## THE IMPLEMENTATION OF THE CONCEPT OF FAIRNESS OF ONE ROOF- POLYGAMOUS FAMILY IN THE PERSPECTIVE OF IMAM

(Study at Jrengik Sampang District)

SYAFI'I

#### **UNDERGRADUATE THESIS**

By:

Abd Muhidin 18210110



#### ISLAMIC FAMILY LAW DEPARTEMENT

**SYARIAH FACULTY** 

STATE ISLAMIC UNIVERSITY MAULANA MALIK IBRAHIM

**MALANG** 

2022

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STATE ISLAMIC UNIVERSITY MAULANA MALIK IBRAHIM

MALANG

2022

### STATEMENT OF THE AUTENTICITY

In the name of Allah SWT,

With consciousness and responsibility toward the development of science, the writer declares that thesis entitled:

# THE IMPLEMENTATION OF THE CONCEPT OF FAIRNESS OF ONE ROOF- POLYGAMOUS FAMILY IN THE PERSPECTIVE OF IMAM SYAFT'I

(Study at Jrengik Sampang District)

It is genuinely the writer's original work that can be legally justified. If this thesis is proven result of duplication or plagiarism from another scientific work, it as a precondition of degree will be stated legally invalid.

Malang, 13th of May 2022

Writer,

Abd. Muhidin

SIN 18210110

#### APPROVAL SHEET

After reading and correcting the thesis of Abd. Muhidin, Student ID number 18210110, Department of Islamic Family Law, Syari'ah Faculty of The State Islamic University Maulana Malik Ibrahim of Malang entitled:

# THE IMPLEMENTATION OF THE CONCEPT OF FAIRNESS OF ONE ROOF- POLYGAMOUS FAMILY IN THE PERSPECTIVE OF IMAM SYAFI'I

(Study at Jrengik Sampang District)

The supervisor stated that this thesis had met the scientific requirements to be proposed and examined on the Assembly Board of Examiners.

Malang, 13th of May 2022

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#### PENGESAHAN SKRIPSI

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## THE IMPLEMENTATION OF THE CONCEPT OF FAIRNESS OF ONE ROOF- POLYGAMOUS FAMILY IN THE PERSPECTIVE OF IMAM SYAFI'I (Study at Jrengik Sampang District)

Telah dinyatakan lulus dengan nilai: A

Malang, 16 Juni 2022

Scan Untuk Verifikasi



Dekan,

TERIAN

TO THE RIAN

TO

#### **MOTTO**

# إِنَّ ٱللَّهَ يَأْمُرُ بِٱلْعَدْلِ وَٱلْإِحْسَٰنِ وَإِيتَآيٍ ذِي ٱلْقُرْبَىٰ وَيَنْهَىٰ عَنِ ٱلْفَحْشَآءِ وَاللهَ يَأْمُرُ بِأَلْمُعَدُلِ وَٱلْبَغْيُ يَعِظُكُمْ لَعَلَّكُمْ تَذَكَّرُونَ ٩٠

Indeed, Allah orders justice and good conduct and giving to relatives and forbids immorality and bad conduct and oppression. He admonishes you that perhaps you will be reminde<sup>1</sup>l.

(An-Nahl [16]:90)

V

<sup>&</sup>lt;sup>1</sup> https://corpus.quran.com/translation.jsp?chapter=16&verse=90

#### ACKNOWLEDGMENT

Alhamdulillahirabbil'alamin, Praise be to Allah, Lord of all worlds, for all His favors and favors. The thesis entitled " the implementation of the concept of fairness of one roof- polygamous family in the perspective of Imam *Syafi'i* (Study at Jrengik Sampang district, Madura.) has been well completed. Prayer and peace be upon our Prophet, Muhammad SAW who is a role model in polygamous marriage, by applying fair and love. May we get intercession in the hereafter. Amen.

Thank you very much for all the education, advice, guidance, and support up to the end of this dissertation. Specifically, :

- Prof. Dr. M. Zainuddin, MA., as the rector of the State Islamic University of Maulana Malik Ibrahim Malang.
- Dr. Sudirman, MA., as the Dean of the Faculty of Sharia of the State Islamic University of Maulana Malik Ibrahim Malang.
- Erik Sabti Rahmawati, MA. M.Ag., as the head of the Department of Islamic Family Law, Faculty of Sharia of the State Islamic University of Maulana Malik Ibrahim Malang.
- 4. Jamilah, MA. as my thesis supervisor. The writer thanks for spending time guiding, directing, and motivating me to finish writing this thesis. The writer hopes that Allah will bless him and his family.
- Dr. H. M. Fauzan Zenrif, M.Ag as supervisor lecturer of the writer during his study at Islamic Family Law Department of Syariah Faculty of The State Islamic University Maulana Malik Ibrahim of Malang.

- 6. All the lecturers of the Sharia Faculty of the State Islamic University of Maulana Malik Ibrahim Malang have taught us all. With sincere intentions, may all their deeds become part of worship to gain the pleasure of Allah SWT.
- Staff of the Sharia Faculty of Maulana Malik Ibrahim State Islamic University Malang
- 8. To all those sources who have helped in providing information to the researcher.
- 9. Thank you to my parents for the advice, love, and prayers offered so that Allah SWT would open the way for me. Thank you to my dear parents, Mr. Ridoi and Mrs. Suinah, and my brothers and sisters.
- 10. all the staff of indonesian education financing service center (Puslabdik) of the Ministry of Education, culture, research and technology (Kemendikbud, Research, and Technology) who have provided opportunities and provided relief in financing with excellent scholarships, along with friends who were awarded perfect scholarships who inspired me.
- 11. All my friends in the International Class Program (ICP) 2018 and at the Department of Islamic Family Law, and all my friends in one organization and committee.
- 12. Last but not least, I would like to thank myself for struggling to do my best.

  With the completion of this thesis report, it is hoped that the knowledge we gain during our studies can be helpful in life in this world and the hereafter.

  As a human being who never escapes mistakes, the researcher sincerely

hopes for all parties' forgiveness, criticism, and suggestions for future improvement efforts.

Malang, 17 may 2022

Researcher,

viii

#### TRANSLITERATION GUIDENCE

#### A. General

Transliteration is the transfer of Arabic script into Indonesian (Latin) writing, not Arabic translation into Indonesian. Included in this category are Arabic names from Arabs, while Arabic names from nations other than Arabic are written as spelling of the national language, or as written in the reference book. Writing the title of book in the footnote and bibliography, still use the provisions of this transliteration

#### **B.** Consonant

Arab	Latin	Arab	Latin
1	A	ط	Th
ب	В	ظ	Zh
ت	Т	ع	6
ث	Ts	غ	Gh
ح	J	ف	F
۲	Н	ق	Q
Ċ	Kh	ك	K
٦	D	J	L
۶	Dz	م	M
ر	R	ن	N
ز	Z	و	W
س	S	ھ	Н
m	Sy	۶	۲
ص	Sh	ي	Y
ض	DI		

Hamzah (\*) which is often symbolized by alif, if it is located at the beginning of a word, then in its transliteration follows the vowed, it is not symbolized,

but if it is located in the middle or end of a word, it is symbolized by the comma above ('), turning around with a comma (') to substitute for the "\gamma "symbol."

#### C. Vocal, long-pronounce and dipthong

Every Arabic writing in the form of Latin fathah vowels is written with "a", kasrah with "i", dlommah with "u", while long readings are each written in the following way;

While long readings are each written in the following way;

Long-vocal (a) =	Â	e.g.	â	قال	become	Qâla
Long-vocal (i) =	Î	e.g.	î	قيل	become	Qîla
Long-vocal (u) =	Û	e.g.	û	دو ن	become	Dûna

Specifically for reading ya' nisbat, it should not be replaced with "i" but it should still be written by "iy" in order to describe the ya' nisbat at the end. Likewise for the diphthong, wawu and ya' after fathah is written with "aw" and "ay". Look the following example:

#### D. Ta' marbuthah (5)

Ta' marbûthah translited as "t" in the middle of word, but if Ta' marbûthah in the end of word, it translited as "h" e.g. الرسالة المدرسة become alrisalat li almudarrisah, or in the standing among two word that in the form of mudhaf and mudla ilaih, it transliterated as t and connected to the next word, e.g. الله ي رحمة become fi rahmatillâh.

#### E. Auxiliary Verb and Lafadh al-Jalâlah

Auxiliary verb "al" (ال) written with lowercase form, expect if it located it the position and "al" in lafadh al-Jalâlah which located in the middle of two or being or become *idhafah*, it remove frome writing.

- a. Al-Imâm al-Bukhâriy said...
- **b.** Al-Bukhâriy in muqaddimah of his book said...
- c. Masyâ Allah kâna wa mâ lam yasya 'lam yakun..
- **d.** Billâh 'azza wa jalla..

#### F. Name and Indonesianized Arabic Word

In principle, every word that comes from Arabic must be written using a transliteration system. If the word is an Indonesian Arabic name or an Indonesianized Arabic language, it does not need to be written using a transliteration system. Consider the following example:

"... Abdurrahman Wahid, the former Indonesian President, and Amin Rais, former Chair of the MPR at the same time, have made an agreement to eridicate nepotism, collusion and corruption from the face of Indonesian

earth, one way through intensifying prayers in various government offices, but ..."

Look at the writing of the name "Abdurrahman Wahid", "Amin Rais" and te word "salat" written using Indonesian language procedures that are tailored to the writing of his name. Even if theve words come from Arabic, they are Indonesian names and are Indonesianized, therefore they are not written by "Abd al-Rahman Wahid", "Amîn Raîs", and not written with "shalat"

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#### **ABSTRAK**

Muhidin, Abd, 18210110, 2022. "Implementasi Konsep Keadilan Dalam Kelaurga Poligami Satu Atap Menurut Perspektif Imam Syafii (Studi Kasus Di Kecamatan Jrengik Kabupaten Sampang)". Skripsi. Program Studi Hukum Keluarga Islam, Fakultas Syariah, Universitas Islam Negeri Maulana Malik Ibrahim Malang. Pembimbing: Jamilah, M.A.

#### Kata Kunci: Implementasi, konsep keadilan, poligami satu atap.

Hukum Islam menyaratkan orang-orang yang hendak poligami untuk mampu berlaku adil kepada semua istrinya. Menurut Imam Syafii keadilan poligami hanya pada perilaku lahiriyah saja seperti nafkah (makanan, pakaian, tempat tinggal) dan pembagian waktu. Suami harus memberikan makanan, pakaian dan tempat tinggal untuk masing-masing istri demi memberi rasa aman dan menjaga terhindar dari rasa iri antar istri. namun hal yang mungkin jika suami menempatkan semua istrinya dalam satu tempat tinggal jika semua istrinya rela dan kasus itu terjadi di kecamatan jrengik kabupaten sampang. Kasus ini sudah ada di tiga keluaga di kecam atan jrengik kabupaten sampang. Maka dengan demikian, implementasi keadilan dalam kelurga poligai satu atap perlu teliti. Tujuan dari penelitian ini adalah untuk mengetahui implementasi keadilan dalam keluarga poligami satu atap di kecamatan jrengik sudah sesuai dengan menurut konsep keadilan Imam Syafii atau tidak.

Penelitian ini termasuk jenis penelitian empiris yang menggunakan pendekatan kualitatif, sumber data yang digunakan adalah sumber data primer dan sekunder. Sumber data primer berupa hasil wawancara yang dilakukan kepada pasangan tiga keluarga poligami satu atap di kecamatan jrengik. Sumber data sekunder dokumen pendukung lain seperti surat nikah serta buku-buku dan jurnal tentang konsep keadilan menurut Imam Syafi'i.

Hasil dari penelitian ini menunjukan bahwa pelaku pernikahan poligami mengartikan keadilan dalam keluarga poligami sebagai keharusan dengan mensamaratakan semua dalam hal lahiriyah kepada semua istri tanpa ada yang dilebihkan. Begitu juga, penerapan keadilan di dalam keluarga poligami satu atap di kecamatan jrengik sudah berjalan dengan baik. Suami telah penerapkan keadian dalam pemenuhan nafkah ataupun pembagian waktu antara istri sesuai dengan kemapuan suami. Implementasi keadilan dalam urusan nafkah dan pembagian waktu bersama dilakukan suami dengan cara tidak memberi/ membagi sesuai ketentuan melainkan dengan keperluan, dan yang lain melakukan dengan cara sesuai dengan ketentuan Islam dengan membagi/ Menyusun sesuai jadwal.

#### **ABSTRACT**

Muhidin, Abd, 18210110, 2022. "The implementation of the concept of fairness of one roof- polygamous family in the perspective of imam *Syafi'i* (study at Jrengik Sampang district). Undergraduate Thesis. Islamic Family Law Department. Faculty of Shariah. State Islamic University Maulana Malik Ibrahim Malang. Supervisor: Jamilah, M.A.

