

The Concept of Justice in Polygamy and Its Implications for Islamic Family Education

Wardiah Hamid^{1*}

^{*1}Universitas Islam Negeri Alauddin Makassar

^{*1}Badan Riset dan Inovasi Nasional

^{*1}email: ward006@brin.go.id

Abstract: This study examines the practice of polygamy through a critical interpretation of the Qur'an by analyzing the relationship between the normative permission contained in Surah An-Nisa verse 3 and the ethical limitation emphasized in verse 129. Polygamy remains one of the most debated issues in contemporary Islamic studies because it stands at the intersection of textual legitimacy, gender justice, and changing social realities. Previous studies have generally approached polygamy from either normative jurisprudence or sociological perspectives, while relatively few have integrated Qur'anic exegesis, historical context, and the objectives of Islamic law (maqasid al-shariah) into a single analytical framework. This research employs a qualitative library research approach using critical Qur'anic interpretation, contextual analysis, and maqasid al-shariah as complementary analytical perspectives. Primary data were obtained from Qur'anic verses, classical and contemporary tafsir literature, and major works on Islamic legal thought, while secondary data were collected from scholarly books and peer-reviewed journal articles discussing Islamic family law, gender studies, and Qur'anic hermeneutics. The findings indicate that the Qur'anic permission for polygamy should not be understood as a universal norm but rather as a contextual social regulation intended to protect vulnerable members of society under particular historical circumstances. Furthermore, the study demonstrates that the Qur'an establishes justice as the central ethical requirement for polygamy while simultaneously acknowledging the human inability to achieve perfect justice, particularly in emotional relationships. Consequently, the ethical orientation of the Qur'an encourages a more restrictive understanding of polygamy consistent with justice, human dignity, and public welfare.	Keywords: Polygamy; Qur'anic Interpretation; Justice; Maqasid Al-Shari'ah
Abstrak: Penelitian ini mengkaji praktik poligami melalui pendekatan tafsir kritis Al-Qur'an dengan menganalisis hubungan antara kebolehan normatif dalam Surah An-Nisa ayat 3 dan batasan etis yang ditegaskan dalam ayat 129. Poligami tetap menjadi salah satu isu yang paling banyak diperdebatkan dalam kajian Islam kontemporer karena berada pada persimpangan antara legitimasi tekstual, keadilan gender, dan perubahan realitas sosial. Penelitian-penelitian sebelumnya umumnya mengkaji poligami melalui perspektif fikih normatif atau sosiologi secara terpisah, sementara masih relatif sedikit penelitian yang mengintegrasikan tafsir Al-Qur'an, konteks historis, dan tujuan syariat (maqasid al-syariah) dalam satu kerangka analisis yang utuh. Penelitian ini menggunakan pendekatan kualitatif dengan jenis penelitian kepustakaan (<i>library research</i>) melalui pendekatan tafsir kritis, analisis kontekstual, dan maqasid al-syariah. Data primer diperoleh dari ayat-ayat Al-Qur'an, kitab-kitab tafsir klasik dan kontemporer, serta literatur utama mengenai	Kata Kunci: Poligami; Tafsir Al-Qur'an; Keadilan; Maqasid Syariah

hukum Islam, sedangkan data sekunder diperoleh dari buku akademik dan artikel ilmiah yang membahas hukum keluarga Islam, studi gender, dan hermeneutika Al-Qur'an. Hasil penelitian menunjukkan bahwa kebolehan poligami dalam Al-Qur'an tidak dapat dipahami sebagai norma universal, melainkan sebagai regulasi sosial yang bersifat kontekstual untuk melindungi kelompok rentan pada kondisi historis tertentu. Penelitian ini juga menunjukkan bahwa Al-Qur'an menempatkan keadilan sebagai syarat etis utama dalam poligami, namun sekaligus menegaskan keterbatasan manusia untuk mewujudkan keadilan secara sempurna, terutama dalam aspek emosional. Oleh karena itu, orientasi etis Al-Qur'an mengarahkan pemahaman yang lebih restriktif terhadap praktik poligami agar tetap sejalan dengan prinsip keadilan, martabat manusia, dan kemaslahatan.

A. Introduction

Polygamy remains one of the most debated issues in contemporary Islamic thought because it lies at the intersection of Qur'anic interpretation, Islamic family law, gender justice, and social transformation. Although the Qur'an explicitly permits polygamy under certain conditions in Surah An-Nisā' (4:3), it simultaneously emphasizes in Surah An-Nisā' (4:129) the human inability to achieve complete justice among multiple wives. This apparent tension has generated diverse interpretations among Muslim scholars, ranging from literal legal permissibility to contextual and ethical approaches that emphasize justice as the central objective of the Qur'anic message. Consequently, the discussion of polygamy extends beyond legal permissibility and enters broader debates concerning morality, gender equality, human dignity, and the objectives of Islamic law (*maqāṣid al-sharī'ah*) (Rahman, 1982; Wadud, 1999).

Historically, the Qur'anic regulation of polygamy emerged within a specific socio-historical context characterized by armed conflict, demographic imbalance, and the increasing number of widows and orphaned children in early Muslim society. Before the advent of Islam, polygamy was widely practiced without numerical limitation or legal regulation. The Qur'an introduced important restrictions by limiting the number of wives and conditioning the practice upon the fulfillment of justice. Many contemporary scholars argue that this regulation represented a gradual legal reform intended

to protect vulnerable members of society rather than to institutionalize polygamy as an unrestricted religious norm (Abduh, 1947; Shihab, 1996).

