Understanding the Context of Polygamy in Early Islamic Civilization: A Study of Islamic Law, Social Context, and the Practices of the Prophet

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Abstract

Polygamy is a crucial topic in both classical and contemporary Islamic studies, especially in the context of gender justice and family law. This study aims to examine polygamy in the history of early Islamic civilisation through three main aspects: (1) normative analysis of the verses of the Qur'an that regulate polygamy, particularly QS. An-Nisa' verses 3 and 129; (2) the socio-cultural contextualisation of pre-Islamic and prophetic Arab society that underlies these regulations; and (3) an examination of the Prophet Muhammad's practice of polygamy as an applicable model of Sharia law. The issues examined include: the normative message of the verses on polygamy; how the social context influences Sharia policy; and how the Prophet's practice affirms moral and social principles in polygamy. This study uses a qualitative method based on library research with a maqāṣidī interpretation approach, contextual hermeneutics, and historical analysis

of texts and practices. The results show that polygamy in early Islam was a form of regulation of pre-Islamic practices, with very strict limitations based on multidimensional justice. The practices of the Prophet Muhammad SAW prove that polygamy was not a general recommendation, but rather a solution in certain social conditions, particularly for the protection of women and social reconciliation. In conclusion, polygamy in early Islam was a dispensation (rukhṣah) that could only be justified if certain moral, social, and spiritual conditions were met, not as an ideal norm. These findings emphasise the importance of a contextual approach in re-reading normative texts to respond to current socio-cultural challenges.

Keywords: *Polygamy, Early Islam, Qur'anic Interpretation, Prophet Muhammad*

Abstrak

Poligami merupakan salah satu topik krusial dalam studi Islam klasik maupun kontemporer, terutama dalam konteks keadilan gender dan hukum keluarga. Penelitian ini bertujuan untuk mengkaji poligami dalam sejarah peradaban Islam awal melalui tiga aspek utama: (1) analisis normatif terhadap ayat-ayat Al-Qur'an yang mengatur poligami, khususnya QS. An-Nisa' ayat 3 dan 129; (2) kontekstualisasi sosial budaya masyarakat Arab pra Islam dan masa kenabian yang melatarbelakangi regulasi tersebut; dan (3) telaah atas praktik poligami Nabi Muhammad SAW sebagai model aplikatif syariat. Permasalahan yang dikaji mencakup: bagaimana pesan normatif ayat-ayat poligami; bagaimana konteks sosial memengaruhi kebijakan syariat; serta bagaimana praktik Nabi menegaskan prinsip moral dan sosial dalam poligami. Penelitian ini menggunakan metode kualitatif berbasis studi pustaka (library research) dengan pendekatan tafsir maqāṣidī, hermeneutika kontekstual, dan analisis historis terhadap teks dan praktik. Hasil penelitian menunjukkan bahwa poligami dalam Islam awal merupakan bentuk regulasi terhadap praktik pra Islam, dengan batasan yang sangat ketat berbasis keadilan yang bersifat multidimensional. Praktik Nabi Muhammad SAW membuktikan bahwa poligami bukan anjuran umum, melainkan solusi dalam kondisi sosial tertentu, khususnya untuk perlindungan perempuan dan rekonsiliasi sosial. Kesimpulannya, poligami dalam Islam awal adalah dispensasi (rukhṣah) yang hanya dapat dibenarkan bila memenuhi syarat-syarat moral, sosial, dan spiritual tertentu, bukan sebagai norma ideal. Temuan ini menegaskan pentingnya pendekatan kontekstual dalam membaca ulang teks-teks normatif untuk menjawab tantangan sosial-kultural masa kini.

Kata kunci: *Poligami, Islam Awal, Tafsir Al-Qur'an, Nabi Muhammad*

Introduction

The issue of polygamy in Islam is a topic that continues to spark lengthy debates, both in academic and social circles, as well as within the framework of family law regulations in Muslim-majority countries. In the Qur'an, polygamy is explicitly mentioned in Surah An-Nisa'

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verses 3 and 129, which allow the practice on the main condition of fairness.[1] However, the justice referred to is not only in material terms, but also includes aspects of attention and equal treatment. The Qur'an's emphasis on the condition of justice indicates that polygamy is not a freely recommended norm, but rather a form of dispensation (rukhṣah) in certain social conditions with strict moral boundaries.[2]

The controversy surrounding polygamy has become increasingly prominent when the practice is linked to the example set by the Prophet Muhammad SAW. One of the common arguments that often arises is that polygamy is part of the Prophet's sunnah that should be followed. This view has sparked debate about the extent to which the Prophet's practice of polygamy can be used to legitimize it in the context of modern society. Therefore, it is important to position this controversy as a key issue that needs to be explored in depth, particularly by examining how the Prophet's practice of polygamy was contextualized in his time and what the actual purpose of the practice was. In a historical context, the practice of polygamy by the Prophet Muhammad SAW was not solely driven by personal motives, but had strong social, political, and humanitarian dimensions. Understanding the historical context and moral purpose behind this practice is important so that interpretations of polygamy are not limited to textual interpretations alone, but also take into account the values of ethics, justice, and social welfare as emphasized in Islamic teachings.