#### keyword: Implementation, concept of fairness, one roof polygamy

The requirement for polygamy in Islamic law is to be fair to all wives. The implementation of fairness in polygamy must be done. a Fiqh expert such as Imam Syafii said the concept of fairness in polygamy is only based on external behaviour such as maintenance (feeding, clothing, shelter, services and others) and division of time. Husbands must provide proper feeding, clothing and shelter to each wife and children without jealousy and conflict. However, it may be that the husband gathers all his wives and children in the same dwelling, but all of them the pleasure of one another. The case is currently happening in the Jrengik sub-district, Sampang district. There are three polygamous marriage families in Jrengik District, Sampang Regency. Thus, the implementation of fairness in a one-roof polygamous marriage needs analysis. This study aimed to determine whether the implementation of fairness in one-roof polygamous families in the Jrengik sub-district followed Imam Syafii's concept of fairness.

This research is an empirical research that uses a qualitative approach, the data sources used are primary and secondary data sources. The primary data source is the result of interviews conducted with three polygamous families under one roof in Jrengik sub-district. Secondary data sources are other supporting documents such as marriage certificates and books and journals about the concept of fairness according to Imam Safii.

The results of this study indicate that polygamous marriage practitioners interpret fairness in a polygamous family as a necessity by making all wives equal without exaggeration. Likewise, the implementation of fairness in the one-roof polygamous family in Jrengik sub-district has been going well. The husband has implemented fairness in the fulfillment of maintenance or the division of time between wives according to the husband's ability. The implementation of fairness in matters of maintenance and division of time with all wives is carried out by the husband by not giving / sharing according to the provisions but according to needs, and others do it in a way that is in accordance with Islamic provisions by dividing / arranging according to a schedule.

#### ملخص البحث

المحيدين، عبد. رقم القيد 18210110. تطبيق العدل على تعدد الزوجات في الدار الواحد عند الشافعي. بحث الرسالة. شعبة الأحوال الشخصية، كلية الشريعة، جامعة مولانا مالك إبراهيم الإسلامية الحكومية مالانج. المشرفة: جميلة الماجستير.

### الكلمات الرئيسية: العدل، التطبيق، تعدد الزوجات

شرط الإسلام إقامة العدل في تعدد الزوجات. عند الشافعي عدل تعدد الزوجات يجب في الظاهرية كإعطاء النفقة و القسامة. فينبغي على الزوج ان يعطي كلهن المطعومات، والمسكنة، والملابس تماما لقوي السكينة و ترك الحسد بينهن. وتجوز على الزوج إقامة الزوجات في الدار الواحد برضائهن كما تجرى في منطقة جارىغيك سمفانج ثلاثة المسألة. لذلك التفت الباحث تعدد الزوجات في جارىغيك بإعتبار العبارة المذكورة تحليلا على تطبيق عدل الزوج.

ونوع البحث هو البحث التجريبي بمقاربة النوعي، ومراجع البحث تحتوى على مراجع الأساسية و مراجع الثانوية. اما مراجع الأساسية تصدر من محاولة بين الباحث وثلاث الزوجين في جاربغيك ، و مراجع الثانوية تصدر من الدفاتر ومجلة البحوث التي تتعلق بموضع البحث.

وثمرة البحث تدل على ان اقامة العدل في تعدد الزوجات هي التزام استواء حق الزوجة بلا اختلاف بينهن. وتطبيق العدل في جاريغك كما ذكر يجرى بإعتدال. وقد توافر الزوج اقامة العدل في المسألة المذكرة بإعتبار احتياج الزوجات أو القواعد الشرعية حيث كانت بإستطاعه.

#### **CHAPTER I**

#### INTRODUCTION

#### A. Research Background

Polygamy has been a part of humanity's past and has been regarded considered a component of Islam, but the fact is that it was practiced long before Islam.<sup>2</sup> Islamic law does not strictly prohibit polygamy but also does not recommend it as mandatory. Islamic law regulates polygamy for those who are qualified to do so. Polygamy must be based on the fulfillment of fairness and mutual benefit between the parties concerned.

According to islamic legal scholar, polygamy is allowed in some urgent circumstances, such as infertility or a seriously ill wife. for more islamic legal scholars, such as Wahbah Az-Zuhaili's view that poligami is permissible in Islam for those who can treat all partners fairly. However, Allah encourages people to marry only one woman if they are concerned about their ability to administer their obligations as husbands in an unfair way.<sup>3</sup>

An expert in fiqh, Syafii, argues that a husband can have more than one wife if he treats his wife fairly, referring to Surah An-Nisa (3). According to him, a

Pemerintahan Dan Politik Islam 2, no. 01 (2017): 54,

https://doi.org/http://dx.doi.org/10.29300/imr.v2i1.1029.

https://ejournal.iainbengkulu.ac.id/index.php/alimarah/article/view/1029

http://ojs.staialfurgan.ac.id/jtm/article/view/107

<sup>&</sup>lt;sup>2</sup> M A Mustofa, "Poligami Dalam Hukum Agama Dan Negara," *AL-IMARAH: Jurnal* 

<sup>&</sup>lt;sup>3</sup> Riyan Erwin Hidayat, "Poligami Menurut Wahbah Az-Zuhaili Dan Muhammad Syahrur" *Tana Mana*, no. 2 (2020): 46 https://doi.org/10.33648/jtm.v1i2.107/

husband is only fair about tangible things such as maintenance (*Nafkah*), which includes provision for his wife's feeding, clothing, shelter, services, health care, and all the expenses that corroborate the well-being of the home and the division of time between wives. He states that fairness in the emotional sense is impossible to achieve.<sup>4</sup> Allah says in Surah An-Nisa (129):

"And you will never be able to be equal [in feeling] between wives, even if you should strive [to do]. So you do not incline completely [toward one] and leave another hanging. And if you amend [your affairs] fear Allah - then indeed. Allah is ever forgiving and merciful " (QS. An-Nisa ': 129)<sup>5</sup>

Quranic interpreters say that man prefers what he likes. The fair conditions in polygamy are exclusively measured (maintenance and division of time) and do not take emotional impact because it is hard. Similarly, the transmitter, Ibn Hajar, asserts that humans can never be entirely fair in all situations. Thus, they interpret "fairness" in polygamy as equaling all women and offering suitable treatment for each wife to maintain and divide time.<sup>6</sup>

Implementation of fairness in polygamy is the same as husbands' behavior who treat all wives equally and without one-sided. One aspect of the duties of a husband in the family is providing a place to live for their wives and children.

<sup>6</sup> Mochamad Toyib dan Sudiwan, "Konsep Adil Dalam Poligami Perspektif Imam Syafi'i"...: 33

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<sup>&</sup>lt;sup>4</sup> Mochamad Toyib dan Sudiwan, "Konsep Adil dalam Poligami Perspektif Imam Syafi'i" *Al-Wasith*, no. 1 (2017): 32 https://jurnal.unugha.ac.id/index.php/wst/article/view/80/41

<sup>&</sup>lt;sup>5</sup> https://corpus.quran.com/translation.jsp?chapter=4&verse=129 diakses 14 Mei 22 21:22

3

The husband is obliged to provide a proper and safe place for each wife fairly

according to her ability. The husband is obliged to provide a place to live for

each wife to maintain their welfare without causing jealousy or conflict.

Masyfuk Mansur said, "in Islam, polygamy is more detrimental than before

because, as humans, we tend to be jealous, envious, and complain a lot. in a

polygamous marriage will be more potential to cause this trait to appear

frequently in polygamous marriages. Polygamy can be a problem in domestic

life, especially if they are merged into one house. According to Imam Shafi'i,

it is forbidden to collect all wives in one house unless they are satisfied.8 If the

wife is not satisfied with being collectd under one roof, then the husband must

provide a house for each wife as an obligation that must be fulfilled.

Based on Surah An-Nisa (129) and the expression of Masyfuk Mansur, the

researcher believes that fairness in all matters in a polygamous family is

impossible because human nature tends to be attracted to one person, and

women are jealous, envious, and like to complain.

In connection with the previous problem, the researchers found cases of

polygamy in one-roof among the people of the Jrengik District, in the villages

of Jungkarang and Bancelok. One-roof polygamous marriages occur in a small

part of the community in Jrengik District, especially in Jungkarang and

<sup>7</sup> Gibtiah, Fikih kontemporer, (Jakarta: prenada media group, 2016), 147-148

<sup>8</sup> Iim Fahimah dan Wahyu Abdul Jafar, "Filosofi Makna Adil Dalam Pernikahan Poligami",

Tafaqquh, No. 2 (2019): 13 https://doi.org/10.52431/tafaqquh.v7i2.204/

http://www.jurnal.iaibafa.ac.id/index.php/tafaqquh/article/view/204

Bancelok Villages. As a result, people's opinions about one-house polygamy remain strange.

The researcher is especially interested in how husbands in polygamous marriages implement the concept of fairness by merging all wives under one roof. The researcher also wants to know if fairness may be successful by merging all wives or not. As a result, the researcher does research in the thesis titled "The implementation of the concept of fairness of one roof-polygamous family in the perspective of imam shafii (study at jrengik sampang, madura district).

#### B. Scope of Problem

In this study, the researcher analyzed the implementation of fairness in a one-roof polygamous according to the concept of fairness Shafii in the Jrengik sub-district, Sampang district.

#### C. Statement of Problem

- 1. What is the practitioner's view of one-roof polygamy in the Jrengik subdistrict, Sampang district, regarding the concept of fairness in polygamy?
- 2. How do polygamous practitioners implement the concept of fairness in one-roof polygamous marriages in the Jrengik sub-district, Sampang district?

#### D. Objective of Research

- Analyze and describe the practitioner's view of one-roof polygamy in the Jrengik sub-district, Sampang district, regarding the concept of fairness in polygamy.
- 2. Analyze and describe polygamous practitioners implement the concept of fairness in one-roof polygamous marriages.

#### E. Benefits Of Research

The researcher hopes that the findings of this study will be beneficial.

The researcher splits this case into two views, theoretical and practical, with the following explanations:

#### 1. Theoretical benefits

- a. The researcher hopes that this research can provide additional thinking on Islamic law. As time progresses, more and more problems arise in Islamic law. It is constantly studied to distinguish right from wrong.
- b. The researcher hopes that this study can provide a new theory of fairness in polygamous families in one house to provide new knowledge in the jurisprudence of munakahat, especially in the case of polygamy.
- c. The researcher hopes that this study can explain the concept of fairness in the polygamous family according to Shafi'i in today's life.

#### 2. Practical benefits

- a. The researcher hopes this study can add to Islamic thought, especially as a reference for families who practice polygamy by gathering all their wives.
- b. The researcher hopes that this study can be used as a reference for sharia science that can be used to develop sharia science for readers in general and readers of polygamous behaviour in particular.

#### F. Operational Definition

The researcher gives the purpose of the research title "The implementation of the concept of fairness of one roof- polygamous family in the perspective of imam syafi'i (study at jrengik sampang district, madura.)." with the following operational definitions to avoid misunderstanding the title of this study:

- Fairness in this term refers to the concept of fairness in polygamy
  from the point of view of Imam Shafi'i. According to Imam Shafi'i,
  the husband's behavior is to treat all wives equally in outward
  aspects, such as maintenance, housing, and time division between
  wives.
- One-roof polygamy means that a man marries more than one woman, and all wives and children live in the same house. In this study, a husband collects his two wives and children in one house but in different rooms.

#### G. Structure of Discussion

The researcher uses writing systematics as a uniform format for the presentation of scientific papers, as a standard for the preparation of scientific papers, a guide or reference for the preparation of scientific papers, and so that scientific works can be read easily. The researcher uses systematic writing following the guidelines for writing a thesis from the sharia faculty. The researcher used the following systematic writing in this study:

Chapter I: This chapter presents an introduction to the investigation, meaning the section where the researcher explains to the reader the causes and reasons that arise for the topic of implementations concept of fairness polygamous household under one roof in Jrengik Sampang, Madura. Here also chapter contains two statements of problems or things that will be the researcher's reference in this study; first: "What is the practitioner's view of one-roof polygamy in the Jrengik sub-district, Sampang district, regarding the concept of fairness in polygamy?" and the other is "How do polygamous practitioners implement the concept of fairness in one-roof polygamous marriages in the Jrengik sub-district, Sampang district?" here also chapter outlines the purposes and benefits of the researcher's research, both theoretical and practical.

**Chapter II**: This chapter contains a summary of previous research that has been carried out by other researchers that are relevant to the researcher's research. here also contains a literature review, both by subject and problem, about the researcher's research, generally contains theoretical studies, research results, frameworks, and research hypotheses

Chapter III: This chapter details the researcher's research methodology in several essential areas, the first related to the type of research, namely empirical research. Second, qualitative research techniques are used in this study. Jrengik Sampang Madura is the third research location. Fourth, primary and secondary data are the types and sources used. Interviews and researcher documentation are among the fifth data collection techniques. The sixth and final data processing process is a modification, categorization, verification, analysis, and conclusion formation.

