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The Institution of Polygamy: Negative effects on Polygamous Wives

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Abstract

Polygamy has always been a topic of hot debate among religious scholars, law makers and general public. It is well understood that polygamy has been allowed by Islam and the number of wives a man can keep at the same time is four which cannot exceed. Laws regarding polygamy are present in Quran as well as in the law books of Pakistan. But the issue which has never been discussed nor given importance is the negative impact of polygamy on polygamous wives who are neglected and abandoned. Laws regarding maintenance have been legislated and are implemented too, but the question which arise is that is it only maintenance which a woman needs. The impact of polygamy has never been discussed among the scholars and legislators. Polygamy is allowed and it can't be criticized as it is the command of Allah. But why men in our society forgets to fulfill the conditions which are attached to polygamy. The object of this research is to provide awareness to legal authorities to legislate laws which can provide protection to such women and safeguard their rights.

Keywords: *Polygamy, Islam, Pakistan, Polygamous Marriages, Negative Effects.*

Introduction

Polygamy was widespread in the Arabia. Quran limited the number of wives to four. The Qur'anic verses were revealed which restricted the number of wives to four and also declared that the principle of equity must be followed by those who wants to marry multiple wives (Smith, 1966). The laws regarding polygamy in Pakistan states that a subsequent marriage is allowed for a man but only after he attains the consent of his senior wife. Islamic laws as well as Pakistani laws subsist to discourage the practice of polygamy by imposing stern conditions on polygamy; but it is still prevalent, particularly in rural areas. (Zakaria, 2014).

The MFLO, 1961 in section 6 has stated that the husband is required to submit an application before the Union Council with requisite fee in which he will state the reasons for his second marriage. He will also

mention whether he has obtained the consent of his prior wife/wives. If the husband has contracted second marriage without obtaining permission of his wife/wives, he is required to pay the whole dower to his wife/wives. He will also pay fine of Rs 5000 and may also be imprisoned for a year (MFLO. 1961).

Thus, laws are present which tries to restrict men from contracting multiple marriages but the conditions and penalties attached are not very stout that can obstruct such men (Hamzah, Othman, 2010). It has been noted that polygamous women have to face many issues and gloom in their life. Polygamy puts them into inferiority complex and they feel worthless. All such factors affect them mentally, physically and emotionally as well (Zakaria, 2017).

The issue of Polygamy has been discussed in recent times due to infringement of women rights in the developing countries. (Krammer, 2020) This chapter will present comprehensive study on polygamy and its effects on women.

Research Methodology

The primary focus of this research study is to find out the real stories of such oppressed polygamous wives who had to undergo many sufferings. For this purpose, the author has worked with five women married as wives in polygamous marriages. The author did not cite their real names for the protection of their self-esteem and to avoid recognition. Further, the author with the consent of interviewees has used fictitious names.

Hence the following points must be considered:

1. The interviewees are fully aware of the research process and how their interviews will be used in this thesis.
2. The interviewees also know that these stories will be used to educate women with similar experiences.

The interviewees were asked the following questions;

1. How did you and your husband meet?
2. Would you like to share your experience in a polygamous marriage?
3. How difficult it was to accept a woman as wife of your husband?
4. How did this all affect your relationship with your husband?

Results of Interview

Interview # 1

Farzana is 45 years of age and is a house wife. She had a son and was happily married to her cousin. Her husband was a businessman and earned well. They both wanted to extend their family by having kids but due to some health issues she couldn't conceive. Their life was going happy and smooth but an incident took place which can be named as the most tragic occurrence in the history of Pakistan. It took not only life of her son but hundreds of other children studying in Army Public School, Peshawar. This incident changed her life completely. She lost her only son who was studying in Class 10. Her husband supported her emotionally during this hard phase of their life. But with the passage of time her husband realized that he should get married so that he can have children. His wish was justifiable and Farzana gave him permission to marry.

Three years after the death of their son her husband brought another wife to home. The new wife was shifted to upper portion but they were using the same kitchen. Relations of Farzana with the co wife was

not good from the very beginning, she said. It was very difficult for her to accept a new woman who has come to take a share in everything which was once owned by her solely from last 17 years. She said I couldn't sleep at night for one week thinking that her husband was in another room with a new wife. She was too much depressed and very scared. Attitude of her husband also began to change towards her. He started ignoring her and showed much love for her new wife. Her new wife soon conceived and now she had full control over her husband. Farzana, who was already heart wrenched due to death of her son now couldn't bear more pain, she said. She asked her husband to shift her to a separate home as she was not able to tolerate this agony. Soon after this her husband rented her a flat to which she shifted. Her mother who was a widow came to live with her in that flat as she was all alone there.

She said now I have spent 4 years in this flat with her mother and her husband is been blessed with two twin daughters. Her husband is providing her with all the basic necessities of life but he visits her once in a week and spends the rest of the time with her second wife. With tears in her eyes, she said that she has lost all the valuable things in her life, her son and her husband too. Once she was treated like a queen by her husband but now, she is nothing more than a liability for her husband. Her life is very difficult she said.
The researcher supports the decision of Farzana's husband of second marriage as it is a valid ground for a second marriage. But he failed to maintain equity and justice among his both wives which is not acceptable at all.

Interview # 2

The researcher interviewed Shoukat Begum who is 75 years of age and is a widow. She got married to her first cousin. After two years of marriage, she was blessed with a daughter. The relations among the couple remain strained due to the harsh attitude of her husband, she said. Soon after her daughter turned an year old, her husband expressed his wish for a male child. She tried a lot to conceive by taking treatment from various doctors but she couldn't conceive. After waiting for one more year her husband decided to marry another woman. A new wife was brought to home after few weeks. She was shocked and very heart broken. They both were made to live in the same house as the husband couldn't afford a separate house.

