

The Meaning of Justice in the Qur'an and the Implications of Islamic Law on Polygamy Permits: Harmonization of Islamic Law and Positive Law with the Maqasidi Tafsir Approach

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DOI : 10.29240/alquds.v9i1.11356

Abstract: This research aims to explain the meaning of justice in QS. An-Nisa: 3 through the paradigm of *maqasidi* interpretation (*tafsir maqasidi*) and its implications in Islamic law regarding the permission for polygamy. *Tafsir maqasidi* is a type of exegesis that examines the meanings of the words in the Noble Qur'an and their broader linguistic implications, along with the wisdom and objectives behind the revelation of the Qur'an and the legislation of Islamic laws. These objectives encompass universal values, namely *maqasid al-shari'ah* (the higher purposes of Islamic law) and *maqasid al-Qur'an* (the objectives of the Qur'an). This study employs a qualitative method with a *tafsir maqasidi* approach, involving textual analysis of the verse, historical context, and integration with the principles of *maqasid al-shari'ah* and empirical evidence related to the impacts of polygamy. The issues this paper seeks to address are: first, the absence of a definitive Islamic legal ruling on whether polygamy without the wife's permission is permissible or not. Second, the lack of alignment between Islamic legal rulings on polygamy permission and the provisions of Law No. 1 of 1974 of the Republic of Indonesia and the Compilation of Islamic Law, which stipulate that the wife's consent is mandatory. The findings indicate that the meaning of justice in QS. An-Nisa: 3, when understood through the lens of *tafsir maqasidi*, aims to protect women's well-being physically, mentally, and emotionally. Thus, polygamy without consent constitutes an act that contradicts the principle of justice and undermines *maqasid al-shari'ah* in safeguarding women's dignity and rights. Therefore, from the perspective of interpreting QS. An-Nisa: 3, obtaining permission for polygamy becomes an obligatory requirement.

Keywords: justice, the Qur'an, *tafsir maqasidi*, law, permission, polygamy

Introduction

Muslims believe the Qur'an to be a holy book and a guide for all aspects of their lives. Therefore, Muslims continue to dialogue with the Qur'an and seek solutions to all life problems faced, both individually, in families, and broader community relations in the nation and state. A correct understanding of the Quran will affect its position as a solution to the rapid changes of the times. Therefore, Muslims must understand the Quran well by using various approaches to find universal values, such as the maqasid of the Quran. The Assyrian Wasfi said the Qur'an has universal noble norms, ideals, and values.¹

These universal values are the core teachings of the Qur'an, and cannot be changed at any time. The universal values of the Quran, such as justice, are spread in various verses with various contexts, both economic, social, and family, as well as justice in the context of marriage, for example, regarding the ability of polygamy on the condition that the husband can be fair to all his wives. Marriage is an important matter that needs to be regulated by Islam, and one of the principles of justice is maintained in it. Because marriage is something noble, holy, and sacred. Marriage is also a means of worshipping Allah and practicing the sunnah of the Prophet PBUH, with sincerity, joy, and

¹ Washfi Asyur Abu Zayd, *Nabwa Tafsir Maqasidi Li Al-Qur'an Al-Karim: Ru'yah Ta'sisiyah li Manhaj Jadid Fi Tafsir* (Cairo: Mofakroun, 2013). 2

responsibility.² The purpose of marriage itself is noble: to create calm, love, and affection. This is affirmed in the Qur'an. Rum: 21:

"Among the signs of His greatness is that He created pairs of your own for you so that you may feel at peace with him. He has made among you a sense of love and affection. Indeed, in such is the sign (of Allah's greatness) for the people who think."

The purpose of marriage in the Qur'an is also in line with Law Number 1 of 1974 concerning Marriage, which states in Article 1, Chapter 1, that Marriage is a bond born in mind between a man and a woman as husband and wife to form a happy and eternal family (household) based on the One Godhead.³ However, the purpose of marriage for human happiness is sometimes disturbed by domestic problems that often arise from various possibilities, which can come from the husband, the wife, or both. Polygamy, for example, can be a problem if it is not carried out in a way according to the procedures and conditions specified by the Qur'an. So far, the condition for polygamy in Islam is the ability of the husband to act reasonably, according to the message of QS. An-Nisa: 3:

"If you are worried that you will not be able to do justice to the orphan (if you marry her), marry (other) women that you like: two, three, or four. However, if you are worried that you will not be able to act justly, marry only one of the enslaved women you have. That is closer to not doing wrong."

In addition to fairness, another requirement is to have economic ability (QS. an-Nur: 33) and no more than four people (QS. an-Nisa: 3). From some of these conditions, it seems that there is no comprehensive and definite formulation regarding the requirements for wife's permission for husbands who want to practice polygamy. Indeed, it is found in the discourse of scholars on this matter. Still, it is only related to the prenuptial agreement, namely that the husband must promise his future wife not to commit polygamy when he is going to pronounce the *kabul ijab* or marriage contract.⁴ Not about the condition of polygamy permission from the wife during the marriage.

This wife's permission is even required in the law of the Republic of Indonesia number 1 of 1974, Article 5. The law states that "to be able to apply to the Court, as referred to in Article 4 paragraph (1) of this Law, conditions must be met, namely one of the conditions for the consent of the wives/wives."⁵ In KHI, it is also required. Chapter IX, article 58, paragraph 1 states that to obtain a religious court permit, the conditions specified in article 5 of Law No. 1 of 1974 must also be met, namely the wife's consent. In the 2nd paragraph, it is reiterated that permission from the wife or wives can be given in writing or orally. Still, even if there is a wife's consent, it is affirmed by the wife's verbal consent at the religious court hearing.⁶

Due to the difference in sharia/Islamic law, the Law of the Republic of Indonesia and the Compilation of Islamic Law above cause a problem, namely the number of Muslims who are confronted with the three legal foundations, that Islamic law does not require the permission of the wife, while the law and the Compilation of Islamic Law require so. Each of them is considered not to go hand in hand. Is that true? Does the Qur'an, as a source of sharia and Islamic law, not require the wife's permission for a polygamous husband? This article will answer this question by explaining the meaning of justice in QS. An-Nisa: 3 as the object of research material.

² Wahyu Wibisana, "Marriage in Islam", *At-Ta'lim* 14, no. 2 (2015): 185, <https://doi.org/10.22219/ulumuddin.v1i1.12867>.

³ "Law of the Republic of Indonesia Number 1 of 1974 concerning Marriage," n.d., <https://peraturan.bpk.go.id/Details/47406/uu-no-1-tahun-1974>.

