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ANSWERING THE CONTROVERSY OF WOMEN'S ROLE IN SOCIAL LIFE: Fazlurrahman's Perspective

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Abstract

The theme of controversy surrounding women has consistently been a captivating subject in Islamic studies, drawing the attention of scholars and researchers alike. Fazlur Rahman, one of the most prominent modern Islamic thinkers, also delved deeply into this topic, particularly focusing on the issue of polygamy. His thoughts on polygamy offer a fresh and distinctive perspective, making this discussion even more compelling. This article explores Fazlur Rahman's ideas on polygamy in depth, shedding light on his progressive stance and its implications for gender relations in Islam. The research employs a literature review approach, utilising qualitative methods and descriptive analysis to interpret his thoughts and contextualise them within the broader discourse of Islamic teachings. Islam, as revealed through the Qur'an, introduced a transformative framework that addressed and corrected prevailing societal practices in Arab culture at the time, including polygamy. The Qur'an offers a balance by providing justifications for certain practices while also establishing principles of justice and equality. Islam elevated the status of women, countering negative stigmas and accusations. Fazlur Rahman argued that the core gender issues are resolved through the Islamic concept of monotheism, which establishes the equal status of men and women before Allah and within society, reaffirming Islam's commitment to justice and dignity for all.

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A. INTRODUCTION

Ta'addud Az-Zanjiat (polygamy) in Islam is the act of a man marrying multiple spouses but not more than two to four (Rahman dkk., 2020, hlm. 22). This is one of the forms of marriage that is often discussed in society because it invites a controversial view. Polygamy is a marital bond in which a husband marries more than one wife at the same time. It is terms for men who carry out such a form of marriage. There is also in addition to polygamy, also known as polyandry. Where in polygamy, a husband who has several wives, while in polyandry, on the contrary, is a wife who has several husbands at the same time. However, compared to polygamy, the form of polyandry is not widely practiced. The practice of polyandry is only found in certain tribes, such as the Tuda tribe and the tribes of Tibet.

The opposite of polygamy is monogamy, which is a marriage bond that only allows the husband to have one wife for a certain period of time. Another term is monogyny, which is the principle that a husband has only one wife. In society, monogamy is more favored because it is felt to be most in accordance with human nature and is the most promising form of marriage.

Textually, there is indeed a verse that allows the practice of polygamy. However, the of the polygamy verse is very diverse. However, the interpretation of the polygamy verse is very diverse. Related to this, there are at least three streams. First, schools that allow absolute polygamy, with a maximum number of four. It is usually represented by the majority of classical and intermediate *mufassir*. Second, a stream that allows polygamy with strict conditions and in emergency conditions. This is usually represented by modern-contemporary *mufassir*. Third, this school that prohibits polygamy is usually represented by liberal feminist activists who consider that the practice of polygamy in the current context is clearly very gender-biased and discriminatory against women.

Some contemporary scholars, such as Sheikh Muhammad Abduh, Sheikh Rashid Ridha, and Sheikh Muhammad al-Madan, all three prominent scholars of Egypt's Azhar, prefer to tighten and prohibit polygamy. Furthermore, Abduh stated, polygamy is a deviation from a reasonable marriage relationship and is only

justified according to sharia in a social emergency, such as war, provided that it does not cause damage and tyranny (Eka Hilwatis Sakinah, 2023, hlm. 55).

In the definition of *fiqh*, *sunnah* means a good action to be done. It generally refers to the behavior of the Prophet. However, the practice of polygamy, attributed to the Prophet, is clearly very distorted. The reason is, if it is indeed considered *sunnah*, why did the Prophet not do it from the first time he got married?

In fact, throughout his life, the Prophet was longer monogamous than polygamous. Imagine, monogamy was carried out by the Prophet in the midst of a society that considers polygamy to be commonplace. The Prophet PBUH's household with his single wife, Khadijah binti Khuwalid RA, lasted for 28 years. Only later, two years after Khadijah's death, did the Prophet become polygamous. It was lived only about eight years of the rest of his life. The Prophet's polygamy was a medium to solve social problems at that time, when the existing social institutions were not strong enough for a solution. Evidence that the Prophet's marriage was used to solve social problems can be seen in hadith texts that talk about the marriages of the Prophet. Most of them were widows of death, except for Aisha binti Abu Bakr RA.

A person who has more than one wife is obliged to maintain justice between his wives as justly as possible, especially according to his appearance, the Word of Allah SWT: "And you are never able to do justice between women (your wives), even if you really hope for justice, so do not pour out all your affection (to your beloved wife) until you leave your other wife. like people who are hanged without a rope. If you want to do good and you fear Allah, indeed Allah is Forgiving and Merciful." (Q.S. An-Nisa: 129)

That is to say, you will never be able to be fair between your wives. Therefore, if you show all your love to only one of your wives, of course the other wife means that you are wasting it, let alone not visiting. The fate of your wife who is not visited is no different from a woman who is hanged without a rope. It is said that she is married, there is no husband, it is said that the widow is still married. Therefore, if you make peace, for fear of breaking in, that's better.

In the tafsir *al-Maraghi* it can be concluded about the justice of polygamy contained in Surah al-Nisa': 129, that it is obligatory for the husband to maintain

justice as much as possible among his wives. Although it is impossible to enforce, try to be as fair as possible so as not to make the wives neglected. The justice imposed by Allah is adjusted to the husband's ability, namely to treat the wives well and not to prioritize some others in matters that are included in the effort, such as division and maintenance. And Allah SWT will forgive in other things such as love, excess welcome and so on.

What is meant by the fairest division is in terms of the division of turns and the provision of alimony. Maintenance itself includes: living expenses (*nafaqah*), clothes (*kiswa*), and shelter (*maskan*) (Zainuddin Aziz, Abul Hiyadh, Surabaya: Al-Hidayah:1993..

As for the matter of dividing love and affection, no one is burdened because the matter of dropping love and affection in the heart, is not a human affair but a matter of Allah. Therefore, the matter of love and love can be exaggerated, because it is beyond the power of humans. So, what Allah says in the verse, "And you will never be willing to do justice", is in the matter of love and not outward justice.

The majority of *fiqh* scholars (Islamic jurists) realize that qualitative justice is something that is very impossible to realize. Abdurrahman al-Jaziri wrote that equalizing the rights to sexual needs and affection among married wives is not an obligation for polygamous people because as human beings, people will not be able to do justice in dividing affection and affection is actually very instinctive. It is natural for a husband to be only interested in one of his wives more than the others and this kind of thing is beyond the control of man (Al-Rahman:1999).

Regarding women who are disobedient, it is not obligatory to give justice to them, whether it is shopping, clothing, places and so on. The sign of her disobedience is when she violates one of her obligations to her husband, which causes him to be angry with her, provided that the husband has repeatedly reminded her.

The definition of polygamy is marriage between a man and a woman of more than one person. Orientalists accuse polygamy as a product of Islamic teachings, with the aim of insulting and terrorizing Islamic teachings, they bring forward negative aspects of polygamy. Even though polygamy had been going on for a long time before Islam came. Judaism allowed unlimited polygamy in the

past. In fact, the existence of Islamic sharia regulates polygamy with a certain number of conditions. Talking about polygamy is inseparable from the review of marriage recommendations, goals, wisdom and functions of marriage. Marriage Recommendation: al-Nur: 32-33, which means: "And marry those who are alone among you, and those who are worthy (to marry) from male servants of sahayamu and servants of female companions. If they are poor, Allah will enable them with His bounty. And Allah is Vast and All-Knowing. And those who are unable to marry should keep their purity, until Allah enables them with His bounty."

