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Polygamy in Islam: Cultural Pressures and Religious Justifications in Pakistan

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Indexing



Polygamy in Islam: Cultural Pressures and Religious Justifications in Pakistan

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Abstract

Polygamy is socially accepted and religiously allowed in most parts of the world. Polygamy is practiced by males, particularly for various justifiable reasons. The current study aims to analyze the interplay of culture and religion to describe the existing practice of polygamy in Punjab, Pakistan. It is further interested in analyzing the male perspective regarding the practice of polygamy. The study is theoretically grounded in the patriarchal theory and Agarwal's concept of bargaining in gender relations. In Pakistan, like many other Muslim countries, religion is the major support taken by men for practicing polygamy along with other cultural justifications. Wife's infertility or inability to produce the male offspring and forced marriage practices are amongst the major justifications of polygamy found in the current study. During this phenomenological research, the researchers included the male perspective only by targeting 5 polygamous marital unions from the various parts of the Punjab province. The findings include forced marriages, cousin marriages, age difference in first marriage, first wife's infertility and inability to produce the male offspring, and the absence of male successor in case of landowning families as major causes for males being polygamous. The study also found males from different socioeconomic backgrounds living in polygamous marital unions. This study suggests that the patriarchal interpretation of religion and culture needs to be defined and the prevalent justification of polygamous marriages needs to be revisited. Similarly, the true Islamic intent for marrying multiple women and of equality and justice amongst wives needs to be explored through scholarly research.

Keywords: gender relations, Pakistani culture, patriarchy, polygamy, religious justification

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Introduction

Approximately 850 societies around the globe allow polygamy legally and it is widely practiced culturally.¹ Most commonly polygamy practice is accepted by various non-Western ethnic and religious groups, particularly the Muslims.² Factually, in the Middle East and Sub-Saharan Africa the most popular form of marriage is polygamous marriage.³ Countries considering polygamy as a valid form of marriage include Pakistan, Chad, Benin, Saudi Arabia, Ghana, Algeria, Congo, Tanzania, Togo, Gabon⁴ and others. Research has reported estimation of 20 to 50% of all marriages⁵ in Africa were polygamous, while in Kuwait it was estimated to be between 8 to 13% married men were polygamous, and the ratio of polygamous marriages is much higher in neighboring Arab countries particularly. In most Muslim countries, polygamy is religiously allowed and culturally endorsed. The major motivating factor behind such practice is the desire for more children as helping hands in rural economies.⁶ The growing body of literature has also indicated that this practice is highly embedded in the culture of son preference. Son preference is a harmful cultural practice, which often puts the burden of infant's gender on the woman's shoulders; however, scientific evidence reports otherwise. The current literature has reported that the practice of polygamy is prevalent under the pretext of religious and cultural permission. Patriarchal theory has been employed to analyze this phenomenon. This theory would help the study to explore the patterns of masculine controls through the practice of polygamy.⁷ Similarly, Agarwal's argument about bargain in gender relations would provide this study with analytical basis to assess women's vulnerability in polygamous marriage unions.

In Pakistani culture, polygamy is socially acceptable and encouraged, particularly in cases of infertility or failure of women to give birth to a male baby. Al-Krenawi has reported in his research, that one of the major reasons behind polygamous marriages was a

¹T. Daniel Thobejane, and Takayindisa Flora, "An Exploration of Polygamous Marriages: A Worldview," *Mediterranean Journal of Social Sciences* 5, no. 27 P2 (2014): 1058.

²Dana Berkowitz, and William Marsiglio, "Gay Men: Negotiating Procreative, Father, and Family Identities," *Journal of Marriage and Family* 69, no. 2 (2007): 366-381.

³Salman Elbedour, Anthony J. Onwuegbuzie, and Mohammad Alatamin, "Behavioral Problems and Scholastic Adjustment among Bedouin-Arab Children from Polygamous and Monogamous Marital Family Structures: Some Developmental Considerations," *Genetic, Social, and General Psychology Monographs* 129, no. 3 (2003): 213.

⁴Michele Tertilt. "Polygyny, Fertility, and Savings," *Journal of Political Economy* 113, no. 6 (2005): 1341-1371.

