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Reconstructing Justice in Polygamy: A Double-Movement Reading of Qur'an [4]: 3 and 129

Rekonstruksi Keadilan dalam Poligami: Pembacaan Double Movement atas QS. al-Nisā' [4]: 3 dan 129

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Abstract: *This study examines justice in Qur'anic discussions of polygamy through Fazlur Rahman's* double movement *hermeneutics, focusing on Qur'an 4:3 and 4:129. It aims to reconstruct the moral principle of justice beyond its formal legal and distributive dimensions. Using qualitative library research, the study applies contextual and interpretive analysis to examine the historical context of the verses, identify their underlying moral principles, and consider their contemporary implications. The analysis indicates that discussions of justice in polygamy have largely emphasized measurable obligations, such as maintenance, time allocation, and equal treatment, while other ethical dimensions require further conceptual integration. This study therefore develops an analytical framework comprising four interconnected dimensions: material, affective, relational, and protective justice. These dimensions are presented as an analytical reconstruction derived from the application of Rahman's hermeneutical approach, rather than as a framework explicitly formulated by Rahman himself. The study argues that evaluating polygamy requires attention not only to formal permissibility but also to the substantive realization of justice within marital relationships. From this perspective, monogamy may be more conducive to realizing comprehensive justice, although this conclusion is an ethical assessment rather than an absolute legal determination.*

Keywords: Polygamy; Double Movement; Fazlur Rahman; Justice; Qur'anic Ethics

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Abstrak: *Penelitian ini mengkaji keadilan dalam pembahasan poligami di dalam Al-Qur'an melalui hermeneutika* double movement *Fazlur Rahman, dengan fokus pada QS. 4:3 dan QS. 4:129. Penelitian ini bertujuan merekonstruksi prinsip moral keadilan agar tidak terbatas pada dimensi hukum formal dan distributif. Penelitian menggunakan metode kualitatif berbasis kepustakaan melalui analisis kontekstual dan interpretatif untuk mengkaji konteks historis ayat, mengidentifikasi prinsip moral yang mendasarinya, serta menelaah implikasinya dalam konteks kontemporer. Hasil analisis menunjukkan bahwa pembahasan keadilan dalam poligami banyak menekankan kewajiban yang dapat diukur, seperti pemenuhan nafkah, pembagian waktu, dan perlakuan yang setara, sementara dimensi etis lainnya masih memerlukan integrasi konseptual. Oleh karena itu, penelitian ini mengembangkan kerangka analitis yang mencakup empat dimensi yang saling berkaitan, yaitu keadilan material, afektif, relasional, dan protektif. Keempat dimensi tersebut merupakan rekonstruksi analitis berdasarkan penerapan hermeneutika Rahman, bukan kerangka yang secara eksplisit dirumuskan oleh Rahman sendiri. Penelitian ini berpendapat bahwa evaluasi poligami perlu memperhatikan bukan hanya kebolehan formal, melainkan juga perwujudan keadilan secara substantif dalam hubungan perkawinan. Dalam perspektif ini, monogami dapat dinilai lebih kondusif bagi perwujudan keadilan secara menyeluruh, meskipun kesimpulan tersebut merupakan penilaian etis, bukan penetapan hukum yang mutlak.*

Kata Kunci: Poligami; Double Movement*;* Fazlur Rahman; Keadilan; Etika Al-Qur'an

Introduction

Marriage in the Qur'anic worldview is not merely a legal arrangement but also a moral relationship oriented toward tranquility, affection, responsibility, and justice. Qur'an 30:21, for example, presents marriage in terms of *sakinah*, *mawaddah*, and *rahmah*, indicating that the quality of marital relations cannot be reduced to the fulfillment of formal legal requirements. This ethical dimension becomes particularly important in discussions of polygamy. Qur'an 4:3 permits marriage to more than one woman under the condition of justice, while Qur'an 4:129 states that complete equality between wives cannot be achieved, particularly in relation to the human heart.[1] The relationship between these two verses therefore creates a significant interpretive problem: if justice constitutes a condition for polygamy, but perfect justice is simultaneously described as beyond human capacity, what kind of justice does the Qur'an actually demand?

The problem becomes more complex when justice is interpreted primarily through formal and distributive measures. Discussions of polygamy have commonly focused on the husband's ability to distribute material rights, including maintenance, housing, time, and other tangible responsibilities. Contemporary scholarship, however, has increasingly questioned whether such distribution is sufficient to describe justice within a marital relationship. Recent studies on

Qur'anic polygamy have examined justice through contextual interpretation, *maqāṣid al-Sharī'ah* approaches, gender analysis, and the application of Fazlur Rahman's *double movement* theory.[2] These studies demonstrate that the debate has moved beyond the simple question of whether polygamy is legally permissible toward questions concerning the ethical purposes, social consequences, and conditions under which justice can be realized.

