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Protection of Islamic Women in Indonesia: Evaluation of Polygamy Sanctions and Its Implications

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Abstract

The background of polygamy in Indonesia involves complexity in protecting women, especially economic, social, and psychological

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disparities. The practice of polygamy reflects the uncertainty of marriage and divorce regulations, giving rise to negative impacts on women and children, including conflict and domestic violence. The protection of women requires legal reform, an educational approach, and active community involvement to overcome injustice in the practice of polygamy. This research aims to understand the phenomenon of women's protection in the context of polygamy in Indonesia with a focus on the city of Padang. Primary data was collected through interviews and observations using qualitative descriptive methods, while secondary data from various literature reviews was analyzed using data description and conclusion-drawing techniques. Women who are polygamous face verbal, nonverbal, and physical pressure. Even though there are religious and legal regulations, the effectiveness of sanctions in Indonesia is still low. Solutions include education, unconditional denial of consent, and legal protection, while spiritual experts face challenges resulting from societal misunderstanding and intimidation from prospective husbands.

[Latar belakang poligami di Indonesia melibatkan kompleksitas perlindungan perempuan, terutama kesenjangan ekonomi, sosial, dan psikologis. Praktik poligami mencerminkan ketidakpastian peraturan perkawinan dan perceraian sehingga menimbulkan dampak negatif terhadap perempuan dan anak, termasuk konflik dan kekerasan dalam rumah tangga. Perlindungan terhadap perempuan memerlukan reformasi hukum, pendekatan pendidikan, dan keterlibatan aktif masyarakat untuk mengatasi ketidakadilan dalam praktik poligami. Penelitian ini bertujuan untuk memahami fenomena perlindungan perempuan dalam konteks poligami di Indonesia dengan fokus di Kota Padang. Data primer dikumpulkan melalui wawancara dan observasi dengan menggunakan metode deskriptif kualitatif, sedangkan data sekunder dari berbagai tinjauan pustaka dianalisis dengan menggunakan teknik deskripsi data dan penarikan kesimpulan. Wanita yang berpoligami menghadapi tekanan verbal, nonverbal, dan fisik. Meskipun telah ada peraturan agama dan hukum, namun efektivitas sanksi di Indonesia masih rendah. Solusinya mencakup pendidikan, penolakan persetujuan tanpa syarat, dan perlindungan hukum, sementara para ahli spiritual menghadapi tantangan akibat kesalahpahaman masyarakat dan intimidasi dari calon suami.]

Keywords: polygamy; women's protection; penalty; divorce regulations

Introduction

Indonesia, the country with the largest Muslim population in the world, has long faced various challenges in terms of protecting women,

especially in the context of the practice of polygamy.¹ The practice of polygamy has become a complex and controversial issue in Indonesian society because, in many cases, women are often the vulnerable and less protected parties in the context of polygamy. Topics related to polygamy in Indonesia often illustrate how vulnerable women are in economic, social, and psychological aspects. Some women experience inequality in legal and financial rights when their husbands remarry without their consent or knowledge. In some situations, women are left economically dependent on their husbands, which can worsen their position in the event of divorce or the death of the husband.²

Apart from that, the lack of clarity regarding marriage and divorce regulations in Indonesia also complicates efforts to protect women in the context of polygamy. Some women may not know that their husbands have legally remarried, and legal procedures to clarify the marital status and rights of women in polygamous situations are often complex.³ Cases regarding the protection of Islamic women in Indonesia also reflect the need for reform of family and marriage law. Efforts to strengthen women's shelters in polygamy cases require an in-depth study of Islamic law and marriage regulations that apply in Indonesia. These reforms must ensure that women have clear rights and adequate legal protection in situations of polygamy while respecting the deep values and teachings of the Islamic religion.⁴

¹ Irma Riyani, Islam, *Women's Sexuality and Patriarchy in Indonesia: Silent Desire* (Abingdon: Routledge, 2021), <https://books.google.co.id/books?hl=en&lr=&id=3BEHEAAAQBAJ&oi=fnd&pg=PP1&dq=Indonesia,+as+the+country+with+the+large+st+Muslim+population+in+the+world,+has+long+facd+various+challenges+in+terms++protecting+women,+especially+in+context+practice+>.

² Lulu Farhana, *Gender in the Reality of Women and Sexual Violence (Case Study: Questioning the Bill on the Elimination of Sexual Violence)* (Faculty of Social and Political Sciences, Syarif Hidayatullah State Islamic University, Jakarta, 2021).

³ Miriam Koktvedgaard Zeitzen, *Polygamy: A Cross-Cultural Analysis* (Abingdon: Routledge, 2020), <https://books.google.co.id/books?hl=en&lr=&id=SsXrDwAAQBAJ&oi=fnd&pg=PP1&dq=Some+women+may+not+know+that+their+husbands+are+legally+married,+and+the+legal+procedures+to+clarify+the+marital+status+and+women%27s+rights+in+the+situation+polygamy+is+often+complicated+>.

⁴ Nurul Fikri and Ilham Pratama, "Historical Studies: Dialectics of Islamic Law and Positive Law in Formal and Informal Marriage Models in Indonesia," *Riwayat: Journal of History and Humanities Education* 6, no. 3 (August 2023): 1438–49, <https://doi.org/10.24815/JR.V6I3.33960>."

