

Misyār-Like Marriage Practices in Kalibening Village, Lumajang Regency: An Empirical Study from the Perspective of Sadd al-Dharī‘ah

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Abstract:

Misyar marriage is a form of marriage that fulfills the pillars and requirements of Islamic law while involving the relinquishment of certain marital rights, including maintenance, residence, and equal turns in polygamous marriage. This study examines marital practices resembling *misyar* in Kalibening Village, Pronojiwo District, Lumajang Regency, from the perspective of *sadd al-dharī‘ah* and their implications for marital rights and household harmony. This empirical legal research employed a qualitative approach. Fieldwork was conducted in April 2025 and involved eight informants, consisting of three husbands and five wives who practiced marital arrangements resembling *misyar*. Informants were identified based on their direct experience with the practice and through recommendations from the Head of Kalibening Village. Data were collected through direct semi-structured interviews and documentation. The findings indicate that these practices are associated with economic conditions, occupational circumstances, biological needs, and the desire to avoid adultery. Informants reported limited fulfillment of maintenance and emotional needs, reduced communication and spousal togetherness, and weakened household relationships in some cases. Through *sadd al-dharī‘ah*, these findings are assessed by considering the potential *maslahah* and *mafsadah* arising from the relinquishment of marital rights. The study highlights the need to ensure that such arrangements do not result in the neglect of the rights and interests of spouses and children.

Keywords: *Misyār* Marriage, *Sadd al-Dharī‘ah*, Marital Rights, Household Harmony.



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Introduction

Marriage is one of the fundamental institutions in Islamic law, serving not only to establish a lawful relationship between a man and a woman but also to create rights and obligations aimed at building a harmonious and lasting family. Marriage is regarded as a strong contract containing religious and social values,

including the preservation of offspring and honor.¹ In this framework, the fulfillment of balanced rights and obligations between husband and wife is essential to achieving the objectives of marriage.² These rights and obligations include not only the fulfillment of marital needs but also the provision of protection, companionship, and emotional support within the household.³

Changes in social, economic, and occupational conditions have contributed to the emergence of various marriage practices that differ from conventional patterns, including *misyār* marriage. *Misyār* marriage is generally understood as a marriage that fulfills the pillars and requirements of Islamic law while involving an agreement to reduce or relinquish certain marital rights of the wife, such as maintenance, residence, and living together.⁴ The practice emerged as a topic of discussion in the Qassim region of Saudi Arabia and subsequently spread to other regions and Middle Eastern countries. Its emergence has been associated with changing social and economic conditions, population mobility, migration, women's education, and changing patterns of family life.⁵

The validity and implications of *misyār* marriage remain debated among Muslim scholars. Some scholars consider it valid when its pillars and requirements are fulfilled and the relinquishment of certain rights occurs with the wife's consent.⁶ Other scholars question the practice because such arrangements may affect the objectives of marriage and create risks of neglecting marital responsibilities, weakening women's protection, and disrupting the balance of rights and obligations.⁷ Thus, existing discussions have largely focused on the legal validity of *misyār* marriage and the permissibility of relinquishing certain marital rights.

However, the legal validity of the marriage contract does not necessarily explain how such a practice operates in the lives of families at the local level or what consequences may arise from the relinquishment of marital rights. This issue is particularly relevant in Kalibening Village, Pronojiwo District, Lumajang Regency, where the practice of marriage with characteristics of *misyār* is found among community members. Field conditions indicate limitations in the fulfillment of certain marital rights and obligations, including limited husband-wife companionship, reduced interaction, and emotional pressure experienced by some wives. These circumstances raise an unresolved question concerning the relationship between the formal validity of the marriage and its potential consequences for the fulfillment of family rights and household harmony.

This gap requires an analytical perspective that considers not only whether

¹ Ali Sibra Malisi, "Pernikahan dalam Islam," *SEIKAT: Jurnal Sosial, Politik, dan Hukum*. 1, no. 1 (Oktober 2022) 23.

² Theadora Rahmawati, *Fiqh Munakahat 1 dari proses menuju pernikahan hingga Hak dan kewajiban suami istri* (Pamekasan: Duta Media Publishing, 2021), 19.

