

ABSTRACT

Mariyana, Fitriya. 09210035. 2013. *The Opinion of Social Figure Toward Fair Concept of Marriage Guardian: Case Study in Mimbaan village, Panji sub district, Situbondo*. Thesis. Al-Ahwal Al-Syakhshiyah Departement, Sharia Faculty, Maulana Malik Ibrahim State Islamic University of Malang. Advicer : Dr. Hj. Tutik Hamidah, M.Ag.

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The majority of Mimbaan village community, Panji sub district, Situbondo Regency is Syafi'i madzhab and classified student. According to Imam Syafi'i, the guardian is required to be fair. Whereas is still a lot of people use the wicked guardian and this contrary to the concept of Imam Syafi'i. In this case, community leaders have important role, because they are one of the role models in public life.

This research has an aim at understanding about the view of social figure toward fair concept and the implementation of marriage guardian fair concept in Mimbaan village, Panji sub district, Situbondo. This research use the sociology or empiric methodh, with qualitative approach this research produce descriptive data. Research subject is the social figure inMimbaan village, Panji sub district, Situbondo that consist of muslim leader, *modin*, ustadz, and Islamic teacher. The data collection method is observation methodh, interview, and documentation. Method of data analysis is used in this research is descriptive analysis.

Based on research method above, it found some results, namely: *firstly*, Most of social figure in Mimbaan village, Panji sub district, Situbondo giving a requirement that fair as one of requirement for became a marriage guardian. Fair is the one of carefully form. The requirement of fair means not fasik, it means not often to do the sin such as leaving praying 5 times, doing zina, gambling, drunk the khamr, and etc. *Second*, in the implementation of fair concept, most of the social figure in Mimbaan village, Panji sub district, Situbondo argued that for became a marriage guardian in that society, is fair requirement for marriage guardian can not implemented. If thi is because of fair requirement is applied in accordance with the concept of Imam Syafi'i is difficult to assess action or wicked behavior related with each individuals personal. They reasoned that of guardian Islam was considered enough qualified to be guardian of marriage and there is a greater benefits, so wicked guardian can be a guardian of marriage.