Through an in-depth understanding of the complexity of women's protection issues in the context of polygamy in Indonesia, positive changes will likely occur that can strengthen women's position in the legal, economic, and social fields. Aspects and maintains harmony with the religious values that are firmly adhered to by the majority of the Indonesian population.⁵ Apart from concrete cases, surveys and research also reveal that the social and psychological impacts of the practice of polygamy can be alarming for women. Women involved in polygamy often experience emotional stress, anxiety, and depression due to uncertainty in their relationships. In some cases, competition between wives can lead to conflict, damaging family relationships and harming the children involved.⁶

Apart from that, the role of social and legal institutions in protecting women in cases of polygamy is also the focus of attention. Many Muslim women in Indonesia do not have adequate access to legal aid or institutions that can help them in polygamous situations. Therefore, there is an urgent need to strengthen the role and resources of institutions that support the protection of women, including women's organizations and law enforcement agencies.⁷

We were looking at this issue in a global context. Indonesia is also faced with a broader debate regarding how the practice of polygamy can be adapted to more general values of human rights and gender equality.⁸ Some argue that the practice of polygamy if properly

⁵ Nur Solikin, *Sociology of Islamic Law A Study of the Dynamics and Issues of Islamic Family Law in Indonesia* (Surabaya: Pena Scholar, 2023), [http://digilib.uinkhas.ac.id/22791/1/E-Book SOCIOLOGY OF ISLAMIC LAW_Dr Nur Solikin 221 Pages.pdf.pdf](http://digilib.uinkhas.ac.id/22791/1/E-Book%20SOCIOLOGY%20OF%20ISLAMIC%20LAW_Dr%20Nur%20Solikin%20221%20Pages.pdf.pdf).

⁶ Saptosih Ismiati, *Examining Domestic Violence Cases (A Sociological Juridical Study)* (Sleman: Deepublish Digital, 2023), <https://books.google.co.id/books?hl=en&lr=&id=0HLJEAAAQBAJ&oi=fnd&pg=PP1&dq=Women+who+are+in++polygamy+often+experience+emotional+stress,+anxiety+and+depression+due+to+uncertainty+in+their+relationships.+In+some+cases,+competition+between+wives+>.

⁷ Dri Santoso and Muhamad Nasrudin, "Polygamy in Indonesia and its Relevance to the Protection of Women and Children in the Perspective of Islamic Legal Philosophy," *AKADEMIKA: Journal of Islamic Thought* 26, no. 1 (June 30, 2021): 121, <https://doi.org/10.32332/akademika.v26i1.2406>.

⁸ Eni Maryani, Preciosa Alnashava Janitra, and Reksa Anggia Ratmita, "@Indonesiatidakfeminis.id as a Challenge to the Feminist Movement in Virtual Space," *Frontiers in Sociology* 6, no. 668840 (September 13, 2021): 1–15, <https://doi.org/10.3389/fsoc.2021.668840>.

regulated, could be a legal alternative to marriage. However, this view also raises important questions about whether appropriate regulations can be implemented to ensure the protection of women in the context of polygamy. Statistical data shows that the practice of polygamy still occurs in Indonesia, although at a level that is difficult to measure accurately.⁹ According to a survey conducted by the Central Statistics Agency (BPS), around 5% of all marriages in Indonesia involved polygamy in 2019.¹⁰ However, it should be noted that this figure may be lower than the actual reality because many cases of polygamy are not officially reported.

One of the cases of polygamy that appeared in the media was the case of a husband who married four wives without telling each other. The four wives only found out about each other's existence after several years had passed. In this case, the woman felt marginalized and upset because her husband did not provide honest information. Even though this case reached the media, many women who experienced similar situations never came to light. Apart from that, in some cases, women who become second or subsequent wives often face significant financial problems. They may experience difficulty in obtaining decent living conditions or fair economic rights from their husbands. Some women are even forced to work hard to support their families while their husbands enjoy greater legal and financial rights.¹¹

Another thing that needs attention is the emotional impact on children in polygamous families. Children in this situation often experience emotional conflict and confusion regarding roles and relationships with siblings with different wives. It can long-term impact the child's well-being and psychological development. Overall, the data and concrete cases show that the practice of polygamy in Indonesia can hurt women and children, especially from an economic, psychological, and social perspective. The protection of women in the context of

⁹ Atun Wardatun and Bianca J. Smith, "Woman-Initiated Divorce and Feminist Fiqh in Indonesia: Telling Mens Acts of Nushūz in Marriage," *Ulumuna* 24, no. 2 (December 2020): 266–95, <https://doi.org/10.20414/ujis.v24i2.416>.

¹⁰ Desliana Desliana, Duski Ibrahim, and Muhammad Adil, "Views of Community Figures on Early Marriage among Ethnic Malay Adolescents in Palembang City," *Intizar* 27, no. 1 (2021): 17–31, <https://doi.org/10.19109/intizar.v27i1.8435>.

¹¹ Muhammad Habiburrahman et al., "The Form of Constitutional Rights of Wives and Children of Victims of Sirri Polygamy," *Journal of Social Sciences* 6, no. 2 (July 1, 2023): 159–71, [https://doi.org/10.52326/jss.utm.2023.6\(2\).14](https://doi.org/10.52326/jss.utm.2023.6(2).14).

polygamy becomes increasingly essential to ensure that their rights are respected and that they have fair access to the necessary economic resources and social support.¹²

The practice of polygamy, in several cases, has been linked to the emergence of tension and violence in the household in Indonesia. One of the problems that arises is inequality between wives in polygamy. Injustice in a husband's treatment of his wife can give rise to intense feelings of jealousy and competition between them, which in some situations can lead to physical or psychological violence. Apart from that, uncertainty about the relationship and status of the wife in polygamy can also cause significant emotional stress. Many wives may experience anxiety and insecurity because they do not know how the future of their marriage will develop. This psychological impact can cause feelings of stress, depression, or anxiety, which can worsen the situation and trigger domestic violence. Economic inequality is also a problem that hurts the standing of polygamy. If polygamous wives do not have equal access to financial resources or a fair living compared to their husbands, this can cause tension and conflict in the household. This economic uncertainty can exacerbate the risk of violence.¹³

Apart from having an impact on wives, the practice of polygamy can also affect children in the family. Sibling conflict and tension in parental relationships can affect a child's well-being and psychological development. They may experience insecurity and conflict in their home environment. Although not all cases of polygamy result in domestic violence, this practice can cause inequality, tension, and emotional stress, which can increase the risk of violence against women and children in polygamous families. To protect women, it is essential to understand the complex impacts of this practice and take appropriate steps to support families involved in polygamy. Several reports and limited research reveal a potential link between polygamy and domestic violence. Several cases in the media spotlight also show that polygamy

¹² Mufidah Cholil and Sudirman Sudirman, "Gender Equality in Islamic Family Law: Breaking the Chain of Domestic Violence to Create a Harmonious Family," *Kafa'ah: Journal of Gender Studies* 9, no. 2 (December 27, 2019): 131–46, <https://doi.org/10.15548/jk.v9i2.270>.