Chapter IV: This chapter is the core of the researcher's research. Here will briefly answer the Statement of Problem, which is the researcher's rule. First, from the researcher's interview with respondents who explained that one-roof polygamy practitioners define fairness, the researcher can identify the suitability of the understanding of polygamy fairness with the concept of polygamous fairness according to Imam Shafii. The second chapter here also looks at implementing fairness from one-roof polygamy practitioners. The researcher will examine how one-stop polygamy practitioners implement the husband's fairness in terms of maintenance and division of time between their wives. Here the researcher can analyze the suitability of implementing one-roof polygamy with the concept of fairness in polygamy according to Imam Shafii

**Chapter V**: Here is the research's last chapter, including conclusions and recommendations. Findings clarify the solutions to the questions posed by the writers in various descriptions. Suggestions are the researcher's solutions or

input for one-roof polygamous families in particular and related parties in general who are involved in the researcher's research discussion on the implementation of the concept of fairness for one-roof polygamous families from the perspective of Imam Shafi'i.

#### **CHAPTER**

#### LITERATURE REVIEW

#### A. Previous Research

The previous research dealt with the topic that the researcher studied. These studies provide much information to the researcher on the subject of the study that helps him fully understand the subject of his scientific research.

The researcher should be able to choose appropriate studies for the scientific research he is doing. He should also be able to display appropriate points for scientific research. The researcher should also present previous studies in scientific research objectively, in a sequential and accessible manner. The following is a list of past research compiled by the researchers:

1. Teti Arini (2016) published a thesis entitled "Konsep keadilan sebagai syarat poligami menurut Mazhab Syafi'I". This research uses a library research approach; library research uses books, journals, magazines, articles, and bibliographies. The results of this study are that The condition for husbands to be polygamous is that they must be fair to all wives. Imam Shafii argues that fair conditions are only on rights and obligations such as maintenance and division of time between wives. Husbands must be fair in providing feeding, clothing, shelter, services, health care, and all the expenses that corroborate the well-being of the home and the division of time

between wives according to the husband's ability and treated equally and free from bias or injustice.

The difference between this research and the researcher's research is that this research uses a library research approach, not field research. This study describes fairness as a condition of polygamy, not how to implement fairness in one-roof polygamous families. As for the similarity, this research uses the concept of polygamous fairness from the perspective of Imam Shafii.

2. Budi Irawan (2021) has researched about Islamic view on the implementation of the concept of fairness. It is titled "Tinjauan hukum Islam terhadap penerapan konsep adil dalam poligami studi kasus pasangan poligami di desa kualu kecamatan tambang kabupaten Kampar "This research uses qualitative methods with a field research approach. The results of this study indicate that the implementation of the concept of fairness in polygamy carried out by polygamous couples in Kualu Village did not occur in its entirety. They do not treat their wives equally and bias the other wives. Based on Islamic law, polygamous husbands do not entirely implement polygamous couples in Kualu Village.

The difference between this research and the researcher's research is that This study uses the concept of fairness based on the general view of Islam, not the perspective of Imam Shafi'i.

Moreover, this research is located in kualu village, Tambang subdistrict, Kampar district. As for the similarities, this research also uses a qualitative method with a field research approach, and this research has the theme of implementing fairness in polygamy.

3. Jamiatun Nissa (2021) with the title "Pelaksanaan hak dan kewajiban poligami satu atap (studi kasus di kecamatan haruai kabupaten Tabalong)". Husband treats all wives well. All practitioners of one roof polygamy still implement the rights and obligations of husband and wife properly. This study uses an empirical research approach.

The difference between this research and the researcher's research is that this research does not analyze fairness in polygamy, according to Imam Shafii. However, it only analyzes rights and obligations in polygamous families. Then this research was investigated in the Harui sub-district Tabalong district. As for the similarities, The object under study is a one-roof polygamous marriage practitioner. and also this research uses an empirical approach

The researcher compares and contrasts past studies, citing the following distinctions and similarities:

Research er name	Title and year of research	Similaries	Differences	
Teti arini	Konsep keadilan sebagai syarat poligami menurut mazhab syafii (2016)	- Discussion of fairness in the perspective of imam shafi'i	- Research library research - The core of the discussion is about fairness as a condition for polygamy, not its implementatio n	
Budi irawan	Tinjauan hukum Islam terhadap penerapan konsep adil dalam poligami studi kasus pasangan poligami di desa kualu kecamatan tambang kabupaten kampar (2021)	<ul> <li>Field research</li> <li>Analysis of the implementation of fairness</li> </ul>	- Discuss fairness from the Islamic perspective, not the perspective of imam shafi'i - Research location differences	
Jamiatun nisa	Pelaksanaan hak dan kewajiban poligami satu atap (studi kasus di kecamatan haruai kabupaten tabalong) "	<ul> <li>Field research         <ul> <li>Field</li> </ul> </li> <li>the object of         <ul> <li>research in one-</li></ul></li></ul>	- discussing the implementatio n of rights and obligations, not the implementatio n of fairness - Research location differences	

Table 1:Research Similarities and Differences

This research is unique because no one has researched it before. Many researchers have examined fairness in polygamous families, but no one has studied the implementation of fairness in one-house polygamous households from the perspective of fairness Shafii i. The researcher also

researched this research in an area that no one had researched before, namely Jrengik District, Sampang Regency, Madura.

#### B. Theoretical Framework

#### 1. Polygamy according to Islam

#### a. Definition Polygamy

The word "polygamy" comes from the Greek poly (many) and garmien (marriage). In Arabic, polygamy is referred to as ta'addud alzawajah. Polygamy is the marriage of a man to multiple women. However, polygyny is a better word for a man marries multiple women.<sup>9</sup> However, society defines polygamy as the marriage of a man with multiple women. Polygyny is a faster word because it means a man who has more than one wife.

Sharia allows polygamy, and the legal basis allowed polygamy in the Quran is in the surah An-Nisa verse 3. According to an expert in *figh*, such as Imam Shafi'i, polygamy is allowed under certain conditions. A husband could be polygamous if he can be fair to his wives. Although there is no specific discussion of polygamy in his monumental work (i.e. Al-Umm), He mentions polygamy in the chapter on marriage, particularly in the section

https://ojs.iainbatusangkar.ac.id/ojs/index.php/Juris/article/view/1196

<sup>&</sup>lt;sup>9</sup> Muhammad Ichsan. "Poligami Dalam Perspektif Hukum Islam (Kajian Tafsir Muqaran)." JURIS (Jurnal Ilmiah Syariah) 17.2 (2018): 153 http://dx.doi.org/10.31958/juris.v17i2.1196/

on women <sup>10</sup>. One of the legal basics of his opinion is the Qur'an in Surah An-Nisa (3):

"And if you fear that you will not deal justly with the orphan girls, then marry those that please you of [other] women, two or three or four. But if you fear that you will not be just, then [marry only] one or those your right hand possesses. That is more suitable that you may not incline [to infairness]" <sup>11</sup>

Imam Shafii interprets this phrase to mean that spouses may be polygamous with a maximum of four free women, but there is no restriction for enslaved women.<sup>12</sup> Wahbah Az-Zuhaili interprets with relates these verses with the following verse about limits on the issue of the husband's obligation to treat his wife fairly; if he cannot, then the best get married to only one wife. he reveals that this verse also shows husbands cannot marry more than four women, no more.<sup>13</sup>

According to Wahbah Az-Zuhaili, polygamy's permissibility is based on reason to the urgent circumstances, necessity, or welfare of Sharia.<sup>14</sup>

<sup>&</sup>lt;sup>10</sup> Zulkiram, "izin poligami pada istri sebelumnya menurut perspektif ulama syafi'iyah," *AR-Ra'yu : Jurnal Hukum Keluarga* 1, no. 1 (1975): 55, http://ejournal.stisnuaceh.ac.id/index.php/jhk/article/view/4.55

<sup>11</sup> https://corpus.quran.com/translation.jsp?chapter=4&verse=129 diakses 14 Mei 22 21:22

<sup>&</sup>lt;sup>12</sup> Muhammad ibnu idris asy-syafii, *al-umm*, (mansurah: dar el-wafa li an-nashr at-tauzi', 2004) juz 6, 5

<sup>&</sup>lt;sup>13</sup> Mokhamad Sukron, "Tafsir Wahbah Al-Zuhaili Analisis Pendekatan, Metodologi, Dan Corak Tafsir Al-Munir Terhadap Ayat Poligami." *Tajdid: Jurnal Pemikiran Keislaman dan Kemanusiaan* vol.2 no..1 (2018): 269 <a href="https://doi.org/10.52266/tadjid.v2i1.100/">https://doi.org/10.52266/tadjid.v2i1.100/</a> <a href="https://doi.org/10.52266/tadjid.v2i1.100/">https://ejournal.iaimbima.ac.id/index.php/tajdid/article/view/100</a>

<sup>&</sup>lt;sup>14</sup> Wahbah Az-zuhaili, fiqih islam wa adillatuhu (Jakarta: Gema Insani Press, 2010), 165.

Argee with Wahbah Az-Zuhaili's view, Sayyid Qutub believes that polygamy is a *rukhsakh* that should only be done in a real emergency. In addition, the husband must come to the ability to be fair to women in maintenance, *Mu'amalat*, association, and division of time between wives. If the husband cannot do fairness, then polygamy is not allowed.<sup>15</sup>

Polygamy cannot be done without an apparent reason. An extreme opinion came from Muhammad Abduh, who argued that polygamy is *haram* for those who worry that it will not be fair. Polygamy is only for pleasure or physical satisfaction and is also prohibited. According to him, polygamy is permissible as long as the conditions are compelling, such as infertility and the husband's ability to act reasonably.<sup>16</sup>

#### b. Causes and Conditions of Polygamy

There are general and specific reasons why a husband may be polygamous. In his book "*Islamic Fiqh wa Adilatuhu*", Wahbah Az-Zuhaili argues that a husband may be polygamous if internal norms allow it or if it is in the public interest. He offers Germany as an example of what happened after World War I, when there were more women than men due to World War I victims, resulting in many women and children being displaced. It became a general justification for why polygamy was socially and morally acceptable.<sup>17</sup>

<sup>16</sup> Zulfi Imran. "Poligami Antara Teori Dan Praktek (Studi Analisis Konsep Adil dalam Surah An-Nisa Ayat 3)."... 270

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<sup>&</sup>lt;sup>15</sup> Zulfi Imran. "Poligami Antara Teori Dan Praktek (Studi Analisis Konsep Adil dalam Surah An-Nisa Ayat 3)."... 272

<sup>&</sup>lt;sup>17</sup> Wahbah Az-zuhaili, fiqih islam wa adillatuhu ...,163.

Specific reasons why men can practice polygamy 18, such as

- a) Wife is seriously ill or infertile
- b) Increased male sexual desire
- c) The husband's hatred of his wife for a long time.

There are general and specific reasons for polygamy, proving that not all men can be polygamous without proper rules and conditions..

- 2. The concept of fainess according to Imam Shafi'i
  - a. Fair understanding

The legal basis for the command of fair obligations in polygamy is found in Surah An-Nisa (3). there are two words that contain the meaning of fair, tuqsitu and ta'dilu. The word adil comes from the Arabic word عدل يعدل refers to the noun masdar the word adil has the meaning: 19

- a) Al-inśāfu (الإنصاف) means to give rights to those who are entitled and take rights to those who are not entitled.
- b) Al-miślu wa al-nazīr (المثل و النظير) means similar and the same
- c) Al-jazāu (الجزاء) means reply

<sup>19</sup> Rudi Irawan, "Analisis Kata Adil Dalam Al-Qur'an." *Rayah Al-Islam* Vol. 2.No. 02 (2018): 233 <a href="https://doi.org/10.37274/rais.v2i02.74/">https://doi.org/10.37274/rais.v2i02.74/</a>

https://www.ejournal.arraayah.ac.id/index.php/rais/article/view/74

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<sup>&</sup>lt;sup>18</sup> Wahbah Az-zuhaili, fiqih islam wa adillatuhu ....,164-165

# d) Al-fidāu (الفداء) hostage

Among the scholars who give a view on the word adil, which refers to the isim masdar, there are three views in interpreting fairness.<sup>20</sup>

First fair means (التوازن والاستقامة) balance and istiqamah.

The second is fair means (التساوي ونفى المحاباة) equality and impartiality

e) The third is fair means (رعاية و إعطاء حق المستحق) to keep the right and give it to those who are entitled.