Nevertheless, the practice of polygamy by the Prophet Muhammad SAW is often used as a justification for the legitimacy of this practice in contemporary society. In fact, the social, political, and humanitarian context of the Prophet's marriages is often ignored in popular religious discourse. Most of the Prophet's wives were widows in need of protection, or part of a socio-political strategy to create stability and reconciliation between tribes after conflict and war.[3] Therefore, the interpretation of polygamy in Islam cannot

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[1] Erma Sauva Asvia. *Konsep Adil Poligami Dalam QS an-Nisa: 129*. An-Nahdhah, Jurnal Ilmiah Keagamaan dan Kemasyarakatan 13.2 (2020): 270-288.

[2] Mutho, Izzul. "*Konstruksi Hukum Poligami Dalam Pemikiran KH Husein Muhammad: Telaah Normatif-Kontekstual.*" USRAH: Jurnal Hukum Keluarga Islam 6.3 (2025): 186-201.

[3] Erwanda Safitri, "*Pemahaman Hadis tentang Poligami (Sebuah Kajian Teologis terhadap Hadis-hadis Sosial tentang Poligami)."* Jurnal Studi Ilmu-ilmu Al-Qur'an dan Hadis 17.2 (2016): 200.

be separated from the historical dimension of early Islamic civilisation, which shaped the context in which the verses and prophetic practices were born.

This study examines several fundamental questions, including: what is the content and normative message of QS. An-Nisa 'verses 3 and 129 regarding polygamy; how did the social context of pre-Islamic and early Islamic Arab society influence these regulations; how the practice of polygamy by the Prophet Muhammad SAW reflects the principles of justice, morality, and the social function of Islamic law; and what are the academic and social implications of a contextual understanding of polygamy in contemporary Islamic law. These questions arise not only from academic curiosity, but also from the contextual need to develop an Islamic legal system that is relevant to modern social challenges, particularly in the protection of women and children.

The scientific novelty of this research lies in the integration of normative analysis of the Qur'anic text, contextualization of pre-Islamic and prophetic Arab socio-cultural history, and a study of the Prophet Muhammad's practice of polygamy as a form of social application of Sharia. This approach differs from most previous studies, which tended to discuss only legal-formal aspects or comparative interpretations. This study combines a maqāṣidī (sharia-based) interpretation approach, contextual hermeneutics, and historical-sociological analysis of the dynamics of society during the revelation and lifetime of the Prophet. Thus, this study not only offers normative legal discourse, but also revives the moral and social spirit of Islamic teachings that are progressive and protect vulnerable groups.

Methodologically, this research is a qualitative library-based study using primary sources in the form of verses from the Qur'an, authentic hadiths in the books Sunan Abi Daud and Sunan Al-Baihaqi, the classical tafsir book Al-Jāmi' li Aḥkām al-Qur'ān by Abu Abdullah Muhammad Al -Qurṭubī, Abul Fida`, Tafsir Ibnu Katsir by Ismail bin Umar bin Katsir al-Quraisyi al-Dimasyqi and contemporary tafsir Tafsīr al-Manār by Muhammad 'Abduh & Rasyid Rida, Rawai`ul Bayan by Muhammad Ali Al-Shobuni, Tafsir Munir by Wahbah al-Zuhayli and literature on the Sirah Nabawiyyah. Secondary sources include academic journals on the study of polygamy from the perspective of Islamic law and the history of Islamic law, books on Islamic law, and scientific papers that examine polygamy from a sociological and gender

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perspective. The analysis was conducted using a thematic and contextual approach, reinforced by the principle of maqāṣid al-syarī'ah as the basis for interpretation and ethical assessment of the practice of polygamy. Through this approach, this study is expected to make a valuable academic contribution to the discourse on Islamic family law, particularly in affirming that polygamy is not an ideal norm in Islam, but rather a contextual response to specific social conditions that are fraught with moral demands and substantive justice.

Normative Analysis of QS. An-Nisa' Verses 3 and 129

In Islamic legal studies, understanding the verses of the Qur'an that regulate polygamy must be done comprehensively by considering the socio-historical context, the objectives of Sharia law, and the differences in interpretation that have developed over time. The two verses that form the main basis for discussing polygamy are QS. An-Nisa 'verse 3 and verse 129, which together form a normative framework regarding the permissibility, limitations, and principles of justice in the practice of polygamy.