⁴ Isn'an Ansori, *Genealogy of Tafsir Ahkam QS an-Nisa: 03* (Jakarta: Rumah Fiqih Publishing, 2020). 17-20

⁵ "Law of the Republic of Indonesia Number 1 of 1974 concerning Marriage."

⁶ Directorate of Islamic Religious Justice Development Directorate General of Islamic Institutional Development Ministry of Religious Affairs, *Compilation of Islamic Law in Indonesia* (Directorate of Islamic Religious Justice Development, Directorate General of Islamic Institutional Development, Ministry of Religion, 2001).

Several researchers have previously discussed the concept of *maqasidi tafsir as an approach to understanding the Qur'an's universal purpose (maqasid)*. For example, Washfi 'Assyria defines *maqasidi tafsir* as a method of interpretation that emphasizes the universal values (such as justice, welfare, and protection of the soul) behind the text of the Qur'an.⁷ Abdul Mustaqim emphasized that this approach is a development of *maqasid shari'ah*, which aims to connect texts with contemporary contexts.⁸ According to M. Ainur Rifqi, the *interpretation of maqasidi* is dynamic because it considers social, psychological, and legal aspects in interpretation.⁹ This research aligns with the views of Ibn Ashur and As-Shatibi, who emphasize the importance of understanding the purpose of the sharia (such as *hifz al-nafs* or the protection of the soul) in interpreting the polygamy verses.

Classical interpretations, such as Ibn Kathir, At-Tabari, and Wahbah Az-Zuhaili, tend to interpret "just" in QS. An-Nisa: 3 textually refers to material justice (e.g., alimony, and time division). However, Sayyid Qutb in *Fi Zilal al-Qur'an* expands the meaning of justice to include psychological and emotional justice.¹⁰ Nur Shofa Ulfiyati analyzed Law No. 1/1974 and the Compilation of Islamic Law (KHI), which requires the wife's permission for polygamy. She argued that this requirement aligns with the principles of *maqasid shari'ah* to protect women from injustice.¹¹ Nur Hikmah strengthens this argument with empirical data on the negative impact of polygamy on the mental health of wives and children.¹²

Previous research has not integrated the concept of psycho-emotional justice with the obligation of a wife's permission as a condition for polygamy within the framework of *maqasid shari'ah*. This article seeks to bridge the gap between the provisions of positive law (wife's permission) and Islamic law by showing that the requirements of wife's permission are in line with the universal purpose of the Qur'an (*maqasid shari'ah*), which is to protect women's rights and dignity.

Another study by Mohammad Al-Sharfi shows that polygamy without the wife's consent risks leading to depression, anxiety, and family conflicts. These findings support the opinion that the wife's permission is a form of protection (*hifz al-nafs*) by the maqasid of the Qur'an.¹³ The difference with this study is that the majority of classical commentaries (such as Ibn Kathir and At-Tabari) do not discuss the wife's permission as a condition of polygamy, while contemporary interpretations (such as Sayyid Qutb) only touch on justice in general. In addition, Law No. 1/1974 and KHI already require the wife's permission, but no study has connected it in depth with the interpretation of maqasidi. Meanwhile, empirical research on the impact of polygamy, such as Al-Sharfi and previous research, has not been integrated with the analysis of Qur'anic texts.

This paper combines empirical evidence with the analysis of QS texts. An-Nisa: 3 through the approach of *maqasidi interpretation*, thus strengthening the argument that the wife's permission is a logical implication of the principle of justice in the Qur'an. The majority of classical and contemporary interpretations do not discuss the wife's permission as a condition for polygamy, while the Law and the KHI already require it. So, this paper aims to fill this void by using *the interpretation of maqasidi* to

⁷ Washfi Assyur Abu Zayd, *Nabwa Tafsir Maqasidi Li Al-Qur'an Al-Karim: Ru'yah Ta'asisiyah li Manhaj Jadid Fi Tafsir*.

⁸ Abdul Mustaqim, *Maqasidi's Interpretation Argument* (Yogyakarta: UIN Sunan Kalijaga, 2019).

⁹ M. Ainur Rifqi, "Tafsir Maqasidi; Building Interpretation Paradigm Based on Mashlahah," *Millah: Journal of Religious Studies* 18, no. 2 (2019). DOI: 10.20885/millah.vol18.iss2.art7

¹⁰ Sayyid Qutb, *Fi Zilal Al-Qur'an*, Beirut Dar Al-Shuruq, vol. 1 (Egypt: Dar Al-Syarq, 1981).

¹¹ Nur Shofa Ulfiyati, "Wife's Permission as a Condition for Polygamy from a Human Rights Perspective: A Study of Marriage Law," *De Jure, Journal of Sharia Law* 8, no. 2 (2016), <https://doi.org/10.18860/j-fsh.v8i2.3746>.

¹² Nur Hikmah, "The Impact of Polygamy on the Welfare of Wives and Children from the Perspective of Maqasid Al-Syari'ah," *Kalosara* 1, no. 1. (2021), <http://dx.doi.org/10.31332/v1i1.2985>.

¹³ Mohammad Al-Sharfi, Karen Pfeffer, and Kirsty A. Miller, "The Effects of Polygamy on Children and Adolescents: A Systematic Review," *Journal of Family Studies* 22, no. 3 (2016): <https://doi.org/10.1080/13229400.2015.1086405>.

expand the meaning of "fair" to include the wife's consent as a form of protection (*hifz al-nafs*) and holistic justice.

Therefore, this paper uses *the interpretation of maqasidi* to expand the meaning of "fair" in QS. An-Nisa: 3 covers psychological justice and the right to the wife's consent. It links positive law (UU and KHI) with maqasid shari'ah, shows the alignment between Islamic law and women's protection, and combines empirical evidence (the impact of polygamy) with textual analysis to strengthen the argument. This study uses a qualitative method with a maqasidi tafsir approach, which involves the analysis of verse texts, historical contexts, and integration with the principles of maqasid shari'ah and empirical evidence related to the impact of polygamy. The qualitative method is due to its focus on a deep understanding of the meaning of the text (the Qur'an), universal values (maqasid shari'ah), and the socio-legal context. The primary data is from Qur'anic texts, classical-contemporary interpretations, and legal regulations. Analysis emphasizes interpreting, contextualizing, and integrating texts and empirical reality.