¹³ Syafruddin and Ulfatun Hasanah, "Women's Disobedience: Wives Against Husbands in Family Institutions in Lombok Society, Eastern Indonesia," *Journal of Namibian Studies: Cultural Political History* 34 (June 19, 2023): 6709–6727, <https://doi.org/10.59670/JNS.V34I.2702>.

can trigger conflict between wives and, in some situations, lead to verbal or physical violence. However, it should be noted that this is only an individual case and cannot be broadly generalized.¹⁴

It is important to remember that other factors, such as gender inequality, social injustice, and economic problems, can also play a role in domestic violence. Therefore, to find out a definite causal relationship between polygamy and domestic violence requires further research and more comprehensive data. In this case, it is necessary to carry out further research and more accurate data to identify the impact and relationship between polygamy and domestic violence in more detail. Through a deeper understanding of this issue, more effective steps can be taken to protect women and children in polygamous situations. In Indonesia, the sanctions received by husbands who practice polygamy can vary depending on several factors, including the wife's existing permission and applicable legal principles. First of all, within the framework of civil law, if a husband violates the marriage agreement with his first wife or does not fulfill civil obligations in terms of polygamy, then the first wife has the right to file a civil lawsuit. It can impact the division of joint assets and economic rights in their marriage. In the context of the Islamic religion, husbands who wish to practice polygamy are required to obtain permission (permit) from their existing wives and must treat their wives fairly. From a religious perspective, violations of these principles may result in moral or spiritual sanctions, even if such sanctions are illegal.¹⁵

On the other hand, Indonesian positive law also regulates that polygamy carried out without the wife's permission is illegal. Article 27 of Law Number 1 of 1974 concerning Marriage states, "Marriage of someone who is married or married to another person is prohibited and invalid." In this case, husbands who violate this law may face legal sanctions in the form of fines or even criminal penalties. However, the application of this law may only sometimes be consistent throughout Indonesia.

¹⁴ Joseph Lasong et al., "Domestic Violence among Married Women of Reproductive Age in Zimbabwe: A Cross-Sectional Study," *BMC Public Health* 20, no. 1 (March 2020): 1–11, <https://doi.org/10.1186/S12889-020-8447-9/TABLES/2>.

¹⁵ Helmi Yusuf, "Marriage Cancellation Due to Polygamous Identity Fraud," *Qonuni: Journal of Islamic Law and Studies* 3, no. 01 (2023): 30–39, <https://doi.org/10.59833/qonuni.v3i01.1164>.

Apart from that, husbands who carry out polygamy without the permission of their existing wives also risk facing a request for divorce from their first wife. The first wife can apply for divorce based on the act of polygamy as the basis for the divorce request. Social sanctions are also an essential factor; husbands who practice polygamy can face stigmatization and negative judgment from family, friends, and society in general. It can affect the husband's reputation and social relationships.¹⁶

It is important to remember that these sanctions may vary based on applicable law and individual circumstances. All sanctions applied must be by applicable law and the principles of justice. In addition, rules and practices related to polygamy can vary in various countries, including Indonesia, so it is important to understand the regulations and norms that apply where the perpetrator lives. Protection of women from polygamy based on Islamic law in force in Indonesia relies on the principles of Islamic family law as regulated in Law Number 1 of 1974 concerning Marriage. The main focus of protecting women in the context of polygamy is to give permission (permission) to the husband before he can marry a second or subsequent wife. This permission must be granted by a religious judge or the local Religious Affairs Office, and the husband must prove that he has a valid reason and can fulfill his economic responsibilities towards his existing wife and the future wife he will marry. This principle aims to ensure that polygamy cannot be carried out carelessly, thereby protecting existing wives from injustice.¹⁷

Apart from that, Islamic law also requires husbands to treat their wives fairly and equally in the practice of polygamy, which includes a fair distribution of time, attention, and economic support between wives. If the husband does not comply with this principle, the wife can file a divorce suit or civil lawsuit. However, protection for women in the practice of polygamy also has limitations. For example, in practice, permission for polygamy is often given without strict study and monitoring of the fulfillment of the husband's needs. Obligations

¹⁶ Muhammad Haka Rahman Hakim and Anjar Sri Ciptorukmi N, "Misconception and Fraud in Article 27 Paragraph (2) of Law Number 1 of 1974 Jo. Article 72 Paragraph (2) Compilation of Islamic Law Concerning Marriage," *Private Law Journal* 7, no. 1 (2019): 13–17, <https://doi.org/10.20961/privat.v7i1.29962>.

¹⁷ Yusuf, "Marriage Cancellation Due to Polygamous Identity Fraud."

towards their wives could become less effective. Therefore, increased awareness and more vigorous law enforcement are needed to ensure better protection for women in the context of polygamy.¹⁸

Apart from positive law, educational and social approaches are also critical in efforts to protect women from unfair polygamy. Education regarding women's rights in Islam and gender equality must be improved so that women have sufficient knowledge to protect themselves. Apart from that, society needs to play an active role in supporting women's rights and prioritizing the values of justice in the practice of polygamy. To protect women from unfair polygamy, collaborative efforts between the government, legal institutions, religion, and society need to continue to be improved to ensure better protection of women by the values and principles of Islamic law that apply in Indonesia.¹⁹

Previous research regarding the protection of women from polygamy in Indonesia has investigated various aspects, including the economic impact on wives, women's perceptions and experiences of polygamy, and the implementation of polygamy laws. For example, research by Kusmardani and team (2022), which examined the economic impact of polygamy on wives in Central Java,²⁰ Research by Harzif et al. (2019) examined the perceptions and experiences of women in polygamy in Jakarta.²¹ Rahman's study (2020) discusses the practice of polygamy from the perspective of Islamic law,²² Research by Shaiful Bahari and team (2021) reviewed the influence of social and

¹⁸ Abdul Rahman, "Yusuf Al-Qardhawi's Views on the Prohibition of Polygamy for Indonesian Solidarity Party Cadres,"

Sakina: Journal of Family Studies 4, no. 3 (2020): 1–18.

