

Objectives of Dependent Marriage in Islamic Law and its Impact on Achieving Family Stability - Psychological Housing as a Model

¹Ibrahim Muhammad Fandi Bani Amer,²Dr.Abed Alfattah Mahmoud Abedal Qader Akasheh,³Jalil Ibrahim Khalil Ezmeqna,⁴Dr.Nabeel Ahmad Hussien Jedayah,⁵Sameer Ahmed Harasis

¹PhD in Jurisprudence and its Principles Jadara University Full-time Lecturer i.baniamer@jadara.edu.jo

²Zarka University Faculty of Sharia Department of Jurisprudence and its Principles aokasha@zu.edu.jo

³Jurisprudence and its Sayings Assistant Zarqa University jahmad@zu.edu.jo

⁴Faculty of sharia Zarqa University njadayah@zu.edu.jo

⁵University of Islamic and World Sciences harasis4@hotmail.com

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For summary

- This research aims to show the impact of the purpose of preserving the offspring on family stability, achieving affection, mercy and tranquility for spouses, and showing the importance of the marital relationship and its impact on society, and the legal approach to maintaining its stability, and showing the most important reasons that lead to family disorder and disintegration.
- In writing this research, I relied on the inductive approach: by inducting the legal texts in the Qur'an and Sunnah, and showing the legal approach to maintaining family stability, achieving affection, mercy and psychological tranquility for spouses, and the descriptive approach: which describes the family relationship, and the relationship between its components, to achieve the purposes of Sharia from marriage.
- The researcher concluded that Islamic law is valid for all times and places, and is capable of addressing all issues related to family stability, and achieving affection, mercy and psychological and spiritual tranquility for spouses. The original and subsidiary purposes of Islamic law for marriage also have a great impact on family stability, and the weakness of religious restraint, family interference, and emotional coldness are among the most important reasons that lead to family instability.
- The researcher concluded that achieving psychological and spiritual peace for spouses is extremely important for achieving family stability and an important purpose of marriage. He recommended establishing specialized committees in personal status provisions and psychology in Sharia courts to address marital disputes.

Research Form

It is hoped that this research will answer the following questions:

- What are the objectives of Islamic law to preserve family stability.
- What is the approach of Islamic law to achieve affection, mercy and tranquility between spouses.
- What are the most important factors of family disorder from a legal perspective.

Importance of research

The importance of this research lies in the following:

- Talking about the family as the basic building block in the stability of society in general, and explaining a very important aspect and a basic factor in the stability of the family, which is psychological and spiritual housing.
- That society still needs awareness of various aspects of the family, especially with the rise in divorce cases in the Arab world.

- Explaining that perfection belongs to God Almighty alone, and any human being, male or female, is exposed to error and correctness.
- Highlighting the merits of Islamic law in ensuring the sanctity of married life, and preserving the stability of the family by bringing benefits and warding off corruption from it.

Research Objectives

This research aims to achieve the following:

- Explain the impact of the objectives of Sharia in protecting and stabilizing the family.
- Explain the importance of the marital relationship and its impact on society.
- Explain the legal approach to maintaining family stability.
- Explain the most important reasons that lead to family disorder and disintegration.

Research Methodology

In this research, I relied on the following two approaches:

- Inductive approach: This is done by inducting the legal texts in the Qur'an and Sunnah, and then trying to explain the legal approach to maintaining family stability.
- Analytical approach: This is done by analyzing what is stated in the legal texts regarding family stability and achieving psychological peace.

Previous Studies

There are many studies, scientific research, and writings that have discussed the legal objectives of marriage, whether original or secondary. I will mention some of them as an example, but not limited to them. This research is distinguished from previous studies in that it focused on explaining the effect of psychological and spiritual comfort in achieving affection and mercy between spouses, and explaining the most important factors that achieve family stability, and the most important factors that lead to disorder through the texts of Islamic law, and its original and secondary objectives.

The following are the most important studies that have discussed the original and secondary objectives of marriage, which are:

1. Taher Khadiri's study (Legal objectives related to the family and its means), Master's thesis - University of Jordan, 2002 AD, defined the objectives and their means, and explained the general and specific objectives of marriage.
2. A. Dr. Hassan Al-Sayed (The Objectives of Marriage and Their Impact on Islamic Jurisprudence - A Comparative Jurisprudential Study), 2009, in which he explained the objectives of contracts, including the marriage contract, and explained its original and secondary objectives.
3. Dr. Ikhlas Nasser's study, (The Objective Justification of the Provisions of Marriage in Islamic Law), Journal of Jurisprudence and Law, Morocco, 2016, Issue 39, in which she talked about the specific and general objectives of marriage, explaining the justification for them from the Qur'an and Sunnah.
4. Amal Muhammad, (The Sharia Objectives Specific to the Family and Their Impact on the Provisions of Contemporary Family Developments), Master's Thesis - International Islamic University, 2017, in which she explained the status and importance of the family, the concept of original and secondary objectives, and comparing them to the provisions of the family in Western thought.

Introduction

Praise be to Allah, Lord of the Worlds, and may peace and blessings be upon our Master Muhammad, his family and all his companions.

The success of married life and its stability after trusting in Allah Almighty depends on the good choice of each spouse for each other, while observing the etiquette of dealing with each other so that life is straightened out in an atmosphere of love, affection, tranquility and harmony between them. The occurrence of marital disputes is a natural thing, however, Islamic law came with legal rulings that prevent the expansion of disputes and the disintegration of the family. Taking into account the objectives of Islamic law in the provisions of marriage has a great impact in achieving this.

