
Analysis of Contemporary Mufassir's Interpretation of Polygamy

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Abstract

The focus of this research is to analyze contemporary interpreters' interpretations of polygamy. The author utilizes a purely qualitative descriptive research approach through an interpretive literature study. Some contemporary commentators in Indonesia, such as Hasbi, believe that permission for polygamy is not forced except for people who really believe they can act fairly and avoid cheating, and if a wife is no longer able to fulfill her obligations as a wife, such as she is old or suffering from illness. According to Hamka, Surah al-Nisa verses 2, 3, and 4 have a close relationship. Hamka emphasized that this verse aims at monogamy, not polygamy, because, according to him, this verse is only a valuable lesson for its readers and is not to be done. Meanwhile, according to Wahbah, this verse discusses fair behaviour and the prohibition of doing injustice to orphans and women; if they are not able to give a dowry to an orphan, it is forbidden for him to practice polygamy.

Keywords: Interpretation; Contemporary; Polygamy

Introduction

God fashioned human beings as creatures who engage in life's various pursuits and worship none but Allah Swt, whether by dedicating themselves and drawing nearer to Him or by serving as His stewards on earth, fostering

harmonious relationships with all other creatures, including within the bond of marriage.¹

The Qur'an explains that marriage aims to form a harmonious family, based on love and affection (*sakinah, mawaddah, wa rahmah*). To realize this, married couples need to adhere to principles such as choosing the right partner, loving and supporting each other, and fostering a harmonious relationship. In Islamic teachings, marriage can be monogamous (one wife) or polygamous (more than one wife) under certain conditions. The discourse on polygamy is not new and has been part of the history of human civilization. The understanding of the Qur'anic verses will continue to evolve along with the changing times.² Thoughts about the interpretation of the Qur'an will not stop, as the times and civilization of mankind develop.

In the interpretation of the Qur'an, many of the mufasssirs interpret various kinds of verses related to the problems of life, one of which is the interpretation of the verses of marriage. Marriage is *sunnatullah* for all His creatures, both humans, plants, and animals,. surah *ad-Z̤ariyāt* verse 49:

وَمِنْ كُلِّ شَيْءٍ خَلَقْنَا زَوْجَيْنِ لَعَلَّكُمْ تَذَكَّرُونَ

And we have created everything in pairs so that you may remember (the greatness of Allah).”

Surah al-Nisa' verse 3 is one of the issues that sparked the birth of the diversity of interpretations, which has been continuously debated by scholars from classical times to modern times; now it is one of the questions that gives rise to the diversity of interpretations. This diversity has led to disagreements in the scholars' process of understanding the text. In particular, the mufasssirs have come to several conclusions. First, some argue that the verse indicates the permissibility of marrying more than one woman. They consider polygamy to be a long-standing *sunnah* and follow the actions of the Prophet Muhammad. This theory is based on the fact that mufasssirs usually study this verse textually without considering the context. Second, the perspective that allows polygamy under certain conditions. Formal distributive justice, a condition of fairness, must be met. Husbands must have the ability to bear their physical and mental expenses.³

¹Muhammad Fuad Mubarak, “Analisis Terhadap Pemikiran Husein Muhammad Tentang Konsep Poligami”, (Skripsi Sarjana, Fakultas Syariah, Universitas Islam Negeri Raden Intan Lampung, 2022), 2.

² Al-Misbah, Akhmad Roja, and Badrus Zaman, “Sejarah dan Dinamika Tafsir Al-Qur'an : Membaca Ayat-ayat Poligami dalam Tafsir Al-Azhar” *Mumtaz: Jurnal Studi Al-Qur'an dan Keislaman*, Vol 4, no. 02 (2020): h, 181.

³ Zulyadin, “Dinamika Pergeseran Penafsiran Ayat Poligami dalam Surah al-Nisa> (4): 3 dan Kontekstual Ayat di Era Kontemporer” (Tesis, Pascasarjana Agama dan Filsafat UIN Sunan Kalijaga Yogyakarta, 2020), h. 1-2.

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This research falls into the category of literature study, or what we often call "Library Research." Library study is a data collection method that involves an in-depth review of books, literature, records, and existing reports. The aim is to explore data relevant to the problem being studied.

In this research, the author utilizes a purely qualitative description research approach through a literature study. This approach was chosen because the data used in the research is not numbers but information from several sources, including books and journals.

The Interpretation Of Contemporary Mufasssir On Polygamy

The word contemporary refers to a design that uses new ideas or methods and seeks new forms of expression and rejects traditional ones. Specifically for this period, the author wants to explore the views of the mufasssirs and critically analyze the tafsir that discusses polygamy.⁵ The following are the interpretations of contemporary mufasssirs on polygamy.

Interpretation Muhammad Hasbi Ash-Shiddieqy

As one of the modernist Islamic thinkers, Muhammad Hasbi Ash-Shiddieqy argues that multiple wives are not allowed, except in emergencies and with very little risk. He argues that inclination and immaterial love are the only meanings of the verse. It is very difficult for him to show that there is fairness in terms of inclination because a husband's love for his wife cannot be the same. The following is Muhammad Hasbi's interpretation of Q.S. al-Nisa verse 3.

