

The Polygamy Concept in the Qur'an Perspective

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Abstract. Polygamy, the marriage practice in which a man has more than one wife, has become a controversial topic debated in various societies, including in the context of religious teachings. This research aims to explore the Qur'anic perspective on polygamy and its implications for Muslim individuals, families, and communities. Through analysis of verses from the Qur'an relating to polygamy, this research highlights the legal aspects, conditions, and objectives of this practice within the framework of Islamic values. The research results show that the Qur'an permits polygamy with strict provisions, emphasizing the need for fair treatment of the wives one has. Although the Qur'an gives permission, this research emphasizes that polygamy should not be considered as a primary option, but rather as a last solution in certain circumstances. By highlighting the moral and social responsibilities inherent in men who choose polygamy, the Qur'an emphasizes the importance of maintaining balance and justice in domestic life. This study contributes to a deeper understanding of the Qur'anic view of polygamy, discussing the dimensions of ethics, justice, and responsibility in the context of the Islamic family and society. Thus, this research seeks to present a richer view of polygamy as a complex aspect of life, embodied in deep Islamic values.

Keywords: Concept; Marriage; Polygamy; Qur'an.

1. Introduction

Polygamy is one of the classic topics that is always interesting to discuss. Moreover, Indonesia, which has a majority Muslim population, has not adopted an Islamic legal system. Various points of view are put forward to provide solutions to the problems that arise due to polygamy cases. A significant effort to overcome this problem is to regulate it in the form of statutory regulations that can be legally accepted as a legal basis. Through the Compilation of Islamic Law (KHI), the government offers a solution so that various problems relating to Islamic law, including polygamy, can be resolved.

KHI itself was formulated and formulated by referring to various fiqh studies across schools of thought. At least, KHI accommodates four schools of thought (al-madzahib al-arba'ah) which are the main reference for ulama in deciding a legal case, namely the Hanafi, Maliki, and Syafi'i and Hanbali schools of thought. Even though it has been regulated in detail, Muslims still often debate whether the legal provisions are by what Allah decreed in the Qur'an[1].

One of the natures of earthly creatures called humans created by the Kholiq is that they live in pairs, therefore whenever and wherever they are, in time they will look for each other and find their respective partners, likewise if the natural law of passing down generations has functioned not one human who can hinder it. One of the functions that cannot be separated from humans is that they are creatures of society. Ibnu Khaldun also once said that humans must be born amid society and it is impossible to live unless they are together with that society¹.

2. Research Methods

This research can be started by researching literature related to polygamy in the Qur'an, including the verses that discuss it. Sources such as tafsir of the Al-Qur'an, hadith books, and works of ulama can be used as references to understand the Al-Qur'an's perspective on polygamy. Narrative analysis can be used to analyze stories in the Qur'an that are related to polygamy, such as the stories of the Prophet Ibrahim, Prophet Solomon, or the Prophet Muhammad. This analysis can help understand the context and message contained in polygamy in the Qur'an. It is important to understand in the context of the study discussed following the principles of qualitative research, such as flexibility in data collection and interpretation, as well as the researcher's reflection in the research process.

3. Results and Discussion

3.1 Understanding Polygamy

Etymologically, polygamy comes from the Greek poly or *polus* which means many, and *gamein* or *gamos* which means marriage. In Arabic, the term used for polygamy is *ta'addud az-zaujat*. From a linguistic perspective, polygamy means many marriages or marriages which is more than one person². People often use the term polygamy when talking about husbands who have more than one wife. The use of this term is not one hundred percent wrong, but it is also not

¹ Muhammad Amin Suma, *Hukum Keluarga Islam diNegara Muslim*, (Jakarta: Raja Grafindo Persada, 2005), hlm. 1

² Dewan Redaksi Ensiklopedi Islam, *Ensiklopedi Islam Jilid 4, Cet. 2*, (Jakarta: Ichtiar Baru Van Hoeve, 1994), hlm. 107

completely correct. In fact, in the United States itself, this misunderstanding still often occurs because of the use of the term polygamy or polygyny in Mormon society³. In *The Encyclopedia Americana*, it is stated that:

“There are two types of polygamy polyandry and polygyny. Polyandry is the sharing of a single wife by two or more husbands at the same time. When the husbands of a woman are, by choice, brothers, the polyandry is called adelphic, or fraternal, polyandry. Polygyny exists when a man has two or more wives at the same time. If the wives are, by preference, sisters, the marriage form is called sororal polygyny. Since polygynous marriages were called polygamy in Mormon society, polygamy has often been confused with polygyny, particularly in the United States.”⁴

As mentioned above, terminologically, there are two types of polygamy, namely polyandry and polygyny. Polyandry is a wife who has two or more husbands at the same time. If the wife's husbands are brothers, then it is called male polyandry male brothers (fraternal polyandry). Meanwhile, polygyny is a man who has two or more wives at the same time. If the wives are sisters, then the marriage is called sororal polygyny⁵.