The interpretation of these Qur'anic verses has evolved considerably within modern Islamic scholarship. Classical jurists generally emphasized the legal permissibility of polygamy while focusing on material justice, maintenance, and legal obligations. In contrast, contemporary Muslim scholars increasingly examine the ethical dimensions of justice, including emotional well-being, psychological balance, family harmony, and gender equality. Scholars such as Amina Wadud argue that the Qur'anic concept of justice cannot be reduced to formal legal obligations but must also encompass moral responsibility and equal human dignity (Wadud, 1999). Likewise, Asghar Ali Engineer maintains that many contemporary practices of polygamy no longer reflect the original social objectives envisioned by the Qur'an but are often shaped by patriarchal culture and unequal power relations (Engineer, 2008).

Recent developments in Qur'anic hermeneutics have further encouraged contextual approaches to Islamic legal interpretation. Fazlur Rahman proposed his well-known theory of the double movement, arguing that Qur'anic interpretation should first reconstruct the historical context in which revelation occurred before extracting universal moral principles applicable to contemporary society (Rahman, 1982). Through this methodological perspective, the permission for polygamy should be understood as a contextual legal response to particular historical circumstances rather than as an absolute and timeless prescription. Such an approach allows Islamic legal thought to remain faithful to the ethical objectives of the Qur'an while responding to changing social realities.

In recent decades, numerous academic studies have examined polygamy from the perspectives of Islamic jurisprudence, gender studies, sociology, legal reform, and comparative family law. Some researchers emphasize the textual legitimacy of polygamy within classical Islamic jurisprudence, while others focus on its social consequences, including psychological well-being, family

stability, women's rights, and child welfare. Additional studies have explored legal regulations governing polygamy in Muslim-majority countries, demonstrating significant diversity in legislative approaches and judicial practice. Collectively, these studies illustrate the continuing relevance of polygamy as both a legal and ethical issue within contemporary Islamic scholarship (Shihab, 1996; Engineer, 2008).

Nevertheless, several important limitations remain within the existing literature. First, many studies discuss Surah An-Nisā' (4:3) independently from Surah An-Nisā' (4:129), thereby overlooking the internal Qur'anic relationship between legal permission and ethical limitation. Second, numerous studies continue to adopt descriptive legal approaches without adequately examining the philosophical foundations of justice within the Qur'anic worldview. Third, although recent scholarship has increasingly employed the framework of *maqāṣid al-sharī'ah*, relatively few studies integrate contextual Qur'anic interpretation, ethical philosophy, and the objectives of Islamic law into a single comprehensive analytical framework. As a result, the broader ethical orientation of the Qur'an concerning family justice remains insufficiently explored.

To address these limitations, this study adopts an interdisciplinary approach combining critical Qur'anic interpretation, historical contextual analysis, and *maqāṣid al-sharī'ah*. Rather than examining the legal status of polygamy in isolation, the study investigates the dialectical relationship between Qur'anic permission and ethical restriction by analyzing the interaction between Surah An-Nisā' verses 3 and 129. This integrated framework enables a more comprehensive understanding of justice as the principal ethical foundation governing family relations in Islam while simultaneously evaluating the relevance of polygamy within contemporary social conditions.

The novelty of this research lies in its integration of contextual Qur'anic hermeneutics, historical analysis, and *maqāṣid al-sharī'ah* to reconstruct the concept of polygamy as a conditional legal concession oriented toward public

welfare rather than as a universally applicable religious norm. Unlike many previous studies that primarily emphasize either legal permissibility or social criticism, this research demonstrates how the ethical objectives of the Qur'an provide a broader interpretative framework for evaluating the legitimacy of polygamy in changing historical contexts.

Accordingly, this study aims to analyze the dialectical relationship between Surah An-Nisā' verses 3 and 129, examine the concept of justice within Qur'anic teachings on polygamy, evaluate the relevance of contextual interpretation in understanding Islamic family law, and assess the compatibility of contemporary polygamy practices with the ethical objectives of *maqāṣid al-sharī'ah*. The findings are expected to contribute to the development of contemporary Qur'anic studies, Islamic family law, gender justice, and modern Islamic legal thought by offering a more comprehensive understanding of the relationship between textual interpretation, ethical values, and social reality.

B. Method

This study employed a qualitative research approach using library research as its primary research design. A qualitative approach was considered appropriate because the objective of this research was to examine the Qur'anic concept of polygamy through critical textual analysis rather than empirical observation or quantitative measurement (Creswell & Creswell, 2023). Library research enabled the researcher to investigate Qur'anic verses, classical and contemporary exegetical literature (*tafsīr*), works of Islamic jurisprudence, and scholarly discussions concerning Islamic family law, gender justice, and the ethical objectives of Islamic law (*maqāṣid al-sharī'ah*). This research adopted three complementary analytical approaches: the Qur'anic interpretative approach, the historical-contextual approach, and the *maqāṣid al-sharī'ah* approach. The Qur'anic interpretative approach was employed to analyze the meanings of Surah An-Nisā' verses 3 and 129, focusing on the linguistic, thematic, and exegetical relationship between these verses. Classical

commentaries such as those of Al-Ṭabarī, Ibn Kathīr, Al-Qurṭubī, and Fakhr al-Dīn al-Rāzī were examined alongside contemporary interpretations proposed by scholars including Muhammad Abduh, Fazlur Rahman, M. Quraish Shihab, Amina Wadud, and Asghar Ali Engineer. This comparative analysis facilitated a comprehensive understanding of both traditional and contemporary perspectives on the Qur'anic regulation of polygamy.