⁵Sangeetha Madhavan, "Best of Friends and Worst of Enemies: Competition and Collaboration in Polygyny," *Ethnology* (2002): 69-84.

⁶Elizabeth A. Archampong, "Reconciliation of Women's Rights and Cultural Practices: Polygamy in Ghana," *Commonwealth Law Bulletin*, 36: 2 (2010): 325-332, DOI: 10.1080/03050718.2010.481401.

⁷Sylvia Walby, *Theorizing Patriarchy* (Oxford, UK: B. Blackwell, 1990).

desire to increase number of male children.⁸ Since divorce is strongly discouraged and has been considered a social stigma for women, therefore, if a male partner is not happy with his first wife, his second marriage is socially justified and preferred over divorce. It is found that infertile wives seem more probable being in polygamous marriage than fertile women.⁹ This is how socially polygamy has become the norm of the family institution in traditional societies like Pakistan. In some areas around the globe, the higher number of children is considered more productive economically for the family and polygamy becomes an option for financial security and economic stability.¹⁰

Polygamous unions are legally permissible in the Islamic Republic of Pakistan, yet such unions are overwhelmingly seen as a taboo, despite the fact that 95% of the population is affiliated with Islam which permits conditional polygamy for men.¹¹ Since the 1980s, there have been numerous restrictions set on polygamy in Pakistan which are quite similar to those in Indonesia. Such steps are the result of feminist activism in Pakistan. Historically feminist groups have agitated against polygamy and raised their concerns against the second marriage of Prime Minister Muhammad Ali Bogra in 1955. The issue was taken up by APWA (All Pakistan Women Association) and Women United Front. These feminist groups advocated for legal reforms in the Muslim family laws.¹² For instance, in order to marry again, a man must have legal consent of his first wife. However, polygamous unions are still perfectly legal under Pakistani law, though numerous women's rights groups have fiercely opposed such legality, and have been strong proponents of ending the practice. It is estimated that 17% of all families in Pakistan were associated with polygamy in their primary relationships.¹³ This means that as many as one-fifth of Pakistan society's population was living in an arrangement of compromise, most likely to take up a share of resources and pieces of the emotional pie that have come to them at a social cost.

The Muslim Family Laws Ordinance [VIII of 1961] states about Polygamy that, "No man, during the subsistence of an existing marriage, shall, except with the previous permission in writing of the Arbitration Council, contract another marriage, nor shall any

⁸Alean Al-Krenawi, "A Study of Psychological Symptoms, Family Function, Marital and Life Satisfaction of Polygamous and Monogamous Women: The Palestinian Case," *International Journal of Social Psychiatry* 58, no. 1 (2012): 79-86.

⁹Deniz Kandiyoti, "Rethinking Bargaining with Patriarchy," *Feminist Vision of Development: Gender, Analysis and Policy* (2005): 135-154.

¹⁰Roger Klomegah. "Socio-Economic Characteristics of Ghanaian Women in Polygynous Marriages," *Journal of Comparative Family Studies* 28, no. 1 (1997): 73-88.

¹¹Muhammad Asif Wazir, and Anne Goujon, "Assessing The 2017 Census of Pakistan Using Demographic Analysis: A Sub-National Perspective. No. 06/2019," *Vienna Institute of Demography Working Papers*, (2019).

¹²Rubina Saigol, *Feminism and the Women's Movement in Pakistan* (2016).

¹³Rafia Zakaria, "The Problems of Polygamy," *DAWN News-01 Oct* (2014). Retrieved from <https://www.dawn.com/news/1135346>

such marriage contracted without such permission be registered under this Ordinance.” As the treatment amongst the wives is concerned, in the Holy Qur’ān, Allah says,

And if you have reason to fear that you might not act equitably towards orphans, then marry from among [other] women such as are lawful to you - [even] two, or three, or four: but if you have reason to fear that you might not be able to treat them with equal fairness, then [only] one - or [from among] those whom you rightfully possess. This will make it more likely that you will not deviate from the right course.¹⁴

If a man cannot treat each of his wives equally then he should only take one wife.¹⁵ Muhammad Asad has added a note here stating, “irrespective of whether they are free women or, originally, slaves, the number of wives must not exceed four, all four major Islamic school of thoughts agreed upon.”¹⁶ Another verse in the Holy Qur’ān says,

