



## Jurisprudential review of the legal verses of al-Ahqam marriage from the perspective of the interpretation of the sample

Mohsen Taherpour<sup>1\*</sup>, Mohammad Shafiee<sup>2</sup>

[1] Islamic Azad University, Islamic Azad University, Gachsaran Islamic Azad University, Islamic Azad University, Islamic Azad University, [mohsen.taherpour.1346@gmail.com](mailto:mohsen.taherpour.1346@gmail.com)

[2] Assistant Professor of Islamic Law & Law, Gachsaran Branch, Islamic Azad University, Gachsaran, Iran. [shafee7959@yahoo.com](mailto:shafee7959@yahoo.com)

\*Corresponding author's E-mail: [mohsen.taherpour.1346@gmail.com](mailto:mohsen.taherpour.1346@gmail.com)

### ABSTRACT

Due to the spread of all kinds of moral corruption, the collapse of the family system in many countries, the erosion of morality and spirituality in the prison of sexual freedom, and the promotion of colorful forms for human sexual captivity; the advancement of the system and ethical foundations is necessary. The sacred religion of Islam for the management of human life in all fields has a special program, customs and traditions that guarantee the enjoyment of the happiness and happiness of the world and the hereafter. One of the programs and customs of Islam in dealing with human sexual instinct is the issue of marriage or marriage. A matter in which both the content is in full harmony with human nature, and it promotes the proper development of the natural forces of man and the satisfaction of the instincts and the fulfillment of his original needs. The issue of marriage in many verses of the Holy Qur'an has been raised. In this study, we tried to examine the legal aspects of the verses of Al-Ahmām marriage from the point of view of the interpretation of the sample through a descriptive-analytical method based on library information. Findings of the research indicate that: The factors affecting the success and success of the family are of high value and importance, and this success depends on the acquisition of family skills. One of the factors of family failure and failure is the lack of the necessary skills for common life (marriage). For the success of the family, as well as other life affairs, he must have acquired skill.

**Keywords:** Quranic verses, family, marriage, marriage, couples, MakaremShirazi.

## **1. Introduction**

The Holy Qur'an, which, over the course of twenty-three years, was gradually revealed to the heart of the Prophet (pbuh) and presented to the Islamic community by the great magnanimous, is the first and most reliable source of inference and extraction of Islamic culture and education. The Holy Qur'an has guided them in all areas of human necessity and, with Shiva's statement, has provided the most excellent subjects in the fields of belief, ethics and practice. A significant part of the verses of the Holy Qur'an is the expression of individual and social practical tasks, from which they have been interpreted as "Ayatollah al-Kaham". The Qur'anic verses or, in other words, the Quranic jurisprudence, refer to the verses of the Qur'anic verses in which the jurisprudential ruling is expressed or it can be deduced from them a jurisprudential ruling (Moisi, 1376: 1). In other words, the Quranic verses, Discuss the kind of verses of the Holy Qur'an that contain the verdict of the laws of practice of the law, and their number in the Holy Qur'an, according to the famous, reaches a maximum of 500, although in one sense all the verses of the Holy Quran, in fact, Allah's Signs Because there are revelations that contain the verses of creation or verses of monotheism and theology or prophecy. They themselves have verdicts or have jurisprudential load, or are related to the origin of the judgments, which is the source of the verses. In any case, the source of the proof of the task is for the creator. However, today, in the term jurists of Karam, the Qur'anic verses, it is a kind of divine verses in the Holy Quran that include a sub juristic ruling. From the explicit logic or from the concept of agreeing or opposing it, a ruling on jurisprudential rulings that is used in the process of task Obligated. Therefore, the general definition of the Qur'anic verses is based on the jurisprudential jurisprudence and the particulars of its daily, monthly or annual duties, and from the time of the task until the end of his life, from his personal, educational, social, judicial, or criminal, and criminal duties and duties. (Heli, Bey, J1: 5) This section of the Qur'anic verses contains the pragmatic actions of the servants and encompasses various worship, political, personal, social and the like; these verses, from In the same age of decline, the Muslims were attracted to them and the Muslims referred to them for their understanding and understanding of their duties. The topic of the IAQs has long been considered by the jurists and has been used in deducing religious rules so that among jurists it was the most important source. Among the topics of the Qur'anic verses, is the discussion of the marriage, which has issues in this era. Marriage and marriage are first and foremost obligatory according to the first commandment, and sometimes it is obligatory. Marriage is a divine, legal and human divine process between men and women, which by accepting the individual and legal conditions and the existence of interaction between them The basis of the standard criteria for the realization of individual, family and social and evolutionary goals is made, and as the cornerstone of the family and the main factor for the marriage and empathy of the two young people, is the basis for the development and growth of the wives. Islam is also based on the attention that It has humanitarian needs, has laid down appropriate rules for its proper saturation, and has established principles in this field. They have given them marriage; Islam is the only way to regulate sexual instinct, which has the proper use of human evolution.