3.2. Proposition of its relation to polygamy

In the Al-Qur'an, the verse that is often used as a legal argument for polygamy is QS. An-Nisa' verse 3. Allah's word allows polygamy as a way out of the obligation to do justice which may not be fulfilled towards orphans. In the past, Arabs liked to marry orphaned girls they looked after so that they could share in their wealth and not have to pay a dowry. To avoid this injustice, a man is allowed to marry up to two to four other women⁶. In this context, the type of polygamy referred to in the verse of the Qur'an is polygyny. Meanwhile, polyandry itself is prohibited by Islam. However, if this verse is used as a reference, the understanding obtained will be less than complete. In the context of the reasons for polygamy, it is also necessary to explain the verses before and after it. In full, God's word about polygamy can be seen in QS. An-Nisa' verses 1-4 and 127-130.

³ Gereja Yesus Kristus dari Orang-orang Suci Zaman Akhir (The Church of Jesus Christ of Latter-day Saints) merupakan nama resmi dari Gereja Mormon. Aliran gereja ini didirikan oleh Joseph Smith pada 6 April 1830 M. Pengikut Mormon memercayai bahwa Joseph Smith adalah nabi di zaman modern, sebagaimana Musa dan Abraham di zaman Alkitab. Lihat, www.mormon.org/ind/tentang-kami, diakses pada Selasa, 2 Maret 2021, jam 13.00 WIB.

⁴ *The Encyclopedia Americana (International Edition)*, (Connecticut: Americana Corporation, 1980), hlm. 365

⁵ *The Encyclopedia Americana (International Edition)*, (Connecticut: Americana Corporation, 1980), hlm. 365

⁶ Ahmad Azhar Basyir, *Hukum Perkawinan Islam*, Cet. 9, (Yogyakarta: UII Press, 1999), hlm. 38

Meanwhile, in the hadith regarding polygamy, apart from those mentioned above, there is also a hadith that explains the obligation to act fairly in distributing the rights of wives. The hadith in question is as follows:

Yazid conveyed the hadith to us; Hammam bin Yahya conveyed the hadith to us; from Qatadah from An-Nadhr bin Anas from Basyir bin Nahik from Abu Hurairah from the Prophet Muhammad SAW. He said, "Whoever has two wives and is more inclined towards one of them in giving portions, then he will come on the Day of Judgment dragging one of his calves because he is lame or in a limping condition" (HR. Ahmad)⁷.

By the *munasabah* in Surah An-Nisa's verses 1-4, it is known that verse 1 talks about the creation of men and women from the same source. This indicates that there is equality between Adam and Eve. Meanwhile, Surah An-Nisa's verse 2 contains an order for Muslims to give orphans their inheritance rights and not disturb them for the sake of the guardian⁸.

In verse 3, Allah offers an alternative for men who are guardians who are worried that they will not be able to treat orphans fairly, to practice polygamy by marrying women other than the orphans who are still under their guardianship. This is intended to avoid injustice in the form of controlling the orphan's property by his guardian. In this case, the commandment of polygamy is not merely about fulfilling sexual desires, but rather is a way to uphold justice for orphans.

3.3. *Asbab An-Nuzul* Verse of Polygamy

Regarding the *asbab an-nuzul* of Surah An-Nisa' verse 3, Muhammad Ali Ash-Shabuni cited a hadith containing a dialogue between Urwah bin Zubair and Aisyah RA. Urwah asked about the word of Allah in QS. marry her. However, the way he gave the dowry was unfair, because he did not give the dowry to the orphan as he did to other women. He was used to paying expensive dowries. For this reason, he (the guardian) was ordered to marry a woman other than the orphan⁹.

Ath-Thabari stated that verse 3 is closely related to the fate of women, especially orphans. According to him, among the opinions of scholars that are close to the truth is the opinion that this verse is related to concerns about the guardian's

⁷ Ahmad bin Hanbal, *Musnad Ahmad, hadis nomor 7595, Juz 16*, (Ttp.: Maktabah Syamilah, tt.), hlm. 136

⁹ Muhammad Ali Ash-Shabuni, *Rawai' Al-Bayan fi Tafsir Ayat Al-Ahkam, Juz 2*, (Beirut: Daar al-Fikr, tt.), hlm. 420.

inability to be fair to the orphan. This concern also applies to how to treat women. So, this verse can be interpreted as, "Do not commit polygamy, unless you can treat the woman you marry fairly."¹⁰ In line with that, Al-Jasshas said that the letter An-Nisa' verse 3 is also related to the condition of orphans who are married by their guardians¹¹.