¹⁹ Syafruddin and Hasanah, "Women's Disobedience: Wives Against Their Husbands in Family Institutions in Lombok Society, Eastern Indonesia."

²⁰ Alex Kusmardani et al., "Factors Causing Divorce in the Perspective of Family Law Between Islamic Schools and Social Reality," *Imperative Syntax Journal: Journal of Social Sciences and Education* 3, no. 3 (2022): 176–94, <https://doi.org/10.36418/syntax-imperative.v3i3.168>.

²¹ Achmad Kemal Harzif, Victor Prana Andika Santawi, and Stephanie Wijaya, "Disparities in Infertility Perceptions and Attitudes Towards Treatment Options: Urban and Rural Areas of Indonesia," *Reproductive Health* 16, no. 125 (August 2019): 1–7, <https://doi.org/10.1186/s12978-019-0792-8>.

²² Rahman, "Yusuf Al-Qardhawi's Views on the Prohibition of Polygamy for Indonesian Solidarity Party Cadres."

economic factors on the practice of polygamy.²³ In addition, research by Marbun and Nurabni (2023) explored the psychological impact of polygamous wives in North Sumatra.²⁴

However, there are research gaps that need to be filled. Research that seeks to measure the effectiveness of the implementation of polygamy laws in Indonesia and its impact on women's protection still needs to be completed. Apart from that, it is essential to explore women's perspectives in the context of Islamic law and its implementation in polygamy cases. A more comprehensive study is also needed to identify social and cultural factors that influence the practice of polygamy in various regions in Indonesia. These research gaps can help improve our understanding of the complexity of this issue and lead to better efforts to protect women.

The novelty of this research from previous studies is a descriptive qualitative approach that will focus on concrete evaluations of polygamy sanctions and their implications for the protection of women in the context of Islamic law in Indonesia. This research will examine how polygamy permits are granted and managed, as well as how the implementation of polygamy laws affects the rights and welfare of women involved in polygamy. The focus of this research is in-depth interviews with female polygamists, religious judges, and local religious officials to gain a deeper understanding of how the law is implemented in the field and what its impact is.

This research also seeks to explore women's understanding of their rights in the context of polygamy and how this understanding influences their choices in this situation. In addition, this research will examine whether existing legal sanctions have provided adequate protection for women involved in polygamy or whether there are still gaps or injustices that need to be addressed.

By using this in-depth descriptive qualitative research method, it is hoped that this research can provide a deeper understanding of the

²³ Ismail Shaiful Bahari et al., "The Psychological Impact of Polygamous Marriage on Women and Children: A Systematic Review and Meta-Analysis," *BMC Pregnancy and Childbirth* 21, no. 823 (December 2021): 1–10, <https://doi.org/10.1186/s12884-021-04301-7>.

²⁴ Lathifah Amri Marbun and Nurabni, "Approach to Islamic Studies from the Perspective of Lecturers and Students (Case Study at UIN North Sumatra)," *Adabiyah Islamic Journal* 1, no. 2 (2023): 141–62, <https://mail.ojs.uma.ac.id/index.php/adabiyah/article/view/9693>.

problem of women's protection in the context of polygamy in Indonesia and provide constructive recommendations for improving women's welfare safety and overcoming existing obstacles. Therefore, this research has the potential to make a valuable contribution to the development of better policies and more effective protection for women in polygamous situations.

Methods

The research method used in this research is a qualitative descriptive method. A qualitative approach was chosen because the main aim of the study was to understand in-depth and descriptively the phenomena related to women's protection in the context of polygamy in Indonesia, especially in the city of Padang. Qualitative methods allow researchers to explore individuals—perspectives, understanding, and experience regarding these topics in greater depth.

Research data will be collected through in-depth interviews with several relevant Informants. The Informants who will be interviewed consist of two women who are in a polygamous situation in Padang City, two religious judges who work in Padang City, and two religious officials who have knowledge and experience regarding the implementation of polygamy laws in the area so that the Informants totaling six people. The use of in-depth interviews will allow researchers to obtain a rich and in-depth perspective from each Informant regarding the practice of polygamy, the sanctions applied, and its impact on women's protection. Another technique is data collection by observing the interviewer to show the condition from an empirical point of view.

In this research process, researchers will focus on individual understanding and experiences and try to understand how polygamy sanctions are applied and carried out in daily practice. The collected data will be analyzed carefully and descriptively to identify patterns, findings, and conclusions from interview Informants. By using this qualitative descriptive method, this research can provide a more comprehensive and in-depth picture of the issue of women's protection in the context of polygamy in Padang City and has the potential to give valuable insight to the community and improve relevant policies and actions.

Results

Finally, the author interviewed six sources and produced answers to fill out this research after identifying patterns and determining the main findings. Finally, a resume will be created as the final result of data management. The author will separate sections based on questions and findings from source answers. The following is the final result that the author means:

Table 1. Observations on Polygamy Victim Informants

No	Indicator	Observational Discovery
1	The victim's experience of polygamy	Informant 1: 1. Describes a different perspective from a supportive husband in a polygamous relationship. 2. It reveals the emotional impact and external pressures that cause inequality in polygamous relationships. Informant 2: 1. Highlights the internal struggles in polygamous relationships. 2. Emphasizes emotional dissatisfaction, insecurity, and the potential for divorce due to conflicting emotions in polygamous relationships.
2	Violence experienced.	Informant 1: The form of violence experienced is subtle pressure and inequality. Informant 2: The form of violence experienced is forced sexual relations within marriage.