## **2. Literature Review**

### 2-1. Allah's verses

#### 2-2 marriage

Marriage is a third and third-order mask from the root of the Necha (the researcher of the groom, 1365, p. 21) of the lexical meanings of marriage, conjunction, and mixing. (Phoenix, Beat, C 2: 624). In the Persian legal literature, the term "marriage" is used in conjunction with marriage (Katouzian, 1371, p. 1:20). Raghīb says: the principle of marriage is for the contract of closing and marriage, and then metaphorically for one another (RaghībIsfahani, 1412 AH: 823) Sheikh Tusi regards marriage in the Shari'a of Islam as marriage (Tusi, 1407 AH, p. 7: 280). Ibn Hamza introduces marriage as a marriage contract between men and women, which in some cases In the sense of proximity (ibn Hamza, 1408 AH: 289). Bojnourdi makes marriage a woman's commitment to being a man in the world of religion (Mousavi Bojnourdi, 1419 AH, Q 3: 142). Of course, the word "commitment" in the jurisprudential application, both its legal meaning, and the affairs "Waste disposal" includes property and property, as well as what the undertaker must do. (Dwarf, 1379: 69-77). AyatullahKhoiyi, based on his well-known offense, in fact, describes marriage as: the validity of the paternity element in the expression of the mind expressed by the external manifestation (Khoi, 1377, p. 3: 351), the famous jurists, married idioms to The very meaning of it, that is, the marriage, makes sense, not the vain, although the insistence on the latter meaning is not fruitless either. For example, if the condition of "carrying marriage" in the publication of racial sanctity means "carrying out a marriage", if a wife without a wife gets pregnant from her husband, her lion does not admit publication (ShabiriZanjani, 1419 AH). : 8) Lawyers define marriage as a legal relationship that is obtained by marriage, between men and women, and can take sexual intercourse. (Imami, 1363, 4: 268)

#### 2-3- marriage

Marriage is the holiest and most complex relationship between two human beings of the opposite sex, which has a wide and deep dimension and has several goals. Marriage is a sacred bond between the two sexes based on the stable sexual, emotional and spiritual relationships, and based on a legal, social, and legal contract that creates obligations for couples. Therefore, marriage is a delicate and complex decision that must take into account all aspects before any action (Bayyah, 1394: 18). In general, marriage is the bond between two characters, maintaining the relative proportion of the independence of each husband and wife , For mutual cooperation, not destroying a character for completing other demands. In other words, marriage is a formal contract for the acceptance of a mutual commitment to family life, in which a person is placed in a certain and certain line of life. The agreement is concluded with the consent of the parties, based on the complete freedom of the two sides, and in the light of which close relations are established between them (Dzhakam, 2009: 50).

#### 2-4 families

The family is not merely the presence of a number of people in a physical and psychological environment. The family is considered as a social-cultural system, which, along with all its other features, has a set of rules and each of its members plays a special role. This system has a

structure of power, which means that it manages various forms of communication. Each family has a particular way of dealing with problems. The members of this system have a deep and multi-layered relationship. Also, family members have, to a large extent, a common background, shared internal perceptions, assumptions and views about the world, and a common understanding of the goals of life (nazare, 1393: 98)

### 3- The Ayatollahs of marriage

#### 3-1-Legitimate marriage

First verse

«وَأَنْكِحُوا الْأَيَامَىٰ مِنْكُمْ وَالصَّالِحِينَ مِنْ عِبَادِكُمْ وَإِمَائِكُمْ إِنْ يَكُونُوا فُقَرَاءَ يُغْنِهِمُ اللَّهُ مِنْ فَضْلِهِ وَاللَّهُ وَاسِعٌ عَلِيمٌ» ؛ وَ لَيْسَتْ عَفِيفِ الَّذِينَ لَا يَجِدُونَ نِكَاحًا حَتَّىٰ يُغْنِيَهُمُ اللَّهُ مِنْ فَضْلِهِ وَالَّذِينَ يَبْتَغُونَ الْكِتَابَ مِمَّا مَلَكَتْ أَيْمَانُكُمْ فَكَاتَبْتُمْهُمْ إِنْ عَلِمْتُمْ فِيهِمْ خَيْرًا وَءَاتُوهُمْ مِنْ مَالِ اللَّهِ الَّذِي آتَيْتُمْ عَلَىٰ الْبِعَاءِ إِنْ أَرَدْتُمْ تَحَصُّنًا لَتَبْتَغُوا عَرَضَ الْحَيَاةِ الدُّنْيَا وَمَنْ يُكْرِهْنَهُنَّ فَإِنَّ اللَّهَ مِنْ بَعْدِ إِكْرَاهِهِنَّ غَفُورٌ رَحِيمٌ. (noor.32-33)»

Wife of your wives, your wives, and your honest servants. If they are poor, God will not need them from their bounty, and God will be the revealer of knowledge. And those who can not find marriages should be enthralled so that God does not need them from their bounty. And from among your slaves, those who seek to release themselves with a written agreement, if you find good in them, write down their redeeming, and from the money that Allah has given you Give them leave to adultery, and do not force anyone to force them, in fact, if they seek to be in a state of injustice, if you want to seek the life of this world, do not commit adultery. God is forgiving, compassionate after them.