And it will not be within your power to treat your wives with equal fairness, however much you may desire it; and so, do not allow yourselves to incline towards one to the exclusion of the other leaving her in a state, as it were, of having and not having a husband. But if you put things to right and are conscious of Him - behold, God is indeed much-forgiving, a dispenser of grace.¹⁷

Muhammad Asad has given a note with 4: 129;

This refers to cases where a man has more than one wife - a permission which is conditional upon his determination and ability to “treat them with equal fairness”, as laid down in verse 3 of this *surah*. Since a man who is fully conscious of his moral responsibility might feel that he is committing a sin if he loves one of his wives more than the other (or others), the above verse provides a “judicial enlightenment” on this point by making it clear that feelings are beyond a human being's control: in other words, that the required equality of treatment relates only to outward behavior towards and practical dealings with one's wives. However, in view of the fact that a man's behavior towards another person is, in the long run, almost inevitably influenced by what he feels about that person, the above passage - read in conjunction with verse 3, and especially its concluding sentence - imposes a moral restriction on plural marriages.¹⁸

Thus, while Islam permits and may sometimes encourage polygamy, if men are afraid of being unable to treat their wives fairly, they are not allowed to marry again and should have only one wife.¹⁹ While the Prophet Muhammad (SAW) practiced polygamy after his wife Khadijah (RA) died, the Prophet Muhammad (SAW) was fair between his wives and

¹⁴Qur’ān, an-Nisa 4:3-4.

¹⁵Harun Yahya, “Islam, the Religion of Ease,” *Global Yayincilik*, 2004.

¹⁶Muhammad Asad, *The Message of the Qur’ān* (Dar al Andalus, 1980).

¹⁷Qur’ān, an-Nisa 4:129.

¹⁸Muhammad Asad, *The Message of the Qur’ān* (Dar al Andalus, 1980).

¹⁹Ambreen Salahuddin, *Feminism in Modern Urdu Poetesses* (Lahore: West Pakistan Urdu Academy, 2005).

only married for the reasons allowed.²⁰ The Universal Declaration of Human Rights 1948, the European Convention on Human Rights 1953, the International Covenant on Civil and Political Rights 1966, the American Convention on Human Rights 1969 and the Arab Charter on Human Rights 2004, each provided a right to marry, but did not specifically mention monogamy or polygamy. For women, divorce is still considered a taboo in many traditional patriarchal societies such as Pakistan where the first wife prefers to allow her husband for second marriage over divorce²¹. In this way women accept polygamy indicating relatively lower bargaining power in marital gender relation in traditional patriarchal societies and to have an insight of this phenomenon it is necessary to study the phenomenon with both male and female's subjective point of view. The present study only includes the male perspective about the phenomenon of polygamy in Pakistani cultural context.

2. Method and Materials

The present study aims to analyze the interplay of culture and religion for the existing practice of polygamy. It is further interested in analyzing males' perspective regarding polygamous marriages. The nature of the study objectives lead the researchers to frame this study under the interpretive paradigm so pure qualitative phenomenological research design was employed to execute the study plan. Similarly, interpretive approach was necessary to explore the emic perspective about the phenomenon of polygamy especially in socio religious context of Pakistan. The research objectives were realized through detailed interviews of five polygamous husbands opting phenomenological research design because this includes studying lived experiences of the individuals and it is widely being used to explain multiple dimensions of a complex phenomenon.²² Five male participants were recruited through purposive sampling technique. This technique was most suitable for this research as researchers were more interested to recruit male participants who were in polygamous marriages. Although one of the researchers was an insider of the phenomenon yet he tried to develop a comprehensive understanding on religious and cultural aspects of polygamy (a form of marriage in which one husband has two or more wives at a time) from the participants' perspective. The researcher developed five phenomenological case studies from the data collected to better illustrate the variation in the existence of the phenomenon. During data collection process, ethical consideration was top priority for this research. Interviews were conducted after the verbal and written consent of the study participants. All interviews were recorded after the permission. Similarly, to assure confidentiality and data security fictitious names were allotted to study participants. Interview guide was developed with the intent to make the detachment process

²⁰Mariam Sultan Abdulla Al-Shamsi, and Leon C. Fulcher, "The Impact of Polygamy on United Arab Emirates' First Wives and Their Children," <https://tripleap.blogspot.com/2009/11/impact.html>

²¹Alean Al-Krenawi, John Graham, and Abuelaish Izzeldin, "The Psychosocial Impact of Polygamous Marriages on Palestinian Women," *Women and Health* 34, no. 1 (2001): 1-16.