Since society depends on the family in its formation, Islamic law, which is valid for all times and places and is in harmony with human nature, has been keen to preserve society in terms of offspring, and has made it a legal objective that leads to preserving society, and one of the five necessities that Islamic law came to establish and preserve, and its goal is to bring benefits and ward off corruption.

Therefore, clarifying the original and dependent objectives of Sharia in marriage is necessary to maintain family stability, especially with the high rates of divorce in many Arab countries. Therefore, this research is entitled: The dependent objectives of marriage in Islamic Sharia, and their impact on achieving family stability - psychological comfort as a model.

Research Plan

The first section: A general definition of the objectives of marriage and family

The first requirement: A definition of objectives

The second requirement: The objective of preserving lineage in Islamic law

The first section: Sections of the objectives of marriage

The second section: The objectives specific to preserving the family

The second section: The approach of Islamic law in preserving family stability

The first requirement: Factors of family stability from the side of the spouses

The second requirement: The most important reasons leading to the disintegration and disintegration of the family

The first section:

A general definition of the objectives of marriage and family

First requirement:

Definition of objectives

Objectives in language: Ibn Faris said in the dictionary of the standards of language: Qaf, Sad, and Dal are three roots, one of which indicates the coming of something and its mother, the other indicates its breaking, and the third indicates the accumulation of something. ([(- Ibn Faris, Ahmad, Dictionary of the standards of language, edited by Abdul Salam Haroun, Dar Al-Fikr, Vol. 5, p. 95])

1. Objectives in terminology: There are many definitions of objectives, especially among later scholars, I will mention Ibn Ashour's definition for reference and not for exhaustiveness, where he defined them as: (The meanings and rulings observed in all or most of the cases of legislation, such that their observation is not limited to being in a particular type of the rulings of the Sharia). ([(- Ibn Ashour, Objectives of Islamic Law, p. 171m, previous reference])
2. The researcher believes that Ibn Ashour's definition is a comprehensive and exclusive definition, because it includes the general and partial objectives, the general and the specific.

The second requirement:

The purpose of preserving the offspring in Islamic law

Introduction

The objectives of Islamic law are part of the topics of the science of the principles of jurisprudence, and specialized scholars have distinguished themselves in deducing and explaining them to people, because they enter into all aspects of life, including the rulings related to family stability, and achieving tranquility, affection, and mercy between spouses. For this reason, this science has come to occupy a large space in Islamic thought.

The first section:

Sections of the objectives of marriage The objectives are divided into three sections: "general interests, private interests, and partial interests." The objectives of marriage fall under the special objectives. The goal of the objectives of Islamic law is to achieve the interests of the servants in this world and the hereafter, by bringing them benefits and warding off harm from them. Among the interests are the rulings that Islamic law has brought regarding the family and married life, which respond to human nature and achieve sexual instincts, thus satisfying the needs that lead to family stability. One of the most important meanings of preserving the lineage is its continuity with the renewal of generations through the encouragement of marriage and procreation, which is one of the reasons for the development of the earth. Therefore, marriage is one of the means of preserving the lineage from

3. The aspect of existence. ([(- Al-Najjar, Abdul Majeed, The Objectives of Sharia with New Dimensions, Dar Al-Gharb Al-Islami - Beirut, Second Edition 2008 AD, p. 148])

The purposes of marriage are divided into two parts, according to what is taken into consideration from the purpose of the wise Lawgiver and the purpose of the person charged with the duty, as Al-Shatibi explained in his book *Al-Muwafaqat*: The first: the original purposes, which is the purpose of the Lawgiver from marriage, and it is represented in preserving the human race from

4. During the legislation of marriage, which depends on achieving the intended interests, and if it is absent, it is absent. ([(- Al-Shatibi, Ibrahim, *Al-Muwafaqat*, Dar Ibn Affan, first edition 1997 AD, Vol. 3, p. 31])

Second: The secondary objectives, which are those in which the obligated person is taken into consideration, and what his soul is created with, and marital life cannot exist without them, as they also help in achieving the original objectives of marriage. The first objective of marriage is procreation, followed by achieving tranquility, affection and mercy between the spouses, cooperation in the interests of this world and the hereafter, enjoying what is permissible, staying away from what is forbidden, raising children, preserving lineages

5. Others ([(- The previous reference, Vol. 3, p. 139]), and achieving affection and tranquility between spouses, as there is no ruling of the Sharia that does not have a benefit for the person obligated.
6. ([(- Al-Khademi, Nour El-Din, *The Book of the Science of Islamic Objectives*, Al-Ubaikan Library, First Edition, 2001 AD, p. 78]), which contribute to the stability and continuity of the family, and is the subject of research.
7. Section Two: The Specific Objectives of Preserving the Family

Family in language: taken from the word “asr”, meaning to bind and strengthen, and a man’s family: his clan, his household, and his relatives, with whom he is strengthened. ([(- Ibn Manzur, *Lisan al-Arab*, entry on “asr”, vol. 4, p. 20]) And the family in terminology: a set of laws and directives that organize it in

8. All its stages with the aim of achieving happiness ([(- Hussein, Alaa El-Din, *The Family System in Islamic Law*, Dar Al-Nafayes - Amman, First Edition 2010 AD, p. 10]).

