

Household Justice in the View of Polygamy Practitioners

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Abstract

Polygamy is a divine law that was revealed to humans as well as other laws that certainly contain wisdom and goodness in it. However, not a few polygamous households are destroyed due to injustice committed by the husband. This type of research is a qualitative study that examines the views of polygamy practitioners in implementing justice in the household. The method used is in-depth interviews conducted with polygamy practitioners. The results show that the justice demanded by Sharia is justice in terms of clothing, food, shelter, and overnight stays. The results provide useful information and advice for men who are thinking about or already involved in polygamy, stressing the significance of fairness and accountability. Through exploring the real-life experiences of those in polygamous relationships, this research seeks to promote a better comprehension of how equity can be maintained in these situations, overturning stereotypes and promoting more nuanced discussions on the subject.

Keywords: Polygamy Practice, Overnight Schedule, Polygamy Justice, Household Dynamics, Sharia Law

1. Introduction

Islam teaches that marriage is a part of human nature to whom Allah has assigned the role of the mandate and obligation as khalifah to benefit the world (Jumadil, 2022). Marriage Law No. 1 of 1974 defines marriage as a physical and mental link between husband and wife in order to build a *sakinah, mawaddah*, and *wa rahmah* family.

Imam al-Ghazali mentioned at least five of the purposes of marriage, including continuity of human offspring, fulfillment of the instinctive demands of human life, fulfillment of religious calls in order to protect themselves from evil and damage and reassure the soul, forming a household based on love and affection, and fostering seriousness of effort in seeking halal sustenance (al-Ghazali, 2000).

According to the beliefs of Islam, marriage can take the form of either monogamy or polygamy, both of which are considered sacred and important. In Islam, marriage is seen as a form of worship that helps individuals avoid negative behaviors that may arise from being unmarried. On the contrary, adultery is viewed as a destructive act that can have serious consequences for society, including the spread of dangerous diseases. Therefore, Islam strongly condemns adultery and considers it a major threat.

Polygamy is a common occurrence in society, although not everyone is accepting of this practice. The term polygamy originates from the Greek word "*polygamie*", with "*poly*" meaning many and "*gamie*" referring to marriage, indicating that polygamy involves a man being married to multiple women simultaneously (Mulia, 1999).

Polygamy is a controversial and much-debated topic, particularly when it involves well-known individuals like public figures, religious leaders, politicians, and even entertainers. As a result, the subject tends to capture public interest, especially among women who may feel threatened in their roles as the only wife, a situation that differs for men (Machali, 2005). The concept of polygamy has always



been a topic of interest, particularly for women who oppose it and view it as a threat to the role and status of a wife, a viewpoint that differs from that of men.

According to reports from the Ministry of Religious Affairs, the number of documented polygamous marriages in Indonesia has been on the decline over the past few years, with 995 cases in 2012, 794 in 2013, 691 in 2014, 689 in 2015, and 643 in 2016. However, these figures only reflect licensed polygamous marriages registered through the Religious Court. Many unregistered cases likely exist within communities, making it impossible to determine the true extent of polygamy in Indonesia.

Polygamy is a part of Sharia law, like many other aspects of Islamic law. However, there is often a negative perception surrounding polygamy due to instances where individuals do not follow the proper guidelines and practices for entering into such marriages. This can result in injustice towards the wives involved in the polygamous relationship (Nugroho, 2023a).

Polygamy, as a practice rooted in Sharia law, carries profound spiritual and social significance. Yet, its reputation is often marred by misuse and misapplication, leading to injustices that overshadow its intended purpose. This paper delves into the lived experiences of polygamy practitioners, uncovering their perspectives on how justice can and should be upheld within polygamous households.

2. Methods

This study falls under the category of qualitative research, stemming from a postpositivist approach due to its foundation in postpositivism philosophy. This approach is sometimes labeled as the artistic method because the research process is more creative and less standardized. It is also known as the interpretative method because the focus is on interpreting the data gathered in the field. Utilizing this qualitative method allows for the collection of detailed and meaningful data. The true data lies in the meaning behind what is observed and not just in the surface-level findings (Sugiyono, 2016).

