



POLYGYNY AMONG THE YORUBA MUSLIMS OF
SOUTH WESTERN NIGERIA: A CRITICAL STUDY

BY

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for the degree of Doctor of Philosophy in Islamic and
Other Civilizations

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ABSTRACT

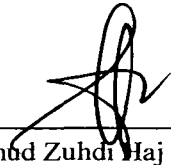
This study examines the practice of polygyny among the Yoruba Muslims of South Western Nigeria with a view to ascertain how they perceive it, how it is being practised by them, the Islamicity or otherwise of such practice, its impacts on the Yoruba polygynious Muslim families, the influence of the local customs and tradition on the practice or the praxis, differential in the male/female perception of polygyny as well as the factors influencing the perception and practice among them. Polygyny is a controversial issue not only among non-Muslims but equally among Muslims. The thesis therefore, in addition to the basic focus earlier mentioned, examines the conflicting views held by Muslims about the permissibility of polygyny. The findings reveal that polygyny is allowed by Islam particularly under certain circumstances in order to safeguard society against the evils of promiscuity and its allied problems. The issue of justice forms the major bone of contention as Allah says that Muslims (men) would not be able to treat women equally, even if it is their ardent desire to do so. Attempt is therefore made to examine Islamic principles of justice and how it affect polygyny permitted by it (Islam) as well as how far are Yoruba Muslim polygynious men dispensing it. Being a phenomenological research, mixed method is adopted since it is generally accepted to be the most suitable one for this kind of inquiry. Interview, Focus Group Discussion (FGD) and questionnaire are used as media for data collection much as library collections, government gazettes and archival materials are used where and when necessary. Although, the practice is found to have been helpful most especially with regards to the care of widows, divorcees and those of over stayed distressed spinsters ridding the society of whoredom or promiscuity, yet it has not been without some shortcomings which include but are not limited to lack of proper understanding of Islam, poverty, juvenile delinquency, injustice, enmity and conflicts among wives. Recommendations on how to solve the identified shortcomings or problems are made while suggestions for further studies are equally given.

ملخص البحث

تبحث هذه الدراسة في مميزات إعادة تعدد الزوجات بين مسلمي بلاد أوروبا في جنوب غرب نيجيريا بغية التأكد من فهمهم لها، وكيف يمارسونها من حيث إسلاميتها أو غيرها من الشرائع الأخرى. وتطرقت الدراسة إلى آثار تلك العادة على أسر مسلمي قبيلة أوروبا، وعوامل التقاليد المحليّة التي تكمن فيها، والاختلاف الفكري بين تصور الرجال وموقف النساء على حقيقة تعدد الزوجات؛ بالإضافة إلى الدوافع التي تؤثر في نظرهم وكيفية ممارستها فيما بينهم. إنّ القضية الخلافية في عادة تعدد الزوجات ليست قضية منحصرة على غير المسلمين فحسب، بل هي أمرٌ جدليٌّ بين المسلمين أيضًا. علاوة على الهدف الأساسي لهذه الدراسة المذكور سابقا، يهتم هذا البحث أيضا بقضية الآراء الاختلافية الواقعة بين المسلمين في مشروعية تعدد الزوجات. وتُظهر نتائج البحث أنّ تعدد الزوجات مباحٌ في الإسلام خصوصاً إذا وُجدت دواعيه المعيّنة من أجل حماية المجتمع من أضرار التشويش ومشاكله المصاحبة. تُشكّل قضية العدالة موضوعاً محورياً بناءً على تعجيزٍ من الله سبحانه وتعالى للرجال في عدم قدرتهم على العدل الكامل بين النساء وإن حرصوا. ونتيجةً لذلك، أثبتَ البحث جهداً علمياً في دراسة المبدأ الإسلامي على العدالة من حيث تأثيرها في قضية تعدد الزوجات المشروعة بشروطها ومدى تعامل الرجال المسلمين من أصحاب الزوجات المتعددة معها. والبحث إذاً هو دراسة الظواهر المتراكمة يعتمد على النهج المتمازج في البحث، على أنّ هذا هو النوع الأنسب لمثل هذه الدراسة. تُستخدَمُ المقابلة، والاستبانة، والمناقشة الجماعية الهادفة كوسائلٍ لجمع البيانات، ويتكوّن العملُ عن طريق جمع المعلومات المكتبية، ومن الجرائد الرسمية الحكومية، والأدوات السجّلية في المواقع والأوقات المناسبة. ورغم وجود وسائل الرعاية والعناية بالأرامل والمطلقات والعوانس حتى يُحمى المجتمع من الزنا والاختلاط، إلا أنّها غير خالية من النقائص التي تتمثل في عدم الفهم اللائق للإسلام، والفقر، والجنوح، والجور، والعداوة، والتراع بين الزوجات. وفي نهاية المطاف، يتقدم الباحث بتوصيات و حلول عملية واقتراحات لتجاوز النقائص والمشاكل التي تعرض لها ومقترحات لدراسات قادمة في هذا الشأن.

