

The prominent Drawbacks of Misunderstanding the Concept of Justice on Polygamy Between Verse 3 and Verse 129 (Surah An-Nisa') & Selected Misconceptions on The Topic

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ABSTRACT:

Polygamy has been an intensely debated issue among Muslim scholars and interpreters of the Quran. Among the verses that are highly dependent on are verses 3 and 129 of SĒrah Ón-NisÉ'. Accordingly, the different meanings of justice in both verses have highlighted the importance of comprehending the concept of justice in polygamy in the context of these verses. Some areas to be discussed are the interconnected connotations of the dichotomy of justice in this field and the contextualized conditions of polygamy which facilitate its permissibility. Islamic polygamy is also critically examined with respect to growing challenges and misconceptions regarding its permissibility and feasibility. We will present arguments in defence and offer suggestions for preserving permanence and stability in a polygamous household.

Keywords: Concept, Justice, Polygamy, SĒrah Ón-NisÉ' verses 3 and 129, Misconceptions.

INTRODUCTION:

Justice is a characteristic that allows accurate and fair treatment by representing someone or something as that person or thing truly is and gives rights to other people regardless of any rivalry. By doing so, it will create a good atmosphere for someone to be responsible without violating other people's rights. So, justice in the context of polygamy should be conferred wisely by a husband to his wives in all aspects, such as material fulfilment, living place, and family time.¹²⁸⁴

The implementation of justice in polygamy has become an endless debate among the Muslim community due to a lack of understanding of its concept. It is pertinent to highlight that there are not many verses that elaborates on polygamy in the Quran. Nonetheless, these verses are

¹²⁸⁴ Usman, Usman. *Perdebatan Masalah Poligami Dalam Islam*, 2014, 140.

relevant in describing the fulfilment of rights and responsibilities for both husband and wife. The verses include Surah An-Nisa' verse 2,3,20,127 & 129.¹²⁸⁵ Terms of justice in the verses 3 and 129 of surah an- Nisa' carry different elaborations as discussed by scholars, law expertise, and society. Some scholars found challenges in its implementation due to the different underlying meanings of the verses. Hence, the focus of this research is to find out how the study of verse 3 and 129 surah an- Nisa' will be effective in perceiving justice and equality among wives in the practice of polygamy, and to obtain accurate information in the perspective of Quran, tafsir and the views of scholars in discussing these two verses. Appropriate research tools and methodologies will be used to grasp on the precise understanding on matters concerning the topic with proper and appropriate arrangement of collected data.

METHODOLOGY:

The study on this topic is done qualitatively by searching for information related to the legality of polygamy in Islam. The approach applied for this research article is content analysis. Most of the written information obtained from the articles and books that discuss on the question of polygamy include the books of exegesis and jurisprudence which are dependent for this article. Further research and analysis are done focusing on the views and perspectives of scholars on the connection between the two verses. Certain books have also benefitted us on the scrutiny of societal issues with regards to polygamy.

Data collected for Qur'anic exegesis are from Tafsir Al- Qurtubi, Taysir al- Karim Al- Rahman, Tafsir as- Saadi, Tafsir Salih al- Fauzan. We also utilise jurisprudence books such as Fatawa al- Mar'ah al- Muslimah, and Mughni al- Islam Muhtaj. To grasp insights on societal issues, we have followed through findings portrayed in *The Positive Role of Polygamy in Reducing Women Socio-Related Problems in Malaysia*, (America: America International Journal of Social Science), *Polygamy in The Perspective of Hadith: Justice and Equality among Wives in a Polygamy Practice*, (Sulawesi Selatan: State Islamic University (UIN) Alauddin Makassar) and *Perdebatan Masalah Poligami Dalam Islam*, (Kajian Tafsir Al-Maraghi QS. al-Nisa' ayat 3 dan 129).

Problems & The Harmful Connotations of Misunderstanding Justice between these verses:

Having known the permissibility of polygamous marriage in Islam, many Muslim societies have involved themselves in polygamous households. Despite that being said, certain Muslim states in Malaysia; Pulau Pinang, Perlis, and Kedah are stricken to face 60% of wives and

¹²⁸⁵ Daming, Darna, Achmad Abubakar, Muhsin Mahfudz, and St. Aminah. "Misunderstanding of Polygamy Verses in the Qur'an," 128–42.

children living in a miserable and undesirable state after the remarriage of their husbands.¹²⁸⁶ Results from studies have further shown the complaints made by wives against husbands on the apparent alimony (nafkah Zahir) and bad conduct of physical abuse done by husbands who remarried.¹²⁸⁷ Emotional tension, chronic depression, and low self-esteem include some of the bad connotations of lack of responsibility of husbands indulging in a polygamous marriage.¹²⁸⁸

Looking into the core of the issue has allowed us to analyse the debate that oscillates between classical and contemporary scholars on the understanding of justice between verses 3 & 129 which has led to propositions and several contradictions worth finding out.¹²⁸⁹ Delving into the details has led us to the pertinence of exploring the real-life calamities and consequences in the past and present that portrays the difference of Islamic polygamous marriages as practiced by the legal realism prophet Muhammad s.a.w.¹²⁹⁰ It was also emphasized in an article regarding justice among wives in polygamy on the phenomena of uprising cases of family breakdown. The main cause sprouts from the injustice treatment of worldly affairs in various aspects.¹²⁹¹

Insufficient understanding of polygamy. It has been reported that most of the marital issues of polygamy spark from the inadequacy of knowledge. The procedures and provision distribution are some areas in which both spouses must be aware if they want harmony in their marriage institution.¹²⁹² Due to this factor, polygamy is seen as an uncivilised act and a controversial issue in America and West Europe. As a result, the Marriage Prohibited Degrees Act proscribed polygamy and legalised same- sex marriages that was followed by the United States of America and generalised in each region of America and West Europe.¹²⁹³ Additionally, Islamic polygamy are also poorly ascertained that it caused insecurity and promotes menacing nature for the wives. The issue of an individual that publicises his remarriage despite his knowledge on wife's disappointment. He even made claims that the first wife is to be cherished, but the second wife deserves to be loved as how he proclaimed to be taught by a religious preacher.¹²⁹⁴ This shows how fallacious one can be about treating wives in polygamous setting. When wives perceived vulnerability from husbands in polygamous households, they tend to feel pressured to be extremely obedient in serving and providing male

¹²⁸⁶ Ramli, Siti Zubaidah, Hana Duerama, and Farrah Wahida Mustafar. "Realiti Keluarga Poligami: Komunikasi Nafkah Menurut Perspektif Mazhab Syafii'e," 147.

¹²⁸⁷ Ramli, Siti Zubaidah, Hana Duerama, and Farrah Wahida Mustafar. "Realiti Keluarga Poligami," 147

¹²⁸⁸ Fadzlina Jaafar, Zaif, "Perkahwinan Poligami Daripada Perspektif Wanita," 3

¹²⁸⁹ Yufni Faisal, "Konsep Adil Dalam Poligami: Telaah Pemikiran Mushthofa al- 'Adawi Dalam Tafsir al-Tashil Lita'Wil al-Tanzil," 25

¹²⁹⁰ Michele Alexandre, "Lessons of Islamic Polygamy: A Case for Expanding the American Concept of Surviving Spouse So as To Include Defacto Polygamous Spouses," 1466.

¹²⁹¹ Dr Abdullah, "Tayyar, Al-Adl Fi Al-Ta'addud," 42

¹²⁹² Sohrab Hossain, "Western and Islamic Polygamy: Social Acceptance and Challenges," 14.

¹²⁹³ *ibid*

¹²⁹⁴ A. L Therakyatpost, "Who, What, Why of Abang Tesla - from the Eyes of Someone Not Well-Versed with Local Online Drama," 1.

heirs.¹²⁹⁵ Such stigmas are heart wrenching and continuously victimising womanhood in the name of Islamic polygamy.

Overgeneralization of first wives' piety and religiosity is to be increased majorly if permission is granted for polygamy. Some women even go to the extent of searching for second wives for their husbands due to misleading thoughts of being in jihad for attaining Jannah.¹²⁹⁶

The inability to control the inclination of his love among wives results in inequality of material distribution. When the husband does not try to conceal his liking amongst his wives, this will then create disharmony. When the husband adapts to this imbalance, his attitude will reflect on his treatment and provision for the wives.¹²⁹⁷ This inequality will then spur various kinds of conflicts among wives and other family members including children. When the husband is one-sided in treatment, it will gradually lead to mistreatment and injustice to whom it may concern.¹²⁹⁸

Injustice in treating wives leads to disharmony and cruelty & Ease of submission towards polygamy even though struggling to provide for the current wife & kids. This includes the act of remarriage being done without seeking the approval of the first wife. The situation worsens when it is found that those husbands are not even just in managing their first marriage. When the material matters of the first wife are hard to be fulfilled, having a second wife will even make it harder for the husband to treat his wife fairly. Such cases are majorly seen in polygamy practices that are done discreetly and illegally.¹²⁹⁹ Polygamous households in Pakistan divulge on unequal treatment among wives that leads to several mental health issues. These include jealousy, poor marital satisfaction, unhealthy competition, trust issues, and many other mental health issues.¹³⁰⁰ Furthermore, in Middle East and Africa, polygamous households face struggles in family functioning and adaptability. Some of the concerns include children from polygamous families undergoing emotional, behavioural, physical problems, and portrayed negative social identity, poor academic achievement, and social adjustment difficulties.¹³⁰¹ Similar circumstances are happening in UAE, Kuwait, Egypt, Jordan, the Gaza Strip, Arabs in Israel, Palestine, and Turkey which convey wives in polygamous households

¹²⁹⁵ Heather Johnson, "There Are Worse Things than Being Alone: Polygamy in Islam, Past," *There Are Worse Things Than Being Alone: Polygamy in Islam, Past & Present*, 35

¹²⁹⁶ Daming, Darna, Achmad Abubakar, Muhsin Mahfudz, and St. Aminah. "Misunderstanding of Polygamy Verses in the Qur'an." 129

¹²⁹⁷ Ibid

¹²⁹⁸ Ibid, 134

¹²⁹⁹ 1. Rahmin T. Husain et al., "Polygamy in the Perspective of Hadith: Justice and Equality among Wives in a Polygamy Practice," *Madania: Jurnal Kajian Keislaman*, 95

¹³⁰⁰ Tsoaledi Daniel Thobejane and Takayindisa Flora, "An Exploration of Polygamous Marriages: A Worldview," *Mediterranean Journal of Social Sciences*, 1058.