Laws and Evidence of Marriage Scholars agree that marriage is shari'ah in Islam. But there are differences of opinion regarding the law of marriage. 1. Marriage is mandatory by law. This opinion was pioneered by Daud al-Dhahiri, Ibn Hazm and Imam Ahmad according to one of the narrations. The reason is that the order to marry in Surah al-Nisa' verse 3, the order to marry in Surah al-Nur: 32 and some hadiths narrated by Bukhari-Muslim use sighat amar which indicates the absolute obligatory commandment. 2. Marriage is sunnah, according to Imam Abu Hanifah and Imam Ahmad according to a history. Marriage is a law of mubah, according to Imam Shafi'i. Marriage law can transform if it is associated with the conditions and objectives of its implementation. 1. Jaiz or mubah (permissible), this is the original law of marriage. 2. Sunnah, for those who desire and are able to provide a living, etc. 3. It is obligatory for a person who is able to provide for himself and he is afraid of being tempted by evil (adultery). 4. Makruh, for people who are unable to provide for themselves. 5. Haram, for a person who intends to hurt the woman he marries. The evidence that he has sharia is Surah Ar Rum verse 21.

Hadith on Marriage Abdullah Ibn Mas'ud Ra said: The Messenger of Allah (peace and blessings of Allaah be upon him) said to us: O young generation, whoever among you has been able to have a family should marry, because he can lower his gaze and preserve his genitals. Whoever is not able to fast should fast, for he can control you.

Anas Ibn Malik Ra said: The Prophet PBUH ordered us to have a family and strictly forbade us to be single. He said, "Marry a fertile and loving woman, for with your many I will be proud before the Prophets on the Day of

Resurrection." From Abu Hurairah Ra, the Prophet PBUH said: A woman is married because of four things, namely: her wealth, descent, beauty, and religion. Get a religious woman, and you will be happy.

Marriage is an atmosphere of righteousness that leads to the development and bonds of family, maintaining honor and protecting it from all unlawfulness, marriage is also tranquility and *tuma'ninah*, because with it can be obtained tenderness, affection and love between husband and wife. Marriage is the best way to have children, multiply children, while maintaining a destiny with which we can know each other, work together, be gentle and help each other. Marriage is the best way to channel biological needs, distribute orgasm without the risk of getting sick. Marriage can be used to build a righteous family that is a role model for the community, the husband will struggle to work, provide for the family and take care of the family, while the wife educates children, takes care of the house and regulates income, thus the community will become the right situation. Marriage will fulfill the nature of fatherhood and motherhood that grows by itself when having offspring.

The evidence that is the basis for polygamy is Surah An Nisa verses 3 and 4. The fairness referred to here is fairness in the form of manifestation, such as fairness in giving food, clothes and shelter. It is not fair in the form of *bathiniyah* (mental inclination), because after all, the human heart is not able to be completely just (QS. Al-Nisa': 129). But the husband is forbidden to let his wife hang around, not to be mixed and not to be rejected.

According to Mahmud Syaltut, former Sheikh of Al-Azhar, the law of polygamy is *mubah*.

Polygamy is allowed as long as there is no fear of abuse towards the wives. The permissibility of polygamy is related to the guarantee of justice and the absence of concern about the occurrence of abuse towards the wives. In the exegesis of Al-Kasyaf, Zamakhsyari says that polygamy in Islam is a *rukhsyah* (concession in emergency), just like the *rukhsyah* for travelers and sick people who are allowed to break their fast. The concession to marry multiple wives is to prevent adultery. Therefore, it is forbidden to practice polygamy for someone who fears they will not be just. Before the verse on polygamy was revealed, many companions had more than four wives. After the revelation of the verse on

polygamy, the Prophet Muhammad SAW ordered the companions to only have a maximum of four wives.

"Indeed, the Prophet Muhammad SAW said to Ghailan bin Salamah, who when he embraced Islam had ten wives, 'Choose four of them and divorce the others.'" (Narrated by Nasa'i and Daruquthni). Similarly, the confession of a companion named Qais bin Harits. "I embraced Islam along with eight wives, then I told this to the Prophet Muhammad SAW, and he said: 'Choose four from them.'" (Narrated by Abu Dawud).

The Various Opinions of Scholars agree that a man who is capable of being just in household life is allowed to practice polygamy up to four wives. For your information, there is also an opinion that allows having up to nine wives with the reason that the Prophet SAW had nine wives. As a note, the Prophet SAW never practiced polygamy during his life with Khadijah. Only after Khadijah passed away did the Prophet SAW marry other widows of former fighters (mujahids), who were his close companions, to strengthen the hearts of the families they left behind and to solidify the struggle of the Muslim community at that time. From the background and identification of the issues above, the problems to be discussed can be formulated as follows: How does Fazlur Rahman interpret polygamy in the Qur'an, Surah An-Nisaa'. How is gender equality in the Qur'an?. What is the meaning of justice in the Qur'an, specifically in Surah An-Nisaa' regarding polygamy?

B. RESULTS AND DISCUSSION

A Brief Explanation About Polygamy

Polygamy comes from the Greek language. Polygamy is the marriage of a man to more than one woman or multiple marriages, or the understanding of a man sharing his love or affection with several women by marrying or taking more than one wife. This may lead to perceptions, either negative or positive, regarding the morality of someone practicing polygamy.

The process of perception consists of three stages. The first stage occurs when stimulation affects the senses. The second stage is when the sensory stimulation is organized based on certain principles, such as proximity and similarity. The third stage is when the sensory stimulation is interpreted and

evaluated. Interpretation and evaluation are processes that cannot be separated. The third stage is a stage of subjectivity. This is because interpretation and evaluation are influenced by experience, needs, values, beliefs about how one should behave, expectations, circumstances, and emotions. Perception is also influenced by past learning experiences, expectations, and preferences.

This word is a combination of the words *poli* and *polus*, which mean "many", and the word *gamein* or *gamos*, which means "marriage" or "wedding." When these two words are combined, they mean a "marriage to many." If understood from this word, it is correct to say that anti-polygamy is a marriage to many, which could possibly be in an unlimited number. However, in Islam, polygamy refers to a marriage to more than one, with the general limitation of up to four women. Although some understand the verses about polygamy with limits beyond four, or even more than nine wives. Polygamy with the limit of four seems to be more supported by historical evidence, as the Prophet prohibited marrying more than four women.

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Polygamy is one of the objects in the social sphere. People will differentiate in giving their perceptions of polygamy. Different views on the issue of polygamy lead to different perceptions of polygamy between one person and another. A

person's perception of polygamy greatly depends on their understanding of polygamy.

The term polygamy is linguistically composed of two parts: “poli” meaning many, and “*gami*” meaning marriage. Therefore, polygamy means a marriage with two or more women (Algra in Kuzari, 1995). According to Kuzari (1995), polygamy was originally known as marriage to more than one. Polygamy can be differentiated into two definitions: polygamy, meaning a man marries many women, and polyandry, meaning a woman marries many men. Over time, the definition shifted, and polygamy came to mean a man having multiple wives, while polyandry became less commonly used.

Aj-Jahrani (1996) states that polygamy was known to society before Islam, where a man could marry more than one wife. Soemiyati (1974) defines polygamy as the marriage of a man to more than one woman, a practice known in Indonesian society as polygamy (Sabili, 2000). Based on the understanding of perception and polygamy, it can be concluded that perceptions of polygamy are attitudes either supporting or opposing the practice of marrying more than one wife. A perception of polygamy can also be understood as the degree of positive or negative effects resulting from marrying more than one wife.

According to Aj-Jahrani (1996), Islam permits polygamy for the benefit and needs of life. Polygamy is acceptable without doubt for the happiness of a believer, both in this world and the Hereafter. Islam did not create the rule of polygamy nor require its followers to practice it. Islam came to regulate polygamy, which existed long before Islam. Polygamy was practiced before Islam by Abrahamic religions such as Judaism and Christianity, as well as by other beliefs such as Paganism and Zoroastrianism. The arrival of Islam provided a strong foundation and clear guidelines to regulate and limit the harms present in societies practicing polygamy. The goal of this is to preserve the rights of women and maintain their dignity, which was previously neglected due to unregulated polygamy without binding rules and limits.