Al-Nisa'[4]: 3 reads: "*And if you fear that you will not be able to deal justly with orphan girls (if you marry them), then marry women of your choice, two or three or four. But if you fear that you will not be able to treat them fairly, then (marry) only one, or the slaves you own. That is more likely to prevent you from doing injustice*."

This verse was revealed in the midst of an Arab society with very unequal social conditions, especially regarding the rights of orphan girls who were often exploited by their guardians or relatives. In this context, the verse not only permits limited polygamy up to four wives but also emphasizes the absolute requirement of treating all wives fairly. If one cannot be fair, it is recommended to marry only one woman, affirming that monogamy is a more appropriate alternative in line with the principle of justice.[4]

Classical Quranic exegetes (mufassir) such as al-Ṭabarī, al-Qurṭubī, and Ibn Katsīr interpret this verse as a legal permissibility governing the practice of polygamy, emphasizing that the required justice primarily concerns material aspects such as financial support, housing, and equal physical treatment between wives. Al-Qurṭubī asserts that justice in this verse does not include

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[4] Ahmad bin Ali al-Razi al-Jasshos, *Ahkam al-Quran*, Maktabah Syamilah (Beirut: Dar Ihya` Turats Arabi, 2005), Juz 2, 341.

aspects of love or affection that are emotional in nature, as these are considered beyond human control.[5] Ibn Katsir also states the same thing, that humans are incapable of being fair in all aspects. Even if they are able to be fair in the distribution of financial support and time, it will still be difficult to be fair in terms of love, lust, and sexual intercourse.[6]

Although perfect justice is difficult to achieve, polygamy is still permissible as long as there is no obvious injustice towards one of the wives. In other words, classical interpretations tend to view polygamy as a permissible model of marriage on the condition that one is able to be fair in matters that are within human capacity, namely those related to concrete and material things. Classical exegetes do not reject polygamy as long as this condition is met.

However, QS. An-Nisa 'verse 129 provides an important perspective that shows the limitations of humans in upholding full justice in the context of polygamy:*"And you will never be able to be fair between your wives, even if you want to do so..."* (QS. An-Nisa ': 129)

This verse emphasizes that justice in the perfect sense, especially when it includes abstract immaterial aspects such as love and affection, is impossible to achieve perfectly. Classical exegetes acknowledge this as a recognition of human limitations,[7] but do not consider it a reason to prohibit polygamy, as long as the injustice does not cause clear oppression or discrimination. In contrast to the classical approach, contemporary exegetes such as Muhammad 'Abduh, Wahbah al-Zuhayli, Nasaruddin Umar, and Quraish Shihab interpret these two verses with a more contextual and ethical approach. They see these verses not as a normative encouragement of polygamy, but as strict limitations that actually encourage Muslims to choose monogamy as the most just and ideal model of family relationships. Muhammad 'Abduh and Rasyid Rida, in Tafsir al-Manar, explicitly state that the permission for polygamy in Surah al-Nisa' verse 3 is a form of restriction on the uncontrolled practice of polygamy in pre-Islamic times, and not a command to always practice polygamy. Even in the context of modern society, they consider the practice of

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[5] Abu Abdullah Muhammad Al-Qurṭubī, *Al-Jāmi' li Aḥkām al-Qur'ān*, Maktabah Syamilah (Beirut: Dār al-Kutub al-'Ilmiyyah, 2000), Juz 14, hlm. 216.

[6] Abul Fida` Ismail bin Umar bin Katsir al-Quraisyi al-Dimasyqi, *Tafsir Ibnu Katsir*, Mesir, Dar Toyyibah, 2001 Juz 2, 430.

[7] Abul Fida` Ismail bin Umar bin Katsir al-Quraisyi al-Dimasyqi, *Tafsir Ibnu Katsir*, Mesir, Dar Toyyibah, 2001 Juz 2, 430.

polygamy to cause more problems than social benefits.[8]

According to Muhammad Ali Al-Shobuni, in the issue of polygamy, it must be understood that Islam seeks to reform the inhumane tradition of polygamy, which is solely oriented toward lust. He believes that there are compelling reasons why polygamy is categorized as an emergency, such as when a wife is infertile or ill and unable to serve her husband.[9] Quraish Shihab emphasizes that this verse does not establish a rule regarding polygamy, as polygamy was already known and practiced by religious law and customs prior to this. This verse also does not require or encourage polygamy; it only discusses the permissibility of polygamy, and even then, it is a small emergency door that can only be passed through when absolutely necessary and with strict conditions.[10] Wahbah al-Zuhayli, in Tafsir Munir, writes that Islam permits polygamy in cases of emergency or necessity, subject to certain rules.[11]