Lexy J. Moleong describes qualitative research as researching human aspects, using qualitative methods to analyze data in an inductive way, focusing on theories from the basis, being descriptive and process-oriented, limited in data validity checking, having temporary research design, and results agreed upon by researcher and subject (Moleong, 2018).

Research subjects for this study were selected using purposive sampling, a method chosen by the researcher to choose respondents who meet specific criteria. This non-random technique involves selecting individuals that match the research objectives to respond to the study (Lenaieni, 2021). In this research, the focus is on two individuals practicing polygamy, identified as ES and MBS (using aliases), residing in Semarang, located in the Central Java Province.

To gather information for this study, interviews were utilized as the primary method. Interviews involve a two-way exchange of questions and answers between researchers and subjects to uncover valuable insights. With advancements in technology, interviews can now be conducted remotely through various telecommunication applications. The purpose of interviews is to delve deeper into specific topics and gain a better understanding of the subject matter. Essentially, interviews serve as a means of validating information obtained through alternative research methods. To ensure the effectiveness of an interview, it is essential to follow specific steps, including self-introduction, explaining the purpose of the interview, detailing the interview content, and posing relevant questions (Yunus, 2010)

The researcher conducted interviews with two participants by reaching a mutual agreement on the location and time, ensuring that neither party felt disadvantaged. It was also agreed that the subjects' names would be kept confidential using pseudonyms. Subsequently, data was collected

through the interviews to analyze social justice in polygamous households based on Sayyid Quthb's theory.

3. Results and Discussion

Islam defines polygamy as a marriage involving more than one wife, limited to a maximum of four. The basis for this is found in Surah An-Nisa, verse 3, where Allah SWT states the following:

وَإِنْ خِفْتُمْ أَلَّا تُقْسِطُوا فِي الْيَتَامَىٰ فَانكِحُوا مَا طَابَ لَكُمْ مِنَ النِّسَاءِ مَنِّي وَتِلْكَ وَرُبِعٌ فَإِنْ خِفْتُمْ أَلَّا تَعْدِلُوا فَوَاحِدَةٌ أَوْ مَا مَلَكَتْ أَيْمَانُكُمْ ۚ ذَلِكَ أَدْنَىٰ أَلَّا تَعْدِلُوا

The meaning: *"And if you fear that you will not be able to deal justly with orphaned women (if you marry them), then marry those that please you from among other women—two, three, or four. But if you fear that you will not be able to deal justly, then (marry) only one, or those your right hands possess. That is more appropriate to prevent you from wrongdoing."*

Polygamous marriages have taken place in Indonesia, despite the fact that some Indonesians, particularly women, have not embraced this marital arrangement. The term "polygamy" is derived from the Greek phrase "poliyamie," where "poly" signifies numerous and "gamie" signifies male, suggesting that polygamy refers to a husband having multiple wives or more than one (Abdullah, 2004).

History also tells us that the practice of polygamy was culturally prevalent even before the advent of Islam. For example, nations such as the Hebrews, Jahiliyyah Arabs, Russians, Lithuanians, Poles, Czechoslovakians, Germans, Swiss, Belgians, Dutch, Danes, Swedes, and the British (Mulia, 1999). Therefore, the concept of polygamy remains a controversial subject that continuously sparks debate due to the various perspectives and opinions surrounding it. Interestingly, women are typically opposed to polygamy, while men tend to support and defend the practice.

Islam at the time of the prophet Muhammad PBUH had become a common practice in the community at that time to have more than one wife, but instead Islam limited wife ownership to a maximum of four wives at a time. Thus, it can be said that polygamy was one of the chapters in Islamic Education at the time of the prophet, as evidenced by the companions who practiced it (Nugroho, 2022a).

In modern times, the practice of polygamy has evolved to be perceived differently compared to before. While some individuals see both advantages and disadvantages to polygamy, it is often women who are opposed to it. Many women do not wish to share their emotional and material resources with other women. On the other hand, there are also women who are open to polygamy as long as their husband is able to fulfill his role as a provider and bring them comfort in a marriage with multiple wives (Nugroho, Ulami', et al., 2024).