A second body of scholarship specifically employs Fazlur Rahman's *double movement* to reread polygamy. Earlier and more recent studies have demonstrated that Rahman's approach can be used to connect the historical circumstances surrounding Qur'anic revelation with contemporary social realities. QS. 4:3 and 4:129 have been read as a connected ethical discourse rather than as isolated legal statements. The first verse is examined in relation to the social problems surrounding vulnerable women and orphans, while the second highlights the limits of human capacity to achieve complete equality in emotional inclination.[3] Although these studies have established the relevance of *double movement* for the interpretation of polygamy, the application of the theory has often remained at the level of explaining its two movements historical contextualization and contemporary application without clearly translating the resulting moral principles into a set of analytical criteria for evaluating justice within polygamous relationships. Another cluster of studies has concentrated on the meaning of justice itself. Recent discussions have addressed justice through material distribution, economic responsibility, equal treatment, protection of women, and broader ethical considerations.[4] Other studies have begun to recognize that justice in polygamy cannot be separated from relational and psychological dimensions.[5] This development is important because a formally equal distribution of financial support or time does not necessarily guarantee that each spouse experiences recognition, security, dignity, and fair treatment within the relationship. The literature therefore indicates an important conceptual development but also reveals a fragmentation in the way the dimensions of justice are identified and applied.

The present study positions itself within this existing scholarship rather than claiming that the use of *double movement*, the interpretation of QS. 4:3 and 4:129, or the discussion of affective justice is entirely new. Indeed, several studies have already addressed these elements in different combinations. The more specific gap addressed here concerns the operationalization of justice. The existing literature has provided valuable interpretations of the historical context of polygamy, the moral significance of justice, and the tension between distributive and affective equality. However, these insights have not yet been sufficiently integrated into a single analytical framework through which the moral implications of QS. 4:3 and 4:129

can be systematically examined. Thus, the contribution of this article lies not in introducing a new hermeneutic theory, but in integrating and operationalizing several dimensions of justice that have largely been discussed separately within previous scholarship.

To address this gap, this article employs Fazlur Rahman's *double movement* as a hermeneutical framework. Rahman's approach does not treat the Qur'an merely as a collection of isolated legal rules but seeks to identify the moral principles underlying Qur'anic directives and then consider their significance within changing social circumstances. In *Islam and Modernity*, Rahman explains the importance of moving from specific Qur'anic statements toward their general moral objectives and subsequently translating those objectives into contemporary contexts.[6] His broader Qur'anic thought likewise emphasizes the moral and social orientation of revelation rather than reducing the Qur'an to a purely legal text. Therefore, *double movement* is not used simply as a general interpretive label. It is operationalized through a sequence of analytical steps: identifying the historical and textual context of QS. 4:3 and 4:129; examining the moral principles underlying their directives; formulating those principles as dimensions of justice; and finally assessing their relevance to contemporary understandings of marital justice.

From this perspective, the issue of polygamy can be examined beyond the binary question of legality and prohibition. The central question becomes whether a particular marital arrangement can sustain the moral conditions demanded by the Qur'an. Such an approach does not automatically deny the juridical discussions concerning the permissibility of polygamy. Instead, it distinguishes between formal permissibility and substantive ethical realization. A practice may be formally permitted while still requiring continuous evaluation according to the ethical principles that constitute its justification. In this regard, monogamy can be understood not as an absolute legal command derived from these verses, but as a marital arrangement that may be more conducive to realizing comprehensive justice because it reduces the structural complexity involved in distributing rights, attention, and relational responsibilities among multiple spouses.

Based on this framework, this article aims to reconstruct the concept of justice in Qur'anic discussions of polygamy through Fazlur Rahman's *double movement* hermeneutics, with particular attention to QS. 4:3 and 4:129. It specifically examines: first, how the historical and moral context of these verses can be understood through the *double movement* approach; second, how the principle of justice can be reconstructed into material, affective, relational, and protective dimensions; and third, what the reconstruction implies for the ethical evaluation of polygamy in the contemporary context. Through this approach, the article seeks to contribute a more explicit analytical framework for reading Qur'anic polygamy as

an ethical problem in which legal permission must remain connected to the substantive realization of justice.

Method

This study employs a qualitative approach based on library research. The study focuses on analyzing texts and ideas in relevant literature concerning justice in Qur'anic verses on polygamy. This approach was selected because the research examines the concept of justice in Qur'an 4:3 and 4:129 through textual and interpretive analysis. The sources are divided into primary and secondary sources. The primary sources consist of two works by Fazlur Rahman: *Major Themes of the Qur'an* and *Islam and Modernity: Transformation of an Intellectual Tradition*. These works provide the main theoretical foundation for understanding the Qur'an's moral principles and applying Rahman's double movement hermeneutics. Secondary sources include academic books, peer-reviewed journal articles, and previous studies relevant to polygamy, justice in Islam, Qur'anic interpretation, and the application of double movement hermeneutics. These sources were selected based on their relevance to the research questions, academic credibility, and contribution to the analysis of the research topic.