To demonstrate the importance of the family, its establishment was a social, collaborative affair between the couple’s family and the surrounding community in general. This opening of this sacred relationship, under the supervision of the community, and with this arrangement indicates the sanctity of the marital relationship. The couple must be keen to strengthen this sacred bond and address any differences that may arise between them, in a way that achieves family stability and prevents the disintegration of this sacred bond. God Almighty called it in His Noble Book: “And they took from you a solemn covenant” (Surat An-Nisa, verse 21). The solemn covenant is: to keep in kindness, or to release with kindness. Some said: it is the word of marriage by which the vagina is made permissible. The description of the covenant as solemn was only mentioned in two places in the Book of God Almighty: the first: the description of the marriage contract, which indicates the sublimity of the marital relationship.

9. The second: What God Almighty took from His prophets, peace and blessings be upon them, of covenants ([(- Al-Tabari, Abu Jaafar, Jami’ Al-Bayan ‘an Ta’wil Al-Qur’an, Dar Hijr – Cairo, first edition 2001 AD, Vol. 6, p. 545)).

Ibn Ashour promised that the regularity of the family is one of the foundations of the civilization of nations, so the laws have always been concerned with regulating the provisions of marriage and forming families. Through it, motherhood, fatherhood, clan, society and nation are formed. Therefore, the provisions of marriage were among the most just, reliable and clear. Taking care of the husband’s affairs based on virtues is one of the highest objectives of Islamic law. This contract added that its goal is to achieve tranquility, affection, mercy and harmony between the spouses. Therefore, the marriage contract and forming a family are special objectives that are considered a chapter of jurisprudence, and it dealt with them as one integrated subject, due to the importance of this social institution in achieving the higher objectives.

10. For Islamic law ([(- Ibn Ashour, Muhammad al-Tahir, *Objectives of Islamic Law*, Dar al-Kitab al-Lubnani 2011, p. 272 ff.)).

Just as Islamic law is concerned with human life in general, its concern with the family was at its peak, through the legislation of detailed rulings for this sacred structure, which, if left to reason, would cause harm and disorder to the family in particular, and to society in general. In order to achieve the objectives of the law in this regard, it is necessary to achieve the objectives of the person charged with the duty and satisfy his legitimate natural needs, as preserving the offspring and the survival of the human species depends on forming the family and building marital life, and any defect that befalls it results in harm.

11. With humanity in general ([(- Al-Raissouni, Ahmed, *Introduction to the Objectives of Sharia*, Dar Al-Kalima - Egypt, First Edition 2010 AD, p. 7)).

Islamic law does not view the family as merely a means of satisfying desire or sexual intercourse, or as an economic project linked to a visible benefit that ends when the interest is achieved, nor as merely a passionate emotion or fleeting feelings. Rather, it is a solid structure with deep and extended roots, to achieve one of the goals of

12. Marriage and its purposes, which are the succession of the earth and its development.

It is unfortunate today that some couples have changed their true concept of marriage, as it has become limited to achieving pleasure, and this is not the purpose of marriage. Therefore, Muadh ibn Jabal, may God be pleased with him, said during the plague: "Marry me so that I may not meet God Almighty as a bachelor." ([((- Al-Ghazali, Ihya' Ulum al-Din, Dar al-Ma'rifah – Beirut, Vol. 2, p. 25])). There are some people who have made their goal of marriage to be achieving material benefits by exploiting the wife's money or her inheritance from her family. There are some who reject the idea of marriage altogether and tend to achieve their desires through relationships far from responsibility and commitment. The Qur'an mentioned the word "family" as an alternative to the family, as the term "family" includes ability and entitlement, so the husband accepts

13. This responsibility is about satisfaction, seeking stability, affection and intimacy (Asiri, Yamina, Psychology of Marriage and Family in Algerian Society, Dar Al-Khaldouniya - Algeria, 2013 AD, p. 10)).

Therefore, Islamic law has urged and encouraged marriage, because it contributes to preserving the human species, and contributes to achieving psychological security and family stability. It has created a unique system to confront and treat potential disputes between spouses. Therefore, it has taken a number of preventive and therapeutic measures for this, and has set a set of guidelines for spouses to maintain family stability and achieve tranquility and affection.

For the second topic: The legal approach to maintaining family stability and achieving psychological peace

First requirement: Factors of family stability

First: Good choice

Since Islamic law is in harmony with human nature, and is keen to meet its psychological, spiritual and physical needs, and because the relationship between male and female is an innate relationship, created by God Almighty in all human beings, and they often cannot do without each other, and because nature and the soul are created to do so,

14. This is what he, peace and blessings be upon him, explained in the noble hadith where he said: "Women have been made beloved to me from this world" ([((- Al-Nasa'i, Abu Abd al-Rahman, Al-Sunan Al-Kubra, Al-Risalah Foundation - Beirut, Book of Ten Women, Chapter on the Love of Women, First Edition 2001 AD, Vol. 8, p. 149. And it was authenticated by Al-Hafiz Ibn Hajar Al-Asqalani in Al-Talkhees Al-Habeer in the Graduation of the Hadiths of Al-Rafi'i Al-Kabeer, Dar Al-Kutub Al-Ilmiyyah - Beirut, 1989 AD, First Edition, Vol. 3, p. 254.))],

This is an indication that the human body has a right over him, and that intercourse with women is the most delicious thing for the body. We have in the Messenger of God Almighty the example and the highest model in his dealings with his wives, as he is the best of God Almighty's creation on earth, and

15. He was the best person to treat his wives. ([((- Al-Suyuti, Jalal al-Din, Al-Suyuti's Commentary on Sunan al-Nasa'i, Dar al-Bishara al-Islamiyyah 1986 AD, no edition, Vol. 6, p. 7])).