In the Qur'an the word *Al-adl* is found in the letter *Al-Infithar* verse 7 the word 'adala means to balance, which means the balance of the perfect human body composition. The meaning of al-adl here is physical, that is, it leads to a balance in the composition of the human body. This body structure has its own function and role according to its position.<sup>21</sup> Or The word al-adl in the letter al-Maidah verse 8, which is expressed by the word ta'dilu, interprets the mufassir to treat everyone the same based on a certain standard. Fair treatment here does not look at race, social stratification, even religion. More than that, hatred of a group or individual, one should not act

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<sup>&</sup>lt;sup>20</sup> Rudi Irawan. "Analisis Kata Adil Dalam Al-Qur'an." ....233-234

<sup>&</sup>lt;sup>21</sup> Agus Romdlon Saputra "Konsep Keadilan Menurut Al-Qur'an Dan Para Filosof", Dialogia: Jurnal Studi Islam Dan Sosial, 10(2),

Https://Jurnal.Iainponorogo.Ac.Id/Index.Php/Dialogia/Article/View/310 Https://Doi.Org/10.21154/Dialogia.V10i2.310. 193

unfairly. It is further stated that fairness is closer to piety. This means that the truth must be upheld and upholding the truth indiscriminately is a fair act.<sup>22</sup>

Yuqsitu comes from the Arabic qasata yuqsitu which shows two meanings, the first means fairness and help, and the second meaning is injustice and oppression.<sup>23</sup> Al-Qisth which means fair is in the surah Al-Hujurat verse 9. Here Al-Qisth means doing fairness in giving and receiving, doing fairness in all situations and conditions.

The researcher concludes that the meaning of *tuqsitu* has the meaning of measurable fairness (distributive fairness) and *ta'dilu* has the meaning of doing fairness in all situations and conditions (fairness in all things). such as the opinion of Syahrur who distinguishes the difference between the words al-qisth and al-adl. Al-qasth can be from one side only, while al-'adl must be from two sides.<sup>24</sup>

#### b. Fair in Polygamy according to Imam Shafi'i

One of the conditions for polygamy is fairness. According to Imam Shafi'i, Polygamy is a marriage between husbands who marry multiple wives at the same time with no more than four wives. Polygamy must be fair in terms of things such as maintenance (*Nafkah*), which includes provision for his wife's feeding, clothing, shelter, services, health care, and

<sup>23</sup> Mia fitriah elkarimah, "upaya kreatif syahrur dalam rangka mengembalikan posisi poligami sebagai problem solver (pendekatan linguistik)" *TAJDID: Jurnal Ilmu Ushuluddin*, *17*(2), 109–128. <a href="https://doi.org/10.30631/tjd.v17i2.65">https://doi.org/10.30631/tjd.v17i2.65</a>. 120

<sup>&</sup>lt;sup>22</sup> Agus Romdlon Saputra "Konsep Keadilan Menurut Al-Qur'an Dan Para Filosof", .... 194

<sup>&</sup>lt;sup>24</sup> Mia fitriah elkarimah, "upaya kreatif syahrur dalam rangka mengembalikan posisi poligami sebagai problem solver (pendekatan linguistik)" ... 123

all the expenses that corroborate the well-being of the home and the division of time between wives. not in terms of emosinal feelings because only god can do that.

The legal basis of Imam Shafi'i in making legal decisions on polygamy is contained in the Qur'an and the Hadith of the Prophet Muhammad. Allah said in the Qur'an in Surah An-Nisa (3).

"And if you fear that you will not deal justly with the orphan girls, then marry those that please you of [other] women, two or three or four. But if you fear that you will not be just, then [marry only] one or those your right hand possesses. That is more suitable that you may not incline [to injustice]"25

and Explanation In the hadith, a man can only have a maximum of four wives and no more.

"From Salim, from Salim's father, *radhiallahu anhuma*, that Ghalian Ibn Salamah converted to Islam and had ten women who also converted to Islam with him, the Prophet Muhammad advised him to pick four wives from them and

<sup>&</sup>lt;sup>25</sup> https://corpus.quran.com/translation.jsp?chapter=4&verse=129 diakses 14 Mei 22 21:22

divorce the others" Imam Malik provided this hadith from Zuhri, Hadith Ghalian (Musnad Imam Shafi'i: 1338)."

Based on these arguments, Imam Shafi'i stipulates that polygamy is allowed but does not have more than four wives. However, polygamy requires that a man be fair to his wife in maintenance and division of time.<sup>26</sup>

### 3. Implementation of the concept of fairness according to Shafi'i

Imam Shafii indicated that "fair" is only in outward form, not in emotional feelings, because it is impossible. The husband must treat his wife fairly in terms of:

#### a. Fair in maintenance (feeding, clothing and shelter)

Maintenance is one of the husband's obligations to his wife.. A man who wants to marry must be financially able to support the woman he wants to marry. If he cannot, then he cannot marry. The Prophet said.

"O young men, whoever among you is able to bear the burden of living, let him marry."

If the husband is polygamous, he must be fair in providing maintenance (feeding, clothing and shelter). The word maintenance (Nafkah) comes from the Arabic word anfaqa-yunfiqu-infaqan, which

(20121):.8 https://doi.org/10.24042/el-izdiwaj.v2i1.9962/

http://www.ejournal.radenintan.ac.id/index.php/ElIzdiwaj/article/view/9962

<sup>&</sup>lt;sup>26</sup> Maya Noviana Sari, "Konsep Adil Dalam Poligami Menurut Imam Syafi'i Dan Imam Malik, *El*-Idzwaj: Indonesian Journal Of Civil And Islamic Family Law, No. 1

means reduced, lost or gone. Nafkah also means shopping or something that a husband gives to his wife, a father to his children as a basic need.<sup>27</sup>. *Nafkah* is the Islamic legal term for the financial support a husband must provide for his wife during marriage and for a time after divorce. All living expenses are the rights of the wife and children in various fields, such as food, clothing, housing, and several other basic needs.<sup>28</sup> It is the duty of the man, allah said in Surah At-Thalaq (7)

Let him who has abundance spend out of his abundance and whoever has his means of subsistence straitened to him, let him spend out of that which Allah has given him; Allah does not lay on any soul a burden except to the extent to which He has granted it; Allah brings about ease after difficulty.<sup>29</sup>

Islamic law does not allow a man to marry if he cannot support himself and his family. Likewise, if a man already has one wife but cannot support her, he cannot be polygamous. The law of livelihood is obligatory. The law is obligatory according to the word of God.:

وَٱلْوَٰلِذُتُ يُرْضِعْنَ أَوْلُدَهُنَّ حَوْلَيْنِ كَامِلَيْنِ لِمَنْ أَرَادَ أَن يُتِمَّ ٱلرَّضَاعَةَ وَعَلَى ٱلْمَوْلُودِ لَهُ ﴿

رِزْقُهُنَّ وَكِسُوَهُنَّ بِٱلْمَعْرُوفِ لَا تُكلَّفُ نَفْسُ إِلَّا وُسْعَهَا لَا تُضَآرَّ وَٰلِدَةُ بِوَلَدِهَا وَلَا مَوْلُود لَّهُ ،

بِوَلَدِهِ وَعَلَى ٱلْوَارِثِ مِثْلُ ذَٰلِكَ فَإِنْ أَرَادَا فِصَالًا عَن تَرَاضٍ مِّنْهُمَا وَتَشَاوُر فَلَا جُنَاحَ

<sup>28</sup> Muhamad Bisri Mustofa, "Hukum Nafkah Terhadap Keluarga Pada Gerakan Dakwah Jama'ah Tabligh." *Nizham Journal of Islamic Studies* 7.(2019): 61. <a href="https://e-journal.metrouniv.ac.id/index.php/nizham/article/view/1519">https://e-journal.metrouniv.ac.id/index.php/nizham/article/view/1519</a>

<sup>&</sup>lt;sup>27</sup> Ahmad Rajafi, "Reinterpretasi Makna Nafkah Dalam Bingkai Islam Nusantara," *AL-IHKAM: Jurnal Hukum & Pranata Sosial* 13, no. 1 (July 31, 2018): 101, https://doi.org/10.19105/al-lhkam.v13i1.1548.

<sup>&</sup>lt;sup>29</sup> https://corpus.guran.com/translation.jsp?chapter=4&verse=129 diakses 14 Mei 22 21:22

عَلَيْهِمَا ۚ وَإِنۡ أَرَدُتُمُ أَن تَسۡتَرُضِعُوۤاْ أَوۡلَٰدَكُمۡ فَلَا جُنَاحَ عَلَيۡكُمۡ إِذَا سَلَّمۡتُم مَّاۤ ءَاتَيۡتُم بِٱلْمَعۡرُوفِ ۗ وَٱتَقُواْ ٱللَّهَ وَٱعۡلَمُوۤاْ أَنَّ ٱللَّهَ عِمَا تَعۡمَلُونَ بَصِير

"And the mothers should suckle their children for two whole years for him who desires to make complete the time of suckling; and their maintenance and their clothing must beborne by the father according to usage; no soul shall have imposed upon it a duty but to the extent of its capacity; neither shall a mother be made to suffer harm on account of her child, nor a father on account of his child, and a similar duty (devolves) on the (father's) heir, but if both desire weaning by mutual consent and counsel, there is no blame on them, and if you wish to engage a wet-nurse for your children, there is no blame on you so long as you pay what you promised for according to usage; and be careful of (your duty to) Allah and know that Allah sees what you do." (Al-Baqarah: 233) 30

The problem of breastfeeding children is an essential theme in the letter al-Baqarah verse 233 above. For breastfeeding children, money is needed. These costs are the responsibility of the husband. Husbands are obliged to provide food and clothing for their wives. The above verse is in order but the form of news (al-Amru bishighah al-khabar). Sentences aim to strengthen (*li al-Mubalaghah*). The obligation to provide a living for the family is the husband's obligation. According to the verse above, "*rizquhunna wa kiswatuhunna*" implies this. In this stanza, "*rizqu*" means "expenditure or maintenance." This term is described as food. "*Kiswah*" is a synonym (*murodhif*) for *libas*, which means clothing in Tafsir Jalalain and Tafsir al-Baghawi.<sup>31</sup>

<sup>30</sup> https://corpus.quran.com/translation.jsp?chapter=4&verse=129 diakses 14 Mei 22 21:22

<sup>&</sup>lt;sup>31</sup> Haris Hidayatulloh, "hak dan kewajiban suami istri dalam al-Qur'an." *Jurnal Hukum Keluarga Islam* 4.2 (2020): 146. https://www.journal.unipdu.ac.id/index.php/jhki/article/view/1908

The husband must adequately provide for his family's food and clothing *Bilma'ruf*. The expression *Bilma'ruf* has several different meanings among scholars. *Bilmaruf's* expression in this verse, *Al-Baidhawi* thinks, means according to the judge's stipulation or instructions, as long as the husband can still carry it out. According to *Al-Baghawi*, this word refers to a gift depending on the husband's talent. According to Ibnu *Katsir Bilmaruf*, it implies that, according to the socio-cultural aspects of the local community, it is not too minimal and not excessive. Of course, it follows the husband's competence. Meanwhile, *Al-Tsaalibi* sees it as a way of life that depends on the availability of high-quality food, the husband's ability to provide it, and his wife's preferences. According to his ability, the essence of Surah *Al-Baqarah* verse 233 is that the husband must feed and clothe his wife in a *ma'ruf* way.<sup>32</sup>

As stated by Imam Shafi'i, the husband is obligated to provide for his wife and children using the main food of the nation, whether rice or maize. If the husband cannot support his wife, the wife has the legal right to divorce. The husband is still required to support his divorced wife, allowing him to reunite before the conclusion of his iddah. Imam Shafi'i also mandates hiring a maid if a married couple is required to have a maid in the location where they dwell.<sup>33</sup>

base on rules the husband must provide a living in the form of food and clothing for each wife. It must be done honestly and fairly, not

32 Haris Hidayatulloh, "hak dan kewajiban suami istri dalam al-Qur'an....:147

<sup>&</sup>lt;sup>33</sup> Muhammad ibnu idris asy-syafii, *al-umm*, ... juz 6, 281

overdoing it among others. based on base on the al-qur'an and the hadith shows that polygamous husbands must be fair in providing for all their wives.