¹³⁰¹ Muhammad Ajib Abdul Razak, *THE IMPACT OF POLYGAMY ON FAMILY FUNCTIONING*, 7.

facing more psychosocial, familial and economic problems.¹³⁰² Since some husbands merely wish to satisfy their desires and lusts, polygamous marriages will surely cause them to neglect their responsibilities as they did not intend to succumb to it based on faith.¹³⁰³

RESULTS & FINDINGS

1.1 Overview of the permissibility and need of polygamous marriage in Islam:

Polygamy has been an influential practice in most communities worldwide. Polygamy is not just a mere new tradition anymore. Over the years, polygamy has always sparked prominent issues and the heated debates among the scholars and women activists. Undeniably, polygamy is legal in Islam, as written in the al-Quran, verse 3 and 129 from surah An-Nisa’:

“Then marry the women that seem good to you: two, or three, or four. If you fear that you will not be able to treat them justly, then marry (only) one, or marry from among those whom your right hands possess. This will make it more likely that you will avoid injustice.”¹³⁰⁴

“*And you will never be able to be just between wives, even if you should strive, so do not incline too much to one of them to leave the other hanging, and if you reconcile and have piety, then surely Allah is Oft-Forgiving, Most Merciful.*”¹³⁰⁵

Based on these verses, we must agree that polygamy is not about discussing on it being decent or indecent relationship but a valid part of marriage system of Islam. This verse also sets the limit of four women in a society for a man to marry in polygamy. Besides, the verse also explains conditions to perform polygamy. The verse also validates and reemphasizes the permissibility of polygamy as represented in the Sunnah of the prophet Muhammad s.a.w.¹³⁰⁶

Moreover, the husband must consider that polygamy requires him to bear all the expenses of the wives and he needs to be willing to be just to all his wives such as the issue of time division. As such, the men who married more than one wife should divide the nights among his wives properly. From the hadith of prophet Muhammad s.a.w, he reported: “whoever has two wives and leans unduly to one of them will come on the day of judgement with half of his body leaning.” So, the man must live with all his wives with equality and kindness. As for residential

¹³⁰² Alean Al-Krenawi, John R. Graham, and Sivan Ben-Shimol-Jacobsen, “Attitudes toward and Reasons for Polygamy Differentiated by Gender and Age among Bedouin Arabs of the Negev,” 46–61

¹³⁰³ Ibid, 96

¹³⁰⁴ Surah [Al-Nisa’ 4:3]

¹³⁰⁵ Surah [Al-Nisa’ 4:129]

¹³⁰⁶ Ibid, 1061.

rights, he should manage accommodations for his wives wisely as living together may invoke natural feelings of jealousy, resulting in hardships among wives.¹³⁰⁷

In some circumstances where the wife faces a lifelong disease, it may lead to her inability to fulfil her duties as a wife. Based on Tafsir Al Azhar, Buya Hamka asserts that polygamy is permeable when the wife is unable to treat her husband rightfully due to her illness and infertility. Therefore, he views the implementation as possible only when the wife is unable to comply with the needs of the husband. If the husband feels shortcomings from the wife psychologically due to her mental condition or her inability to conceive a child, He may opt for another wife.¹³⁰⁸

Apart from that, in some countries, it is prioritised that polygamy can be permissible if the woman is willing which depicts that the objection of woman denies the permission of the man that wishes to enter plural marriage.¹³⁰⁹ Findings from surveys done from past research has benefited us on the importance of clarifying the justification of permissibility of polygamy in Islam. Surveys done on female final year students from University of have shown that 47% of them understood polygamy as social or moral issue, 34% of respondents view it as a form of sexism and 46% of them perceive it as an Islamic issue and 51% of them affirmed on avoiding being involved in polygamous marriages. In addition, only 47% of them see polygamy as an Islamic practice that makes it unquestionable. Meanwhile, 42% of the respondents disagree on polygamous marriages bringing more benefits to men than women.¹³¹⁰

1.2 Dichotomy of justice in Polygamy Based on Verse 3 & 129 Of Surah An-Nisa’.

The imperative highlight of the contradicting connotation that goes along verses 3 and 129 of surah An-Nisa’ have allowed us to present the dichotomy of justice as portrayed in these two verses. Elaborations will be done by distinguishing the compulsory and non-compulsory aspects of equality based on justice in polygamy. We will venture into the exegesis and legal Islamic rulings, exploring matters concerning the discussion.

It is prudent to note that Az-Zarkasyi has discussed on these two verses particularly to assess the chapter on the vague matters that leads to having contradictions in understanding selected verses of the Quran. He asserts on the section where the information placed on a certain condition may differ based on various occasions as the first reason for disputes in understanding some verses of the Quran. He then shedded some light on these two verses as

¹³⁰⁷ Philips, Abu Bilal. *Polygamy in Islam*, 80.

¹³⁰⁸ Hamka Hasan et al., “Polygamy: Uncovering the Effect of Patriarchal Ideology on Gender-Biased Interpretation,” 78 (4).

¹³⁰⁹ Aurangzaib Alamgir, “Islam and Polygamy: A Case Study in Malaysia,” *Procedia - Social and Behavioral Sciences* 114,” 5.

¹³¹⁰ Ibid

examples to clarify the ambiguous nature of these two verses. It is intelligible that the first verse shows equality as an attainable element meanwhile it can be deduced that equality is impractical based on the second verse. Nonetheless, it is important to emphasize the varying conditions that each of the verse sets that will ease the comprehension of the concept of justice upheld in both phenomena. Az-Zarkasyi further explains that the justice that was meant in the first verse is about equally accommodating to the rights of the wives whereas the second verse majorly signifies on the inclination of the heart where a person is not in control of. This element is lucid as expressed in one of the narrations whereby the prophet s.a.w supplicates to Allah to not make him blameworthy on the matters of which he is not in control of as he has divided equally on those which are of his possession for all his wives. A similar supplication was also recited by sayyidina Umar r.a. Therefore, it can be perceived that the verses are not paradoxical to each other as it demands effort to grasp the differences of conditions that fulfils the concept of justice accordingly.¹³¹¹

We have benefited from findings of Shaikh Mustafa Al- Adawi that has enlightened us on the differences in the meaning of Justice to be applied in some sectors by distinguishing the understanding of Al - Qist which means 'just' in verse 3 and Al - Adl which means 'just' as well in verse 129. For the former, in the context of verse 3, it ignites the implementation of (Nafkah Lahiriah) or the materialistic necessities that are within the capabilities of the husband to fulfil. For the latter, verse 129 explains the impossibility of justice to be done in terms of love and sexual intercourse which are not within the husband's capabilities. Other discoveries helped us in specifying the mandatory aspects to be just on which includes the division of time / overnights, accommodation, and wife's expenses.¹³¹²

Division of time for each wife further explains that this is in the case of polygamy applied when the husband has more than a wife.¹³¹³ In another article, it asserts that overnights refer to company and acquaintance.¹³¹⁴ This ruling applies regardless of intercourse being done or not.¹³¹⁵ There has been an agreement on the four schools of Islamic rulings mainly the Syafie'e school, the Maliki school, Hanbali and Hanafi school on justice being compulsory for the husbands with regards to division of time among his wives. Additionally, verse 3 of Surah An-Nisa' is used to grasp the true necessity of being fair and just and that includes the aspect of equal amount of time given when staying overnight with the wives.¹³¹⁶

¹³¹¹ Az-Zarkasyi, Al-Burhan Fi Ulum Quran," 58

¹³¹² Dr Fatin Binte Muhammad bin Abdullah Al-Musharraf, Ma Yajibu Al-Adl Fihi Baina Al-Zaujat Wa Ma La Yajibu," 3.

¹³¹³ Ibid, pg 17

¹³¹⁴ Nur Al-Din Abi Al-Hasan Ali ibn Sultan Muhammad Al-Harawi Al-Qari, Fathu Bab Al-Inayah Bi Sharh Al-Islam Al-Nuqayah," 79

¹³¹⁵ Abdul Karim Zaidan, Al-Mufassal Fi Ahkam Al-Mar'ah Wa-Al-Bait Al-Muslim Fi Al-Syariah Al-Islamiah," 266

¹³¹⁶ Abu Bakar ibn Mas'ud Al-Kasani Al-Hanafi Ala'a Aldin, Badai'i Al-Sanai'i Fi Tartib Al-Syarai'i," 222

According to the exegesis of Imam Qurtubi, he emphasized avoiding excess time spent with any wife as this would bring the injustice of treatment. Due to that, this commandment has to be obligated.¹³¹⁷ He further elaborated on the better solution of avoiding remarriage for those who fear that he cannot be fair on the division of time amongst the wives.¹³¹⁸ It was also reported in Hashiatul Adawi that Justice derived from verse 3 is obligatory.¹³¹⁹ Moreover, Taysir Al-Karim Ar - Rahman based on verse 129 of Surah an-Nisa on the justice that has to be done on the division of time amongst the wives discerns that it has to be done as equally as possible.¹³²⁰

Grasping upon the light of the Islamic Legislations has benefitted us on the rulings of the division of time amongst the wives. Imam Al- Mughni has informed that no disputes or arguments are to be raised on the obligation of justice of the division of time amongst wives.¹³²¹ It has also been agreed upon by the experts on the Islamic Jurisprudence that this commandment must be applied to all husbands that are sane even if they are in their teens or possess impertinent conduct regardless of any inferiority on the husband's hand.¹³²²

There are also six dependent basic rulings that go under the obligatory division of time/overnights amongst the wives. This includes having to vote for the overnights, the rights that the new wife deserves, pillars of overnights, the conditions to be equated on, residency in overnights, and the difference in rights based on a free woman and a slave.¹³²³ For the first basis of voting, it has been agreed as a condition Jumhur Al-Ulama' on the permissibility of depending on the vote it also depicts casting lots for the order of the division of time that shows transparency and fairness.¹³²⁴ The rights of the new wife should be understood that according to the Jumhur Al - Ulama's stand, the virgin new wife is given 7 days with the husband whereas the widow new wife is to be given 3 days with the husband.¹³²⁵ The Hadith evidence involves the narration of prophet s.a.w which goes :