³ Ali Malisi Ibra, "Pernikahan dalam Islam," *Jurnal Sosial, Politik, dan Hukum*. 1, no. 1 (Oktober 2022)

⁴ Musdalifah, Hamzah Hasan, dan Muhammad Shuhufi "Nikah *Misyār* Perspektif Fikih Kontemporer," *Istidal: Jurnal Studi Hukum Islam*. 12, no. 1 (2025) 48.

⁵ Fatimawali, "Mengurangi Kontroversi Dan Manfaat Nikah *Misyār*," *Jurnal Pendidikan, sosial, dan keagamaan* 22, no. 2 (Agustus 2024): 95

⁶ Ash Shiddiqi, Hasbi "Pandangan Al-Qadarawi Tentang Hukum Nikah *Misyār*," *Jurnal Hukum Islam Nusantara* 3, no. 1 Juni 2020

⁷ Satrio Abdillah, "Problematisasi Nikah *Misyār* dan Solusinya di Tinjau dari Sosiologis dan Psikologis," *Journal of law* 3, no. 3 (September 2024): 3

the marriage fulfills the formal requirements of Islamic law but also whether a permissible act may become a means leading to greater harm. The concept of *sadd al-dharī'ah* is relevant to this issue because it emphasizes preventing permissible actions that have the potential to lead to harm. Through this perspective, the practice can be assessed by examining the benefits and potential harms arising from the relinquishment of marital rights, particularly in relation to the protection of wives and children and the achievement of the objectives of marriage.

Therefore, this study aims to analyze the practice of misyār marriage in Kalibening Village, Pronojiwo District, Lumajang Regency, from the perspective of *sadd al-dharī'ah* and to examine its implications for the fulfillment of marital rights and household harmony. Specifically, the study addresses two questions: (1) how is the practice of misyār marriage in Kalibening Village viewed from the perspective of *sadd al-dharī'ah* in relation to the fulfillment of marital rights and household harmony? and (2) what are the impacts of the practice on the fulfillment of the rights and obligations of husbands and wives and on household harmony?

Method

This study employed empirical legal research with a qualitative approach in Kalibening Village, Pronojiwo District, Lumajang Regency, in April 2025. Primary data were obtained from eight informants, consisting of three husbands and five wives involved in marital arrangements with characteristics of misyar marriage. Informants were identified through local community information and recommendations from the Head of Kalibening Village and selected based on their direct experience with the practice. Data were collected through direct semi-structured interviews lasting approximately 30–40 minutes per informant and documented through written notes and photographs. Prior to each interview, the researcher obtained informed consent, explained the research purpose, and assured participants of anonymity and confidentiality. Secondary data were obtained from the Qur'an, hadith, legislation, the Compilation of Islamic Law, books, and relevant scientific journals. Data were analyzed through data reduction, presentation, and conclusion drawing. The study relied solely on the perspectives of the eight informants and did not include interviews with religious leaders or family members.

Discussion

First Discussion: Analysis of *Sadd al-Dharī'ah*

Marriage basically gives rise to rights and obligations between husband and wife within the household. The husband has the responsibility to provide material and emotional maintenance, protection, and attention to the family. The wife has the right to the fulfillment of needs, a sense of security, and good treatment. Married life is directed toward forming a family characterized by *sakinah*, *mawaddah*, and *warahmah*, namely a family that is peaceful, full of love, and filled with affection.⁸

In practice, marriage is not limited to a formal contract. Marriage forms a bond between husband and wife in which there are rights and obligations, such as maintenance, provision of residence, protection, and moral and social

⁸ Rusyada Basri, *Fiqh Munakahat 4 Madzhab dan Kebijakan Pemerintah* (Parepare: Kaaffah Learning Center, 2019), 7.

responsibility. Islamic marriage law emphasizes the validity of the contract through the fulfillment of the established pillars and requirements. The objectives of marriage become an important basis for assessing the quality and continuity of a household. The implementation of marriage requires conformity with the values of Islamic justice and the principles of the sharia. These provisions are directed toward preserving benefit and building harmonious family.