In the Western legal system, there are various perspectives on polygamy, as highlighted by John Witte. This article delves into the long-standing history of Western laws prohibiting polygamy and the more recent developments in this area. It illustrates how traditional Western opposition to polygamy and same-sex unions was based on distinct arguments derived from religious texts, nature, human rights, potential harm, and symbolic meanings. Due to the stark differences in these arguments, Western countries can justifiably continue to oppose polygamy, even if they opt to recognize same-sex marriage and its associated principles of sexual freedom, personal autonomy, equality, and non-discrimination.

Polygamy has frequently been weaponized by the Western world to criticize Islam. On the other hand, within post-colonial Islam, there is a discussion on the interpretation of polygamy in the Qur'an,

analyzing how it should be viewed in different contexts. This has caused division among Muslims when it comes to establishing guidelines on polygamy (Andaryuni, 2013). Polygamy can unknowingly fall into two distinct categories based on cultural and racial differences: black polygamy and white polygamy (Nugroho, 2023b). The Indonesian Women's Association for Justice (APIK) Legal Aid Institute (LBH) released a report demonstrating the negative effects of polygamous families, such as instances of physical and psychological violence, financial neglect, abandonment, divorce, and threats from additional wives (Hikmah, 2012).

The practice of polygamy undeniably highlights a stark contrast between the ideal objectives of Sharia, which aim to bring benefits and welfare, and the reality within polygamous households. In many cases, polygamy is still marked by injustice, the persistence of oppression, and neglect of the rights of one of the wives or their children, who do not receive fair treatment (Nugroho, Ulami, et al., 2024).

3.1. Conceptualization of Justice

Justice in polygamy is a legal consequence that arises when a polygamous marriage occurs. In this context, justice refers to fairness in providing clothing, food, shelter, and a fair schedule of time spent with each wife, which must be fulfilled by the husband. However, in practice, achieving fairness in polygamous households often proves difficult, leading to instances of injustice that can result in the failure of such marriages.

The term "fair" originates from the Arabic word '*adl*', which means acting and behaving in a balanced manner. Balance here refers to the relationship between rights and obligations or the harmony among beings. Essentially, justice means treating others according to their rights and responsibilities. Poerwadarminta defines fairness as being impartial, appropriate, and non-oppressive, emphasizing that those who are biased or act arbitrarily are considered unjust individuals (Munawwir, 1997).

Justice, as defined in the Kamus Besar Bahasa Indonesia (Indonesian Dictionary), is a characteristic of actions and treatment that are fair. Justice can also be understood as an act of giving others what they rightfully deserve. Thus, justice can be described as placing something in its proper place (Syafii Ma'arif, 2004). Social justice, on the other hand, refers to collaboration in establishing an organized societal order where every member has equal opportunities and chances to grow and learn to live according to their individual abilities (Departemen Pendidikan Nasional, 2008).

The Qur'an itself uses the word *adl* and its derivatives 28 times. The word in its original form appears 13 times, including in Surah Al-Baqarah verses 123 and 282 (twice), Surah An-Nisa verse 58, Surah Al-Maidah verses 95 and 106 (twice), Surah Al-An'am verse 70, Surah An-Nahl verses 76 and 90, Surah Al-Hujurat verse 9, and Surah At-Talaq verse 2 (Lajnah Pentashihan al-Qur'an, 2018).

Justice in the Qur'an, derived from the word '*adl*', signifies truth, impartiality, the safeguarding of individual rights, and an appropriate approach to making decisions based on fairness. Therefore, decision-making must be grounded in justice. The theme of justice holds significant importance as the Qur'an dedicates substantial attention to this matter.

The Qur'anic scholar Quraish Shihab explains that the term "justice" is derived from the word *adil*, originating from *adl* in Arabic. Various Arabic dictionaries highlight that this term initially meant equality, specifically relating to immaterial aspects (Shihab, 1996). In Islam, justice is seen as a necessary component of social and human existence, mandated by Allah SWT for everyone. This is outlined in surah Ash-Shura verse 15 in the Quran.