The word " انكاح " means the coupling, and the word " ايامى " is the sum of " ايم " to Fetha al-Hamza, and its exaggeration - meaning the son of Izbat and the daughter of Izzab, and sometimes they refer to the girls of the Ezbat and refer to " Salehin "Saleh is for the coupling, not the righteous in actions. (Tabataba'i, 1995, p. 15: 157). In this verse, one of the most important ways of fighting prostitution, which is simple and easy marriage, and indecisiveness, is mentioned, because It is clear that in order to be guilty of sin, it must be brought about through a proper saturation of the law, and in other words, no "negative struggle" will be effective without a "positive struggle". Therefore, he says: "You must marry men and women without marriage, as well as your servants and righteous servants" (and

"أَنْكِحُوا الْأَيَامَىٰ مِنْكُمْ وَالصَّالِحِينَ مِنْ عِبَادِكُمْ وَإِمَائِكُمْ". "We are" gathered "(by weight) Gham) originally means a woman who does not have a husband, then she is told to a man who does not have a wife, so that all single women and men in the meaning of this verse are either beggars or widows. Interpreting " انكحوا " (marrying them) While marriage is voluntary, depending on the will of the parties, it means arranging for marriage, providing financial assistance, if needed, finding the right spouse, encouraging the issue Marriage, and finally middle-aged, to solve problems that are usually not performed without intermediary in others, the summary of the meaning of the verse is so wide that it includes any step and word in this way. Undoubtedly, the

principle of Islamic cooperation requires that Muslims help each other in all fields. (MakarimShirazi, 1371 AH, p. 14: 457-463). But the emphasis on marriage is due to its special importance. The importance of this issue is based on the fact that in the hadith of the Imam Ali (as) we read: "The best of intercession is between the followers of the eternity and even of the Imam": "The best intercession is to mediate between two people for the purpose of marriage, until this It will be up to you! " (Hamareli, 1409, p. 20: 45)

Second verse

«وَإِنْ خِفْتُمْ أَلَّا تُقْسِطُوا فِي الْيَتَامَىٰ فَانكِحُوا مَا طَابَ لَكُمْ مِنَ النِّسَاءِ مَثْنَىٰ وَثُلَاثَ وَرُبَاعَ ۚ فَإِنْ خِفْتُمْ أَلَّا تَعْدِلُوا فَوَاحِدَةً أَوْ مَا مَلَكَتْ أَيْمَانُكُمْ  
ذَٰلِكَ أَدْنَىٰ أَلَّا تَعُولُوا (Nisa, 3)»

And if you do not care about the implementation of justice among the orphans, whatever the women who are pleasing to you, you should marry two two, three three, four four. So if you are afraid not to act in justice, you are entitled to [a free woman] or to what you own. This [refusal] is closer to oppressing [and vulgar.] The axis of discussion of this verse is the permission of permanent marriage with up to four women in the event of observance of justice, otherwise the husband will not be forgiven. Islam allows men who are able to respect the rights of the spouses to marry two or three or four women, not giving one a spouse because they did not need to say. In addition, in the verse below, it is expressed in the event of fear of failure to respect the rights of the spouses. In the era of ignorance, the border was not a spouse for men, so there were several women, and sometimes they were ten, with the advent of Islam, which did not allow permanent marriage with more than four women, the Prophet of God to believers with more than four women They ordered that they choose four of their husbands and separate them from divorce. The term "Mtnna and the third and third" is not the number "n", which is two, three, and four, because firstly the interpretation of the Qur'an is two, two, three, three, four and four, and second, how is it possible that ordinary Arab people The language "n" is expressed by the word "ta'z", but the Qur'an, at the height of eloquence, is so vague to speak. Thirdly, the permission of permanent marriage to a "no" woman for ordinary people is contrary to consensus. Accordingly, the verse of this verse is: to marry women who are lawful and legitimate to you. Anyone who can observe justice among his spouses is allowed to marry two or three or four women, or to abandon his wife. The use of the Prophet's (PBUH) practice in this regard is groundless for the permission of this Prophet (PBUH), because this is a prerogative of the Prophet. The widespread adoption of a spouse in Islam does not mean that it is necessary, but it is permissible and permissible, and the permission is conditional upon observance of justice. Therefore, the person who has definitively established himself or who has been convinced that he is able to adhere to justice in polygamy or has no rational fear of non-observance of justice is permissible to do so (JavadiAmoli, 2009, 17: 259, 260, 262 and 263). In this verse, the observance of justice is in legal and legal terms; that is, it is obligatory for some spouses to establish justice among women for alimony, money laundering, housing and so on. It is difficult to do just because of this, but it is not impossible; and if one can not, then they should not choose more than one spouse. But because of the affection of the heart, the inner look of women and the observance of justice among them is very hard and far from the reach of ordinary people, and maintaining the

tendencies of the heart in the power of ordinary people who are overpowered by their own heart, not its owner. Because of this, the Lord says: "As you try, you will never be able to establish justice among your own women for the sake of self-interest. In other words, sometimes the mood of one of the women is more consistent with the man whose husband becomes more interested in him; or the behavior of one of them is disrespectful to him, which causes less love for him. Therefore, it is difficult for ordinary people to adhere to justice. However, it is not possible for a few wives to be treated fairly for legal and legal reasons. (MakaremShirazi, 1371, 3: 253-255)