In Islamic law, marriage is intended to establish a harmonious family characterized by *sakinah*, *mawaddah*, and *rahmah*, while ensuring the fulfillment of the rights and obligations of husband and wife. These objectives provide an important basis for assessing whether the practice of *misyar* marriage supports or potentially undermines family welfare.⁹

The first objective, namely realizing a family characterized by *sakinah*, *mawaddah*, and *rahmah*, occupies a central position in Islamic marriage. *Sakinah* describes a household condition that is calm, serene, and full of peace. *Mawaddah* indicates the presence of love and affection that grows between husband and wife. *Rahmah* contains the meaning of care, mutual protection, and empathy in facing the various dynamics of household life. These three values form the basis for establishing a harmonious and sustainable family in accordance with Islamic teachings.

The next objective is reproduction and regeneration. Marriage becomes a lawful means of producing offspring and maintaining the clarity of a child's lineage. In Islam, the existence of offspring is not only understood as the continuation of generations biologically, but also contains responsibility for education and guidance. Parents are obliged to instill Islamic, moral, and ethical values in their children. Marriage has an important role in maintaining the continuity of the Muslim community and in forming a generation that is faithful and possesses noble character.¹⁰

Marriage also aims to fulfill biological needs in a lawful and honorable manner. Islam places the relationship between men and women within a valid bond so that human instinctive drives can be channeled in accordance with the provisions of the sharia. The fulfillment of biological needs through marriage plays a role in protecting personal honor, building emotional stability, and creating social order. The existence of marriage becomes an important instrument in safeguarding individual and social morality.¹¹

Another objective of marriage is to protect honor. A valid marital bond provides clear boundaries for the relationship between men and women so that it can prevent disgraceful acts, such as adultery and violations of moral norms.¹² The protection of honor is not only related to the protection of individual dignity, but also includes the clarity of lineage, the preservation of the family's good name, and the creation of ethical social life. Marriage functions as a means of protecting moral values that are part of the objectives of Islamic law.

Marriage also has a dimension of worship. The bond between husband and

⁹ Rahmawati, *Fiqh Munakahat 1 dari proses menuju pernikahan hingga Hak dan kewajiban suami istri* (Pamekasan: Duta Media Publishing, 2021), 19

¹⁰ Basri, *Fiqh Munakahat 4 madzhab*, 16

¹¹ Amir Syarifuddin, *Hukum Perkawinan Islam di Indonesia: Antara Fiqh Munakahat dan Undang-Undang Perkawinan* (Pamulang: YASMI, 2018), 35

¹² Moh. Ali Wafa, "Hukum Perkawinan di Indonesia" (Tangerang Selatan: YASMI), 50

wife is not viewed merely as a social relationship or legal agreement, but as a form of devotion to Allah. The fulfillment of the rights and obligations of husband and wife, the education of children, and efforts to maintain family harmony have the value of worship when carried out with the intention of seeking Allah's pleasure. Marriage becomes a means of drawing closer to Allah while also realizing Islamic values in family life.¹³

Marriage in Islam contains various wisdoms for individual and social life. These wisdoms include: (1) protecting oneself from adultery; (2) helping to lower one's gaze from prohibited matters; (3) reducing the risk of diseases that may arise from free association and sexual relations outside marriage; (4) forming psychological maturity, maturity in thinking, and responsibility toward the family; (5) becoming an important part of perfecting religious teachings; (6) fostering seriousness, courage, and a sense of responsibility in carrying out roles within the family, society, and the state; and (7) strengthening ties of kinship and brotherhood that support the creation of harmonious social life.¹⁴

Marriage also provides benefits in shaping a person's character and personality. Household life requires mutual understanding, cooperation, and responsibility in facing various problems of life. Through marriage, a person learns to carry out trust, control oneself, and build broader social relationships. The presence of the family becomes a means of realizing tranquility, strengthening human bonds, and creating an environment that supports moral and spiritual development.