فَلذَلِكَ فَادْعُ وَاسْتَقِمْ كَمَا أُمِرْتَ وَلَا تَتَّبِعْ أَهْوَاءَهُمْ وَقُلْ ءَامَنْتُ بِمَا أَنْزَلَ اللَّهُ مِنْ كِتَابٍ وَأُمِرْتُ لِأَعْدِلَ

بَيْنَكُمْ ۗ اللَّهُ رَبُّنَا وَرَبُّكُمْ ۗ لَنَا أَعْمَلْنَا وَلَكُمْ أَعْمَلُكُمْ ۗ لَا حِجَّةَ بَيْنَنَا وَبَيْنَكُمْ ۗ اللَّهُ يَجْمَعُ بَيْنَنَا ۗ وَإِلَيْهِ الْمَصِيرُ

The meaning: "So, call [people] to [this religion], and remain steadfast as you have been commanded, and do not follow their desires. Say, 'I believe in whatever Book Allah has sent down, and I have been commanded to establish justice among you. Allah is our Lord and your Lord. We are accountable for our deeds, and you are accountable for your deeds. There is no argument between us and you. Allah will bring us together, and to Him is the final return.'"

The command to act justly applies not only to oneself but also to others, especially those under one's responsibility. This command aims to uphold social justice. Islam also emphasizes fostering peace and harmony among humans and nations, as long as the existence of Muslims is respected by others on the basis of justice. This principle is reflected in Surah al-Mumtahanah, verse 8, which states:

لَا يَنْهَىكُمُ اللَّهُ عَنِ الَّذِينَ لَمْ يُقَاتِلُوكُمْ فِي الدِّينِ وَلَمْ يُخْرِجُوكُم مِّن دِيَارِكُمْ أَن تَبَرُّوهُمْ وَتُقْسِطُوا إِلَيْهِمْ إِنَّ اللَّهَ

يُحِبُّ الْمُقْسِطِينَ

The meaning: "Allah does not forbid you from being kind and acting justly toward those who do not fight you because of religion and who do not expel you from your homes. Indeed, Allah loves those who act justly."

The desire for justice is shared by people worldwide, and every country values the concept of justice. Islam promotes the importance of justice as a universal religion. In Islam, justice is rooted in the principles outlined by Allah in the Holy Quran, along with the teachings of Prophet Muhammad SAW, which were applied during his lifetime.

A society that is comfortable, peaceful, and harmonious is the natural consequence of justice being upheld within that society. Therefore, Islam, as a comprehensive religion, teaches that justice must be implemented at all times and in every opportunity. Nevertheless, justice should cover different dimensions such as religious, societal, economic, political, cultural, legal, among others. Conversely, if justice is not maintained, it could lead to inequality, resentment in society, animosity, and even the breakdown of the country.

3.2. Polygamy Justice in Polygamy Practitioners

The researcher engaged in discussions and interviews with those who practice polygamy regarding the implementation of fairness in family issues. According to the practitioners, fairness is seen as the execution of fairness principles outlined in academic writings by Islamic scholars, specifically on how to be a husband selected by Allah (SWT) to carry the duty of having multiple wives, which comes with its own set of outcomes when compared to having just one wife.

ES (a pseudonym), who is the head of a polygamous household, noted that it is not an easy task to apply justice between his two wives, especially when living under one roof, where inevitable friction—both small and large—arises, much like in monogamous households. For him, the principle of justice is first discussed and agreed upon between his two wives, particularly regarding the issue of night duties (mabit). He explained:

"Justice, as I understand it, means justice outwardly, while inner justice is different. That's more difficult and human, but it should not be visible. As for mabit (night duty), I divide it evenly, two days for each wife. However, in certain situations, such as travel, if it is supposed to be the second wife's turn but I travel with the first wife, I will explain the situation, and the second wife has been understanding, because it's for the sake of harmony. I also have to ensure that no one feels hurt. Regarding financial support, I never calculate or keep track with them. Both of my wives are teachers and have their own income, so they

are not financially struggling. However, if I want to buy something like jewelry, I will offer them the same value for both. The point is, for physical justice, everything must be equal. For daily needs, they also have income, so they don't ask for much, but I still offer if they want something, and I'm not someone who counts pennies, as long as it's for daily needs, like kitchen supplies, etc."