From the various interpretations of scholars regarding polygamy, it can be concluded that there is a paradigm shift between classical interpretations that are more legalistic and contemporary interpretations that are more ethical and contextual. Classical interpretations tend to emphasize the permissibility of polygamy with the limitation of material justice, while contemporary interpretations emphasize that the main objective of the Qur'an is substantive justice, which includes psychological and social aspects, so that monogamy is more recommended. In the modern social context, where the conditions for justice are difficult to fulfill and the protection of women's rights is increasingly prioritized, the normative interpretation of these two verses leads to the restriction or even avoidance of the practice of polygamy as a form of respect for the values of justice and equality.

The Social Context of Polygamy in Pre-Islamic and Early Islamic Arabia and Its Influence on Regulations in the Qur'an and Hadith

Polygamy has been an integral part of the social structure of pre-Islamic

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[8] Muhammad 'Abduh & Rasyid Rida, *Tafsīr al-Manār*, Juz 4 (Kairo: Al-Manār, 1927), 286.

[9] Muhammad Ali Al-Shobuni, *Rawai`ul Bayan,* Damaskus, Maktabah Al-Ghazali, 2010, 429.

[10] MQuraish Shihab, *Wawasan al-Qur'an: Tafsir Maudhu'i atas Pelbagai Persoalan Umat,* (Bandung, Mizan, 2008), 198.

[11] Wahbah al-Zuhayli, *Tafsir Munir,* (Bairut, Darul Fikr, 2000), Juz 4, 240

Arab society. During the Jahiliyyah period, this practice was carried out without any restrictions on the number of wives, and was based more on economic and political interests, as well as the social status of men in society. Women were often positioned as objects of power relations between tribes. They could be married to strengthen tribal alliances, inherited as part of property, or used as a means of expanding the family line.[12] According to Sheikh Mutawalli asy-Sya'rawi, before Islam, women lived without guaranteed rights, without honor, and without authority over themselves. They were viewed as objects, not as free individuals.[13] In this context, there were no legal regulations governing the rights of wives and children, creating a clear structural imbalance for women and orphans. The injustice arising from the practice of jahiliyyah polygamy is one of the important backgrounds in understanding the regulation of polygamy in Islamic law.[14]

The arrival of Islam brought social reform rooted in the principles of justice, protection of vulnerable groups, and enforcement of moral responsibility. When the revelation was sent down, Islam did not immediately abolish the deeply rooted practice of polygamy, but rather reformed it gradually and contextually. One of the most important forms of regulation is found in QS. An-Nisa verse 3, which limits the maximum number of wives to four and requires fairness in treating them. This verse was revealed in the context of the rampant practice of marrying orphaned women, whose rights were often neglected.[15] Thus, the verse does not merely discuss numbers, but is also a moral call for men to be fair and not arbitrary towards women, especially those who have no social protection.

The limitation on the number of wives in the Qur'an marks a major change from the uncontrolled practices of the past. However, what is more significant is the emphasis on the requirement of fairness inherent in the practice of polygamy itself. The justice referred to here encompasses not only material aspects such as the distribution of financial support and living ar-

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[12] Muhammad Jafar Shiddiq, *Sejarah Tradisi Budaya Poligami di Dunia Arab Pra-Islam*, *Titian: Jurnal Ilmu Humaniora*, Vol. 7, No. 1, 2023, 5.

[13] Muhammad Mutawalli Asy Sya`rawi, *Fiqh Mar`ah Muslimah,* Kairo, Maktabah Taufiqiyah, 2020, 8-11.

[14] Muhammad Jafar Shiddiq, *Sejarah Tradisi Budaya Poligami di Dunia Arab Pra-Islam*, *Titian: Jurnal Ilmu Humaniora*, Vol. 7, No. 1, 2023, 6.

[15] Abu Abdillah Muhammad bin Umar bin Hasan bin Husain Ar-Rozi, *Tafsir Mafatihul Ghoib*, Beirut, Dar Ihya Turast Arabi, 2000, Juz 1, 890.

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rangements, but also non-material aspects such as attention, affection, and time. This is a very demanding requirement, as indicated by another verse in Surah An-Nisa verse 129, which states that complete justice in terms of feelings is difficult to achieve. Thus, even though polygamy is permitted, Islam subtly directs its followers towards monogamy as a safer choice in terms of ethics and responsibility.

