



Household Justice Management in Views of Polygamy Practitioners: A Key Principle for Familial Stability and Harmony in Islamic Education

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Abstract. Polygamy is a social system prescribed by Allah to ensure social justice, protect women, and promote familial solidarity. However, the success of this system heavily relies on the husband's commitment to justice, which is an essential and fundamental requirement. Field studies indicate that the justice mandated by Islamic law encompasses the provision of sufficient financial support, including food, clothing, and housing for all wives equally, in addition to equitable distribution of time for overnight stays. Interviews conducted with some polygamy practitioners revealed that failure to uphold justice often leads to conflicts within the family, sometimes resulting in its disintegration. Participants emphasized that fulfilling the requirements of Islamic law goes beyond material matters, extending to fairness in emotions and treatment to the best of the husband's ability, recognizing that humans are not accountable for feelings beyond their control. This study, therefore, serves as a practical reference for those considering polygamy. It underscores the importance of understanding the rulings of Islamic law related to this matter to ensure familial stability and avoid the negative consequences of injustice or misinterpretation. Adhering to justice is the key to maintaining successful marital relationships in the context of polygamy.

Keywords: Domestic Justice, Equity in Marriage, Family Stability, Islamic Law, Polygamy.

1. INTRODUCTION

Islam provides guidance that a marriage is one of the many human natures that Allah has given the task of trusting and responsible as a caliph in prospering the earth (Jumadil 2022). Marriage Law No. 1 of 1974 states that marriage is a physical and inner bond between husband and wife in order to form a family that is *sakinah*, *mawaddah*, and *wa rahmah*.

Imam al-Ghazali mentioned at least five of the goals of marriage, including; the continuity of human descendants, the fulfillment of the instinctive demands of human life, the fulfillment of religious vocations in order to protect oneself from evil and corruption and calm the soul, form a household based on love and affection, foster the seriousness of efforts in seeking *halal* sustenance (al-Ghazali 2000).

In the Islamic view, there are two forms of marriage models, namely monogamy and polygamy, both of which are given the same space and include sacred events (Mahmudulhassan, 2023). Marriage in Islam is a part of worship which in many ways is one of the ways to avoid negative acts that arise when not married (Diana, Azani, and M 2024). In fact, adultery is an act that can damage and destroy a civilization, the transmission of a dangerous virus. Thus, Islam poses a serious threat to adulterers (Elbanna 2025).

Polygamy is a phenomenon of life that occurs around us. The term polygamy is often heard but not many people can accept this situation. The word polygamy itself comes from the Greek "*polygamy*", i.e. *Poly* means a lot and *gamie* means male, so the meaning of polygamy is a man who wives more than one woman in one marriage bond (Mulia 1999).

The theme of polygamy will always be a hot and polemical discussion, especially when the practice of polygamy is carried out by *public figure*, *muballigs*, politicians, and even comedians. So, this theme will always attract the attention of the public, especially for some women because it will be able to endanger the role of a single wife which is certainly different from men (Machali 2005). The issue of polygamy has always attracted attention, especially for women who do not like polygamy and consider it as something that endangers the position and role of a wife which is certainly different for men.

The Ministry of Religious Affairs released the trend of polygamy practices in Indonesia starting in 2012 there were 995 polygamy incidents, in 2013 there were 794, in 2014 it became 691, in 2015 it was 689, and in 2016 there were 643 polygamous figures. However, this figure is statistical data that officially applies for a polygamy permit, even though in fact in the community there is a practice of polygamy that does not apply for a polygamy permit to the local court. Thus, the real number of polygamous practices from year to year cannot be detected by the Ministry of Religious Affairs (K. Nugroho, Kiram, and Andriawan 2023). The number of polygamy is a practice registered at the time of applying for a polygamy permit at the local Religious Court, while the practice of polygamy that is not registered is likely to be more because it is carried out secretly or secretly which causes the number to be quantitatively undetectable.

Polygamy is one of the sharia like other sharia laws, but many give a negative impression of it, it is not without cause, which impression appears sometimes caused by individuals who practice polygamy without the existence of polygamy and knowledge, so that what happens is the tyranny of their wives or one of their wives (R. S. Nugroho 2023a).

between popular culture and human experiences (Elbanna 2025).