²²Muhammad Faisal Chowdhury, "Interpretivism in Aiding Our Understanding of the Contemporary Social World," *Open Journal of Philosophy* (2014).

easier.²³ For data analysis process, all recorded interviews were transcribed. Verbatim transcripts were translated carefully to preserve the colloquial expressions. The data were coded and both inductive and deductive codes were used. Coded data were organized into categories in order to perform thematic analysis. During analysis phase subjectivity of researcher was minimized through reflexivity. Findings of the study were shared with the participants of the study in order to assure the validity of the research.

3. Findings

Interestingly the researcher found different reasons for polygamy behind all the cases studied. Case-1 was a land owner having 80 acres agricultural land and his first wife could not produce a male baby. He only got a daughter from his first wife and he needed some male inheritor for that he married for a second time. He said, *"We only had a daughter, sons are the inheritors continuing the lineage, otherwise my property will go to the relatives"* (Participant-1). In Case-2 the person was a politician contesting for provincial assembly and he first got married at the age of 22 with 29 years old first cousin under family pressure. At the age of 40 he married a divorcee 10 years younger than him with his own choice. He stated, *"I was too young when my father married me to my cousin, older than I, now as a politician I need wife to accompany me in social gatherings, so I married again with my own choice"* (Participant-2). For Case-3 the reason for second marriage was similar to Case-2 stating that first marriage was under family pressure with first cousin and second was the result of his love and that participant was Imam in a mosque. He stated, *"It was my father's wish for me to get married with my first cousin and I respected his desire. After his death I married another wife of my own choice under my divine right"* (Participant-3). First marriage of Case-4 was again under family pressure with first cousin and resulted in another of his own choice and Participant-4 was a mobile shop keeper. He shared, *"I refused many times for not getting married to my first cousin but my parents pressurized me of no inheritance. In retaliation I secretly married the girl of my own choice too"* (Participant-4). Case-5 was a bit complicated. It is the case of a lawyer marrying both of his wives with own choice, first with family's involvement and second secretly with his second love. He shared, *"The religion and the law both allow polygyny, I just exercised my religious and legal right"* (Participants-5).

In Case-1 of the land owner and Case-3 of Imam Masjid both of the wives were living under one roof (same house). The husbands in both of these cases were claiming to give equal and fair treatment to both of their wives by giving them same maintenance and dividing their time between them equally. *"Almighty has given me the resources to meet the financial needs of both of my wives equitably, I always try not to discriminate. Both live with me in the same house with children"* (Participant-1). In Case-2 and Case-4, first wives were living with in-laws and their husbands were living separately with their new wives. Participant-4 said, *"When I refused at first to marry the first cousin, they pressurized me. Now she is their (parents) responsibility"* (Participant-4). Maintenance was being

²³Monique Hennick, Inge Hutter, and Ajay Bailey, *Qualitative Research Methods* (Sage, 2011).

provided by the in-laws and the husbands occasionally visit them at some marriage or death in the family or on Eid festivities. Participant-2 shared, *“My parents’ house is in the same locality. I didn’t take my share of property. They are looking after my first wife and children. I visit them sometimes.”* (Participant-2). In Case-5, the lawyer was living with both of his wives separately. In week days, he lived in the city with his second wife and on weekends he goes to his family home in the village and spends his weekend with first wife.

The researcher found varied justifications from all five polygamous males who participated in this research. In Case-1 the husband was of the view that he waited for a longer period of time expecting his first wife to give birth to more children. She gave birth to a girl child only after which she could not conceive. He expressed that the desire for more children, particularly boys drove him towards second marriage. He shared that *“desire for son is natural in our culture otherwise you have to face empathy from the relatives.”* (Participant-1). He was justifying his decision by providing both of his wives same maintenance. Both of the wives were living under one roof. In Case-3 of Imam Majid who were justifying his decision purely on religious bases expressing that he was able to provide maintenance for both the wives. He said, *“Men in Islam are allowed to marry even four women of choice, I just married two”* (Participant-3). Having boys and girls from both of his wives, the *Imam Masjid* did not give any other excuse for his decision rather than enjoying the religious provision for him.

