

## LEGAL CONSEQUENCES OF POLYGYNY MARRIAGE BASED ON A COMPILATION OF ISLAMIC LAW (KHI) AND LAWS ON MARRIAGE

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### Abstrak:

The author conducted normative legal research by analyzing the consequences of polygynous marriage laws based on Islamic law. What is the focus of this research study? What are the criteria for not being able to carry out obligations and having a physical disability by Islamic Law and the Marriage Law? Moreover, what are the legal consequences of a judge's Decision at the Religious Court on requests for polygynous marriages? In this research, the law-based approach uses a case approach and a sociological approach. The criteria for not being able to carry out an obligation due to a physical disability are as intended in the Marriage Law and Islamic law, namely the inclusion of people with physical disabilities and people with mental disabilities. This is because the type of disability means that someone cannot carry out their obligations as husband or wife or by the provisions of marriage, especially people with physical disabilities. Related to people with physical disabilities, namely impaired movement functions such as amputated organs, paralysis, paraplegia, cerebral palsy, stroke, leprosy and others, which result in the inability to fulfill obligations by a person as a husband or wife as a basis for fulfilling physical and spiritual needs.

## INTRODUCTION

Marriage is a gift from the One and Only God, given to humans through love for his creation. It has become human nature to be attracted to and show love for the opposite sex. So from this, humans are brought to continue their lives through a relationship with a bond called a marriage bond, and it becomes a goal for human life to obtain offspring.

Humans' implementation of marriage is not solely due to biological needs but is a natural part of the life humans must live (Santoso, 2016).

The existence of a transaction or a contract that states rights if the terms of harmony are complete. Furthermore, the transaction or contract will have legal force and consequences that are considered inevitable. Each of them is not allowed to have setbacks based on a transaction or the existence of a contract but is excluded if things are legally correct.

Transactions or contracts in which there is no fulfillment of the terms of harmony at all, the impact of which is on the surface but there is a legal view, but which has not yet been assumed or implemented, are marriage contracts that have been validly implemented with the completeness of the terms of marriage harmony already in place.

The implementation of a marriage contract which is legally declared to have legal force in addition to the consequences which are considered to be consequences of the validity related to this matter, such as in social relations being lawful as husband and wife, the husband's obligation to provide support for the wife, both inheriting, having offspring who will give all the rights and things that befit a descendant or legitimate child.





Marriage has a legal basis. In this case, the legal basis for carrying out polygamy, which is also regulated in the Marriage Law, according to the Marriage Law is defined as a physical and spiritual bond between a man and a woman who have become partners to form a happy and eternal family based on the Almighty Godhead (Quraish, 2013).

The principle of monogamy has been reaffirmed in Article 3, paragraph (1) of the Marriage Law, as well as an explanation that states that in a marriage, a man is permitted to have one wife. In contrast, a woman can have one husband, which is what is known as monogamy. In the Marriage Law, the implementation of marriage provides an exception for the possibility for a husband to carry out an act of polygamy (Rahmi, 2015).

Marriage starts with a ceremony at the wedding, and marriage aims to provide for the formation of a happy and harmonious family (Laman, 2017).

According to Sayuti Talib, marriage is a sacred agreement that occurs in the lives of men and women to form a family and, according to R., for a long time (Erwinsyahbana, 2012).

The provisions in Article 2, paragraph (1) of the Marriage Law provide rules regarding marriage, which can be declared valid if it is held according to the rules of each belief or religion. Provisions relating to marriage cannot be waived based on the existence of beliefs and customs in the area.

One example is the people in Bali who have the essence of a marriage, which is determined in the Marriage Law, where the marriage has an external nature and a spiritual bond (Windia, 2016).

However, the provisions of the Marriage Law also state that pluralism in laws governing marriage in certain customs can end. In practice, the law regarding marriage cannot be separated from the existence of beliefs or the person who will carry out the marriage (Abubakar, 2013).