¹³¹⁷ Al-Qurtubi, Muhammad bin Ahmad bin Abi Bakar Bin Farhi Al-Ansari Al-Khazraji Al-Andalusi, Abu Abdullah, Al-Qurtubi," 20

¹³¹⁸ Ibid pg 20

¹³¹⁹ Abu Al-Hasan, Ali ibn Ahmad bin Mukram As-Sa'di, Hashiatul Adawi Ala Sharh Kifayah Al-Talib Ar-Rabbani," 260

¹³²⁰ Abdurrahman ibn Nasir Al-Sa'di," Taysir Al-Karim Al-Rahman Fi Tafsir Kalam Al-Mannan = Tafsir As-Sa'di," 185

¹³²¹ Ibn Qudamah, Abdullah ibn Muhammad ibn Qudamah Al-Jamaili Al-Muqaddasi, Al-Mughni," 235

¹³²² Al-Sarsakhi Shams Al-Din," 221

¹³²³Dr Hasan Suhail Al-Jumaili, Al-Qasmu Baina Al-Zaujat Fi Al-Syariah Al-Islamiah," 12

¹³²⁴ Al-Qurtubi, Muhammad bin Ahmad bin Abi Bakar Bin Farhi Al-Ansari Al-Khazraji Al-Andalusi, Abu Abdullah, Al-Qurtubi, Al-Jami' Li Ahkam Al-Qur'an (Tafsir Al-Qurtubi)," 86-87

¹³²⁵ Muhammad ibn Ismail Al-Amir Al-San'ani, 1427-2006," Subul Al-Salam Sharh Bulugh Al-Maram min Adillat Al-Ahkam," 1427-2006," 161

It was narrated from Anas r.a: that the Messenger of Allah said: “Three days for a previously married woman and seven days for a virgin.”¹³²⁶

For the issue of segregation of time spent on circumstances, it has been discussed that if the husbands are working during the day he may do so, but for the nights in which they will rest, they will have to abide by the rules of the division of time allocated respectively. For the case that the husbands are working during the night and resting during the day, then the division of time amongst the wives must be equated.¹³²⁷ The conditions to be equated on and not will be further discussed in the issue of the non-compulsory prospects of justice between the two verses. The residency on the overnights is to be perceived by the husband as practising consistency in the number of nights spent and not to exceed except with the acceptance of the wives.¹³²⁸ Additionally, justice on the nights spent has to be implemented even if the wives live far away from each other which includes different states.¹³²⁹ On the issue of segregation of rights between a free woman and a slave, Jumhur Al - Ulama’ at a point of no difference of rights sighted to be practiced by the husband.¹³³⁰

The second part which denotes obligation of justice is the accommodation given amongst the wives.¹³³¹ This obligation is derived from the meaning of the verse 3 of surah An- Nisa’ as explained that the justice requested here includes the conditions which are within the abilities and capabilities of the husbands; materialistic conditions and accommodation is one of them.¹³³²

The view of the Jumhur Al- Ulama’ secured the view of the accommodation to be given fairly. Based on verse 3, Sheikh Sa’adi has further brought an affirmation that any implementation of justice that is within the ability and capability of the husband is compulsory to be fulfilled.¹³³³ Sheikh Salih Al- Fauzan also elaborated on the ability to be just that could be accomplished are aspects such as the division of time / overnights, accommodation and expenses and those which are not within the aforementioned aspects that could be pursued satisfyingly.¹³³⁴

¹³²⁶ Narrated by Anas, See Sunan Ibn Majah. (Muhammad bin Yazid bin Majah Al-Qazwini Abu Abdullah, Sunan ibn Majah, Kitab Al-Nikah, Bab Al-Iqamah Ala Al-Bikr Wa-Al-Thayyib,” 617.

¹³²⁷ Dr Hasan Suhail Al-Jumaili, Al-Qasmu Baina Al-Zaujati Fi Al-Syariah Al-Islamiah, (Alukah: Huquq Al-Nashr Al-Alukah, 122

¹³²⁸ Muhammad Al-Amir Al-Kabir, Al-Iklil Sharh Mukhtasar Khalil,” 151

¹³²⁹ Ibn Qudamah, Abdullah ibn Muhammad ibn Qudamah Al-Jumaili Al-Muqaddasi, Al-Mughni, 237

¹³³⁰ Al-Awzai’i, Abu Amru Abdu Al-Rahman bin Amru bin Yahmad, Fiqh Al-Imam Al-Awzai’I, 48

¹³³¹ Dr Hasan Suhail Al-Jumaili, Al-Qasmu Baina Al-Zaujati Fi Al-Syariah Al-Islamiah, 113

¹³³² Dr Abdullah Tayyar, Justice on Polygamy, 23

¹³³³ Dr Yusuf Al-Qardhawi, Fatawa Al-Mar’ah Al-Muslimah, 2016, juz 2, 292

¹³³⁴ Dr Yusuf Al-Qardhawi, Fatawa Al-Mar’ah Al-Muslimah, 2016, juz 2, 290

There is an issue that sprouts from here on the case that if the husbands invite the wife to his house. It has been approved by the Hanafi school, Syafie'e school and the Hanbali school that this act can be done for as long as the wives approve it.¹³³⁵ Nonetheless, it was informed that the rest would be accommodation allocated for each of the wives separately.¹³³⁶ Moreover, the subject matter was also extended upon questioning on the permissibility of inviting his wife to his house and the continuation of time spent in some of the houses.¹³³⁷ According to the Syafie'e and the Hanbali school of rulings, it was agreed on its permissibility.¹³³⁸ It is due to the fact that the husbands have the right to be casting his wives to his house and along the concern of his travel that there has to be voting casted on the wife that will follow him and this segment should be done fairly.¹³³⁹

We will be proceeding to the third dominant aspect in which husbands have to be encompassing in understanding the concept of Justice on polygamy based on verse 3 and 129 of Surah An-Nisa'. It is majorly emphasized that the husband has to strive at his utmost ability to be just in all ways towards his wives.¹³⁴⁰ Moreover, verse 129 of Surah An-Nisa' has explicitly elaborated some guidelines on polygamous marriages which includes the information on food, drinks, clothes, expenses, accommodation and division of time / overnights issues to be fulfilled fairly and equally which correlates with verse 3 which means that if the husbands are unable to be fair, it is better stick to one wife.¹³⁴¹ There are few regulations to be adhered upon giving the expenses which include the submission of the wife to the husband, the wife's age being old enough to have intercourse, the valid solemnisation and invalidation of husband's right to retain wife on non - Islamic rulings basis.¹³⁴² It is deciphered that the expenses should include food, drinks, clothes and accommodation and for the food, Jumhur Al - Ulama' agreed that the wife entitled to get sufficient amount of food as she needs instead of the fixed amount of expenses; the view upheld by certain schools.¹³⁴³ Additionally, she has to be provided with the kitchen supplies as well as toiletries to cleanse herself with. If she previously had a helper, the husband is to arrange for her one if it is within his means.¹³⁴⁴

On the issue of equality on the expenses given there are two views on this in which the latter conveys that it is obligated to be equal on the expenses even amongst wives referring to verse 3 of Surah An-Nisa' to avoid injustice and oppression (Zulm).¹³⁴⁵ The second view supports the implementation of expenses to be given fairly amongst wives depending on the husband's

¹³³⁵ Abu Bakar ibn Mas'ud Al-Kasani Al-Hanafi Ala'a Aldin, *Badai'i Al-Sanai'i Fi Tartib Al-Syarai'i*, 333

¹³³⁶ Yahya ibn Sharaf Al-Nawawi Muhyiiddin Abu Zakaria, *Raudhah Al-Talibin Wa Umdah Al-Muftiin*, 659

¹³³⁷ Dr Fatin Binte Muhammad bin Abdullah Al-Musharraf, *Ma Yajibu Al-Adl Fihl Baina Al-Zaujat Wa Ma La Yajibu*, 118

¹³³⁸ Al-Khatib Al-Syarbini, *Mughni Al-Muhtaj Ila Makrifat Maani Alfaz Al-Minhaj*, 252

¹³³⁹ *Ibid*

¹³⁴⁰ Nasir Bin Saiid bin Saif Al-Saif, *Al-Adl Fi Al-Nafqah Baina Al-Zaujat*, 7

¹³⁴¹ Nasir Bin Saiid bin Saif Al-Saif, (2018), *Al-Adl Fi Al-Nafqah Baina Al-Zaujat* 11

¹³⁴² *Ibid*, 9

¹³⁴³ *Ibid*, 9,10 & 11

¹³⁴⁴ Al-Khatib Al-Syarbini, *Mughni Al-Muhtaj Ila Makrifat Maani Alfaz Al-Minhaj*, 542

¹³⁴⁵ Nasir Bin Saiid bin Saif Al-Saif, (2018), *Al-Adl Fi Al-Nafqah Baina Al-Zaujat* 11

capability which invokes that expenses to be given equally is not obligatory.¹³⁴⁶ After further discussions, that accepted and the most authentic view on this is the view on the expenses that has to be given fairly amongst wives as the basis on those who disagreed is not clear and strong enough.¹³⁴⁷ Findings have benefited us on a case study being done on University Of Malaya's Malaysian female final year students where we found out that the equality of maintenance and expenses are highly known to be problematic among the husbands involved in polygamous marriages. It was reported that 75% of husbands are unable to fulfil their responsibilities as a provider and protector when remarried. Additionally, 80% of husbands failed to fulfil nafkah Zahir (material /economic maintenance) for the wives and their children.¹³⁴⁸

As described before this on the dichotomy of justice that is obligatory and not obligatory, we have now arrived to reiterate and further elaborate on the non - obligatory factors to be just and equated on. We have benefitted from the Tafsir Shaikh Mustafa Al-Adawi that states on the heart's love and sexual intercourse is the sectors that are not obligated upon the husbands to be fair and equal.¹³⁴⁹ According to the exegesis of Imam Al - Tabari, he explained based on verse 129 of Surah An-Nisa', the conditions which are not of obligation to be equal on include the feeling of love, inclination of the heart, and sexual intercourse.¹³⁵⁰ It is then acknowledged from here that it is understandable if the husband loves his wife more than the other wives as long as it's not too apparent or excessive till he neglects his other wives and this condition is further emphasized in verse 129 of Surah An-Nisa. He is not allowed to leave his other wives without certainty about the relationship and to leave his wife unattended. Hence, the verse should be a guideline for polygamy and not a prohibition of polygamy as referred to in the sayings of Quraysh Shihab.¹³⁵¹