Similarly, Allah said in Surah Talaq Verse 6 the need to provide a home for the family.:

ٱسْكِنُوْهُنَّ مِنْ حَيْثُ سَكَنْتُمْ مِّنْ وُجْدِكُمْ وَلَا تُضَآرُوْهُنَّ لِتُضَيِّقُوْا عَلَيْهِنََّ وَإِنْ كُنَّ أُولْتِ حَمْلٍ فَانْفِقُوْا عَلَيْهِنَّ وَأُمْرُوْا بَيْنَكُمْ مِعْرُوْفَ فَانْفِقُوْا عَلَيْهِنَّ حَتِّى يَضَعْنَ حَمْلَهُنَّ فَإِنْ ٱرْضَعْنَ لَكُمْ فَانُوْهُنَّ أُجُوْرَهُنَّ وَأُمْرُوْا بَيْنَكُمْ بِمَعْرُوْفَ فَانُوْهُنَّ أَجُوْرَهُنَّ وَأُمْرُوا بَيْنَكُمْ بِمَعْرُوْفِ فَانْفِقُوا عَلَيْهِنَّ حَتِّى يَضَعْنَ حَمْلَهُنَّ فَإِنْ آرْضَعْنَ لَكُمْ فَانُوْهُنَّ أُجُورَهُنَّ وَأُمْرُوا بَيْنَكُمْ بِمَعْرُوفَ وَانْ تُعَاسَرُتُمْ فَسَتُرْضِعُ لَه أُحْرِى

"Lodge them [in a section] of where you dwell out of your means and do not harm them in order to oppress them. And if they should be pregnant, then spend on them until they give birth. And if they breastfeed for you, then give them their payment and confer among yourselves in the acceptable way; but if you are in discord, then there may breastfeed for the father another woman"<sup>34</sup>

The previous verse emphasizes the need for a husband to provide a place to live and provide for his divorced wife. On the other hand, this verse proves the husband's obligation to provide maintenance for a woman who is still married to him or has not been divorced. The essence of Surah al-Thalaq verse 6 above shows that the husband must provide a place to live for his wife.<sup>35</sup> This verse underlines the right of a woman whose spouse is divorced to get a proper place to live. This verse also shows the husband's

<sup>&</sup>lt;sup>34</sup> https://corpus.quran.com/translation.jsp?chapter=4&verse=129 diakses 14 Mei 22 21:22

<sup>&</sup>lt;sup>35</sup> Haris Hidayatulloh, "hak dan kewajiban suami istri dalam al-Qur'an...,:148

obligation to provide a place to live for his wife, who has not been divorced.<sup>36</sup>

#### b. Fairness in the Division of the Rotation Schedule

## a) division of sleeping time with his wives

The division of sleeping time with the wives implements fairness in a polygamous marriage. According to Zainuddin Bin Abdul Aziz Al-Malibari in the Fathul Mu'in book, he said that the husband must share his sleeping time with all of his wives fairly. if the husband works during the day, he must share his sleeping time with all of his wives at night; and otherwise. <sup>37</sup> Allah said in the Qur'an:

"O you who believe! it is not lawful for you that you should take women as heritage against (their) will, and do not straiten them in order that you may take part of what you have given them, unless they are guilty of manifest indecency, and treat them kindly; then if you hate them, it may be that you dislike a thing while Allah has placed abundant good in it." [An Nisa"19] 38

<sup>&</sup>lt;sup>36</sup> Muhammad Ikram, "Hak Dan Kewajiban Suami Istri Perspektif Alquran" *Kolamuna* Vol. 1 No. 1, (2015): 29-32 https://stismu.ac.id/ejournal/ojs/index.php/golamuna/article/view/2

<sup>&</sup>lt;sup>37</sup> Syekh Zainuddin bin Abdul Aziz al-Malibariy, Fathu al-Mu'in, terj. Abul Hiyadh, (Surabaya: Al-Hidayah, 1993), 130

<sup>&</sup>lt;sup>38</sup> https://corpus.quran.com/translation.jsp?chapter=4&verse=129 diakses 14 Mei 22 21:22

If the husband is with his wife, it is illegal for a husband to visit another wife unless there is an emergency, such as illness or danger. If the husband does not share his sleeping time with one of his wives, he must change the next day.<sup>39</sup> According to the hadith,:

عن عائشة رضي الله عنها قالت كان رسول الله يفضل بعضنا على بعض في القسم من مكثه و عندنا وكانك كل يوم وهو يطوف علينا جميعا فابدأ من كل أمرأة غير مسيس حتى يبلغ التي هو يومها فيبيت عندها

"According to Aisyah r.a., "In the partition of time, Rasulullah SAW does not exalt some of us over others. Even though the Messenger of Allah had very little time, he nonetheless took turns with us and approached each of his women in turn, without mixing them up, until he reached his wife, who had his turn, and he spent the night at his house" And also the hadith:

أن عن أنس رضي الله عنه كولا كان النبي صلى الله عليه وسلم يطوف على نسائه في الليلة الواحدة وله يومئذ تسع نسوة

" According to Anas radhiyallahu Anhu, the prophet took turns with his wives one night, and there were nine wives at the time."

Polygamy must follow the Prophet Muhammad's *sallallaahu wa Sallam*, which is fair in dividing turns and relationships. While the husband is not

<sup>&</sup>lt;sup>39</sup> Syihabuddin al-Qolyubiy dan Syihabuddin 'Umayroh, Hasyiyatani (Qolyubiy-'Umayroh), (Surabaya: Alhidayah, tt.), . 302

punished for his inclination towards others, he needs to impartially administer fairness to all his wives.<sup>40</sup>

The Prophet Muhammad (SAW) has exemplified the division of time with his wife. The husband should divide his time among his women during the day or night. In a polygamous marriage, it must be fair in the proportion of time one wife spends with the other. For every woman to be on time, the time here must alternate day and night.<sup>41</sup>

### b) travel turnaround time

Husbands who have more than one wife, the division of time does not only occur at night but also when travelling. In Islam, dividing the wife when travelling with her husband is also regulated. If the husband brings both, it will not be very easy for the husband, and if not, it is better to get both partners. Hadith explains.

From Aisyah, she said, "Usually the Prophet Muhammad SAW drew lots between his wives when he wanted to go on a trip When the lottery came out, he went with him."

<sup>&</sup>lt;sup>40</sup> Iim Fahimah dan Wahyu Abdul Jafar, "Filosofi Makna Adil Dalam Pernikahan Poligami." ...12

<sup>&</sup>lt;sup>41</sup> Muhammad ibnu idris asy-syafii, *al-umm*, ... juz 6, 282

Shafi'i state that if a husband has more than one wife and wants to travel with his wife but is reluctant to take both, he must draw lots for both wives. Whoever wins the lottery will accompany her husband, and lotteries must be made for the wives every time the husband travels..<sup>42</sup>

#### 4. gather two wives in the same house

imam Syafii, prohibits the gathering of polygamous couples in one dwelling.<sup>43</sup> human nature is characterized by jealousy, envy, and a propensity to complain, these traits will manifest themselves more prominently in polygamous homes.

However, this might change if the women agree to share their homes. Al-Imam Ibn Qudamah explained, "It is not lawful for a husband to collect two wives in one residence without being pleased with them because it can cause enmity and jealousy." When a husband brings together two wives, it will inflame discord and enmity. One wife will hear or see when the husband is with the other wife; However, it is permissible if both wives are pleased. Because it becomes their right, and they can abort it. 44

When the husband and his two women opt to sleep on the same blanket, it is OK. However, it is improper for the husband to have sex with one of his wives while the other wife is there. This behaviour is disgusting,

<sup>43</sup>Iim Fahimah dan Wahyu Abdul Jafar,. "Filosofi Makna Adil Dalam Pernikahan Poligami." ... 13 <sup>44</sup> Muhammad bin Sayyid Al-Khauli, Ensiklopedi Fiqih Wanita (Jakarta: Pustaka Imam Asy

Syafi'i, 2017, 475-476

<sup>&</sup>lt;sup>42</sup> Muhammad ibnu idris asy-syafii, *al-umm*, ... juz 6, 286

indecent, and dishonourable. As a result, even though both parties were pleased, it was still not permitted.

In Sharh Mukhtasar, Khalil argues, "A man may collect two women in one house with two conditions":

First, each wife gets her room, complete with furniture and utilities such as a bathroom, kitchen, and other necessities. Second, they were happy with it; there is no difference between having three or four wives. If both are not pleased, the husband may not collect the two women in separate rooms in the same house. He was required to provide a home for each, and the two houses did not need to be nearby.

Having a partner under the same roof is also legal under Indonesian law, as long as the wives are satisfied with the arrangement. If the wives are willing and sincere, then the husband can lift his wife to one place of residence, according to article 82, paragraph 2 of the compilation of Islamic law. It makes no difference whether the wife's home is divided or separated according to a positive direction; the important thing is that he has a legal residence.

#### **CHAPTER III**

#### METHOD OF RESEARCH

Research methodology is a method researchers use in research that gives credibility to scientifically correct research. It includes clear strategies that help researchers stay on track and make appropriate procedures effective and manageable. Research methodology helps readers understand the strategies and procedures used to obtain research results. So, Research methodology is important. According to Marzuki that research methodology functions as a stage when conducting an investigation using a predetermined method to produce scientific truth.<sup>45</sup> The researcher conducted the following research to collect accurate, complete, and objective data for this thesis:

#### A. Type of research

This research employs Field research methods. It uses a strategy of direct research into the field and thoroughly researching the actual situation by involving organizations, institutions, or the community to collect research on the object of research.<sup>46</sup> To obtain results that follow the researcher's goals, the researchers directly engage the practitioner in a one-roof polygamous famil.

That research The researcher obtains information through interviews with three family practitioners of one-roof polygamy. Research focuses on

<sup>&</sup>lt;sup>45</sup> Marzuki, Metodologi Riset, (Yogyakarta: PT Prasetya Widya Pratama, 2000), 4

<sup>&</sup>lt;sup>46</sup> Andi Prastowo, Metodologi Penelitian Kualitatif, (Yogyakarta: Ar-Ruzz Media, 2011), 183.

implementing fairness in a one-roof polygamous according to the concept of fairness Shafii in the Jrengik sub-district, Sampang district, the researcher will describe and analyze how the implementation of fairness occurs in his family.

### B. Research Approach

The researcher uses a qualitative approach in this research. It involves collecting and analyzing non-numerical data to understand concepts, opinions, or experiences. It can gather in-depth insights into a problem or generate new ideas for research. the researcher must explore phenomena of study participants' experiences, such as behavior, perceptions, motives, and actions, and employ a variety of approaches to identify facts in their fullness, using data collected in the field as the primary instrument.<sup>47</sup>

The researcher analyzes how practitioner defines fairness in a polygamous marriage and how fairness has been implemented in one-roof polygamous families, such as feeding, clothing, shelter, services, health care, or division of time between wives, by looking at actual situations in real life in one-roof polygamous. The researcher analyzes the concept of fairness in polygamy according to Imam Shafi'i. The researcher collects facts and material, then collects data and identifies problems to find answers.<sup>48</sup>

<sup>47</sup> Albi Anggito Dan Johan Setiawan, Metode Penelitian Kualitatif, (Sukabumi : Cv Jejak, 2018)

<sup>&</sup>lt;sup>48</sup> Bambang Waluyo, Penelitian Hukum Dalam Praktek, (Jakarta: Sinar Grafika, 2002), 15

The researcher will present a clear picture and explanation based on the researcher's study of the background, implementation, and problems in maintaining fairness in one-roof polygamous households in Jrengik District, Sampang, Madura.

#### C. Research location

The researcher's research locations are Bancelok village and Jungkarang village in the Jrengik Sampang district, Madura.; Bancelok Village has two families practicing polygamy in one house, and Jungkarang Village, which has one family practicing polygamy in one place. Bancelok village and Jungkarang village are interesting research sites for researchers because

- a. According to the researcher's research theme, family objects in the Jrengik District.
- b. All residents in the Jrengik District, especially in the villages of Jungkarang and Bancelok, are Muslims who adhere to the Syafii school of thought. Thus, the implementation of fairness in a one-roof polygamous marriage is related to the concept of fairness of Imam Shafii.
- c. There has never been similar research in this area, so there will be a new scientific study.

#### D. Data sources

The data for this study came from two sources: first, primary data, the most basic data obtained directly through interviews with informants. The researcher will conduct interviews with three families who practice one-roof polygamy to get preliminary data on how one-roof polygamy practitioners define fairness in polygamy and how they implement it. The following are the informants in the researcher's research:

No	Name	Age	Profession	Description	
1	Mr. R	47	Farmers/Breeders	Husband	
2	Mrs S	42	Housewife	Primary Wife	
3	Mrs. N	46	Housewife	Secondary Wife	
4	Mr. Ah	60	Farmers	Husband	
5	Mrs F	59	Housewife	Primary Wife	
6	Mrs Nz	37	Housewife	Secondary Wife	
7	Mrs M	59	Seller	The Primary Wife Mr. M	
8	Mrs J	55	Seller	Secondary Wife Mr. M	

Table 2 List of informants

Second, secondary data came from information obtained from a different source or information provided to researchers indirectly. Secondary data explains primary data came from other research such as articles in the Quran, hadith, prior studies, and books on implementing one-roof polygamy in Imam Shafi'i's opinion and papers that support primary facts.