The legal status of marriage in Islam is not singular, but is adjusted to a person's condition and ability. The ruling on marriage can be divided into several categories, namely: (1) obligatory for someone who has physical and inner capacity and is feared to fall into adultery if he or she does not marry immediately; (2) recommended for someone who is ready to marry but is still able to protect himself or herself from prohibited acts; (3) disliked for someone who has certain conditions that may hinder the implementation of rights and obligations in the household and are therefore feared to cause disharmony; and (4) prohibited for someone who is unable to carry out marital responsibilities or who intends to harm and neglect his or her spouse, thereby potentially causing harm.¹⁵

The determination of the legal status of marriage shows that Islam considers the aspects of benefit and individual ability in building a household. Marriage is not only viewed as a means of fulfilling biological needs, but also as a trust that contains rights, obligations, and responsibilities that must be carried out justly and proportionally. Therefore, the implementation of marriage is required to conform to the principles of the sharia so that the objective of forming a harmonious, prosperous, and responsible family can be realized.¹⁶

Social change and the development of modern society have produced various marriage practices that do not fully follow conventional patterns of marriage.

¹³ Rahmawati, "Fiqh Munakahat 1" 19.

¹⁴ Wafa, "Hukum Perkawinan di Indonesia" 52

¹⁵ Gus Arifin, "Menikah untuk Bahagia Fiqh Nikah dan Kamasutra Islami" (PT Elex Media Komputindo, 2021), 102.

¹⁶ Rusyada Basri, *Fiqh Munakahat 4 Madzhab dan Kebijakan Pemerintah* (Parepare: Kaaffah Learning Center, 2019), 15.

One of these practices is misyār marriage. Misyār marriage is a marriage carried out through a particular agreement involving the relinquishment of some of the wife's rights, including maintenance, residence, or turns in polygamy. This practice is often found in communities with specific conditions and needs, such as high occupational mobility, distant places of residence, or particular social circumstances. These characteristics form a pattern of household relations that is more flexible and different from marriage practices in general.¹⁷

In contrast to that concept, misyār marriage shows a pattern of marriage that does not fully fulfill the ideal distribution of rights and obligations. In practice, there is a relinquishment of some of the wife's rights, such as maintenance, togetherness, and attention. This condition affects the quality of the relationship within the household and indicates an imbalance in the implementation of marriage.

Misyār marriage is a form of marriage carried out by fulfilling the pillars and requirements of marriage according to Islamic law. This practice has the characteristic of relinquishing some of the wife's rights on the basis of consent and mutual agreement. The rights relinquished include maintenance, residence, and the intensity of togetherness with the husband.¹⁸ The household relationship in misyār marriage does not place the husband and wife in continuous cohabitation. The husband only visits the wife at certain times according to the agreement that has been made.

Linguistically, the term misyār comes from the word sāra, which means to walk or to travel. In modern Arabic dialect, the word is used to describe a brief visit or a journey that is not permanent. The use of the term misyār in marriage refers to a pattern of husband-wife relations marked by the husband's periodic visits to the wife's residence without living together in one house. This pattern describes a household relationship that differs from marriage practices in general.

Misyār marriage is a concept that has developed in modern Muslim society. The term is not found in the Qur'an, hadith, or classical fiqh literature. Discussion of misyār marriage is placed within the sphere of fiqh ijtihad as a response to changes in the social conditions of society. Its existence arises from practical needs that emerge in modern life and not from sharia provisions explicitly mentioned in the texts.¹⁹

The development of misyār marriage is influenced by various social and economic conditions. The high cost of marriage, large mahar demands, the need to provide residence, and the increasing burden of living are factors that encourage the emergence of this practice. Other conditions, such as the increasing number of single women and widows who are economically independent as well as high occupational mobility, also shape the need for a more flexible pattern of marriage. Some people view misyār marriage as an alternative for obtaining a lawful marital status and protecting themselves from adultery.