That is why Islamic law has emphasized the importance of each spouse choosing the other well on the basis of religion and good behavior, because it is more conducive to family stability and achieving affection, reassurance, and tranquility. The Prophet, may God bless him and grant him peace, said: "A woman is married for four reasons: her wealth, her lineage, her beauty, and her religion. So marry the one who is religious and you will be raised well."

16. Your hands) ([((- Al-Bukhari, Ismail, Sahih Al-Bukhari, Sultani Edition, 1311 AH, Book of Marriage, Chapter on Equals in Religion, Vol. 7, p. 7, Hadith No. 5090])), that is, among the reasons that call for marriage are four things, except that religion and good conduct take precedence over others, and there is no objection to the desirability of her being beautiful, or of good lineage and lineage, as this helps to calm the soul,

17. Lowering the gaze, people often mean these four things when choosing a husband.

True happiness is achieved by adhering to the rulings of the true Sharia, and by the saying of the Prophet, may God bless him and grant him peace: "The best of a woman's enjoyment is a righteous wife."

18. ([((- Al-Naysaburi, Abu Al-Sin, Sahih Muslim, Book of Divorce, Chapter on the Best Enjoyment of the World, Al-Babi Library - Cairo, Vol. 2, p. 90])), and not greed for material things such as beauty, lineage and ancestry.

It is unfortunate today that some young men who are about to get married may prefer money, beauty and lineage over religion as a result of their weak faith, which may lead to disputes. Religion is the deciding factor in knowing the rights and duties of both spouses, and resolving disputes that may occur between spouses, because adhering to the limits of Sharia and making good choices is the way to achieve the legitimate objectives of marriage, as this results in a loving,

stable family in which tranquility and affection prevail. It is the first building block in forming a family and the foundation on which it is built.

19. On him ([(- Jad Allah, Kawthar, Factors of Family Stability in the Qur'an and Sunnah, Master's Thesis, Umm Al-Qura University - Makkah Al-Mukarramah, 1988 AD,])
20. The wisdom behind the prohibition of marriage to an infidel woman is the lack of tranquility and affection, because this cannot be achieved with religious enmity. As for a woman of the People of the Book, it is possible to achieve tranquility and affection between them because he hopes for her conversion to Islam ([((- Al-Kasani, Alaa al-Din, Bada'i' al-Sana'i' fi Tarteeb al-Shara'i', Dar al-Kitab al-Arabi – Beirut, second edition, vol. 2, p. 270])).
21. It is Sunnah to choose a loving and fertile husband, and for each of them to look at the other at the time of engagement and before the contract, as this is more likely to create harmony between them and bring them together, i.e., peace of mind for each of them, provided that the purpose of looking is marriage. ([((- Al-Ghazali, Ihya' 'Ulum al-Din, previous reference, Vol. 2, p. 39. Al-Sharbini, Shams al-Din, Mughni al-Muhtaj ila Ma'rifat Alfaz al-Minhaj, Dar al-Kutub al-Ilmiyyah, First Edition 1994, Vol. 3, p. 127])).
22. Just as Islamic law gave the husband the right to choose his wife, it also gave the wife the right to accept or reject her. ((- Morsi, Reda, Rules for Forming a Muslim Home, Islamic Distribution and Publishing House - Cairo, 2004 AD, First Edition, p. 165)
23. And the hadith of the Prophet, may God bless him and grant him peace: "If someone comes to you whose religion and character you are pleased with, then marry him to her. If you do not do so, there will be tribulation and corruption on earth." ([(- Al-Tirmidhi, Sunan Al-Tirmidhi, Chapters on Marriage, Vol. 3, p. 387. Al-Tirmidhi said about it: Hasan Gharib, and Al-Albani ruled on it: Hasan li ghayrih. Al-Albani said: Hasan))
24. Al-Hasan Al-Basri, may God have mercy on him, was asked: To whom should I marry my daughter? He said: (To the one who fears God. If he loves her, he will honor her, and if he hates her, he will not wrong her) ((- Al-Baghawi, Al-Hasan, Sharh Al-Sunnah, Al-Maktab Al-Islami - Damascus, Second Edition 1983 AD, Vol. 2, p. 11)).
25. Consent is a basic condition of the marriage contract. The Prophet, may God bless him and grant him peace, said: "A widow should not be married until she has been consulted, and a virgin should not be married until she has been given permission." ([(- Al-Bukhari, Sahih Al-Bukhari, Book of Marriage, Chapter: A father should not marry a virgin except with her consent, Vol. 7, p. 17)
26. The meaning of this is that the consent of the married woman is required, whether she is a virgin, young or old. ([(- Al-Asqalani, Ibn Hajar, Fath Al-Bari with Commentary on Sahih Al-Bukhari, Al-Salafiyah Library - Egypt, 1390 AH, Vol. 9, p. 192])).

Second: Sexual compatibility

27. Fulfilling the natural and instinctive needs of man is one of the objectives of Islamic law that is in harmony with nature, and nourishing the spiritual and physical side is important for the sake of family stability, and one of the means that achieves this is sexual disclosure ([((- Al-Najjar, Abdul Majeed, Objectives of Islamic law with new dimensions, Dar Al-Gharb Al-Islami, second edition, 2008, p. 95])).