The historical-contextual approach was utilized to reconstruct the socio-historical circumstances surrounding the revelation of Surah An-Nisā'. Particular attention was given to the social conditions of early Muslim society, including the consequences of armed conflict, the increasing number of widows and orphaned children, prevailing marital customs before Islam, and the legal reforms introduced by the Qur'an. Understanding these historical circumstances enabled the researcher to distinguish between context-specific legal regulations and universal ethical principles within the Qur'anic text, following the contextual hermeneutical framework developed by Fazlur Rahman (1982).

The *maqāṣid al-sharī'ah* approach served as the normative analytical framework for evaluating the ethical objectives underlying the Qur'anic regulation of polygamy. The analysis focused on the preservation of religion (*ḥifẓ al-dīn*), life (*ḥifẓ al-naḥs*), intellect (*ḥifẓ al-'aql*), lineage (*ḥifẓ al-nasl*), and property (*ḥifẓ al-māl*), while also considering broader objectives such as justice (*al-'adl*), public welfare (*maṣlaḥah*), human dignity (*karāmah al-insān*), and family harmony. This approach enabled the study to examine whether contemporary practices of polygamy remain consistent with the ethical purposes intended by Islamic law rather than merely satisfying formal legal requirements.

The primary data consisted of relevant Qur'anic passages, particularly Surah An-Nisā' verses 3 and 129, classical and contemporary *tafsīr* literature, major works of Islamic jurisprudence, and authoritative writings on *maqāṣid al-sharī'ah*. These primary sources formed the principal basis for textual and theological analysis. The secondary data included peer-reviewed journal

articles, academic books, conference proceedings, and scholarly publications discussing Islamic family law, Qur'anic hermeneutics, gender studies, legal reform, and contemporary Islamic thought. These secondary sources provided broader theoretical perspectives and facilitated comparative analysis across different schools of interpretation.

Data collection was conducted through a systematic documentation technique. Relevant Qur'anic verses, exegetical works, jurisprudential literature, and contemporary academic publications were collected, classified, and organized into four principal analytical themes: (1) the historical background of Qur'anic legislation on polygamy; (2) classical and contemporary interpretations of justice in polygamy; (3) the application of *maqāṣid al-sharī'ah* to Islamic family law; and (4) the contemporary relevance of Qur'anic ethical principles in addressing gender justice and family welfare. This thematic organization facilitated systematic comparison between classical jurisprudence and modern interpretative approaches.

The collected data were analyzed using qualitative content analysis following the analytical procedures proposed by Miles, Huberman, and Saldaña (2020). The analytical process consisted of four interconnected stages: data reduction, data categorization, comparative interpretation, and thematic synthesis. During the comparative stage, the researcher critically examined similarities and differences among classical exegetical traditions, modern hermeneutical approaches, and contemporary discussions concerning gender justice and Islamic family law. The analysis further explored how different interpretative methodologies influence legal conclusions regarding the permissibility and ethical limitations of polygamy.

To enhance the credibility and trustworthiness of the findings, the study employed source triangulation by comparing evidence from Qur'anic texts, classical and contemporary *tafsīr*, works of Islamic jurisprudence, *maqāṣid al-sharī'ah* literature, and peer-reviewed academic research. This triangulation minimized interpretative bias while strengthening the reliability of the study's

theological and legal analysis. In addition, interdisciplinary perspectives from Qur'anic studies, Islamic jurisprudence, ethics, gender studies, and legal philosophy were integrated to produce a balanced and comprehensive interpretation of the Qur'anic discourse on polygamy.

Finally, the interpretation of the findings was guided by the principles of academic objectivity, contextual interpretation, and ethical analysis. Rather than advocating a predetermined legal position, this study sought to understand the Qur'anic regulation of polygamy within its historical context while identifying the universal ethical values that continue to guide contemporary Islamic family law. This approach enables a balanced examination of the relationship between textual authority, historical reality, and the higher objectives of Islamic law, thereby maintaining methodological rigor and scholarly consistency throughout the research.

C. Results and Discussion

The Historical Context of Polygamy in the Qur'an

Understanding the Qur'anic regulation of polygamy requires careful consideration of the historical and social circumstances surrounding the revelation of Surah An-Nisā' verse 3. The Qur'an was revealed within a seventh-century Arabian society in which polygamy was already an established social institution. Prior to Islam, Arab customary practices placed virtually no numerical limitation on the number of wives a man could marry, nor were there comprehensive legal provisions protecting the rights of women and children. Marriage often reflected tribal alliances, economic interests, and social status rather than ethical obligations or legal accountability. Within this context, the Qur'an introduced significant reforms aimed at regulating existing practices while strengthening justice and social responsibility (Al-Ṭabarī, 2001; Ibn Kathīr, 2004).

The socio-historical background of Surah An-Nisā' is closely associated with the condition of the early Muslim community following several military

conflicts that resulted in the deaths of many Muslim men. These circumstances produced a considerable number of widows and orphaned children requiring economic protection and social support. Classical exegetes explain that the Qur'anic permission for polygamy emerged as part of broader legislation intended to safeguard vulnerable members of society, particularly orphaned girls and widowed women whose welfare could otherwise be neglected (Al-Qurṭubī, 2006; Ibn Kathīr, 2004). Consequently, the permission granted in verse 3 cannot be separated from the Qur'an's broader concern for social justice and the protection of disadvantaged groups.