Data collection was conducted through documentation by identifying, reading, and reviewing relevant literature. The collected materials were analyzed using content analysis within a hermeneutical framework. The analysis applies Rahman's double movement through two main steps. First, the study examines the historical and social context of Qur'an 4:3 and 4:129 to understand the circumstances surrounding the verses and identify their original meaning. Second, it derives the broader moral principles underlying the verses and relates them to contemporary discussions of justice in marital relationships. The interpretation is developed by reading the two verses in relation to one another, rather than treating them as isolated statements. To assess the selected sources, the study considers their relevance to the research questions, the credibility of their authors and publication venues, and the consistency of their arguments with the primary texts. The findings are then used to develop an analytical reconstruction of justice in polygamy comprising four interconnected dimensions: material, affective, relational, and protective justice. These dimensions constitute the analytical framework developed in this study through the application of Rahman's hermeneutical approach; they are not presented as categories explicitly formulated by Rahman himself.

Conceptual Tensions between Q. 4:3 and Q. 4:129

The discussion of polygamy in the Qur'an centers on Qur'an 4:3 and 4:129. Qur'an 4:3 permits polygamy on the condition that justice can be maintained,

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whereas Qur'an 4:129 acknowledges the difficulty of achieving complete equality between wives.[7] Read together, these verses raise an interpretive question about the meaning and limits of justice in polygamous marriage

وَاِنْ خِفْتُمْ اَلَّا تُقْسِطُوْا فِى الْيَتٰمٰى فَانْكِحُوْا مَا طَابَ لَكُمْ مِّنَ النِّسَآءِ مَثْنٰى وَثُلٰثَ وَرُبٰعَ ۚ فَاِنْ خِفْتُمْ اَلَّا تَعْدِلُوْا فَوَاحِدَةً اَوْ مَا مَلَكَتْ اَيْمَانُكُمْ ۗ ذٰلِكَ اَدْنٰٓى اَلَّا تَعُوْلُوْا ۗ

"And if you are afraid that you will not be able to do justice to the orphan (if you marry her), then marry (other) women that you like: two, three, or four. But if you are worried that you will not be able to do justice, then marry only one or a female slave that you have. That is nearer so that you do not do wrong." (QS. An-Nisa' Verse 3)

وَلَنْ تَسْتَطِيْعُوْٓا اَنْ تَعْدِلُوْا بَيْنَ النِّسَآءِ وَلَوْ حَرَصْتُمْ فَلَا تَمِيْلُوْا كُلَّ الْمَيْلِ فَتَذَرُوْهَا كَالْمُعَلَّقَةِ ۗ وَاِنْ تُصْلِحُوْا وَتَتَّقُوْا فَاِنَّ اللّٰهَ كَانَ غَفُوْرًا رَّحِيْمًا

"And you will not be able to act justly among your wives even if you are very anxious to do so, so do not be so inclined (to your loved ones) that you leave the others in the lurch. And if you make amends and guard yourselves (from deceit), then verily, Allah is Forgiving, Most Merciful." (QS. An-Nisa' Verse 129)

1. Qur'anic Analysis of An-Nisa (4:3) and (4:129)

The Context of Qur'an 4:3 and 4:129

Qur'an 4:3 addresses the question of justice in marriage within the broader context of protecting the rights of orphans. In a report transmitted from 'Aishah, the verse concerns a female orphan who lived under the guardianship of a man and possessed property. Her guardian was attracted to her wealth and beauty and wished to marry her without providing an appropriate bridal gift (mahr). The report explains that guardians were prohibited from exploiting their position to marry female orphans without granting them the marital rights they would otherwise receive. This interpretation is recorded in Ṣaḥīḥ al-Bukhārī, no. 4574, in the chapter on the interpretation of وَإِنْ خِفْتُمْ أَنْ لاَ تُقْسِطُوا فِي الْيَتَامَى:[8]