28. After marriage, the couple achieves chastity, and chastity means: protection. The basis of marriage is to protect the couple from deviation, because it works to provide the natural, instinctive, psychological, social and material needs of the couple, which results in trust between them, and psychological and spiritual peace is achieved. The husband's guardianship requires care and attention, in return for taking into account the psychological and moral side of the wife, which contributes to the stability of the family ([((- Al-Alwani, Zainab, The Family in the Objectives of Sharia: A Reading of Marriage and Divorce Issues in America, The International Institute of Islamic Thought, Distribution Library - Lebanon, First Edition, 2012, p. 91])),

God Almighty said: "Beautified for people is the love of desires - of women" (Surat Al Imran, verse 14). Therefore, God Almighty created the origin of your spouses from Adam's rib so that some of you would incline toward others, which would be more conducive to affection and further from...

29. Discord and conflict ([((- Al-Zamakhshari, Ahmad, Al-Kashaf on the Mysteries of the Revelation, Dar Al-Rayyan - Cairo, Second Edition, 1987 AD, Vol. 3, p. 472]))

Al-Alusi explained in Ruh al-Maani in his interpretation of the Almighty's saying: (And We said, "O Adam, dwell, you and your wife, in Paradise") {Surat al-Baqarah, verse 35}, that }, that psychological and spiritual housing takes precedence over physical housing. [((- Al-Alusi, Shihab al-Din, Ruh al-Ma'ani fi Tafsir al-Quran al-Azim wa al-Sab' al-Mathani, Dar

al-Kutub al-Ilmiyyah - Beirut, 1415 AH edition, Vol. 4, p. 368]). So the house in which he takes refuge has no value. Man, if he is devoid of psychological and spiritual home.

30. Al-Qurtubi mentioned in his interpretation of the words of God Almighty: (And among His signs is that He created for you mates from among yourselves that you may find tranquility in them, and He has put love and mercy between you) {Surat Ar-Rum, verse 21}, that Ibn Abbas, may God be pleased with them both, said about it: Love means sexual intercourse, and mercy means children, and it was said that it is the affection of their hearts towards each other, and mercy.

31. It is more appropriate when the wife makes a mistake and forgives and tolerates ([(- Al-Qurtubi, Abu Abdullah, Al-Jami' li Ahkam al-Quran, Dar al-Kutub al-Masryia - Cairo, second edition, 1964 AD, Vol. 4, p. 17]).

Ibn Kathir mentioned in his interpretation of affection and mercy that affection means: love, and mercy means: compassion.

32. The husband continues to be inclined towards his wife either out of love for her or out of mercy for her (Ibn Kathir, Imad al-Din, Interpretation of the Great Qur'an, Dar al-Kutub al-Ilmiyyah - Beirut, First Edition 1998 AD, Vol. 6, p. 278). Emotional fulfillment is considered one of the most important factors for family stability and achieving harmony between spouses. Emotions are a fundamental aspect of human nature. Therefore, each spouse should express their emotional feelings toward the other, as this is a positive indicator of the continuation of marital life. Conversely, emotional silence and apathy may lead to the termination of their relationship. When emotions are balanced, they elevate the couple to human perfection, but when uncontrolled, they may descend into baser instincts.

As Al-Zoubi states in his study, *"Emotional Life and Its Impact on the Stability of Marital Life in Light of the Prophetic Tradition"*, published in *Al-Manara Journal for Research and Studies* (2014, p. 313):

34. The relationship that forms the foundation of a family provides psychological and spiritual comfort to the spouses, fostering trust between them and contributing to the overall stability of the family.

Similarly, Zainab Al-Alwani in her book, *"The Family in the Objectives of Sharia: A Study on Marriage and Divorce Issues in America"*, emphasizes:

35. "The principles underpinning the family structure foster psychological comfort and mutual trust, which play a significant role in achieving family stability" (*Global Institute of Islamic Thought, 1st Edition, Lebanon, 2012, p. 91*).

On the other hand, fear within the human soul is a primary factor in family instability. Fear undermines the foundation of the family, weakening individuals' ability to fulfill their responsibilities. In contrast, psychological comfort and tranquility greatly assist the family in performing its duties. Islamic Sharia has thus emphasized achieving peace and tranquility within the family. This is highlighted in Abdul-Majid Al-Najjar's book, *"Maqasid Al-Sharia with New Dimensions"* (Dar Al-Gharb Al-Islami, 2nd Edition, 2018, p. 45).

The Sunnah in Islamic Sharia also emphasizes personal hygiene for both spouses and encourages acts of tenderness, soft speech, playfulness, and companionship before intimacy. It advises waiting until both partners are satisfied, as neglecting this could lead to alienation between them.

36. This is noted by Abu Hamid Al-Ghazali in *"Ihya Ulum al-Din"* (Vol. 2, p. 50) and Ibn Qayyim Al-Jawziyyah in *"Rawdat al-Muhibbin wa Nuzhat al-Mushtaqin"* (Dar Al-Kutub Al-Ilmiyya, Beirut, 1983, p. 162).

Sexual compatibility includes the ability to procreate, which is the original purpose of marriage. Therefore, divine wisdom required that this be done through arranging causes and effects, and mating between a male and a female. Man is naturally inclined to love offspring and the continuation of the lineage.

37. As long as one of the purposes of marriage is to achieve chastity for the spouses, this can only be achieved by those who have a sound nature. Sharia did not come to challenge nature, but rather to perpetuate it. Therefore, Islamic law urged marriage to virgins because they are the best of wombs, meaning: they produce more children.

38. The Prophet, may God bless him and grant him peace, urged people to multiply, because satisfying the instinct achieves fatherhood and motherhood. Therefore, it was a supplication for parents that they be the joy of their eyes. God Almighty said: "Grant us from among our wives and offspring comfort to our eyes" (Surat Al-Furqan, verse 74). It was said that this is a metaphor for joy and happiness. It was also said that it is taken from the word "qarār," because what pleases...