## E. Technique of Data Sources Collection

Technique of Data Sources Collection are strategies or methods that researchers use to collect data. In contrast, data collection instruments are

tools that researchers use to collect data for these activities to become more systematic and accessible. In this study, the researcher the use technique of Data Sources Collection. The following procedures are utilized researcher in data collection.

### 1) Interview

Interviews are used to collect data from a small group of subjects on a broad range of topics. The researcher uses unstructured interviews to ask participants questions to collect data on a topic with questions not arranged in advance.

Researchers use this method to know the practitioner's definition and implementation of fairness in a one-roof polygamous marriage In Jrengik District, Sampang Regency. The researchers make efforts to ask and face to face with the informant. The researcher will conduct interviews with three families who practice one-roof polygamous marriage. The informants are the husband, wife primary, and second wife.

#### 2) Documentation

Documentation collects necessary information from the research location, such as documentation data about the item being investigated and searching for library materials/reference books related to the formulation of the research topic.

### F. Data Analysis

The Researcher used A quantitative data analysis approach in this research. The collected information will be checked using a descriptive-analytical procedure that provides correct and systematic information. The researcher goes through various data analysis steps, such as editing, classifying, confirming, analyzing, and concluding.

### a. Editing

Edit is the process of re-examining records, files, information collected by data seekers.<sup>49</sup> The goal is to correct less precise sentences, add or remove redundant words so that the sentence becomes relevant. The researcher will edit all the raw data obtained from the speakers and other supporting sources and then process it so that it becomes a complex reading that is easily understood by the reader.

# b. Classifying

Researchers identify and determine categories of data from interviews with three families, one-roof polygamy practitioner in the Jrengik sub-district, and other secondary data. it will all be researchers to collect to allow for more accurate analysis so that the researcher's research is neatly structured, legible, and understandable.

<sup>49</sup> Amiruddin Zainal Asikin, Introduction to Legal Research Methods, (Jakarta: Rajawali Press, 2006). 45

### c. Verifying

The researcher will verify the truth of the data to ensure that the information collected is factual. In this research, the researcher identifies the data source from interviews with data in the field or other supporting data to ascertain whether the data is appropriate. without it, the data is not sure to be correct, so verifying data is essential for accurate research results.<sup>50</sup>

The researcher collected data from informants (husbands, primary wife, and second wife in one-roof polygamous) to compare Imam Shafi'i's concept of fairness is implemented in one-roof families through interviews and Recordings.

#### d. Analysing

The analysis is essential in research because transforming data into new information is called analysis. The most significant aspect of research is analysis because evaluating data in management transforms it into meaningful knowledge, which is especially beneficial for addressing difficulties in a study and accomplishing the research's final purpose.<sup>51</sup> The researcher will analyze the findings of interviews about fairness in one-roof polygamous with secondary data in research and expert opinions to generate fresh ideas and concepts.

<sup>51</sup> Joko Subagyo, Metode Penelitian Dalam Teori Dan Praktik, (Jakarta: Pt Rineka Cipta, 2004), 105

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<sup>&</sup>lt;sup>50</sup> Nana Sudjana Dan Awal Kusuma, Proposal Pelatihan Di Perguruan Tinggi. (Bandung: Sinar Baru Algasindo, 2008), 84

# e. Concluding

The conclusion is the last step in research. The conclusion is the answer to a question listed in the problem formulation. At this stage, the researcher summarizes the answers from the results of the analysis carried out, namely about how the implementation of the concept of fairness of one roof- polygamous family in the perspective of Imam Shafii (study at the Jrengik Sampang district, Madura.).

#### **CHAPTER IV**

#### DISCUSSION OF RESEARCH FINDINGS

#### A. Research Object Condition

### a. Geographical location

Jrengik is a sub-district in the district of Sampang, East Java, on the island of Madura. The location of Jrengik District is very strategic because an inter-district road network traverses it. Jrengik is a sub-district in Sampang Regency, East Java Province, Indonesia. This sub-district is about 16 kilometers from the district capital of Sampang to the west. The seat of government is in the village of Kotah. 52 According to the national statistics agency in the Jrengik sub-district book in 2020 figures, the Jrengik sub-district is not a sub-district with a high population density, many vacant lots are not built on by houses but are used for rice fields, plantations, or other purposes, so narrow land is not a reason to gather all wives in one roof.

According to National Statistics Agency (BPS) data, the Jrengik sub-district is located between 113<sup>0</sup> 08' - 113<sup>0</sup> 39' east longitude and 06<sup>0</sup> 05' – 07<sup>0</sup> 13' south latitude, according to National Statistics Agency (BPS) 8data, With an area of 65.35 KM<sup>2</sup> or 5.928 Ha. The altitude above sea level is 100 M2-500 m2 or 607 Ha.

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<sup>&</sup>lt;sup>52</sup> BPS Kabupaten Sampang, "Kecamatan Jrengik Dalam Angkatahun 2020," n.d.

# Jrengik sub-district boundaries

North : Tambelangan sub-district

East : Torjun sub-district and Kedungdung sub-district

South ; Sreseh sub-district, Torjun sub-district and Pangarengan

sub-district

West ; Bangkalan district.

Jrengik sub-district has 14 villages or sub-districts including:

Asemnunggal	Panyepen	
Asam Raja	Jrengik	
Bancelok	Majenang	
Buker	Margantoko	
Jungkarang	Mlaka	
Kalangan Prao	Pelakaran	
Kotah	Taman	

Table 3 List of villages in jrengik

## b. Demographic

Demographically, the population in the Jrengik sub-district in 2020 based on the statistical center of Sampang district in Jrengik district in 2021 figures, the population in Jrengik sub-district is 38, 839 people with a 1.43 growth rate with the following details:

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Male gender:18,906

Female gender: 19,933

Head of household: 15,288 and there are about 2 to 3 people in each

household.

The demographic data of the Jrengik sub-district shows that more

women than men, could be, which is the reason women are polygamous.

c. Religious life in society

Based on data in 2020, it shows that all populations in Jrengik are

Muslim. They are devoutly religious, with about 43 mosques and 168 prayer

rooms. Almost all have their langar, which is often used for prayer or as a

location for holding religious activities.

One of the practices of Jrengik society's religious devotion is the

practice of marriage. Many people marry in Islamic marriage before (secret

marriage) to prevent things that are not desirable, such as fornication,

backbiting, or other immoral acts then registered at the kantor urusan agama

or KUA (Office of Religious Affairs). there are still marriages that are not

registered in the KUA. They only marry in Islamic marriage. This proves

that the residents of the Jrengik sub-district prefer religion over the state

administration.

besides that many other religious activities, the people of the Jrengik

District participate in various religious activities daily, weekly, monthly, or

yearly. Sometimes, it is done in the morning, afternoon, evening, and night. They also choose the location based on the activities, at home, in the prayer room, mosque, or the field. still many several kinds of communal religious activities, including *tahlilan*, weekly recitations, *maulidan*, *Isra Mi'raj*, and others.

## d. Family System

The family system used in the Jrengik sub-district villages has something in common, namely embracing a patrilineal system of understanding (a family system drawn from the male line). According to research by Abdul Aziz, the family system in the sub-district adheres to a patrilineal system of understanding (a family system drawn from the male line). It is proven by the dominance of men in family life, such as setting policies or choices in the household, even though, in reality, many husbands in the Jrengik sub-district are immigrants or switching to their wives.

#### e. Economy and socio cultural

The people of the Jrengik sub-district make a living as farmers, seeing that the area they live in is still a village structure. However, some work as traders, civil servants, and migrant workers abroad.

Apart from livelihoods, from a social and community perspective, the people in Jrengik District are not much different. A compact community that works for hand in hand to help someone in happy or difficult situations, such as death. weddings or other related social events, although with individual data and beliefs

Most people in the Jrengik sub-district belong to the lower-middle class economy because most people in the Jrengik sub-district earn their living as seasonal rice farmers. After all, rice fields can only be planted once in the rainy season, so many people in the Jrengik sub-district are looking for additional income, such as gardening or migrating to other places. Outside the area.

# f. Polygamy in jrengik district

The Jrengik community has a patriarchal culture, evidenced by women's obedient role while men are leaders. It can be verified by how the system and culture view marriage, especially polygamy. A man or husband who wants to be polygamous must assess his ability. If he believes he cannot afford polygamy, he must refrain from doing so. However, if you believe you can do it, that is fine.

Polygamy in Jrengik District is still practised by certain groups, such as community leaders such as *Kiai* or people who have economic capabilities. However, polygamy in the Jrengik sub-district is still very small. Based on information from the religious affairs office in the Jrengik sub-district, it is proven that there are no records of marriages between men marrying women (polygamy) in the last five years. The researcher assumes

that the practice of polygamy in the Jrengik District is little or not even registered in the marriage administration.

# B. Discussion and Analysis of Research Findings

# a. Informant's house condition

Familiy	Condition of house	Wife's status		Long polygamous	Long merged
		Primary wife	Second wife		
Mr. R	The primary wife and the second wife are collectd in one house but with their own rooms	Virgin	widow	17 years	8 years
Mr. AH	The residences of the primary wife and the second wife are separated. Small hallways, each place has complete equipment and its own room	Virgin	widow	20 years	17 years
Mr. M	The primary wife and the second wife are collectd in one house but with their own rooms	Virgin	widow	24 years	24 years

Table 4 Informant's house condition

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The informants in the research study have different home conditions.

Mr. R has been polygamous for seventeen years ago, but he has gathered his

two wives in one house for only eight years. He provided room facilities to

his two wives for each.

Pak AH's family has been polygamous for twenty years, but he has

only gathered his two wives in one house for 17 years. He separated his

wives with a hallway, and each wife got home-like facilities as usual.

Mr. M's family has been practising polygamy since 24 years ago.

Since he was polygamous, he had gathered his two wives in one house. He

provides room facilities for each wife.

b. The views of one-roof polygamy practitioners in Jrengik Sampang sub-

district about the concept of fairness in polygamy

Marriage in Islam basically advocates for monogamous marriage. It

has more potential to create a harmonious family and mutual respect

between the rights and obligations of husband and wife. Even so,

polygamous marriages are still allowed in Islam, but the permissibility of

polygamy is not absolute; The husband must act fairly and be able to fulfill

the obligations or rights of his wife.<sup>53</sup>

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<sup>53</sup> Wirdyaningsih , "Konsep Keadilan Menurut Filsafat Hukum Islam Dalam Perkawinan

Poligami," Jurnal Hukum & Pembangunan 48 No. 3 (2018):

Islam has regulated the practice of polygamy, which is a condition of the husband's ability to treat all his wives fairly and protect the rights of all wives. The fair conditions in polygamy show that the marriage of a husband with more than one wife does not only refer to sexual interests but is also accompanied by respect for the rights of the wife.<sup>54</sup> The obligation to carry out fairness in polygamy in Islamic law shows a legal action that must be carried out. The consequences that will be accepted if someone ignores them will be accounted for in the hereafter. Thus, in the Qur'an, it is recommended that if a person is unable to act fairly, then only marry one wife.

Based on the legal basis in the Qur'an, hadith, and the explanations of the scholars, fairness must be done when the husband decides to have polygamy. However, the implementation of fairness in polygamy is quite challenging to do. The statement of Imam Shafi'i in the book of Al-Umm shows that someone who wants to be polygamous must be fair in terms of income and time division with his wives.

Many Islamic thinkers define fairness in polygamy; For example, al-Kasyani, a scholar from the Hanafi school, argues that fairness in polygamy includes fairness in outer and inner life. According to him, it is a *dharurah* 

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<sup>&</sup>lt;sup>54</sup> Faridy, "Problematika Praktik Poligami di Desa Karanganyar Paiton Probolinggo Dalam Tinjauan Islam dan Undang-Undang No. 1 Tahun 1974" *Nusantara Journal of Islamic Studies*, no. 2 (1), (2021): 195 http://ejournal.kopertais4.or.id/tapalkuda/index.php/NJIS/article/view/4384.

obligation <sup>55</sup> or, the opinion of Al-Qurtubi is that husbands who want to be polygamous must be fair in affection, biological relationships, and income distribution <sup>56</sup> or According to Ahmad bin Hanbal, a polygamous man must be fair, such as the division of turns between wives so that it is not permissible to lean on one wife.<sup>57</sup> Based on the notion of fairness according to the scholars, it has different meanings, but in this study the researcher focuses on fairness according to Imam Syafii in a polygamous family. He demanded fair polygamy in terms of spending money, rotating distribution, and housing.

