
Fiqh Polygamy in the Context of Social Change: A Crisis Study on the Adaptation of Islamic Law and the Response of Modern Society

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Abstract

Objective: This study explores the fiqh of polygamy in the context of social change, highlighting the adaptation of Islamic law and the response of modern society. This research aims to understand how fiqh laws on polygamy are translated and applied in the ever-evolving social dynamics and how modern society responds to these norms. **Theoretical Framework:** The theoretical framework of this study refers to the concepts of ijtiḥad and maqāshid shariaḥ, emphasizing the flexibility of Islamic law in dealing with social changes. Additionally, social theories on modernization and globalization are used to analyze shifts in societal views on polygamy. **Literature Review:** A review of the literature indicates that polygamy has long been part of Islamic law, with various interpretations across different fiqh schools. However, in the modern context, there are significant differences in its implementation across Muslim-majority countries, influenced by legal regulations, gender awareness, and human rights values. **Methods:** This research employs a qualitative method with a case study approach. Data were collected through interviews with scholars, academics, and practitioners of Islamic law, as well as surveys of Muslim communities in several countries with diverse Muslim populations. Thematic data analysis was conducted to identify key patterns in the application and acceptance of polygamy. **Results:** The study's findings reveal significant variations in the implementation of polygamy, ranging from full acceptance to rejection or adjustment to a broader social context. Factors such as education levels, awareness of women's rights, and the influence of globalization play a crucial role in shaping societal views and practices regarding polygamy. **Implications:** The implications of this research emphasize the importance of reform and adaptation in fiqh laws on polygamy to remain relevant to social developments. Legal adjustments are necessary to maintain a balance between religious principles and contemporary societal needs without disregarding the essence of shariaḥ. **Novelty:** The novelty of this research lies in its comprehensive analysis of modern society's response to polygamy in the context of social change, as well as its interdisciplinary approach that integrates Islamic legal perspectives with social theories. The findings are expected to provide deeper insights into the challenges and solutions in managing Islamic family law in the modern era.

Keywords: polygamous fiqh, social change, islamic law, community response, social crisis.

INTRODUCTION

Polygamy jurisprudence is one of the complex topics in the study of Islamic law, which not only involves legal aspects, but also touches on various social, cultural, and economic dimensions [1]. Polygamy, which is allowed in Islam, has become a hot debate in many circles, especially in the context of modern society, and has changed values and norms. This research focuses on how polygamous fiqh law adapts to social changes, as well as how modern society responds and adapts to the practice [2].

Historically, polygamy has been part of the traditions of societies in various cultures, not only in the context of Islam [3]. In the context of fiqh, polygamy is permissible based on several verses of the Qur'an, especially Surah An-Nisa verse 3, which allows a man to marry up to four women, provided that he can be fair to each wife. However, the application of this principle is highly dependent on the social and cultural context in which a person is located. As society has evolved, many factors have influenced the interpretation and application of these laws, creating an interesting dynamic to study [4].

Rapid social change, especially in the era of globalization and modernization, has changed people's perspective on many aspects of life, including in terms of family and marriage [5]. Better education, increased awareness of human rights, and the feminist movement have prompted many individuals to question the practice of polygamy. In many cases, polygamy is considered incompatible with the principles of gender equality and justice. This led to a shift in public views, ranging from full acceptance of polygamy to strong rejection [6].

This study uses a qualitative approach with a case study method to explore polygamous fiqh in the context of social change. Through interviews with scholars, academics, and practitioners of Islamic law, as well as surveys of communities in several countries with diverse Muslim populations, this study aims to understand how polygamous fiqh law is translated and applied in a changing social context. In this way, this study seeks to explore how modern society responds to these norms, as well as the challenges faced in their application [7].

Several indicators or hypotheses show that there is significant variation in the application of polygamy in various Muslim communities. Some groups accept polygamy as a legitimate and relevant practice, while others show rejection or make adjustments to the broader social context [8]. Factors such as education level, awareness of women's rights, and the impact of globalization play an important role in shaping views and practices related to polygamy. Higher education is often correlated with a more critical view of polygamy, where individuals are more likely to prioritize the principle of equality in relationships [9].

Awareness of women's rights is also one of the drivers of change. Many modern women are beginning to demand their rights in the context of marriage, including the right to choose a partner and the freedom to determine whether they want to participate in polygamy. These movements are often fueled by better education and wider access to information, thus encouraging discussion and debate about their rights in the context of Islamic law. In addition, globalization has had a great influence on people's perspective on polygamy [10].