Aryanti (1995) reveals that perceptions of polygamy are influenced by factors such as experiences, learning processes, horizons, and knowledge of the psychological object. Aryanti (1995) also suggests that perceptions of polygamy are determined by both functional and structural factors. The factors affecting

perceptions of polygamy include personal and structural factors. Personal factors include experience, learning process, needs, motives, and knowledge of the psychological object. Structural factors include environmental conditions, social status, prevailing laws, and societal values.

Krech and Crutchfield (Rahmat, 1996) state that perceptions of polygamy are influenced by the following factors: Functional Factors, which are personal factors. These include individual needs, past experiences, personality, gender, and other subjective aspects. Structural Factors, which are related to the individual, such as family environment, prevailing laws, societal values, and culture. Religious Factors, which are fundamental (principled) to an individual, such as education in religion, religious practice, beliefs, and understanding of religious teachings.

Perception of polygamy is the act of observing, interpreting, evaluating, and drawing conclusions about a marriage involving more than one woman, from both its positive and negative aspects.

Etymologically, the word "polygamy" comes from the Greek language, where "*polus*" means many and "*gamos*" means marriage. When these meanings are combined, polygamy refers to a marriage involving more than one person. In the Indonesian Dictionary, polygamy is defined as the practice of a man having more than one wife, while polyandry is the practice of a woman having more than one husband (Poerwadarminta: 2006)..

The practice of polygamy is a highly controversial issue in society, which is why the Indonesian government regulates the procedures for polygamy with alternative and cumulative requirements that must be met by parties wishing to practice polygamy. To date, the Marriage Law has not set criminal sanctions for a husband who practices polygamy without the permission of the Religious Court. However, the plan to impose legal sanctions is outlined in the 2008 draft of the Material Law on Religious Court (RUU HMPA), which has not yet been decided. The existing regulation only addresses the annulment of a marriage if the parties do not meet the marriage requirements, as regulated in Article 71 of the Compilation of Islamic Law (KHI), which was previously decided by the Supreme Court (MA) through decision No. 2039 K/Pdt/1997.

Research findings indicate that: The concept of polygamy in Indonesian law essentially adopts the principle of monogamy, but allows for polygamy if

desired by the parties involved; Polygamy can be classified as a criminal act if, in practice, it does not meet or violates the reasons and requirements set by the authorities (*ulil amri*), resulting in a *ta'zir* punishment; The legal sanction for polygamy without the Religious Court's permission refers to the formation of *maslahah*, which is the establishment of a peaceful family.

The practice of polygamy, carried out by kings as a symbol of divinity, led many to view it as a sacred act. Hindus practiced polygamy widely, as did the Babylonians, Syrians, and Persians, who did not impose any restrictions on the number of women a man could marry. A high-caste Brahmin was allowed to marry as many women as he wished. Among the Israelites, polygamy had been practiced since before the time of Prophet Moses (peace be upon him), and it became a tradition that continued without any limitations on the number of wives (Tihami dan Sohari Sahrani: 2010).

Polygamy has been practiced long before the arrival of Islam. European countries (Russia, Yugoslavia, Czechoslovakia, Germany, Belgium, the Netherlands, Denmark, Sweden, and England) were all nations that practiced polygamy. Similarly, Eastern nations like the Hebrews and Arabs also practiced polygamy. Therefore, it is incorrect to accuse Islam of being the origin of the rule regarding polygamy, because, in fact, it is still practiced and developed in countries that do not follow Islam, such as in Africa, India, China, and Japan. It is not true that polygamy only exists in Muslim countries (Alhamdani, Risalah Nikah: 1980).

It is therefore incorrect to say that Islam was the first to introduce the system of polygamy. In fact, this system of polygamy is still practiced today among some nations that are not Muslim, such as people in Africa, Hindu India, China, and Japan. It is also untrue to claim that this system only applies among Muslim nations. Christianity does not prohibit polygamy because there is no verse in the Bible that explicitly forbids it. In the past, some European nations that first embraced Christianity had a tradition of marrying only one woman. Before that, they were idol worshippers. They converted to Christianity due to the influence of the Greeks and Romans, who prohibited polygamy.

Polygamy in the pre-Islamic era was already a common practice and culture. Therefore, Islam came with enlightenment to limit the practice of

polygamy. Islam is a religion that regulates societal matters. Islam has a noble concept of humanity that is entrusted to humans to uphold and spread to all of humankind. Developed countries often require human labor (manpower) for both work and for defense and security purposes. In countries affected by war, it is common for many citizens to fall in battle, leaving behind widows who must be protected.

Similarly, in some countries, the female population exceeds the male population, as is common in countries that have recently been at war. According to Alhamdani in his book *Risalah Nikah: Hukum Perkawinan Islam* (The Treatise on Marriage: Islamic Marriage Law), if women are left alone, they will easily be tossed about and may fall into disgraceful actions that harm society. Given the imbalance between the number of men and women, the practice of polygamy can be seen as a solution to protect and care for women.

Polygamy during the time of Prophet Muhammad (peace be upon him) was viewed as a model for Islamic polygamy. The reasons behind the Prophet's practice of polygamy were noble, namely to assist widows and orphans in "struggling in the path of Allah," and he practiced monogamy for a longer time than polygamy.

Even the Prophet continued to visit the homes of his wives, despite being ill, in order to be just to all of them. He would not remain in just one wife's house for rest and comfort. Islamic jurists agree that it is the obligation of a man who practices polygamy to be just in providing for each of his wives.

The Hanafi scholars opine that justice is one of the rights of a wife and is a duty for the husband. They also believe that if the husband fails to be just, the wife can bring the matter before the judge, and the judge is expected to issue a warning and punishment for the husband's injustice (Alhamdani, *Risalah Nikah*: 1980).

Indeed, Allah SWT does not merely permit polygamy, but He strongly encourages it (based on Surah an-Nisa: 3), with two conditions that must be fulfilled: First, that the second, third, and fourth wives are widows with orphaned children; second, there must be a concern about not being able to treat the orphans fairly. Therefore, the command for polygamy becomes null and void when these two conditions are not met.

Fazlur Rahman

Fazlur Rahman was born on September 21, 1919, in Hazara, a region that is now located in the northwest of Pakistan. Fazlur Rahman was born into a very religious Muslim family. This religiosity is reflected in his own words, where he stated that he practiced Islamic worship, such as performing prayers (salat), fasting, and other rituals, without ever abandoning them. With such a religious background, it is understandable that by the age of ten, he had already memorized the Qur'an. His family adhered to the Hanafi school of thought (Fahal dan Aziz: 2013).

Fazlur Rahman's parents had a significant influence on shaping his character and early religious beliefs. Through his mother, Fazlur Rahman received lessons in values such as truth, love, loyalty, and affection. His father, a strong adherent of the Hanafi school of thought, was open to modern education. Unlike other fanatical Hanafi followers of that time, his father believed that Islam should view modernity as both a challenge and an opportunity. It was this perspective from his father that later influenced Fazlur Rahman's thinking and beliefs. Additionally, through his father's guidance, Fazlur Rahman became a person who was diligent in seeking knowledge from various sources, and it was through his mother that he developed the resilience and steadfastness to further his beliefs and advocate for Islamic reform (Fahal dan Aziz: 2013).

Pada tahun 1933, Fazlur Rahman melanjutkan pendidikannya di sebuah sekolah modern di Lahore. Selain mengenyam pendidikan formal, Fazlur Rahman pun mendapatkan pendidikan atau pengajaran tradisinonal dalam kajian-kajian keislaman dari ayahnya, Maulana Syahab al Din. Materi pengajaran yang diberikan ayahnya ini merupakan materi yang ia dapat ketika menempuh pendidikan di Darul Ulum Deoband, di wilayah utara India. Ketika berumur empat belas tahun, Fazlur Rahman sudah mulai mempelajari filsafat, bahasa Arab, teologi atau kalam, hadis dan tafsir.