فَإِنْ كُنْتُمْ لَا تَعْلَمُونَ فَوَاحِشَةً أَوْ مَا مَلَكَتْ
أَيْمَانُكُمْ ذَلِكَ أَدْنَىٰ أَلَّا تَعُولُوا

"If you fear that you will not be able to do justice to orphaned women (if you marry them), marry two, three, or four women of your choice. But if you fear that you will not be able to do justice, marry only one, or a female slave whom you own. That is closer to not doing injustice."

As the guardian of an orphaned woman, if a person feels unable to do justice after marrying her and fears that he will use her wealth, he is given the option of marrying another woman, with a maximum of four. When the Arabs

⁴ Burhanuddin, "Poligami Prespektif Hermeneutika Fazrul Rahman", *As-Sabiqun : Jurnal Pendidikan Islam Anak Usia Dini*, vol 1, No. 2 (Lombok; 2019), h.72.

used this expression, they meant to give the option of marrying one to four women. It does not mean that one can have nine wives at once.⁶

But if you are worried that you will not be able to be fair if you marry two, three or up to four wives, then you should take only one wife. This verse explicitly states that the only people who can have two wives are those who believe that they can truly be just. If you can't be just between your free (non-slave) wives, then it is sufficient to have one free wife. Or marry your slaves (this was when slavery had not been abolished).⁷ To be content with one wife and a free woman or to be content with one's slaves is closer to not cheating. Having multiple wives is not permissible except in cases of emergency, and there is very little harm in doing so.

This verse explains that the permissibility of having multiple wives comes with the condition of being fair. Being fair is one thing that is very difficult to achieve. The fairness in question is the inclination of the heart. If this is the case, ensuring fairness is a difficult thing to realize. It is impossible for one's love for one's wife to be equal.⁸

The permissibility of having multiple wives is not arbitrary, as it is allowed in emergencies for those who can ensure fairness and protection from cheating. The book *Sirru Islam* emphasizes that, according to Mu'tazilah scholars, a man cannot take a second wife while he still has a wife, reflecting their strict stance on marriage laws. These scholars highlight the disadvantages and difficulties that arise from polygamy, recognizing that the basic principle of Muhammad's Shari'ah is to allow means (*wasilah*) to achieve a specific ruling. The negative consequences of having multiple wives, which are deemed unreasonable and not supported by religion, have led to the prohibition of multiple marriages.

For this reason, jurists and fatwa experts should be certain that warding off disaster must take precedence over bringing about benefit; the fundamentals of religion are to ward off harm to all, to learn how to repair a severely damaged situation, and to make laws that will ensure benefit and ward off harm.

According to a narration by Al-Bukhari and Muslim from Urwah bin Zubair, this verse was revealed in relation to an orphaned woman who was under someone else's guardianship. The guardian, if attracted by the orphan's wealth and beauty, could not be fair in providing a dowry equal to that of another woman. This verse forbids such action and orders them to marry another woman. There is a narration that this verse was revealed about a man who became the guardian of an orphan girl and inherited her property. The

⁶ Teungku Muhammad Hasbi ash-Shiddieqy, *Tafsir Al-Qur'an Majid Al-Nur Jilid*, 779

⁷ Teungku Muhammad Hasbi ash-Shiddieqy, *Tafsir Al-Qur'an Majid Al-Nur Jilid*, 779-780

⁸ Teungku Muhammad Hasbi ash-Shiddieqy, *Tafsir Al-Qur'an Majid Al-Nur Jilid*, 780

man did not want to marry the orphan girl off to another man because he wanted to continue enjoying the girl's inheritance. In fact, he even went so far as to hurt the girl. If this is the case, then the meaning of this verse is: marry whichever woman you like, but do not harm the orphans in your care. Indeed, the Arabs of the pre-Islamic era used to marry many women and spend the wealth of the orphans in their care.⁹

Permission for polygamy is not compulsory. However, people who are certain that they are capable of being fair and able to avoid fraudulent acts that may jeopardize the household may do so during crises. Therefore, husbands are not allowed to engage in polygamy in Islam if they fear the collapse of their previous household. According to Hasbi, urgent circumstances and very low failure rates and very low perceived comfort, such as in married life, where the wife is unable to bear children or is old, or the woman has an illness that prevents her from performing or fulfilling her responsibilities as a wife to her husband.¹⁰

Then another reason, Hasbi says that many polygamists today practice polygamy because of their sexual desires and enjoy momentary pleasure without considering the consequences. Hasbi also says that although polygamy has its drawbacks, it is better than allowing infidelity or adultery to occur. Thus, it can be understood that Hasbi basically allows polygamy on the condition that one can be fair in dividing his love and affection towards the polygamous woman. This shows that fair love and affection is the key to maintaining the integrity of the family.¹¹

According to the author quoting from Hasbi's interpretation, polygamy is permitted if there is no concern about a man who has become the guardian of an orphaned woman and does not use or even spend the orphaned woman's property, because if he is worried that he cannot be fair to the orphaned woman, then it is permissible for him to marry one, two, three or four other wives. But if he is unable to do justice to other women, then it is not permissible for him to marry up to four wives.