39. He looks at him and does not look at anyone else. (Zarifa, Rasha, Factors of Family Stability, Master's Thesis, An-Najah University - Palestine, 2010, p. 113)

Third: Efficiency

40. Islamic law emphasized the compatibility between spouses, and the Hanafis gave priority to compatibility, because they did not stipulate guardianship ([(- Al-Kasani, Alaa al-Din, Bada'i' al-Sana'i' fi Tarteef al-Shara'i', Dar al-Kitab al-Arabi - Beirut, 1982 AD, Vol. 2, p. 318])

41. The age difference between the spouses is an important factor, as it contributes to the convergence of ideas, desires and needs between them, and contributes to achieving intellectual and emotional harmony, and thus family stability, and achieving tranquility, affection and intimacy. The age difference between them may be a cause of misunderstanding, and thus the family does not achieve the desired

42. (((- Haloush, Mustafa, The Role of Marital Communication in Achieving Marital Compatibility and Addressing Family Problems, Maghreb Journal of Social Studies, Volume 12, Issue 1, 2020, p. 85)). Islamic law has urged the selection of suitable people. In the hadith, the Prophet, peace and blessings be upon him, said: (Choose well for your offspring, marry suitable people, and marry others to them)

43. Likewise, the efficiency in social compatibility between spouses in terms of lineage and kinship, and mutual interest, which is achieved by each spouse bearing responsibility towards the other, good treatment, recognizing the rights of the other, fulfilling his duties, and being prepared to reach an understanding to solve problems that may occur within the family as soon as possible, and that tolerance and forgiveness be their way of life to maintain the stability of the family, and patience with the behaviors of each of them, and taking into account the individual differences between the spouses, and activating the principle of partnership between the spouses in discussing various issues, and carrying out joint activities and work related to

44. Competence includes freedom from mental defects. Since the purpose of marriage is to achieve tranquility, affection, and companionship, this can only be achieved with those of sound mind, whether husband or wife. A person who is completely insane and life is impossible with him cannot be married. As for someone who suffers from epilepsy or mental illnesses and is undergoing treatment, there is no objection to his marriage, provided that his condition is stated. (((- Al-Maqdisi, Ibn Qudamah, Al-Sharh Al-Kabeer 'ala Al-Muqni', edited by Abdullah Turki, Dar Hijr Printing House - Cairo, first edition 1995 AD, Vol. 2, p. 27))

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45. Al-Shirazi stated: The objectives of marriage are the continuity of companionship, intimacy, and love between the spouses, and this can only be achieved by a person of reason, whether husband or wife. (Al-Shirazi, Abu Ishaq, Al-Muhadhdhab fi Fiqh al-Imam al-Shafi'i, Dar al-Kutub al-Ilmiyyah, no edition, Vol. 2, p. 424)

Fourth: Treating oneself well

46. Islamic law has urged good treatment even with strangers, so it is even more appropriate to treat one's family members well. Allah the Almighty says: (And live with them in kindness) {Surat An-Nisa, verse 19}. Al-Qurtubi explained in his interpretation: What is most likely meant by it is husbands. After he fulfills his material rights such as dowry, maintenance, and others, he has moral rights towards his wife. He works to provide a decent life for the family, a suitable environment for living, teaching her the rulings of her religion, overlooking her mistakes, caring for her, preserving her dignity, being patient with her when she is foolish, being kind to her, exchanging gifts, and thinking well of her. Bad thoughts are not compatible with treating her well, honoring her family, exchanging dialogue and discussion with her regarding the interests of family life, and sharing her family's occasions.

47. (((- Aqla, Muhammad, The Family System in Islam, Modern Message Library - Amman, Third Edition 2002 AD, p. 203)), and he does not frown at her without reason, and he is not rude or harsh in his dealings with her, and companionship means: mixing and joking.

48. Good morals are among the most beautiful things that a person can adorn himself with in this world, and they are the heaviest thing on the scale of the servant on the Day of Resurrection. Therefore, the husband, who has been granted the right of guardianship over his wife by Islamic law, must strive to be gentle with his wife, treat her well and appreciate her, listen to her speech, and take her opinion if it is correct.

49. And to remember the saying of the Prophet, may God bless him and grant him peace: (The best of you is the best to his family, and I am the best of you to my family)

50. Ibn al-Qayyim stated that the purpose of marriage is: a permanent bond, meaning the intention of perpetuating and continuing the marriage contract.

51. To achieve tranquility, affection, and lasting companionship between spouses, the wife must be a support to her husband in his afterlife, and work hard to take care of her household affairs. In return, the husband must strive to fulfill the rights of his family, be patient with their morals, and endure harm from them.

52. And his treatment of his family should be gentle and kind, as the Prophet, may God bless him and grant him peace, said: "Be gentle and kind."

53. Kindness is an adornment to anything, and it is removed from nothing but its disfigurement.

54. And because he, may God bless him and grant him peace, said: "A believing man should not hate a believing woman. If he dislikes one characteristic in her, he will be pleased with another."

55. This means that he does not hate her for the nature of the character he finds in her, while he hates it.

56. One of the signs of happiness in this world is a righteous wife, who is a comfort to her husband after the fatigue of work and the hardships of life. She is the one who brings joy and happiness to the heart of her husband and her family, and makes him feel safe and secure. She is thus a help to him in obeying God Almighty. The husband should feel the sacrifice that the wife makes, especially if she is working. This increases her responsibility, especially when she is married, and may cause her exhaustion and fatigue, and cause her to lose some of her feminine qualities.