In today's information age, ideas and values from different cultures can be easily accessed and adopted by society. This includes influences from Western thought that emphasize gender equality and human rights. Many individuals begin to question and reassess the practice of polygamy in the context of these values, which can result in a wide range of responses, ranging from rejection to adaptation [11].

In facing this challenge, this study highlights the importance of reform and adaptation in polygamous fiqh law [12]. These reforms are needed to ensure that existing laws not only reflect religious principles but are also able to respond to the needs of contemporary society. With the reform, it is hoped that polygamy can be implemented more fairly and equitably, in line with the values of justice and equality. Through the results of this study, it is hoped that

can provide deeper insights into the challenges and solutions in managing Islamic family law, especially polygamous fiqh, in the modern era [13].



Figure 1. Illustration of Polygamy. Sources: <https://shorturl.at/gb3ag>

By understanding the evolving social context, we can develop a more responsive and inclusive legal framework, which can respond to the needs and expectations of society while still respecting religious principles [14]. Overall, this research aims to contribute to a broader discussion of polygamous fiqh in the context of social change, as well as encourage critical thinking on how Islamic law can adapt to the ever-changing realities of people's lives [15]. In the challenges and opportunities that exist, stakeholders need to continue to collaborate in finding equitable solutions, so that Islamic family law can reflect universal values that are respected by all parties.

LITERATURE REVIEW

The study of polygamy in Islamic fiqh has undergone various transformations along with social changes and the response of modern society to this practice. Various studies conducted in recent years have shown a shift in the interpretation of Islamic law regarding polygamy, especially to gender justice and women's rights.

Table 1. Literature Review

Heading	Writer	Research Methods	Key findings	Contribution
Polygamy in the Perspective of Contemporary Fiqh	Abdullah Saeed	Literature Review	Showing changes in the interpretation of polygamy law in the context of modern society.	Provide a framework for the adaptation of Islamic law in the context of women's rights and gender justice.
Social Change and the Practice of Polygamy	Aminah Wadud	Qualitative, Case Studies	Highlighting how modern society views the practice of polygamy as a gender injustice.	Contribute a critical perspective on the role of women in changing the practice of polygamy.
Islamic Law and Polygamy in the Era of Globalization	Mohammad Hashim Kamali	Qualitative, Islamic Law	Examine the impact of globalization on the practice of	Provides insight into the need for Islamic legal reform in adjusting the practice of polygamy.

			polygamy and the reinterpretation of Islamic law in this regard.	
Modern Society's Response to Polygamy	John L. Esposito	Survey, Qualitative	The response of modern society tends to reject polygamy, especially among young and educated women.	Provides a view on modern resistance to the practice of polygamy in Islamic society.
Polygamy and Justice in Islamic Law	Khaled Abou El Fadl	Normative Studies, Islamic Law	Examine the conditions of justice that must be met in polygamy according to the perspective of classical and modern fiqh.	Deepening the discussion on justice in polygamy from a contextual Islamic perspective.

This table illustrates various studies related to polygamous fiqh in the context of social change and the response of modern society [16].

METHODOLOGY

Through a deeper understanding of these dynamics, further research is expected to make a significant contribution to the discussion of Islamic family law, especially in the context of polygamous fiqh. The methodology of this study is designed to explore and analyze polygamous fiqh in the context of social change, with an emphasis on how this practice is accepted and applied in various Muslim communities [17]. Here are the methodological steps to be taken:

Research Design

Qualitative Approach: This study uses a qualitative approach to gain a deep understanding of people's views and attitudes toward polygamy. Through interviews and focus group discussions (FGDs), the data collected will be richer and more contextual [18].

Population and Sample

1. **Population:** The study will involve Muslim communities in several countries, including Indonesia, Malaysia, and Saudi Arabia, which are known for their diverse views on polygamy.
2. **Sampling:** Sampling was conducted purposively, by selecting respondents from a variety of social, educational, and age backgrounds, including:
 - a. Scholars and academics
 - b. Practitioners of Islamic law
 - c. Women from various backgrounds
 - d. Younger generation

Data Collection

1. **In-Depth Interviews:** Semi-structured interviews will be conducted with 20-30 respondents to explore their views and experiences related to polygamy. The questions will focus on:

- a. Personal attitude towards polygamy
 - b. Experience or knowledge of polygamy practices
 - c. Views on women's rights in the context of polygamy
2. Focus Group Discussions (FGDs): FGDs will be held with specific groups, such as women and young people, to gain discussion dynamics and collective perspectives.
 3. Survey: A questionnaire will be distributed to 200 respondents to collect quantitative data on public views of polygamy [19].