حَدَّثَنَا عَبْدُ الْعَزِيزِ بْنُ عَبْدِ اللَّهِ، حَدَّثَنَا إِبْرَاهِيمُ بْنُ سَعْدٍ، عَنْ صَالِحِ بْنِ كَيْسَانَ، عَنِ ابْنِ شِهَابٍ، قَالَ أَخْبَرَنِي عُرْوَةُ بْنُ الزُّبَيْرِ، أَنَّهُ سَأَلَ عَائِشَةَ عَنْ قَوْلِ اللَّهِ، تَعَالَى {وَإِنْ خِفْتُمْ أَنْ لاَ تُقْسِطُوا فِي الْيَتَامَى}. فَقَالَتْ يَا ابْنَ أُخْتِي، هَذِهِ الْيَتِيمَةُ تَكُونُ فِي حَجْرِ وَلِيِّهَا، تَشْرَكُهُ فِي مَالِهِ وَيُعْجِبُهُ مَالُهَا وَجَمَالُهَا، فَيُرِيدُ وَلِيُّهَا أَنْ يَتَزَوَّجَهَا، بِغَيْرِ أَنْ يُقْسِطَ فِي صَدَاقِهَا، فَيُعْطِيَهَا

مِثْلَ مَا يُعْطِيهَا غَيْرُهُ، فَنُهُوا عَنْ أَنْ يَنْكِحُوهُنَّ، إِلاَّ أَنْ يُقْسِطُوا لَهُنَّ، وَيَبْلُغُوا لَهُنَّ أَعْلَى سُنَّتِهِنَّ فِي الصَّدَاقِ، فَأُمِرُوا أَنْ يَنْكِحُوا مَا طَابَ لَهُمْ مِنَ النِّسَاءِ سِوَاهُنَّ. قَالَ عُرْوَةُ قَالَتْ عَائِشَةُ وَإِنَّ النَّاسَ اسْتَفْتَوْا رَسُولَ اللَّهِ صلى الله عليه وسلم بَعْدَ هَذِهِ الآيَةِ فَأَنْزَلَ اللَّهُ {وَيَسْتَفْتُونَكَ فِي النِّسَاءِ} قَالَتْ عَائِشَةُ وَقَوْلُ اللَّهِ تَعَالَى فِي آيَةٍ أُخْرَى {وَتَرْغَبُونَ أَنْ تَنْكِحُوهُنَّ} رَغْبَةُ أَحَدِكُمْ عَنْ يَتِيمَتِهِ حِينَ تَكُونُ قَلِيلَةَ الْمَالِ وَالْجَمَالِ قَالَتْ فَنُهُوا أَنْ يَنْكِحُوا عَنْ مَنْ رَغِبُوا فِي مَالِهِ وَجَمَالِهِ فِي يَتَامَى النِّسَاءِ، إِلاَّ بِالْقِسْطِ، مِنْ أَجْلِ رَغْبَتِهِمْ عَنْهُنَّ إِذَا كُنَّ قَلِيلاَتِ الْمَالِ وَالْجَمَالِ

The report concerning the allocation of turns among the wives of the Prophet Muhammad (peace be upon him) illustrates the distinction between justice in actions that can be controlled and inclinations of the heart that are not entirely within human control. According to the report recorded in *Jāmiʿ al-Tirmidhī*, hadith no. 1140, the Prophet Muhammad (peace be upon him) is reported to have distributed his time among his wives and supplicated to Allah not to hold him accountable for that which was within Allah's control but beyond the Prophet's own control. Al-Tirmidhī explained that the matter in question concerned love and affection. This report can help illuminate Qur'an 4:129, particularly regarding the limitations of human beings in achieving equality in matters of the heart. The inability to control one's emotional inclinations does not absolve a husband of his obligation to treat his wives justly.[9] Qur'an 4:129 not only acknowledges human limitations but also prohibits excessive partiality toward one wife when it results in the neglect of another. In this context, justice encompasses the fulfillment of marital rights that can be practically upheld, such as the equitable allocation of time and turns, the provision of maintenance, and proper treatment. The inability to achieve perfect equality in one's feelings cannot be used as an excuse for neglecting one's responsibilities toward one's wives.[10]

The preceding discussion shows that the permission for polygamy in Qur'an 4:3 is accompanied by an explicit condition of justice (فَإِنْ خِفْتُمْ أَلَّا تَعْدِلُوْا فَوَاحِدَةً). Qur'an 4:129, meanwhile, recognizes the difficulty of achieving complete equality between wives, particularly in emotional inclination. The relationship between these verses therefore requires attention to the different aspects of justice involved.[11]

When the two verses are read together, a distinction emerges between obligations that can be fulfilled through conduct and emotional inclinations that cannot be fully controlled. Some classical discussions emphasize concrete obligations, including

maintenance and the allocation of time, while Qur'an 4:129 also draws attention to the problem of partiality.[12] The issue is therefore not simply whether complete emotional equality is possible, but whether differences in affection lead to neglect or unfair treatment.

The expression لَنْ تَسْتَطِيْعُوْٓا in Qur'an 4:129 indicates the difficulty of attaining complete equality. However, the same verse warns against excessive partiality, suggesting that limitations in emotional inclination do not remove responsibilities in matters subject to human control. Qur'an 4:129 should therefore be read alongside, rather than as a negation of, the conditional permission in Qur'an 4:3.