Another factor raised under the section of non-obligatory conditions to be justified is justice among the wives when the husband is traveling.¹³⁵² An illustration was made that in the case where the husband is traveling, he will have to ask the wives to cast votes to allow transparency and equality and at the same time it does not overlook the right of the wives and does not lead to inequality, misery and oppression of rights.¹³⁵³ This verdict is supported by the verse on which we have to exemplify prophet Muhammad s.a.w's act with regards to this verse that goes

¹³⁴⁶ Ibid, 11

¹³⁴⁷ Ibid

¹³⁴⁸ Aurangzaib Alamgir, Islam and Polygamy: A Case Study in Malaysia," 5

¹³⁴⁹ Yufni Faisol, "Konsep Adil Dalam Poligami: Telaah Pemikiran Mushthofa Al-Adawi dalam Tafsir Al-Tashil Lita'wil Al-Tanzil," 15

¹³⁵⁰ Ibn Jarir Al-Tabari, Muhammad bin Jarir bin yazid Al-Tabari, Abu Ja'far, Jami' Al-Bayan an Ta'wil Ayat Al-Qur'an (Tafsir Al-Tabari), 284

¹³⁵¹ Dr. M. Quraysh Shihab, Membedakan Al-Qur'an Fungsi dan Peran Wahyu dalam Kehidupan Masyarakat," 201

¹³⁵² Dr Fatin Binte Muhammad bin Abdullah Al-Mushrif, Ma Yajibu Al-Adl Fihi Baina Al-Zaujat Wa Ma La Yajibu," 128

¹³⁵³ Ibid, 136.

“You have an excellent example in the Messenger of God; for anyone who seeks God and the Last Day and remembers God frequently.” [Al-Ahzab 33: 21].¹³⁵⁴

It is indisputable that justice must be paved effectively in a polygamous household. The understanding and its implementation become signified as the narrations of prophet s.a.w are also studied to remind of its importance. It is narrated in Sunan Abu Daud in Book of Nikah, Chapter 39, hadith no. 2133:

Narrated Abu Hurairah:

“The Prophet (ﷺ) said: When a man has two wives and he is inclined to one of them, he will come on the Day of resurrection with a side hanging down.” (Sunan Abi Daud)¹³⁵⁵

It is also mentioned in Sunan At-Tirmidhi with the word فلم يعدل which means being unfair while the other narrations used فَمَالٌ، وَشَعْبَةٌ مَائِدٍ. Both narrations highlight that it is important for the husbands to be just with the wives. (Polygamy in the perspective of hadith) In this case, it is elaborated on the punishment the husband will get if he does not comply with being just. According to Al-Khattabi, the word مَالٌ is described by two meanings which are reprehensible and not reprehensible. The former depicts those of the material provision whilst the latter describes the inclination of the heart. He also includes muasharah (the husband’s promise to satisfy the wife’s sexual needs) and suhbah (company) the tendency as portrayed in the hadith when it is an excessive tendency that is apparent.¹³⁵⁶

To sum up, the dichotomy of justice has been clarified with the classification of being either obligatory or non - obligatory. Division of time/ Overnights, accommodation, and expenses must be equated and given fairly and on the other side, love and sexual intercourse are not obligated to be equal. Nevertheless, it should not be mistakenly taken till the other wives are left unattended and unacknowledged.

1.3 Selected Misconceptions on Islamic Polygamy & Arguments in Defence.

¹³⁵⁴ Surah Al-Ahzab: verse 21

¹³⁵⁵ Abu Daud, Sunan Abi Daud, Between One's Wives, Hadith 88, 2133.

¹³⁵⁶ Husain, R. T., Ahmad, A., Kara, S. A., & Alwi, Z, Polygamy in the perspective of hadith: Justice and equality among wives in a polygamy practice, 97

Solely emulating sunnah.¹³⁵⁷

In the purposeful realm of upholding the syi'ar of Islam, Rasulullah s.a.w had to take the initiative to spread the da'wah of Islam as well as uplift the rights and miseries faced by women of that era. Partaking in a polygamous marriage was taken into consideration and applied effectively. This initiative helped in managing the lives of unmarried or widows who were struggling without support due to the uprising deaths of young soldiers and husbands who were martyred in the war. The polygamous setup was undeniably significant as it boosted the preaching and teaching of Islam. All nine wives of the prophet became the source of information on Islam, especially on topics regarding women and marriages. The political dilemma faced in that era was as such that polygamy was sought to stabilize the phenomena then. The prophet s.a.w finds the dire need to forge between the Arab tribes and bring them to the light of Islam. Such was the marriage between Nabi and Sayyidatina Juwairiyah, the head of the Mustalik tribe's daughter, and his marriage with Safiyyah, an influential person from Bani Quraizah and Nadhir. There were also instances on social and humanitarian grounds in which the prophet sought for when he married Sayyidatina Saudah and Hafsa when their husbands had passed away. It is also justifiably classified as a specialty of a prophet for him to be marrying more than 4 wives.¹³⁵⁸

Nonetheless, the practice of polygamy should not be merely due to emulating the prophet s.a.w as everything comes with different circumstances and consequences to be pondered upon prior to deciding on a polygamous marriage. The motivation for the prophet s.a.w to be involved in a polygamous family is due to his da'wah mission which is usually in contrary to most people nowadays who just simply misuse sunnah to justify their polygamous marriages which are based on the ease and pleasure of sexual desires, particularly assessed through features of their second wives. The second wives are more often seen to be prettier, younger, and of higher social class and generally of greater quality in treatment.¹³⁵⁹ Taking the verse 3 of Surah An-Nisa' into consideration, it projects as (Irshad) guideline for those who are succumbed to polygamy, but the verse does not do (I 'lam) which is advocacy towards polygamy. In short, Islamic polygamy is not advocated although it is permissible as Islam acknowledges the indispensable necessity to accommodate justice in its conditions.¹³⁶⁰

The Solution to Female Infanticide

It is disheartening to witness the communized practice of female infanticide despite its impermissibility. It has been found that women are to conform to polygamy due to having

¹³⁵⁷ Daming, D., Abubakar, A., Mahfudz, M., & Aminah, St, "Misunderstanding of polygamy verses in the Qur'an," 129

¹³⁵⁸ Ibid

¹³⁵⁹ Ibid

¹³⁶⁰ Ibid

cultures stigmatizing the favour of male children. Countries like India, China and Pakistan are some of which cultures are found generalising infanticide though perceived illegal and an upsetting social ill.¹³⁶¹ Women in Pakistan are also reported having to concede in polygamous marriage to avoid the threat of infanticide. Similarly, a report concurred describing polygamous phenomena in Indonesia as patriarchy and marginalisation being symbolic.¹³⁶² These misperceptions that occur due to misleading purposes of polygamous due to personal pursuits are to be crucially addressed. Islam emphasizes just and good treatment towards daughters. Islam also focuses on discouraging partiality in both sons & daughters' upbringing.¹³⁶³ Circumstances worsen as traditions have misinterpreted the Qur'an's ultimate wisdom and purposes in the matters of inheritance rights, polygamy, the right implementation of covering Awrah and women's rights. These customs were initially supposed to strengthen women's protection and even supports women autonomy. Nonetheless, they have instead emerged as means of oppression. The Qur'an does not prevent family planning but offers ample religious and ethical support for family planning, but there seems to be misapprehension on Islamic family planning.¹³⁶⁴ Islamic polygamy operates based on justice of various aspects from material fulfilment to accommodation to family time sharing. Thus, it is illogical to uphold a just relationship based on an extreme unjust act of infanticide.

Islamic Polygamy as Inherent Misogyny

Islamic polygamy is discerned by certain societies as an authoritative power given to husbands to pose threats to wives. Wives tend to think that they will be vulnerable once their husbands conform to polygamy. This is due to the anxiety of husbands agreeing for another marriage. As a result, they begin to adhere to any demands of the husbands and fear disagreements. They anticipate having to please their husbands in every way which include bearing of male heirs and as many children to avoid their husbands to easily commit to another marriage. In India, the situation worsens as reports shown people converting to Islam just to remarry without the hassle of divorcing the first wife. The essence of justice is completely disrupted as the relationship is formed based on deception by misusing and ridiculing religion for personal pursuits. This was possible due to religious laws' ability to manage the population's personal affairs. Conversion of religions are also eased. Considering Islamic Law to be the law that allows remarriage while in current marriage, non-Muslim men abused it at their interest.¹³⁶⁵

Promotes Marginalisation of Woman

It has been accorded by some writings on the women marginalisation disadvantages. By indulging to apprehend the narratives of polygamous victims, African Women are discerned to

¹³⁶¹ Saravanan S. Female infanticide in India: A review of the literature. *Social Change*, 32(1-2): 58-66.

¹³⁶² Nurus Sa'adah, Vita Fitria, and Kurnia Widiastuti, "Poligami Dalam Lintas Budaya Dan Agama: Meta-Interpretation Approach, Vol 49, No. 2, 379-499

¹³⁶³ Naik, D. Z. (n.d.). *Islam and Female infanticide*. Islam and female infanticide, 1

¹³⁶⁴ Hassan R. Women in Islam: Qur'anic ideals versus Muslim realities. *Plan Parent Chall.* (2):5-9

¹³⁶⁵ Johnson, H, *there are worse things than being alone: Polygamy in Islam, past*. There Are Worse Things Than Being Alone: Polygamy in Islam, Past & Present.

facing a massive societal challenge due to Islamic polygamy. Thus, efforts were gathered to collectively educating and soliciting on a global level to oppose polygamy. Initiatives to reveal the teachings of Quran and its application are misled that instead shows the gross distortion of Islamic polygamy. Nonetheless, it is crucial to fathom that marginalisation of women as witnessed in Muslim context of Senegal is not caused by negative institution of polygamy but an outcome of ignorance. It is significant to differentiate between Islamic principles and cultural practices. Criticisms evolve not due to the constitution of polygamy but arises because of men's exploitative instincts that lead to abuse, deception, infidelity, trust issues and abandonment which dishonour women. It must be emphasized that though polygamy is pure to culture, tradition and religion, justice should preponderate in a polygamous household.¹³⁶⁶

The only solution is to avoid adultery.