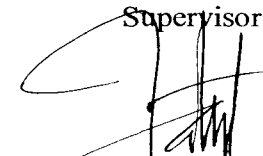
APPROVAL PAGE

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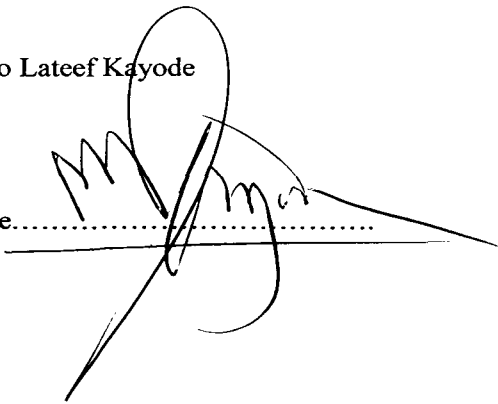
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DECLARATION

I hereby declare that this dissertation is the result of my own investigations, except where otherwise stated. I also declare that it has not been previously or concurrently submitted as a whole for any other degrees at IIUM or other institutions.

Adeyemo Lateef Kayode

Signature.....

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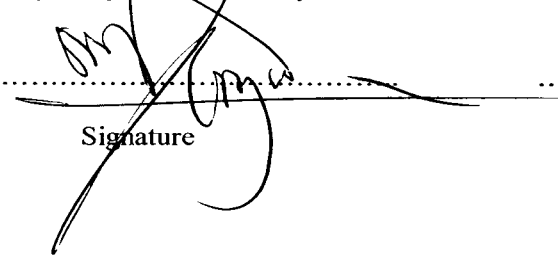
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**POLYGYNY AMONG THE YORUBA MUSLIMS OF SOUTH WESTERN
NIGERIA: A CRITICAL STUDY**

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To

My late father

CHIEF ABDUL AZEEZ ALABI ADEYEMO

Who breathed his last in the late hours of 18th January, 2011.

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All thanks, adorations and praises are due to Allah as befitting His Essence and Majesty, the Eternal besought of all, the Lord of incomparable Majesty. He created, cherishes and takes care of the universe. He honours human beings as His vicegerents and endowed them with enabling knowledge and understanding. Except for His favours, grace and benedictions this work could not have seen the light of the day. May His choicest peace, mercies and blessings continue cascading upon the noblest of His creations, Muhammad, son of Abdullah-the last of all Apostles and Messengers-as well as members of his household, his companions and those of his sincere followers until the Day of Reckoning.

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My attempt in this work as an emerging scholar and academic whose job description is teaching, research and community development is to study this social phenomenon with a view to ascertain the situation of things in order to make suggestions for improvement for the greater glory of our society. If this objective is met, to Allah be the glory. May He forgive my shortcomings and accept this humble contribution as an act of *‘Ibadah*. I wish all my readers happy reading and safe intellectual journey.