2. RESEARCH METHOD

This research is a type of qualitative research, which comes from a method *Postpositivistic*. Because it is based on philosophy *Postpositivism*. This method is also often referred to as the *artistic*, because the research process is more artistic (less patterned), and is also called the method *interpretative*. Because the data from the research results is more about the interpretation of the data found in the field. This qualitative approach is used to obtain in-depth data, a data containing meaning. Meaning is actual data, definite data that is a value behind what appears (Sugiyono 2016). Lexy J. Moleong explained the qualitative research as follows,

"Qualitative research is the root of human integrity as a tool of research, using qualitative methods, analyzing data in an inductive way, suggesting research in an effort to find theories from the basics, descriptive, more about the process than the results, there are limitations to the study in checking the validity of the data, the research design is temporary, the results of the research are agreed between the researcher and the research subject."

The selection or determination of the research subject in this study is carried out using the *purposive sampling*. That is an approach taken by researchers in ensuring which respondent criteria can be selected as a sample. This technique is a non-random sampling method where the researcher ensures the citation of illustrations through a method of determining a special identity that is suitable for the research purpose so that it is ensured that it can respond to the research case (Lenaieni 2021). The subjects in this study are two people as polygamous practitioners, namely ES and MBS (pseudonyms) who live in the city of Semarang, Central Java Province.

The data collection technique in this study is by interview (Arfan et al. 2024). Interview is a process of communication or interaction with the aim of exploring information by way of questions and answers between the researcher and the informant or research subject. With the development of technology and information in the modern era, interviews can be conducted without face-to-face, namely through a telecommunication media application (Masduki, 2024). Interviews are activities to dig up information in depth related to the theme in a research. Thus, an interview is a process of proving information or data that has been obtained through other techniques before (Rajiani et al. 2023). There are several stages for an interview to be effective among those that must be passed, namely 1). Introduce yourself; 2). Explaining the purpose of arrival; 3). Explain the interview material; and 4). Ask a question (Yunus 2012)

The researcher's interview with the two research subjects was carried out by making a good agreement and determining the location and time without any party feeling aggrieved, but with the note that the name of this subject must use a pseudonym. The data collection of the interview results was then carried out by testing Sayyid Quthb's theory of social justice in looking at the perspective of justice that occurs in polygamous households.

3. RESULTS AND DISCUSSION

Islam defines polygamy as a marriage that is more than one and is limited to four wives. The evidence used is as stated in surah an-Nisa verse 3 where Allah swt says which reads as follows:

وَإِنْ خِفْتُمْ أَلَّا تُقْسِطُوا فِي الْيَتَامَىٰ فَاتَّكُمُوا مَا طَابَ لَكُمْ مِنَ النِّسَاءِ مَثَلَىٰ وَثَلْتٌ وَرُبُعٌ فَإِنْ خِفْتُمْ أَلَّا تَعْدِلُوا

فَوَجِدَةٌ أَوْ مَا مَلَكَتْ أَيْمَانُكُمْ ۚ ذَلِكَ أَذْنَىٰ أَلَّا تَعْدِلُوا

It means: *"And if you are worried that you will not be able to do justice to the orphans (if you marry them), then marry the (other) woman you like two, three, or four. But if you are worried that you will not be able to act fairly, then (marry) only one person, or a female servant that you have. That is the nearer so that you do not commit wrongdoing."*

The fact that polygamous marriages have also occurred a lot in society, although the reality is that some Indonesian people, especially women, have not been able to accept the marriage model. The word polygamy itself comes from the Greek *"Polygamie"* that is *Poly* which means a lot and *gamie* which means men, so it can be interpreted that polygamy is a form of marriage of a husband who has many or more wives (Abdullah 2004).

History also tells us that actually the practice of polygamy has become something that has become a culture even before Islam appeared. For example, nations such as Hebrew, Jahiliyan Arab, Russian, Lithuanian, Polish, Czechoslovakia, Germany, Switzerland, Belgium, the Netherlands, Denmark, Sweden, and England (Mulia 1999). Thus, the theme of polygamy will always be a hot topic to discuss, because there will always be pro and con groups and neutral ones related to it. In fact, among the groups that often disagree are dominated by women, on the contrary, men are the most enthusiastic in that regard.