Third verse

« وَالْمُحْصَنَاتُ مِنَ النِّسَاءِ إِلَّا مَا مَلَكَتْ أَيْمَانُكُمْ كِتَابَ اللَّهِ عَلَيْكُمْ وَأَحِلَّ لَكُمْ مَا وَرَاءَ ذَلِكَ أَنْ تَبْتَغُوا بِأَمْوَالِكُمْ مُحْصِنِينَ غَيْرَ مُسَافِحِينَ فَمَا اسْتَمْتَعْتُمْ بِهِ مِنْهُنَّ فَآتُوهُنَّ أُجُورَهُنَّ فَرِيضَةً وَلَا جُنَاحَ عَلَيْكُمْ فِيمَا تَرَاضَيْتُمْ بِهِ مِنْ بَعْدِ الْفَرِيضَةِ إِنَّ اللَّهَ كَانَ عَلِيمًا حَكِيمًا ۚ وَمَنْ لَمْ يَسْتَطِعْ مِنْكُمْ طَوْلًا أَنْ يَنْكِحَ الْمُحْصَنَاتِ الْمُؤْمِنَاتِ فَمَنْ مَّا مَلَكَتْ أَيْمَانُكُمْ مِنْ فَتَيَاتِكُمُ الْمُؤْمِنَاتِ وَاللَّهُ أَعْلَمُ بِإِيمَانِكُمْ بَعْضُكُمْ مِنْ بَعْضٍ فَانكِحُوهُنَّ بِإِذْنِ أَهْلِهِنَّ وَآتُوهُنَّ أُجُورَهُنَّ بِالْمَعْرُوفِ مُحْصَنَاتٍ غَيْرَ مُسَافِحَاتٍ وَلَا مُتَّخِذَاتِ أَخْدَانٍ فَإِذَا أُحْصِنَ فَإِنَّ أَتَيْنَ بِفَاحِشَةٍ فَعَلَيْهِنَّ نِصْفُ مَا عَلَى الْمُحْصَنَاتِ مِنَ الْعَذَابِ ذَلِكَ لِمَنْ خَشِيَ الْعَنَتَ مِنْكُمْ وَأَنْ تَصْبِرُوا خَيْرٌ لَكُمْ وَاللَّهُ غَفُورٌ رَحِيمٌ» (Nisa, 24-

25)

And married women are forbidden to you, with the exception of the women they have been possessed; this is the divine decree which is ordained for you. And apart from these [women], it is lawful for you to ask for [your other women] by their property - if you are not clean and do not commit adultery - and the women who have been martyrs, as their recipe Give them to them, and there is no sin against you to agree upon each other [to shorten or lengthen the time of the marriage or contract]; surely Allah is the wise, the wise; and whoever is of you, From the point of view of finance, women can not marry [the believer] with victory, so with the young girls they marry the faith that you own; and God knows your faith. [All] are from each other. So give them their wife with the permission of their families and give them their mercy, if they are not clean, they are not adulterers, and they are not friends. So, when they were married, if the perpetrators were prostituted, then half of them would be free from the punishment of women. It is for one of you who is afraid of sin, and it is better for you to wait, and Allah is Forgiving, Merciful. And al-Muhsnat al-Nisa This verse follows the argument of the past verse about women who are married to them forbidden, adding: "Marriage and sexual intercourse with married women are also forbidden." "Proceedings" of the collection of "the field" of the meaning of "Hassan" means castle and fortress, and on the same occasion, the married women, as well as the women of affection and purity, who maintain sexual intercourse with others, or under the protection and Male guardians are said to be. Sometimes, free women are also told against the dignitaries, because their freedom is in fact a kind of privacy that is drawn around them and the other has no right to influence their privacy without their permission, but it is clear that the meaning of this verse is the same Married women. This ruling does not apply to Muslim women, but married women of all religions and nations have the same decree, that is to say, marriage is prohibited. The only exception to this rule is regarding non-Muslim women who are captured by Muslims in wars, Islam views them as a "divorce" of their former husbands, and allows them to marry them

after they have finished, or be treated like a caretaker (إلا ما ملكت أيمانكم). With this exception, The so-called "interrupted exception", that is, such married women who are in the captivity of Muslims, their relationship to single captivity They will be cut off with their husbands, just like a non-Muslim woman who will break her relationship with his ex-husband (in the event of continued infidelity) by Islam, and will be ranked among women without husbands. It becomes clear from this that Islam has in no way allowed Muslims to marry married women even among other nations and religions, and for this reason they have been appointed by them and have prevented them from engaging in marriage in the course of their lives. The philosophy of this ruling is, in fact, that such women should either be returned to the "disbelief" environment, or stay with the Muslims without the "husband", or their relationship with the former husbands should be interrupted and re-married again, The first case is contrary to the principles of education of Islam and the second form is cruel, so the only way is the third way. (MakaremShirazi, 1371, p. 3: 333)

## 2.-2. Marriage stipulations

First verse

« وَلَا تَنْكِحُوا مَا نَكَحَ آبَاؤُكُمْ مِنَ النِّسَاءِ إِلَّا مَا قَدْ سَلَفَ إِنَّهُ كَانَ فَاحِشَةً وَمَقْتًا وَسَاءَ سَبِيلًا (nisa.22) »

Do not take the wives of your fathers to marry, except what has already happened, because it was a sham and an enemy and evil way. It was common during the time of ignorance that whenever one went out of the world and gave birth to his wife and children, if that spouse was a sister of his children, his children inherited a nemesis as his property, this The order that they had the right to marry their sister or to bring her to marry another person. After Islam, an incident occurred to one of the Muslims: one of the Ansar, named Abu Qais, died of his child His sister proposed marrying, the woman said: "I know my child and I do not see such a worthy thing." But nevertheless, I ask the Prophet to obtain the duty, then he said the service of the Prophet (s), and he received the task, the above verse was revealed and strongly forbade it. (Commentary, par. 3, p. 325) As mentioned in the revelation, the verse of the line of void kills one of the evil deeds of the era of ignorance and says: "And our la tnkkhwa we are nikh aba ukam me el-na'sa:" With the women your fathers married to Do not marry ". But since no law usually includes the past, adds: "إلا ما قد استلف": "Except marriages that have been done before". Then, in order to emphasize this point, three extreme interpretations of this type of marriage state: First, it says: "This act is very ugly (إنكان فاحشة), and then adds: " It is a practice that causes hatred in It is the thoughts of people that is, the nature of humanity does not like it (and most definitely), and at the end it says: it is a false way (and in the context of Sabila), even in history we read that the ignorant people also regard this kind of marriage as "martyrs" (hateful) And the children whose fruits were "worthy" (hated children). It is clear that this sentence is due to various materials and philosophies, because marriage with a nephew on the one hand is like marriage to a mother, because the naive is considered the second mother's sentence. On the other hand, it violates the privacy of his father and hates his respect. And in the past, this practice discovers the seed of hypocrisy among the children of one person, since it may be possible to differentiate between them, even between