TRANSLITERATION

ء	'	خ	kh	قن	Sh	غ	gh	ن	n
ب	B	د	d	ص	ṣ	ف	f	هـ	h
ت	T	ذ	dh	ض	ḍ	ق	q	و	w
ث	Th	ر	r	ط	ṭ	ك	k	ي	y
ج	J	ز	z	ظ	ẓ	ل	l		
ح	h	س	s	ع	ʿ	م	m		

Short Vowels	
اَ	a
اِ	i
اُ	u

Long Vowels	
اَ + َ	ā
اِ + ِ	ī
اُ + ُ	ū

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CHAPTER ONE

INTRODUCTION

1.1 GENERAL INTRODUCTION TO THE STUDY

This is a general introduction to the study. It elucidates the basic axioms and postulates upon which the thesis is based as well as the main thrust of the research. The statements of problem are enumerated while research questions, aims and objectives as well as scope and limitations of the study are discussed. Besides, clarification/definition of terms and or concepts is made in order to prepare the ground for a clearer understanding of the issues at stake. Finally, the significance of the study, method and methodology adopted as well as plan and synopsis of the study are all addressed in this chapter. Grix¹ clarifies the terms method and methodology and states categorically the differences between the two. This is going to be looked into later in this chapter.

The existence of life, particularly that of human beings on the planet earth is not by accident nor is it by a sheer serendipity much as the distinction of man into male and female is not without reason. So as Adeyemo argues²:

Since there cannot be a design without a designer, the Heaven and the earth with their perfect harmony could neither have evolved by themselves nor by a 'big bang' as we are made to understand. The truth about the universe uphold by Islam is that, Allah is its Architect, Creator and Cherisher. He created them not in vain but as a manifestation of His Power and Majesty for a purpose He assigned to each of its constituent parts. They, no doubt, constitute a significant pointer to His Existence, Essence and Unity.

¹ Jonathan Grix, *The foundation of research* (Hampshire & New York: Palgrave Macmillan, 2004), pp. 30-33.

²Adeyemo, L.K., 'Islam: An Introductory Study', in *Readings in philosophy and religions*, edited by Oyelade, E.O. (Benin City: Tiredia Publishing Company in Conjunction with the Department of Philosophy and Religions, Faculty of Arts, University of Benin, 2006), p. 65.

Hence, it is meant to serve certain purpose assigned to each of its (earth) constituent parts by the Master Creator failing which will not only alter the proper functioning of the biodiversity or the ecosystem but equally spell doom for all the inhabitants of the earth including the flora and fauna. Often time, people forget that it is not because of under nourishment or rather mal-nutrition that cat is not as big as dog. Perhaps, we need to remind ourselves that there is destiny pre-ordained by Allah (God) for everything tailored towards the purpose it is meant to serve. So, everything including man-collectively and individually-is created to serve one purpose or the other and it is made in a way suitable for the purpose it is meant to serve. So, if these purposes are served and served appropriately, individually and collectively there is bound to be harmony in the cosmos which explains why it is referred to as a universe and not a multi-verse. However, the failure of one or more of these elements to function as expected or as designed by God is going to cause commotion and impede the proper functioning of the eco-system. Man is Allah's vicegerent on earth³ and so he needs to carry out the will of his Master⁴.

Thus, the need to have a correct understanding (*fahm/fiqh*) of the purpose to be served and how best to serve it appropriately; otherwise there is bound to be confusion which is going to be proportionate or commensurate to the level of deviation from the original purpose assigned by God. This is very vital in view of the fact that, it is our idea of life that shapes our attitude towards it. Therefore, the correctness of our idea about it is very paramount as it is going to bring about a correct attitude towards it, otherwise, man shall continue to live a down trodden life here and experience eternal

³ Qur'an, *al-Baqarah*:30

⁴ Qur'an, *al-Baqarah*:28

damnation in the next. Of all the creations (creatures) of God, *Jinns* and Men⁵ are the only ones endowed with intellect and ability to make choice or discriminate, particularly between good and bad, moral and immoral, right and wrong and between good and evil deeds. Hence, *Jinns* and Men are creations of responsibility. They are responsible for their actions and inactions with respect to the purpose of their creation. This equally accounts for why they are referred to as the creation of the highest honour⁶, who, despite this honour or favour may be reduced to the lowest of the low if they fail to live in accordance with the *fitra* (nature) with which they were created.