In conducting the analysis, the steps taken are identifying the textual meaning and examining the definition of "fair" in QS. An-Nisa: 3 based on classical interpretation. Second, the exploration of *maqasid* connects the meaning of "just" with the universal goals of the sharia (*hifz al-nafs*, *hifz al-aql*, and others). Third, contextualization, expanding the definition of "fair" to include psychological justice and wife consent. Fourth, compare the provisions of Islamic Sharia with Law No. 1/1974 and KHI. Fifth, integration, shows the harmony between maqasid shari'ah and positive law through arguments of justice.

Discussion

Paradigm of maqashid interpretation

Maqashid's exegesis refer to:

ذلك النوع من التفسير الذى ييجت فى معانى ألفاظ القرآن الكريم وتوسيع دلالاتها اللغوية، مع بيان الحكم و الغايات التى أنزل من اجلها القرآن و شرعت من أجلها الأحكام

*This type of tafsir examines the meanings of Qur'anic recitation and the expansion of its lughah. It also explains the wisdom and purposes to be realized through the revelation of the Qur'an and the reason for the promulgation of Islamic laws.*¹⁴

Assyrian Wasfi Abu Zaid explained that Maqasidi's Tafsir is more or less the same as the previous definition. According to him, this tafsir reveals the meaning and wisdom of the Qur'an, both universal and particular, and explains how to use it to benefit servants.¹⁵ If you observe the definition above, Tafsir Maqasidi is closely related to Maqashid Sharia, which is known in Islamic law. Abdul Mustaqim said that Tafsir Masidi is a development of Maqasid Shari'ah.¹⁶ Tafsir Maqasidi results from the entire interpretive process oriented to the Maqasid al-Qur'an, so the rules used are *al-Ibrah bi Maqasid Syari'ah*.¹⁷ Ibn Ashur emphasized the need for knowledge of Maqashid Shari'ah to interpret

¹⁴ M. Ainur Rifqi and A. Halil Thahir, "Tafsir Maqasidi: Building a Mashlahah-Based Tafsir Paradigm," *Millah* 18, no. 2 (2019): 335–356, <https://ejournal.iaifa.ac.id/index.php/takwiluna>.

¹⁵ Abu Zayd, *Wasfi Ashur, At-Tafsir Al-Maqasidi Li Surah Al-Qur'an al-Karim* (Kairo: Al-Lukah, 2013). 7

¹⁶ Abdul Mustaqim, *Argument for the Inevitability of Maqashidi's Tafsir as the Basis for Islamic Moderation*, Universitas (Text of the Inauguration Speech of Professor of UIN Sunan Kalijaga Yogyakarta, 2019).

¹⁷ Abdul Mustaqim, *Historical Dynamics of Qur'an Interpretation, Modern-Contemporary Studies* (Yogyakarta: Adab Press, 2014). 15

Maqasid. An example of interpretation that makes maqasid shari'ah the basis is Ibn Arabi's interpretation of the need for witnesses and notaries in the transfer of the property of foster children mentioned in QS. An-Nisa: 6.¹⁸

According to the Assyrian Wasfi, we will not get a correct understanding and use the Qur'an as a guide, especially in facing the contemporary world, unless we interact with the Qur'an using the Maqasid point of view and can grasp its goals and desires, until people gain the salvation of this world and the hereafter.¹⁹ The seeds of Maqasidi Tafsir can be traced to the early period of interpretation, with an interpretation model based on the *Maqasid Sharia* interpretation. For example, in the era of Abu Bakr and Umar, who were separated from the instance of the Prophet, they were considered more beneficial. For example, regarding the collection of the mushaf and the talaq three in one assembly,²⁰ Meanwhile, the term *Maqasidi*-exegesis was only introduced by Imam Haramain al-Juwainy and then developed by al-Ghazali's followers. Previously, the emergence of the maqasid of the shari'ah as the basis of the interpretation of the Maqasid was discussed by Izuddin ibn Abdulssalam, then systematically discussed by As-Syatibi in his book *al-Muwafaqat*. Then it matured and became its discipline by Ibn Assyria. From here, Maqasidi tafsir became an independent discipline by contemporary scholars and was considered a very dynamic tafsir compared to other types of tafsir.²¹

In using the Maqasidi tafsir paradigm, one must consider the provisions or prerequisites. First, they must have a comprehensive and integrative view of the Qur'an and hadith. Interpreters should not have a partial view of the Qur'an. Partial view has many disadvantages, such as only seeing text visually, losing text with context, and not being able to connect one text to another. *Second*, obey the rules of interpretation. This is done so that the interpreter does not have a subjective view. *Third*, find out *the maqasid* from the text of the Qur'anic verses. The interpreter must know the meaning of a verse. *Fourth*, understanding the purpose of the benefit of a verse. *Fifth*, it is essential to balance *maslahat* and *mafsadat* when applying a verse. Sixth, understanding which texts bring greater benefits than other texts that have a beneficial effect, in this case, the interpreter knows the dynamics outside the text.²²

In the context of this research, the interpretation of maqasidi will be used to see the meaning of justice in QS. An-Nisa: 3, expanding the sense of justice as the procedure in the maqasidi tafsir conveyed by the Assyrian Wasfi, the other method is to take an intertextual approach by looking at the meaning of justice in a broader context and understanding the meaning of justice comprehensively in the Qur'an by involving supporting verses, to knowledge outside the text in the form of the phenomenon of polygamy and all the effects it causes.

The Meaning of Justice in the Qur'an

Adil, a term from Arabic, means balance, equality, impartiality, guarding, and giving rights to those who are entitled.²³ Meanwhile, in terms of terminology, Salafi scholars and *Mu'ashirin* scholars have different definitions, namely:²⁴

1. *Adil* according to Ibn Abbas, *adil* is the sentence *laa ilaaha illallah*
2. According to Ibn 'Atiyah, justice is an obligation in every aspect of creed and sharia: fulfilling the mandate, not acting unjustly, and respecting the rights of others.

¹⁸ Made Saihu, "Tafsir Maqasidi for Maqasid al-Shari'Ah," *Al Burhan: Journal of the Study of Knowledge and Cultural Development of the Qur'an* 21, no. 01 (2021): 14, <https://doi.org/10.53828/alburhan.v21i01.225>.