The practice of polygamy in the current era is certainly different from the past, for some people's views on the practice of polygamy are always colored by pros and cons. Women are a group of people who most of them reject this, for various reasons, one of which is not willing to share love affairs and material affairs with other women (Hanifah Kusumastuti, 2023). However, there are also women who are willing to share the origin of their husbands who have the ability and capacity as a husband who can provide comfort for her when she has to remarry.

Although in the Western legal tradition many also experience different attitudes about the practice of polygamy, as stated by John Witte,

This article peruses the 1,850 year tradition of Western laws against polygamy and the recent developments in the field. It shows how the traditional Western cases against polygamy and same-sex unions used strikingly different arguments drawn from the Bible, nature, rights, harm, and symbolism. Because these arguments are so different, Western nations can responsibly hold the line against polygamy, even if they choose to accept same-sex marriage and its accompanying norms of sexual liberty, domestic autonomy, equality, and nondiscrimination.

The Western world itself has made polygamy one of the tools to discredit Islam. Meanwhile, in post-colonial Islam, a discourse on the concept of polygamy in the Qur'an has emerged in its application normatively or contextually, so that in Muslims there is polarization in determining policies about polygamy (Andaryuni 2013). Although, without realizing that the practice of polygamy can actually be categorized in two ways, namely the pattern of black polygamy practice and the pattern of white polygamy practice (R. S. Nugroho 2023b). For example, a report from the Legal Aid Institute (LBH) of the Indonesian Women's Association for Justice (APIK) shows that polygamous families often cause physical, psychological violence, not being given a living, being abandoned by their husbands, divorced by their husbands, and even receiving threats from their second wives (Hikmah 2012).

3.1. Conceptualization of Justice

The justice of polygamy is one of the consequences of a polygamous marriage. Justice in this context is justice in the aspects of clothing, food, board, and overnight schedules that husbands must give to their wives. However, it is not uncommon for this issue of justice to be something that is difficult to implement in polygamous households, so that there are many tyrannies here and there that result in the failure of the household.

Fair is a word that comes from the Arabic language '*adl*' which means to behave and act in a balanced manner. Balanced in the sense of its relationship with rights and obligations or elements of harmony between creatures (A.N. et al. 2024). Justice is essentially treating others according to their rights and obligations (AN, Mahmudhassan, et al. 2024). Poerwadarminta argues that what is interpreted as fair is not biased, appropriately, not arbitrary, so that people who are biased and arbitrary are called unjust people (Munawwir 1997).

Justice in the Great Dictionary of the Indonesian Language is a nature of deeds and fair treatment. Justice can also be said to be an act that gives others something that should be received. So, justice can also be said to put something in its place (Syafii Ma'arif, 2004). Meanwhile, the meaning of social justice is cooperation in forming an organically united social order so that every member of the community gets the same opportunities and opportunities and develops to learn to live according to their respective abilities (Ministry of National Education, 2008).

The Qur'an itself uses the word *ADL* with the derivative words number 28. Word *ADL* which in its original form is mentioned 13 times, including surah al-Baqarah verses 123 and 282 twice, in surah an-Nisa verse 58, surah al-Maidah verse 95 and verse 106 twice, surah al-an'am verse 70, surah an-Nahl verse 76 and verse 90, surah al-Hujurat verse 9, and surah at-Thalaq verse 2 (Lajnah Pentashihan al-Qur'an 2018).

Justice in the Qur'an which comes from the word *adl* means something right, an impartial attitude, the protection of one's rights and the right way to make decisions on the basis of justice. So, a person's decision-making must be based on justice (Ali et al. 2025). Thus, the theme of justice is one of the important themes because the Qur'an provides a large portion in talking about justice issues.

Pakar tafsir al-Qur'an Quraish Shihab said that the meaning of justice is a derivative of the word 'fair' which is taken from '*ADL*' in Arabic. Various Arabic dictionaries inform that this word originally meant the same where this equation was associated with things that are immaterial (Shihab 1996).