After completing his secondary education, Fazlur Rahman continued his studies by concentrating on Arabic language, and in 1940, he earned a Bachelor of Arts degree. Two years later, this key figure in the Islamic neomodernist

movement completed his studies at the same university and obtained a Master's degree in Arabic ((Fahal dan Aziz: 2013).

In 1946, Fazlur Rahman went to England to continue his studies at Oxford University. While studying in the West, Fazlur Rahman took the opportunity to learn several foreign languages. Among the languages he mastered were Latin, Greek, English, German, Turkish, Arabic, and Urdu. His proficiency in these various languages helped Fazlur Rahman deepen and expand his intellectual horizons, particularly in Islamic studies, by exploring a wide range of literature (Fachry dan Effendi: 1992).

At the age of 32, Fazlur Rahman earned his doctoral degree at Oxford University. After completing his studies, he did not immediately return to his homeland, Pakistan (which had already gained independence from India). Instead, he decided to stay for a while in England. During his time in England, Fazlur Rahman taught at Durham University before moving to the Institute of Islamic Studies at McGill University in Canada, where he served as Associate Professor of Philosophy until the early 1960s. According to Fazlur Rahman, during his graduate studies at Oxford University and while teaching at Durham University, a conflict began to emerge between the modern education he received in the West and the traditional Islamic education he had received in his homeland. This conflict eventually led him to a profound skepticism, influenced by his studies in philosophy.

After three years of teaching at McGill University, Fazlur Rahman returned to Pakistan in the early 1960s, following a request from Ayub Khan to help rebuild his homeland. According to Moosa (2000:2), Ayub Khan's request was aimed at bringing Pakistan back to a vision of an Islamic state. In 1962, Fazlur Rahman was asked by Ayub Khan to lead the Islamic Research Institute and become a member of the Advisory Council of Islamic Ideology. Fazlur Rahman's motivation to accept this offer stemmed from his desire to revive the vision of the Quran, which he felt had been buried beneath the ruins of history (Fachry dan Effendi: 1992).

The "hot seat" that Fazlur Rahman occupied eventually sparked various reactions. Traditional scholars rejected his position due to his educational background, which had been shaped in the West. Opposition to Fazlur Rahman

reached its peak when the journal *Fikr-o-Nazar* published an article of his that later became the first two chapters of his book titled *Islam*. In that article, Fazlur Rahman expressed his controversial views on the nature of revelation and its relationship with Prophet Muhammad (PBUH). According to Fazlur Rahman, the Quran is entirely the word of Allah, but in a common sense, the Quran is also the word of Prophet Muhammad (PBUH). As a result of these statements, Fazlur Rahman was labeled as *munkir-i-Quran* (one who denies the Quran). According to Amal, the controversy in the Pakistani media over Fazlur Rahman's ideas lasted for about a year, eventually leading to mass demonstrations and general strikes in several regions of Pakistan in September 1968. Almost all scholars of Fazlur Rahman's thought believe that the opposition was not directed at him personally but at his association with Ayub Khan. Finally, on September 5, 1968, Fazlur Rahman's request to resign from his position as head of the Islamic Research Institute was granted by Ayub Khan.

At the end of 1969, Fazlur Rahman left Pakistan to accept an offer from the University of California, Los Angeles, where he was immediately appointed as a Professor of Islamic Thought. The courses he taught included Quranic studies, Islamic philosophy, Sufism, Islamic law, political Islamic thought, Islamic modernism, and studies on figures like Al-Ghazali, Shah Wali Allah, Muhammad Iqbal, and others. One of the reasons why Rahman decided to teach in the West was his belief that the ideas he offered would not find fertile ground in Pakistan. Additionally, Rahman sought an environment of openness to various ideas and a healthy atmosphere of debate, which he felt was absent in Pakistan (Abdul razak dan rosihun anwar: 2001).

During his time in Chicago, Fazlur Rahman dedicated his entire life to the world of scholarship and Islam. He spent much of his time in his personal library in the basement of his house, located in Naperville, about 70 kilometers from the University of Chicago. Rahman himself described this activity as being like a fish that rises to the surface only to get air. Due to his consistency and dedication to the world of knowledge, Rahman earned recognition from internationally renowned academic institutions. One such recognition came in 1983 when he received the Giorgio Levi Della Vida Award from the Gustave Evon Grunebaum Center for Near Eastern Studies at the University of California, Los Angeles.

During his approximately 18 years in Chicago, Rahman emerged as a responsible modern thinker, always striving to find solutions to the problems faced by Islam and its people. He authored several books and numerous articles that were published in various international academic journals. These works remain a lasting legacy, and his ideas continue to be studied by many scholars to this day. On July 26, 1998, after a long battle with diabetes, Fazlur Rahman passed away.

It should be noted that Fazlur Rahman's theological concept is not a separate study written in a dedicated work, but rather a reflection of his thinking as the result of a dialectical process. In fact, in several of his books and numerous articles, Rahman often discusses the theological doctrines developed by earlier schools of thought and then critiques them. From this, one can trace the patterns of Rahman's theological thinking.

Thus, the characteristic of Fazlur Rahman's thought is that, in regard to the theological ideas of the past, those aspects that are positive must be preserved, while doctrines that are misaligned or cannot be found in the roots of the Qur'anic teachings need to be reconstructed. This is because a theological system, while logically coherent, can also be completely false when it is misrepresented against the religion it claims to be based on. From this, the effort to reconstruct theology is seen as important (Rahaman: 2001).

One of the characteristics of his thought is that, for Fazlur Rahman, the theme of divinity and the universe seems to be merely a complement to the broader theme of human morality, because the central goal of religion is none other than to shape a noble and moral human character.

With all of his intellectual abilities, Fazlur Rahman was, of course, not free from shortcomings and weaknesses. Thus, it is our right to accept, agree with, or reject all or part of his ideas. From the position of acceptance or rejection, an intellectual seeker of truth must gather various pieces of information related to the opinions and ideas presented. To evaluate Fazlur Rahman's views, one must first understand the Qur'an as a holistic teaching, alongside the Sunnah, Islamic history, and other relevant sources.

Some of Fazlur Rahman's ideas include: He emphasizes that the Qur'an is not a mysterious or difficult work that requires technical training to understand

and interpret its commands. He also explains the proper procedure for understanding the Qur'an. One must study the Qur'an within its historical order to appreciate its themes and ideas. One must study it in the context of its social and historical background. This applies not only to individual verses but also to the Qur'an as a whole. Without understanding both its micro and macro backgrounds adequately, according to Fazlur Rahman, there is a high likelihood that one will misinterpret the intention and purpose of the Qur'an, whether in the activities of the Prophet in Mecca or in Medina. In his work *Islam and Modernity* (1982), Fazlur Rahman stresses the absolute necessity of systematizing the teachings of the Qur'an. Without this effort, the application of its verses in individual and disconnected situations could lead to misguidance (Rahman: 2001).

In line with the concepts regarding the foundations of Islamic law, especially concerning the Qur'an and Sunnah, Rahman then developed his own distinctive concept of *ijtihad*, along with his own unique methodology. According to Rahman, *ijtihad* is a *Jurnal Hunafa*, meaning an effort in which all of its elements contain the intellectual "jihad" of striving. He defines *ijtihad* in a concept that simultaneously carries methodological, methodological, and functional implications as follows:

Ijtihad means an effort to understand the meaning of a text or precedent from the past that contains a rule, and to alter that rule by expanding, limiting, or modifying it in ways that allow a new situation to be encompassed. The methodological implication contained in this definition is "that the work of *ijtihad* includes: understanding the text and precedents in their entirety within their context in the past; understanding the new situation currently taking place; and changing the legal rules contained in the text or precedent." The functional implication in this definition is that: these methodological concepts and formulations are intended for the purpose of reforming Islamic law to respond to the challenges of new situations.

a. His Approach

In relation to his *ijtihad* methodology, Rahman proposed three approaches: First, a historical approach to uncover the meaning of a text; second, a contextual approach to discover the goals and objectives embedded in specific

legal expressions; and third, a sociological background approach to identify the objectives and aims that cannot be captured by the contextual approach.