The wording of Surah An-Nisā' (4:3) itself reflects this ethical orientation. The verse begins by addressing concerns regarding justice toward orphaned girls before mentioning the possibility of marrying "two, three, or four" women, followed immediately by the condition that justice must be maintained. If justice cannot be guaranteed, the Qur'an directs believers to marry only one wife. This textual structure indicates that the primary emphasis of the verse is not the encouragement of polygamy but the establishment of justice as the determining ethical principle governing marital relationships. Numerous contemporary scholars argue that the conditional nature of the verse demonstrates the Qur'an's gradual reform of pre-Islamic marital practices rather than unconditional approval of polygamy (Rahman, 1982; Shihab, 1996).

From a linguistic perspective, the conditional clause "if you fear that you cannot deal justly, then marry only one" occupies a central position within the verse. Classical jurists generally interpreted justice in terms of material responsibilities such as financial support, housing, clothing, and equitable allocation of time among wives. However, modern Qur'anic scholars argue that the concept of justice extends beyond material equality to include emotional security, psychological well-being, mutual respect, and the preservation of human dignity. This broader interpretation reflects the Qur'an's ethical orientation, in which legal obligations are inseparable from moral responsibility (Wadud, 1999; Engineer, 2008).

The historical context also demonstrates that the Qur'an did not introduce polygamy as a new social institution but rather regulated an existing custom through ethical restrictions. Unlike pre-Islamic practices that permitted unlimited marriages, the Qur'an imposed both a numerical limitation and a moral condition centered upon justice. Many scholars interpret this development as part of the Qur'an's gradual legal reform (*tadarruj al-tashrī'*), whereby deeply rooted social customs were transformed progressively through ethical guidance instead of immediate prohibition. Similar patterns of gradual reform can be observed in Qur'anic legislation concerning slavery, inheritance, and the consumption of intoxicants (Rahman, 1982).

Contemporary hermeneutical approaches further emphasize the importance of distinguishing between the historical context of revelation and the universal ethical objectives of the Qur'an. Fazlur Rahman's theory of the double movement proposes that interpreters should first reconstruct the historical circumstances addressed by a Qur'anic verse before identifying its enduring moral principles for application in contemporary society (Rahman, 1982). Applying this methodology to Surah An-Nisā' verse 3 suggests that the underlying objective of the legislation was the protection of vulnerable members of society through justice rather than the normalization of plural marriage under all circumstances.

Similarly, Amina Wadud argues that the ethical message of the Qur'an consistently prioritizes justice, compassion, and equality over literal application detached from historical context. According to her hermeneutical approach, interpreting verse 3 independently from its social background and from the broader Qur'anic discourse on justice risks reducing the ethical depth of the revelation to a merely legalistic reading. Instead, the verse should be understood as part of a comprehensive moral project that seeks to transform family relations through fairness, responsibility, and respect for human dignity (Wadud, 1999).

This historical analysis also gains significance when read alongside Surah An-Nisā' (4:129), which explicitly acknowledges the difficulty of achieving complete justice among multiple wives. The relationship between these two verses demonstrates that the Qur'an simultaneously recognizes a limited legal concession under particular historical circumstances while establishing justice as an ethical standard that remains difficult to fulfill perfectly. Consequently, the Qur'anic discourse on polygamy reflects a dynamic interaction between legal regulation and moral aspiration rather than a simple legal authorization.

The findings of this historical analysis indicate that the Qur'anic regulation of polygamy should be interpreted within the broader framework of social reform introduced by Islam during the formative period of the Muslim community. The legislation addressed concrete historical realities while simultaneously promoting universal ethical principles centered upon justice, compassion, and the protection of vulnerable individuals. Therefore, understanding the historical background of the revelation constitutes an essential foundation for interpreting the concept of justice that becomes the central theme of the subsequent discussion.

Justice as the Fundamental Principle of Qur'anic Polygamy

The concept of justice (*al-'adl*) constitutes the central ethical foundation of the Qur'anic regulation of polygamy. While Surah An-Nisā' (4:3) permits a man to marry up to four wives under specific circumstances, the verse explicitly conditions such permission upon the ability to act justly. This condition is immediately followed by the instruction that if justice cannot be maintained, marriage should be limited to one wife. Consequently, justice is not presented as a secondary recommendation but as the primary legal and moral prerequisite governing the permissibility of polygamy. The ethical structure of the verse suggests that justice functions as the decisive criterion determining whether the legal concession may be exercised (Al-Ṭabarī, 2001; Al-Qurṭubī, 2006).

The interpretation of justice has long been discussed within the tradition of Islamic exegesis. Classical commentators generally understood justice in relation to observable and measurable responsibilities, including equitable financial maintenance, housing, clothing, and the distribution of time among wives. Al-Ṭabarī explains that justice requires equal treatment in all matters that remain within human control, while acknowledging that emotional inclination cannot be completely regulated by human will (Al-Ṭabarī, 2001). Similarly, Ibn Kathīr maintains that the obligation of justice concerns material obligations and external treatment rather than emotional affection, because emotional attachment belongs to dimensions beyond complete human control (Ibn Kathīr, 2004).