In polygamous households, the husband's sense of fairness is crucial and can be maintained through strong leadership. A husband lacking in leadership may struggle to treat each wife equally, resulting in potential disparities in meeting the needs of his spouses. The leadership of a husband in a polygamous household is what builds trust, comfort, and peace among wives. When a husband has a strong character and cannot be easily swayed by his wives, they feel secure and at ease. This sense of security from the husband allows the wife to have unwavering faith in his love, even if he has other wives (Nugroho, 2022b).

Justice, according to informant MBS (a pseudonym), is very clear, detailed, and easy to apply in daily life. He categorizes the basic needs of his wives, as he explains:

"Justice has two aspects. First, justice in night duties (mabit) and second, justice in providing for their basic needs (clothing, food, and shelter). These are the two main things. When it comes to nafkah (support), I'm referring to personal nafkah for each wife, not household expenses or family support, as each household has different needs. For example, the first wife has no children, the second wife has three children, and the third wife has five children. Naturally, the family support will be different because the needs are different. However, when it comes to providing for each wife, it must be equal, and no one should be given more than the others. The justice in nafkah refers to personal support for the wife. In Islam, nafkah can vary, so ideally, each wife's personal nafkah and their respective family nafkah should be separate. But in Indonesian culture, it often becomes mixed between the two."

He believes that the previously mentioned division is extremely precise and thorough, and it has been implemented within his own household. In addition to the *nafkah* (financial support), he also clearly explains and implements the schedule for night duties (*mabit*), as follows:

"... I have a schedule every four days, so for example, I stay with the first wife on Monday, Tuesday, Wednesday, and Thursday, and with the second wife on Friday, Saturday, Sunday, and Monday, and so on, rotating like that. However, I believe this depends on the husband's policy on how to divide the mabit schedule. Even though there is an opinion from scholars suggesting a three-day rotation, there is no strict rule regarding this matter. But clearly, justice in mabit means that if the first wife gets three days, the second wife should also get three days, unless there is an agreement at the beginning of the marriage, for example, the first wife gets four days and the second wife two days. That arrangement can continue as long as the agreement is made before the polygamous marriage, but once the marriage contract has been established, this should not be followed."

This statement illustrates that the issue of *mabit* or the night schedule is relatively simple and easy to implement, but in reality, many face difficulties in fulfilling this due to incorrect polygamy practices at the start. As a result, there tends to be an imbalance, with one wife not receiving her fair share of time.

Hafidin, another practitioner, claimed that fairness within families practicing polygamy is rooted in impartiality, which is linked to fundamental necessities (food, clothing, shelter) and the night duty schedule (Hafidin, 2020). Thus, it should not be evaluated based on each wife's feelings, as they are inherently subjective. According to Islamic law, love is not something that can be easily regulated or held accountable, especially within the context of marriage where it often remains hidden in one's heart

(Hafidin, 2020). A professional known as DJ emphasized that the concept of fairness in polygamous families goes beyond just basic necessities like housing, clothing, meals, and household chores. Instead, it requires constant communication and transparency among the wives.

In the situation of a polygamous household, the concern of not being able to uphold fairness should be seen as a serious caution from Allah SWT. Unfairness can cause significant negative consequences in various aspects of life, including personally, within the family, and even on a broader societal scale. However, this issue should not be used as a justification to avoid polygamy, as if passively surrendering without making efforts to be just. The effort mentioned here is to always be cautious and do one's best to apply justice in a polygamous family.

3.3. Justice in Polygamy in the Theory of Social Justice

The discourse on social justice for Sayyid Qutb can hardly be separated from the historical context at that time, where Western thought dominated and hegemonized the Muslim world. His opposition to Western influence led him to conceptualize a social justice model based on an interpretation of the Qur'an that he believed was original and free from the external influences that had tainted Islamic law and thought, particularly since the 2nd century AH. This was a period when Islamic law and thought had mixed with Greek and Roman traditions. Therefore, he proposed a social justice concept rooted in the Qur'an and Islamic principles, especially in a time when injustice was prevalent in Egypt.