The targets or subjects of these three methodological approaches proposed by Rahman are social areas of law, not theology, worship, nor the moral teachings themselves. The culmination of his entire idea and conceptual methodology is formulated in two methodological movements, each consisting of a series of intellectual efforts that he technically refers to as "ijtihad" or "intellectual jihad." Just as the definition of ijtihad implements his conceptual foundations regarding the Qur'an and Sunnah, so does the formulation of Hussein Alyafie's methodology. Thus, Rahman's methodological formulation shows consistency and coherence in his thinking: from the ideas of methodological approaches, foundational concepts, the concept of ijtihad, to his methodological formulations.

b. His Method : Double Movement

The first movement of the two methodological movements, which consists of two steps, essentially elaborates on the three approaches to understanding and interpreting the Qur'an: the historical, contextual, and sociological approaches. This first movement is primarily focused on legal verses. The formulation of this first movement is as follows:

The first step involves understanding the meaning of a statement (verse) by examining the historical situation or problem in which the Qur'anic statement was a response. Before analyzing specific verses in their specific situations, a macro-level study of society, religion, customs, institutions, and the overall life of the Arabian Peninsula at the time Islam emerged, especially in Mecca and its surroundings, must be conducted first.

The second step involves generalizing those specific responses and expressing them as statements with general moral-social objectives, which can be derived from the specific verses in light of their socio-historical background and the "rationes leges" ('illat hukm), the reasons for the legal rulings, often used in Qur'anic interpretation. The first step, understanding the meaning of a specific statement, naturally leads to the second step. During this process, attention must be paid to the Qur'anic teachings as a whole, so that every specific meaning, every law, and every formulated objective will be coherent with the others. The Qur'an

itself asserts that its teachings are free of contradictions and are consistent with the whole.

The central idea in the first movement, as quoted above, is the application of inductive thinking: "thinking from specific verses to principles," or in other words, "thinking from specific legal rules to the general moral-social objectives contained within them."

There are three tools used to derive general moral-social principles: The ratio leges (legal reason) explicitly stated in the Qur'an, The ratio leges implicitly stated, which can be deduced by generalizing several specific related statements, The socio-historical context that can strengthen the implicit legal reason and help clarify the intended goal or purpose, as well as assist in revealing legal reasons and their purposes that are not explicitly stated.

Regarding the terms illat (ratio logica, legal reason) and hikmah (purpose or goal), Rahman essentially agrees with Sheikh Yamani that these two terms have different implications when related to religious (worship) aspects. However, when associated with social (muamalah) aspects, both have close meanings. Rahman does not agree with the view that in the realm of worship there is no purpose (hikmah) and in social matters (muamalah) there is no religious value or that they are merely secular. This view is commonly held by secular Muslims who identify the "religious aspect" as unchanging and eternal because it contains wisdom, whereas the social (muamalah) aspect is seen as changeable and subject to modification.

According to Rahman, in the aspect of worship there is wisdom just as there is in the aspect of social dealings (*muamalat*). However, between the two, there are different qualifications (standards). The standard of wisdom in the aspect of social dealings is logical value, whereas the aspects of social matters also contain religious values that are eternal, not merely secular. The moral-social values which sometimes in the aspect of social dealings are religious and eternal. Even the laws derived from these moral-social values, as a response to any time, are also religious, even though they are not eternal. In other words, social rules can change as long as they do not contradict the values and goals of moral-social. A change in the law that violates the values and goals of moral-social cannot be justified according to Islam. Rahman himself never made an issue of whether the

values or principles of moral-social are understood as cause (*illat*) or as wisdom (*hikmah*).

The second movement is an effort to formulate the general principles, values, and objectives of the Qur'an that have been systematized through the first movement in relation to current situations and/or issues. Rahman states the formulation of the second movement as follows:

The second movement must be carried out from a general view (which has been systematized through the first movement) into specific views that must be formulated and realized now. In other words, these general teachings must be formulated in the concrete socio-historical context of the present. Once again, this work requires careful study of the current situation and analysis of its various components so that we can assess the current situation that is needed and determine new priorities in order to apply the values of the Qur'an in a new way as well.

From the quotation above, it can be seen that in this second movement there are two interconnected tasks. First, the task of formulating the general principles of the Qur'an into specific formulations, meaning those related to specific themes, such as the Qur'anic economic principle; the Qur'anic democracy principle; the Qur'anic human rights principle, and so on, where the formulation of these principles must take into account the concrete socio-historical context, and not speculative formulations that are vague. The first task cannot be accomplished unless it is accompanied by the second task, which is an accurate discussion of the actual life that is developing in all aspects: economy, politics, culture, and so on. The reality of the actual life of a society or nation has certain patterns that are situational and conditional. In addition, it is full of changes. Therefore, without a careful examination of the actual situation and conditions, there will be a tendency to force the Qur'anic principles, whereas Rahman does not want that; instead, he only wants the "formulation" of the general principles of the Qur'an in the context of the actual socio-historical situation. In fact, a principle cannot be applied before it is reformulated.

Essentially, the formulation of the second methodological movement above is not different from the method of *tahqīq al-manāt* proposed simply by Al-Amidi (d. 631 H), which is a method to know and ensure the presence of the

legal cause (*illat al-hukm*) in a case (*waqi'ât*) for which a ruling will be determined (Al-Amidi, 1969: 279). The term *ba'da ma'rīfatihā fi masā'ilihā* (after knowing the case) is a simple key word in the *tahqīq al-manāt* method, which contains broad implications as concretized by Rahman in the formulation of his second methodological movement. In fact, Al-Amidi appears to be more liberal than Rahman because he does not involve an "overseer" or "controller" element in his *tahqīq al-manāt* method. So, on one hand, Rahman's second methodological movement elaborates the simplicity of the method proposed by Al-Amidi, while on the other hand, it limits by functioning the general Qur'anic principles as a driver of the progressive tendencies of the actual conditions while also acting as a controller over them.

These two movements ultimately result in specific Qur'anic formulations regarding various aspects of the current actual life. These formulations will become a consideration for the relevant mujtahid in establishing legal opinions. Both, namely the specific Qur'anic formulations regarding actual life and the legal opinions resulting from *ijtihād*, will undergo a process of interaction in society. Regardless of whether both will be accepted or rejected in society, in theory, both represent a Qur'anic vision that is constructed by taking into account the actual situation and condition of the local community, which is a realistic Qur'anic vision. Up to this point, the work of informal *ijtihād* has been completed, while the crystallization of *ijtihād* results into *ijmā'* (consensus) and *taqnīn* (codification) policies is an effort to socialize the results of *ijtihād*, and not *ijtihād* itself.

The two methodological movements of Rahman, which he refers to as "intellectual *ijtihād*," will certainly result in new legal decisions when compared to the *fiqh* rulings that were previously formulated by the *fuqaha*, or they may even result in decisions that deviate, either slightly or significantly, from the rules contained textually in the verses of law. This possibility is very large, but it is unlikely to produce legal decisions that deviate from the general principles of the Qur'an. Rahman himself clearly defines *ijtihād* as "the work to renew—or if using a more precise term, to 'change'—the rules contained in the Qur'an or precedents so that both can encompass new situations and conditions by providing a new solution."