Registration of the occurrence of a marriage is one of the most essential elements for the validity of a marriage. Each agreement is implemented to avoid actions to avoid promises, so it requires legal certainty (I Wayan Kartika, 2023).

This is interpreted as protecting citizens' right to carry out family formation and the existence of registered marriages so that they can provide certainty and protect husband and wife and their children. It can also provide protection and guarantees for the rights arising from marriage, among other rights, regarding inheritance and others.

As for applying polygyny will only be partially accepted, but if the requirements are met, the application for polygyny can be accepted. One example of a request for polygyny, as stated in the Court Decision where the application has been rejected, is the Denpasar Religious Court Decision Number 11/Pdt.G/2021/PA Dps dated January 5, 2021. The Plaintiff, who filed a lawsuit against the Defendant in the first instance, was classified as Civil Religious, Civil Religion Permits Polygamy, Denpasar Religious Court judicial institution, Chief Judge Muhammad Noor, Member Judges of A. Junaidi and Dra. Hj. Nur Kamah. In the Decree, the Decision is stated to be Rejected.

Such as the Court Decision by submitting an application that has been accepted, namely the Decision of the Banjarbaru Religious Court by case Number 467/Pdt.G/2016/PA Bjb dated October 24, 2016, with the Decision being granted.

Article 5, paragraph (1) of the Marriage Law establishes conditions that must be fulfilled if the husband is to carry out polygyny. This is an essential requirement, as are alternative conditions listed in Article 4 paragraph (2) of the Marriage Law where a wife has obligations that cannot be carried out, a wife who has a physical disability or an incurable disease, and a wife who cannot produce children or offspring.

The problem that arises is in points a and b, where there is no further clarity regarding the circumstances so that the wife can be classified as unable to carry out her obligations as a wife who





is said to have a physical disability or is classified as an illness from which recovery cannot be achieved.

What determines a wife who is categorized as a wife who cannot carry out her obligations to her wife and a wife with a disability that occurs in her body or an illness that cannot be cured, which depends on the consideration given by the judge in Court because it has passed a decision in Court and the Decision The Court can only issue a husband's permission to practice polygyny as stipulated in Article 3 paragraph 2 of the Marriage Law.

It is in this provision that it becomes a problem that causes ambiguity in the norms, namely regarding the types of conditions that can be classified as a wife who is unable to carry out her obligations because she has a physical disability.

Because of the above, the author discusses the legal consequences of polygynous marriages based on the Compilation of Islamic Law (KHI) and the Marriage Law.

## METHODS

This type of research uses normative legal science methods (legislation) using secondary data as initial data and then continuing with field data with the discovery of legal studies regarding vague norms in Article 4 paragraph (2) letters a and b of the Marriage Law. This research will use descriptive research. This research uses techniques to collect legal materials, namely literature study. The analysis used in this research uses legal materials with qualitative techniques.

## RESULT AND DISCUSSION

**Criteria for Unable to Carry Out Obligations and Physical Disability as Intended in Islamic Law and Law.** Problems in marriage can create pros and cons to the legal reality in the field of marriage, namely polygynous marriages. When discussing marriage, some limitations need to be implemented, which can be caused by the parties or one of the parties causing things outside their will.

One of the problems in people's lives is actions that result in pros and cons that occur in polygynous marriages as a reality in people's lives (Esther, 2019).

The Indonesian state adheres to the principle of marriage and monogamy. However, in Islamic teachings, polygyny is permissible, with exceptions. Regulations regarding polygyny are regulated in the Presidential Instruction on the Compilation of Islamic Law (KHI).

In reality, it is directly proportional to the reality in people's social life. This has been widely practiced in people's lives in Indonesia due to many factors.

Regarding unregistered marriages, one of the meanings known in social reality is that marriages are carried out religiously. There needs to be a registration at the KUA office that handles marriage records. Many marriages have been carried out unregistered, even though there is no permission from the first wife or legal wife (Zulfan, 2018).

The reasons and conditions for granting permission for polygyny are as per marriage law, where polygamy is a marriage concerning the conditions and reasons for its implementation.