Islam is seen as a comprehensive way of living that covers both practical and spiritual aspects of life, rather than just focusing on material issues. Social justice in Islam is about finding a balance between material and moral aspects, not just economic factors. It is a humanistic principle that strives for fairness and equal distribution of resources, rights, and duties for everyone, touching every aspect of human life (Quthb, 1984).

Sayyid Qutb believed that Islamic social justice could be achieved by upholding three key principles: the complete liberation of the soul, complete equality among all people, and solid social protections. He contended that this perspective differed from the Western concept of social justice, which sought to separate secular and spiritual realms. This approach became a guiding principle in Western perspectives on social justice. Qutb, who clearly rejected secularism, capitalism, and communism as ideologies he viewed as outdated and failed, emphasized that Islam is a religion with a complete and comprehensive system and order.

Qutb's concept of social justice essentially stands as a counterpoint to the Western understanding of social justice influenced by secularism and communism, where Islam was perceived merely as a means of soul purification without any concerns for worldly affairs. Islam considers the idea of social justice to be modern in nature. Fairness is seen as the opposite of tyranny and randomness, promoting fair and unbiased behavior that doesn't take sides or exclude anyone. It does not differ from both sides, ensuring fairness and balance in all aspects of life. This comprehensive view of justice in Islam aligns both spiritual and worldly concerns, emphasizing a holistic approach to governance and society that supports the well-being of all individuals (Imarah, 1998).

In polygamous families, those engaging in polygamy must have full autonomy in both tangible and intangible aspects. The husband needs to be adept at managing both physical and emotional facets, since the prosperity of a polygamous relationship hinges in part on these elements. Striking a harmony between material and spiritual methods is crucial, as conflicts are inevitable in any marriage, regardless of being monogamous or polygamous. In this, the husband's role as the head of the household must embody a free spirit in both material and immaterial aspects. The second principle is the equality of humanity, which comes into play when the heart has attained spiritual freedom. Once the heart is free, it is no longer bound by any form of servitude and fully trusts that everything—death, fate, suffering—

is predetermined by Allah. This belief helps liberate one from societal pressures, material needs, and life's struggles, enabling one to worship Allah with more ease.

As Allah's servants, humans are equal and do not require opinions or assumptions from others, especially those based on mere words. When one has truly believed in their heart, their actions align with their beliefs, and their words and deeds complement each other. As Sayyid Qutb expressed:

"... Islam views justice as the equality of humanity, also considering all values, including those related to material wealth. Therefore, each individual is granted full opportunity to act and receive rewards, as long as their actions do not contradict their purpose in life as a servant of Allah."

This approach emphasizes the importance of spiritual freedom and equality in ensuring that justice in a polygamous marriage is maintained, reinforcing the principle that both material and spiritual aspects must be balanced and respected in all relationships (Quthb, 1983).

Polygamous marriages must take into account the principle of human equality, particularly concerning the fundamental needs of clothing, food, shelter, and the allocation of time between wives. An equitable husband is one who responsibly fulfills these needs, ensuring that if one wife is neglected or given unequal treatment, she has the right to demand fairness. However, justice in this context does not imply equal treatment in all aspects of provision. For instance, personal allowances or stipends for each wife must be equal, but family allowances, which are often linked to the number of children each wife has, will differ accordingly.

The third principle is social security, which emphasizes that life cannot be upheld if individuals believe that freedom means absolute freedom without limits. Absolute freedom leads to destruction, both for the individual and society. Therefore, each individual's freedom must be bound by specific standards. This is aimed at controlling excessive desires. In the case of polygamous households, there must be a form of social security or a standard of freedom that is mutually agreed upon. This is reflected in national laws such as Indonesia's Marriage Law No. 1 of 1974, which regulates polygamy and sets limitations on the number of wives a man can have. Islam also emphasizes that when practicing polygamy, justice must be a condition that cannot be disregarded—especially regarding clothing, food, shelter, and the distribution of time between wives (*mabit*). Justice is not merely a requirement for the permission to practice polygamy. It is an essential condition that arises because the husband chooses to marry more than one wife. However, if he cannot be just, the alternative is to limit the marriage to one wife, as dictated by Islamic law (Al-Banjari, 2007).