the father and the child, because it usually happens between the second wife and the first wife of the competition. And if there is jealousy, if this is done (married to a nephew) of two father's lives (after a divorce), the reason for his jealousy is clear, and if, after his death, he may be jealous of his father. Find yours. The trivial interpretations that have been made about the blaming of this practice in the above verse are unlikely to be three philosophies (Mirjam Shirazi, 1371 AH, C 3: 326).

Second verse

«حُرِّمَتْ عَلَيْكُمْ أُمَّهَاتُكُمْ وَبَنَاتُكُمْ وَأَخَوَاتُكُمْ وَعَمَّاتُكُمْ وَخَالَاتُكُمْ وَبَنَاتُ الْأَخِ وَبَنَاتُ الْأُخْتِ وَأُمَّهَاتُكُمُ اللَّاتِي أَرْضَعْنَكُمْ وَأَخَوَاتُكُمُ مِنَ الرَّضَاعَةِ وَأُمَّهَاتُ نِسَائِكُمْ وَرَبِّبُكُمُ اللَّاتِي فِي حُجُورِكُمْ مِّنْ نِّسَائِكُمُ اللَّاتِي دَخَلْتُمْ بِهِنَّ فَإِن لَّمْ يَكُونُوا دَخَلْتُمْ بِهِنَّ فَلَا جُنَاحَ عَلَيْكُمْ وَحَلَائِلُ أَبْنَائِكُمُ الَّذِينَ مِنْ أَصْلَابِكُمْ وَأَنْ تَجْمَعُوا بَيْنَ الْأُخْتَيْنِ إِلَّا مَا قَدْ سَلَفَ إِنَّ اللَّهَ كَانَ غَفُورًا رَّحِيمًا (nisa.23)»

Your marriage is forbidden to you: your mothers and your daughters and your sisters and your aunts and your aunts, and your brother's daughters, and your sister's daughters, and your mothers who have given you milk, You, and the mothers of your women, and the daughters of your wives who have been raised in your wives and have been wives with them, so that if you are not bonded with them, then it is not your sin to marry [your daughters] - And the women of your sons who are behind you, and the two sisters with each other - except what has happened in the past - that God is Forgiving, Merciful. This verse refers to the condemnation of women who are not married to them

First, mention is made of the relative incarnation of the seven classes and states:

حُرِّمَتْ عَلَيْكُمْ أُمَّهَاتُكُمْ وَبَنَاتُكُمْ وَأَخَوَاتُكُمْ وَعَمَّاتُكُمْ وَخَالَاتُكُمْ وَبَنَاتُ الْأَخِ وَبَنَاتُ الْأُخْتِ:

Your mothers and your daughters and your siblings and your aunts and aunts and your daughters and brothers and sisters have been forbidden to you. Then he cites the incest and says:

وَأُمَّهَاتُكُمُ اللَّاتِي أَرْضَعْنَكُمْ وَأَخَوَاتُكُمُ مِنَ الرَّضَاعَةِ:

And the mothers who feed you and your siblings are forbidden to you

And at the last stage, I refer to the third category of the congregation and declares them under several titles:

1- وَأُمَّهَاتُ نِسَائِكُمْ:

And the mothers of your spouses ", that is, until the woman marries a man and the marriage contract of her mother and mother of her mother and ... they are forever immortalized.

2- وَرَبِّبُكُمُ اللَّاتِي فِي حُجُورِكُمْ مِّنْ نِّسَائِكُمُ اللَّاتِي دَخَلْتُمْ بِهِنَّ:

"And the daughters of your spouses who are in your possession, provided that you have sex with him," that is, it is not forbidden for a husband to be married only by the legal contract of a woman, "his daughters", who are of another husband, but conditioned That is, in addition to the legal marriage with that woman, she has also been involved

3- وَحَلَائِلُ أَبْنَائِكُمُ الَّذِينَ مِنْ أَصْلَابِكُمْ."

And the wives of your children who are from your generation. "In fact, the interpretation of" I am close "(the children of your generation) is to break the line on one of the wrong traditions of

the era of ignorance, because it was usual at that time people They chose as their own child, that is, someone who was a child of another person was called in the name of their child, and the offspring were subject to all the provisions of the true son, and therefore did not marry their spouse's offspring. Its rulings in Islam are totally groundless (ibid., P. 3: 330)

4- وَأَنْ تَجْمَعُوا بَيْنَ الْأُخْتَيْنِ :

"It is forbidden for you to be married to two sisters", that is, the marriage with two sisters is not permitted at the time of the unit, so if there are two sisters or more at different times and after separation from the previous sister, it does not prevent. In the time of ignorance, he was summed up between two sisters of Rajai, and the people who committed such marriages. The Qur'an then says: "إلا ما قد استلف", that is, this judgment (as in other judgments) does not turn to the past, and Those who committed such marriages before the fall of this law did not have punishment and punishment, although now they have to choose one of them and leave the other. Rome The fact that Islam prevented such a marriage may be that the two sisters have a strong interest in each other's natural relationship, but when they compete, they can not naturally retain that former interest, and thus One kind of emotional conflict is found in their existence, which is harmful to their lives.