The researcher has interviewed several informants who have practised polygamy. Before going any further, the writer wants to know the meaning of fairness for them. The researcher asks about the meaning of fairness from the perspective of polygamists. The results of the researcher's interview with them show that their perspective is fair. I.e., the attitude/behaviour is the same and equalizes all wives, in terms of income, taking turns. One of them even correlated fair practice with human weakness to be perfectly fair (emosinal and feelings). The informant said:

<sup>&</sup>lt;sup>55</sup> Fatmawati Nursinggih, ahmad faisal dan Hamid Pongoliu, "Pengaruh Poligami Tidak Tercatat di Kota Gorontalo". *AS-SYAMS*, no. 2(1) (2021), 7 https://www.e-journal.iaingorontalo.ac.id/index.php/assyams/article/view/492.

<sup>&</sup>lt;sup>56</sup> wely dozan, "fakta poligami sebagai bentuk kekerasan terhadap perempuan: kajian lintasan tafsir dan isu gender" *Marwah: Jurnal Perempuan, Agama danJender*, Vol. 19, No. 2 (2020): 131 http://ejournal.uin-suska.ac.id/index.php/marwah/article/view/11287, doi http://ejournal.uin-suska.ac.id/index.php/marwah/article/view/11287, doi

<sup>&</sup>lt;sup>57</sup> Muhammad Farid Zulkarnain, "Adil Dalam Poligami Menurut Imam Madzhab (Metode Istinbath Hukum dan Argumentasinya Masing-Masing)" *Al-Wathan: Jurnal Ilmu Syariah*, no 1 (2020): 28 https://jurnal.stisda.ac.id/index.php/wathan/article/view/1

"untuk masalah adil itu sesuai kemampuan abah nak ya dari belanja dan bersama karena yang bisa bersikap adil itu hanya allah" <sup>58</sup>

"For fair matters, it's according to my ability, son, ya, fair on spending money and time sharing, because the only one who can be fair is Allah"

The researcher also asked two other informants about the meaning of fairness in polygamy. One of the informants said

adil itu cong bagaimana cara suami berlaku Sama dan tidak memihak kepada istri-istrinya, Jika dalam pemberian istri pertama diberi emas satu gram istri kedua harus juga dibelikan emas satu gram atau marah ke satu istri istri kedua juga dimarahi. Adil itu sangat sulit dijalankan walah dalam pengucapan gampang" <sup>59</sup>

"cong, fair is how the husband acts Equally and impartially to his wives, If in giving the first wife one gram of gold the second wife must too. or angry at one wife the second wife is also. Fair is very difficult to do even though it is easy to pronounce "

Based on the answers of the three informants, the three informants interpreted that fairness leads to material, not feelings. Their answers are in line with the views of Imam Shafii. One of the informants even replied that humans could not ideally do fairness in polygamy because humans will not be able to act reasonably emotionally and materially. The informant's

<sup>&</sup>lt;sup>58</sup> Mr. AH, wawancara, (Sampang 16 Maret 2022)

<sup>&</sup>lt;sup>59</sup> Mr. R, wawancara, (Sampang 15 Maret 2022)

answer follows Imam Shafii's explanation of the Qur'an Surah An-Nisa verse 129.

The researcher concludes that the three informants have understood the meaning of fairness they have to do. So that through this research it can be seen whether the practice of fairness in one-roof polygamous families is in accordance with the notion of fairness for them or not. They also admit that fairness in polygamy is very difficult to do, but they still try to implement fairness to their wives according to their abilities.

A polygamous husband must be able to treat his wife fairly even though the act of fairness is difficult to carry out. Good practice in polygamy means giving proper treatment to each wife without discriminating against one another. One of them is the problem of housing for his wives. Provision of housing One of the things that the husband must fulfil is fairness in providing a comfortable place to live for his wife. The husband must be responsible for providing a place to live for each wife and their children to maintain the welfare of their wife without causing feelings of jealousy or conflict according to the husband's ability.

The gathering of several wives in one residence can cause jealousy, enmity, and conflict. If they get together will inflame discord and enmity, then gathering the wife in one house is an infairness committed by the husband.

Cases of polygamy that intentionally collect all wives in one house are relatively few because the collection will result in disputes between the two wives. Disputes, jealousy and jealousy between wives are reasons why husbands should give their wives a place that is not close or in the same house. The researcher had asked about the management of conflicts in one-house polygamous families; in the interview results, the researcher stated that since the two polygamous families were merged, they had never fought because of the same husband's treatment and self-awareness. However, one family revealed differences; at the beginning of the merger, there was a dispute by not greeting each other but not getting into a big fight. Over time, the wives learned to recognize and respect each other to avoid quarrels. They advise each other so that the dispute does not happen again. Mr AH says;

"harus sadar bahwa perselisihan itu pasti ada dan harus saling bijak dalam dalam menyikapi perselisihan." <sup>60</sup> "must be aware that disputes must exist and must be wise with each other in dealing with disputes" another wife (Mrs NZ) added saling bijak jadi orang tua karena akan ditiru anak-anak, dan diimbagi pemahaman agama yang kuat, dan juga saling mengingatkan satu sama lain agar pertengkaran tidak terjadi. "be wise to each other as parents because children will imitate, and share a strong

<sup>&</sup>lt;sup>60</sup> Mr. AH, wawancara,( Sampang 16 Maret 2022)

religious understanding, and also remind each other so that fights don't happen"61

Based on the answers of the informants, it shows that conflict management has a great influence on the equality of treatment for husbands, self-maturity, and the husband's attitude as a leader in the household. In addition, the factor of being a figure for their children is one of the big walls that prevent disputes in polygamous relationships in one house.

 c. Implementation of the concept of fairness by practitioners of one-roof polygamy in Jrengik District, Sampang Regency

Imam Syafii did not spontaneously explain the implementation of the concept of fairness in polygamous families. However, he explained fairness in polygamy according to the husband's ability to maintain, shelter, and time division. The implementation of fairness in polygamy is quite challenging to do. Therefore, according to Al-Nawawi (386 H), the law of monogamy is a sunnah to avoid infairness against the woman he marries. Al-Syahrami (386 H) also argues that monogamy is a sunnah, especially nowadays because fairness is strict. If at that time the scholars advocated monogamy, especially now, women can be superior to men.<sup>62</sup>

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<sup>&</sup>lt;sup>61</sup> Mrs. NZ, wawancara,( Sampang 16 Maret 2022)

<sup>&</sup>lt;sup>62</sup> fathonah Fathonah, "Telaah Poligini: Perspektif Ulama Populer Dunia (Dari Ulama Klasik Hingga Ulama Kontemporer)," *Al Hikmah: Jurnal Studi Keislaman* 5, no. 1 (2015): 24 https://doi.org/10.36835/hjsk.v5i1.516.

The researcher conducted a research on the implementation of the concept of fairness in one house polygamous family according to Imam Syafi'i in Jrengik sub-district. The researcher interviewed three families to get an overview of the concept of the fair implementation of one house polygamy in Jrengik District, Sampang Regency. In this section, the researcher analyzes the results of the interviews so that conclusions can be drawn about the implementation of the concept of fairness in one-roof polygamy in Jrengik sub-district, Sampang district.

the implementation of fairness in the informants' families went smoothly because the findings and interviews with them showed that conflicts rarely occurred in the informants' families. they stated that the dispute occurred because of the unfair practice of fairness in polygamous families. To facilitate the analysis of the implementation of the fair concept in one-roof polygamy in Jrengik District, Sampang Regency, the researcher will describe based on the fair criteria in polygamy as follows:

#### a. Maintenance

According to the maintenance of Imam Shafi'i, one of the main references is the meaning of fairness. Husbands must provide equal and impartial income to their wives. According to him in the book al umm, a husband is obliged to provide for his wife if:

- 1. Has been married to a woman
- 2. Women do not refuse to have sex.

If the woman refuses to be invited to have sex, the husband is not responsible for providing for her. <sup>63</sup> It is the husband's duty to provide for his wife. Limiting the provision of a living, Imam Shafi'i argues that the husband must provide for his wife according to the custom in the area where they both live. The amount of income that the husband must provide is the least amount of intake that can make wives strong for daily activities. This means a living that allows him to provide nutritious food for his wife and family that can be used for activities. If the husband is unable to provide a living, the wife can ask for a divorce. <sup>64</sup>

According to Imam Shafi'i, if the husband does not provide a living for his wife, then the woman may take money/food without her husband's knowledge in accordance with the amount we have to give to the wife.<sup>65</sup> This is in accordance with the hadith of the prophet.

take from his wealth which is enough for you and your child in a good way

The researcher asked informants about providing a living for wives who are members of the same house. The three informants said that the distribution of income was adjusted to the husband's ability but was fair by

<sup>64</sup> Muhammad ibnu idris asy-syafii, *al-umm*, ... juz 6, 235

<sup>63</sup> Muhammad ibnu idris asy-syafii, al-umm, ... juz 6, 232

<sup>65</sup> Muhammad ibnu idris asy-syafii, al-umm, ... juz 6, 275

giving the same amount. The husband must also be ready if one of the wives needs a share. In interviews with three informants, one out of three people stated that they still provide both at a predetermined rate. Two other informants said that they did not share their income with the two wives but only with one of them, which was given daily. They also said that polygamy in one house is easier to reach because it only provides shopping for one family that everyone can enjoy. But for other needs, they give the same treatment. If the informant is hungry, then everyone will feel the same way. In more detail, one of the informants said:

Dalam masalah nafkah cong, saya harus tidak tahu uang (tak taoh pesse) artinya ketika istri satu perlu sesuatu suami harus siap memberi, begitupun istri ke perlu suami harus selalu siap untuk memenuhi, sehingga saya bersusah payah untuk menghidupi keluarga saya. Dalam memberikan nafkah untuk keperluan sehari-hari saya hanya mengeluarkan biaya sekali yang bisa dirasakan semua anggota keluarga karena makan bersama, masak Bersama sehingga jika kami kekurangan akan dirasakan bersama pula. <sup>66</sup>

In terms of living cong,, I have to 'tak taoh pesse, means that when one wife needs something the husband must be ready to give, as well as the wife needs her husband to always be ready to fulfill it, so I struggle to support my family. In providing a living for daily needs I only give to one wife who can be felt by all family members because they eat together, cook together so that if we lack it will be felt together too

Another informant also said

kalau untuk nafkah satu untuk semua nak, karena kita tinggal di satu rumah jadi lebih gampang lagi pula bapak anak-anak hanya sebagai petani hasil tani kita makan bersama untuk dan untuk menambah makan sehari kita (

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<sup>&</sup>lt;sup>66</sup> Mr. R, wawancara,( Sampang 15 Maret 2022)

menunjuk ke istri kedua) bekerja sebagai pedagang di pasar.<sup>67</sup>

If for a living, one for all, because we live in the same house, it's even easier for the father of the children to just as farmers, we eat together for and to increase our daily meal (pointing to the second wife) working as traders in the market.

Interviews with three respondents from one-roof polygamous families showed that the income given was in accordance with the ability of the husband. In Mr. R's family, fairness in earning a living is defined as providing a living according to their respective abilities. Mr. R tries to provide what is needed according to his husband's ability, and if the husband is not there when the wife needs money, the husband can take it himself at the place determined by the husband. In terms of daily needs, Mr. R only gives money to one of them because Mr. R's gift will be made to meet the needs of the family, including Mr. R's two wives and Mr. R and their children.

The second respondent, Mr. AH, said that fairness in earning a living should be given to both wives equally in terms of the husband's ability. No partiality. Sharing a living in Pak AH's family is more about earning a living for polygamy in general because Pak AH separates his two wives in a small hallway with furniture and equipment like a house. Pak AH earns a living every month based on his level of competence. He conveyed it without exaggeration to all his wives. Unless there is an additional need, he is ready to meet that additional need. The researcher is of the opinion that the

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<sup>&</sup>lt;sup>67</sup> Mrs. M, wawancara, (Sampang 16 Maret 2022)

implementation of a living carried out by Mr. AH to his two wives is fair. Pak AH also provides the same facilities to his two wives. According to the researcher, the two wives separated by the Lorong can serve as an example for those who want to gather the two wives together so that there is no conflict. However, providing a living can be different from providing a living that will be felt by all families.

Respondent Mr. M three said that in earning a living, they work together to earn it. Pak R is a farmer who gives his harvest to meet the needs of his family. In addition, Mrs. J and Mrs. M work together to earn additional income by selling in the market. According to the researcher, Mr. M has fulfilled his obligation to provide for his wife as well as possible.

Based on the researcher's interview with the informant, it was shown that the provision of a husband's livelihood to his wife was in accordance with his ability. Two out of three informants only gave to one wife, not every wife, because they lived and ate together; they added that it is easier to make a living in a polygamous house because it is like giving to only one wife. The provision of a one-time income will be felt by all wives without exaggerating one another and for other purposes they divide equally among all wives.

Income from one-stop polygamy, in this case, is of interest to researchers. According to researchers, spending money (daily food allowance) in a polygamous family house will be more evenly distributed

because everyone feels it immediately without being excessive. The husband gives spending money only to his wife, who is responsible for providing food for the family. this concept of fairness is more likely than polygamy with separate houses with different spending money.