¹⁹ Wasfi 'Asyur Abu Zayd, *Nahwa Tafsir Maqasidi Li Al-Qur'an Al-Karim: Ru'yah Ta'sisiyah li Manhaj Jadid Fi Tafsir*. 6

²⁰ Rifqi and Thahir, "Tafsir Maqasidi: Building a Mashlahah-Based Tafsir Paradigm." 87

²¹ Rifqi and Thahir, "Tafsir Maqasidi: Building a Mashlahah-Based Tafsir Paradigm." 87

²² Rifqi and Thahir, "Tafsir Maqasidi: Building a Mashlahah-Based Tafsir Paradigm." 88-89

²³ Muhammad Hasan Qodrodan Qomaliki, *Al-'Adl*, (t.tp: Darul Kafil, 2016). 15

²⁴ Rudi Irawan, "Analysis of the Word Fair in the Qur'an," *Rayah Al-Islam* 2, no. 02 (2018): 234-236, <https://doi.org/10.37274/rais.v2i02.74>.

3. *Adil*, according to Ibn 'Arabi, is the essence between two things: the opposite of tyranny.
4. *Adil*, according to Imam Qurtubi, is the soul's ability that is the foundation of morals, manners, and piety.
5. According to Al-Ibsyinihiy, justice is the *mizān* (scale) of Allah Almighty in life on Earth, which is appointed for the weak for the strong, and the righteous for the wrong.
6. Al-Wansyri argues that justice equals the attitude of *istikomah* in religious and worldly affairs.
7. According to Sayyid Qutb, justice guarantees the rights of all people by not being influenced by lust, love, or hatred.
8. According to Ash-Sha'rawi, *Adil* is impartial and treats the same, or is fair, in two contradictory ways.
9. Fairness, according to Mustafa Murid, is fulfilling rights according to their place without partiality, intervention, and non-discrimination.
10. According to Rasyid Rida, justice gives rights to those entitled appropriately and adequately.
11. Al-Qasimi believes justice means acting honestly by exercising equal rights and obligations.

Justice is an important teaching conveyed by the Qur'an. Many verses of the Qur'an emphasize this. Among them is QS. An-Nisa: 135:

"O you who have believed, be the enforcers of justice and witnesses for the sake of Allah, even if the testimony is incriminating to yourself, your parents, or your relatives. Whether rich or poor, Allah is more worthy of knowing both. Therefore, do not follow your desires because you want to deviate (from the truth). If you distort (words) or turn away (refuse to be witnesses), verily Allah is Aware of all that you do."

Two terms in the Qur'an refer to the meaning of justice, namely *Adil* and *Qist*. These two terms have a common point of meaning, namely *al-Musawab*, which means similarity. However, semantically it has a different meaning. The word *al-'adl* means intangible justice, such as justice in the household, polygamy, or law, while *al-Qist* is visible or apparent justice, such as justice in the scales.²⁵ In this paper, the term fair that is researched is the first word, *al-'Adl*, because that term is used in QS. An-Nisa: 3 is the object of research.

The word *al-'Adl* is mentioned in the Qur'an 28 times.²⁶ Overall, this word in the verses of the Qur'an has a relational meaning, namely faith (QS. An-Nisa: 135), fear (QS. Al-Maidah: 8), Amar (an-Nisa: 58), Shahadah (QS. Al-Baqarah: 282), and al-haq (QS. Al-A'raf: 159).²⁷ The relationship of justice and faith is seen in the just commandment beginning with the call of the believers. For example, in QS. An-Nisa: 135:

"O you who have believed, be the enforcers of justice and witnesses for the sake of Allah, even if the testimony is incriminating to yourself, your parents, or your relatives. Whether rich or poor, Allah is more worthy of knowing both. Therefore, do not follow your desires because you want to deviate (from the truth). If you distort (words) or turn away (refuse to be witnesses), verily Allah is Aware of all that you do."

Similarly, justice is related to the nature of pious people, as described in QS. Al-Maidah: 8: *"I'dilu huwa agrabu littaqwa* (be just, because justice is closer to piety). *Adil* also has a relational meaning with *amar* (commandment), because *adil* is a command that must be enforced. In addition, justice also

²⁵ Muhajirin and Zulaikhah Fitri Nur Ngaisah, "Justice in the Qur'an (A Semantic Study of the Words *al-'Adl* and *al-Qist* in the Qur'an)," *Hermeneutika* 13, no. 1 (2019): 55. DOI: 10.21043/hermeneutik.v13i1.5538

²⁶ Abdul Rozak, "Comparative Study of the Pronunciation of *al-'Adl* and *al-Qist* in the Qur'an," *SAKINA: Journal of family Studies* 3, no. 4 (2019): 3. DOI: 10.21043/hermeneutik.v13i1.5538

²⁷ Muhajirin and Nur Ngaisah, "Justice in the Qur'an (A Semantic Study of the Words *al-'Adl* and *al-Qist* in the Qur'an)." 41

has a relationship of meaning with *shabadab* (testimony) and al-haq (truth). For testimony must be based on justice, not lust, and so must truth.²⁸

Justice in the Qur'an includes various aspects, both legal, social, economic, educational, health, and family, including justice in the relationship between husband and wife. Justice in the field of law enforcement is mentioned in QS. An-Nisa: 58:

"Indeed, Allah has commanded you to convey the trust to its owner. When you establish the law among men, you shall establish it justly. Indeed, Allah has given you the best teaching. Indeed, Allah is All-Hearing and All-Seeing."

Justice in social heresy is mentioned in QS. Al-Maidah: 8:

"O you who have believed, be the enforcers (of the truth) for the sake of Allah (and) the witnesses (who act) justly. Do not let your hatred of a people drive you to act unjustly. Be fair because it is closer to piety. Fear Allah. Indeed, Allah is Thorough in what you do."

Justice in the economic field is contained in QS. Al-An'am: 153

"Do not approach the property of an orphan, except in a more beneficial way, until he reaches adulthood. Perfect the measurements and scales fairly. We do not burden a person, but according to his ability. When you speak, do it fairly, even to your relative. Fulfill Allah's promise. Thus, He commanded you to take a lesson."

Upholding justice among relatives is one of the principles mentioned in QS. An-Nahl: 90:

"Indeed, Allah commands to be just, to do good, and to help relatives. He also forbids heinous deeds, iniquity, and enmity. He teaches you a lesson so that you will always remember."

Justice in the relationship between husband and wife is mentioned in the Qur'an. An-Nisa: 3:

"If you are worried that you will not be able to do justice to the orphan (if you marry her), marry (other) women that you like: two, three, or four. However, if you are worried that you will not be able to act justly, marry only one of the enslaved women you have. That is closer to not doing wrong."