2. Classical and Contemporary Scholars

The classical scholars' view of polygamy not only shows the diversity in determining its limits and practices but is also closely related to how the concept of justice can be understood and applied. These various interpretations of the meaning of justice have created various points of view among scholars, both from classical and contemporary scholars.[13] In this case, the discourse on polygamy has not only focused on norms but has transformed into a deeper debate about the definition and limits of justice itself.

In discussions of Qur'an 4:3 and 4:129, classical exegetes such as al-Ṭabarī and al-Qurṭubī address obligations related to fair treatment, including matters that can be regulated through human conduct. These discussions provide an important legal and exegetical foundation for understanding justice in polygamous marriage.[14] However, their interpretations should not be reduced to the claim that financial provision alone is sufficient to fulfill every ethical obligation. The precise positions of these exegetes must be supported by references to their primary tafsir works.

Contemporary Muslim thinkers have reconsidered the ethical implications of the Qur'anic regulation of polygamy. Fazlur Rahman's hermeneutical approach distinguishes the historical form of a Qur'anic directive from the broader moral principle that informs it. Applied to Qur'an 4:3 and 4:129, this approach directs attention to justice as a condition of polygamous marriage and to the ethical consequences of unequal treatment.[15] Amina Wadud also emphasizes the significance of justice in interpreting these verses. Their approaches invite a contextual reading of polygamy, although the specific positions attributed to each thinker must be distinguished and supported by their own writings.[16]

By looking at these differences, there is an important change in understanding the concept of justice in polygamy. These differences also open an opportunity for a more comprehensive reinterpretation, especially by applying a hermeneutic approach that can connect the text, context, and moral purpose of the Qur'an.

3. Today's Social Reality

To understand the meaning of justice in polygamy more deeply, the discussion should not only focus on the written text but should also continue by observing how the practice occurs in people's lives today. In Indonesia, polygamy is subject to judicial authorization under Article 3(2) and Article 4(1) of Law No. 1 of 1974 concerning Marriage, as amended by Law No. 16 of 2019. Article 4(2) of the Marriage Law, read alongside Article 57 of the Compilation of Islamic Law (Kompilasi Hukum Islam, KHI), establishes three alternative grounds on which a court may consider granting permission for a husband to have more than one wife. These grounds are as follows:[17]

1) The wife is unable to perform her marital obligations.
2) The wife has a physical disability or an incurable disease.
3) The wife is unable to bear children.

These grounds are alternative rather than cumulative, meaning that the applicant must establish at least one of the specified grounds, not all three. However, satisfying one ground does not automatically entitle the husband to permission; the application remains subject to judicial examination and the other applicable legal requirements.[18]

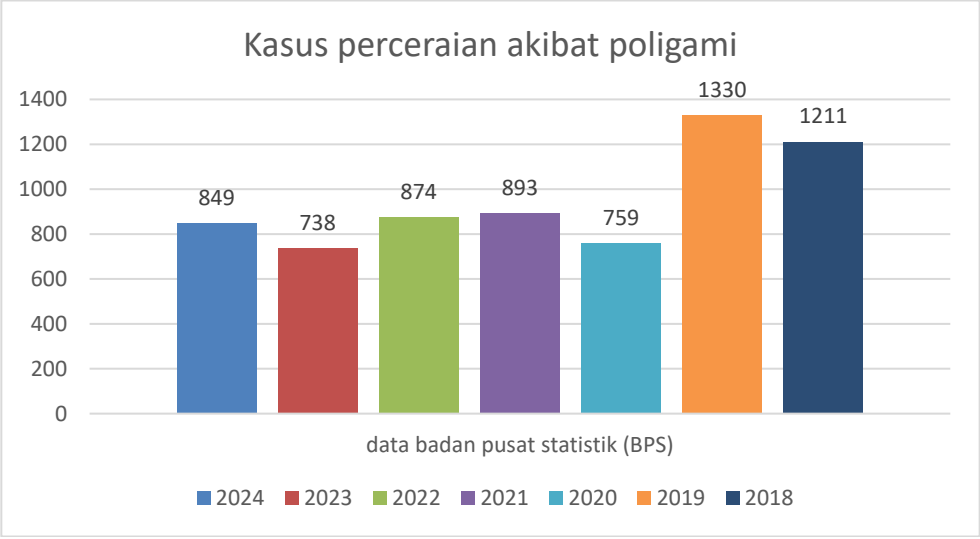
In addition, Article 5(1) of the Marriage Law and Article 58(1) of the KHI establish requirements that must also be considered when seeking judicial permission for polygamy. These include:

1) The consent of the existing wife or wives, subject to the exceptions recognized by law.
2) Certainty that the husband can provide for the living needs of his wives and children.
3) An assurance that the husband will treat his wives and children justly.