Furthermore, Rahman explains that "intellectual *ijtihad*/*jihad*" is not merely a linguistic work through a set of linguistic rules, but actually requires the involvement of historical sciences to uncover the way of life of the pre-Islamic Arab society and the Muslim society during the time of the Prophet as the sociological background of the Qur'an in all aspects of their actual life: religion, politics, economics, culture, and other social institutions. In addition, it also requires the involvement of modern social sciences to uncover the current actual life situation in all its aspects. Based on this consideration, Rahman rejects *ijtihad* as an exclusive privilege of the ulama (Rahman, 1989:499) because, in reality, the majority of ulama who graduate from the traditional Islamic education system such as *pesantren* and *madrasah* neglect the provision of philosophy to their students as a means of critical thinking, and they are not equipped with modern social sciences. Due to "the scarcity and antiquity of the knowledge they study, it prevents them from occupying a position as those who are willing to think clearly," Rahman (1967:498) states. It is hoped that the reconstruction of the Islamic education system, as is currently being promoted, will serve as a remedy for the intellectual crisis of the Islamic community.

The works that were initially written, besides being accompanied by his doctrinal writings on Ibn Sina, are translated texts into English in the monumental work of Ibn Sina, *Kitab an-Najat*, with the title *Avicenna's Psychology* (1952). A few years later, Rahman edited another work of Ibn Sina, *Kitab an-Nafs*, and published it with the title *Avicenna's De Anima* (1959).

Other works around the 1960s include *Prophecy in Islam: Philosophy Orthodoxy and* (1956), *Islamic Methodology in History* (1965), *Major Themes of the Qur'an* (1980), *Islam and Modernity: Transformation of an Intellectual Tradition* (1982).

In total, the books produced by Rahman number ten. However, this does not mean that Fazlur Rahman only produced books as such. Throughout his intellectual career, the Oxford University graduate wrote various articles in several scientific journals, and some of these articles were collected into several books. The books he produced are as follows (Afrizal: 2000). *Avicenna's Psychology*. *Prophecy in Islam: Philosophy and Ortodoxy*, *Avicennas's De Anima*, being the *Psychological Part of Kitab al Shifa*, *The Philosophy of Mulla Shadra*. *Islamic*,

Methodology in History, Islam, Major Times of the Qur'an, Islam and Modernity: Transformation of an Intellectual Tradition, Revival and Reform in Islam: A Study of Islamic Fundamentalism, Health and Medicine in Islamic Tradition.

In relation to the issue of polygamy, Fazlur Rahman states that the Qur'an legally acknowledges the existence of the polygamous system. However, the Qur'an also imposes a limitation of a maximum of four wives and outlines important guidelines for practicing justice and improving the condition of women. For Rahman, the polygamy verse is related to and serves as an ad hoc response to the social issues of that time. Therefore, this verse can be categorized as contextual, depending on the demands of the existing social problems.

Additionally, Rahman also states that there is one important thing to remember, namely that the Qur'an is not a legal document, but rather a book containing principles and moral calls, although it does contain legal statements issued during the process of societal development. The most important legal provisions and general reforms in the Qur'an concern issues of women and slavery, including polygamy, where the Qur'an limits the number of wives to a maximum of four. The Qur'an also states that husband and wife are to be considered as Libas (clothing) for one another. Women are granted the same rights as men have over women, with the exception that men, as the providers, hold a slightly higher status than women.

In the Qur'an, there is actually only one verse that discusses polygamy, namely QS. An-Nisa [4]:3. However, unfortunately, this verse is often interpreted in a partial way and is frequently misunderstood, so it seems as if a person is simply allowed to practice polygamy without considering the context in which the verse was revealed and the true moral ideal behind the practice of polygamy. In QS. An-Nisa [4]:2, for example, the Qur'an laments that many guardians of orphans misuse their wealth and consume it unjustly. In response to this, Allah says:

"Give the women (whom you marry) their dowries (mahr) as a free gift. And if they willingly give you a portion of it, then take it as a pleasant and beneficial food."

Fazlurrahman on Polygamy

Polygamy is one of the issues that has been a topic of prolonged debate in Indonesia, a debate that has not yet been resolved despite the fact that, from both Islamic law and national law perspectives, polygamy is not prohibited. This debate arises due to differing views within Indonesia's pluralistic society, as well as the fact that women, in general, do not favor polygamous marriages.

The arrival of European nations, bringing with them their culture, including their laws and religions, has had a significant influence on the modernization of Eastern nations. In the case of marriage, for example, the Christian nations unanimously reject polygamy and advocate for monogamous marriages. A marriage other than monogamy is not considered a legitimate marriage, as is also the case among followers of Christianity and Judaism (Tutik:2007, 56).

Developing from this issue in the Eastern world, modernist Islamic thinkers began to emerge, many of whom provided solutions to problems through their thoughts on polygamy, one of whom was Fazlur Rahman.

In relation to polygamy, Fazlur Rahman stated that the Quran legally legitimizes polygamy, but it also imposes a limitation on the number of women who can be married at one time, which is a maximum of four. Furthermore, the Quran emphasizes the importance of justice and calls for the improvement of women's status (Mustaqim: 2010, 258). This is as explained in the Quran:

"And if you fear that you will not be just to the orphans, then marry those that please you of other women, two, three, or four. But if you fear that you will not be just, then marry only one, or those that your right hands possess. That is more suitable that you may not incline to injustice." (Surah An-Nisa, 4:3)

In this verse, the Quran acknowledges the possibility of polygamy but stresses the importance of justice. If there is a fear that one cannot treat all wives fairly, the Quran instructs to marry only one, or those who are rightfully possessed (e.g., slaves in the context of the time). This directive is meant to ensure fairness and prevent oppression." Alquran, (04 : 03).

Fazlur Rahman argued that the verse on polygamy in Surah An-Nisa, verse 3, is a contextual response to the social issues that existed at that time. Therefore, in his view, this verse should be understood as a specific solution to the social problems of that period, rather than as a rule that applies universally and eternally. In Rahman's perspective, this verse reflects the needs of society at that time to

regulate polygamy in the context of existing social conditions, such as the protection of women and orphans.

Furthermore, Fazlur Rahman stated that the Qur'an is not a legal document in a narrow sense. He emphasized that the Qur'an is a book that contains moral and ethical principles, as well as calls aimed at forming a just and humane society. Although certain texts in the Qur'an mention practical laws, such as in the case of polygamy, Rahman believed these laws were issued to help shape the early Muslim community and should be understood within the broader context of social formation.

Thus, Rahman urged not to read the Qur'an merely textually and literally, but rather to interpret the revelation by understanding its socio-historical context and recognizing the moral principles that the Qur'an seeks to establish (Mustaqim: 2010, 258).

The emergence of partial interpretations of Surah An-Nisa, verse 3, has led to the perception that polygamy is allowed without considering the ideal moral aspects and the context of the revelation, as mentioned by Fazlur Rahman. Looking at the verse above, it becomes clear that this verse is closely related to the care of orphans and safeguarding their wealth from greedy individuals. In this regard, the Qur'an explains that if guardians of orphans cannot be just with the wealth of orphan girls (and insist on marrying them), they are permitted to marry up to four women, with the condition that they can be just. However, if there is a fear that they cannot be just, they are instructed to marry only one, as this is closer to preventing mistakes and injustice.

From this, it can be seen that the permission for polygamy is closely linked to the issue of caring for orphans. Therefore, the verse on polygamy should be understood within the context of a specific social structure. Legally, there is a limitation on the number of women who can be married in polygamy, and morally, polygamy is sanctioned in the context of caring for orphans.

On the other hand, the Qur'an also warns that those who practice polygamy will not be able to be truly just, as emphasized by Allah SWT in Surah An-Nisa, verse 129:

"And you will never be able to be just between your wives, even if you should strive to do so. So do not incline completely [toward one] and leave

another hanging. And if you amend and fear Allah - then indeed, Allah is ever Forgiving and Merciful." (Qur'an, Surah An-Nisa, 4:129)

This verse underscores the difficulty of achieving true justice between multiple wives and advises that one should not lean too heavily toward one wife to the detriment of the others. If there is an effort to correct this imbalance and maintain fairness, Allah is described as being Forgiving and Merciful." (Qur'an, Surah An-Nisa, 4:129).

