and become necessary in 2023 when conditions become favourable or that it is acceptable in Karachi but not in Chicago!

[4:3]...Then, marry the women you like, in twos, in threes and in fours. But, if you fear that you will not maintain equity, then (keep to) one woman, or bondwomen you own. It will be closer to abstaining from injustice.

Polygyny due to rising number of women?

There is no doubt that it helps to provide shelter and adequate protection to large numbers of *Muslimahs*, nevertheless *Hukum* of *Allah (SWT)* neither depends upon nor becomes invalid when there are more men than women.

Conclusion?

We have avoided quoting modern scientific research, in-depth psychoanalysis of male personalities, macho and chauvinistic chest thumping and simply concentrated on the *Qur'aan* and *Sunnah* to convey to our Muslim brothers and sisters an aspect of their *Deen* which has become an object of contention, debate and discussion where no ambiguity exists.

Next time when you see a *Muslimah* in your community, who is struggling to get married, struggling to guard her chastity, struggling to bring up her children; put yourself in her shoes. Nevertheless to a sincere believer it is accepted simply because *Allah (SWT)* has permitted it and that's the bottom line.

Jazakullah Khairun

Colonel Hardstone

Abu Salih Muadh Khan