The Meaning of Equity in the Context of Husband and Wife Relationships: Various Interpretations of QS. An-Nisa: 3

As explained above, the Qur'anic verse that is the main object in this discussion is QS. An-Nisa: 3. In full, the text and translation of the verse are as follows:

"If you are worried that you will not be able to do justice to the orphan (if you marry her), marry (other) women that you like: two, three, or four. However, if you are worried that you will not be able to act justly, marry only one of the enslaved women you have. That is closer to not doing wrong."

Abu Hayyan quoted the narration of Aisha r.a. in Sahih Muslim. This verse is related to the guardians of orphans who admire the beauty of orphans. They then wanted to marry, but without giving a dowry. This verse came down to order the guardian of the orphans to pay the dowry. Otherwise, it was recommended to marry another woman who was not among the orphans with their rights. The bad tradition of the Quraysh is that they want to marry orphans because they want their wealth, and cannot finance their wives. Quoting the narration of Ibn Abbâs, Abu Hayyan explained that some guardians were careful about the orphans' use of their property and personal property. Still, they did not do justice to their wives, so this verse was revealed.²⁹

²⁸ Muhajirin and Nur Ngaisah, "Justice in the Qur'an (A Semantic Study of the Words al-'Adl and al-Qisṭ in the Qur'an)." 42-43

²⁹ Abû Hayyân and Muhammad ibn Yûsuf al-Andalûsi, *Al-Babr al-Mubâth, Juz III* (Beirut: Dâr al-Fikr, 1403). 503

If referring to various tafsir literature, the mufassir have almost no difference in the interpretation of justice in this verse. They understand it textually, even like repeating the text of the verse. For example, Ibn Kathir said that what is meant by fear of not being able to do justice here is the fear of not being able to do justice if you have many wives, and it is enough to have only one wife. Even Ibn Kathir attributed the ability to marry no more than four to the creation of Malikat. He quoted the words of Allah in Surah Fatir verse 1, "All praise be to Allah, the Creator of heaven and earth, Who has made angels as messengers (to take care of various affairs) who have wings, two, three, and four each. God adds to His creation what He wills. Indeed, Allah is Omnipotent over all things. According to him, this proves that humans are limited to marrying other women up to four. He also quoted Ibn Abbas's opinion that four are permissions from Allah that must be grateful.³⁰

Imam At-Tabari explained the same thing. In this verse, he quoted several narrations that reveal the meaning of justice in a man giving a dowry to the future wife he will marry.³¹ Rasyid Ridha explained that if the orphan's guardian is concerned that he cannot do justice to the orphan he wants to marry, then the guardian is obliged to marry another woman who is not from the orphanage in his care, one to four, on the condition that he can do justice.³² The concept of fairness in marriage, according to the Qur'an, is a resistance to the model of polygamy in the tradition of ignorance, where they marry as many as possible but do not treat their wives fairly.³³

Wahbah Az-Zuhaili is more or less the same as the mufassir above. According to him, orphan guardians are not allowed to marry orphans unless they can do justice by providing for them and giving them the dowries they usually receive.³⁴ They feel ashamed if they cannot uphold justice in fulfilling women's rights, because they are men until they have ten wives. It was said to them: If you are afraid to abandon justice in the rights of orphans, you should be ashamed. Whoever is ashamed of an act of sin and does the same in another place is not shy. That is, if they the guardians know and feel for themselves the tyranny of the orphan by not giving his dowry, or by eating the orphan's property unjustly, then they should not marry the orphan, and marry another woman, one, two, three, or four, provided that they should act reasonably among the women in the matter of polygamy. So do not marry more than four, so that you can do justice and divide among the wives. While the conditions of men are very diverse, some men are married to two, some are married three, and some are married four, and the number of four is the maximum amount that can be done for justice between the wives.³⁵ On the basis mentioned above, the justice demanded in Surah an-Nisa verse 3 is material and measurable, such as providing sustenance, or dividing the night with wives and others.

Meanwhile, Sayyid Qutb understands justice in QS. An-Nisa: 3 is absolute, not limited to the place of justice, but in all its forms and meanings. This means that justice in this verse is in the context of justice in giving dowry and other broader justice.³⁶ According to Sayyid Qutb, the meaning of justice is more contextual and broad. However, according to him, justice still has technical limitations in its meaning. It does not touch the sense of justice as an inner need, respect, appreciation, and recognition for the wife. Primarily, this is also not related to the aspect of legal considerations that it is mandatory to get the blessing of the wife when the husband is going to polygamy. Therefore, regarding the

³⁰ "Ad-Damasyqi Abu Al-Fida Ismail ibn Umar ibn Katsir al-Quraisy al-Busra, "Tafsir al-Qur'an al-'Azim", Juz. 2, (Beirut: Dar al-Kitab al-Ilmiyah, 2003). 183

³¹ Muhammad Ibn Jarir At-Tabari, *Jami al-Bayan an-Ta'wil ayil al-Qur'an*, Already 7 (Makkah: Dar Tarbiyah wa Turats, 1431 H). 532

³² Rasyid Ridha, *Tafsir Al Manar* (Egypt: Darul Manar, t.th). 344-345

³³ Ridha, *Tafsir Al Manar*. 347-348

³⁴ Wahbah Az-Zuhaili, *At-Tafsir al-Munir Fi al-Aqidab, Wa al-Syari'ah wa al-Manhaj*, Already 4 (Beirut: Dar al-Fikr, 1991). 234

³⁵ Az-Zuhaili, *At-Tafsir al-Munir Fi al-Aqidab, Wa al-Syari'ah wa al-Manhaj*, Already 4. 234

³⁶ Sayyid Pole, *Fi Zilal Al-Qur'an*, Jilid I. Juz 4, 578.

author's search for the meaning of justice in QS. An-Nisa: 3, in some of the literature of interpretation, there is not a single interpreter who expands this just meaning, especially related to the meaning of the obligation to ask for the wife's blessing/permission when the husband wants to practice polygamy.