The hadits of the Prophet Muhammad further clarify Islam's orientation in regulating polygamy. In one account, it is said that a companion named Ghailan bin Salamah had ten wives when he converted to Islam. The Prophet asked him to divorce six of them and keep only four, in accordance with the maximum limit that had been set.[16] This shows that the limit was not merely theoretical, but was actually applied in early Islamic society. Another hadith even states that anyone who has two wives but does not treat them equally will come on the Day of Judgment with one leg lame.[17] This shows that fairness in polygamy is not only a legal obligation, but also has spiritual and eschatological consequences.

Within the framework of *maqasid al-shari'a*h, according to Ibn Ashur, the regulation of polygamy in accordance with the guidance of the Quran and Hadith can be understood as part of protecting offspring, helping women who may not otherwise find a spouse to do so, and minimizing divorce and adultery.[18] By limiting the number of wives and requiring fairness, Islam seeks to prevent the oppression of women and encourage full responsibility from men as heads of families. This regulation also serves to protect orphans and women who have lost social protection, who in pre-Islamic times were often victims of exploitation.

Understanding of polygamy regulations cannot be separated from the historical and social context in which Islam was revealed. Polygamy is not an exclusive teaching of Islam, but rather a social phenomenon that has been redefined in accordance with the values of justice, equality, and protection. Islam treats polygamy not as an absolute commandment, but as a highly conditional option, which can only be exercised if the main conditions, especially

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[16] Imam al-Baihaqi, *Sunan Kubro Lil Baihaqi* , Damaskus : Darut Tauqi an-Najah, 2002, Juz 7, 181.

[17] Abu Daud Sulaiman, *Sunan Abi Daud,* Bairut: Dar Fikr, 2000, Juz 2, 198

[18] Ibnu Asyur, *al-Tahrīr wa al-Tanwīr*, Jilid II, Juz IV, 227.

justice, can be fulfilled. [19] Thus, from a normative Islamic perspective, polygamy is more of a great responsibility than simply a male right.

In conclusion, the regulation of polygamy in Islam is the result of a response to past social practices that were full of inequality. Islam came with a reforming approach, not a total abolition. The regulations contained in the Qur'an and Hadith are a form of protection for women and children, as well as part of the greater goal of Sharia law to achieve social and moral justice in family life. In the current context, reinterpretation of the verses on polygamy needs to be continuously carried out by taking into account the maqasid syariah and the ever-evolving social reality, so as not to perpetuate practices that are contrary to the values of justice that are at the core of Islamic teachings themselves.

The Practice of Polygamy by the Prophet Muhammad SAW

Polygamy in Islam is often a controversial issue, especially in the discourse on gender equality and women's rights. However, it is important to understand that polygamy is not an innovation that originated in Islam, but rather a practice that has long existed in pre-Islamic Arab society and in earlier societies in other parts of the world such as India, China, Egypt, and other countries.[20] What Islam brought was regulation and restrictions on the practice in order to uphold justice, morality, and social function within the structure of society.[21] One of the most representative examples of the practice of polygamy that reflects these noble values is that practiced by the Prophet Muhammad SAW. Through his family life, the Prophet showed that polygamy in Islam is not merely a right for men, but a great responsibility bound by noble Sharia principles.

Historically, the Prophet Muhammad SAW was only married once, to Khadijah binti Khuwailid, for 25 years, and remained monogamous even though he was culturally permitted to practice polygamy.[22] It was only after

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[19] Asmu'i et al., *Konsep Keadilan Islam pada Ranah Poligami dalam Al-Qur'an Perspektif Wahbah al-Zuhaili, Kamaya: Jurnal Ilmu Agama,* Vol. 7, No. 1, 2024.

[20] Abdullah Nasih `Ulwan, *Ta`adudu al-Zaujat fil Islam wal Hikmah min Ta`addudi Azwaj al-Nabi,* Kairo: Dar al-Salam, 2001, 11.

[21] Abdul Tawwab Haikal, *Ta`addudu al-Zaujat fil Islam wa Hikmah Ta`addud fi Azwaj al-Nabi,* Bairut: Dar al-Qolam, 2010, 62

[22] Abdul Tawwab Haikal, *Ta`addudu al-Zaujat fil Islam wa Hikmah Ta`addud fi Azwaj*

Khadijah's death that the Prophet practiced polygamy, and even then, it was for various social, political, and humanitarian reasons. When the Prophet practiced polygamy, he was already over fifty years old. Of the eleven wives of the Prophet recorded in the literature of hadith and sirah, most were widows and women who had previously experienced social suffering such as war, poverty, or loss of family protection. Among the Prophet's wives, only Aisha was a virgin.[23]

The principle of justice is an absolute requirement in the practice of polygamy carried out by the Prophet Muhammad SAW. The Qur'an in Surah An-Nisa verse 3 clearly states that a man may marry up to four women, but on the condition that he treats them fairly. Justice in this context does not only mean the distribution of material things such as financial support and housing, but also includes attention, affection, and time. The Prophet, in his daily life, showed extraordinary adherence to this principle.[24] In one account, it is mentioned that he had a regular and balanced schedule for visiting each of his wives, and if he wanted to deviate from that schedule, he would ask for permission first.