But whosoever turns away from My Message, verily for him is a life narrowed down, and We shall raise him up blind on the Day of Judgment. He will say: 'O my Lord! Why have Thou raised me up blind, while I had sight (before)?' Allah will say: 'Thus did thou, when Our Signs came unto thee, you disregarded them: so will thou, this day, be disregarded⁷.

And say: Work (righteousness): soon will Allah observe your work, and His Messenger, and the believers: soon will ye be brought back to the Knower of what is hidden and what is open: then will He show you the truth of all that you did⁸.

Every soul shall be (held) in pledge [accountable] for its deeds⁹.

Man in particular is the creation of the highest honour, yet he is going to be reduced to the lowest of the low should he fail in his responsibilities. Behold, life becomes worthy of living when Men realize the purpose of their creation (existence) and strive to actualize it. To live is to serve: to serve Allah and humanity via Him for whatever purpose a man serves is what make or mar his life. Service to humanity endears a man to his/her fellow men and it is '*ibadah* as long as they fall within the ambit of *Shari'ah*-the Islamic law and are borne out of genuine motive. Service to Allah

⁵ Qur'an, *al Dhariyyah*:56. Please note that all Qur'annic quotations are as rendered or translated by Abdullahi Yusuf Ali except where otherwise stated.

⁶ Qur'an, *Tin*:1-7

⁷ Qur'an, *Taha*:124-6

⁸ Qur'an, *Tawbah*:105

⁹ Qur'an, *Mudathir*:38

equally endears him/her to Allah. There cannot be service without knowledge; particularly of the purpose one is to serve¹⁰. Of course, knowledge is a bottomless ocean, the more one knows, the more he discovers he still has to know. No wonder, the revelation of the Glorious Qur'an begins with reading, one that has to be commenced with the name of Allah, the Beneficent, the Merciful¹¹.

By the Fig and the Olive, and the Mount of Sinai, and this City of Security-We have indeed created man in the best of moulds, then do We abase him (to be) the lowest of the low-except such as believe and do righteous deeds: for they shall have a reward unfailing. Then what can, after this, contradict thee, as to the Judgment (to come)? Is Allah not the wisest of Judges?¹²

Notwithstanding the intellect endowed to man by Allah, he still requires Divine Guidance in order not to go or grope in darkness in respect of the right choice to be made for just as he is limited to time and space, so is his intellect. Man, as earlier observed is the creation of the highest honour, yet he has the tendency of condescending so low as to the lowest of the ebb. Be that as it may, it further corroborates the need for Divine Guidance from the Merciful Creator. It should be noted however, that Allah had continued to be sending down guidance (*al-hidayyah*) to man from the very beginning of his existence on the surface of the earth, yet he is prone to the evil machination or whispering of his avowed (arch)-enemy (*Satan/Iblis*) who is combat ready all the time to seduce him to his path of misguidance.

We said: 'Get ye down all from here: and if as is sure, there comes to you guidance from Me, whosoever follows My guidance, on them shall be no fear, nor shall they grieve. 'But those who reject faith and belie Our Signs, they shall be companions of the Fire; they shall abide therein forever.'¹³

¹⁰No wonder, Allah says in a hadith *Qudshi* 'Know Me before you worship Me for if you do not know Me, how then would you be able to Worship Me. And this equally informs why the first revelation to the Prophet centres on learning.

¹¹ Qur'an, *al-'Alaq*:1-5.

¹² Qur'an, *al-Tin*:1-8, see also Qur'an, *al-Baqarah*:30.

¹³ Qur'an, *al-Baqarah*: 38-9.