Islam views justice as a mandatory provision and one of the important elements in social and humanitarian life. Justice is an obligation from Allah swt for all without exception, as stated in surah ash-Shura verse 15 which reads

فَلذَلِكَ فَادَعُ وَاَسْتَقِمْ كَمَا اُمِرْتَ وَلَا تَتَّبِعْ اَهْوَاءَهُمْ وَقُلْ ءَامَنْتُ بِمَا اَنْزَلَ اللهُ مِنْ كِتَابٍ وَاُمِرْتُ لِأَعْدِلَ

بَيْنَكُمْ اللهُ رَبُّنَا وَرَبُّكُمْ لَنَا اَعْمَلْنَا وَلَكُمْ اَعْمَلُكُمْ لَا حُجَّةَ بَيْنَنَا وَبَيْنَكُمْ اللهُ يَجْمَعُ بَيْنَنَا وَاِلَيْهِ الْمَصِيرُ

as follows:

It means: *"Therefore call (them to this religion) and stay as you are commanded and do not follow their lusts and say, I believe in all the Books that Allah has sent down and I am commanded to be just among you. God is our Lord and your Lord. For us our deeds and for you your deeds. There is no quarrel between us and you, Allah gathers between us and to Him returns (us)."*

لَا يَنْهَاكُمْ اللَّهُ عَنِ الَّذِينَ لَمْ يُقْتُلُوا فِي الدِّينِ وَلَمْ يُخْرِجُوا مِنْ دِينِكُمْ أَنْ تَبَرُّوهُمْ وَتُقْسِطُوا إِلَيْهِمْ ۗ إِنَّ اللَّهَ

يُحِبُّ الْمُقْسِطِينَ

The command to act fair does not only apply to oneself but also applies to other human beings, especially those who are their responsibility, and the order is also in order to uphold social justice (An et al. 2025). Islam also commands to create a peace of life order between mankind and other nations during the existence of Muslims is also appreciated by other ummah on the basis of justice, as stated in surah al-Mumtahanah verse 8 which reads as follows:

It means: "Allah does not forbid you to do good and be fair to those who do not fight you because of religion and does not expel you from your land. Indeed, Allah loves those who do justice."

The establishment of justice is the dream of all mankind, so justice itself is the noble ideal of every nation. Islam as a universal religion requires justice to be upheld. Justice in Islam is based on justice that has been determined by Allah as stated in the holy book and supplemented by the hadith of the Prophet Muhammad (saw) which is applied in the life history of the Prophet himself.

A comfortable, calm, and harmonious social order is a consequence effect when justice is upheld in the midst of the community, so that Islam as a religion that is kaffah teaches that justice is implemented at every time and opportunity (AN, ., et al. 2024). However, this justice must cover various aspects, ranging from religious, social, economic, political, cultural, legal, and so on. So, on the contrary, if justice cannot be enforced, what will happen is inequality, social jealousy, hostility and even lead to the disintegration of the nation.

3.2. Polygamy Justice in Polygamy Practitioners

The researcher interacted and interviewed polygamy practitioners on the implementation of domestic justice. Justice in the view of practitioners is the manifestation and application of the theories of justice stated in the books of scholars so that how to become the husband chosen by Allah swt gets a mandate in the form of more than one wife, which of course has different consequences than only one wife.

ES (pseudonym) who serves as the head of a polygamous household is certainly not an easy matter in applying a fair attitude to his two wives, let alone living in the same house with them, where there must be a lot of friction both on a small and large scale, as the condition of a monogamous household does not change (Mohd Salleh et al. 2015). The case of justice for him was of course deliberated first between his two wives, especially the issue of mabit, he stated:

".. Justice that I understand, which is fair by birth, is different if it is fair inwardly, then it is difficult and humane, but it does not have to be shown, justice in terms of mabit, then I take two days and two days, but if under certain conditions, for example, go to safar, which should be the turn of the second wife but go with the first wife, but I still convey it and the second wife has also let go, Therefore, it is to take care, but in addition to that, I must be able to keep my feelings from offending each other. As for the issue of livelihood, I have never calculated with them, and my two wives also work as school teachers, so they have their own income, so materially there is no shortage. However, for other needs, for example, I want to buy something jewelry, then I will offer it first with the same nominal value, the point is that if justice is outward, yes, I buy something must also be the same, if it is a matter of daily needs because they also have an income so they do not demand much, but I welcome if you want something or anything and I am not a person who calculates, as long as it is in accordance with daily needs, for example for kitchen needs and so on."