Buya Hamka's Interpretation of QS. Al-Nisa verse 3

Hamka's view on polygamy is seen in Surah al-Nisa, verse 3. Here is Buya Hamka's interpretation in Q.S. al-Nisa, verse 3. At the base of this verse is the continuation of the previous verse about caring for orphans and God's permission to marry more than one woman up to four. To understand the issue,

⁹ Teungku Muhammad Hasbi ash-Shiddieqy, *Tafsir Al-Qur'an Majid Al-Nur Jilid*, h. 781-782

¹⁰ Desy Helma Permata, Pergulatan Mufassir Nusantara Pada Interpretasi Ayat Poligami, *Al-Qalam, Jurnal Ilmiah Keagamaan dan Kemasyarakatan*, Vol. 17, No. 05 (Samarinda: 2023), 38

¹¹ Mahridha, "Poligami Dalam Kajian Hukum Islam Studi Analisis Pandangan Hasbi Ash.-Shiddieqy." *Jurnal Syariah*, Vol. 9, No. 2 (2017), 67.

it is better to elaborate on the interpretation of Aisha, the Prophet's wife, and how this verse came about. Aisha interpreted it as responding to the question of Urwah bin Zubair, the son of Aisha's sister Asma, who often asked the Prophet about abstruse religious matters. 'Aisha was Urwah bin Zubair's teacher. Then, think about the history of people being allowed to have more than one wife, even four, on the grounds of protecting orphans. (Narrated by Bukhari, Muslim, an-Nasa'I, al-Baihaqi, and tafsir by Ibnu Jarir).

'Ā'ishah explained to Urwah bin Zubair that this verse tells the story of a guardian who took care of a female orphan and managed her property. Attracted by the orphan's wealth and beauty, the guardian wanted to marry her without giving her a dowry equal to that of another woman. This verse forbids such an act and orders the guardian to either give a fair dowry or marry another woman."¹²

Then someone asked the Prophet for a fatwa about the woman after this verse was revealed. So the verse (Surah al-Nisa, also verse 127) was revealed. "They ask you for a fatwa about a woman," Aisha continued. Say: in this book Allah will inform you and read to you about the orphan girls whom you did not give their dues, even though you married them." 'Ā'ishah then said: "What is meant by 'read to you in this book' is that first verse, which says: 'If you fear that you will not be just (in marrying) the orphans, then marry (other) women of your liking.'" Aisha then said: Another verse says: "And you want to marry them." In other words, he did not like the child he was taking care of because it was small and unattractive. He is forbidden to marry the child for the sake of her wealth and beauty. If after payment of the dowry it is fair, he can marry her."¹³

Another saheeh hadith is reported from another narration, from 'Aa'ishah. "This verse was revealed about a man," she said. He was the guardian and inheritor who took care of an orphan. The boy had property, and no one else would protect him. However, he did not marry the child, which resulted in hardship for the child and threatened his health. Then came this verse: "And if you fear that you cannot be just (in marrying) orphans, then marry any other woman you please". Meaning: "Take what is lawful for you and leave what causes hardship to the child."

There is also another saheeh narration that relates this verse to another verse, namely: "And what is taught you from the Book concerning daughters whom you did not give to them what you should have given them, while you wanted to marry them." 'Ā'ishah said: "This verse was revealed concerning an orphan girl who was living with a man who was taking care of her, but her property had been given to her by her caretaker, and he did not want to marry

¹² Abdulmalik Abdulkarim Aimrullah., *Tafsir Al-Azhar Jilid 2* (Jakarta: Pustaka Nasional PTE LTD Singapura, 1989). 1060.

¹³ Abdulmalik. *Tafsir Al-Azhar Jilid 2*, 1062.

her nor let her marry someone else. So, the child's property was in his hands while he neglected her, did not marry her himself, and did not give her in marriage to anyone else.¹⁴

After looking at these three saheeh narrations from 'Aa'ishah, we can see why there is a connection between the commandment to take care of the girl child and the permission to have more than one to four wives. Here we have the first point, which is a connection to the previous verse 2 about taking care of the property of orphans. In verse two, it was explained and warned against mistreatment and cheating of orphans, because it is a very great sin. There will come a time when her property must be given to her because she will marry. But “distractions” come into your mind. One of those distractions, you say to yourself: "I should marry this child, so that she does not leave my house. Her property will remain in my possession and her dowry can be “played with” or counted, but not paid, or because she is already my wife, of course entitled to her property. I can have her beauty, I can have her wealth, I can have her mas-nikah for cheap.”¹⁵

This is an unhealthy thought. The healthy thought that comes from faith and piety is: It is better to marry another woman and pay her dowry properly, let it be up to four, than to do this to the orphan girl in your care." Or another thought arises: his property is already in his hand, he does not want to marry her because she is not beautiful, and he does not want to marry someone else because he wants his property.

So instead of having all these evil thoughts, it is better to marry another woman, even up to four. Wrong attitudes and dishonest behavior toward an orphan girl are a great sin. It is better to be safe in the trust of the child's property. If you are going to marry her, marry her honestly. Pay the dowry as it would be paid to another woman. Her property remains her property, even if she is your own wife in the future. Give her what is rightfully hers because when she has a husband, she is mature.”