Al-Qurṭubī expands this discussion by emphasizing that justice includes both legal obligations and moral responsibility toward family members. According to his interpretation, a husband who fears the inability to fulfill these obligations should refrain from practicing polygamy because injustice contradicts the ethical objectives of Islamic family life (Al-Qurṭubī, 2006). Likewise, Fakhr al-Dīn al-Rāzī argues that the Qur'anic condition demonstrates the seriousness with which Islam protects family stability and individual rights. He observes that the requirement of justice imposes a significant ethical burden, making polygamy a conditional legal concession rather than an unrestricted social privilege (Al-Rāzī, 2000).

The discussion becomes more comprehensive when Surah An-Nisā' (4:3) is interpreted together with Surah An-Nisā' (4:129), which states:

"You will never be able to be completely just between wives, even if you strive to do so..." (Qur'an 4:129).

This verse introduces an important theological and ethical dimension by acknowledging the inherent limitations of human beings in achieving perfect justice within polygamous relationships. Rather than contradicting verse 3, many contemporary scholars argue that verse 129 complements it by distinguishing between legal justice, which can be pursued through equitable

material treatment, and perfect emotional justice, which remains beyond complete human capacity (Rahman, 1982; Shihab, 1996).

The relationship between these two verses has become a central focus within contemporary Qur'anic hermeneutics. Muhammad Abduh argues that the acknowledgment of human inability to achieve complete justice should encourage Muslims to approach polygamy with great caution. According to Abduh, the Qur'an did not intend to promote polygamy as an ordinary marital practice but rather regulated an existing social institution while directing society toward greater family justice and monogamy whenever justice could not realistically be guaranteed (Abduh, 1947).

Similarly, Fazlur Rahman emphasizes that Qur'anic legislation should be understood through its broader ethical objectives rather than through isolated legal formulations. Employing his theory of the double movement, Rahman argues that interpreters must distinguish between the historical solution offered by the Qur'an and the universal moral principles underlying that solution. Within this framework, the permission for polygamy addressed specific historical circumstances, whereas the enduring ethical principle emphasized by the Qur'an is the realization of justice, compassion, and human welfare. Consequently, legal interpretation should prioritize these universal objectives when addressing contemporary family issues (Rahman, 1982).

A comparable interpretation is offered by M. Quraish Shihab, who argues that the Qur'an does not present polygamy as a general recommendation but rather as an exceptional legal option subject to strict ethical conditions. According to Shihab, justice in the Qur'anic perspective encompasses not only economic obligations but also psychological well-being, mutual respect, and responsible family leadership. Because emotional equality remains impossible to achieve completely, the practical application of polygamy requires exceptional caution and should never undermine the dignity or welfare of family members (Shihab, 1996).

Contemporary Muslim feminist scholars further expand this ethical analysis. Amina Wadud argues that justice should be understood through the comprehensive moral vision of the Qur'an, which consistently promotes equality, compassion, and human dignity. In her view, interpreting verse 3 without considering verse 129 produces a fragmented reading that overlooks the Qur'an's ethical coherence. Wadud therefore maintains that the combined reading of both verses suggests that monogamy more fully reflects the Qur'anic aspiration toward justice in ordinary social circumstances (Wadud, 1999).

Likewise, Asghar Ali Engineer contends that the Qur'anic legislation concerning polygamy should be interpreted as part of a broader project of social reform. He argues that the Qur'an sought to improve the condition of women within a patriarchal society by restricting existing customs and strengthening legal protection rather than perpetuating gender inequality. According to Engineer, contemporary applications of polygamy must therefore be evaluated according to whether they genuinely realize justice and public welfare rather than merely fulfilling formal legal requirements (Engineer, 2008).

The comparative analysis of classical and contemporary interpretations reveals both continuity and development in Qur'anic exegesis. Classical scholars primarily concentrated on defining the legal requirements of justice, whereas contemporary scholars increasingly emphasize the ethical objectives underlying those legal conditions. This development reflects the growing influence of contextual interpretation, human rights discourse, and *maqāṣid al-sharī'ah* within contemporary Islamic scholarship. Nevertheless, both classical and modern interpretations converge on one fundamental principle: justice remains the indispensable condition upon which the permissibility of polygamy depends.

The findings of this analysis therefore indicate that justice is not merely one legal requirement among many but the central ethical principle governing the Qur'anic discourse on polygamy. The combined interpretation of Surah An-Nisā' verses 3 and 129 demonstrates that the Qur'an simultaneously provides a

contextual legal concession while emphasizing the profound moral responsibility associated with its implementation. This integrated understanding forms the basis for reconstructing the legal status of polygamy through the broader framework of *maqāṣid al-sharī'ah*, which is examined in the following section.

Reconstructing Polygamy through *Maqāṣid al-Sharī'ah*

The contemporary interpretation of Qur'anic legislation concerning polygamy cannot rely solely upon the literal meaning of legal texts but should also consider the broader objectives of Islamic law (*maqāṣid al-sharī'ah*). Within Islamic legal theory, *maqāṣid al-sharī'ah* provides a methodological framework for understanding that every legal ruling ultimately aims to realize justice, compassion, human welfare (*maṣlaḥah*), and the prevention of harm (*mafsadah*). Consequently, the evaluation of polygamy should not be limited to its formal legal permissibility but must also examine whether its implementation fulfills the higher ethical objectives intended by the Qur'an (Al-Shāṭibī, 1997; Ibn 'Āshūr, 2006).