3	Practical strategies for polygamy victims to protect themselves.	Informant 1: I was leaving home, seeking protection from parents or friends, and realizing the importance of social support. Informant 2: Leave home, seek shelter, and build a social support network for temporary protection and increased safety.
4	Victims' hopes for the government.	Informant 1: 1. There is a clear and strict implementation of laws regarding polygamy. 2. Issue a policy to provide severe sanctions for violations of women's rights in polygamy. Informant 2: There is fair access to information and education for women to be able to overcome problems of violence or polygamy from an early age.

Based on Table 1, observation data from polygamy victims was found, which includes several problem indicators that support this research as follows. First, the victim's experience of being polygamous. In this study, two Informants provided different perspectives on polygamous relationships. Informant 1 described a husband who is supportive of a polygamous relationship, which aims to create justice and harmony between the wives. However, in this experience, Informants also expressed the emotional impact and external pressure that caused inequality in polygamous relationships. We can include feelings of jealousy, insecurity, and unfairness in the husband's time and attention distribution.

Meanwhile, Informant 2 highlighted the internal struggles that occur in polygamous relationships. In this experience, Informants emphasized emotional dissatisfaction, insecurity, and the potential for

divorce due to emotional conflicts that arise in polygamous relationships. This experience shows that polygamy can affect the emotional well-being and happiness of women involved in the relationship.

Second, violence experienced by victims of polygamy. In this research, two Informants revealed the forms of violence experienced in the context of polygamy. Informant 1 stated that the violence experienced was subtle pressure and inequality. It can include ignoring women’s needs and rights, as well as controlling and limiting their freedom. Meanwhile, Informant 2 said that one form of violence experienced was forced sexual relations during marriage. It shows that in polygamy, there is a risk of forced sexual intercourse without consent, which is a form of sexual violence.

Third, practical strategies for polygamy victims to protect themselves. In this research, two Informants provided several practical strategies that polygamy victims can use to defend themselves. Informant 1 stated that these strategies include leaving the house, seeking protection from parents or friends, and realizing the importance of social support. By leaving home and seeking shelter, polygamous victims can increase safety and reduce the risk of violence. Meanwhile, Informant 2 said strategies that could be taken included leaving the house, seeking shelter, and building a social support network. By implementing this strategy, polygamy victims can seek temporary protection and increase their security.

Fourth, the victims’ hopes for the government. In this research, two Informants expressed their hopes for the government regarding polygamy. Informant 1 hopes there will be clear and firm implementation of laws regarding polygamy. It aims to provide legal protection for women in polygamous relationships and prevent violations of their rights. Informant 2 hopes that there will be fair access to information and education for women so that they can overcome problems of violence or polygamy from an early age.

Table 2. Interview Data with Religious Judges and Religious Officials Regarding Polygamy Cases

No.	Indicator	Interview Results
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1	Views on polygamy in Islamic law and Indonesian positive law.	<p>Religious Judge: Acceptance of polygamy in Islamic law and challenges in ensuring justice and protection of women compared with Indonesian positive law.</p> <p>Religious Officer: Acceptance of polygamy in Islamic law and less emphasis on comparison with positive law in Indonesia.</p>
2	Views on the sanctions that apply to polygamists.	<p>Judges and Religious Officials: Concern because existing polygamy sanctions in Indonesia are not effective in preventing violence.</p>
3	The notion of polygamy is not prohibited by religion.	<p>Religious Judge:</p> <ol style="list-style-type: none"> 1. Polygamy is permitted if certain conditions are met. 2. The husband must know the challenges in ensuring justice and protection for the first wife when polygamous. <p>Religious Officer:</p> <ol style="list-style-type: none"> 1. A husband who wants to practice polygamy must obtain permission from his wife and wife's family 2. Husbands can act somewhat based on Islamic law to support their wives and children. 3. Polygamous wives will receive strict supervision and be under women's protection under the applicable law
4	Security that can be given to victims of polygamy.	<p>Judges and religious officials: Advocate for increased awareness through education about the violence of polygamy, denial of permission if the husband does not meet the</p>

		requirements, and ensuring legal and social protection, as well as involving the community to address the problem effectively.
5	Challenges in protecting women from polygamous violence.	Religious judge: Community pressure and intimidation in dealing with polygamous violence Religious Officials: Inadequate public perception and understanding.

Based on Table 2, the interview results that the researcher obtained will be described as follows. First, polygamy is accepted in Islamic law. In this context, there are two views expressed by Religious Judges and Religious Officials: (a) View of Religious Judges: Acceptance of polygamy in Islamic law as something that is permissible, with certain conditions. The husband must understand the challenges in ensuring justice and protection for the first wife when carrying out polygamy. It means that a husband who wants to practice polygamy must be able to provide justice and equal protection for the wives he has.

The Religious Judge also emphasized the importance of understanding and applying Islamic law in polygamy. An example of the acceptance of polygamy in Islamic law is when a husband has a first wife who cannot produce children. In this case, the husband can choose to marry a second wife on condition that he can fulfill his obligations and responsibilities towards the wives he has and (b) View of Religious Officials: Husbands who wish to practice polygamy must obtain permission from their wife and the wife's family. Apart from that, husbands must also be able to act based on Islamic law in meeting the needs of their wives and children.

Polygamous wives will also receive strict supervision and protection for women based on applicable law. An example of the acceptance of polygamy in Islamic law, according to the views of religious officials, is when a husband has reasonably fulfilled his obligations and responsibilities towards his wife and children. In this case, the first wife felt that polygamy could provide happiness and

prosperity for herself and her family. The husband has also communicated well and obtained approval and support from his first wife and family before deciding to carry out polygamy.