Zulkifli Mohamad Al-Bakri, the Mufti of Wilayah Persekutuan Malaysia, mentions that according to the views of the Shafi'i school of thought, when the practice of polygamy leads to injustice or harm towards the first wife—such as neglecting responsibilities like providing sustenance and failing to treat her fairly—it is considered *haram* (forbidden) for the husband to practice polygamy. Furthermore, the scholars argue that polygamy is deemed *makruh* (discouraged) if there is no pressing necessity or urgent reason to marry more than one wife. This stance highlights the importance of ensuring justice and fairness in the practice of polygamy, in accordance with Islamic principles (al-Syarbaji, 1992).

Al-Maraghi, one of the prominent *mufassir* (interpreters of the Quran), explains that the justice required in polygamy pertains to what is within the husband's ability, such as material provisions like housing, clothing, and sustenance. These are tangible aspects of justice that a husband can manage and ensure equality. However, when it comes to the intangible aspects, such as emotional feelings of love and affection towards the wives, these cannot be forced or provided equally. Love and affection are subjective emotions that stem from the heart, and they cannot be measured or guaranteed equally between the wives. Al-Maraghi also refers to the example of the Prophet Muhammad SAW, who, during his final days, expressed a particular affection towards his wife Aisha R.A, more so than his other wives. However, this does not mean that he treated Aisha preferentially over the others in terms of his

responsibilities or justice. This illustrates that while emotional attachment may vary, the material and external aspects of justice, such as providing for each wife fairly, are the ones that are obligatory and measurable (al-Maraghi, 2006).

The Prophet Muhammad once prayed to Allah SWT as the hadith narrated by Al-Tirmizi:

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

The meaning: "*From Aisha (RA), indeed the Prophet (SAW) when dividing between his wives would do so justly, and he would pray, 'O Allah, this is the division I am able to make, so do not punish me for what I am unable to do.'*"

The majority of scholars hold the view that justice does not mean that everything must be divided equally in every matter. Instead, the application of justice means placing things where they belong. Thus, a husband should provide for his wives based on their individual needs. The justice demanded by the Sharia encompasses matters of clothing, food, shelter, and the schedule of spending the night. As for love, it is not something rigid, as the feelings of love that reside in a person's heart can be hidden by the husband or may not be shown to the wives. Therefore, it is only the husband who truly knows what resides in his heart. Thus, while justice in terms of material provisions and responsibilities is mandatory, the feelings of affection and love are not bound by the same principle, as they are not within a person's full control. It is important for a husband to fulfill his duties of fairness in tangible aspects like sustenance, housing, and schedules, but emotional aspects like love remain something that cannot be guaranteed equally and are to be managed with sincerity and wisdom.

4. Conclusion

Justice is an essential principle that should be woven into the fabric of human existence across all spheres. The concept of justice is crucial in the realm of marriage, regardless of its structure being monogamous or polygamous. The importance of justice in polygamous households is a thought-provoking topic. While it may appear to be unrelated, justice is intrinsically linked to the practice of polygamy. Instances of injustice within polygamous relationships remain a prevalent issue within society, often resulting in the violation of women's rights.

Those who practice polygamous household justice often seek advice from experienced scholars and senior practitioners who have dealt with similar issues. The concept of justice in this context pertains to aspects such as clothing, food, shelter, and sleeping arrangements. It is important to note that the notion of justice in polygamous households is not fixed or uniform, but rather tailored to meet the specific needs and allocations of each individual.

Justice within polygamous households can be maintained through the leadership of the husband. The stronger and more effective the husband's leadership is, the easier it is to ensure justice for all wives. Conversely, when the husband's leadership is lacking, injustice towards his wives may prevail. It is crucial for husbands in polygamous relationships to prioritize justice by fulfilling the basic needs of their wives such as clothing, food, shelter, and scheduling time with each wife. This concept of justice is not about displaying affection, as love can be kept hidden in the husband's heart without needing to be openly expressed, ultimately reducing jealousy amongst the wives.

5. References

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