Under Article 5(2) of the Marriage Law and Article 58(3) of the KHI, the wife's consent is not an absolute requirement in every case. The applicable provisions recognize specific circumstances in which consent may be dispensed with, subject to judicial assessment. Accordingly, the legal framework distinguishes between the alternative grounds for applying for polygamy and the additional requirements governing the court's decision.[17]

The legal requirements outlined above provide a framework for regulating polygamy in Indonesia. Nevertheless, the existence of these requirements does not by itself establish how consistently they are followed in practice. Several issues frequently discussed in the literature include unregistered marriages, polygamy without judicial permission, and disputes arising within polygamous households:[19]

1) The rise of unregistered marriages: Many men cut corners by practicing serial polygamy (not recorded by the state) to avoid the complexity of court terms and the consent of the first wife.
2) Polygamy Without Permission: The practice of polygamy often occurs after infidelity or without the knowledge of the first wife.
3) High Divorce Rate: Data from Indonesia's Central Statistics Agency (Badan Pusat Statistik/BPS) record divorce cases attributed to polygamy each year, as illustrated in the diagram below, which presents the annual number of divorce cases in Indonesia from 2018 to 2024:



Picture of BPS data diagram of divorce cases due to polygamy

Based on data attributed to Indonesia's Central Statistics Agency (BPS), recorded divorces classified as related to polygamy fluctuated between 2018 and 2024. The reported figures were 1,211 in 2018, 1,330 in 2019, 759 in 2020, 893 in 2021, 874 in 2022, 738 in 2023, and 849 in 2024. These figures indicate that polygamy appears among the recorded grounds for divorce, but they do not independently establish the causes of individual cases or prove that a particular understanding of justice caused marital breakdown.

Studies of polygamous households have discussed psychological and relational challenges, including emotional distress, jealousy, and tensions over the distribution of attention and responsibilities.[20] Such experiences are relevant to evaluating justice beyond financial provision.[21] However, their prevalence and causes cannot be inferred without examining the samples, methods, and contexts of the studies concerned. For this reason, the ethical assessment of polygamy should consider evidence of the actual treatment and welfare of the parties involved.

At the same time, in a modern society that increasingly prioritizes equality and respect for individuals, the practice of polygamy faces quite serious normative challenges. Husband-wife relationships are now considered interactions that ask for mutual understanding, not dominance from one party. In this framework, polygamy is often seen as problematic because it has the potential to create inequality, both emotionally and socially.[22]

Rahman's views are increasingly relevant to the contemporary social context of Indonesia, particularly in discussions of polygamy and the challenges of implementing Qur'anic principles of justice in marital relationships. The gap between the ethical ideals articulated in the Qur'an and the realities of polygamous practices raises important questions about how justice is understood, interpreted, and implemented in contemporary society. Although justice is emphasized in the Qur'an as a central principle governing polygamous marriage, its practical realization requires further examination. This situation highlights the importance of critically reassessing polygamy not only in terms of its formal legal permissibility but also in relation to the ethical responsibilities and standards of justice that should govern marital relationships.

Reconstructing Justice in Qur'anic Regulations of Polygamy

Efforts to reconstruct the concept of justice in Qur'anic polygamy require methodological steps that are interpretive, but also critical and constructive.[23] Within the framework of the hermeneutics of the double movement introduced by Fazlur Rahman, the reconstruction process begins by explaining the understanding of justice that has existed so far, followed by taking moral values from the Qur'an, and ending by reformulating the concept of justice in accordance with the current context.

Within the first movement of Rahman's hermeneutics, this historical and textual examination serves to move beyond the immediate legal form of the verse and identify the ethical concern underlying it. The emphasis is not simply on the number of wives permitted, but on the condition attached to that permission and the prevention of injustice. Accordingly, Qur'an 4:3 should also be read alongside Qur'an 4:129, which acknowledges the difficulty of achieving complete equality between wives while warning against excessive partiality.[24] Read together, the verses establish a productive tension between the possibility of polygamy and the moral demand for justice in marital relationships. This tension provides the basis for the next stage of analysis: identifying the general moral principle that can be carried from the historical context into contemporary discussions of polygamy.