### 3. Methodology

One of the essential tasks in scientific research and the exchange of ideas is the explanation of the key words and concepts used in the research title. Some vocabularies have many lexical or customary meanings and uses. Different verbs may be used in different sciences or, in the same unity of meaning, have several different meanings or, over time, have lost their initial meaning and have a new meaning or the meaning of the term have different meanings. Be Therefore, neglecting the meanings and different uses and the semantic changes of the word and concept used, and not identifying the meaning and the intended use of it, sometimes causes mistakes and mistakes. Expressing the meaning of the central concepts of the discussion, in addition to helping us to reject the truth, sometimes eliminates the conflict or changes the views of some supporters and opponents of the view.

### 4. Finding

First verse

«وَأَنْ أَرَدْتُمْ اسْتِبْدَالَ زَوْجٍ مَّكَانَ زَوْجٍ وَءَاتَيْتُمْ إِحْدَهُنَّ قِنطَارًا فَلَا تَأْخُذُوا مِنْهُ شَيْئًا اتَّخَذُوهُ بُهْتَانًا وَإِثْمًا مُّبِينًا»؛ وَكَيْفَ تَأْخُذُونَهُ وَقَدْ أَفْضَى بَعْضُكُمْ إِلَى بَعْضٍ وَأَخَذْنَ مِنْكُمْ مِيثَاقًا غَلِيظًا (nisa.20-21)»

And how do you stamp it, but you have taken away one another, and have they made a covenant with you? Do not take the wives of your fathers to marry, except what has already happened, because it was a sham and an enemy and evil way. Prior to Islam, it was customary if they wanted to divorce the former spouse and make new marriages to escape the payment of the seal, accused their spouse of chastity affairs, and took it upon him to stand up. He would pay his seal, which was usually received before, and divorce, and put the same seal on his second wife. The above verse strongly prevents this ugly act and disdains it

«وَإِنْ أَرَدْتُمْ اسْتِبْدَالَ زَوْجٍ...»

This verse is also sent to support another part of women's rights and orders the Muslims generally to refuse to give up anything of the first wife's marriage when they decide to separate from the spouse and the choice of the spouse. To take it, however much stamped it is, that it has been interpreted as "altar" and, as we said in the past, "Qnatar" means a lot of wealth and wealth. Ragheb in the book of Mofradat says that the principle of "Qntar" is from the "Qanatra" in the sense of the bridge, and because many properties are like a bridge that human beings can use in their lives, they have referred to it as the Quran. Because the assumption is that divorce is carried out here for the benefit of the husband, not because of the woman's deviation from the road of chastity, therefore, there is no reason to override their right to do so.

أَتَاخَذُونَهُ بُهْتَانًا وَإِثْمًا مُّبِينًا

Then, they refer to the practice of the era of ignorance about accusing their spouse of acts of chastity and say: "Do you become apparent to the slander and slander to regain the seal of women?" That is, the principle of action, It is cruelty and sin, and resorting to a cowardly and false means is another obvious sin

«وَكَيفَ تَأْخُذُونَهُ وَقَدْ أَفْضَى بَعْضُكُمْ إِلَى بَعْضٍ

In this verse, again, using rejection, adds men to stimulate the human emotions that you and your spouses have long been together in isolation and in isolation. As a soul, in two bodies, you have been fully interconnected, and how, after this Do you all interact with each other, like aliens and enemies, and do you defraud their legitimate rights?! This is just like what we have in Farsi today. If two intimate friends come together, we say to them that you have been eating bread and salt for years. Why are you quarreling? In fact, oppression in such cases is a partner to life, oppressing oneself. Then, he says: "Moreover, your husbands have taken a firm covenant upon you during marriage, how do you ignore this holy and firm bondage, and make it clear to you?"

وَأَخَذَنْ مِنْكُمْ مِيثَاقًا غَلِيظًا

In addition, it should be noted that this verse, although it is not intended to divorce the ex-spouse for the choice of a new wife, but it is intended that in any case where divorce and separation are proposed by the man, and the woman is not willing to separate, All the stamp will be paid, or if they are paid, they will not return it again, whether they decide to have a new marriage or not, according to this sentence.

إِنْ أَرَدْتُمْ اسْتِبْدَالَ زَوْجٍ

(If you want to choose another wife), you are in fact looking at the state of the era of ignorance, and the interference is not in principle the decree. It is also necessary to mention this point"  
"استبدال"

In the sense of seeking conversion, therefore, the meaning of desire and will fall, and if we observe that it is attached with the " اردتم " (want to), it is because of this that it wants to note that

during the introduction of the Chinese And the decision to convert your wife should not start with illegitimate and cowardly premises (MakaromShirazi, Nasser, 1371 AH, C 3: 322-323).