Even more explicitly: "If you wish to marry the orphan girl, and you are afraid that you will take her property lightly, because she has become your wife, so that you will consume her property, then do not marry her. Marry another woman, even up to four.”¹⁶

From this verse, we will get a very deep impression. Instead of mistreating the property of orphans, it is better to marry up to four, even though marrying up to four is very difficult to do." With this verse we also meet the saying of our nation: "Once you open a temple, two or three debts are paid. Once rowed, two islands are reached". This means that in one verse we meet the commandment to care for orphans which is deeply felt, and the

¹⁴ Abdulmalik. *Tafsir Al-Azhar Jilid 2*, 1063

¹⁵ Abdulmalik. *Tafsir Al-Azhar Jilid 2*, 1063

¹⁶ Abdulmalik. *Tafsir Al-Azhar Jilid 2*, 1064

permissibility of having up to four wives.¹⁷

Have up to four wives, so the question of having up to four wives is reiterated. “But if you will not be able to do justice, then only one.” In the essence of this verse, we meet another difficulty that will be faced. Firstly, instead of letting the orphan's wealth and the orphan girl's self go to waste, it is better to marry another woman, even if it is up to four. But if you actually follow this permission to have up to four wives, whether two or three or up to four, you will face difficulties of another kind. You must be fair to your wives. All these wives have rights over you and they have the right to claim those rights. The right to sukna (a place to stay), the right to food and clothing, the right to spiritual sustenance, and so on. So, before you go down the road of doing what is permitted by shara', think about the question of justice first. Don't let the fear of being unfair in paying the dowry to an orphaned girl and protecting her property lead you into another trap of being unfair, namely, having many wives. A believer should not be driven by the lust of seeing a woman he likes. It is an easy thing to contract a marriage. Therefore, if you are afraid that you will not be able to do justice with many wives, it is better to have only one. That way you will be safe, or if you want too, have one wife.

Then to deal with the difficulty of the orphan's wealth, it is permissible to have up to four wives, so the question of having up to four wives is reiterated. “But if you will not be able to do justice, then only one.” In the essence of this verse, we meet another difficulty that will be faced. Firstly, instead of letting the orphan's wealth and the orphan girl's self go to waste, it is better to marry another woman, even if it is up to four. But if you actually follow this permission of up to four wives, whether two or three or up to four, you will face difficulties of another kind.

You must be fair to your wives. All these wives have rights over you, and they have the right to claim them. The right to sukna (a place to stay), the right to food and clothing, the right to mental support and so on. So before you go down the road of doing what is permitted by shara', think about the question of justice first. Don't let the fear of being unfair in paying the dowry to an orphaned girl and protecting her property lead you into another trap of being unfair, namely having many wives. A believer should think that way and not just be driven by the lust of seeing a woman he likes.

To contract a marriage is an easy matter. Therefore, if you are afraid of being unjust with many wives, it is better to have only one. That way you will be safe, or if you want too, keep one wife, and the others are slaves: “Or the slaves you have.” That is, female slaves whose origin is from women who were captured as concubines, whose rights are obviously not the same as those of free wives, because they can be bought and sold, so they have no right to

¹⁷ Abdulmalik. *Tafsir Al-Azhar Jilid 2*, 1064

demand equal treatment. So by having only one wife, you will not have to worry about having a fair share of wives, or keeping concubines. (when society was still gundik) you would also be free from the question of fairness and unfairness.”¹⁸

Then God said: “Such is the more likely that you will avoid being arbitrary.” (end of verse 3). The end of this verse makes it clear that the only way to be secure and free from the fear of being unjust is to have only one wife. If we have only one wife, we will be closer to peace. We will not be noisy and dizzy with the responsibility of several women who carry their own desires. Each of them will ask to be served, to be cared for, and to be equalized. That alone would be a headache every day. More so if Allah SWT also gives each many gifts.

If you are rich, you may be able to take care of all your children well. But if one is poor, then one fears that one's upbringing will not be perfect. It is even more confusing if each child obeys its mother, so that children who come from one father become enemies because of different mothers, because their mothers are enemies. We interpret *An-lā ta'ūlū* with “so that you may avoid arbitrariness.” Arbitrariness means acting according to one's own will, not caring anymore, and being ignorant. This is even worse! ”¹⁹

But there is one interpretation of *An-lā ta'ūlū* that is special, namely from Imam Shafi'i. He interpreted it: “This is what will enable you to avoid many dependents.” That is, having many wives, each wife giving birth to many children, while you are poor. In the end, life is difficult because of the need to care for children.

According to Hamka, the emphasis of the verse is actually not polygamy but monogamy. As for the explanation of the verse that gives the opportunity to have more than one wife, according to him, it is only a valuable lesson for Muslims. Surah al-Nisa verses 3 and 2 have a close relationship whose emphasis is on caring for orphans. Rather than wasting orphans who are still in care, it is better to marry other women, even if two, three, or four, and not solely because Allah commands polygamy.²⁰

According to the author in Buya Hamka's confession, the meaning of verse 3 in surah al-Nisa is not an order for polygamy but monogamy, because as a devout Muslim and having common sense, and says that polygamy is only an option to overcome problems about psychology. Another reason is to emphasize the care of orphans at that time. Therefore, it is common sense that enables us to revisit the meaning and purpose of the verse. *An-lā ta'ūlū*

¹⁸ Abdulmalik. *Tafsir Al-Azhar Jilid 2*, 1064

¹⁹ Abdulmalik. *Tafsir Al-Azhar Jilid 2*, 1065

²⁰ Abdulmalik. *Tafsir Al-Azhar Jilid 2*, 1065

Wahbah Al-Zuhaili's Interpretation of QS. Al-Nisa' verse 3

Sharia allows a husband to be polygamous, provided that it does not exceed four wives. According to Wahbah al-Zuhaili, the evidence for the permissibility of a man to be polygamous with four wives is:

These three number words are *badal* of. These three number words are *ismu ghairu munsharif* because they have two 'illat, namely *al-'Udul* and *sifat*. Each of these number words indicates the number mentioned twice, the word *mas'na* indicates the meaning of *is'naini is'naini* (two two), *sulasa* indicates the meaning of (three three) and *rubu'* indicates *arba'ah arba'ah* (four four). But it is also possible to make these three number words the *haal* of the *dhamir* which is the *fa'il* (subject) of the word (طاب).²¹

Imam Bukhari, Imam Muslim, Nasa'i, Baihaqi, and others narrated from 'Urwah ibn Zubair that he asked his *khaalah* (maternal aunt), Sayyidah 'Aisha r.a, about this verse, then Sayyidah 'Aisha r.a said, "O son of my sister, there was an orphan girl who was under the care of her guardian, the guardian enjoyed the property of the orphan girl. Then, the guardian was attracted to her wealth and beauty, so he wanted to marry her without being fair in giving her a dowry. He did not give her a bride price or dowry as would be given to women like her. So this was forbidden to them, and they were commanded to marry any other woman they liked, two, three or four."²²

Sa'id ibn Jubain Qatadah, al-Rabi', adh-Dhahhak, and as-Suddi said, "They were cautious and avoided the wealth of orphans and were freer and easier in the matter of women; they married the women they wanted, but sometimes they were fair and sometimes they were not. Then, when they asked about orphans, the verse on orphans was revealed, which is verse two of Surah al-Nisa. Allah SWT also revealed verse three of Surah al-Nisa', as if Allah SWT said to them,

As you fear that you cannot be fair to the rights of orphans, so too should you fear that you cannot be fair to the rights of women. Therefore, do not marry more women than you can fulfill their rights. Because women are similar to orphans in that they are both weak creatures." This is the opinion of Ibn 'Abbas r.a. in the narration of al-Walibi (Ali ibn Rabi'ah ibn Nadlah), one of the trustworthy narrators of al-Thabqah al-Tsaalitsah."²³

The theme of this verse is defined according to the reason for its revelation. For example, there are times when the theme of this verse is about marrying women other than orphan girls. If an orphan girl is in the care of one of you and he wants to marry her, but he fears that he will not be able to do justice to her by not giving her the minimum dowry, then he should marry a

²¹Wahbah Zuhaili, *Tafsir Al-Munir Aqidah., Syari'ah., Manhaj (Al-Baqarah. Ali-'Imran-Al-Nisa')* Juz 3 & 4, Jilid 2, Darul Fikr, (2013), 570.

²²Wahbah Zuhaili, *Tafsir Al-Munir Aqidah Syari'ah Manhaj.* 571

²³Wahbah. Zuhaili, *Tafsir Al-Munir Aqidah Syari'ah Manhaj.* 571

woman who is on the same level as him.²⁴

Sometimes the theme of this verse is about the command to be fair to women (wives) and the prohibition of being unjust to them when marrying more than one (polygamy). That is, when verse two of Surah an-Nisa was revealed, the guardians (caretakers of orphans) were cautious in their care, but they did not feel reluctant or heavy to abandon being fair to women. Some of them had up to ten wives, but they were not fair to them. Then it was said to them, "Just as you fear and worry that you will not be able to be fair to the rights of the children, so too, you should fear that you will not be able to be fair among women, so reduce the number of women you marry. For whoever tries to abstain from a sinful act, but still commits an act that is similar to the sin he is trying to abstain from, then he is not the one who abstains from it..²⁵

What is meant by al-Khauf (fear, worry) is knowing that one cannot be fair. This is expressed by using the word al-Khauf as a sign that what is known (in this case, not being able to do justice) is something that is feared and forbidden.

That is, if you know and feel that you will do injustice to the orphan girl you want to marry by not giving her her dowry or by consuming the orphan's wealth unlawfully, then you should not marry the orphan girl, but marry other women, one, two, three, or four. Or you must be fair to the wives you marry when you are polygamous. Therefore, do not marry more than four women so that you can be fair to them. When it comes to having wives, men are not equal to each other; some men have two wives, some have three wives and some have four wives. four is the maximum number that is possible to be fair between wives.²⁶

The command in the verse, فانكحوا is a command that is al-Ibaahah (permissible), like the command in the verse, وكلوا واشربوا (al-Baqarah: 187) and other similar commands. Some say that the command is wujub (obligatory), but what is meant by obligatory here is not that marriage is obligatory, but that it is limited to the number as described in the verse mentioned, namely, two, three or four, or in other words, if it is polygamous, then it is only limited to that number, not more.

The verse, ثلث وثلاثون these numbers indicate the meaning of takriir or repetition, i.e. matsnaa means is *isnain isnain* (two two), *sulās* means *salāsah salāt'sah* (three) and *rubā'* means *arba'ah arba'ah*. The point is, it is permissible for those who want to be polygamous to marry a number of women.

Then Allah SWT reinforces the need to be fair among wives when one is polygamous. This is understood from the verse, وإن خفتم ألا تقسطوا Allah SWT explains, if you are afraid that you cannot be fair when polygamous, then you

²⁴Wahbah. Zuhaili, *Tafsir Al-Munir Aqidah Syari'ah Manhaj*. 572

²⁵ Wahbah. Zuhaili, *Tafsir Al-Munir Aqidah Syari'ah Manhaj*. 572.