Shaykh Mustafa Al-Adawi, as a supporter of polygamy, understands that the 3rd verse of Surah an-Nisa is the sunnah of polygamy. In interpreting this verse, according to him, if the guardians are worried that they will not do justice in marrying orphans, he should marry another good woman with several, two, three, or four. So, polygamy in Islam is something that is allowed. Even in his view of Surah verse 3, Mustafa al-'Adawi said polygamy is *sunnah*.³⁷ It is an action carried out by the widowed guardians that orphans are often married only to take the inheritance owned by the orphans and then give it to their wives and other children, because the man already considers that the property of the orphan who has become his wife is his own. Therefore, the act of marrying an orphan in this context falls into the category of unjust behavior over property that is not his right.³⁸

We can find the same thing if we study the archipelago's interpretation. At least two interpretations of the archipelago that can be represented are Quraish Shihab's interpretation of Al-Misbah and Hamka's interpretation of Tafsir al-Azhar. Quraish Shihab argues that justice in QS. An-Nisa: These three are related to the justice of marrying orphans. Allah forbids the use of their property and the guardians marry orphans without giving, only to gain wealth benefits. If the guardians are worried they will not be able to do justice to the orphans, they should marry other women, two, three, and four. But if you are not worried about not being able to do justice to marry another woman, to two to four, then it is enough to marry one woman. Thus, it leads to justice.³⁹

Like Quraish Shihab and previous interpreters, especially the tafsir at-Tabari, Hamka explained the meaning of justice in this verse by quoting the hadith explaining Aisyah about QS. An-Nisa: 3 as described above. Hamka added that the actions taken by the orphans' guardians were unhealthy. According to him, the injustice of these guardians is a disease that must be avoided. According to him, a healthy mind chooses to marry another woman, up to four women, rather than marry orphans who can mistreat them.⁴⁰

Wife's Permission from the Perspective of Marriage Law

In the Law of the Republic of Indonesia number 1 of 1974, article 5 states:⁴¹ To be able to apply to the Court, as referred to in Article 4, paragraph (1) of this Law, the following conditions must be met:

1. the consent of the wives/wives;
2. the certainty that the husband can guarantee the living needs of the wife and their children;
3. There is a guarantee that husbands will be fair to their wives and children.

The consent referred to in paragraph (1) letter a of this article is not necessary for a husband if his wife/wives cannot be asked for his consent and cannot be a party to the agreement, if there has been no news from his wife for at least 2 (two) years, or for other reasons that need to be assessed by the Court Judge. However, the permission of this wife may not be enforced absolutely by the court if there are other reasons, such as the husband will act reasonably, as contained in Article 5, paragraph

³⁷ Mustafā ibn Al-'Adawī, *Al-Tashīl to Ta'wīl al-Tanzīl* (Al-Mansūrah: Dār alKhulafā', 2001). 56

³⁸ Mustafā ibn Al-'Adawī, *Al-Tashīl to Ta'wīl al-Tanzīl*. 41

³⁹ M Quraish Shihab, *Al-Misbah: The Message, Effect, and Compatibility of the Qur'an*, V, vol. 15 (Tangerang: Lentera Hati, 2006). 338-345

⁴⁰ Hamka, *Tafsir Al-Azhar* (Jakarta: Panjimas Library, 2022). 228

⁴¹ "Law of the Republic of Indonesia Number 1 of 1974 concerning Marriage."

1c of Law Number 1 of 1974.⁴² Even it is also affirmed in Chapter IX, Article 55, paragraph 2 of the Compilation of Islamic Law (KHI),⁴³ The husband must be fair to his wife and children.

Paying close attention to the explanation above, polygamy is allowed with certain conditions, including the condition that you have to get the wife's permission. Practicing polygamy based on the wife's blessing is a healthy form of polygamy as well as a form of partiality towards women and upholding their human rights. Polygamy is indeed permissible to avoid mafsadat in the form of the husband's involvement in adultery. Still, even for that reason, the husband does not immediately remarry without considering other elements that are protected by Islam, one of which is the sanctity of marriage with the existing wife, her marriage, her mentality, the mentality of her children, and other things in the household that Islam protects.

If the marriage is done consensually, the household is built on shared ideals, the relationship between husband and wife has been built according to Islamic law, namely through the principle of friendship, then, especially in the case of polygamy, the wife needs to be asked for her opinion and permission. Many facts happen when the husband remarries, the first wife and her children are abandoned and suffer. This occurs because the husband is polygamous only based on his own decision, not through communication and blessing from his first wife. If there is communication and permission from the wife, then the wife is ready for all the possibilities that arise from polygamy.

Islam is very protective of marital relations and family relationships, because the family greatly determines the condition of a society. A good family determines a good society; family greatly determines the color of a society. Islam certainly does not want the destruction of a society to be caused by the destruction of the family. On the one hand, as explained above, many families are destroyed because the husband, as the head of the family, arbitrarily commits polygamy and neglects his wife and children.

Marriage is a firm covenant and a sacred and solid bond to live together. This means that the household is built based on love and mutual agreement, so anything in the household, especially in significant matters such as polygamy, must also be done by mutual agreement.

The Meaning of Fair and the Legal Implications of Polygamy Permits.

The Qur'anic verse that is used as the basis for polygamy is QS. An-Nisa: 3:

"If you are worried that you will not be able to do justice to the orphan (if you marry her), marry (other) women that you like: two, three, or four. However, if you are worried that you will not be able to act justly, marry only one of the enslaved women you have. That is closer to not doing wrong."

Indeed, this verse very clearly allows men to practice polygamy. However, it is also very clear that there are conditions for polygamy in this verse. So, polygamy is one of the conditional acts in Islam, not necessarily done just like that. Just like other conditional sharia acts such as Salat, Fasting, Zakat, Hajj, Buying and Selling, Borrowing, and others, polygamy also has conditions in doing so. Ritual obligatory practices alone have conditions, especially acts that are muamalat, such as polygamy, even though compulsory worship must be carried out. These conditions are fair. However, justice in this verse is not enough to treat the wife equally, but the meaning of justice must be known broadly by looking at the context of the essence and purpose of being commanded by humans to do justice in the Qur'an.

⁴² Ulfiyati, "Wife's Permission as a Condition of Polygamy from a Human Rights Perspective: A Study of Marriage Law." 102

⁴³ Directorate of Islamic Religious Justice Development Directorate General of Islamic Institutional Development Ministry of Religious Affairs, *Compilation of Islamic Law in Indonesia*".

Justice is an instrument of the Qur'an's great ideal: protecting human feelings, mentality, soul, and intellect. That is the universal meaning of justice. Thus, the universal meaning of justice is specified in the context of the verse in which justice is found. For example, the meaning of fairness in QS. An-Nisa: 3. According to the author, its meaning is as a form of Islamic respect and protection for the feelings, soul, mentality, and intellect of the wife. Adil is an instrument with a special meaning that has a broad meaning: marriage must be able to keep the wife's feelings from being hurt. This can undoubtedly be attributed to the legal implications of being obliged to ask permission from the wife when the husband wants to practice polygamy.