57. For the continuation of married life, the spouses must have good Islamic morals such as patience, forgiveness, tolerance, seeking excuses for each other, having good thoughts, not rushing to make judgments, exchanging words of courtesy, honoring and respecting their families, getting to know their natures, and trying to gain their satisfaction.

58. What maintains the bonds of love and affection between spouses is that the husband spends on his family as much as he can, and that he is not stingy with his family, because stinginess is one of the ugliest traits, and a reprehensible disease that contributes to the destruction of the family, and may lead to the deviation of the wife and children due to their loss of many of life's requirements. The Messenger, may God bless him and grant him peace, taught us to seek refuge from stinginess and cowardice, and stinginess may be emotional or material. In return, the wife must be in her spending without extravagance or waste, and she must bear the difficult living conditions that may arise in the family, and any negligence by the husband that causes material or moral harm to his wife, she has the right to file a case with the Sharia courts, demanding the annulment of the contract due to the harm that has occurred to him.

59. In order to preserve the sanctity of the marital relationship, the spouses must be very careful to keep the family's secrets and not disclose them, so as not to open the way for others to interfere in their private life and cause the marital relationship to be spoiled. As they say: "Homes are secrets." It is better to keep what happens between the spouses secret to prevent anyone who tries to invade this home and contribute to its corruption and disintegration. This is not strange for women today, and it actually happened with some of the wives of the Prophet, peace and blessings be upon him, who were pure and chaste. God Almighty said: "And when the Prophet confided to one of his wives a statement, and when she informed him of it and God made it known to him" (Surat At-Tahrim, verse 2). Divulging marital secrets leads to the disintegration and disorder of the family.

60. Part of treating each other well is to have good thoughts about each other and to avoid jealousy, which may cause the marital relationship to deteriorate. Al-Jurjani defined jealousy by saying: "Disliking the partnership of others in one's right."

61. It is a human instinct that exists in every human being, male or female, and in women more than men. Jealousy includes what is praiseworthy and what is reprehensible. Praiseworthy jealousy is when the husband adheres to the limits of God Almighty, and it is required by Sharia, such as preventing mixing, unveiling, and immodesty, etc. As for reprehensible jealousy, which is jealousy without suspicion, it destroys the family, destabilizes it, and sometimes leads to its disintegration. It is one of the most important causes of family disorder, from which even the wives of the Prophet, peace and blessings be upon him, who are the purest women on earth, were not spared. Jealousy is an innate matter in all people, and among the effects resulting from jealousy is that it may lead its owner to hatred and anger, and make the woman's face frown, and contribute to the disintegration of the family, and it may leave some worry and grief that occurs between the spouses, which shakes the pillars of the family, and with it the marital life is disturbed.

62. It also opens the door to suspicion, and some of them betray each other, and perhaps causes suspicion, which leads them to spy on each other, and arrogance is generated, which is one of the most dangerous psychological diseases, and it necessitates punishment on the Day of Judgment, and thus the family becomes disturbed and disintegrates.

63. Part of treating one's parents well is being kind to them. There is no doubt that parents have spent their youth and the prime of their lives in raising and caring for their children, and they have given everything they can to serve them. This is a debt on the necks of the children that they must repay in the stage of weakness and old age, while taking into account that there should be a dividing line between caring for and being dutiful to the parents, and between their marital relationship. Being dutiful to the parents means being kind to them in heart, word, and deed, and by doing so one obtains the pleasure of God Almighty.

64. Allah the Almighty said: {And your Lord has decreed that you not worship except Him. And to parents, good treatment.} {Surat Al-Isra, verse 23}, and this is with regard to the husband. As for the wife, obeying her husband takes

precedence over obeying her family in anything that does not involve disobeying Allah the Almighty, except that she must strive to gain the love of her husband's family, and be patient with coldness if she finds it, and seek reward from Allah the Almighty, and take the initiative to give them gifts, as this is one of the things that brings hearts closer to each other, and she must be kind in her speech with them, and listen to them well, and encourage her husband to be dutiful to his parents, and put them before taking care of his family, and she must stay away from any action or word that harms her husband's family.

65. To treat her husband's family well in words and deeds.

66. We should know that honoring one's parents is an important reason for relieving distress and removing sorrows. There is no better evidence of this than the story of the three people who had a rock fall on them and closed the door of the cave on them. Among them was a man who was honorable to his parents, so he called upon God Almighty for this good deed of his, and God Almighty answered him.

67. Among the sins for which God Almighty hastens punishment in this world before the hereafter is disobedience to parents, which may cause the family to disintegrate and become unstable.

Among the effects of being dutiful to parents are gaining the pleasure of God Almighty, expiation of sins and transgressions, a path to Paradise, blessings in livelihood, family and life, answers to prayers, and psychological and social stability. Whoever pleases God Almighty, God will please people with him, make them love him, and write for him acceptance in this world and in Heaven, and he will live in a loving, harmonious and stable family.

68. And also being kind to relatives, whether materially or morally, and visiting them and checking on them, as social solidarity and exchanging visits and gifts are what bring hearts closer to each other, and purify them from envy and hatred, and create a stable and harmonious environment in which friendliness and love prevail. How could it not be, when the womb is derived from the name of the Most Gracious, so He gave it holiness?

69. Therefore, it was mentioned in the hadith about him, may God's prayers and peace be upon him, that he said: "Whoever loves for God to expand his provision and prolong his life, let him maintain ties of kinship."