The second wife was very beautiful, she said. Her husband stopped visiting her room after he brought second wife. The co wife conceived two months after marriage and delivered a girl. And then in 12 years of time span she delivered 8 babies, including two male children. Shoukat decided to marry off her daughter who was 15 years of age at that time. She said she used to spend all her time serving children of her husband. She used to do all house chores including cooking, washing etc. but failed to make a place in her husband's heart. She was badly neglected by her husband. He used to spend all his money on his second wife and his children. She said, it was very heart wrenching when his husband took his second wife for the performance of Hajj and ignored her completely.

She said now 25 years have passed after the death of her husband and she is living with her step children and co wife. The attitude of her step children is also not good towards her as they try to fulfill all her basic needs including medical treatment. But she said her relations with the co wife are very bad and she is confined to one room in a big house. The second wife is in a much stronger position as she is mother of sons and she was treated much better by husband in his life time. Desire for more children and specifically male children is quite natural and justified. But a husband before his subsequent marriage should seek permission from her first wife and should treat both the wives equally.

Interview # 3

The researcher interviewed Saba, a Government Officer working in a reputed university. She got married to a banker who was earning quite well. His mother approached Saba through some friend and then proposed Saba. The proposal was suitable, therefore was accepted by Saba's family. It was totally an arranged marriage.

The attitude of her husband was not good towards Saba from the very first day. He used to scold her on petty matters, she said. He used to say that she was choice of her mother and he was forced to marry her. He never gave her money for expenditure. After two years she was blessed with a daughter. Saba said she solely borne all the expenses of her daughter. She used to take her daughter with herself to the University. With the passage of time the attitude of her mother-in-law also got very harsh towards her.

She said one day when she came back from duty, she was shocked to see that her husband brought a new wife to home. Everybody at home welcomed the new wife as everything was pre planned. Her husband was quite happy with his new wife. She said she was forced to leave the house with her daughter on the very next day. From last two years she is residing at her parents' house. Jirgas were also held and her husband was requested by the elderly persons of the family to take back his wife to home and arrange for a separate portion for both the wives. But he is making lame excuses and has refused and is asking Saba to live in the same house with the co wife. Saba has now filed a suit for dissolution of her marriage on the ground of non-payment of maintenance and not taking permission for second marriage. But he is using delaying tactics as he is not willing to divorce her and pay her dower. She is now planning to file a suit of Khula against her husband.

The researcher is of the view that according to law the husband is bound to take consent from his first wife for second marriage, non-compliance of which is punishable. He has also not provided maintenance to his wife and daughter which is his lawful duty. He must be punished according to law.

Interview # 4

The researcher conducted her last interview from one of her very close relatives namely Rehana. The interviewee married her neighbor in 1986 and it was a complete love marriage. Her parents were not willing for the proposal as the guy was jobless and was studying. But they had to agree due to stubbornness of the interviewee. She said her husband was very loving and caring. He completed his studies and soon found a good job. With the passage of time, they got stable financially. She also gave birth to three sons and a daughter and was living a very happy life.

Now her sons were grown up and reached their college level. Her husband got very rich and now they owned their own house and other property. Her husband used to stay out station for a week in every month. She was quite satisfied with her life as her husband was not one of those who change with time. She said one fine day, she received a call from an employee of her husband who was also interviewee's friend. Her friend told her that her husband was in an affair with one of her employees and warned her to take necessary action to stop him. She said she couldn't believe in what she was told as it was a very big shock for her. On the very next day when her husband returned to home, she asked about this matter but her husband totally denied this allegation and assured her that there was no such thing.

This time she was not satisfied and decided to inquire into the matter herself. With the help of some friends, she looked into the matter and found that her husband was not only having an affair but he had married his employee. She broke into tears after knowing all this. She said at this stage she was very much concerned about her children as she didn't want any bad impact on her children.

She asked her husband about the matter again and this time he couldn't deny as she had all the evidences. She said her husband left the house and started living with her second wife. He used to pay for all the monthly expenditure and made sure that his children do not suffer financially. But he didn't realize that it's not about money only. We never faced any financial crisis but all these very badly effected children's mental health. He used to visit them after two months.

She said that I could never think of taking divorce as it could have very badly affected my children and there was no other person who could support me financially. She took a big stand against her family for

marrying him when he was jobless. She also supported him during difficult times but despite all, he got disloyal and married a second wife. He didn't bother to inform me even, she said. No doubt he provided her with all the basic necessities but he was least concerned as to how he had tortured her emotionally and psychologically. The researcher is of the view that the husband has maintained justice somehow by taking care of her financially but has failed to maintain equity in terms of love and distribution of time among wives.

Conclusion

This research paper concludes that the one cannot object to laws of Allah and there is no harm in polygamy. Polygamy has proved to be the solution to many social evils, for instance a husband instead of divorcing his barren wife can keep her and marry a second wife as well. But the issue which needs to be resolved is the attitude of those men who abandon their wife/wives after marrying another and give no importance to them. There is no law under which they are bound to protect their polygamous wives. Such women go through severe mental, physical and emotional abuse which nobody talks about. Through this research, the researcher aims to provide awareness to such women as well as legal authorities that they should come forward and raise this issue. They should also legislate laws which can safeguard the rights of polygamous wives.

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