Second, sanctions that apply to violence in polygamy. In this case, there are two views expressed by Religious Judges and Religious Officials, namely: (a) Religious Judges are concerned about existing polygamy sanctions in Indonesia which are considered ineffective in preventing violence, and (b) the View of Religious Officials: There must be increased awareness through education about violence in polygamy, refusing permission if the husband does not meet the requirements, and ensuring legal and social protection are steps that need to be taken. Involving the community is also considered essential to address the problem effectively.

Third, the opinion that polygamy is not prohibited by religion based on interviews conducted by researchers found several different statements from the views of religious judges and several other religious officials. According to spiritual judges, polygamy is permitted in religion if certain conditions are met. However, the husband must be aware of the challenges in ensuring justice and protection for the first wife when carrying out polygamy. Meanwhile, according to religious officials, husbands who wish to practice polygamy must obtain permission from their wives and wife's family. Apart from that, husbands must also be able to act based on Islamic law to support their wives and children. Polygamous wives will also receive strict supervision and protection for women based on applicable laws. Examples that support this assumption are the provisions in the Islamic religion which allow polygamy with certain conditions. For example, in Islam, a husband is allowed to have up to four wives as long as he is able to treat them fairly. However, it is essential to note that not all religions allow polygamy and views on polygamy can vary across religions and cultures.

Fourth, protection can be provided to victims of polygamy. In terms of protection for victims of polygamy, both religious judges and religious officials have an important role. The following are several steps that can be taken to provide security, which the researchers summarized from the interviews conducted: (a) Increasing Awareness. Judges and religious officials can advocate for increased awareness through education about violence in polygamy. By raising public understanding of women's rights and the negative impacts of unfair

polygamy, it is hoped that awareness will increase and preventive action can be taken, (b) Refusal of Permit. Judges and religious officials can refuse to grant permission for polygamy if the husband does not meet the specified requirements. By doing this, they can protect the first wife and prevent injustice in polygamy.

Legal and Social Protection, (c) Judges and religious officials can also ensure that victims of polygamy receive adequate legal and social protection. It could involve implementing laws that protect women's rights and provide sanctions for perpetrators of polygamous violence. Apart from that, social support can also be provided through assistance and recovery programs for victims of polygamy, and (d) Community Participation. Judges and religious officials can involve the community in efforts to address the problem of polygamy effectively. By applying the community, awareness of unfair polygamy can be more expansive, and collective actions can be made to prevent and handle cases of detrimental polygamy. Examples of protection that can be given to victims of polygamy are laws that protect women's rights, such as the Women and Children Protection Law. Apart from that, social institutions and non-governmental organizations can also provide support and assistance to victims of polygamy to help them recover and obtain justice.

Fifth, the challenges in handling polygamy cases are experienced by religious judges and religious practitioners, namely: (a) Challenges from society and intimidation such as pressure from the community and force in dealing with violence in polygamy. This challenge can hamper the law enforcement and court processes regarding polygamy cases, and b) Inadequate Perception and Understanding: Incorrect or erroneous understanding of Islamic law and polygamy can cause injustice and imbalance in the practice of polygamy. In facing this challenge, collaborative efforts are needed between relevant institutions, the community, and the individuals involved. Proper education and outreach regarding Islamic law, polygamy, and violence in polygamy need to be improved so that society has a better understanding. Apart from that, legal and social protection for women who are victims of violence in polygamy must also be strengthened.

Discussion

The results presented by the author above can be seen from the perspective of women who are polygamous and from the standpoint of religious judges and religious leaders. Regarding sanctions and subjective assessments of polygamy for the protection of women in Indonesia, it can be seen that in Indonesia, polygamy is seen as something simple to complex in various non-objective cases, aka personal cases. So, polygamy cases tend to be individualistic cases that can be classified as general rather than exceptional cases. For example, cases of a social or religious nature are not cases of sexual violence or, more specifically, non-verbal violence.

From the aspect of polygamous women, it is known that both have the same position. They were first based on the experiences of polygamous women. Polygamy can have negative impacts on wives, including feelings of sadness, depression, and insecurity. Various factors, such as emotional competition, emotional gaps, and social pressure, can cause it. It is felt by both parties as long as they are in polygamy. Even though the husband was objective, both said they had tried to provide justice to their two wives. The results of this study reflect the very complex dynamics in polygamous relationships. This journey shows how husbands try to understand and support their wives' needs.

However, a wave of emotions seemed to emerge in this situation and rock this family's boat amid a sea of turbulent social relations. Makka and Ratundelang (2022) in research stated that, like crashing waves, feelings of sadness and emotional stress that arise in polygamous wives can cause waves of discomfort around them. Some family and friends may act like an inescapable storm, and this can create deep feelings of unease. These problems seem to arise from the unspoken shortcomings and insecurities that grow in the hearts of polygamous wives. Even though the husband provides financial support as a savior, the emotional waves felt by the wife still form unbalanced waters.²⁵

Second, it is a form of violence experienced by polygamous women. Forms of violence in husband-wife relationships, namely social isolation and forced sexual relations, are shared by both parties. Social

²⁵ Misbahul Munir Makka and Tuti Fajriati Ratundelang, "Polygamy Without the Permission of the First Wife and Its Impact on the Family," *Al-Mujtahid: Journal of Islamic Family Law* 2, no. 1 (2022): 34–51, <https://doi.org/10.30984/ajifl.v2i1.1937>.

isolation can be a form of violence because it can lead to detrimental feelings of isolation and control. Social isolation can be done by limiting the wife's association with the. Forced sexual relations can be a form of violence because it is illegal and violates individual rights. Forced sexual relations can be carried out by moving the wife to have intimate relations without the permission or approval of friends and family and prohibiting the wife from having private time. When a storm like this hits, both parties must seek the shelter and support necessary to weather the crisis and perhaps plan a safer port for landing. The welfare and safety of every individual is a top priority, and this must be the top priority. a shared commitment to maintain life in a state of peace. Muhyatun's research (2022) states that individuals in a husband-wife relationship must also understand the importance of respecting each other's rights and boundaries and communicating honestly and openly. In a healthy relationship, partners must support and respect each other to create a safe and loving environment. Ultimately, governments, community organizations, and individuals have an important role to play in ending violence in marital relationships and creating safer and more supportive communities for all individuals.²⁶

Third, how these women deal with the violence they experience in polygamy. Leaving the house and seeking protection from parents or friends is a natural and essential action to protect themselves from danger. This action shows an attempt to find support and a safe place. The results of this research highlight the firm response demonstrated by women who face violence in the context of polygamy. Amid a turbulent domestic conflict, leaving the house and seeking protection from parents or friends is a natural and essential action to protect oneself from threatening danger.