Accounting to the permissibility of polygamy if the husbands' sexual desire could not be satisfied by a wife, it is significant to emphasize that Islam also discourage one to adopt polygamy merely for comfort and entertainment and when he is uncertain to exercise justice among his wives.¹³⁶⁷ There are numerous ways that a man can initiate if he really intends to control his sexual desires. The shields of lowering one's gaze, fasting and being steadfast in piety towards Allah s.w.t are some alternatives to be embraced. Marriage will surely avoid one from committing fornication for those who are single. However, it is necessary for the married men to secure themselves with the consciousness of Allah s.w.t. to refrain themselves from adultery. This is rationally understood as if remarriage was the only solution, he would have been able to control his sexual desires through his first marriage. It is only going to result in transgression if the person remains not to be God-conscious.

As for fasting, it is one of the most challenging alternatives but most effective in managing our desires that leads to negative attributes and habits including unlawful intercourse. It neutralises one's emotions and desires and make a person's nature well-balanced. As for being steadfast, a man is expected to exercise a lot of perseverance and supplications to Allah s.w.t whilst combating distractions which could potentially disrupt tranquillity of the current marriage.¹³⁶⁸ A supplication that has been taught to us from prophet Muhammad s.a.w which 'Abdallah b. Mas'ud told on the authority of the Prophet that he used to say, "*O God, I ask Thee for guidance, piety, self-control and a competence.*"¹³⁶⁹

¹³⁶⁶ Ouareodima, M, "Polygamy in So Long a Letter: A Misunderstood Concept? *International Journal of Current Innovations in Advanced Research*," 5&6

¹³⁶⁷ Abu Bakar, I., Abu Bakar, S., Mustapha Isa, Q, "Analysis of The Legality of The Institution of Polygamy in Islamic Law," 79

¹³⁶⁸ Salam, B, "7 shields for the Muslim against fornication and adultery," 6.

¹³⁶⁹ Muhammad ibn Abdullah Al-Khatib At-Tabrizi, *Mishkat Al-Masabih*, vol: 3, 1970, book 9, Chapter: Brief Comprehensive Supplications - section 1, Hadith 252, 2484

A husband's failure to manage his inclination of love among his wives will reflect inequality and injustice as well in the treatment.

The mismanagement perceived will provoke numerous conflicts in the family starting from the husband, among the wives, and among their kids. It consequently leads to domestic violence, quarrels, and lots of divorce cases leading to broken families.¹³⁷⁰

It is indeed challenging to succumb to a polygamous marriage. Nevertheless, it is not impossible to deal with it successfully. Verses from the Quran and narrations from the hadith have motivated us on the permissibility and the implementation of justice among wives and kids. This is to be acknowledged that husbands are to be able to apprehend the concept of justice and equality towards their wives and respect their rights and commitments without allowing any form of discrimination. It is crucial to note that for a polygamous household to be functioning effectively, it must be strengthened with a high nature of optimism, substantial self-assurance, and a balanced paradigm of faith and piety. Polygamy has been proven plausible and feasible through the life of prophet Muhammad s.a.w. He is an epitome of a just husband among his wives. Taking the prophet s.a.w as a role model, husbands should be well-versed in the dichotomy of justice and try to emulate the prophet s.a.w in his practices.¹³⁷¹

Additionally, both husbands' and wives' rights and obligations must be perceived correctly to tackle obstacles in marriages tactfully. They will have to form constructive paradigms and positive attitudes and skills to manage households, responsibilities, and conflicts collectively. Moreover, it is pertinent for the wife to maintain a sanguine view on the polygamous setup as much as the concept of justice is expected to be implemented fairly. This is highly significant if the wife views the marriage with 'ain-sukht' (the hatred sight), the household and relationship will be affected negatively even with immense effort done by the husband to be just. On the contrary, if the wife is willing to proceed with 'ain ar-ridha' (the sight of sincerity), she will be able to appreciate her husband's efforts and be content with the situation and even tries to cooperate with the circumstances of a polygamous family.¹³⁷²

Concurrently, as we stand to optimize the authority of the Quranic verses on polygamy, it is critical to reiterate the emphasis of equality and justice to be internalized, not only on tangible matters but on the prudent fundamentals of marriage, love, and affection. It is interesting to ponder how research prioritizes truth and fairness as an irrevocable basis of households. Both priceless elements are to be established in monogamous households as it reflects comfort, harmony, and happiness among family members prior to sustaining a polygamous family. A

¹³⁷⁰ Daming, D., Abubakar, A., Mahfudz, M., & Aminah, St, Misunderstanding of polygamy verses in the Qur'an," 138-139

¹³⁷¹ Husain, R. T., Ahmad, A., Kara, S. A., & Alwi, Z, "Polygamy in the perspective of hadith: Justice and equality among wives in a polygamy practice," 99

¹³⁷² Ibid

polygamous household will then be able to operate cohesively as a bond structured with mutual trust, love, and mercy between husband and wife is concrete.¹³⁷³ It is therefore unfortunate to be witnessing irresponsible polygamy who misinterpret the verses of the Quran and sunnah and jeopardize the essence of shariah by misusing polygamy as merely a medium for vested satisfaction and lust.

Moreover, it is perceptible for Islamic polygamy to be deemed flawed when it translates into an unfinished series of conflicts that particularly emerged due to the lack of accountability from the husband's role. Due to the common repercussions of injustice portrayed in a polygamous household, seemingly through the abandonment of the wife and kids from a previous marriage, it has impacted severely the rise of family breakdowns. As the husband breaks his ties with his wife and children from the previous marriage, more social issues will then begin to surface gradually. Hence, the verses of the Quran and narrations of hadith are to be analysed carefully to decipher the necessary requirements of polygamy. The Shariah undeniably stresses the aspects of justice and equality. The Quran delivers numerous verses on laws of polygamy that necessitate justice on all aspects. As the Shariah preserves human life and dignity, it embeds the concept of justice in polygamy holistically. Islamic polygamy should only be applied if it ensures justice is practiced psychologically, sociologically, and liable under the Fiqh rule. It is thus necessary for one to maximize their potential on being just as there might be psychological drawbacks in terms of wives' loyalty, inferiority, and interaction among wives that consistently provoke them to be competing with one another. This unhealthy consequence of injustice should be responsibly dealt with and acknowledged by the husband to not cause misconceptions about Islamic polygamy to be seen as blameworthy.¹³⁷⁴

Islamic polygamy objectifies women.

Condescending remarks on sexuality issues persist to question the justification of Islamic Polygamy. There are studies raising misleading statements on Syariah law's permissibility on polygamy as a legislation driven by male sexual interests. The misperception is inferred from the perspective that male's greater intensity of sexual desires justifies polygamy allowing womenfolk to be vulnerably seen as objectified and used for men's vested interests. In this regard, they implied verse 3 of Surah An-Nisa' consisting religious order of polygamy that simply offers males with intense sexual desires opportunities to engage in polygamy.¹³⁷⁵

¹³⁷³ Zaidi, T, "Polygamy in the Perspective of Islam, *Social Sciences International Research Journal*, 2," 201–205.

¹³⁷⁴ Fajar, M. S. "Keadilan Dalam Hukum Islam (Tinjauan Multidisipliner Dalam Kasus Poligami) Al-A'dalah, 1," 33–48.

¹³⁷⁵ Tarigan, A. A., Nurhayati, & Marpaung, W, "Taming islam•6 polygyny law revealing male sexual desire in ... - neliti. TAMING ISLAM•6 POLYGYNY LAW Revealing Male Sexual Desire in Indonesia's Polygyny Practices," 150-151

Firstly, it must be made clear that the verse 129 is referring to not only the first wife but all the wives. This connotes that the husband is not supposed to leave any of the wives dangling without proper and decent treatment. Although there are scholars signifying polygamy to be a means to help some men with strong natural sexual urge, it is to be understood that the Quranic verses explicitly explains the pertinent guidelines and requirements for an official polygamous marriage.¹³⁷⁶

Islam sets a strict condition for husbands to be involved in a polygamous household whereby the husband is expected to treat the wives equitably. This includes the division of countable matters and matters of love and affection. Giving perfect justice on matters of love and affection may be challenging, but it is important for the husband to try his best to provide for the wife's needs in a balanced way and demonstrate affection with a considerable amount of effort. If he finds that there are going to be major complexities that hinder him from being just, he should maintain his current wife.¹³⁷⁷ He should know that even if he wishes to manage his sexual desires, he should be well-prepared and certain of being able to be just among his wives.

On the aspect of loyalty, polygamy offers a great deal of adequacy in being a conjugal partner as the husband will be abstained from involvement in haram discreet relationships through having a 'girlfriend' or 'mistress' or satisfying their desires through prostitution. This saves him from the detrimental effects of adultery and the consequences of extramarital relationships.¹³⁷⁸

On reviewing the issue of ladies allowing themselves to be objectified by men, it is prudent to note that polygamy empowers women and saves them from being victimized. Without being in a secured and assured relationship, it is easier for women to be prone to victimization. Polygamy, in contrast, supports women with a legal husband and social security for their rights and honour. Simultaneously, women will not need to seek for prostitution or a profession as such in times of helplessness. Even if one were to simply judge that every woman agrees to be objectified in a polygamous marriage just for money, it is too sceptical of a statement. It is to be acknowledged that if she enters a polygamous household, she is fully aware and is well informed that she will be expected to accommodate an official legal marriage that constitutes both the husband's and wife's rights and responsibilities. With regards to physical intercourse in the halal marriage, I reiterate that it is an interchangeable demonstration of affection that is consensual to both parties. In short, rather than risking her life with haram means that guarantees nothing, women would instead invest in a halal relationship that would preserve her respect and dignity whilst she gains Allah's love and contentment through her commitment and obligations.

¹³⁷⁶ Shikha, A. B. I., & Yusha'u, A. B. S, "Analysis of the Legality of The Institution of Polygamy in Islamic Law" 81

¹³⁷⁷ Howes, P. J. D, *Western and Islamic Polygamy: Social Acceptance and Challenges*, 9 & 14

¹³⁷⁸ Howes, P. J. D, *Western and Islamic Polygamy: Social Acceptance and Challenges*, 13

Western Perspective to suggest same-sex marriages in replacement to polygamy.