Man should therefore be on the alert to avoid Satanic misguidance¹⁴ which although in most if not all the cases are attractive and have the promise of immediate benefits or enjoyment but a critical assessment of which always reveal dangers associated with them with attendant long lasting effects which transcend the realm of the mundane life. Man has been created in pair of male and female just like every other creature¹⁵ in order that they may live together and find respite, solace, succor and tranquility in each other in their travail through the vicissitude of life¹⁶. Besides, the need for continuity of life warrants pro-creation which is approved by Islam. This could only be done in Islam via the means of marriage¹⁷. Marriage is a sacred cum social contract. It is sacred as it is ordained by God. It is social not only because it involves two persons, families, sometimes tribes/races and nations but equally because although, ordained by Allah yet the interpretation, application and usage is by man. Until recently, all people of all time and climes across the globe were against and indeed considered as an abomination all such of perverted forms of sexual relations which have now become widespread even to the extent of receiving legal or constitutional backing in many countries around the world. This situation had forced many scholars to ask whether animals are wiser than men¹⁸.

Rather than pointing accusing finger at this dissoluteness, perverted culture, wanton conviviality and licentious way of life, polygyny which had been practised for ages in almost every culture and or civilization and which equally received Divine sanction from God is today an object of ridicule as it is considered as an anathema and

¹⁴Qur'an, *al-'Araf*:27 says: O ye children of Adam! Let not Satan seduce you, in the same manner as he got your parents out of the Garden, stripping them of their raiment, to expose their shame: for he and his tribe watch you from a position where you cannot see them: We made the evil ones friends (only) to those without Faith.

¹⁵ Qur'an, *al- Yasin*:36.

¹⁶Qur'an, *al-Rum*:21.

¹⁷Qur'an, *al-Israi*:32; *al-Shuarau*:2-3, 4-10.

¹⁸Adeniyi, Isa (2000), *Zina: Islamic perspective on adultery and fornication*, Lagos: Salsabil Associates, p.18.

anti-social practice which infringes on women's rights as some feminists would want us to believe. Considering the higher objectives of *Shari'ah*-the Islamic law, the general (collective) interest of the society takes precedence over individual interest whenever and wherever the two come into conflict. Much shall be said on this later.

Laments Dr. Annie Besant¹⁹:

There is pretended monogamy in the West, but there is really polygamy without responsibility, the mistress is cast off when the man is weary of her and sinks gradually to be the 'Woman of the street' for the first lover has no responsibility for her future and she is hundred times worse than the sheltered wife and mother in the polygamous home. When we see thousand of miserable women, who crowd the streets of Western towns during the night, we must surely feel that it does not lie in Western mouths to reproach Islam for a woman to live in Islamic polygamy united to one man only, with the legitimate child in her arms, surrounded with respect than to be reduced; cast out on the streets perhaps with an illegitimate child outside the pale of law-unsheltered and uncared for, to become a victim of any passer-by, night after night, rendered incapable of womanhood, despised by all.

To an African, particularly the Yoruba people of South Western Nigeria in the 'hey days' of their civilization, polygyny is a mark of honour and an indication of one's social status and responsibility in the society²⁰, for the larger the family, the larger the farm and the respect one commands in the society.

Observes J.E. Mcfarlane²¹:

Whether the question is considered socially, ethically or religiously, it can be demonstrated that polygamy is not contrary to the highest standard of civilization...the suggestion offers a practical remedy for the western problem of destitute females; the alternative is continued and increased prostitution, concubinage and distressing spinsterhood.

The physical and physiological differences between the two sexes, that is, the male and female, is not limited to their appearance alone but extend to their ability to work

¹⁹ Annie Besant Wood (1878), *Marriage, as it was, as it is, and as it should be: A plea for reform*, London: Freethought Publishing Company. This book was also published in 2009 by Kessinger Publishing Company, Montana and in 2010 by General Books, Tennessee.

²⁰ Doi, A.R.I (1980). *Islam in Nigeria*, Kaduna: Gaskiya Corporations, p. 85.