Following the historical analysis of Qur'an 4:3, the second stage of the present study identifies the moral principles underlying the Qur'anic regulation of

polygamy. Within Fazlur Rahman's double movement hermeneutics, this stage involves moving from the specific historical circumstances surrounding a Qur'anic directive toward the broader ethical objectives that inform its meaning. Accordingly, Qur'an 4:3 should not be understood solely in terms of its legal provisions concerning the number of wives a man may marry. The verse also places a condition on this possibility: justice must be maintained. Its instruction to marry only one woman when justice cannot be upheld indicates that justice is not merely an additional consideration but a fundamental ethical condition in the regulation of polygamous marriage.[25]

This ethical emphasis becomes clearer when Qur'an 4:3 is read alongside Qur'an 4:129. Whereas the former makes justice a condition associated with the possibility of polygamy, the latter acknowledges that complete equality between wives cannot be achieved, particularly in matters of emotional inclination. Nevertheless, the verse warns against allowing such differences to result in excessive partiality: "... فَلَا تَمِيلُوا كُلَّ الْمَيْلِ فَتَذَرُوهَا كَالْمُعَلَّقَةِ..." (Qur'an 4:129). The relationship between these two verses therefore requires a distinction between different aspects of justice. The difficulty of achieving equal emotional attachment does not eliminate the obligation to maintain fairness in matters that remain within a person's control. Rather, the acknowledgment of human limitations must be accompanied by a commitment not to neglect or disadvantage any wife.

From this perspective, the moral principle derived from these verses is not that every difference in marital treatment necessarily constitutes injustice. Instead, the central concern is whether such differences result in neglect, unequal fulfillment of obligations, or the violation of a wife's rights and dignity. Qur'an 4:129 does not explicitly declare that a person is incapable of loving more than one wife; rather, it recognizes the difficulty of achieving complete equality in emotional inclination and directs attention to the conduct that follows from that limitation.[26] This distinction is important because it prevents the verse from being reduced to a psychological claim while preserving its ethical implications for marital relationships.

Once the moral principle of justice has been identified, the next step is to examine its implications in contemporary social contexts. Changes in social structures, particularly in gender relations, awareness of individual rights, and understandings of family responsibilities, make the application of these principles more complex. In this context, the Qur'anic regulation of polygamy needs to be examined not only in terms of its formal legal permissibility but also in relation to the ethical responsibilities that govern marital relationships.[27] The tension between the Qur'anic ideal of justice and its realization in contemporary marriage can be examined through the distinction between formal compliance and substantive justice. Formal compliance concerns whether a polygamous marriage satisfies the applicable legal

requirements, whereas substantive justice concerns how the rights, responsibilities, and dignity of all parties are upheld within the marriage. These two aspects are related but not identical. Obtaining legal authorization or fulfilling specified procedural requirements does not, by itself, establish that every dimension of justice has been realized in everyday marital life. Conversely, the existence of a polygamous marriage does not automatically demonstrate that injustice has occurred.[28] Its ethical character must be assessed considering the actual treatment of the parties involved and the fulfillment of their rights.

In the Indonesian context, this distinction is particularly relevant because the legal framework governing polygamy establishes requirements concerning judicial authorization, financial capacity, and the assurance of fair treatment.[29] These requirements provide a formal basis for assessing a polygamous marriage, but the ethical question remains whether justice is sustained in practice. A husband's financial ability, for example, may support the fulfillment of material obligations, yet financial provision alone cannot establish that a wife is treated with respect, that her rights are protected, or that she is not subjected to neglect or harm. A comprehensive assessment of justice therefore requires attention to more than one dimension of marital life.

The preceding analysis demonstrates that justice in the Qur'anic regulation of polygamy cannot be examined solely through the question of legal permissibility. The juxtaposition of Qur'an 4:3 and Qur'an 4:129 directs attention to both the obligation to act justly and the limitations of achieving complete equality in emotional inclination.[30] Through Fazlur Rahman's double movement hermeneutics, these verses can be examined in their historical context and then interpreted in relation to the broader moral principle that informs their regulation of marital relationships.[31] Building on this analysis, the present study proposes a moral-substantive model of justice that translates the ethical principle identified in the verses into four analytical dimensions: material, affective, relational, and protective justice.

This model constitutes the principal analytical contribution of the study. Rather than presenting justice as a single, self-evident requirement, it distinguishes several interconnected dimensions through which the ethical quality of a polygamous marriage may be assessed. The distinction is intended to clarify the difference between the formal fulfillment of legal requirements and the substantive realization of justice in marital life. The model does not assume that every polygamous marriage is necessarily unjust, nor does it treat formal legal authorization as sufficient proof that justice has been achieved. Instead, it provides criteria for examining how the

rights, responsibilities, and dignity of the parties involved are upheld in circumstances.