The legal validity of misyār marriage is determined by the fulfillment of the pillars and requirements of marriage. The relinquishment of some of the wife's rights is also known in fiqh discussions through the concept of consent and agreement in

¹⁷ Al Mas'udah, *TREN NIKAH MISYĀR PERSPEKTIF HUKUM ISLAM* Jurnal IJTIHAD, 1, no.1 (2023): 35

¹⁸ Fatimawali, "Mengurangi Kontroversi Nikah Misyār," 95

¹⁹ Parlindungan Simbolon "Nikah Misyār Dalam Pandangan Hukum Islam" Jurnal Al-Himayah." 2

the husband-wife relationship. The practice of *misyār* marriage nevertheless continues to generate debate among scholars and academics. The debate relates to the impacts that may arise regarding the fulfillment of the rights and obligations of husband and wife, the protection of women, and the achievement of the objectives of marriage in Islam. Family life built through *misyār* marriage has the potential to face obstacles in realizing a complete and harmonious family based on the values of *sakinah*, *mawaddah*, and *rahmah*.²⁰

In Kalibening Village, the community does not generally use or recognize the term *misyār* marriage. Instead, marriage is understood through religious provisions, local customs, and the practical circumstances of each family. Field findings show several marital arrangements in which husbands and wives live separately or have limited marital interaction, while certain marital rights, such as maintenance, residence, or regular companionship, are reduced or not fully exercised. These factual arrangements are not classified as *misyār* solely on the basis of the researcher's interpretation. Rather, they are described as local marital practices with *misyār*-like characteristics and are classified by examining whether there was an agreement or practice involving the relinquishment or limitation of specific marital rights.

The empirical findings show that marital practices resembling *misyar* in Kalibening Village are motivated by different circumstances and produce varied household consequences. Some informants accepted the arrangement because of economic independence, emotional needs, age, previous marital experiences, or the desire to maintain a lawful relationship. The experiences were not uniform. One female informant reported feelings of loneliness and insecurity arising from the limited presence of her husband, while another experienced weakened emotional attachment and reduced interaction with her husband, which also affected the child. Another informant described social stigma arising from the husband's infrequent presence and inadequate maintenance, which contributed to anxiety and emotional instability. Differences were also evident in living arrangements and occupational circumstances. One male informant explained that the location of his work led him to stay more frequently at his second wife's residence, reducing his meetings and communication with his first wife and creating an unequal distribution of time and attention. These findings demonstrate that the practice cannot be treated as a uniform marital arrangement, as the motivations, living conditions, fulfillment of rights, and consequences varied among informants.

The problems that arise in this practice can be seen from unstable household relationships. Conflicts occur frequently and lead to strained relationships between husband and wife. There are many factors that influence the occurrence of *misyār* marriage, such as economic factors and financial independence, as well as emotional and psychological needs; other factors include age and the factor that one informant felt that village people would not want such a relationship.²¹ Husbands sometimes choose to leave the house when quarrels occur. This situation affects the emotional condition of the wife and children. The family atmosphere becomes less

²⁰ Musdalifah "Nikah *Misyār* Perspektif Fikih Kontemporer" *Istidlal : Jurnal Studi Hukum Islam*, no. 1 (2025) 46

²¹ Muhammad Arju Nasrullah, "Nikah *Misyār* Perspektif Hukum Positif di Indonesia (Studi Kasus di Desa Kutoporong, Mojokerto 2023)." 21

harmonious and unstable.

Sadd al-dharī'ah is a method of legal determination in Islam oriented toward preventing damage or harm by closing every path that leads to it. In the context of this study, the practice of misyār marriage can normatively be categorized as permissible if it fulfills the pillars and requirements of marriage established in the sharia. However, this practice shows the potential for a shift in legal status when, in its implementation, it produces repeated and systematic negative impacts, especially regarding the neglect of the rights of wives and children and the failure to achieve the main objectives of marriage in Islam.²²

The findings show that several informants experienced limited fulfillment of material and emotional needs, reduced communication and companionship, and weakened household relationships. In some cases, these conditions were associated with loneliness and psychological pressure, although the experiences varied among informants. From the perspective of *sadd al-dharī'ah*, these findings indicate potential *mafsadah*, particularly when the limitation of marital rights affects the interests of spouses and children.

Previous studies have largely focused on the legal validity of *misyar* marriage and its social function²³ This study confirms that formal validity does not necessarily ensure the optimal fulfillment of marital rights. The Kalibening case shows that limitations in maintenance, companionship, and emotional interaction may create potential *mafsadah* for spouses and children. Thus, this study contributes an empirical application of *sadd al-dharī'ah* to assess the consequences of *misyar*-like marital practices within a local community.