From the two verses mentioned above, Fazlur Rahman reveals that there seems to be a contradiction, namely between the verse that permits polygamy up to four wives with the demand for justice among wives, and the verse that states that true justice cannot be achieved. The interpretation of traditionalist exegetical groups emphasizes that polygamy is permissible, while the demand for justice is left to the husband. This view is then in contrast with the perspective of modernist thinkers, including Fazlur Rahman.

Rahman argues that the two verses, while seemingly contradictory, must be understood within their social context. The verse allowing polygamy is a response to a specific social problem at the time, while the demand for justice highlights the inherent difficulty of truly achieving fairness in such relationships. Rahman contends that the traditionalist view, which separates the allowance for polygamy from the demand for justice, fails to take into account the deeper moral and ethical concerns raised by the Qur'an, leading to a view of polygamy that is not sufficiently mindful of its moral implications (Shofan:2006,261). For modernist thinkers, the most important issue is the demand for justice, along with the declaration of the impossibility of achieving true justice in polygamous relationships. Therefore, the permission for polygamy is considered to be temporary and intended for a specific purpose, addressing a particular social need at the time. Modernists, like Fazlur Rahman, argue that the Qur'an's permission for polygamy is contextual, not a permanent or universal solution. They emphasize that the requirement for justice among wives—acknowledging the difficulty of its realization—limits the practice and underscores that polygamy was never intended as a blanket permission, but as a specific response to social challenges.

The essence of Fazlur Rahman's thought is that, according to him, the moral ideals of the Qur'an are related to the issue of polygamy. In this context, he argues that polygamy should gradually, but surely, be abolished, except in cases of necessity. He also states that Surah An-Nisa, verse 129, implicitly suggests that polygamy is forbidden for those who fear they cannot act justly, indicating that the fundamental principle of marriage is monogamy. If polygamy occurs, it should be understood as arising from social problems or specific circumstances, rather than as a general rule or an ideal form of marriage.

From the explanation of Fazlur Rahman's views above, it is clear that the method Rahman uses in interpreting the verses on polygamy is a thematic exegesis method, which is linked with a socio-historical approach. This method allows for the extraction of the moral ideal from the verses being interpreted. It can be concluded that the moral ideal of the polygamy verses is centered around the importance of justice, the care of widows, and the protection of orphans, particularly through the marriage to the mothers of orphans. This interpretation takes into account that the verses were revealed at a time when many men had died due to war, leaving women and orphans in need of care and protection.

1) Gender Equality in Quran.

Islam is a religion that is filled with noble values of life, which should be applied in daily social life as a true guide for living. One of the fundamental teachings that must be followed is the command to respect others, regardless of gender, race, ethnicity, or religion (Mulia: 2005, 6). Therefore, every religion has two aspects of worship: vertical worship (*hablum minallah*) and horizontal worship (*hablum minannaas*). Both must be consistently practiced in the social life of Muslims. When talking about horizontal worship, the focus is on humans and their social life, which involves social interactions within a complex community, including relationships between men and women. Discussing the relationship between men and women brings to mind the historical context (before the advent of Islam) of the cruelty and oppression faced by women for centuries, which may still persist today. This has led to the emergence of women's liberation movements, often referred to as gender equality movements, from various groups around the world. The discourse on gender began to develop in Indonesia in the 1980s, but it entered the religious sphere in the 1990s and experienced rapid

development, surpassing other contemporary issues like pluralism. In recent years, the discourse on gender has been particularly productive (Shofan:2006, 275).

The term "gender" comes from the English language, meaning sex or sex identity. In the Women Studies Encyclopedia, it is explained that gender is a cultural concept that aims to make a distinction in terms of roles, behaviors, mentalities, and emotional characteristics between men and women that develop within society. Meanwhile, H. T. Wilson in *Sex and Gender* defines gender as a basis for determining the influence of cultural factors and collective life in differentiating men and women.

The gender equality movement, which is often associated with the liberation of women from oppression, emerged as a response to the low status of women since ancient times. Looking into this, it brings to mind how women were discriminated against in various ways. Before the arrival of Islam, the Arabs practiced a form of marriage called *Istibdaa'* (polyandry), which is one form of polyandrous relationships among the Arabs and is still practiced in some societies where a sterile woman may engage in an additional marital relationship to become pregnant. As an example, if a woman has completed her menstruation, she asks her husband to send so-and-so (the name of a man) to sleep with her. Her husband will distance himself from her until there is evidence showing that she is pregnant with the man she slept with, and usually, the man chosen will be one of the important figures in society. The goal is to have a child who will inherit his traits.

Nawal el Sa'adawi views the problem of women's discrimination as a structural issue that is as complicated as the problem of the state. In her famous book *Al Mar'ah wal wa al Jins* (Women and the Problem of Sex), Sa'adawi provides a social portrait of the Arab nation that is shabby and the negative perspectives of its men regarding women and sex. In her other book, *Woman at Point Zero*, she presents her views on the fate of Arab women who experience pressures, and without hesitation, she states that the status of wives in the Arab world is comparable to that of prostitutes, even worse.

According to Sa'adawi, the issue of women's discrimination cannot be solved through sexual equality, let alone through religion. The issue of women is

very complex, closely related to the global economic and political problems of a country. The traditions of Arab people tend to degrade women. In religious traditions, women are valued only half, and that half is always hindered from playing a free role in society. This is reinforced by the differences in the interpretation of Quranic verses that harm women because, generally, the interpreters (*mufassir*) are men, thus exclusively controlling (*ijtihad*) by men.

Verses that are often misinterpreted to harm women, namely:

"Men are the protectors and maintainers of women because Allah has made one of them to excel over the other, and because they (men) spend of their wealth (for the support of women). Therefore, the righteous women are devoutly obedient, guarding in the husband's absence what Allah would have them guard. As for those from whom you fear disobedience, admonish them and refuse to share their beds, and strike them. But if they return to obedience, seek not against them any means. Indeed, Allah is ever Exalted and Grand".

The interpretation of the phrase "*arrijaalu qawwamuna 'alan nisaa*" (men are the protectors and maintainers of women) varies greatly. Some interpret "*musallithun*" as meaning "rulers," as found in the Tafsir Al-Jalalain. According to At-Tabari, the word "*qawwamuuna 'ala an nisaa*" means those who are responsible to educate their wives.

The verse in question is often used to hinder the mobility of women. According to Amina Wadud, this verse is not merely about the 'superiority' of men over women. Traditionally, this verse is often seen as the most important one regarding the relationship between men and women. Men are considered leaders for women. Amina Wadud explains that the "superiority" mentioned is based on two aspects, namely:

What they have spent from their wealth (to support women), which is related to socio-economic norms and ideals.

Amina Wadud also explains that the word "*bi*" used in Surah An-Nisa verse 34, according to her, implies that the characteristics described before the word "*bi*" are defined based on what follows after it. In the verse, the word "*bi*" means that men are leaders (*qawwamun*) of women only if they meet the two conditions outlined later. The first condition is the ability to prove their "superiority," and the second is supporting women by spending their wealth. According to Amina, if

men fail to fulfill these conditions, then they are not considered leaders (*qawwam*) over women.

Sayyid Qutb has a more explicit view on *qawwam*/*qiwamah*. He mentions that *qiwamah* refers to material support, and the reason for the limitation of this verse in the context of husband and wife is because the following verses discuss marital relationships. Additionally, the next verse uses a dual term that indicates the context between two parties, namely the husband and wife. According to Qutb, the role of *qawwam* is not a form of arbitrary authority or superiority but a responsibility for financial and emotional support within the marriage, reinforcing the notion that both partners have roles in maintaining a balanced and just relationship.

Regarding the issue of gender, as mentioned earlier, the assumption that Islam values women "half" as much as men, is incorrect. In fact, Islam came to change the customs and perspectives of the pre-Islamic Arab society (*Jahiliyyah*) towards women. Islam brought a series of justifications for actions that were previously carried out by the Arabs at the time.