The justice of the husband in a polygamous household can be easily upheld, of course, it has to do with the Qawwamah or leadership factor (Mohd. Salleh et al. 2020). A husband who is weak in leadership will easily be swayed by his attitude towards one wife and another, in other words, when his leadership is weak, there will be a potential for a lack of a fair attitude in providing basic needs to his wives.

Husband's leadership is the ability to lead a polygamous household and is the reason why the wife becomes trusting, comfortable and calm. When the husband has a firm character in his stance and is not easily controlled by others, especially with one of his wives, then the wife has the comfort capital provided by her husband (Salleh et al. 2016). So, the wife will not hesitate and hesitate and will not waver in her belief that her husband still loves and loves her even though she already has another wife (R. S. Nugroho 2022).

Justice for MBS informant (pseudonym) is very clear and detailed and easy to apply in daily life and provides a category for basic needs for his wives as his argument stated as follows:

".. There are two fairnesses, the first is fair in the accommodation allowance and the second is fair in the distribution of maintenance (clothing, food, and board), there are basically two things. The context here is that the wife's personal support is not the wife's shopping money, nor is it the family support because each family is different, for example, the first wife does not have children, the second wife has three children, the third wife has five children, automatically the family support will be different because the needs are also different. However, when it comes to the issue of alimony for the wife, it must be the same and should not be overestimated with each other. So, what is demanded to be fair in alimony is in the context of special alimony for the wife. Because, in Islam, there are different types of alimony, so in the ideal form, the wife's own personal maintenance is

also the support of each wife's own family. It's just that, maybe in culture and culture in Indonesia, what happens is a mixture between the two."

According to him, the above division is very clear and detailed and it has been applied in his family. In addition to the problem of maintenance, there is a maintenance schedule that he is also clear in explaining and doing, as follows:

".. If I do it every four days, so for example, in the first wife Monday, Tuesday, Wednesday, Thursday and in the second wife Friday, Saturday, Sunday, Monday, and so on it revolves like that. However, in my opinion, it all depends on the policy of the husband who wants to divide his mabit schedule, even though there is information from scholars to divide his mabit by every three days, but there are no definite provisions related to this. However, what is clear is fair in mabit, yes, if the first wife has three days, then in the second wife, yes, three days, unless at the beginning of the marriage there is an agreement, for example, the first wife gets four days, and the second wife gets two days, then this is as long as the agreement occurs before the polygamous marriage, but if there is already a marriage contract, then it is not allowed to be carried out."

This statement provides an understanding that actually the problem of overnight schedules or mabit is very simple and easy to implement, but the reality in the field is that there are many facts about the problem of mabit cannot be carried out as a result of the wrong polygamy model at the beginning, so that there is a tendency for one of the wives to not get the same share of the case (Elbanna 2024).

Hafidin as one of the practitioners stated that justice in polygamous families is based on objectivity which is closely related to the problems of boards, clothing, food and overnight turns. So, it is not because of the assessment of each wife's feelings because it is certainly subjective. Acting unfairly that is not required by sharia is in the matter of love (Ahmad et al. 2024). Because love is very subjective and can be hidden in the husband's heart (Hafidin 2020). A practitioner with the initials DJ stated that the issue of justice in polygamous households is not something rigid related to boards, clothing, food and overnight stays, but everything must be with openness and communication between the wives

In the context of polygamous families, the fear of not being able to act fairly should be understood as a stern warning from Allah swt, because injustice is a matter that is very detrimental to life, both for oneself, family and in the context of a state and nation. However, this case should not be used as legitimacy not to be polygamous so that it seems resigned without any effort that leads to fair treatment. The effort in question is to always be careful and maximum in carrying out justice in polygamous families.