- **First, material justice** concerns the fulfillment of financial and practical responsibilities within the family. Relevant considerations include the provision of maintenance, the fulfillment of basic needs, and the fair allocation of resources and time. These matters are particularly important because the failure to provide adequate support may affect the welfare of wives and children. Nevertheless, material equality should not be reduced to identical expenditure in every circumstance, since family needs and responsibilities may differ. This dimension evaluates the substance of material responsibility rather than merely the husband's general claim that he possesses sufficient financial capacity.
- **Second, affective justice** concerns the relationship between emotional inequality and ethical responsibility. Qur'an 4:129 acknowledges the difficulty of attaining complete equality in emotional inclination, but it also warns against excessive partiality. On this basis, affective justice does not require a person to experience precisely identical feelings toward every spouse. Rather, it examines whether emotional preferences translate into conduct that neglects, humiliates, or disadvantages another spouse. The distinction between feelings and conduct is essential: an emotional response may not be entirely subject to deliberate control, but decisions and actions that affect a spouse's welfare remain open to ethical evaluation. Affective justice thus addresses the consequences of emotional preference without treating emotional equality as a measurable or fully attainable condition.
- **Third, relational justice** concerns the quality of interactions and the recognition of each spouse as a person possessing rights and dignity. It includes respectful communication, fair participation in decisions that affect family life, and the avoidance of degrading or discriminatory treatment. A relationship may satisfy certain financial obligations while remaining deficient in respect, recognition, or consideration. Relational justice therefore extends the analysis beyond the distribution of material resources to the way marital responsibilities are carried out. Its purpose is not to prescribe identical interaction in every household but to assess whether differences in treatment undermine a spouse's dignity or legitimate interests.
- **Fourth, protective justice** concerns the prevention of harm and the safeguarding of the rights and welfare of all parties affected by the marital arrangement, including children. This dimension asks whether the implementation of polygamy exposes any party to avoidable neglect, coercion, or violations of rights and whether appropriate responsibilities are

fulfilled to protect their well-being. It also highlights the importance of considering consequences rather than relying exclusively on formal intentions or assurances. Protective justice does not presuppose that harm necessarily follows from polygamy; instead, it provides a criterion for identifying and evaluating harm where evidence of circumstances is available.

These four dimensions are interconnected rather than mutually exclusive. For example, failure to provide maintenance may constitute a material problem while also undermining protective justice if it places a wife or child at risk. Persistent emotional favoritism may raise concerns about affective justice and become a relational issue when it results in humiliation or exclusion. The model therefore does not require every problem to be assigned to only one category. Its analytical value lies in enabling the researcher to identify the different, overlapping ways in which injustice may arise and to assess the evidence relevant to each dimension.

In relation to Rahman's double movement, the model represents the second movement of the interpretive process: the application of a moral principle identified through historical and textual analysis to contemporary circumstances. Its four dimensions are the present study's operational categories, developed to make the broader principle of justice analytically usable. They should not be attributed to Rahman as a classification that he explicitly formulated. Rahman's methodological contribution lies in the movement between the historical context of Qur'anic directives and the identification and contemporary application of their underlying moral principles; the four-dimensional model is the way this study applies that method to the question of justice in polygamy.

Conclusion

This study proposes a reading of Qur'an 4:3 and Qur'an 4:129 through Fazlur Rahman's *double movement* hermeneutics to examine the ethical significance of justice in polygamous marriage. The analysis suggests that these verses should be interpreted in relation to one another. While Qur'an 4:3 emphasizes justice as a condition associated with the permissibility of polygamy and directs attention toward monogamy when injustice is feared, Qur'an 4:129 acknowledges the difficulty of achieving complete equality in emotional inclination while warning against excessive partiality that leads to neglect. Taken together, the verses suggest a distinction between the limits of controlling emotional inclinations and the ethical responsibility to uphold rights and treat each spouse fairly. Building on this interpretation, this study proposes an analytical framework comprising four interconnected dimensions: material justice, affective responsibility, relational equality, and protective justice. These dimensions are developed by the authors as

operational criteria rather than presented as a four-dimensional theory explicitly formulated by Rahman. The proposed framework suggests that evaluating justice in polygamous marriage requires attention not only to material provision but also to emotional responsibility, respect for each spouse's dignity, and the protection of the rights and welfare of spouses and children.

This study does not seek to establish a definitive legal ruling on polygamy or to claim that the Qur'an categorically prohibits it or requires monogamy in every circumstance. Rather, it suggests that the ethical evaluation of polygamous marriage should consider the extent to which justice, responsible conduct, and the protection of rights and dignity can be realized in practice. When polygamy creates competing obligations or increases the risk of unequal treatment, monogamy may be more conducive to fulfilling these interconnected responsibilities. The study's contribution lies in proposing an analytical approach that connects the historical and moral interpretation of Qur'an 4:3 and Qur'an 4:129 with contemporary concerns about marital justice, while distinguishing formal legal permissibility from substantive ethical responsibility. Nevertheless, because this research relies on library-based textual and interpretive analysis, further empirical and comparative studies are needed to examine the applicability of the proposed framework in diverse marital contexts and to explore its implications for contemporary Qur'anic interpretation and Islamic family law.

Endnotes

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