In Case-2, the first wife of the politician was 7 years old than he when they got married. Around 22 years later after having five children (2 boys and 3 girls) from her, the husband married a divorcee, 10 years younger than him. She had her own children too. He married her because his first wife was too old for him. In justification for not living with first wife and children, the politician said that he visits them whenever they need him and provide them with all their needs. They were living in his ancestors’ home surrounded by his brothers and other relatives who also look after them. He said, *“I am an active politician, I attend multiple social gatherings daily, meet many people every day, she (the first wife) was not able to accompany me in all that, I needed a companion with understanding of politics and I married my second wife under religious permission”* (Participant-2). The shop keeper (Case-4) was of the view that his first marriage was against his will under family pressure and he married another wife in reaction to that. As far as not living with his first wife is concerned, he was of the view that he took that decision for family and now the family should take care of his first wife and children and provide them from the joint family resources.

As shared earlier, the Case-5 of the lawyer was a bit different and he married both wives with his own choice. His first marriage was with family involvement and soon after he secretly married another girl. Both marriages were love marriages. Justifying his polygamous status, the lawyer was of the view that it was his religious and legal right although he did not get prior permission from his first wife for second marriage. He said, *“Law is made by people but the religion is divine. Both permit polygamy for men and as a lawyer, I know how things work in our country. That is why I did not take written*

permission from my first wife” (Participant-5). Not living with both of his wives at the same time, the lawyer explained that he has divided his time between them to avoid complications; visiting first wife at family house in the village on weekends and living with second wife during week days in the city.

4. Discussion

The major reason of second marriage was men’s reaction against their first marriage under family pressure which became the cause of second marriage of their own choice. The researchers found infertility or inability of first wife to give birth to a male child as another compelling reason as to why men opt for second marriage; particularly for men having more property. Cousin marriage particularly under family pressure also results in polygamy most of the time as the study findings showed. Chaleby have also studied polygamy from an anthropological angle focusing on men’s perspective on polygamous marital practices²⁴. Al-Krenawi has also found that polygamous marriages are often found in different family structures associating with stress, disequilibrium and tension among the parties.²⁵ Tertilt has studied polygamy with fertility perspective showing similar reasons as are seen in the current study.²⁶

Pakistan is predominantly a patriarchal society where women considerably have less bargaining power when it comes to polygamy and they prefer it over divorce. Giving birth to a male child is also considered a privilege for women in Pakistan and if a woman is unable to give birth to a male child or even when there is no child, she has to compromise on polygamy. As Agarwal has also concluded that women having weak fallback position in patriarchal societies have to compromise in bargaining gender relations.²⁷ Kramer also argues that in patriarchal societies women are relatively less powerful and they remain relatively less affective in the process of formal and informal constructions of gendered patterns.²⁸ Men seek support from religion and culture in strengthening patriarchy as can be seen in this research that the participants justified enjoying polygamy under religious permission. Such hegemonic structures of patriarchy compel women to renegotiate and compromise to subservient position in the society like being in polygamous marital relations. The Muslim women’s absolute subordination to their husbands is also encouraged religiously. Our field work findings have found out the same patriarchal

²⁴Kutaiba Chaleby, “Traditional Arabian Marriages and Mental Health in a Group of Outpatient Saudis,” *Acta Psychiatrica Scandinavica* 77, no. 2 (1988): 139-142.

²⁵Alean Al-Krenawi, “A Study of Psychological Symptoms, Family Function, Marital and Life Satisfaction of Polygamous and Monogamous Women: The Palestinian Case,” *International Journal of Social Psychiatry* 58, no. 1 (2012): 79-86.

²⁶Michele Tertilt, “Polygyny, Fertility, and Savings,” *Journal of Political Economy* 113, no. 6 (2005): 1341-1371.

²⁷Bina Agarwal, “Bargaining and Gender Relations: Within and Beyond the Household,” *Feminist Economics* 3, no. 1 (1997): 1-51.