Classical Muslim jurists, particularly Abū Ishāq al-Shāṭibī, explain that Islamic law seeks to preserve five fundamental necessities (*al-ḍarūriyyāt al-khams*): religion (*ḥifẓ al-dīn*), life (*ḥifẓ al-nafs*), intellect (*ḥifẓ al-'aql*), lineage (*ḥifẓ al-nasl*), and property (*ḥifẓ al-māl*). These objectives function as universal ethical principles guiding the interpretation and implementation of Islamic legal rulings. Modern scholars further emphasize that these objectives should be understood dynamically in response to changing social realities while remaining faithful to the moral values of the Qur'an (Auda, 2008).

The first objective, the preservation of religion (*ḥifẓ al-dīn*), requires that family relationships promote moral responsibility, honesty, and justice rather than becoming a source of oppression or social conflict. Marriage in Islam is consistently described in the Qur'an as a relationship founded upon tranquility (*sakinah*), affection (*mawaddah*), and mercy (*raḥmah*) (Qur'an 30:21). Therefore,

any marital arrangement that systematically undermines these ethical values should be critically evaluated regardless of its formal legal status. From this perspective, the legitimacy of polygamy depends not merely upon legal permission but upon its capacity to preserve the ethical objectives of family life.

The second objective, the preservation of life (*ḥifẓ al-nafs*), extends beyond physical protection to include emotional security, psychological well-being, and human dignity. Contemporary research on family relations has demonstrated that marital injustice frequently produces psychological distress, emotional neglect, and family conflict, particularly where equality cannot be maintained. When interpreted through *maqāṣid al-sharīʿah*, the Qur'anic requirement of justice therefore includes safeguarding the emotional welfare of wives and children rather than merely fulfilling material obligations. This broader understanding is consistent with the Qur'an's emphasis on compassion and mutual respect within family relationships (Wadud, 1999; Engineer, 2008).

The preservation of intellect (*ḥifẓ al-'aql*) also contributes significantly to contemporary discussions concerning polygamy. Islamic legal philosophy encourages rational deliberation (*ijtihād*) in responding to changing social realities. Rather than applying legal texts mechanically, Muslim scholars are encouraged to examine the social consequences of legal rulings through critical reasoning and contextual interpretation. Fazlur Rahman argues that faithful interpretation requires distinguishing between historically specific legal responses and the universal moral principles underlying those responses (Rahman, 1982). Accordingly, contemporary legal evaluations of polygamy should consider present social conditions rather than merely replicating historical practices without contextual analysis.

The fourth objective, the preservation of lineage (*ḥifẓ al-nasl*), occupies a particularly important position within Islamic family law. One of the principal purposes of marriage is to establish stable family structures that protect the welfare of spouses and children. The Qur'an consistently emphasizes responsibility toward children, fairness within the household, and the

protection of vulnerable family members. Consequently, polygamy should only be regarded as compatible with *maqāṣid al-sharī'ah* when it demonstrably strengthens family stability and safeguards the rights of all individuals involved. Where polygamy produces persistent injustice, neglect, or family disintegration, its implementation becomes difficult to reconcile with the objective of preserving lineage.

The fifth objective, the preservation of property (*ḥifẓ al-māl*), further reinforces the Qur'anic emphasis on justice. Financial maintenance constitutes one of the essential legal responsibilities of marriage. Classical jurists consistently required husbands practicing polygamy to provide equitable financial support for each wife and child. However, contemporary socio-economic conditions have considerably increased the financial responsibilities associated with family life. Rising educational costs, healthcare needs, housing expenses, and economic inequality make equitable financial treatment substantially more demanding than in earlier historical contexts. Consequently, many contemporary scholars argue that the practical ability to fulfill financial justice has become an increasingly significant consideration in evaluating the legitimacy of polygamy (Shihab, 1996).

Beyond these five classical objectives, modern *maqāṣid* scholars such as Ibn 'Āshūr and Jasser Auda argue that Islamic law also seeks to realize broader ethical values including human dignity (*karāmah al-insān*), freedom, social justice, and public welfare (*maṣlahah*) (Ibn 'Āshūr, 2006; Auda, 2008). These expanded objectives encourage interpreters to evaluate legal rulings according to their actual social consequences rather than relying exclusively upon formal legal classifications. Applying this perspective to polygamy suggests that legal permissibility should remain closely connected to its capacity to promote justice, preserve dignity, and prevent social harm.

This perspective also clarifies the relationship between legal permission (*ibāḥah*) and legal concession (*rukḥṣah*). Classical Islamic jurisprudence recognizes that certain legal permissions are granted to address exceptional

circumstances rather than to establish ordinary legal norms. The Qur'anic regulation of polygamy may therefore be understood as a conditional concession intended to respond to particular social needs within the historical context of early Muslim society. Such an interpretation remains consistent with the ethical orientation of Surah An-Nisā' and with the broader objectives of *maqāṣid al-sharī'ah*, which prioritize justice and the protection of vulnerable individuals over unrestricted legal permissibility.

The comparative analysis conducted in this study demonstrates that reconstructing polygamy through *maqāṣid al-sharī'ah* shifts the focus of legal interpretation from formal legality to ethical responsibility. Rather than asking merely whether polygamy is legally permissible, the more fundamental question becomes whether its contemporary practice genuinely realizes justice, family welfare, equality, and human dignity as intended by the Qur'an. This interpretative shift reflects the broader development of contemporary Islamic legal thought, which increasingly emphasizes ethical objectives alongside textual fidelity.