Within the framework of the discussion, these findings show that the theory of *sadd al-dharī'ah* is relevant for reading the social reality of misyār marriage, particularly when a practice initially considered permissible has the potential to cause greater damage. Therefore, this practice can be understood as something that needs to be limited or anticipated so that it does not lead to the loss of the objectives of marriage in Islam, namely the realization of a family characterized by *sakinah*, *mawaddah*, and *rahmah*.

Second Discussion: The Impact Marital Rights and Family Harmony

The people of Kalibening Village generally do not recognize the term or concept of misyar marriage. The term is rarely used in everyday life and has not become part of the community's understanding of family law. Instead, marriage is understood primarily through religious validity, local customs, life experiences, and adaptations to each family's circumstances. Consequently, some community members may practice marital arrangements that have characteristics similar to misyar without realizing that they correspond to the concept.

This limited understanding causes practices that have characteristics resembling misyār marriage to continue without the practitioners being aware of them. Some couples live married life in a pattern that does not require the complete fulfillment of rights, especially in the aspects of maintenance, residence, and the

²² Ismail Jaili "Eksistensi Sadd adz-Dzariah Dalam Ushul Fuqh" Kajian Pemikiran Ibnu Qayyim al-Jauziyyah. Bengkulu: Penerbit Lakeisha, 2020.

²³ Zulkifli, "Nikah Misyār dalam Pandangan Hukum Islam" (Skripsi, Universitas Islam Negeri Syarif Hidayatullah, Jakarta, 2011) 28

intensity of togetherness between husband and wife. This situation is viewed as a form of adjustment to the economic conditions, occupations, or personal situations faced by the couple. The practitioners do not identify this practice as *misyār* marriage because public attention is directed more toward whether the marriage contract is valid than toward the form of relationship carried out after the contract takes place.

The religious life of the Kalibening Village community takes place in a harmonious atmosphere, with the majority of residents being Muslim. Religious values serve as the basis for various social and community activities. The performance of worship, the commemoration of religious holidays, and the involvement of religious figures show the strength of the community's religious life. This condition shows that practices resembling *misyār* marriage do not arise from an attempt to disregard religious teachings, but are more influenced by limited knowledge of family law and by adjustments to the social, economic, and practical needs that develop in the life of the local community.

Marriage in Islam gives rise to rights and obligations for husband and wife that must be carried out in a balanced manner. The husband is obliged to provide maintenance, protection, attention, and the fulfillment of outward and inward needs. The wife has the right to obtain a sense of security, good treatment, and a decent household life. The fulfillment of these rights and obligations is directed toward realizing a family characterized by *sakinah*, *mawaddah*, and *rahmah*. The values of tranquility, love, and affection become the basis for creating harmonious and sustainable household life.

The reality in society shows the existence of forms of marriage that do not fully reflect these ideal objectives. Some couples live marital relationships in a pattern resembling *misyār* marriage, namely the relinquishment of some of the wife's rights in the form of maintenance, togetherness, or attention from the husband. This practice takes place as a form of adjustment to economic conditions, occupations, or the personal circumstances of each couple. The household life that is lived ultimately does not fully provide space for the complete fulfillment of rights and obligations.

Ignorance of the concept of *misyār* marriage is one of the factors underlying the continuation of this practice in Kalibening Village. The practitioners do not view the marital pattern they live as a form of relinquishing rights in the household, but rather as a consequence of the conditions they are facing. Limited understanding of the rights and obligations of husband and wife also causes the reduction of certain rights to be viewed as something normal and acceptable.

This condition may contribute to various challenges in family life. The unequal fulfillment of marital rights and obligations may weaken the stability of the husband-wife relationship, while limited time together can reduce household harmony and create emotional distance among family members. Wives may experience emotional pressure, and children may be affected by tensions within the family environment. Thus, the community's limited understanding of *misyar* marriage does not necessarily prevent potential consequences from arising from marital practices that resemble *misyar* in household life.

The implementation of *misyār* marriage in Kalibening Village, Pronojiwo

District, Lumajang Regency is influenced by several social and individual factors. Economic factors and financial independence are among the main drivers. Some wives have economic independence and therefore are not fully dependent on the husband's maintenance. This condition makes demands for the fulfillment of maintenance and residence not the main priority in marriage.