In the conditions where the wife has given consent to the husband and has been justified by the Court because, if the wife is declared unable to produce offspring, has a physical disability and is suffering from a disease that is classified as being curable. Therefore, it can be concluded that the wife cannot carry out her obligations, and the husband can do polygamy (Beni, 2008).

There are conditions for implementing polygamy by Islamic provisions and rules, namely that polygamy can be carried out to realize marriage. In Ilham Marzuq's view, the conditions for polygyny, as in Islam, include having actions that are commendable and have good morals, having





faith that is considered solid and sufficient assets, age (Bharat), which will be something that will continue and be fair so that this is the nature of polygyny (Muhammad,2017).

The provisions of Article 55 of the KHI state that the essential conditions for polygamy include that a husband can only have up to four wives at the same time. If he has more than one wife, he must obtain the wife's approval and assure the husband that he will provide guarantees for the needs of his wife and children, whether this is agreed verbally or in writing.

The provisions in Article 56 of the KHI state that permission from the Religious Court is required. Suppose it is carried out without the permission of the Religious Court. In that case, the marriage cannot be classified as having legal force in not providing a letter of agreement from the wife and requesting permission, which has been submitted without any valid reason as stipulated in the law. The Religious Court can decide to grant permission after carrying out an examination and hearing the wife's reasons during a trial at the Religious Court. With this determination, a wife/husband can take legal action from appeal to cassation.

In terms of reasons that are classified as valid, that is, the wife cannot carry out her obligations because of a physical disability or an incurable disease and cannot produce offspring.

The conditions for polygamy in Islam include obligations that must be fulfilled by all husbands who will carry it out. In practice in Islam, it is not something that is prohibited. However, polygamy is only for men; it is explained that polygamy is carried out in the Koran with explanations and details if a man has a wife. The conditions are as follows: being able to act pretty is the primary condition required to fulfill justice to his wife and children.

Regarding the limitation on the number of wives to a maximum of 4 people with the condition that polygamy in Islam is a maximum number of wives of 4 people, which is detailed in the Al-Quran Surah An-Nisa verse 3 with the number of women being carried out using polygamy as implemented by Rasulullah SAW with the discussion of marriage. Women up to eight people.

Providing a living physically and mentally is a requirement for polygamy in Islam, which requires being able to provide a living physically and mentally and being fair to all wives.

Regarding the mere intention of worshiping Allah, other conditions are required for fulfillment, namely carrying out the intention to carry out polygamy, ensuring that it is carried out straight and worshiping Allah SWT.

It is not permitted to marry two women who are sisters to carry out polygamy by marrying two women who are related to each other.

The obligation to guard the honor of the wife is a requirement for polygamy in Islam, with the ability to guard the honor of the wife, and the husband is required to educate the wife to maintain the honor of the family.

The provisions in practice are as in the rules: the conditions that must be fulfilled are a lawsuit letter, a photocopy of the marriage certificate with the first wife, a photocopy of the applicant's KTP from the first wife and the second wife, a statement letter to act pretty, a statement stating that there is no objection to being married from the first wife. Moreover, the prospective second wife, salary and income certificate from a company known to the sub-district head, permission letter from superiors for civil servants and TNI/POLRI, and certificate of status of the prospective second wife from the sub-district.

The opinion regarding someone who commits polygamy is if it is an act that religion can do, which, in reality, in Islam, cannot determine whether a person commits polygamy. However, in Islamic law, some rules can be given, and there are provisions regarding the conditions for the obligations of polygamy that must be obeyed.

At present, there are many excuses for implementing polygamy, which is carried out based on religion. However, in reality, Islamic law clearly and firmly allows polygamy if it has been implemented by the provisions in Article 3, paragraph 2 and Article 4, paragraph 2 of the Marriage Law, as well as the regulations that also exist in the KHI.