Justice is the basis of all principles in Islamic law.⁴⁴ Justice is part of Islam's central teachings, so it is not wrong that this principle is mentioned many times and strongly emphasized in the Qur'an. Muhammad Abduh even argued that the verse about justice is enough to represent all the verses in the Qur'an. Therefore, justice is contained in various verses of the Qur'an explicitly and implicitly, including those conveyed in QS. An-Nisa: 3.

However, as explained above, this justice, although it is a principle, can be said to be an instrument for a purpose more by the universal meaning of the Qur'an. To know this, we need first to see the purpose of justice. Justice, if it uses the *maqasid of shari'ah* formulated by As-Syatibi, then justice is an instrument for *hifzul nafs* (safeguarding the soul), or it can also be categorized as *hifzul Aql* (Safeguarding the intellect/mental). Because observing the meaning of the message of justice in various verses of the Qur'an, specifically the message of justice in QS. An-Nisa: 3, the goal is to preserve human feelings and intellect. Feelings here are the intellect, heart, and the general state of human psychology. Humans can even be threatened with their lives if their feelings and intellect are disturbed. According to research, mental illness significantly affects physical illness. Stress, for example, is the primary trigger for diseases in the human body. So protecting the soul with any instrument, including justice, is obligatory by law. The Islamic law method states, "The law of the will depends on its purposes, or *al-wasail-laba*."

Because justice is an *instrument* towards *maqasid sharia* and *maqasid al-Qur'an*, the meaning of justice can be extended to other *related instruments*. In this case, it is necessary to obtain permission from the wife to practice polygamy. Indeed, no single verse mentions the need to get the wife's permission when the husband wants to practice polygamy; however, if we observe the messages of justice in the Qur'an, especially the message of justice in the relationship between husband and wife, and the family. The need for the husband to ask for his wife's permission is also part of the principle of justice because they have the same principle and purpose: protecting the heart, her Mind, and Soul.

Many research results prove the impact of psychological, intellectual, and physical damage due to polygamy. For example, the results of research in various countries such as Palestine, Turkey, Jordan, Kuwait, and Syria show that wives experience psychological problems, family problems, and economic problems compared to monogamous women. Al-Krenawi explained the results of his research in Syria, which showed that polygamous women experienced a decrease in life satisfaction and marital satisfaction. This means that polygamous women will not get satisfaction in marriage, which can lead to mental disorders and physical health problems. Polygamous women are more prone to depression, anxiety, psychosomatic disorders, and paranoia.⁴⁵

Women of polygamous couples in Jordan also experience the same problem. The results of the 2013 World Journal of Psychiatry publication reported that women in polygamous couples will experience feelings of inferiority, lack of confidence, and feel worthless, and experience mental

⁴⁴ Ali Imran, *Islamic Law in the Development of National Law* (Semarang: UNDIP Publishing Agency, 2007). 38

⁴⁵"Impact.Polygamy.On.Health.Wives.Who.Honey,"[https://health.kompas.com/read/2014/08/17/1205334/Dampak.Poligami.pada.Kesehatan.Istri.yang.Dimadu?page=all#:~:text=Para women who experience polygamy, and can also experience paranoid.](https://health.kompas.com/read/2014/08/17/1205334/Dampak.Poligami.pada.Kesehatan.Istri.yang.Dimadu?page=all#:~:text=Para%20women%20who%20experience%20polygamy,%20and%20can%20also%20experience%20paranoid.)

disorders such as somatization disorders and psychosomatic disorders. In Turkey, it is also reported that women from polygamous couples are prone to mental illness and are more easily stressed than women from monogamous couples. The results of research in various countries are the scientific reason that polygamous women or wives and monogamous wives experience different lives, both psychologically, physically, and socially.⁴⁶

Polygamy also affects children's lives. His father's attention would be divided, especially if his father had another child from his second wife. Full attention, love, and affection for children greatly affect their physical, mental, and psychological growth and development. If it is disturbed, it will threaten their lives in the future. Children become less confident, lazy to learn, and naughty. Instead, they will seek attention outside the home, looking for people who can hear their feelings. If they choose the wrong person, this child will be used and encouraged to engage in unpraiseworthy behaviors.

Many studies prove the negative behaviors of children from polygamous families, such as academic grades, psychological conditions, and internal and external problems. Polygamous families can affect children's developmental outcomes, including marital conflicts, fatherly absences, happiness, the wife's suffering in polygamous marriages, financial and parental educational pressures.⁴⁷

In Indonesia, data from Religious Courts throughout Indonesia show that in 2004, there were 813 cases of divorce due to polygamy. In 2005, it increased to 879 cases; in 2006, it continued to rise to 983 cases. This shows that it turns out that polygamy causes divorce, leaving wives neglected and children abandoned.⁴⁸ Several studies also show the same thing, where polygamy causes husbands to ignore their obligations. For example, research was conducted by Nur Hikmah and the top team on polygamy cases in several families in Mowila District, South Konawe Kabupaten, Southeast Sulawesi. The results of his research stated that polygamy affects husbands who cannot be fair to their wives and children. Husbands only attach importance and attention to their second wives, so there is inner pressure and psychological burden from the old wives, and the children also feel a lack of attention from their father.

Another impact is that due to the lack of attention from the husband, there are often disputes with his wife and children, and even conflicts between the two wives. With psychological pressure and burden due to a lack of attention, not receiving their rights, coupled with fishing and commotion in the household, psychological illness eventually arises, and even physical health is disturbed.⁴⁹

The impact of polygamy above will be anticipated or minimized if polygamy is carried out based on a mutual agreement with the first wife. This means that the wife's permission is a form of her mental readiness if her husband honors her. He has prepared himself to live a life sharing with other wives. If the wife has mental readiness, she is also ready by anticipating the psychological impact on her children.

Obtaining a wife's permission is also based on the ethics of marital and family relations as the Qur'an commands. Among them is emphasized in QS. An-Nisa: 1:

⁴⁶ "Impact.Polygamy.On.Health.Wife.Who.Honeyed."

⁴⁷ Al-Sharfi, Pfeffer, and Miller, "The Effects of Polygamy on Children and Adolescents: A Systematic Review." 3-4

⁴⁸ "The Adverse Impact of Polygamy," [https://ibtimes.id/dampak-buruk-polygamy/#:~:text=Polygamy Triggers Divorce in the Household&text=Polygamy that is not done by men, mistreatment%2C, especially for women.](https://ibtimes.id/dampak-buruk-polygamy/#:~:text=Polygamy%20Triggers%20Divorce%20in%20the%20Household&text=Polygamy%20that%20is%20not%20done%20by%20men,mistreatment%2C,especially%20for%20women.)