²⁶ Wahbah. Zuhaili, *Tafsir Al-Munir Aqidah Syari'ah Manhaj*. 572.

should marry only one woman. Because those who are allowed to be polygamous are those who are sure that they can realize the obligation to be fair, which is clearly commanded in the verse, and you will never be able to do justice between your wives, no matter how much you wish to do so. " (al-nisa: 129). But what is meant by not being able to do justice by verse L29 is justice in terms of inclination. Otherwise, the conclusion of these two verses, verse 3 and verse 29, seen from one side, would mean a prohibition of polygamy.²⁷

Fear of not being able to do justice includes al-Zan (suspicion) and al-Syak (doubt). So if that is the case, then you should take only one free woman as a wife, or you can have fun with the slave girls you have through al-Tasarri' (concubinage) not through marriage, because in this case it is not required to be fair among the slave girls who are used as concubines, but only to give them sufficient maintenance according to the customs and customs that apply.

This is because having only one wife, or having only one woman by way of at-Tasarri, is closer to not being unjust. So what is meant by the verse, *أَلَا تَعُولُوا* is not being unjust. It is narrated from Imam Shafi'i r.a. that he interpreted the verse, *أَلَا تَعُولُوا* so that the family you bear is not too large. Al-Kisa'i, al-Ashmu'i, and al-Azhari quoted from eloquent Arabs that the word *أَلَا تَعُولُوا* means one who has a large family that he is obliged to support.²⁸

The point is that in an effort to keep away from being unjust and unfair, it is prescribed to limit the number of wives to one. This also implies the requirement of fairness among the wives when polygamy occurs. The fairness towards the wives that is commanded or that must be fulfilled is material, namely fairness in rotating and equal in providing living expenses, such as food, drink, clothing and shelter as for fairness that is meaningful or related to matters of the heart, namely feelings of love and inclination, fairness in this case is not required to be fulfilled, because this is beyond the limits of human ability. Therefore, the Prophet Muhammad saw. Who indeed loved Sayyidah Aisyah r.a. more than his other wives prayed,²⁹

. O Allah, this is my share of what I have, so do not reproach me with something that only You have and I do not have." Suppose a person fears that he will not be able to be fair. In that case, it is haraam for him to engage in polygamy.³⁰ And then Allah SWT commands husbands to give their wives their dowry willingly and sincerely without delay, as a sign of the bond of affection between husband and wife and as a form of love, honor, and respect for women. Ibn Abbas r.a. argued that the message of the verse, *وَأَتُوا النِّسَاءَ صَدَقَاتِهِنَّ*, is addressed to husbands. In the past, if a man married a woman without giving her a dowry, he would say to her, "I inherit you and you inherit

²⁷ Wahbah. Zuhaili, *Tafsir Al-Munir Aqidah Syari'ah Manhaj*. 572.

²⁸ Wahbah. Zuhaili, *Tafsir Al-Munir Aqidah Syari'ah Manhaj*. 572

²⁹ Wahbah. Zuhaili, *Tafsir Al-Munir Aqidah Syari'ah Manhaj*. 572

³⁰ Wahbah. Zuhaili, *Tafsir Al-Munir Aqidah Syari'ah Manhaj*. 573

me.” The woman would reply, “Fine.” The woman replied, “Okay.” Then they were ordered to pay the dowry or masawin to the wife immediately.³¹

There is an opinion that the message of the verse is addressed to the guardians of women, not to husbands. Ibn Abi Hatim narrated from Abu Shalih, who said, "In the past, if a guardian married off an ayyim (unmarried woman), he would take her dowry and not give it to her. Then Allah (SWT) forbade this and revealed verse four of Surah al-Nisa’.

The Wisdom of Permitted Polygamy

Nowadays, ideally, a person has one wife unless there are religiously justified reasons. This is because the feeling of jealousy is natural for husbands and wives. Both have the potential to feel jealous of their partner.”³²

Islam allows polygamy under certain urgent conditions or because of a significant need. The conditions are being able to provide maintenance, being fair to all wives, and treating them well. Some of the exceptional conditions that allow polygamy include: (1) Sterility of the Wife: If the wife is barren, polygamy can be a better option than divorce, on the condition that it still respects and fulfills the rights of the first wife. (2) Greater Number of Women: If women outnumber men, such as after a war, polygamy can help preserve the chastity of women and prevent adultery. (3) Sexual Function Conditions: If the wife has decreased sexual function, while the husband has high sexual needs, polygamy can be a solution to prevent the husband from committing adultery. The misuse of polygamy by a small minority of Muslims, such as for revenge or lust, cannot be used as an excuse to criticize Islam's basic teachings on polygamy. Islam allows polygamy with clear restrictions and conditions.”³³

However, many Western philosophers have called for polygamy, which is undoubtedly better and more positive than having many mistresses. As for divorce, it is a reality that happens all over the West for many reasons, even over trivial things that Muslims themselves see as inappropriate reasons for divorce, but in the West, it can be the cause of divorce.