However, emotional justice or justice in terms of love cannot be fully controlled by humans, and the Qur'an also acknowledges this in Surah An-Nisa verse 129. It is also mentioned in a hadith narrated by Imam Abi Dawud from 'Aisha that the Prophet Muhammad himself prayed, "O Allah, this is my distribution of what I have. So do not blame me for what You have and I do not have."[25] This hadith emphasizes that the Prophet was very strict in maintaining outward justice (financial support, turns, attention) even though inner love cannot be regulated, and this shows that he was also aware of human limitations in terms of feelings, but still tried his best not to wrong his wives.

More than just fairness, the Prophet's practice of polygamy also reflects high moral principles. He never married solely out of lust, as is often misunderstood by some people. In fact, most of his wives were older widows, not young girls, which illustrates his social mission rather than personal inter-

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al-Nabi, 118

[23] Sholeh al-Maghamisi, *Kitab Ayyamin Nadlroh Fi Siroh al-Uthroh,* https://shamela.ws/book/37741/37, 11

[24] Hadis riwayat At-Tirmidzi, no.1140, An-Nasa'i No. 3943 dan Ibnu Majah, No. 1971

[25] Sulaiman Ibn 'Asy'ats Ibn Ishaq, *Sunan Abi Dawud, no. 1822*

ests. For example, his marriage to Saudah bint Zam'ah took place after the death of Khadijah, where the Prophet needed a companion for his household and Saudah needed protection after her husband died during the hijrah.[26] Similarly, it is mentioned in a hadith narrated by Imam Malik from Rabi'ah bin Abi Abdirrahman from Ummu Salamah, who said: "When Abu Salamah died, I said, 'Who is better than him?' Not long after, the Messenger of Allah ◎ proposed to me.[27]

The Prophet's marriage to Ummu Salamah took place after her husband was killed in the Battle of Uhud, while she had many children. In this case, the Prophet provided a safe place, both socially and economically, for a warrior's widow. This marriage shows how Islamic morality is manifested in the form of social responsibility, not exploitation of women. Even his marriage to Zainab bint Jahsh, who was once the wife of Zaid bin Harithah (the Prophet's adopted son), was a form of abolishing the jahiliyyah tradition that considered adopted children to have the same blood status. With this marriage, Islam emphasized that adopted children did not have the same legal status as biological children in terms of inheritance and mahram, thereby correcting the legal structure of Arab society at that time.[28]

From the perspective of the social function of Islamic law, the Prophet's polygamy played a major role in building the social-political network of Muslims, which was still weak at that time. For example, his marriage to Juwairiyah bint al-Harith, the daughter of the chief of the Banu Musthaliq tribe, caused all members of her tribe to convert to Islam.[29] As narrated by Imam Abu Dawud from 'Aisha, she said: "When the Messenger of Allah ◎ captured the Bani Musthaliq, Juwairiyah bint al-Harith became a captive of Tsabit bin Qais.[30] She asked the Prophet ◎ for help. The Prophet said, 'Would you like me to ransom you and marry you?' ... After the Prophet married her, the Muslims said, 'They are the in-laws of the Messenger of Allah ◎.' So

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[26] Abdul Tawwab Haikal, *Ta`addudu al-Zaujat fil Islam wa Hikmah Ta`addud fi Azwaj al-Nabi*, 119

[27] Malik Ibn Anas, Sahih Muslim, No. 560

[28] Malik Ghulam Murtadla, *Ta`addudu Zaujati Rasulillah*¸ Madinah, Majallah al-Jami`ah al-Islamiyah, 158 https://shamela.ws/book/22993/27.

[29] Abdullah Nasih `Ulwan, *Ta`addud al-Zaujat fil Islam wal Hikmah min Ta`addudi Azwaj al-Nabi*, Kairo: Dar al-Salam, 2001, 57.