The findings therefore indicate that *maqāṣid al-sharī'ah* provides a comprehensive framework for understanding the Qur'anic discourse on polygamy. Justice, public welfare, and the preservation of human dignity emerge as the primary ethical standards governing the implementation of Islamic family law. Accordingly, polygamy should be understood not as a universally applicable marital norm but as a context-dependent legal concession whose legitimacy remains inseparable from the realization of the higher objectives of Islamic law. This reconstruction provides the foundation for evaluating the relevance of Qur'anic teachings on polygamy within contemporary Muslim societies, which is examined in the following section.

Contemporary Relevance of the Qur'anic Interpretation of Polygamy

The findings of this study demonstrate that the Qur'anic discourse on polygamy continues to possess significant relevance within contemporary

discussions on Islamic family law, gender justice, and legal reform. Although the historical circumstances surrounding the revelation of Surah An-Nisā' verses 3 and 129 differ considerably from the social realities of the twenty-first century, the ethical principles underlying these verses remain highly applicable. Justice (*al-'adl*), compassion (*rahmah*), human dignity (*karāmah al-insān*), and public welfare (*maṣlahah*) continue to serve as universal values guiding Islamic legal interpretation. Consequently, contemporary discussions on polygamy should focus not merely on legal permissibility but on the realization of these ethical objectives within changing social contexts.

One of the most important implications of this study concerns the development of Islamic family law in Muslim-majority countries. During the twentieth and twenty-first centuries, numerous Muslim states introduced legal reforms regulating or restricting the practice of polygamy through judicial supervision, financial requirements, or the consent of existing wives. These reforms do not necessarily reject the Qur'anic text but rather seek to ensure that the ethical requirement of justice is effectively implemented within modern legal systems. Countries such as Indonesia, Morocco, Tunisia, and Malaysia illustrate different legislative approaches aimed at balancing Qur'anic teachings with contemporary principles of family protection, legal certainty, and social welfare (Esposito & DeLong-Bas, 2001).

From the perspective of gender justice, the Qur'anic concept of justice cannot be understood solely through formal equality in material support. Contemporary scholarship increasingly emphasizes that justice also includes emotional security, mutual respect, shared responsibility, psychological well-being, and protection from discrimination. These dimensions correspond closely with the Qur'anic vision of marriage as a relationship founded upon tranquility (*sakinah*), affection (*mawaddah*), and mercy (*rahmah*) (Qur'an 30:21). Therefore, any interpretation of polygamy that neglects these ethical dimensions risks reducing Qur'anic guidance to a purely legalistic framework detached from its broader moral objectives (Wadud, 1999; Barlas, 2002).

The study also demonstrates the continuing importance of contextual Qur'anic interpretation in addressing contemporary legal issues. Modern Muslim societies differ substantially from seventh-century Arabia in terms of educational opportunities, economic structures, legal institutions, family dynamics, and gender relations. Consequently, contemporary interpreters are required to distinguish between the historical circumstances addressed by particular Qur'anic rulings and the universal ethical principles that remain applicable across different historical contexts. Fazlur Rahman's theory of the double movement provides an important methodological framework for achieving this balance by linking historical reconstruction with contemporary ethical application (Rahman, 1982).

Another significant implication concerns the role of *maqāṣid al-sharī'ah* within contemporary Islamic jurisprudence. The present analysis indicates that *maqāṣid* enables legal interpretation to move beyond literal textualism without abandoning the authority of the Qur'an. By emphasizing justice, public welfare, dignity, and the prevention of harm, *maqāṣid al-sharī'ah* provides an ethical framework capable of responding to new social realities while remaining faithful to the objectives of Islamic law. This approach has become increasingly influential within modern Islamic legal reform because it integrates textual evidence with ethical reasoning and social responsibility (Auda, 2008; Ibn 'Āshūr, 2006).

The findings further suggest that discussions concerning polygamy should not be reduced to polarized positions that either unconditionally defend or categorically reject the practice. Such binary approaches often overlook the nuanced ethical framework established by the Qur'an itself. Instead, the Qur'anic discourse encourages a balanced evaluation that recognizes the historical legitimacy of the legal concession while simultaneously emphasizing the demanding ethical conditions attached to its implementation. This balanced perspective enables Muslim scholars and legal practitioners to address

contemporary family issues through principled interpretation rather than ideological polarization.

From the perspective of Islamic legal philosophy, the study illustrates the dynamic interaction between text (*naṣṣ*), context (*wāqī'*), and ethical objectives (*maqāṣid*). Islamic law does not function merely as a collection of isolated legal commands but as an integrated moral system directed toward the realization of justice and human welfare. Accordingly, legal interpretation should continuously evaluate whether contemporary applications remain consistent with these objectives. This understanding strengthens the capacity of Islamic jurisprudence to respond constructively to social transformation while preserving the normative authority of revelation.

An important contribution of this research lies in demonstrating that the debate surrounding polygamy should be repositioned from a discussion focused primarily on legal permissibility toward one centered on ethical responsibility. Previous studies have frequently concentrated on jurisprudential classifications or sociological consequences independently. In contrast, the present research integrates Qur'anic exegesis, historical reconstruction, contextual hermeneutics, and *maqāṣid al-sharī'ah* into a unified analytical framework. This interdisciplinary perspective provides a more comprehensive understanding of how justice functions as the central organizing principle of the Qur'anic regulation of polygamy.