The provisions of the Marriage Law and KHI, the implementation of polygamy carried out by a person is required based on obtaining consent from the wife and in social life where currently many wives do not know if a husband has carried out polygamy independently (with a marriage that is carried out under the hand) with the impact that the wife and husband will be harmed.

The provisions in Article 57 of the KHI state that the Religious Court will permit a husband to commit polygyny with more than one person if he cannot carry out his obligations as a wife, has a physical disability or has an illness that cannot be cured and he cannot provide offspring.

Meanwhile, the provisions in Article 4, paragraph 2 of the Marriage Law explain if the Court gives permission for a husband who, by having more than one wife, cannot carry out his obligations as a wife, has a physical disability, has an illness that cannot be cured, or cannot give birth to a child or descendants.

Thus, it becomes the basis for the conditions for carrying out polygyny based on applicable legal provisions, namely, in the condition of a wife who has a disability that cannot be cured. This requirement is to ensure that a decision to carry out polygamy is made based on actual needs and moral responsibility and not just on personal desires.

The obligation to carry out obligations as a husband in a balanced manner for the wives and their ability to provide for secondary and primary needs remain not just a matter of love.

At this time, there are still many practices in carrying out polygamy, which will be based on religion in Islam, which confirms that polygamy can be carried out if it is based on Article 3 paragraph 2 and Article 4 paragraph 2 of the Marriage Law and provisions as per the KHI.

The provisions in the Marriage Law and KHI are that in carrying out polygamy, a husband is required to have the consent of his first wife; however, at present, the fact is that the husband does not know that he is carrying out polygamy as in carrying out the marriage by hand (Siri) which has a very detrimental impact on the wife and children. His son becomes a loss.

The KHI also regulates polygamy by the provisions of Article 40 PP Number 9 of 1975, which regulates that if you are married to more than one person, it will be mandatory to apply.

Further, Article 56 and Article 57 of the KHI state that if more than one wife requires permission in the religious Court, apply for permission as intended in that paragraph, which is carried out based on the procedures stated in PP No. 9 of 1975, and the marriage is carried out with the second, third or fourth wife without permission from the Religious Court and without having legal force.

**Legal Consequences of Religious Court Judges' Decisions on Polygynous Marriage Applications.** In terms of terminology, marriage is defined as a contract that allows the bride and groom to obtain something that makes the couple calm, as required by the Shari'a. According to the Marriage Law, marriage is a physical and spiritual bond between a man and a woman who has become husband and wife, aiming to create a happy and eternal family by believing in the Almighty God.

As stipulated in the Islamic religion, the implementation of contracts and agreements in personal ties between men and women provides a halal relationship between both parties and embodiment in family life, which includes love and peace as determined by Allah SWT.



It has been explained that in a marriage, there are two aspects: in terms of the formal aspect, an inner and outer bond has value, with a bond that is physically visible and can also be felt by the first of those concerned. The inner and outer bond is the core of the marriage relationship.

From a socio-religious perspective, a family has a solid spiritual relationship, not a physical element but an element that plays a vital and central role.

The implementation of marriage according to religion and belief requires the administrative officer to record the aims and objectives of being orderly in government administration and in terms of the population. Creating an administration regarding the population means avoiding chaos, seen from the relationship with certainty in one's legal relations. An economy with conditions that lack legal knowledge that can give rise to the above regulations cannot implement them according to the rules.

So, the legality of marriage according to the religion and beliefs of society is essential for its legality according to the regulations in the country, as stated in Article 2 Paragraph 2 of the Marriage Law and the provisions on Marriage Registration. Article 2, paragraph 2 states that every marriage is registered according to the applicable regulations.

All events in family life have a legal aspect that needs to be recorded accordingly, whether the person concerned or someone with an interest has authentic evidence regarding the incident so that it can provide firmness and clarity in the legal position.

Marriage registration has the function and benefit of being authentic evidence that occurs so that problems in marriage, for example, determining the status of children who have been born in the marriage between husband and wife at the time of the divorce, the marriage that has been used becomes evidence as a tool to resolve this matter (Harahap, 1975).