Emotional and psychological needs also play a role in this practice. Loneliness and the need for a life companion become motivating factors for some individuals, especially women who are widows or are at an advanced age. The existence of a spouse is viewed as more important than the complete fulfillment of marital rights. Age also has an influence. Increasing age creates concern about no longer obtaining a life partner through an ideal marriage. Misyār marriage becomes an alternative to maintain marital status without heavy demands in the implementation of household life.²⁴ The factor of previous marital experience is also found in this practice. Divorce or past household conflicts encourage some individuals to choose a form of marriage that is considered lighter in responsibility. Misyār marriage is understood as a more flexible form of relationship under these conditions.

From the perspective of *sadd al-dharī'ah*, Islamic law aims to realize benefit and prevent harm in human life. This benefit is related to the preservation of religion, life, intellect, honor, and property.²⁵ Religion occupies the main position as the purpose of human life, while the other aspects serve as supporting elements. Benefit in Islam also includes secondary needs related to the removal of hardship in social life. Complementary needs are related to aspects of comfort and the perfection of human life. These three levels become the basis for assessing a legal practice. Misyār marriage has an aspect of benefit under certain conditions. This practice provides a solution for individuals who want to have a valid marital status without full readiness to build a conventional household. Marital status also provides protection of honor and prevents adultery. This condition shows that the benefit of misyār marriage is more closely related to efforts to reduce life difficulties and protect individual moral aspects.

The practice affects the fulfillment of marital rights and obligations, but the findings distinguish between rights voluntarily limited by agreement and rights that were not fully fulfilled because of economic constraints or the husband's limited presence. In some cases, wives accepted reduced maintenance, residence, or companionship as part of the marital arrangement, while in others, limitations in maintenance and interaction arose from the husband's circumstances rather than an explicit waiver. These differences affected emotional closeness, communication, and household relationships, with some wives reporting loneliness and psychological pressure. Thus, the potential *mafsadah* identified in the study relates not simply to the relinquishment of rights, but to situations in which such limitations become a source of neglect or imbalance in marital responsibilities. This distinction is important in assessing the practice through *sadd al-dharī'ah*.

The effects of these marital arrangements also extend to family relationships. In households with children, some wives reported that the husband's limited

²⁴ Asnaria Cevinta Br Bangun, Suriani Diningsih, dan Putri Ramadani Tanjung, "Nikah Misyār Menurut Pandangan Ahli," *Akhlak : Jurnal Pendidikan Agama Islam Dan Filsafat* 2, no. 2 (Januari 2025): 2.

²⁵ Rusyada Basri, *Ushul fikih 1*. Parepare: IAIN PAREPARE NUSANTARA PRESS, 2019, 131

presence reduced interaction and involvement in childcare. One informant explained that her child had begun asking why the father was rarely present, while another accepted the arrangement partly to maintain a father figure for her young child. These accounts indicate that limited paternal presence may affect family interaction, although the study did not directly interview the children. Overall, the findings suggest that the implications of these marital arrangements extend beyond the formal validity of marriage to the fulfilment of family responsibilities and the quality of household relationships.

Conclusion

The practice of *misyār* marriage in Kalibening Village is associated with economic factors, occupational conditions, biological needs, and the desire to avoid adultery, while its implementation may limit the fulfillment of certain marital rights and affect household harmony. From the perspective of *sadd al-dharī'ah*, these findings indicate that the practice may become a means of harm when the relinquishment of marital rights leads to inadequate maintenance, weakened emotional relationships, or failure to achieve the objectives of marriage. Theoretically, this study demonstrates the relevance of *sadd al-dharī'ah* in assessing not only the formal validity of marriage but also its consequences for family welfare. Practically, greater attention is needed to ensure that agreements concerning the relinquishment of marital rights do not result in neglect of the rights of spouses and children. This study is limited to the experiences and perspectives of the informants in Kalibening Village; therefore, its findings cannot be generalized to all *misyār* marriage practices. Further research involving broader communities and diverse marital contexts is recommended to provide a more comprehensive understanding of the practice.

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