⁴⁹ Nur Hikmah, Ahmad Ahmad, and Rusnam Rusnam, "The Impact of Polygamy on the Welfare of Wives and Children from the Perspective of Maqasid Al-Syari'Ah Study in Mowila District, South Konawe Regency," *KALOSARA: Family Law Review* 1, no. 1 (2021): 125. TWO:http://dx.doi.org/10.31332/v1i1.2985

"O man, fear your Lord who created you from one self (Adam) and He created from him his mate (Eve). From both of them, Allah multiplied many males and females. Fear Allah in whose name you ask each other and (maintain) family relations. Indeed, Allah is always watching over you."

This verse mentions the creation of man in pairs, and from that couple was born offspring and human procreation. Allah commanded them to be pious by maintaining family relationships. It should be noted that this verse commands husband and wife to keep their relationship (*allaji tasa aluna bibi wal arham*). Ibrahim, Mujahid, and al-Hasan, as quoted by Ibn Kathir, argue that the meaning of *allaji tasa aluna bibi wal arham* is the words of the husband: "I ask you in the name of Allah and by the relation of the womb."⁵⁰ Ibn Kathir further strengthens the importance of maintaining a conjugal relationship by quoting the opinions of Ibn Abbas, Ad-Dahak, Ikrimah, Mujahid, Al-Rabi and al-Hasan by saying that this verse commands to fear Allah with whom both husband and wife bind each other promises and agreements, are afraid of breaking the relationship of friendship (affection), and try their best to maintain the relationship between the two.⁵¹

Based on the explanation above, that Allah through the first verse of Surah an-Nisa wants the loving relationship between husband and wife to be truly maintained, so that the problems that arise from the two or one of them do not become the cause of the fracture of the relationship, including the problem of the husband's desire to polygamy.

In addition, in the Qur'an, there are many commandments not to trouble a wife or hurt her heart. On the other hand, the Qur'an commands husbands to treat their wives well, gently, and make them happy. This is mentioned in QS. An-Nisa: 19:

"O you who believe, it is not lawful for you to inherit a woman by force. Do not trouble them because they want to take back some of what you gave them, unless they commit a real heinous act. Appropriately treat them. If you don't like them, be patient because you may not like something, but Allah has done a lot of good in it."

Even for wives who are *nusyuz*, the Qur'an still commands husbands not to trouble them. In QS. An-Nisa: 34:

"Women whose nusyuz you are worried about, then advise them, and keep them away from the bed, and beat them. If they obey you, do not look for ways to trouble them. Indeed, Allah is the Most High and the Greatest."

There is also a Hadith of the Prophet that commands treating his wife well:

"Then do not be disrespectful to women. You can take them as Allah's trust, and they are lawful for you by obeying Allah's rules. After that, you have the right over them, so they don't allow anyone else to sit on your mat. If they violate, harmlessly hit them. On the contrary, they have rights over you. That is a decent living and clothing."⁵²

"Women are created from ribs. And indeed, the most crooked part of the rib is the top. If you want to straighten it out, you will break it. And if you want to have fun with him, you can have fun, but there is a crookedness in him."⁵³

The Prophet's command to do good to his wife's family is as follows:

⁵⁰ Abu Al-Fida Ismail ibn Umar ibn Katsir al-Quraisy al-Busra, "*Tafsir al-Qur'an al-'Azim*." 181

⁵¹ Abu Al-Fida Ismail ibn Umar ibn Katsir al-Quraisy al-Busra, "*Tafsir al-Qur'an al-'Azim*." 181

⁵² Abu Al-Husain Muslim ibn al-Hujaj ibn Muslim al-Qusyairi An-Naisaburi, "*Al-Jami' al-Sahih (Sahih Muslim)*" (Turkey: Dar at-Taba'ah al-'Amirah, 1334 AH). 38

⁵³ Abu Abdullah Muhammad ibn Ismail Al-Bukhari, *Sahih al-Bukhari*, No Hadith 3153, Juz 3, (Damascus: Dar Ibn Katsir, 1313 AH/1993 AD). 1212

"The best you are the best for his family (wife). And I am the best among you towards my family."⁵⁴

Conclusion

This article reveals the meaning of justice in QS. An-Nisa: 3 through the approach of *maqasidi interpretation*, which emphasizes the universal goal (*maqasid*) of Islamic law, which is the protection of women's souls, intellect, and feelings. The contribution of this research lies in expanding the meaning of justice to include not only material justice, but also psychological and emotional justice, as well as its implications for the obligation to obtain the wife's permission in the practice of polygamy. These findings bridge the gap between classical Islamic law and Indonesian positive law (Law No. 1 of 1974 and KHI), showing that the requirement of a wife's permission is in line with the principle of *maqasid al-shari'ah* to prevent injustice and protect women's rights. Thus, this research not only enriches the treasures of Qur'an interpretation but also provides contextual solutions to the problem of polygamy in the modern era.

The results of this study have important implications both theoretically and practically. Theoretically, the *maqasidi interpretation* approach used opens up space for a more dynamic and contextual reading of the Qur'an, especially in issues of family and gender. The findings on expanding the meaning of "fair" can be the basis for developing interpretive methodologies that are more responsive to social realities. Practically, this study recommends several things. The first is the renewal of the marriage fiqh. The need to reinterpret polygamy law by placing the wife's permission as a condition of *mu'tabarab* (recognition) in fiqh, not just an administrative provision. Second, public education. Socialization of the understanding of polygamy is fair through educational and religious institutions to prevent abuse. Third, legal policies. Strengthening the implementation of the Marriage Law by ensuring that the polygamy application process considers the psychological and social aspects of the family.

As an affirmation that justice in polygamy, when understood through the lens of *maqasid al-shari'ah*, demands more than just an equal distribution of material, it requires recognition of the dignity of women as true partners in marriage. This study's findings prove that Islam's universal values are always relevant to answer the challenges of the times, as long as we have the courage to interpret them creatively and responsibly.

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⁵⁴ Muhammad ibn Isa ibn Saurah ibn Musa ibn Dahak At Tirmidhi, "Sunan At-Tirmidhi" (Egypt: Maktabah Mustafa al-Bab al-Halab, 1395 H/1975 AD), 709

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