The dissolution of marriage becomes an event regarding the clarity of the marriage for the person concerned or for another person or the community, as with reading a letter that has an official nature and contains a special list that has been provided so that, at any time, it can be used as written evidence.

A marriage that is not registered has legal consequences even though it has been legalized in terms of religion or belief. The marriage is carried out outside the knowledge and supervision of marriage registration officials, who do not have permanent legal force and are not linked to state regulations.

In terms of law, a woman cannot legally be considered a wife to share joint property; one has a husband's rights and inheritance when he dies. Apart from this, the wife does not have the right to joint or shared assets at the time of separation because the marriage is considered to have never occurred from a legal perspective (Soerjono, 1986).

The legal rules that have been explained regarding marriage registration so that marriage registration can generally be generalized into a process in terms of administration of a disability from the state for a marriage event in the form of a deed that is authentic and has a legal force which aims to create an orderly situation and provide a protection for the parties in the marriage. Therefore, it is clear that marriage registration is a form of administrative action that has been regulated.

Even though in married life it has been stated that the marriage is strong, there are certain limitations, and the bond cannot be released or disentangled because it is up to each of the husband and wife's will that this has become the cause because of their existing will. The existence of marriage problems is one of the things that can create pros and cons, with events in people's lives being polygynous marriages with a fact that will occur.

Related to the bond in marriage, which is a problem in marriage that can create pros and cons in people's lives, polygynous marriages have become a reality in the field of marriage law.







The problem is that there is no further clarity regarding the circumstances so that the wife can be classified as unable to carry out her obligations as a wife who is said to have a physical disability or is classified as an incurable disease.

In social reality, we are familiar with the term unregistered marriage, namely a marriage carried out in terms of trust and not registered in the marriage record at the KUA and marriages carried out in a Siri manner, which often occurs in polygynous marriages due to the absence of permission from the wife. First.

As for the requirements for the act of polygamy in a legal community life itself, if the act of polygamy is permitted to realize marriage, as in the opinion of Ilham Marzuq, the requirements for polygyny in Islam itself are for that person to have commendable morals, strong faith, sufficient wealth, old age (Bharat). ) For the next generation, fairness is an important characteristic and a condition for doing so.

The determination of a wife who is categorized as a wife who cannot carry out her obligations to a wife and a wife who has a physical disability or is unable to recover from an illness depends on the consideration given by the judge in Court because it has passed a decision in Court and a court decision.

The provisions regarding the occurrence of a problem that causes a blurring of norms, namely regarding the type of situation that can be classified as a wife who cannot carry out her obligations because she has a physical disability.

The provisions for the existence of criminal sanctions in the event of a violation of the marriage record, which is one of the provisions issued by the government, include:

Article 3 of the Law concerning Marriage Registration, Divorce and Reconciliation contains a regulation regarding the imposition of a fine of a maximum of Rp for a man who marries a woman without doing so in front of the employee who registered the marriage. 50.00 (fifty rupiah).

According to Article 45 of the Government Regulation concerning the Implementing Regulations of the Marriage Law, there are many penalties, including a fine for couples who wish to conduct a marriage that cannot be conducted before a registration officer and a maximum of IDR. 7,500.00 (seven thousand five hundred rupiah).

As stipulated in Article 143 concerning the Bill concerning Material Laws on Religious Courts in the Field of Marriage 2007, it is stated that if a person does not enter into a marriage in front of a Marriage Registrar Official as specified in Article 5 paragraph (1), he will be punished with a maximum fine of Rp. 6,000,000.00 (six million rupiah) and imprisonment for 6 (six) months.

That a punishment that is threatened for an incident of violation of a marriage defect where the sanction that has been introduced is a form of criminal act that has been imposed and is included in a form of sanction classified as a bare criminal punishment by the provisions in Article 10 of the Criminal Code, namely a criminal penalty of acceptable as well as a prison sentence (Tutiek, 2011).