The Western concept of same-sex marriages is circulated to counter the concept of polygamy. The concept propagates more justice to fundamental rights and the demand for gender neutrality.¹³⁷⁹ The western countries have allowed their legal systems to be reviewed. In this way, they have eased the ideology of same-sex marriages to be accepted and recognized as civil partnership.¹³⁸⁰ The ideology as how they confer extends both homosexuals and heterosexuals rights as spouses. Moreover, countries practicing Islamic polygamy such as Saudi Arabia and Ethiopia are viewed as promoting elitism. These countries are seen to exploit Islamic Polygamy in the pursuit of validating patriarchy and female inferiority. In this way, Islamic polygamy could hinder woman's freedom and sustain the adherence of man's needs to be prioritised over women's' needs. Women's role will also be normalised to service men's needs which will impede their growth and development as a productive citizen. Hence, the idea of reforming Islam on generating new approaches on female matters are suggested to advocate egalitarianism. It was then insinuated that Islam takes lead of some Christian and Jews initiatives such as flexibility on abortion and same-sex marriages as means of reform.¹³⁸¹

In countering this new initiative of the west, Islamic polygamy in its essence, solves social and psychological issues as it provides security, comfort, and unity. There are lots of drawbacks to same sex relation. It is found that lesbians and gays are at a higher risk of facing social stress due to affective anxiety and substance abuse. They are also seen to be facing victimization and discrimination which describe the social inequalities due to their sexual orientation. The result of substance abuse may also lead to body image dissatisfaction and eating disorders. In this regard, same-sex marriages will not be practical for them.

Correspondingly, homosexuals are mostly dealing with negative impacts such as personal confusion over homosexual feelings, managing stress, and rejection by family members or friends and society. They lack social support and inadequacy in job qualifications that impede their financial security. They also have this constant fear of AIDS and suffer depression and suicidal thoughts.¹³⁸² Additionally, sexually transmitted diseases are also on the rise among gay and bisexual men, with syphilis cases on the increasing side. They are around 83% of syphilis cases. While other men who have sex with men often get other STDs, including chlamydia and gonorrhoea infections. The HPV (Human papillomavirus), the most common STD in the United States, is a huge concern for gay, bisexual, and other types of HPV that can bring about

¹³⁷⁹ Babagana, M., & Turkur, B, "The Western Misconception on Islamic Polygamy: An Assessment of Islamic Polygamy's Benefits from Islamic Perspective, 8," 597

¹³⁸⁰ Cortina, C., Laplante, B., Fostik, A., & Castro Martin, T. Same-sex marriages, and partnerships in two pioneer countries, Canada, and Spain.

¹³⁸¹ Johnson, H, "There are worse things than being alone: Polygamy in Islam, past. There Are Worse Things Than Being Alone: Polygamy in Islam, Past & Present.," 33-34

¹³⁸² Ahmad, M Bashir. "Homosexuality: An Islamic perspective." Journal of the Islamic Medical Association of North America, 38.1," 27:33

genital and anal warts, and some can lead to the development of anal and oral cancers. Gay, bisexual, and other men being sexually active with men are 17 times more likely to get anal cancer than heterosexual men.¹³⁸³

Islamic polygamy, on the other hand, supports social security and stability. It may act as a tool to curb adultery, abortion, lesbianism, and homosexuality. Since Islam regulates it with justice, it provides a moral, justifiable, and humane solution to societal issues where it may render financial stability, companionship, proper upbringing, and other social and psychological

needs.¹³⁸⁴

1.4 Solutions & Suggestions

Al-Maraghi, another scholar who studies on this subject matter attests on the justice which must be implemented based on verse 129 that according to his observation, must be adhered at the husband's utmost capability. Nonetheless, he discloses his views on how polygamous marriages, not done appropriately and idealistically would lead to severe risks and afflictions that sprout from jealousy and the likelihood of complaints.¹³⁸⁵ This consideration reiterates on polygamy that cannot be merely baseless or desire fulfilment. Polygamy in Islam must be abided with its conditions and pre-requisites. From the above citations and phenomena addressed in verse 129 of surah An-Nisa', we have analysed on the issue of emotional instability, jealousy, anger, and dissatisfaction that could stir up the foundation of the polygamous marriage.

Upon evaluating on the prospect of the division of time amongst the wives and accommodation, misunderstanding of the real application demanded for this may be detrimental for the relationships among wives. It is highly crucial that the husband provide an accommodation for each wife and do not gather all the wives together in one house without their approval. In many cases, this usually cause severe arguments and fights among wives and instil sparks of jealousy in their hearts as they see their husband having great pleasure with his other wives.¹³⁸⁶ In response to that, if the husbands cannot provide different accommodation for each wife, he should at least provide different rooms for each wife and have different entry points for each wife. If this is not done, it is worried that it could allow his wives to be inclined on spying on

¹³⁸³ Babagana, M., & Turkur, B. (2022). "The Western Misconception on Islamic Polygamy: An Assessment of Islamic Polygamy's Benefits from Islamic Perspective," 599

¹³⁸⁴ Tukur batagarawa, K. & Yahaya, A. G, "Counting Blessings with Cautions: Wisdom and Vitality of Polygamy in Islam." *Journal of Humanities and Social Science*. 23, (9)," 47-53.

¹³⁸⁵ Usman, "Perdebatan Masalah Poligami Dalam Islam, (Kajian Tafsir Al-Maraghi QS. al-Nisa' ayat 3 dan 129. (Riau: Dosen Fakultas Ushuluddin UIN Suska)," 140.

¹³⁸⁶ Mustafa al-Bugha. "Al-Fiqh al Manhaji. Syria: Dar al Qalam. See also Siti Zubaidah Bt Ramli, Hana Duerama, Farrah Wahida Bt Mustafar, *Realiti Keluarga Poligami: Komunikasi Nafkah Menurut Perspektif Mazhab Syafii'e*,"

each other and disturb their privacy as this could also render mis happenings of loss of items and pleasure between the relationship of the husband and his wives.¹³⁸⁷

On the other hand, husband's insufficient knowledge on the dichotomy of justice in polygamy render inefficiency that causes mistreatment and unjust dissemination of expenses (nafkah). This may lead to mistreatment at the level of cruelty (zulm) on his family and due to this, he is not supposed to be eligible to be involved in polygamous marriages.¹³⁸⁸ It has been emphasized too that the wisdom behind being just on the expenses would be unachievable if the husband is incapable of doing justice in this aspect. This will lead to disruption of peace and heart-breaking experiences, unattended children that will make them prone to have physical growths which are harmful to their body.¹³⁸⁹

Some coping strategies that have been adopted by wives in polygamous households are practical cooperation amongst co-wives. As per analysed, wives tend to support each other in various ways. There is a study that portrays infertile women helping co-wives to take care of their children as well as household chores. There are few who also helped financially in exchange of child rearing to the wives of seniority. Recent findings display efforts of infertile women to accept co-wives rather than proceeding with divorce. Nonetheless, acceptance and respect are quite challenging to be given by wives with children and most of them cannot live under the same roof.¹³⁹⁰

Moreover, most polygamous women in Pakistan finds strength and solace through religious practices and enjoining other activities. The wives shared on relief and support gained through prayers and other activities whenever they feel depressed. Furthermore, they accepted their co-wives as fate roles and made compromises rather than succumb to divorce as children were also source of strategic complements where they can receive comfort in dealing with such circumstance.¹³⁹¹

Nonetheless, these strategies which had been initiated should be supported with further enhancement for wives' coping mechanisms and stress management. Women must be strengthened by positive affirmation on self-worth as empowerment for women in a male-dominant state is difficult though crucial. There should be community awareness through maximising media on the consequences on unsuccessful polygamy. It is pertinent to spread on the emphasis of wives' mental wellbeing and health. The psychological health of women is a

¹³⁸⁷ Al-Kasani, Ahmad, *Badai` al Shunai` fi Tartib al-Syarai*

¹³⁸⁸ Siti Zubaidah Bt Ramli, Hana Duerama, Farrah Wahida Bt Mustafar, *Realiti Keluarga Poligami: Komunikasi Nafkah Menurut Perspektif Mazhab Syafii'e*, 154

¹³⁸⁹ *Ibid*

¹³⁹⁰ [Jankowiak W, Sudakov M, Wilreker BC. "Co-wife conflict and co-operation," 81-98.](#)

¹³⁹¹ Rossi P. "Strategic choices in polygamous households: Theory and evidence from Senegal. *The Review of Economic Studies*," 86(3): 1332-1370.

requisite to form a sound, healthy family and should be highlighted, especially in developing countries where resources are limited.¹³⁹²

One of the negative connotations realised include the inability to be involved in alleviating societal issues which invoke one of polygamy's goal. Elucidating on the objectives of polygamy compel us to realise on certain prominent positive impacts that sprout from polygamy. Islam ensures the cognisance of natural impulse of humankind by perceiving polygamy as a means for rights and wellbeing of woman if correctly done. Polygamy ideally seeks to offer a better solution for eradicating the increasing rate of prostitution, adultery pregnancy out of wedlock, widows, aging woman and struggles of single-mothers.¹³⁹³ On top of that, it is clear on how justice in polygamy has to be applied where there are elements that require strict justice implementation which contrast feelings and intimacy in which justice can be appreciated through love and affection even though they are immeasurable. To avoid a household that is not able to comply to a harmonious, tranquil, love and mercy which does not solve the societal issues, husbands will have to be educated on how to apply justice at their utmost capability.¹³⁹⁴

Based on the current phenomena, the acts of injustice and inequality done in a polygamous household have always been a classic issue that attracts discussions from both women and men. Upon receiving news and information on problems that occur from injustice being done has affect women's perception on polygamy in Islam. Most women perceive polygamy in Islam nowadays as a fundamental problem as legalised by the Syariah legitimation in the favour of men. Moreover, women have apprehended polygamy as something that should be avoided concerning the general demands of women, wanting to be the only wife of the husband.¹³⁹⁵ The detrimental situation now includes having some countries going to the extent of reinforcing students to believe polygamy as an illegal practice as noticed in Nigeria, Sierra Leone, Kenya and Zimbabwe.¹³⁹⁶ Contrasting that phenomena are some countries such as Indonesia which allows polygamy to be practiced but there are lots of cases of unsuccessful polygamous marriages done out of injustice, irresponsibility and in worst cases done illegally and without the wife's consent.¹³⁹⁷

¹³⁹² Naseer, S., Farooq, S., & Malik, F, "*Causes and consequences of polygamy: An understanding of coping strategies by co-wives in polygamous marriage.* ASEAN Journal of Psychiatry,"

¹³⁹³ Dr Raudlotul Firdaus Binti Fatah Yasin, Dr Mohd Shah Jani, "The Positive Role of Polygamy in Reducing Women Socio-Related Problems in Malaysia, (America: America International Journal of Social Science)," 72-75

¹³⁹⁴ Rahmin T. Husain, Arifuddin Ahmad, Siti Aisyah Kara, Zulfahmi Alwi, Polygamy in The Perspective of Hadith: Justice and Equality among Wives in a Polygamy Practice," 96.