[30] Muhammad al-Ghazali, *Fiqh Siroh Lil Ghazali*, Damaskus, Darul Qolam, 2006, 440, https://shamela.ws/book/23659/426.

they released their captives. We have never seen a woman who brought more blessings to her people than Juwairiyah.[31]

Similarly, the marriage to Shafiyyah bint Huyay, who came from the prominent Banu Nadhir (Jewish) family, had implications for reconciliation after the Battle of Khaybar. In this context, polygamy became an instrument of diplomacy and social integration that created peace amid inter-tribal and inter-religious conflict. It also showed that Islam was not discriminatory towards people of other ethnicities (Safiyyah was a descendant of Prophet Harun, peace be upon him), and opened the door to reconciliation with the Jewish community, which had previously been hostile to Muslims.[32] The Prophet's marriage to Shafiyyah bint Huyay also has moral significance, namely respect for women who were oppressed by war, elevating their status from captives to wives of the Prophet.[33]

Therefore, the Prophet Muhammad's polygamy should not be viewed narrowly in terms of the legality of the number of wives, but must be understood in the context of his prophetic mission. The main objective was not to satisfy desire, but to uphold the values of justice, elevate the status of women, build social alliances, and spread the message of Islam more widely. Polygamy in this context is a tool for da'wah, community strengthening, and the realization of maqasid al-shariah.

This also shows that Islamic law is not rigid, but is always closely related to moral and social values. Law in Islam not only regulates relationships between individuals, but also contains a vision of society. When the law of polygamy is applied without the principles of justice, without morality, and without a clear social function, then it is not a reflection of the practice of the Prophet Muhammad SAW, but a deviation from the true teachings.

In the current context, the practice of polygamy should be returned to its original spirit as a form of great responsibility that is not only legal, but also moral and social. Every individual who wishes to practice polygamy must question the extent to which they are able to emulate the Prophet in terms of justice and responsibility. Islam does not only regulate what is per-

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[31] Sulaiman Ibn 'Asy'ats Ibn Ishaq, *Sunan Abi Dawud, no. 3429*

[32] Abdullah Nasih `Ulwan, *Ta`addud al-Zaujat fil Islam wal Hikmah min Ta`adudi Azwaj al-Nabi*, 59.

[33] Malik Ghulam Murtadla, *Ta`adudu Zaujati Rasulillah¸* Madinah, Majallah al-Jami`ah al-Islamiyah, 107, https://shamela.ws/book/22993/27.

missible and what is not, but more than that, Islam instills ethics and morality in every form of social relationship.

As a conclusion, the practice of polygamy by the Prophet Muhammad SAW is a tangible manifestation of the noble values of Islam. He did not merely enforce the law, but instilled the meaning and value behind the law itself. Therefore, anyone who wishes to follow in the footsteps of the Prophet's polygamy must first emulate his spiritual qualities, social responsibility, and moral integrity. Without all of that, polygamy will only be a rigid shadow of Islamic law that has lost its spirit.

Academic and Social Implications of Contextual Understanding of Polygamy in Contemporary Islamic Law

Contextual understanding of polygamy in contemporary Islamic law argues that polygamy is not a compulsory precept but rather an option that is permissible only under certain conditions,[34] particularly when the husband is capable of realizing justice. In modern societies, the practice of polygamy often generates negative outcomes for family members, especially women and children. In interpreting Islamic law, a balance is required between the sharīʿah texts and social realities to ensure justice and family welfare, while recognizing that patterns of practice in real life frequently deviate from the ideal of justice demanded by Islamic norms.[35]

Although justice is an absolute condition in the Qurʾānic verses on polygamy, fulfilling this condition is notably challenging, especially regarding affection and emotional attention to each wife.[36] Classical and traditional scholars often assume that if material obligation is met and time is equitably divided, then justice has been achievedbecause humans are thought primarily able to fulfill concrete material justice. However, normative and critical research reveals that polygamy can produce inequalities in psychological and emotional dimensions. Feelings of jealousy, insecurity, or lack of attention

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[34] Muhammad ʿAbduh & Rasyid Rida, *Tafsīr al-Manār*, Juz 4 (Kairo: Al-Manār, 1927), 286.

[35] Fauzi Rahmat Pamula, et al. *Polygamy in Islamic Law: A Meta-Analysis and Systematic Review*, Jurnal Hukum Keluarga, 2025, 2.01, 21.

[36] Abul Fida` Ismail bin Umar bin Katsir al-Quraisyi al-Dimasyqi, *Tafsir Ibnu Katsir*, Mesir, Dar Toyyibah, 2001 Juz 2, 430.

can become psychological impacts for wives in polygamous marriages.[37]

The theology of justice in Islamic law entails moral and ethical responsibility for those who practice polygamy. Practices of polygamy that fail to meet the standard of justice are not only legally optional but also morally indefensible. The norm of justice must serve as a pillar in contemporary interpretation of Islamic law so that polygamous practices do not destroy the relational harmony of the household.[38] In the sociological and psychological approaches to family law, women in polygamous marriages may experience emotional dissatisfaction, psychological stress, loss of self-esteem, as well as negative effects on the development and welfare of children, both in psycho logical terms and in social support within the family.[39]