Provisions in Islamic Law regulate the meaning of marriage in practice, namely the obtaining and continuation of offspring, possession in terms of fulfilling human rights in the distribution of their desires and the growth of affection, fulfillment of a religious calling, maintenance of a series against incidents of crime as well as acts of unrest and growth in society. Seriousness in his responsibilities.

A peaceful life also creates a feeling of love by providing protection and explanations of what happens in the life of a husband and wife because both are aware that each is for their partner. This is genuinely the main aim of the law on marriage. In this way, life in the family can be realized easily if the marriage is built on a solid foundation.





The provisions, as stated in Article 55 of the KHI, explain that husbands and wives who carry out polygamy first can carry out confirmation in advance, namely obtaining a condition of approval from their respective wives in the form of verbal or written words. In this case, a husband is required to be able to confirm this verbally. Fair to his wife and children.

The provisions in the Marriage Law and the KHI have been regulated in this way for reasons and conditions that are quite strict regarding the incidence of polygamy in Indonesia. However, it must consider existing and large numbers of people by observing the applicable regulations.

Proof in the case of all carrying out polygamy with incidents where the community fulfills the requirements as determined, including the existence of polygamy carried out in secret or without obtaining permission from the Court.

In practice, polygamy is carried out not by the concept of rules and conditions as stipulated by statutory regulations as well as conditions and procedures for implementation as stipulated in the Marriage Law and KHI so that the implementation of polygamy is not carried out legally.

Regarding a polygamy permit granted by the Religious Court in the form of a decision and permission to carry out polygamy for the husband when the conditions have been fulfilled based on an aspect classified as cumulative and alternative, the cause of which is if the Religious Court does not approve the polygamy so that it can be said to be legal.

## CONCLUSION

Marriage is a gift from the One and Only God given to humans through love for his creation. It has become human nature to be attracted to and show love for the opposite sex. From this, humans are brought to continue their lives through a relationship with a marriage bond, and it becomes a goal for human life to obtain offspring. The existence of a transaction or a contract that states rights if the terms of harmony are complete. Furthermore, the transaction or contract will have legal force and consequences that are considered inevitable. There are conditions for implementing polygamy by Islamic provisions and rules, namely that polygamy can be carried out to realize marriage. The Religious Court can decide to grant permission after carrying out an examination and hearing the wife's reasons during a trial at the Religious Court. With this determination, a wife/husband can take legal action from appeal to cassation. In terms of reasons that are classified as valid, that is, the wife cannot carry out her obligations because of a physical disability or an incurable disease and cannot produce offspring. The conditions for polygamy in Oslam are obligations that must be fulfilled by all husbands who will carry it out. Polygamy in Islam is not prohibited. However, polygamy is only for men; it is explained that polygamy will be carried out in the Koran with a detailed explanation if the man has a wife. The conditions are as follows: being able to act pretty is the primary condition required to fulfill justice to his wife and children. The provisions in the Marriage Law and KHI are that in carrying out polygamy, a husband is required to have the consent of his first wife; however, at present, the fact is that the husband does not know that he is carrying out polygamy as in carrying out the marriage by hand (Siri) which has a very detrimental impact on the wife and children. His son becomes a loss. The KHI also regulates polygamy by the provisions of Article 40 PP Number 9 of 1975, which regulates that if you are married to more than one person, it will be mandatory to apply.

The problem is that there is no further clarity regarding the circumstances so that the wife can be classified as unable to carry out her obligations as a wife who is said to have a physical disability or is classified as an incurable disease. The implementation of marriage according to religion and belief requires it to be recorded by the administrative officer as to the aims and objectives of being orderly in government administration and in terms of the population. Creating an administration







regarding population means avoiding chaos, seen from the relationship with certainty in one's legal relations. An economy with conditions that need legal knowledge that can give rise to the above regulations cannot implement them according to the rules. So the legality of marriage according to the religion and beliefs of society is essential for its legality to be legal according to the regulations in the country by Article 2 Paragraph 2 of the Marriage Law as well as the provisions on Marriage Registration and in Article 2 paragraph 2 it is stated that every marriage is registered according to the applicable regulations. All events in family life have a legal aspect that needs to be recorded accordingly, whether the person concerned or someone with an interest has authentic evidence regarding the incident so that it can provide firmness and clarity in the legal position.

