

**ANALISIS YURIDIS PEMENUHAN SYARAT ALTERNATIF  
DALAM PEMBERIAN IZIN POLIGAMI (STUDI KASUS PADA  
PUTUSAN NOMOR 2056/Pdt.G/2019/PA.Mkd)**

**Enjang Dwi Mulyani<sup>1</sup>, Yulkarnain Harahab<sup>2</sup>**

**INTISARI**

Penelitian ini bertujuan untuk mengetahui dasar pertimbangan hakim dalam memberikan izin poligami tanpa memenuhi syarat alternatif dalam Putusan Nomor 2056/Pdt.G/2019/PA.Mkd dan permohonan izin poligami tanpa memenuhi syarat alternatif yang dikabulkan ditinjau dari segi keadilan, kepastian, dan kemanfaatan hukum.

Penelitian ini merupakan penelitian yuridis normatif yaitu penelitian hukum yang dilakukan dengan meneliti data sekunder melalui bahan-bahan pustaka. Untuk menunjang dan melengkapi data maka dilakukan wawancara dengan narasumber. Hasil penelitian dianalisis menggunakan metode kualitatif dengan pendekatan studi kasus.

Hasil dari penelitian ini menunjukkan bahwa dasar pertimbangan hakim dalam memberikan izin poligami tanpa memenuhi syarat alternatif dalam Putusan Nomor 2056/Pdt.G/2019/PA.Mkd. karena Pemohon telah memenuhi seluruh syarat kumulatif sesuai dengan peraturan perundang-undangan dengan pengecualian alasan syarat alternatif karena Pemohon mempunyai hiperseksual. Putusan yang dikabulkan telah memenuhi kepastian hukum dan kemanfaatan, akan tetapi tidak memenuhi keadilan.

Kata Kunci: Poligami, Keadilan, Kepastian, Kemanfaatan.

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**ALTERNATIVE JURISDICTION ANALYSIS IN THE GRANTING OF  
POLYGAMY PERMISSION (CASE STUDY OF COURT DECISION  
NUMBER 2056/Pdt.G/2019/PA.Mkd)**

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**ABSTRACT**

The purpose of this research is to find out the judges' considerations in granting polygamy permission without fulfilled alternative requirements in the religion court decision Number 2056/Pdt.G/2019/PA.Mkd and granting polygamy permission without fulfilling the alternative requirements those are reviewed in terms of justice, certainty, and law expediency.

This research is a normative legal research, which was done by researching secondary data through library materials. To support and complete the data, interviews were conducted with resource person. The results of the study were analyzed using qualitative methods with a case study approach.

The results of this study indicates that the judge's basic considerations in granting polygamy permission without fulfilling the alternative requirements in the decision Number 2056/Pdt.G/2019/PA.Mkd. because the Petitioner has fulfilled all cumulative requirements in accordance with the laws and regulations with the exception of alternative condition reasons because He has hypersexual. The decision is granted if only fulfilling law certainty and law expediency, but does not fulfill justice.

Keywords: Polygamy, Justice, Certainty, Expediency.

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