3.3. Justice of Polygamy in Social Justice Theory

The discourse of social justice for Sayyid Quthb is undeniably a response to the context at that time which was indeed the dominance of Western thought to hegemonize Muslims. The resistance of Western influences made him have the idea of purifying the teachings of Islam as in the time of the Prophet (saw) and his companions, especially *the caliph turrasyidin* because at that time Islamic law and thought had been mixed with Greek and Roman traditions since the 2nd century AH. something that is common in Egypt.

Islam as a universal and final religion that is equipped with a complete method that not only rules worldly problems, but there is an element of ukhrawi that is taught. Thus, the issue of social justice is also discussed in Islam (Marthoenis, 2019). Islamic social justice is a humanitarian justice that concerns all aspects of human life. Social justice is not only related to material or economic elements, but a combination of material and moral or spiritual elements (Quthb 1984).

Islamic social justice in Quthb's view can be upheld by three principles, namely: *The first* is absolute freedom of the soul; *The second* is the perfect equality of humanity; and *the third* is a strong social security. He stated this as a rebuttal of social justice developed by the West at that time which wanted to separate world life from ukhrawi affairs or called secularism, and it became a guide for the West in looking at social justice (Waston et al. 2024). For Quthb, who very clearly rejected the problems of secularism, capitalism and communism as considered failed and obsolete ideologies. For Quthb, Islam is a religion that has a complete and comprehensive system and order.

Social justice which is the idea of Sayyid Quthb is actually a refutation or rebuttal of the concept of social justice in Western eyes which is influenced by the thoughts and ideas of secularism and communism where Islam is only understood as a way to purify the soul, without any worldly affairs.

Islam views the concept of social justice as one of the modern concepts. Justice is an anti-thesis of tyranny and arbitrariness, but it is active and moderate or non-partisan and tends to one party only and does not isolate itself from the two and is not different from the two parties at all (Imarah 1998).

Likewise, in the context of polygamous households, a person who practices polygamy must have a complete freedom, both materially and immaterially. The husband must be someone who is able to apply between material and immaterial matters, because the success of a polygamous household is one of them determined by these factors (Anwar et al. 2024). There is a balance between the material approach and the spiritual approach, of course, as a household that cannot be without conflicts, just as monogamous households also have conflicts. So, that is where the role of the husband as the captain must have a free soul, in a material and immaterial context.

Second, it is the equality of humanity, which is a process when the heart has gained the freedom of the soul, it will be free from all forms of slavery and believe wholeheartedly that death, soul mate, suffering have all been

destined by Allah swt(Sukisno et al. 2024). Thus, they are not shackled by the pressure that comes from the community, misery for the needs and problems of life, and it is easier to serve Allah swt.

Human beings as servants of Allah swt who have the same humanity, will not need views or assumptions that come from anywhere, especially those that are limited to mere words. Because, having believed in their hearts, doing it in real daily actions that between words and behaviors complement each other. As Sayyid Quthb expressed as follows:

".. Islam views the issue of justice as a human equality that also pays attention to all values that include a wide range of material aspects. Thus, there is a full opportunity to each individual, who then gives the opportunity to do deeds and get a reward as long as it is not contrary to the purpose of life as a servant." (Quthb 1983).

The practice of polygamy must also pay attention to the equality of humanity, which in this case is the need for clothing, food, boards, and overnight schedules. A husband who is fair is a husband who is responsible for fulfilling the equality of these needs, so if the husband tends and ignores one of his wives, then the wife can demand the provision of the equality(Mahmudulhassan et al. 2024). The justice in question is certainly not equal in all aspects of alimony, there are those who must be equal in giving, for example, personal alimony from each wife, but also alimony that cannot be equalized, for example, family alimony, which of course between each wife when having a different number of children, then the amount of family alimony will also be different.