Marriage registration has the function and benefit of being authentic evidence that occurs so that problems in marriage, for example, determining the status of children who have been born in the marriage between husband and wife at the time of the divorce, the marriage that has been used becomes evidence as a tool to resolve this matter, in the provisions regarding the occurrence of a problem that causes a blurring of norms, namely regarding the type of situation that can be classified as a wife who is unable to carry out her obligations because she has a physical disability. Provisions in Islamic Law regulate the meaning of marriage in practice, namely the obtaining and continuation of offspring, possession in terms of fulfilling human rights in the distribution of their desires and the growth of affection, fulfillment of a religious calling, maintenance of a series against incidents of crime as well as acts of unrest and growth in society. Seriousness in his responsibilities.

## REFERENCES

- Abdurahman. (1995). *Kompilasi Hukum Islam*, CV. Akademika Pressindo, Jakarta
- Abubakar. L. (2013). Revitalisasi Hukum Adat sebagai Sumber Hukum dalam Membangun Sistem Hukum Indonesia. *Jurnal Dinamika Hukum*, 13(2), 319-331. <https://doi.org/10.30652/jih.v2i02.1017>
- Beni, A. S. (2008). *Perkawinan Dalam Hukum Islam Dan Undang-Undang*, Cet.1, Pustaka Setia, Bandung
- Erwinsyahbana. T. (2012). Sistem Hukum Perkawinan Pada Negara Hukum Berdasarkan Pancasila. *Jurnal Ilmu Hukum Riau*, 3 (01). <https://doi.org/10.30652/jih.v3i01.1027>
- Esther, M. (2019). Poligami Dalam Perspektif Undang-Undang Nomor 1 Tahun 1974 Tentang Perkawinan dan Kompilasi Hukum Islam (KHI), *Jurnal Krtha Bhayangkara*, Vol 13 No 2. <https://doi.org/10.31599/krtha.v13i2.7>
- I Wayan, K. J. U. dkk. (2023). Perlindungan Hukum bagi Notaris Pengganti dalam Hal Pemanggilan Berkaitan dengan Kepentingan Proses Peradilan Pidana, *Jurnal Analogi Hukum*, Volume 5, Nomor 1.
- Muhammad, A. M. (2017), Poligami dalam Hukum Agama dan Negara. Bengkulu, *Jurnal Pemerintahan dan Publik dan politik islam*. Vol. 2 No 1. <https://doi.org/10.37304/jispar.v2i2.365>
- Pasal 55 ayat (1) Instruksi Presiden Nomor 1 Tahun 1991 tentang Penyebarluasan Kompilasi Hukum Islam ("KHI")
- Quraish, S. (2013). *Kaidah Tafsir*. Lentera Hati, Jakarta
- Rahmi. (2015). Poligami: Penafsiran Surat An Nisa' Ayat 3, *Kafa'ah: Jurnal Ilmiah Kajian Gender*, Vol. V No.1
- Riduan, S. (1978). *Masalah-Masalah Hukum Perkawinan di Indonesia*, Alumni, Bandung,





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- Santoso, S. (2016). Hakekat Perkawinan Menurut Undang-Undang Perkawinan, Hukum Islam Dan Hukum Adat. *Yudisia: Jurnal Pemikiran Hukum dan Hukum Islam*, 7(2)
- Wayan, P., Windia & Ketut S. (2016). *Pengantar Hukum Adat Bali*, Swasta Nulus, Bali, hal. 109.
- Zulfan, E. (2018). Izin Poligami dari Isteri di Pengadilan dalam Perspektif Masalah Mursalah, *Jurnal Studi Islam Kawasan Melayu*, Vol 1 No 1. <https://doi.org/10.35961/perada.v1i1.11>



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