Wahbah al-Zuhaili emphasized that the above verse explains that husbands cannot be fair in terms of conjugal relations and maintenance in marriage to two, three, or four wives. The closest action to falling into an unjust act is marrying more than one wife. The maximum limit of four wives is a wise and reasonable justice and the wives are spared from injustice. This permissibility explains The matter, except for those who do not approve of polygamy. Therefore, not all Muslims are required to marry more than one wife. In fact, the principle of having one wife is a principle widely practiced by the majority of humanity.³⁴

³¹ Wahbah Zuhaili, *Tafsir Al-Munir Aqidah Syari'ah Manhaj*. 573

³² Wahbah Zuhaili, *Tafsir Al-Munir Aqidah Syari'ah Manhaj*. 581

³³ Wahbah Zuhaili, *Tafsir Al-Munir Aqidah Syari'ah Manhaj*. 582

³⁴ Riyan Erwin Hidayat, “Poligami Menurut Wahbah. Az-Zuhaili Dan Muhammad

From the explanation above, we can understand that practicing polygamy must meet two conditions: being able to provide for one's wives and being equitable toward them. According to Wahbah, a man cannot be just in his sexual relations or in providing maintenance to two or three wives; indeed, even with a single wife if she does not receive comfort in both outward and inward matters, and if the provision of sustenance and affection is not distributed equally this comes closest to an act of injustice.

Analysis of The Interpretation of Contemporary Mufassir on Polygamy

A social phenomenon frequently seen in today's communities is the question of marriage. It's no surprise that many men find themselves unable to resist the urge to marry more than one woman or to take up polygamy. Yet, in many of the cases we see today, the so-called "polygamy" actually arises from extramarital affairs. For this reason, it's important to help readers understand that they must not misuse the legal allowance for polygamy merely to satisfy their desires, so as to avoid mental harm to anyone, men or women alike.

One of the modernist Islamic thinkers is Muhammad Hasbi Ash-Shiddiqi. According to Hasbi, polygamy is permissible only in cases of genuine necessity where the potential harm is very slight. He argues, on the basis of Surah an-Nisa' verse 3, that Allah ﷻ in fact tells us humans are not capable of true justice in love and compassion, and therefore one is not obliged to take more than one wife.³⁵ Ibn Kathir, in the journal *Nurul Husna*, comments on the phrase (*masna'u wa sulāsa wa rubā*) "marry two, three, or four [women] if you fear you can deal justly with them"—noting that it appears in a passage emphasizing Allah's gracious permissions. Had more than four been allowed, it would have been clearly stated.

Imam ash-Shāfi'ī observes that the Sunnah of the Prophet (ṣallallāhu 'alayhi wa-sallam), as Allah describes it, shows that he alone was permitted to exceed four wives. This view has been upheld by the vast majority of scholars, with the exception of some Shi'a jurists who permit marrying more than four up to nine. The use of the imperative wording in Surah an-Nisa' 4:3, according to *usūl-al-fiqh* principles, signifies that the allowance carries the weight of a directive (*wājib*) rather than a mere recommendation.³⁶ Ibn Kathīr, in the journal *Nurul Husna*, comments on the phrase *masna'u wa sulāsa wa rubā'a* as follows:

Syah.rur" *Jurnal Tana Mana*, Vol. 1, No. 2 (Lampung: 2020), 104.

³⁵ Mahridha, "Poligami Dalam Kajian Hukum Islam Studi Analisis Pandangan Hasbi Ash.-Shiddieqy." 73

³⁶ Idrus, H., M. M. G., Aderus, A., & Ibrahim, S. (2024). The Spiritual Dimension in Islamic Da'wah and Building Social Piety among Gorontalo Muslims. *MUHARRIK: Jurnal Dakwah Dan Sosial*, 7(2), 217–227. <https://doi.org/10.37680/muharrrik.v7i2.6134>

Nurul Husna, "Pandangan Mufassir Klasik Dan Modern Terhadap Poligami," (Tesis, Pascasarjana Institut Agama Islam Negeri Sumatera Utara Medan, 2013). 22

“Marry the women of your choice, two, three, or four, if you fear you can deal justly with them.” He notes that this verse appears in the context of Allah’s granting of blessings and permissions. Had it been permissible to take more than four women, it would have been made explicit. According to Imam ash-Shāfi‘ī, the way Allah describes the Sunnah of the Prophet ﷺ makes clear that the Prophet alone was permitted to practice polygamy with more than four wives. This understanding has been endorsed by the vast majority of scholars, with the exception of some Shī‘ī jurists who permit combining more than four wives up to nine.

Finally, the use of the imperative form in Sūrah al-Nisā’ verse 3, based on the principles of uṣūl al-fiqh, signifies that this command carries the force of an obligation rather than a mere recommendation.³⁷ Penggunaan kata lafadz perintah dalam surah al-Nisa ayat 3 tersebut berdasarkan kaidah ushul fiqh bahwa perintah tersebut merujuk pada kewajiban.³⁸

To understand the matter better, let us outline ‘Ā’isha’s own explanation of how this verse came about. ‘Ā’isha wife of the Prophet ﷺ interpreted it in response to a question from Urwah ibn Zubayr (the son of Asma, ‘Ā’isha’s sister), who often consulted the Prophet ﷺ on difficult religious issues. ‘Ā’isha was Urwah’s teacher. She also asked him to reflect on the historical context in which men were permitted to take more than one wife, up to four, in order to protect orphans. (This tradition is reported in al-Bukhārī, Muslim, an-Nasā’ī, al-Bayhaqī, and in Ibn Jarīr’s tafsīr.)