Through the Qur'an, Islam refutes these accusations and, in fact, highly honors women. The most fundamental issue of gender inequality is resolved through the concept of *tawhid*, where the status of men and women is the same in the eyes of Allah SWT. What distinguishes them is only the quality of their faith (*iman*) and piety (*taqwa*) toward Allah SWT (Mulia:2005, 8).

According to Dr. Nasaruddin Umar, in the journal *Islamic Thought on Women's Empowerment*, there are several aspects that show the principles of gender equality in the Quran, including the following:

a). Women and men are both servants.

It is explained in surah *Ad-Dzariyaat* verse 56. This is in accordance with the concept of monotheism in Islam. Both men and women have the potential to be an ideal servant. The ideal servant by the Qur'an is termed as a person who is devout and in order to achieve the degree of piety, there is no known difference in gender, race, ethnicity, or certain ethnic group as stated in surah *Al Hujurat* verse 13. Women and men as caliphs on earth.

It is explained in surah *Al-An'am* verse 165, that men and women have the same role on earth as caliphs who will be responsible for the

duties of the caliphate, either leading themselves or being leaders in a government.

b). Women and men accepted the initial covenant with Allah SWT.

It is explained in Surah Al-A'raf, verse 172, that both men and women bear the trust and accept the initial covenant with Allah SWT, which is the pledge of the existence of Allah SWT witnessed by the angels. Additionally, it is mentioned that Allah SWT honors the descendants of Adam without distinguishing between genders.

c. Adam and Hawwa were actively involved in the cosmic drama.

There are many verses in the Quran that describe the cosmic drama, the state of Adam and Hawwa (Eve) in paradise, and their expulsion to the earth, using the pronoun for both of them (*huma*). These include Surah Al-Baqarah, verses 35 and 187, and Surah Al-A'raf, verses 20 and 23. Both women and men have the potential to achieve success.

It is explained in several surahs, namely Surah Ali Imran, verse 195, Surah An-Nisaa', verse 124, and Surah An-Nahl, verse 97. All three of these verses hint at the ideal concept of gender equality and emphasize that individual achievements, whether in the spiritual or professional career fields, are not necessarily dominated by one gender alone.

Polygamy has existed for a long time, even before the arrival of Islam, and was widely practiced by the Jahiliyyah Arabs without any restrictions. Islam came with laws that set boundaries on polygamy, not as a party that legalized polygamy without rules, as accused by the West. Islam prescribed polygamy with the condition of consent from the husband or wife entering into the marriage, as is the case with the first marriage, and emphasizes justice toward the wives in matters such as providing financial support, housing, and clothing (Al Albani:1995, 25). Islamic law allows a man to have more than one wife, which comes with the responsibility for the husband to be just toward all of his wives. The primary purpose of marriage in Islam is to create a prosperous family, where the husband, wife, or wives, along with their children, live in peace, love, and harmony, as described in the Quran:

“And among His signs is that He created for you from yourselves spouses, so that you may find tranquility in them, and He placed between you affection

and mercy. Indeed, in that are signs for a people who give thought. (Quran, Surah Ar-Rum 30:21)".

From the verse, the purpose of marriage is clearly outlined. Therefore, if someone desires to practice polygamy, they are still required to create a family environment as explained in Surah Ar-Rum, verse 21. The permissibility of polygamy in Islam is for the benefit and well-being, not for personal pleasure. Those who practice polygamy are responsible for treating their wives equally in terms of food, housing, clothing, and sexual relations to the extent possible Tutik, Trianto: 2007, 69). If someone is unsure of their ability to treat their wives equally in fulfilling their rights, then they should not marry more than one. Therefore, based on this provision, justice is the main requirement in polygamy.

According to Nadimah Tanjung, broadly speaking, justice in polygamy covers two main aspects:

- 1) Justice in intimacy. For example, spending three days with the first wife and three days with the second wife.
- 2) Justice in providing for the needs of life (maintenance), which includes being fair in distributing food, clothing, accommodation, and other expenses. These expenses should take into account the weight and burden of a wife who already has children, which cannot be equated with the expenses of a wife without children.

The condition of justice referred to here pertains to aspects that can be controlled and carried out by humans, meaning that justice is related to efforts that are possible within human limitations. Regarding affection, even if someone truly desires to be just, it remains impossible due to the limitations of human nature, as explained in Surah An-Nisa' (4:129) mentioned earlier. According to Sheikh Muhammad Shalthouth, the justice referred to in Surah An-Nisa' (4:3) is comprehensive justice, both in what can be reasonably fulfilled and what cannot, because it is impossible for humans to achieve absolute justice in all aspects.

However, what is intended by justice here is that a husband should not show excessive favoritism toward one wife and neglect the others, because doing so would be an injustice to oneself, as the husband would be acting unjustly. A group of husbands who fail to recognize the justice required by Allah SWT in treating their wives are considered foolish. They argue that the practice of

polygamy in Islam is an injustice to individuals, such as neglecting wives and children, creating conflicts among them, and so on. This misunderstanding overlooks the fact that Islam mandates fairness and responsibility in the practice of polygamy, where justice in providing for each wife—emotionally, financially, and physically—is a fundamental principle. When properly practiced, polygamy is intended to protect the rights of all involved, promoting harmony and justice rather than discord or mistreatment (Albani: 1995,125).

Another opinion is expressed by the Mu'tazilah, who argue that the meaning of the word al-'adl in the verse refers to justice in all aspects of the family life, not only in terms of material provisions such as accommodation, clothing, food, and the like, but also in matters related to emotions and the heart. This includes feelings of love and affection, as well as fulfilling the emotional and spiritual needs of each wife. According to this view, true justice in polygamy is not limited to equitable material support but also encompasses the husband's emotional connection and care for each wife, ensuring that none are neglected in their inner needs (Nasution: 1996,101).

From the explanations above, it is clear that although polygamy is permitted, it must meet very strict conditions because of the logical consequences inherent in polygamy itself. In other words, in Islam, monogamy is the main principle, and polygamy is considered an exception.

D. CONCLUSION

First, Fazlur Rahman's partial interpretation of Surah An-Nisa verse 3 creates the impression that polygamy is simply permitted without considering the ideal moral aspects and the context of the revelation of the verse, as mentioned by Fazlur Rahman. Upon examining the verse, it becomes clear that it is closely related to the welfare of orphans and protecting their wealth from greedy people. In this regard, the Quran explains that if the guardians of orphans cannot treat the wealth of orphaned girls justly (and insist on marrying them), then they may marry up to four, with the condition that they act justly. However, if there is concern that they will not be able to act justly, then they are instructed to marry only one, as this is the nearest point where they will avoid wrongdoing or deviation. From this, it can be seen that the permission for polygamy is strongly

tied to the responsibility of caring for orphans. Therefore, the verse about polygamy should be understood within a specific social structure context. Legally, a limit is set on the number of women who can be married, and morally, polygamy is carried out due to the background of caring for orphans.

Second, regarding the issue of gender, as mentioned earlier, the notion that Islam values women "half" of men is not correct. Islam came to change the customs and views of the Jahiliyyah Arabs at that time regarding the image of women. Islam brought with it justifications for actions taken by the Arabs of that time. Through the Quran, Islam refutes these accusations and, in fact, greatly honors women. The core issue of gender is addressed through the concept of tawhid, where the status of men and women is equal in the sight of Allah SWT; the only difference is their level of faith (taqwa) to Allah SWT.

Third, the verse clearly outlines the purpose of marriage. Therefore, if someone desires polygamy, they are still required to create a family atmosphere as described in Surah Ar-Rum, verse 21. The permissibility of polygamy in Islam is for the sake of welfare and not for mere pleasure. Those who engage in polygamy have the responsibility to treat their wives equally in terms of food, housing, clothing, and sexual relations, as far as possible. If someone doubts their ability to provide equal treatment in fulfilling these rights, they should not marry more than one. Based on this provision, justice is the primary condition for polygamy.

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