¹³⁹⁵ Siti Ropiah, "Studi Kritis Poligami Dalam Islam (Analisa Terhadap Alasan Pro Dan Kontra Poligami)," 89-104

¹³⁹⁶ Abdul Jalil, "Wanita Dalam Poligami (Studi Pemikiran Muhammad Syahrur)," 1-19

¹³⁹⁷ Rahmin T. Husain, Arifuddin Ahmad, Siti Aisyah Kara, Zulfahmi Alwi. (2019) Polygamy in The Perspective of Hadith: Justice and Equality among Wives in a Polygamy Practice," 94

Economically, a wife is dependent on her husband. In contrast, the husband is usually more concerned with the demands of the young wife's needs and neglects his previous wife and children. As a result, wives who do not have a job will have difficulty covering daily needs for themselves and their children. Culturally, injustice applied in polygamy often causes physical, economic, sexual, and psychological distress among women. This leads to inferiority on the wife's self, resulting in mental illness if the issue persists. Thus, practicing polygamy can cause harm to the wife physically and psychologically.¹³⁹⁸ There are also several steps taken by various countries to ensure a husband is financially secured to be sustaining a polygamous household. Countries like Egypt for instance, set a law in which a husband would need to fulfil a certain economic status before considering a second wife. In response to this arrangement, fewer than 0.05% of marriages are polygamous. Singapore, Malaysia, and Indonesia require court permission and highly stable financial state to accommodate polygamous family. Therefore, the numbers are insignificant. There are also repercussions stipulated by countries like Egypt, Iran and Pakistan should the husbands fail to fulfil the requirement. Failure for equal distribution of rights of the wives will result in divorce for the wife that is being disadvantaged. There is also a pre-nuptial contract arrangement that can be agreed upon spouses on husband's impermissibility and consequence, should he decide to remarry. This lawsuit guarantees the wife entitlement of divorce or house or returned dowry etc if the husband breaches the contract. It is currently effective in Morocco and Lebanon.¹³⁹⁹ Undoubtedly, husbands who fail to completely understand the concept of justice in polygamy are unable to treat their wives fairly.

I ascertain that many lessons on managing irresponsible polygamous cultures can be benefited from Bangladesh's family law ordinance. Stipulated responsibilities to sustain registries have established restrictions on polygamy. The procedure requires the husband to acquire written permission of local government authorities (Union Council) of the second wife's residence and justify the council that he had received the first wife's consent. Additionally, the new marriage must be assessed as "just and necessary". These factors are judged based on the first wife's physical or mental wellbeing and the husband's ability to support polygamous families. To implement these rules, the MFLO equipped Union Councils to adjudicate on all issues with regards to polygamy and implement imprisonment sentences for men convicted in contravention of these rules. In addition to this rule is the enforcement of immediate judicial divorce should the second marriage not be approved by the council and the allowance for the claim of Mehr and alimony without husband's agreement.¹⁴⁰⁰

¹³⁹⁸ Didi Sumardi, POLIGAMI PERSPEKTIF KEADILAN GENDER. (Bandung: Dosen Fakultas Syari'ah dan Hukum Universitas Islam Negeri Sunan Gunung Djati), 199

¹³⁹⁹ Johnson, H. (2005). *There are worse things than being alone: Polygamy in Islam, past. There Are Worse Things Than Being Alone: Polygamy in Islam, Past & Present*, 31

¹⁴⁰⁰ Ambrus, A., Field, E., & Torero, M, MUSLIM FAMILY LAW, PRENUPTIAL AGREEMENTS AND THE EMERGENCE OF DOWRY IN BANGLADESH," 9

In our final analysis, Islam has never provoked on imposing polygamy to be practiced universally nor has it put any restrictions on plurality of wives to 4. Islam neither forces one to commit in polygamy nor prohibits Muslims from doing so if conditions are adhered. Nonetheless, it is always crucial to be aware of the societal issues that revolve around polygamous marriages to eliminate harmful connotations that came about from it.

CONCLUSION

Polygamy as an unquestionable Islamic practice must be abided with the specified conditions. Based on the adduced matters and concerns raised, it can be derived that justice is not simply about equality. Being just in the discussed aspect means a person is reliable, responsible, and wise in implementing equity in his/her roles in the polygamous household. When the husband is just, he will be able to wisely show his love and affection through his acts of service to his wives without offending anyone of them. It is irrational for one to commit in a polygamous household when he struggles to be just even with his current family. Therefore, trust is significant that the wife's consent is ideally taken with regards to remarriage as well as the husbands' assurance to be just in a polygamous household. On moral grounds, I fervently believe that it is crucial that husbands secure financial stability to fulfil the needs of wives and children. Hence, if husbands are incapable of satisfying the materials and emotional conditions, he should fathom out that he is not eligible to consider polygamy.

Upon discovering the dichotomy of justice in polygamy have enlightened us on the obligatory and non-obligatory aspects of justice in polygamy. This includes knowing that the division of time amongst the wives /overnights, accommodation, and expenses (nafkah) should be given equally. On the other hand, love and sexual intercourse are factors that do not demand equality as an obligation. Misleading views on polygamy's nature and same-sex marriages as a better option are shown to describe syariah as misogynistic and insensitive. Nonetheless, arguments are laid to counter back. Islamic polygamy is not to be merely judged by the practice of few individuals but rather be viewed with a holistic approach and practical lens.

I would like to recommend future researchers to analyse more on the contemporary views and exegesis with regards to the subject matter and address misperceptions on Islamic polygamy. Researchers may maximise contrasting research tools to further explore on the views and perceptions of the society upon the matters. Case studies would also be an alternative to acknowledge those which are leading successful polygamous household, following the Syariah that will provide guidelines to manage polygamous households effectively. These studies may potentially detect significant triggers of mismanagement in households that will render precautionary measures for those contemplating to take polygamy as an option.

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REFERENCES

- Abdul Hakim Baharuddin. (2017). Status Hubungan Antara Isteri-Isteri Dalam Poligami: Analisis Terhadap Perbincangan Hukum-Hukum Fekah
- Abdul Jalil, (2016), “Wanita Dalam Poligami (Studi Pemikiran Muhammad Syahrur),” *Cendekia: Jurnal Studi Keislaman*, Vol. 2, No. 1)
- Abdul Karim Zaidan, (2006), *Al-Mufasssal Fi Ahkam Al-Mar'ah Wa-Al-Bait Al-Muslim Fi Al-Syariah Al-Islamiah*, (Beirut: Muassasah Al-Risalah, Juz 7)
- Abdul Razak, M. A. (2021). The Impact of Polygamy On Family Functioning [https://www.researchgate.net/publication/352150787 THE IMPACT OF POLYGAMY ON FAMILY FUNCTIONING](https://www.researchgate.net/publication/352150787_THE_IMPACT_OF_POLYGAMY_ON_FAMILY_FUNCTIONING)
- Abu Al-Hasan, Ali ibn Ahmad bin Mukram As-Sa'idi, Hashiatul Adawi Ala Sharh Kifayah Al-Talib Ar-Rabbani, (Beirut: Dar Al-Fikr, juz 2)
- Abu Bakar ibn Mas'ud Al-Kasani Al-Hanafi Ala'a Aldin, (1424-2003), *Badai'i Al-Sanai'i Fi Tartib Al-Syarai'i*, (Beirut: Dar Al-Kutub Al-Ilmiah Juz 2)
- Abu Bilal Philips. (2005). *Polygamy in Islam*. (Riyadh: International Islamic Publishing House).
- Ahmed, M. B. (2006). Homosexuality: An Islamic perspective. *Journal of the Islamic Medical Association of North America*, 38(1). <https://doi.org/10.5915/38-1-6275>
- Al-Awzai'i, Abu Amru Abdu Al-Rahman bin Amru bin Yahmad, (88-157H), *Fiqh Al-Imam Al-Awzai'i*, (Baghdad: Wizaratul Al-Awqaf)
- Al-Kasani, Ahmad. 1992. *Badai` al Shunai` fi Tartib al-Syarai`*. Syria: Dar al Kutub al-Ilmiyyah.
- Al-Khatib Al-Syarbini, (1418-1997), *Mughni Al-Muhtaj Ila Makrifat Maani Alfaz Al-Minhaj*, (Mamlakat-As-Sau'udiah: Dar Al-Makrifah)
- Al-Qurtubi, Muhammad bin Ahmad bin Abi Bakar Bin Farhi Al-Ansari Al-Khazraji Al-Andalusi, Abu Abdullah, Al-Qurtubi, (1427-2006), *Al-Jami' Li Ahkam Al-Qur'an (Tafsir Al-Qurtubi)*, (Beirut: Muassasah Al-Risalah, Juz 5)
- Al-Sarsakhi Shams Al-Din, (1409-1989), *Al-Mabsut*, (Beirut: Dar Al-Makrifah, juz 5)