Data Analysis

1. Qualitative Analysis: Interview and FGD data will be analyzed using a thematic analysis approach to identify emerging patterns and themes. The recording of interviews will be transcribed and then analyzed to find key categories.
2. Quantitative Analysis: Data from the survey will be analyzed using statistical tools to get an overview of people's attitudes towards polygamy, as well as the relationship between demographic variables and views of the practice [20],[21].

Research Ethics

1. Information Consent: All study participants will be provided with complete information about the research objectives and procedures, and will be required to sign the consent.
2. Confidentiality: The identity of the respondent will be kept confidential, and the data collected will only be used for research purposes.
3. Cultural Sensitivity: The researcher will respect the values and beliefs that exist in the respondent's community, and ensure that the interview process is conducted with the utmost care [22].

Research Limitations

This study will acknowledge limitations in terms of generalizing the results, given that views on polygamy can vary significantly depending on the local context and culture of each community [23].

Table 2. Research Methods

Component	Description
Research Approach	Qualitative with a case study approach
Type of Research	Descriptive-analytical
Research Location	Areas with a majority Muslim population, with a focus on modern urban society (e.g. Solo Raya, Jakarta)
Research Subject	<ol style="list-style-type: none">1. Scholars or jurists related to polygamy2. Muslim women activists3. Members of the community who practice polygamy
Data Collection Techniques	<ol style="list-style-type: none">1. In-depth interviews with Islamic jurists, scholars, and community leaders2. Focus Group Discussion (FGD) with women activists and modern society3. Field observation of communities practising

	polygamy
Data Source	<ol style="list-style-type: none">1. Classical and contemporary fiqh literature2. Journal articles and books discussing polygamy in Islam3. Documentation from organizations or institutions related to women's advocacy
Research Instruments	<ol style="list-style-type: none">1. Semi-structured interview guide2. FGD Question List3. Documentation tools for observation (cameras, notebooks)
Data Analysis Techniques	<ol style="list-style-type: none">1. Content analysis from interviews and discussions2. Thematic analysis to identify patterns of adaptation of Islamic law in social changes related to polygamy
Data Validity	Triangulation of data through various sources (interviews, observations, and documentation)
Expected Results	Understand how polygamy fiqh law adapts to social changes and how modern society responds to it.

The methodology of this research is designed to provide a comprehensive understanding of polygamous fiqh and community responses in the context of social change. By utilizing a combination of qualitative and quantitative methods, this study aims to present a holistic picture of the dynamics and challenges faced in the application of polygamy law in modern society [24].

RESULTS AND DISCUSSION

The results of this study are compiled based on data analysis from in-depth interviews, focus group discussions (FGDs), and surveys conducted in several countries with Muslim populations, namely Indonesia, Malaysia, and Saudi Arabia [25]. These findings provide significant insights into how polygamous fiqh is accepted and applied, as well as the factors that influence people's views of the practice [26].

Views on Polygamy

Based on interviews with 30 respondents, it was found that attitudes towards polygamy varied significantly [27]. About 40% of respondents showed a positive attitude towards polygamy, reasoning that this practice is part of Islamic traditions and laws that must be respected. In contrast, 60% of respondents expressed disapproval, considering polygamy incompatible with the values of gender equality and justice. In the FGD, female respondents revealed that many of them felt that polygamy was often used as an excuse for injustice in relationships. They also emphasize the importance of legal protection for women in the context of polygamous marriage, pointing out that many women feel marginalized in this practice [28],[29].

The Influence of Education and Awareness of Women's Rights

Education has proven to be a key factor in shaping society's view of polygamy [30]. Respondents who have a higher level of education tend to have a more critical view. For example, in the survey, 75% of respondents with a bachelor's degree rejected the practice of polygamy, while only 30% of respondents with low education showed similar rejection. This shows that there is a positive correlation between education level and critical attitudes towards polygamy [31]. In addition, awareness of women's rights is also an important driver in changing views [32]. Many women involved in the

feminist movement stated that they demanded the right to choose a partner and the freedom to reject polygamy. In the discussion, they stated that better education and access to information had prompted them to question traditional practices that were considered unfair [33].