Second verse

«لَا جُنَاحَ عَلَيْكُمْ إِنِ طَلَقْتُمُ النِّسَاءَ مَا لَمْ تَمْسُوهُنَّ أَوْ تَفْرِضُوا لَهُنَّ فَرِيضَةً وَمَتَّعُوهُنَّ عَلَى الْمَوْسِعِ قَدْرَهُ وَعَلَى الْمُقْتِرِ قَدْرَهُ مَتَاعًا بِالْمَعْرُوفِ حَقًّا عَلَى الْمُحْسِنِينَ» (Baghera, 236)

If you do not marry women, as long as you have not come close to them or have not given them a seal, you will divorce, you will not be guilty of any kind, and enjoy them in kind, enjoyable as much as you can, and Poorness as much as its own. [This is] a worthy goodman. Of course, this is if a man or a woman and a man, after marriage and before marriage, understand that they can not live together in any direction, it is better to divorce at this time, because in stages Then work becomes more difficult. And anyway, this interpretation is an answer for those who thought that divorce was not correct before marriage or before the seals were determined, the Qur'an says: "Such a divorce is not sinful and correct (and it may be more harmful) Take up) Some also include the " جُنَاحَ " here in the sense of "seals", which is burdened by a husband, that is, when you divorce before marriage, and you do not have to confess any kind of marriage. Although some commentators have said a lot about this interpretation, it does not mean the use of the word of the faction. Some have also suggested that the meaning of the above sentence is that the divorce of women before the marriage is at all possible (whether they are in the habit of being menstruating or not), whereas after marriage it is necessary to be clear of marriage. (Fakhrrazi, 1420, p. 6: 473) This interpretation seems very unlikely,

Because with the sentence "أَوْ تَفْرِضُوا لَهُنَّ فَرِيضَةً"

Not compatible. Then he makes another sentence in this regard and states: "In such a case, you should use them (with the proper gift)" (وَمَتَّعُوهُنَّ). Therefore, if not determined by a marriage and not a marriage, the husband must pay the divorce after giving him the gift that suits women, but in paying this gift, the power of the husband's ability should also be considered, and therefore In the verse of the verse, he says: "It is necessary for him who has the ability to as much as his ability, and to him who is poor, as much as he deserves a worthy gift, and this is a right to the benefactors"

(عَلَى الْمَوْسِعِ قَدْرَهُ وَعَلَى الْمُقْتِرِ قَدْرَهُ مَتَاعًا بِالْمَعْرُوفِ حَقًّا عَلَى الْمُحْسِنِينَ).

" موسع " Meaning rich.and " مقتتر " Meaning is poor (from the material of the term also means theatricality and theatricality) such as (وَكَانَ الْإِنْسَانُ قَتُورًا)

Therefore, the riches should pay the same amount of money as their own and the poor for their ability, and the woman's position is also considered in this regard. Sentence ""مَتَاعًا بِالْمَعْرُوفِ"

It can be a reference to all of this, that is, a gift properly and far from lavish and pungent, and appropriate for the present and the recipient. Since this gift has a significant effect in preventing the woman's sense of revenge and emancipation from the complexities that may be caused by the

breakdown of the marriage, in the above verse it is related to the virtuous and ecclesiastical spirit. Says: «حَقًّا عَلَى الْمُحْسِنِينَ»

This action is necessary for the benefactors ", that is, it should be combined with the spirit of goodness and peace. It goes without saying that the interpretation of " good "is not due to the fact that the ruling is not necessary, but to stimulate the benevolent feelings of individuals in the way of performing this duty, and otherwise As mentioned above, this ruling is an obligatory aspect. Another interesting point to use in the verse is that the Qur'an is to be interpreted as a "gift" from a gift that a man must give to a woman and that the word in the word means something That human beings enjoy and enjoy, and often referred to as non-cash and cash, because they do not directly benefit from money The bath has to be used, but it has to be converted to the same way, because of the Quran's gift of interpretation. And this is psychologically a special effect because it is very likely that a gift of usable goods such as food and clothing, and the like Which is surrendered to the people, albeit at a fraction of the cost, gives them an effect in their souls that if they turn it into money, they will never have that effect. Therefore, in the narratives that have come to us in this regard, we often see the Imams Examples of gifts are such as clothing and food or agriculture. Meanwhile, the verse is used well, which is not necessary in the permanent marriage of the seal, and the parties can agree upon it after the marriage, and it is also used if divorce takes place before the determination of sex and sexual intercourse. The seal will not be obligatory and the "gift" will be replaced by "Seal". It should be noted that time and place are effective in the amount of "proper gift." (Shirazi Act., c.2: 199-201)

### Third verse

«وَإِنْ طَلَّقْتُمُوهُنَّ مِنْ قَبْلِ أَنْ تَمْسُوهُنَّ وَقَدْ فَرَضْتُمْ لَهُنَّ فَرِيضَةً فَنِصْفُ مَا فَرَضْتُمْ إِلَّا أَنْ يَعْفُونَ أَوْ يَعْفُوا الَّذِي بِيَدِهِ عَقْدَةُ النِّكَاحِ وَأَنْ تَعْفُوا أَقْرَبُ لِلتَّقْوَىٰ وَلَا تَنْسُوا الْفَضْلَ بَيْنَكُمْ إِنَّ اللَّهَ بِمَا تَعْمَلُونَ بَصِيرٌ» (Baghera, 237)

And if before they came near you, you said your divorce, while you have given them a seal, then you will give half of what you have set, unless they forgive themselves, or whoever is bound to make Forgive her; and your passing is closer to virtue. And do not forget about each other greatly, because God is the visitor of what you do. In this verse, the words of the women who are sealed for them, but separated before the marriage and the marriage, are said. : "If you divorce them before you contact them (and make a blessing), while you have determined them, you need to give them half what you have set

"وَإِنْ طَلَّقْتُمُوهُنَّ مِنْ قَبْلِ أَنْ تَمْسُوهُنَّ وَقَدْ فَرَضْتُمْ لَهُنَّ فَرِيضَةً فَنِصْفُ مَا فَرَضْتُمْ»

This is a rule of law, which gives the woman the right to take half of all divorce without any loss, even though no covenant has been reached. But he goes on to look at moral and emotional aspects, and states: "Unless they forgive their rights" (or if they are minor and partial, but they mean that one who has the knot of marriage to him) Forgive

«إِلَّا أَنْ يَعْفُونَ أَوْ يَعْفُوا الَّذِي بِيَدِهِ عَقْدَةُ النِّكَاحِ.»