Third, is social security, that is, in the sense that a life is impossible to uphold when each individual considers that freedom means absolute or unlimited freedom, so that unlimited freedom is the beginning of a destruction for individuals and society. Therefore, every individual who has an interest must be limited by certain standards in obtaining his own freedom(Wahid et al. 2023). All of this is aimed at suppressing desires that are far deviant(Yahya, Hasan, and AN 2022). The practice of polygamous households must also have a social security or freedom standard that is mutually agreed upon both at the State level which is a binding rule for the people, for example in the Marriage Law No. 1 of 1974 related to the issue of polygamy permits and the maximum limit that husbands can polygamy(Suwarsono et al. 2024). Islam also strongly emphasizes that when polygamy is carried out, justice must be a condition that cannot be underestimated, related to clothing, boards, food, and mabit or overnight schedules.

Justice is not a condition for the permissibility of polygamy. Justice in polygamous families is something that arises because of the choice of a husband who wants to marry more than one. However, if it is not possible to do justice, another law appears, namely the recommendation to limit the number to one only. (Al-Banjari 2007).

Zulkifli Mohamad Al-Bakri, a figure of the Mufti of the Federal Territory of Malaysia, said that in the view of madzhab scholars *Shafi'iah*, that when the practice of polygamy causes cruel treatment and persecution of his first wife, with the guidance of the husband's behavior that neglects his responsibilities such as alimony and does not apply fairly, then it is haram for the husband to practice polygamy. Even the scholars argue that the makruh of the law if there is no urgent wish to polygamy (al-Syarbaji 1992).

Some *mufassirin* providing an explanation of the meaning behind the word 'fair' which is demanded in polygamy. Al-Maraghi said: "The justice in question is justice that is under the ability of a human being or husband, namely zahir maintenance, including providing facilities for housing, clothing, maintenance and so on. Thus, things that are beyond human ability or inner sustenance, such as a husband's feelings of love and affection for his wives, cannot be forced and given fairly(Andri Nirwana et al. 2024; Nirwana et al. 2024). This is because affection and love are feelings and desires that are born from the bottom of the heart. As can be seen in the events leading up to the death of the Prophet (peace and blessings of Allaah be upon him), he showed more inclination towards his wife Aisha r.a than his other wives. Even so, it does not mean that the Prophet PBUH privileged Aisha from his other wives (al-Maraghi 2006).

The Prophet PBUH once prayed to Allah SWT as narrated by Al-Tirmizi:

عَنْ عَائِشَةَ، أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كَانَ يَقْسِمُ بَيْنَ نِسَائِهِ، فَيَعْدِلُ، وَيَقُولُ:
«اللَّهُمَّ هَذِهِ قِسْمَتِي فِيمَا أَمْلِكُ، فَلَا تَلْمِني فِيمَا تَمْلِكُ وَلَا أَمْلِكُ»

It means: "From Aisha ra, indeed, the Prophet (saw) when he divided among his wives in a fair way while praying, O Allah, this is the division that I am able to do, therefore, do not punish me for things that I am not able to do."

The majority of scholars argue that justice does not mean that we have to distribute equally in every case that is demanded, but the intended application of justice is to put something in its place. Thus, the husband shall give his share among his wives based on their own needs only.

4. CONCLUSION

Justice is a value that is required to be present in human life in various aspects of life. In marriage, both monogamy and polygamy the value of justice must be one of the foundations of this innate relationship. Justice in polygamous families is an interesting matter to discuss. Although it seems like two different things, in polygamy there is actually a discourse of justice. Polygamy malpractice still occurs in society which has an impact, especially violations of women's rights.

Practitioners in implementing polygamous domestic justice of course also refer to guidance from senior scholars and practitioners who have implemented or practiced the problem of polygamous domestic justice. The

justice in question is in the case of clothing, food, boards, and overnight schedules. The justice that is applied is not a rigid and static justice, nor is it an equal meaning, but in accordance with each portion or the necessary needs.

Justice in the household of polygamous practitioners can be upheld by the presence of the husband's leadership, in other words, the stronger and stronger the husband's leadership, the easier it will be to apply justice, and vice versa, when the husband's leadership is weak, what happens is the tyranny of his wives. Husband's justice is not something abstract to be practiced, but something that can be practiced because justice in polygamous households demanded by the sharia is the need for clothing, food, board, and overnight schedules, and it is not a matter of love because love can be hidden in a husband's chest and does not need to be shown so that the jealousy of his wives can be minimized.

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