The novelty of this research therefore resides in its reconstruction of polygamy as a conditional legal concession (*rukḥṣah*) governed by ethical objectives rather than as a universally applicable marital norm. By synthesizing classical exegesis, contemporary Qur'anic hermeneutics, historical analysis, and *maqāṣid al-sharī'ah*, the study demonstrates that the Qur'an consistently prioritizes justice, compassion, family welfare, and human dignity over literal legal formalism. This integrated approach contributes to contemporary Islamic legal thought by offering an interpretative model that remains faithful to the Qur'anic text while addressing present-day social realities.

Overall, the findings confirm that the Qur'anic regulation of polygamy should be interpreted within the broader ethical vision of Islam, in which justice functions as the primary criterion governing family relationships. The interaction between Surah An-Nisā' verses 3 and 129, interpreted through contextual analysis and *maqāṣid al-sharī'ah*, demonstrates that the ethical objectives of Islamic law provide the most comprehensive framework for evaluating the legitimacy of polygamy in contemporary society. Consequently, this research contributes to the advancement of Qur'anic studies, Islamic family law, gender justice, and contemporary Islamic legal philosophy by presenting an integrated model of interpretation grounded in both textual fidelity and ethical responsibility.

D. Conclusion

This study examined the Qur'anic discourse on polygamy through a qualitative library research approach employing critical Qur'anic interpretation, historical-contextual analysis, and *maqāṣid al-sharī'ah* as complementary analytical frameworks. By integrating classical and contemporary exegetical literature with the ethical objectives of Islamic law, the research demonstrates that the Qur'anic regulation of polygamy should be understood within its historical and moral context rather than as an isolated legal provision. The analysis confirms that the permission for polygamy contained in Surah An-Nisā' (4:3) emerged as a contextual response to specific social conditions in early Muslim society, particularly the protection of widows, orphaned children, and other vulnerable groups affected by social instability and armed conflict.

The findings further reveal that justice (*al-'adl*) constitutes the fundamental ethical principle governing the Qur'anic regulation of polygamy. The relationship between Surah An-Nisā' verses 3 and 129 demonstrates that while the Qur'an recognizes a conditional legal concession for plural marriage, it simultaneously acknowledges the limitations of human beings in achieving

complete justice among multiple wives. This internal relationship between legal permission and ethical limitation indicates that justice is not merely a formal legal requirement but the primary moral objective underlying the Qur'anic legislation on marriage and family life.

The analysis also demonstrates that the framework of *maqāṣid al-sharī'ah* provides a comprehensive method for reconstructing the contemporary understanding of polygamy. By emphasizing the preservation of religion, life, intellect, lineage, and property, together with broader values such as justice, human dignity, compassion, and public welfare, *maqāṣid al-sharī'ah* shifts legal interpretation from formal textual permissibility toward ethical responsibility. Within this perspective, the legitimacy of polygamy depends upon its ability to realize the higher objectives of Islamic law rather than merely satisfying procedural legal conditions. Consequently, contemporary applications of polygamy should always be evaluated according to whether they genuinely protect family welfare, equality, and human dignity.

One of the principal contributions of this research lies in its interdisciplinary analytical framework. Unlike many previous studies that approached polygamy primarily from jurisprudential, sociological, or gender perspectives independently, this study integrates Qur'anic exegesis, historical reconstruction, contextual hermeneutics, and *maqāṣid al-sharī'ah* into a unified analysis. This comprehensive approach enables a deeper understanding of the interaction between legal texts, historical circumstances, ethical principles, and contemporary social realities. As such, the study contributes to the advancement of Qur'anic studies, Islamic legal theory, Islamic family law, and contemporary discussions on gender justice.

The novelty of this research resides in its reconstruction of polygamy as a conditional legal concession (*rukḥṣah*) governed by the ethical objectives of the Qur'an rather than as a universally applicable marital norm. By synthesizing classical exegetical traditions with contemporary hermeneutical approaches and *maqāṣid al-sharī'ah*, this study demonstrates that justice, compassion, and

public welfare represent the central principles guiding the Qur'anic understanding of family relationships. This perspective broadens existing scholarship by emphasizing that the ethical spirit of the Qur'an should remain the primary reference in interpreting legal rulings within changing historical contexts.

The findings also have broader implications for the development of Islamic family law and contemporary Qur'anic interpretation. They demonstrate the importance of contextual interpretation that remains faithful to the Qur'anic text while responding constructively to present-day social realities. Rather than positioning textual authority and social change as opposing forces, this study shows that the ethical objectives of the Qur'an provide a bridge through which Islamic law may continue to promote justice, equality, and family welfare in diverse contemporary contexts. This approach also supports ongoing efforts toward legal reform in Muslim societies by highlighting the dynamic relationship between revelation, historical experience, and ethical reasoning.

Nevertheless, this research is limited to qualitative library research based on Qur'anic texts, classical and contemporary *tafsīr*, works of Islamic jurisprudence, and academic literature. Future research is recommended to incorporate empirical approaches, including interviews, socio-legal studies, and comparative analyses of family law reforms in various Muslim-majority countries. Such studies would provide a deeper understanding of how Qur'anic principles concerning justice are interpreted and implemented within contemporary legal systems and family practices. Further interdisciplinary research integrating Islamic law, sociology, psychology, gender studies, and legal anthropology would also enrich scholarly discussions concerning the relationship between revelation, ethics, and social transformation in modern Muslim societies.

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