- Al-Tabari, Ibn Jarir Al-Tabari, Muhammad bin Jarir bin yazid Al-Tabari, Abu Ja'far, Jami' Al-Bayan an Ta'wil Ayat Al-Qur'an (Tafsir Al-Tabari), (Dar Hajar Li At-Tibaah Wa-Al-Nashr)
- Ambrus, A., Field, E., & Torero, M. (2009). MUSLIM FAMILY LAW, PRENUPTIAL AGREEMENTS AND THE EMERGENCE OF DOWRY IN BANGLADESH. https://scholar.harvard.edu/files/field/files/aft_dowry_november_2009.pdf
- Babagana, M., & Turkur, B. (2022). The Western Misconception on Islamic Polygamy: An Assessment of Islamic Polygamy's Benefits from Islamic Perspective, 8. https://doi.org/http://dspace.univ-eloued.dz/bitstream/123456789/12941/1/The%20western%20Misconception%20on%20Islamic%20Polygamy_%20an%20assessment%20of%20Islamic%20Polygamy%27s%20Benefits%20from%20Islamic%20Perspective.pdf
- C, C., B, L., A, F., & Martin, C. (2013). T. Same-Sex Marriages and Partnerships in Two Pioneer Countries, Canada, and Spain., (In 27th IUSSP International Population Conference, Busan).
- Daming, D., Abubakar, A., Mahfudz, M., & Aminah, St. (2021). Misunderstanding of polygamy verses in the Qur'an. *Al-Maiyyah: Media Transformasi Gender Dalam Paradigma Sosial Keagamaan*, 14(2), 128–142. <https://doi.org/10.35905/al-maiyyah.v14i2.759>
- Didi Sumardi, (2015). POLIGAMI PERSPEKTIF KEADILAN GENDER. (Bandung: Dosen Fakultas Syari'ah dan Hukum Universitas Islam Negeri Sunan Gunung Djati)
- Dr Abdullah Tayyar, Justice on Polygamy, (Riyadh: Dar Al-Asimah)
- Dr Fatin Binte Muhammad bin Abdullah Al-Musharraf, Ma Yajibu Al-Adl Fihi Baina Al-Zaujat Wa Ma La Yajibu, (Riyadh: University of Al-Imam Muhammad Bin Sau'ud Al-Islamiah).
- Dr Hasan Suhail Al-Jumaili, Al-Qasmu Baina Al-Zaujat Fi Al-Syariah Al-Islamiah, (Alukah: Huquq Al-Nashr Al-Alukah)
- Dr. M. Quraysh Shihab, (1996), Membumikan Al-Qur'an Fungsi dan Peran Wahyu dalam Kehidupan Masyarakat, (Malaysia: Penerbit Mizan)
- Dr Raudlotul Firdaus Binti Fatah Yasin, Dr Mohd Shah Jani, (2013), The Positive Role of Polygamy in Reducing Women Socio-Related Problems in Malaysia, (America: America International Journal of Social Science)
- Dr Yusuf Al-Qardhawi, (2016), Fatawa Al-Mar'ah Al-Muslimah
- Dusuki Bin Haji Ahmad, (1978), Poligami Dalam Islam. Kuala Lumpur: Fine Art Printing Works.
- Fadzlina Jaafar, Zaif, (2007) Perkahwinan Poligami Daripada Perspektif Wanita, (Malaysia: Utusan Malaysia)
- Fajar, M. S. (2014). Keadilan Dalam Hukum Islam (Tinjauan Multidisipliner Dalam Kasus Poligami) *Al-A'dalah*, 1, 33–48.
- Hasan, H., Jahar, A. S., Umar, N., & Abdullah, I. (2022). Polygamy: Uncovering the effect of patriarchal ideology on gender-biased interpretation. *HTS Teologiese Studies / Theological Studies*, 78(4). <https://doi.org/10.4102/hts.v78i4.7970>

- Howes, P. J. D. (2019). Western and Islamic Polygamy: Social Acceptance and Challenges.
https://doi.org/https://www.academia.edu/44513604/Western_and_Islamic_Polygamy_Social_Acceptance_and_Challenges
- Husain, R. T., Ahmad, A., Kara, S. A., & Alwi, Z. (2019). Polygamy in the perspective of hadith: Justice and equality among wives in a polygamy practice. *MADANIA: JURNAL KAJIAN KEISLAMAN*, 23(1), 93.
<https://doi.org/10.29300/madania.v23i1.1954>
- Ibn Qudamah, Abdullah ibn Muhammad ibn Qudamah Al-Jumaili Al-Muqaddasi, (1417-1997) Al-Mughni, (Riyadh: Dar A'lamul Al-Kutub, juz 7)
- Janas Khan. (2015). Islamic Concept of Polygamy, Its Benefits, and Impact on Society. (Pakistan).
 - Johnson, H. (2005). There are worse things than being alone: Polygamy in Islam, past. *There Are Worse Things Than Being Alone: Polygamy in Islam, Past & Present*.
<https://scholarship.law.wm.edu/cgi/viewcontent.cgi?article=1134&context=wmjowl>
 - Maulana Mahiddudin Khan. (2006). Polygamy and Islam. (India: Good Workbooks), 10.
 - Michele Alexandre, (2007), Lessons of Islamic Polygamy: A Case for Expanding the American Concept of Surviving Spouse So as To Include Defacto Polygamous Spouses, (America: University of Memphis Cecil C. Humphreys School of Law)
 - Muhammad ibn Abdullah Al-Khatib At-Tabrizi, Mishkat Al-Masabih, (Beirut: Al-Maktab Al-Islami, vol: 3, 1970)
 - Muhammad bin Ismail Al-Amir Al-San'ani, (1427-2006), Subul Al-Salam Sharh Bulugh Al-Maram min Adillat Al-Ahkam, (Iraq: Maktabah Al-Maarif, juz 3)
 - Muhammad bin Yazid bin Majah Al-Qazwini Abu Abdullah, Sunan ibn Majah,

 - Muhammad Al-Amir Al-Kabir, Al-Iklil Sharh Mukhtasar Khalil, (Al-Qahirah: Maktabah Al-Qur'an juz 5)
 - Mustafa al-Bugha. (1992). Al-Fiqh al Manhaji. Syria: Dar al Qalam
 - Nadzrah Ahmad. (2019). Women's Rights in Marriage: between Qur'anic Provision and Malpractice.
 - Naik, D. Z. (n.d.). Islam and Female infanticide. Islam and female infanticide.
https://www.islamawareness.net/FamilyPlanning/Infanticide/fit_article001.html
 - Naseer, S., Farooq, S., & Malik, F. (2021, December 17). Causes and consequences of polygamy: An understanding of coping strategies by co-wives in polygamous marriage. *ASEAN Journal of Psychiatry*.
<https://www.aseanjournalofpsychiatry.org/articles/causes-and-consequences-of-polygamy-an-understanding-of-coping-strategies-by-cowives-in-polygamous-marriage-79225.html#12>
 - Nasir Bin Saaid bin Saif Al-Saif, (2018), Al-Adl Fi Al-Nafqah Baina Al-Zaujat, (Beirut: Dar Al- Amal)
 - Nur Al-Din Abi Al-Hasan Ali ibn Sultan Muhammad Al-Harawi Al-Qari, (Fathu Bab Al-Inayah Bi Sharh Al-Islam Al-Nuqayah, (Beirut: Syarikat Dar Al-Islam Arqam ibn Abi Al-Arqam Li-At-Tibaah Wa-An-Nashr Wa-At-Tauzi')
 - Ouarodima, M. (2023). Polygamy in So Long a Letter: A Misunderstood Concept? *International Journal of Current Innovations in Advanced Research*, 1(4),

69–75. Retrieved from <https://www.ijciar.com/index.php/journal/article/view/35>. Pg 5&6

- Rahmin T. Husain, Arifuddin Ahmad, Siti Aisyah Kara, Zulfahmi Alwi. (“Polygamy in the Perspective of Hadith: Justice and Equality among Wives ...”) (2019) Polygamy in The Perspective of Hadith: Justice and Equality among Wives in a Polygamy Practice. (Sulawesi Selatan: State Islamic University (UIN) Alauddin Makassar)
- Salam, B. (2016, June 20). 7 shields for the Muslim against fornication and adultery. GSalam.Net. <https://www.gsalam.net/7-shields-for-the-muslim-against-fornication-and-adultery/#Header6>
- Siti Ropiah, (2018), “Studi Kritis Poligami Dalam Islam (Analisa Terhadap Alasan Pro Dan Kontra Poligami),” *Al-Afkar, Journal for Islamic Studies*, Vol.1, No. 1)
- Siti Zubaidah Bt Ramli, Hana Duerama, Farrah Wahida Bt Mustafar, *Realiti Keluarga Poligami: Komunikasi Nafkah Menurut Perspektif Mazhab Syafii’e*, (Malaysia: Kolej Universiti Islam Melaka)
- Shikha, A. B. I., & Yusha’u, A. B. S. (2020). Analysis Of the Legality of The Institution of Polygamy in Islamic Law.
- Tarigan, A. A., Nurhayati, & Marpaung, W. (2021). Taming islam•6 polygyny law revealing male sexual desire in ... - neliti. TAMING ISLAM•6 POLYGYNY LAW Revealing Male Sexual Desire in Indonesia’s Polygyny Practices. <https://media.neliti.com/media/publications/435040-taming-islams-polygyny-law-revealing-mal-d286aeac.pdf>
- The Rakyat Post, A. L. (2023, August 26). Who, what, why of Abang Tesla - from the eyes of someone not well-versed with local online drama. TRP. <https://www.therakyatpost.com/news/2023/08/26/who-what-why-of-abang-tesla-from-the-eyes-of-someone-not-well-versed-with-local-online-drama/>
- Tsoledi, Daniel Thobejani. (2014). An Exploration of Polygamous marriages: worldview. (Rome: MCSER publishing).
- Usman, (2014). Perdebatan Masalah Poligami Dalam Islam, (Kajian Tafsir Al-Maraghi QS. al-Nisa’ ayat 3 dan 129. (Riau: Dosen Fakultas Ushuluddin UIN Suska)
- Yahya ibn Sharaf Al-Nawawi Muhyiiddin Abu Zakaria, (1412-1991), Raudhah Al-Talibin Wa Umdah Al-Muftiin, (Lubnan: Al-Maktab Al-Islamiah)
- Yufni Faisol, (2016) Konsep Adil Dalam Poligami: Telaah Pemikiran Mushthofa Al-Adawi dalam Tafsir Al-Tashil Lita'wil Al-Tanzil, (Indonesia: Journal Ihya’ Ulum Al- Din)
- Zaidi, T. (2016). Polygamy in the Perspective of Islam, *Social Sciences International Research Journal*, 2, 201–205.