²¹ See Abu Umar al-Faruq (2005). *The making of a successful polygamy*, Lagos: Salsabil Associates, p.vi.

for long hours, take risks as well as their characteristic of bravery which also reflects in their sexual instinct and capability just to mention a few. Thus, every creature including man and woman, albeit creatures with similar destiny and related features; have been assigned different social responsibilities in the society one complementing the others. The assigned responsibility is what their respective strength and physiological make-up could accommodate and cope with. Thus, if they fail to play their respective complementary roles, or one trespasses into the confine or preserve of the other, society would suffer a great deal. Observed Mawdudi²²:

In this limitless universe He [God] has created countless number of things, but none of them is ugly and ill-shaped: everything has its own special beauty: everything is proportionate and symmetrical in its own way. Whatever He has made for a particular purpose, He has given it the most appropriate form and invested it with the most suitable qualities for it. No better and more appropriate structure could be conceived, for example, for the eye and the ear which have been made for seeing and hearing. The air has precisely the same qualities which it should have for the purpose for which it has been made, and water precisely the same qualities for the purpose for which it has been made. No one can point out any defect or flaw in the design of anything made by God²³; nor can anyone offer an alteration or modification in it.

The observation made by Nobel Laureate Dr. Alexis Carrel (1873-1944)²⁴ is apposite and germane to our discussion, he says:

The differences existing between man and woman do not come from the particular form of sexual organs, the presence of the uterus, from gestation, or from mode of education. They are of a more fundamental nature. They are caused by the very structure of the tissues and by the impregnation of the entire organism with specific chemical substances secreted by the ovary. Ignorance of these fundamental facts has led promoters of feminism to believe that both sexes should have the same education, the same powers and the same responsibilities. In reality woman differs profoundly from man. Every one of the cells of her body bears the mark of her sex. The same is true of her organs and, above all, of her nervous system. Physiological laws are as inexorable as those of the sidereal world. They cannot be replaced by human wishes. We are

²² Mawdudi, S.A.A. (2007), *The meaning of the Qur'an*, Lahore: Islamic Publications Ltd, Vol.4 p. 45.

²³ Qur'an, *al-Mulk*:30.

²⁴ Alexis Carrel as quoted in Khan Maulana Wahiduddin (2001), *Woman between Islam and Western society*, Karachi: Hafiz and Sons Ltd. pp. 31-32.

obliged to accept them just as they are. Women should develop their aptitudes in accordance with their own nature, without trying to imitate the males. Their part in the progress of civilization is higher than that of men. They should not abandon their specific functions.

Sex is therefore described as part of the biological necessities of life, one if properly dispensed or harnessed will ensure happy, prosperous and peaceful life, otherwise, it may lead to avalanche of problems ranging from social, psychological, moral/religious, economical/financial, legal to medical and biological ones as could be seen from observations made in the quotations. Hence, a way of life or a religion like that of Islam in which adultery and or fornication are considered as not only a sin against God but equally as a culpable crime against humanity, severely punished with capital punishment²⁵ could not but allow polygyny. This becomes particularly imperative when and where women outnumber men, availability of widows and their orphan children owing to war or other natural disasters. In Yoruba tradition, adultery and fornication are considered as abominations much abhor as in Islam. It attracts capital punishment for which unlike in Islam no witnesses are required as 'remote control', that is, a charm²⁶ is used for immediate punishment of the male defaulter.

Allah says:

And among His Signs is that He created for you mates from among yourselves, that ye may dwell in tranquility with them, and He has put love and mercy between your (hearts): Verily, in that are signs, for those who reflect²⁷.

Hence, marriage provides a legitimate avenue for the fulfillment of this necessity. This is one of the basic institutions that distinguish man from most of other creatures. Marriage is as old as man himself as Allah created not only humanbeings but every

²⁵ It should be noted that while adulterers and adultresses are to receive capital punishment, fornicators and fornicatrices are to be given hundred lashes each.

²⁶ The charm is called 'Magun' which literally translates to 'do not climb'. So, if anyone defies this norm and tries to commit adultery and or fornication, immediate justice would be done by the charm.

²⁷ Qur'an, *al-Rum*:20-21.