3.4. Opinions about Polygamy

According to the views of most scholars, verse 3 in Surah An-Nisa' came down after the Battle of Uhud, when many Islamic fighters died on the battlefield. As a result, many orphans and widows are left behind by their fathers and husbands. The impact is that there are quite a few orphans and widows whose lives, education, and future are neglected¹². Muhammad Baqir Al-Habsyi thinks that in the Al-Qur'an there is not a single verse that commands or recommends polygamy. The mention of this in QS. An-Nisa's verse 3 is only as side information in the context of Allah's command to treat relatives, especially orphans and their property, with fair treatment¹³.

In Al-Maraghi's view, the permissibility of polygamy in Surah An-Nisa': 3 is a permissibility that is complicated and tightened. Polygamy is only allowed in emergencies, which can only be done by people who need it. If it is felt that polygamy will have bad consequences, then it is better to avoid it, as regulated in the fiqh principle of *dar'u al-mafasid muqaddamun 'ala jalbi al-mashalih* (rejecting evil takes precedence over bringing benefit)¹⁴.

Quraish Shihab stated that Surah An-Nisa's verse 3 does not require polygamy or recommend it. regarding polygamy in the Qur'an should not be viewed in terms of ideals or good and bad, but should be seen from the perspective of establishing laws in various conditions that may occur¹⁵. Ath-Thabari, Ar-Razi, Muhammad Abduh, and Rasyid Ridha understand verse 3 of Surah An-Nisa', which is often used as the basis for the permissibility of polygamy, in the context of the treatment of orphans and married women. This means doing justice to the rights and interests of orphans and married women¹⁶.

¹⁰ Ibnu Jarir Ath-Thabari, *Jami' Al-Bayan fi Tafsir Al-Qur'an, Jilid 6*, (Beirut: Daar Al-Fikr, 1958), hlm. 155-157.

¹¹ Al-Jasshas, *Ahkam Al-Qur'an*, (Beirut: Daar Al-Kitab Al-Islamiyah, tt.), hlm. 54

¹² Khoiruddin Nasution, *Riba dan Poligami*, (Yogyakarta: Academia, 1996), hlm. 85

¹³ Muhammad Baqir Al-Habsyi, *Fiqh Praktis Menurut Al-Qur'an, As-Sunnah, dan Pendapat Para Ulama*, (Bandung: Mizan, 2002), hlm. 91

¹⁴ Al-Maraghi, *Tafsir Al-Maraghi*, (Mesir: Musthafa Al-Babiy Al-Halabiy, 1963), hlm. 181

¹⁵ M. Quraish Shihab, *Tafsir Al-Mishbah*, (Jakarta: Lentera Hati), 2002, hlm. 410

¹⁶ Nurjannah Ismail, *Perempuan dalam Pasungan*, (Yogyakarta: LKiS, 2003), hlm. 328-329

This principle of justice was emphasized by Muhammad Abduh when he issued a fatwa on polygamy. As quoted by Ali Ahmad Al-Jurjawi in his book, *Hikmah At-Tasyri' wa Falsafatuhu*, the fatwa put forward by Abduh in 1298 H contained the statement that the Islamic law brought by the Prophet indeed allowed a man to marry four women at once, if he was able to measure and know his ability to do justice. If you cannot afford it, you are not allowed to have more than one wife. Because, if a husband cannot give his wife her rights, the household structure will be damaged. Likewise with the foundation of a family's livelihood. The main pillar in managing household life is the existence of unity and mutual love between family members¹⁷.

Several opinions regarding polygamy among Muslim academics show differences. Even though these different opinions both refer to the Qur'an to legitimize their respective views. This is in line with Miriam Kocktvedgaard Zeitzen's statement that the interpretation of verses from the Qur'an tends to become a field of contestation between supporters and opponents of the legality of polygamy in Islamic teachings.

4. Conclusion

From the description above, it can be concluded that with the Maudlu'i interpretation approach, polygamy in the perspective of the Qur'an is not prohibited, nor is it recommended, let alone ordered, but is only permitted with very strict conditions, including being able to act fairly between wives and wives. his wife and to protect women (widows) who have children. This means that men who meet the requirements are allowed to practice polygamy. Likewise, vice versa.

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