The researcher concludes that the three respondents from one-roof polygamous families already provide a living according to their husband's abilities. This shows that the husband has carried out his obligations to earn a living. In the case of polygamous families, sustenance will be easier to obtain because the husband will only provide a script that will be felt by everyone. Especially if it's difficult, everything will be felt.

The researcher argues that the implementation of proper maintenance in a one-house polygamous family is even more successful than two wives who are placed in different areas. Placing one wife in one house will maximize the concept of fairness because needs or needs are shared property. On the other hand, being placed in different areas will cause differences in the level of livelihood provided by the husband. It is known that each region will have different situations and conditions, which results in the provision of different livelihoods between the two wives.

## b. Residence

In the case of one house polygamy, the husband must give his wife a place to live one by one so as not to cause jealousy. Ibn Qudamah explains

that gathering two wives in one residence will cause harm, including enmity and jealousy, but this can be done if both wives are equally pleased.<sup>68</sup>

The husband is obliged to provide a proper place to live for his wife after the marriage contract. Even in the book al umm Syafi'i it is explained that if the area where the two live requires a maid, then the house that must be provided by the husband must also have a maid. In his book of figh Fathul Mu'in, Sheikh Zainuddin Al Malabari writes that a husband is obliged to provide a place of security and comfort for his wife, even if it is a loan or rent. If the wife needs a servant, then the husband is obliged to provide it.<sup>69</sup>

The researcher sought information from informants about the reasons for gathering all the wives in one house. Regarding the reason for the gathering of their wives, they say that the gathering of two wives in one house is to live together and to look after all at once without any exaggeration. One of the informants (Mr. R) said

aslinya cong, saya menggabungkan kedua bibik mu(istri) agar tidak merepotkan mondar-mandir, dulu bibi mu ada di surabaya di sana sambil kerja juga karena sering bolak balik madura- surabaya saya memutuskan digabungkan keduanya, karena ditakutkan uang habis di perjalanan juga lebih aman dari musibah di perjalanan dan dapat menjaga kedua bibik mu secara langsung bersamaan. kacong," 70

<sup>&</sup>lt;sup>68</sup> Muhammad bin Sayyid Al-Khauli, Ensiklopedi Fiqih Wanita (Jakarta: Pustaka Imam Asy -Syafi"i, 2017), 475-476

<sup>69</sup> uryadi arie chayadi and lia nuraini, "perbandingan hukum keabsahan perkawinan yang tidak mendapat izin poligami menurut undang-undang nomor 1 tahun 1974 tentang perkawinan," soj: student online jurnal 2, no. 1 (2020): 5 50,

https://soj.umrah.ac.id/index.php/sojfisip/article/view/914.

<sup>&</sup>lt;sup>70</sup> Mr. R, wawancara, (Sampang 15 Maret 2022)

"in fact, I gathered your two aunts (his wife) so as not to mope around, before stay here your aunt (his secondary wife) live in Surabaya, she is working there, I often from Madura-Surabaya. I decided to gathering they (primary wife and secondary wife), I was spent of my the money would run out on the way, it's also safer from misfortune on the way and can take care of your two aunts at the same time"

In the case in Jrengik District, three families get along well. Background The husband gathers his two wives in one different house. The results of interviews with informants starting from family R, the taking of the two wives did not occur after marriage but several years after polygamy. Mr. R's background gathered Mrs. S and Mrs. N because he wanted to protect them and save on transportation. After all, they often change places.

The second informant, the AH family, gathered Ibu F and Ibu NZ after a long time of polygamy. AH's father married NZ's mother while working as a migrant worker in Saudi Arabia. Mr Ah brought Mrs NZ to Mr AH's house after several marriages with Mrs NZ. Pak AH's two wives are separated by a small hallway with the same household appliances. Mrs NZ was merged with Mrs F because Mrs Nz was from Kalimantan. Therefore, Mr. AH brought Mrs. NZ to Mr. ah's house. Although initially there was still disagreement between the two wives, both of them were happy to be together in one place.

In the family, Mr. M has gathered his two wives since the beginning of their marriage. M and J's mother, from the very beginning of their

marriage, both M and J knew they would be polygamous or become second wives

The answers from the three families indicated that they gathered two wives not without reason but to carry out the obligation to protect themselves from various evils when the husband was alone with another wife. It can also serve to provide fairness together by gathering the wives under one roof or close together will give the same time without any more or vice versa.

The researcher concluded that the wives were willing to be collected into three families. In terms of housing, the husband also treats his wife fairly without hurting one of the wives. The placement of the two wives in one house will also provide equal treatment and do not differentiate between the first and second wives. The researcher argues that a fair problem will be created in providing a decent shared house if both wives can and are willing to gather together. When gathered in one house, problems that occur in polygamous families are more likely to cause disputes between wives. According to the researcher, unions are more likely to let husbands be fair to their wives because all costs, time changes can be well discussed, but it is created if the husband is firm and fair to his wife without taking sides. In addition, the willingness and awareness of the wife is very influential so that the difference can be minimized.

### c. Divison of time

One of the fairness that must be done by a man to his wife is the division of turns. If he works during the day, he must divide the shift time at night and vice versa. If he works at night, he has to divide the shift time during the day. If a wife is taking turns, then she is not allowed to enter another wife's house unless there is an urgent need, for example because her wife is seriously ill or in danger. Apart from the urgency, he is guilty of having deviated from the shift time that has been determined.<sup>71</sup> the consequence was that he had to change the time. With his wife rotated, according to the opinion of the Shafi'i school. The husband still has to take turns with his wife even though they do not have a biological relationship because the division of turns is to foster good relations with the wife.

Prophet Muhammad SAW is an example of the practice of fairness in polygamy. He never deviates from his turn with his wives except for the wife's desire to give other wives a chance in terms of travel. If he wants to take one of his women on a trip, he draws first, and whoever gets the lottery is eligible to be invited.<sup>72</sup>

implementation of fairness in the division of shift time in polygamous families is complicated because each man will be more likely to have another wife. But it's different if the wives are under one roof. The

<sup>&</sup>lt;sup>71</sup> Syekh Zainuddin bin Abdul Aziz al-Malibariy,... 129.

<sup>&</sup>lt;sup>72</sup> Muhammad ibnu idris asy-syafii, *al-umm*, ... juz 6, 282

division of time, in turn, does not need to move from one wife's house to another because she is with both wives at the same time. The only time to sleep and travel together is during shifts.

Researchers tried to interview informants about the implementation of fairness in one-roof polygamous families. To find out the implementation of fairness in polygamous families, researchers interviewed informants about living daily life and the implementation of fairness in one-roof polygamous families. The results of the interview show that the wife reveals that her husband is relatively fair. In terms of taking turns spending the night and traveling, all wives said that their husbands walked alternately. One of the informants said:

abah selalu membagi waktu di malam hari dibagi dua kadang 3-5 hari masing-masing, tiga hari Bersama saya dan tiga hari lainnya Bersama istri yang satunya. abah harus juga menghormati istri yang satunya saat bersama yang lain dengan tidak menghampiri yang lain saat Bersama yang lainnya. <sup>73</sup>

Abah always divides his time at night, sometimes 3-5 days for each wife, three days with my wife and three days with the other wife. You must also respect your other wife when you are with others by not approaching the other when you are with others.

The other two informants did not indicate a specific time allocation, but it was up to the husband (with the main wife one more night with the

<sup>&</sup>lt;sup>73</sup> Mr. AH, wawancara, (Sampang 16 Maret 2022)

second wife or more than one night) but still doing the distribution. Their wives are willing about it. They even claimed to often sleep together.

The explanations of the three informants showed that two of them did not apply the guidance taught by Islam, namely specifically dividing the bedtime shift schedule clearly so that there were no problems between the two. However, husbands are still fair to take a share of sleep time with one of all wives. They also revealed that they often sleep together.

According to Imam Syafii's practice of polygamy, apart from sleeping time, the husband must also share the trip; Based on the interviews, the three informants did not apply the lottery as was done by the Prophet Muhammad while traveling. Three informants said that if they needed to bring one of their wives, the informants chose who had more interest. For example, if there is an invitation to the main wife's family, the main wife will accompany her husband and vice versa.

Interviews with informants showed that two out of three interviewees said that there was no specific schedule between their wives in terms of alternating sleep. The wives will be willing if the husband chooses between them. However, husbands still take turns somewhat. They take turns sleeping together. Not infrequently even sleep together in one place in a state of mutual agreement. Another source said he halved his wife into three days and did not go to another wife when he was with his wife.

The practice of fairness carried out by the three sources is different, but among the three sources there is only one source that follows the sunnah of the prophet, and the other two sources do not. However, they are fair in their turns because they are not leaning towards one of his wives.

The condition of the house greatly influenced the practice of taking turns between the three informants. Two out of three people who answered that they did not take turns sleeping occupy one house with all the rooms in one house. Unlike other sources, there are two hallways that separate the wives, complete with rooms and other furniture for each wife.

The time distribution of the three resource persons went well, although two of them did not apply a fixed rotating schedule. The researcher argues that shift times must still be scheduled appropriately because it avoids feelings of jealousy that cause conflict in the family. Avoiding conflict is better than reconciling conflicts that have already occurred. Regarding going back and forth with their husbands, the three sources said they had never had a problem. The three informants said they preferred to go alone without bringing their wives. If it was necessary to bring a wife, all the informants agreed that they would take all wives or bring a wife with a greater interest. The researcher agreed that the three informants had done fairness in taking turns, either taking turns sleeping or taking turns bringing their wives.

#### **CHAPTER V**

### **CLOSING**

### A. Conclusion

The researcher concludes, After conducting research and analysis on the implementation of the concept of fairness in a one-roof polygamous marriage perspective to Imam Shafii, that:

1. Islamic law allows polygamy but does not encourage it. A man who wants to be polygamous must be able to treat all his wives fairly in terms of maintenance (food, clothing, and housing) and the division of time between wives. The results of the research showed that the informants (one-roof polygamy practitioners) interpreted the concept of fairness in polygamy as a husband treating his wife equally (appearance only, not emotional). The first informant defines fairness in polygamy as requiring the same behavior in living and other needs. the second informant defines fairness in polygamy as equalizing the fulfillment of husband's obligations to all wives according to the husband's ability. the third informant interprets fairness in polygamy as equal treatment to all wives in fulfilling obligations and attitudes. This is in accordance with the understanding of the concept of fairness from the point of view of Imam Syafii.

2. Implementing fairness in a one-roof polygamous marriage is good as their statement that they have carried out their obligations fairly. In make a maintenance, most informants stated that they gather the provision of income for their wives, not dividing it between each wife. However, another informant stated that they still provide for each wife. Moreover, in the division of time between wives, most of them stated that they did not schedule the sharing of time together, but it was their will, but they still carried out the division of time with their wives. Moreover, their wives are willing to for it, but other informants still schedule division. in terms of travel, all informants stated that they did not raffle their wives to accompany him to go, but according to their needs

### B. Suggestion

### 1. Researcher

In this research, the researcher only examines the implementation of fairness in one-roof polygamous marriages according to the perspective of Imam Syafii. The researcher suggests that future researchers will also examine the problems that occur in the family and their solutions. or researching the concept of fairness in a one-stop polygamous marriage from a perspective other than shafii.

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## **Research Attachment:**



Figure 1 Foto bersama bpk R, Ibu S dan Ibu N dan cucu-cucnya



 $Figure\ 2\ foto\ saat\ wawancara\ dengan\ dengan\ bpk\ AH$ 



Figure 4 Foto saat wawancara bersama ibu F dan ibu NZ



Figure 3 Wawancara dengan ibu J dan M

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: The Implementation Of The Concept Of Fairness Of One

Roof- Polygamous Family In The Perspective Of Imam Syafi'i

(Study At Jrengik Sampang District)

No	Day/Date	Subject of Consultation	Signature
1	Feb, 2 <sup>nd</sup> 2022	Perkenalan isi dari proposal skripsi	Front-
2	Feb, 15 <sup>th</sup> 2022	Revisi proposal skripsi	tous
3	Feb, 25 <sup>th</sup> 2022	Acc proposal skripsi	Ams 4
4	Marh, 4 <sup>rd</sup> 2022	Revisi seminar proposal skripsi	tons:
5	Marh, 17 <sup>th</sup> 2022	Acc Bab I dan II	mg.
6	Marh, 28 <sup>th</sup> 2022	Revisi Bab III	1 fry
7	April, 11 <sup>th</sup> 2022	Acc Bab III	ans:
8	April, 20 <sup>th</sup> 2022	Revisi Bab IV	gry.
9	April, 25 <sup>th</sup> 2022	Acc Bab IV, V dan abstrack	apre-1
10	may, 16 <sup>th</sup> 2022	Acc Bab I,II,III,IV, V dan abstract	Jus.

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