From the regulatory and positive law standpoint, legislations in many Muslim countries, including Indonesia, impose fixed requirements for polygamy, such as the wife's consent, application to religious courts, and proof of financial capability. These aims are to ensure that polygamy is not undertaken indiscriminately and that justice is safeguarded. However, such regulations are sometimes merely formalities, lacking effective oversight and enforcement mechanisms, so that even when legally valid, the practice often results in injustice and social pressure.[40] Feminist and human rights scholarship also warn that in many cases polygamy complicates gender equality, and that modern human rights standards demand that when justice is not fulfilled, monogamy should be regarded as a safer and fairer normative choice to protect the more vulnerable party.[41]

Understanding of polygamy regulations cannot be separated from the historical and social context in which Islam was revealed. Polygamy is not an exclusive teaching of Islam, but rather a social phenomenon that has been redefined in accordance with the values of justice, equality, and protection.

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[37] Jamalul Muttaqin, Syamsiyani, *Diskursus Ketidakadilan Gender; Kritik Terhadap Praktek Poligami*, SETARA: Jurnal Studi Gender dan Anak, 2023, 5.02: 64.

[38] Kasjim Salenda, et al. *Kontekstualisasi Teologi Keadilan Dalam Poligami*. AL-MUTSLA: Jurnal Ilmu-Ilmu Keislaman dan Kemasyarakatan, 2024, 6.1, 210.

[39] Fauzi Rahmat Pamula, et al. *Polygamy in Islamic Law: A Meta-Analysis and Systematic Review*, Jurnal Hukum Keluarga, 2025, 2.01, 21.

[40] Najmia Nur Izzati, *Substansi Kebolehan Poligami dan Relevansinya dengan Perundang-Undangan Perkawinan Indonesia*, El-Usrah: Jurnal Hukum Keluarga, 2021, 4.2: 499-514.

[41] Mustafid, *Konseptualisasi Ham Dalam Poligami*, El-Izdiwaj: Indonesian Journal of Civil and Islamic Family Law, 2021, 2.2: 1-11.

Islam treats polygamy not as an absolute commandment, but as a highly conditional option, which can only be exercised if the main conditions, especially justice, can be fulfilled. From the above progressive approaches, a consensus has emerged that a textual approach without context often leads to interpretations that are too loose or too literal, ignoring aspects of substantive justice. A contextual understanding of polygamy provides a strong theoretical basis for asserting that polygamy is a choice, not an absolute commandment. Total justice is almost impossible to achieve unless there is extraordinary readiness, and practices that are not accompanied by the fulfillment of justice carry significant risks to family harmony and the welfare of vulnerable parties.

Conclusion

Based on a comprehensive study of the verses of the Qur'an, hadith, and the historical and social context of pre-Islamic and early Islamic Arab society, this study concludes that polygamy in Islam is not a universal and ideal teaching norm, but rather a situational and highly conditional legal dispensation (rukhṣah). Polygamy is permitted to a limited extent as stipulated in QS. An-Nisa 'verse 3, but with the main condition of justice covering material and non-material aspects. This provision is then criticized and explored further through QS. An-Nisa 'verse 129, which emphasizes the limitations of humans in upholding justice comprehensively, especially in emotional aspects. This study also found a paradigm shift in the interpretation of verses on polygamy. Classical interpretations tend to emphasize legal-formal aspects and material justice, while contemporary interpretations place more emphasis on substantive justice and protection of vulnerable groups, especially women and children. This contemporary approach is in line with maqāṣid al-syarī'ah, which makes justice and benefit the main objectives of every provision of Islamic law. The practice of polygamy by the Prophet Muhammad SAW shows that this action was not driven by personal interests, but rather was laden with social, political, and humanitarian missions. Most of the Prophet's marriages were conducted for the purpose of protecting widows, political reconciliation, and correcting unfair pre-Islamic social norms. Thus, polygamy in the prophetic context cannot be used to legitimize contemporary polygamy

practices, which often do not meet the requirements of justice as demanded by Islamic law. This approach requires that every provision of Islamic law be understood not only from a literal-textual perspective, but also in terms of its relevance to the social context and values of justice that are at the core of Islamic teachings. From a regulatory perspective, it is necessary to strengthen positive law in limiting the practice of polygamy so that it is in accordance with the principle of substantive justice. Existing regulations in various Muslim countries, including Indonesia, need to be complemented with effective monitoring and evaluation mechanisms, not merely procedural ones. This is important so that Islamic law not only regulates individual behavior in a legal-formal manner, but also realizes moral and social ideals that protect the rights of all parties, especially women and children as the most vulnerable groups in the practice of polygamy.

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