As revealed in research by Starkey and team (2019), this action shows the courage and determination of these women to find a way out of a detrimental situation. It is an important step that guides their efforts to find support and a safe place. Like a sailor sailing to a safe harbor amid a storm, this action is the first step in recovery and liberation from a dangerous situation. It is essential to continue to raise awareness of

²⁶ Muhyatun Muhyatun, "Changing Stress into Happiness: Application of the I-Message Technique to Build Positive Communication Patterns in the Family," *IJIP: Indonesian Journal of Islamic Psychology* 4, no. 2 (2022): 18–35, <https://doi.org/10.18326/ijip.v4i2.10>.

this issue and provide resources and a more comprehensive support network for women facing violence in polygamy. It is a crucial step in creating a safer and more supportive environment for all individuals, as well as ending the destructive cycle of violence in these relationships.²⁷

The third hope of polygamous women is that the government can protect women from polygamous violence. There is urgency and effort to enforce women's protection through education and outreach, improving the law, increasing women's access to legal guardians, and law enforcement. The results of this research illustrate the very high hopes of polygamous women regarding the government's role in protecting them from violence that may occur in this context. This hope is reflected in the voices of those who voice the need for concrete action and urgency to improve their situation. Women who are polygamous hope that the government will take concrete steps to ensure their protection from polygamous violence.

It is a significant and mandatory action for governments responsible for protecting individual rights, including women's rights, in any context. As in Cilanga and team's research (2020), the expected efforts include education and outreach, which can help increase public awareness about women's rights in polygamy and the dangers they may face. This increased understanding is the first step in overcoming this problem. Apart from that, improving the law is also an essential part of enforcing the protection of women in polygamy. Finally, effective law enforcement is a crucial step to ensure that acts of violence in polygamy will not be tolerated.²⁸

Then, regarding the views of religious court judges and religious officials, they each have their own objective and subjective points of view. First, it is seen from the perspective of Islamic law and Indonesian positive law. According to sources, polygamy is permitted in Islamic law and Indonesian positive law, but with certain conditions. In Islamic law, one of the main conditions for polygamy is the husband's obligation to treat all wives equally, although this is complicated given

²⁷ Jesse C. Starkey et al., "#MeToo Goes Global: Media Framing of Silence Breakers in Four National Situations," *Journal of Communication Research* 43, no. 4 (October 2019): 437–61, <https://doi.org/10.1177/0196859919865254>.

²⁸ Emmanuel Cilanga et al., "Prevalence and Determinants of Intimate Partner Violence Against Mothers of Under-Five Children in Central Malawi," *BMC Public Health* 20, no. 1848 (December 2020): 1–14, <https://doi.org/10.1186/s12889-020-09910-z>.

the differences in individual needs. On the other hand, Indonesian positive law requires court permission before polygamy can be carried out, which aims to protect women from potential violence. The results of this research reflect an exciting view regarding polygamy in the context of Islamic law and Indonesian positive law. According to those interviewed, polygamy is permitted within the applicable legal framework, but several conditions must be met. In the context of Islamic law, polygamy is indeed allowed, but with a critical primary condition, namely, the husband's obligation to treat all wives fairly. It is a fundamental principle in Islam that requires husbands to treat their wives fairly, both materially, emotionally, and physically. However, this can be complicated in practice due to differences in individual needs and the challenges that arise in implementing polygamy fairly.

On the other hand, Indonesian positive law requires court permission before polygamy can be carried out. The aim is to protect women from potential violence or harassment that may occur in polygamous situations. This approach provides more robust legal protection for women so that they have mechanisms to monitor and ensure that polygamy is carried out appropriately and safely. Waheeda et al. highlight the importance of balancing religious values and positive law, as well as the need for a wise approach in dealing with the issue of polygamy. It shows that there is room for changes and improvements in regulations and understanding regarding polygamy to ensure the protection of women's rights in this context.²⁹

Second are these experts' views regarding the effectiveness of polygamy sanctions in Indonesia. According to sources, the polygamy sanctions currently in force in Indonesia have not been effective in preventing violence in the practice of polygamy. Indonesian positive law requires court permission before polygamy can be carried out. Still, the criminal sanctions are considered too light, namely a maximum prison sentence of 1 year or a maximum fine of IDR 10 million. On the other hand, in Islamic law, sanctions in the form of divorce that husbands can carry out are also considered not to be strict enough; moreover, administrative sanctions such as revocation of polygamy

²⁹ Waheeda, Abdul Aziz, and Ali Mutakin, "Polygamy in Islamic Jurisprudence: Scientific, Regulatory, and Justice Perspectives," *Alfiah Islamic Law Review Journal* 2, no. 2 (2023): 78–100, <http://ejournal.tamanlitera.id/index.php/ilrj/article/view/94>.

permits are considered to be less effective in providing the necessary deterrent effect—perpetrators of polygamous violence. The lack of sanctions can reduce the impact of prevention and give the impression that violations related to polygamy are considered trivial. In this case, there is a need for an in-depth evaluation of the extent to which these sanctions are effective in detecting, preventing, and punishing perpetrators of violence in the context of polygamy.