‘Ā’isha answered Urwah ibn Zubayr, saying:

“O my nephew! This is the story of an orphan girl whose guardian had combined her wealth with his own. Her beauty and inheritance attracted him, and he intended to marry his ward but he did not pay her *mahr* (dowry) justly, as he would for any other bride. Because of this insincere intention, he was forbidden to marry her unless he paid her a fair *mahr* and granted her a proper marriage gift, on par with what he would give any other woman. And rather than act with such dishonest motives, he was advised that it would be better to marry other women two, three, or up to four.”³⁹

After the verse permitting polygamy was revealed, someone asked the Prophet ﷺ about orphaned women. Then verse 127 of Sūrah al-Nisā’ was sent down, which addresses orphan girls whose rights had been neglected even though their guardians wished to marry them. ‘Ā’isha explained that this verse refers back to the allowance to marry other women if one fears being unable to deal justly with orphan wards. She added that there were guardians who

³⁷Nurul Husna. “Pandangan Mufasssir Klasik Dan Modern Terhadap Poligami,” h. 22

³⁸Ade Dedi Royana, *Ilmu Qowaid Fiqhiyyah*. (Jakarta: Gaya Media Pratama, 2008), 25.

³⁹Abdulmalik Abdulkarim Aimrullah., *Tafsir Al-Azhar Jilid 2* (Jakarta: Pustaka Nasional PTE LTD Singapura, 1989). 1060.

refused to marry the orphan girls under their care, citing motives of wealth and appearance, and were forbidden to do so unless they offered a fair mahr (dowry).”⁴⁰

Another authentic ḥadīth, reported via a different chain from ‘Ā’ishah, states:

“This verse was revealed concerning a certain man,” she said. “He was the guardian and heir who had charge of an orphan girl. The girl possessed wealth, and there was no one else to protect her. Yet he refused to marry her, which caused hardship for her and threatened her welfare. Then this verse was revealed: ‘And if you fear that you will not deal justly with the orphans, then marry from the women of your choice...’

Its meaning in context is: ‘Accept what is lawful for you and leave aside what would impose hardship on that orphan.’ There is also another sound report linking this verse with the following:

‘And what is recited to you from the Book concerning an orphan girl to whom you do not give her due, while you desire to marry her...’

‘Ā’ishah commented:

“This verse was revealed about an orphan girl living in the household of the man who served as her guardian. He had merged her wealth with his own, yet he neither married her nor allowed anyone else to marry her. In effect, he absorbed her estate but abandoned the girl herself he would not marry her, nor would he permit her to be married to another.”⁴¹

After examining these three authentic narrations from ‘Ā’isha, we can conclude as to why there is a connection between the injunction to care for orphan girls and the permission to take more than one wife up to four. Here, we have identified the first essential point, which serves as a continuation of verse 2, which was discussed earlier about safeguarding an orphan girl’s wealth. In that verse, it is explained and warned that no injustice or deceit should be done to the orphan, for that is a most grievous sin. There will come a time when her wealth must be returned to her, since she will marry. But then a “temptation” enters your mind. One such temptation is that you think to yourself:

“It would be better if I just marry this girl, so she never leaves my house. Her wealth would remain in my hands, and her mahr (bridal gift) could be toyed with or reduced in calculation, but never actually paid—after all, once she’s my wife, she’s entitled to her wealth anyway. I could enjoy her beauty, control her estate, and pay her mahr cheaply!”⁴²

This is an unhealthy thought. A sound mindset born of faith and piety is this: It is better to marry off other women up to four and pay their mahr

⁴⁰ Abdulmalik. *Tafsir Al-Azhar Jilid 2*, 1062.

⁴¹ Abdulmalik. *Tafsir Al-Azhar Jilid 2*, 1063

⁴² Abdulmalik. *Tafsir Al-Azhar Jilid 2*, 1063

properly, than to behave thus toward the orphan girl under your care.” Sometimes a guardian has hidden motives. He may have seized control of the orphan girl’s wealth under his care, yet he is unwilling to marry her because she isn’t considered attractive. At the same time, he won’t marry her off to anyone else because he doesn’t want to lose her assets. Rather than harboring ill intentions toward an orphan girl, it is better to marry other women, even up to four. Acting badly and dishonestly toward an orphan is a grave sin. It is far better to safeguard the orphan’s entrusted wealth faithfully. If you wish to marry her, then grant her a fair mahr (dowry), just as you would any other bride. Her wealth remains her rightful property, even if she becomes your wife. Restore her rights, for once married, she will have reached full maturity. To make it even clearer: “If you wish to marry that orphan girl but fear that you will simply take her wealth since she will become your wife, and her assets will be consumed by you then do not marry her. Instead, marry other women, even up to four.”⁴³

From this verse we get a very deep impression. Instead of mistreating the property of orphans, it is better to marry up to four, even though marrying up to four is very difficult to do.” With this verse we also meet the saying of our nation: Once you open a temple, two or three debts are paid. Once rowed, two islands are reached”. This means that in one verse we meet the command to care for orphans, which is deeply felt, and the permissibility of having up to four wives.

Conclusion

Based on the thoughts of contemporary interpreters, it can be said that all mufassirs agree that polygamy can be practiced if it is fair among the wives, even towards their children. So this justice is obligatory, and if it cannot be fulfilled, then it is punished with sin. Even in the munasabah of the verse, it can be observed that the verse on polygamy is closely related to the care of orphans. So the purpose of the Shari'ah on this matter is to provide justice and welfare, not to fulfil sexual desires as is rampant.

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