²⁸Laura Kramer, *The Sociology of Gender: A Brief Introduction* (Oxford University Press, 2015).

patterns are being used to push women in subservient positions as argued by patriarchal theory. Study findings like forced marriages and cousin marriages to keep the familial property intact and women's exploitation in polygamous marriage unions on the pretext of religion and culture are the reflections of patriarchy.

Pakistan being predominantly a Muslim society allows polygamy to men and people mostly argue in support of polygamy from religious reasons. The Muslim men practicing polygamy mostly refer to the holy Qur'an's verse (4:3) which indicates that a Muslim man can marry up to four wives. The verse is also interpreted limiting Muslim men at the time of Prophet Muhammad (SAW) to four wives only because Arab culture at that time allowed having many wives. From contemporary religious point of view polygamy is considered circumstantial not necessary provision for everyone anytime. There is ample evidence in The Bible that polygamy was acceptable in Christianity too, for instance in ancient Israel. For example, The Book of Mormon, The Old Testament, states under Verse 19, Genesis 4, "And Lamech took unto him two wives: the name of the one was Adah, and the name of the other was Zillah." As believed in Judaism the Old Testament Prophets were polygamous mostly; such as Abraham, David and Solomon all had more than one wife. Among the Christians, polygamy is practiced under Mormon Church primarily even in the United States of America along with other parts of the world.²⁹

What makes the provision of polygamy circumstantial in Islam is fair, impartial and just treatment among wives and children. While in patriarchal societies like Pakistan, women even have to compromise in monogamous marital life because men do not treat women as equal human beings and it becomes worst in polygamous family settings. The half/step siblings' concept primarily relates with polygamous families and huge discrimination prevails among multiple wives and their children. As it emerged in this research that men in patriarchal societies opt for second wife in case the first wife was unable to bring a male child in the world, indicating a vivid discrimination among male and female children. In this way, the half/step siblings are considered contestants in seeking father's attention, family resources and inheritance in polygamous family settings.

5. Conclusion

Most of the Muslim polygamous men justify their second marriage under their financial status expressing that if they can afford, they have the provision to marry as many as four wives at the same time as well as they have religious freedom to do so. As social exchange theory indicates that individuals make subjective cost-benefit-analysis while negotiating over resources exchanged in a relationship, men enjoy polygamy claiming to provide social and economic security of more than one wife.³⁰ Women have to compromise due to weak fallback position in patriarchal social settings due to less bargaining power

²⁹ Tsoaledi Daniel Thobejane, and Takayindisa Flora, "An Exploration of Polygamous Marriages: A Worldview," *Mediterranean Journal of Social Sciences* 5, no. 27 P2 (2014): 1058.

³⁰ Paula England, and Nancy Folbre, "Involving Dads: Parental Bargaining and Family Well-Being," *Handbook of Father Involvement: Multidisciplinary Perspectives* (2002): 387-408.

during negotiating family relations. The phenomenon of half/step siblings' rivalry, preferential treatment among wives and gender discrimination among children is mostly ignored. Providing equal maintenance for wives is considered the major responsibility of polygamous men which they always remain unable to provide justly. The following hypotheses arise under the major findings of this study.

1. Cousin marriage under family pressure is most likely to lead the husband towards second marriage in reaction and retaliation against the eldefour's decision of forced marriage. To end discriminatory practice of polygamy, the culture of forced marriage should be discouraged.
2. Infertility of first wife becomes a cause for second marriage for men in patriarchal societies like Pakistan. The prime purpose of marriage in patriarchal societies like Pakistan is considered procreation not companionship and this phenomenon leads first wife to compromise in polygamy in case of infertility.
3. Inability of first wife in giving birth to a male child becomes justification for the second marriage for the husband particularly in land owning families to have a male heir to inherit the family property.
4. First marriage with an older woman leads the husband to a second marriage with a younger woman at later years where polygamy is permitted.
5. Above all, men consider it as their right and a privilege they have at their disposal, as they get support from patriarchal interpretations of religious texts and overall cultural support towards polygamy, which they can exercise when and where they want.
6. Lastly, verses from Surah 4 of the holy Qur'an are presented as an excuse, which, as discussed earlier are restrictive in nature rather than permissive.

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