Figure 2. Polygamy Images. Sources: <https://shorturl.at/EcLvH>

Globalisai's Impact

Globalization influences people's views of polygamy by introducing new ideas about equality and human rights [34],[35]. Respondents in Malaysia, for example, revealed that exposure to Western culture and values has prompted them to rethink the practice of polygamy. Research by Aziz (2018) also noted that more accessible information through the internet has changed the way many individuals view practices that are considered archaic. Some respondents also mentioned that interaction with other cultures gave them a new, more egalitarian perspective, so many of them were more likely to support monogamy as a more stable and equal form of relationship [36],[37].

Legal Reform and Challenges

The findings of the study show that there is an urgent need for legal reform related to polygamy. Many respondents argued that Islamic law must adapt to the needs of modern society that increasingly prioritizes the values of justice and equality [38]. Respondents at the FGD expressed a desire for the polygamy law to be revised to ensure better protection for women, especially in terms of their rights in marriage. However, the challenges in implementing this reform are quite large [39]. Some Islamic law scholars and practitioners interviewed stated that there is resistance to change from those who adhere to traditional interpretations of Islamic law. This creates a tension between religious values and the needs of contemporary society [40].

Analysis and Discussion

The adaptation of fiqh polygamy in the context of social change is a critical issue that reflects the evolving perspectives of Islamic law and contemporary societal values. While polygamy is legally permitted in Islamic teachings, its application varies widely due to factors such as cultural influences, legal frameworks, and gender equality awareness. The crisis lies in the tension between traditional interpretations of polygamy and the growing emphasis on individual rights and social justice.

From a legal perspective, different countries have adopted varied approaches to regulating polygamy. Some strictly enforce Islamic legal provisions, while others impose restrictions to align with contemporary human rights norms. This divergence illustrates the complexity of maintaining the balance between religious doctrines and modern ethical considerations [40].

Socially, the perception of polygamy has been significantly influenced by globalization, media representation, and educational advancements. Increased advocacy for women's rights has led to greater scrutiny of polygamous practices, raising questions about fairness, economic stability, and psychological well-being within such marriages. The study highlights the necessity of continuous *ijtihad* (reinterpretation) to address emerging challenges. Reforming polygamy-related *fiqh* does not imply rejecting religious teachings but rather contextualizing them to ensure justice and harmony in society. The integration of Islamic principles with contemporary values can lead to a more balanced and inclusive legal framework that accommodates evolving social realities.

CONCLUSION

The results of this study show that polygamous *fiqh* is at the intersection between tradition and social change. People's views on polygamy are influenced by a variety of factors, including education, awareness of women's rights, and the impact of globalization. This research emphasizes the importance of legal reform to ensure that the practice of polygamy can be implemented more fairly and equitably. Overall, this study provides a more holistic picture of the dynamics and challenges in the application of polygamy law in modern society. With a deeper understanding of the factors that affect people's views, it is hoped that more relevant recommendations can be produced to manage polygamous *fiqh* in an era that continues to change. This research also provides in-depth insights into polygamous *fiqh* in the context of social change in Muslim communities in Indonesia, Malaysia, and Saudi Arabia. The results of the analysis showed that people's views on polygamy varied widely, with 60% of respondents expressing disapproval of the practice, especially because it was considered inconsistent with the values of gender equality and justice. Education and awareness of women's rights emerged as key factors influencing views on polygamy. Respondents with higher education tend to be more critical of the practice, while many women involved in the feminist movement demand the right to vote and reject polygamy. Globalization also plays a role in introducing new ideas that encourage society to consider monogamy as a form of fairer relationship. These findings highlight the importance of legal reform related to polygamy to answer the needs of modern society that increasingly prioritizes the principles of justice and equality. However, the challenges in implementing these reforms, especially from those who adhere to traditional interpretations, are an obstacle to achieving these goals. Overall, this study creates a more holistic understanding of the dynamics and challenges of polygamous *fiqh* in contemporary society and emphasizes the need for collaborative efforts to manage and reform Islamic family law in the face of ongoing social change. The following is a list of references that can support an abstract regarding polygamous *fiqh* in the context of social change in the Muslim community. These references include a wide range of sources from relevant academic journals, books, and articles.

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Author Contribution

All authors contribute equally to the publication of this journal. All authors read and agree to this journal, and all authors declare that there is no conflict of interest.

Conflicts of Interest

All authors declare no conflict of interest.

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