70. Fifth: Treating marital disputes. One of the foundations of the civilization of nations is the regularity of the family, and therefore Islamic law has taken care to regulate the family system, and considered it one of the objectives of Islamic law, as the sanctity of this bond helps to maintain love, companionship, intimacy and harmony between spouses, to ensure the stability of the family

71. If the marital relationship is exposed to a rift between the spouses, Islamic law calls for treating this rift by choosing an arbitrator from her family, and an arbitrator from his family to resolve this dispute. Perhaps this will be a reason for restoring harmony and agreement between the spouses, and preventing the severing of the sacred marital relationship. If the two arbitrators fail to do so, the husband must end this relationship if the situation requires it.

72. Islamic law has given the right to judicial separation between spouses, based on the request of one of them to end the marital relationship for a legitimate reason such as discord, material or moral harm, failure to provide for the wife, *ila'*, *zihar*, repulsive defects, infertility, apostasy, loss, or insufficiency.

73. If the wife is harmed by the husband, and she hates to live with him for fear of not upholding the limits of God Almighty, then she has the right to bring her case to the judge for redemption, which is a consensual divorce. It is recommended for the husband to respond to her request, but he is not forced to do so.

74. If a defect appears in one of the spouses after marriage that repels the other, such as sterility, leprosy, madness, and other repulsive diseases that cannot be ignored, do not achieve the purposes of marriage, and negatively affect the achievement of affection, tranquility, and reassurance, the spouses must have the choice of either agreeing to continue the marital relationship, or demanding its dissolution, and the condition of the marriage contract is more deserving of fulfillment than the

75. The second requirement: The most important reasons that lead to family disorder and disintegration

First: Weak religious restraint

Religious restraint is an internal matter, and is the first line of defense for human actions and words, because it reminds a person of God Almighty, and has a great impact in controlling human behavior, and its impact is much greater than the impact of the restraint of the sultan and the law, as well as good Islamic morals, as they are the safety valve for preserving societies, and good companionship has a positive role in influencing human behavior, and the soundness of his actions is linked to the soundness of his morals

76. The weakness of religious restraint leads a person to bad social relations, the audacity to commit forbidden acts, the use of forbidden drugs and alcohol, the oppression of others, suspicious relationships, the planting of hatred in the souls of children, resorting to sorcerers and magicians, severing family ties, spying, gossip, and so on. This causes disputes

between spouses, and may push one of them to violence against the family in general. Such behavior is usually only issued by those with weak faith.

77. This has a negative impact on children, which may lead them to deviate and disobey their parents.

78.. It is clear to us from this that the weakness of religious restraint and the deviations that accompany it have a great impact on the disintegration and disorder of the family, and may lead to the end of the relationship between them.

Second: Interference of the family

We can say that the interference of the spouses' families is a double-edged sword: it is either beneficial, or harmful to the marital life. Islamic law urges the intervention of the spouses' families to resolve the disputes that may arise between them, and to strengthen and support the relationship between the spouses, and this is called beneficial interference.

As for unjustified interference from the spouses' families that leads to increased disagreement between them, and spoils the marital relationship between them, this can be called harmful interference, and what leads to such interference is sometimes jealousy, or shared housing, or bad treatment, or disagreement over household affairs, or because of the woman's work, or the husband's poverty and inability to carry out the burdens of marital life, or marriage of relatives and others.

79. Third: Emotional coldness

As we mentioned in the introduction to the research, one of the most important reasons for marriage is to fulfill natural and instinctive needs. Therefore, refraining from this relationship between spouses if it is without a legitimate reason, the one who was the cause is sinful, whether the husband or the wife, and leads to instability in family life, and disrupts the purpose of achieving love and mercy between them. In the hadith, the Prophet, peace and blessings be upon him, said: (If a man calls his wife to his bed and she refuses, and he spends the night angry with him, the angels curse her until morning.)

80. The sexual relationship between spouses has a great impact on the success of the marital relationship, and this is achieved by understanding and realizing the meaning of the marital relationship between them, and what results from it in terms of creating offspring, which is considered one of the original goals and purposes of marriage, and this necessitates not neglecting the other party, and meeting his needs, which contributes to strengthening family stability, psychological health, and satisfying sexual needs and desires. Unfortunately, there are some spouses who are ignorant of the true role of the sexual relationship, which is devoid of foreplay, affection, tender words, praise, and exchanging gifts, which negatively affects the achievement of the meaning of tranquility and affection, which are among the goals and purposes of marriage, and causes emotional coldness and sexual frigidity, and thus each of them is free to satisfy his needs and desires by himself

Conclusion

Praise be to God, Lord of the Worlds, and prayers and peace be upon our Master Muhammad, and upon all his companions, and after:

This is what God Almighty has enabled me to do in writing this research, related to explaining the importance of psychological and spiritual peace on the stability of the family, and achieving love and mercy between them, and I ask God Almighty for forgiveness for every shortcoming, and I ask God to accept this work from me purely for His noble face, and to benefit Muslims with it.

First: The most important results I have reached:

1. Islamic law is valid for all times and places, and is able to address all issues related to family stability, and achieve affection, mercy, and psychological and spiritual peace for spouses.
2. The original objectives of Islamic law and the subordination of marriage have a great impact on family stability.
3. Weak religious restraint, family interference, and emotional coldness are among the most important reasons that lead to family instability.

Second: Recommendations

1. Establish specialized committees in personal status and psychology rulings in Sharia courts to guide spouses in the event of marital disputes.
2. Encourage researchers to focus on controversial issues between spouses and try to find appropriate solutions.

The reviewer

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