On the other hand, in Islamic law, sanctions in the form of divorce that husbands can carry out are also considered not firm enough in dealing with this problem. These sanctions may be regarded as inadequate because they are more administrative in nature than effective prevention and enforcement. Sari's (2023) research revealed feelings of significant concern regarding the effectiveness of sanctions related to polygamy in Indonesia in preventing violence in the practice of polygamy. In the context of Indonesian positive law, court permission is an important step to monitor and regulate polygamy. However, the current criminal sanctions are considered too light, namely a maximum prison sentence of 1 year or a maximum fine of IDR 10 million. They raise serious questions regarding the effectiveness of these sanctions in preventing perpetrators of polygamous violence.³⁰

Third, violence in the practice of polygamy can have widespread and serious negative impacts, both physical, psychological, and social. Women who experience violence in the preparation of polygamy must immediately seek help and support from various parties, including family, friends, institutions, and legal services. The results of this research underline the importance of awareness of the negative impacts of severe and widespread violence in the practice of polygamy. In the course of polygamy, which is full of conflict and inequality, women who become victims can experience very detrimental impacts, both physically, psychologically, and socially. Physical effects can include physical injuries or even threats to their physical safety. The psychological consequences include stress, depression, anxiety, and psychological trauma, which can be prolonged. Social effects include

³⁰ A. Harel-Shalev et al. "Ontological Security, Trauma and Violence, and the Protection of Women: Polygamy Among Minority Communities," *Frontiers in Psychology* 12, no. 743478 (October 2021): 1-15, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8517128/pdf/fpsyg-12-743478.pdf>.

isolation, societal rejection, and loss of social support. Continued research by Ellsberg et al. (2020). It is essential for women who experience violence in the practice of polygamy to seek help and support from various parties immediately. Family, friends, community organizations, and legal services are sources of support that can help victims deal with the situation. Family and friends can provide emotional and practical support to victims, help them plan their subsequent actions, and provide a safe haven. Community organizations and legal services can provide access to the legal protection, counseling, and legal assistance needed to address such violence.³¹

Fourth, there are three primary efforts to overcome violence in the practice of polygamy. There is education that increases understanding about violence in the course of polygamy and its impacts. There is a refusal to allow polygamy if the husband does not meet the requirements. There is legal and social protection and legal and social guarantees for women involved in polygamy. An approach that involves education, strict law enforcement, the role of competent mediators, and comprehensive protection, especially for the first wife, is considered to be the key to overcoming the problem of violence in the practice of polygamy.

The results of this research found three main approaches that are very important for overcoming violence in the course of polygamy. This approach paves the way for a deeper understanding of this problem and its potential adverse impacts. Overall, a system that involves education, strict law enforcement, the role of competent mediators, and comprehensive protection is the key to overcoming the problem of violence in the practice of polygamy. It is a journey towards better understanding this issue, protecting women's rights, and creating a more just and safe society for all individuals, especially those in difficult situations. Then, in Maulida's research, an approach involving education, strict law enforcement, the role of competent mediators, and comprehensive protection are the keys to overcoming the problem of

³¹ Mary Ellsberg et al., "No Safe Place: Prevalence and Correlates of Violence Against Conflict-Affected Women and Girls in South Sudan," *PLoS ONE* 15, no. 10 (October 2020): e0237965, <https://doi.org/10.1371/journal.pone.0237965>.

violence in polygamy.³² It creates awareness about the issue and provides the necessary tools and support to women in difficult situations. Apart from that, this approach also strengthens social and legal responsibility in protecting women's rights in the context of polygamy.

Fifth, religious court judges and religious officials face various challenges in protecting women from polygamous violence. Different public views on polygamy. Lack of understanding of polygamous violence. Lack of resources. Threats or intimidation from husband. All these challenges demonstrate the need for a comprehensive approach to improving the protection of women involved in polygamy. The results of this research illustrate the various challenges faced by religious court judges and religious officials in efforts to protect women from violence in the context of polygamy. These challenges reflect the complexity and diversity of problems related to polygamy. In another research report from Roudabeh Kishi,³³ emphasis on a comprehensive approach is significant in facing these challenges. It includes public education to change views regarding polygamy, training for judges and religious leaders on the signs of violence, allocation of adequate resources, and measures to protect women from threats or intimidation. Only with a comprehensive approach can we hope to improve the protection of women involved in polygamy and create a safer environment for them.

Conclusion

The results of this research reveal various views from female polygamists, religious judges, and religious leaders regarding the practice of polygamy and its impact on women's protection in Indonesia. Women who are polygamous experience adverse effects, including feelings of sadness and insecurity caused by emotional

³² Nur Rizki Maulida, et al., "The Importance of Family Law Against Women in Polygamy," *Aurelia: Jurnal Penelitian dan Pengabdian Masyarakat Indonesia* 1, no. 2 (December 2022): 277-281, https://www.researchgate.net/publication/366831948_The_Importance_of_Family_Law_Against_Women_in_Polygamy/link/63b423d8a03100368a4de736/download?_tp=eyJjb250ZXh0Ijp7ImZpcnN0UGFnZSI6InB1YmxpY2F0aW9uIiwicGFnZSI6InB1YmxpY2F0aW9uIn19.

³³ Roudabeh Kishi. *Violence Targeting Women in Politics: Trends in Targets, Types, and Perpetrators of Political Violence*. USA: The Armed Conflict Location & Event Data Project (ACLED), December 2021, https://acleddata.com/acleddatanew/wp-content/uploads/2022/01/ACLED_Report_PVTWIP_12.2021.pdf.

conflicts and gaps in polygamous relationships. They hope that the government will take concrete action through education, improving the law, increasing women's access to legal protection, and effective law enforcement.

On the other hand, there are challenges in protecting women from polygamous violence, including diverse societal views, lack of understanding, lack of resources, and threats from husbands. Therefore, a comprehensive approach is needed that includes changing society's beliefs, education and training for law enforcers, allocation of adequate resources, and protection of women involved in polygamy to create a safer and more supportive environment for them.

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