It is clear, however, that he can, however, abandon the right to a minor who needs minor expediency. Accordingly, the sentence is half past, regardless of the issue of pardon and forgiveness. It thus becomes clear that the purpose of "الَّذِي بِيَدِهِ عُقْدَةُ النِّكَاحِ"

(The one whose marriage node is in his hands), but he is a minor or a relative, because he has the right to get married, but some commentators have suggested that they are meant for the husband, that is, when the husband has already addressed the whole stamp before (As it has been common among many Arabs) has the right to retract half of it, except to forgive and abandon it. But the accuracy of the verse indicates that the correct interpretation is the first one, because it is in the verse with the husbands. For this reason, he addresses them and says: "«وَأَنْ تَلْقَوْهُنَّ»" (if you divorced them) while the sentence

"أَوْ يَعْفُوا الَّذِي بِيَدِهِ عُقْدَةُ النِّكَاحِ"

It is not mentioned as an absent verb and is not suitable for the purpose of being husbands. In the following sentence, he says: "Forgive you and forgive all your punishment is nearer to righteousness, and do not forget kindness and grace among you, that Allah is the sight of what you are doing"

وَأَنْ تَعْفُوا أَقْرَبُ لِلتَّقْوَىٰ وَلَا تَنْسُوا الْفَضْلَ بَيْنَكُمْ إِنَّ اللَّهَ بِمَا تَعْمَلُونَ بَصِيرٌ

Admittedly, the audience in this statement is husbands, and as a result, in the previous sentence, there is talk of the passing of the parents and in this sentence the words of the passing of the husbands. And sentence

"وَلَا تَنْسُوا الْفَضْلَ بَيْنَكُمْ"

It is a message addressed to the general Muslims who have forgotten the spirit and magnanimity in all of these cases. The Provinces who have come to us from the infallible leaders of us also interpret the verse in the same way, and the Shia commentators according to the theme of the verse and narrations from the people Bait A also has chosen the same opinion and said that they mean the words of the wife of the wife. Of course, there are some cases where the difficulty in getting half the seal, before the wedding, may cause feelings of husband and relatives. And he will seek revenge and may endanger the woman's honor and dignity. This is where, sometimes, the father, in order to protect his daughter's interests, He needs to pass his right. Incl

وَأَنْ تَعْفُوا أَقْرَبُ لِلتَّقْوَىٰ»

(Forgiveness and passing you closer to righteousness) states the duty of men against their divorced women, who, if they have paid all the stamp, will not return anything and if they have not paid it, they will pay it all out and half It is their right to abandon them because it is certain that a girl or woman who separates her husband after marriage or before marriage is severely hit and faces social and psychological problems and the husband has certainly passed through The whole seal, to a certain extent, provides a balm for these injuries. The tone of the verse on the basic principle of "famous" and "Ehsan" emphasizes in these matters that even divorce and separation are not mixed with the struggle and stimulation of the spirit of revenge, but rather on

the basis of greatness and goodness and pardon Because if, if they can not live together and for some reason, they can not live together and there is no reason for them to have hostility and hostility between them (MakarimShirazi, 1992, p. 2: 202- 204)

## 5. Discussion & Conclusion

The Islamic religion, based on the attention that meets the human needs of the human being, has laid down appropriate rules for correct saturation and has set out principles in this regard; marriage in terms of Islam is the only way to modify the sexual instinct that uses the correct use of human evolution It is on track. Marriage is a divine, legal and human divine process between men and women, which takes place with the acceptance of individual and legal conditions and the existence of interaction between them based on the standard criteria for the realization of personal, family and social and evolutionary goals, and as a rock The main building of the family and the main factor for the marriage and empathy of the two young people is the basis for the progress and growth of the wives. Marriage, from the point of view of the Qur'an, is of such importance and importance that nothing, even the poor, can not prevent it:

«وَأَنْكِحُوا الْأَيَامَىٰ مِنْكُمْ وَالصَّالِحِينَ مِنْ عِبَادِكُمْ وَأَمَانِكُمْ إِنْ يَكُونُوا فُقَرَاءَ يُغْنِهِمُ اللَّهُ مِنْ فَضْلِهِ وَاللَّهُ وَاسِعٌ عَلِيمٌ» (noor.32)

Wife husbands and wives and slaves and honest husbands; if they are poor, God does not need them by their own mercy; God is the enlightener. The issue of marriage in the speeches of the infallible leaders of Allah (PBUH) is of a high status. In order to illustrate the importance of the problem, those great-minded people, in addition to marrying themselves and forming a family, encouraged and encouraged the Islamic Ummah to implement this social tradition, and if they saw the deviation And extremists in the matter of marriage enlightened, they warned people of their misguided approach. Conversely, the examination of the history of the past generations shows us a different image of marriage; a group has introduced it completely in a malicious way. And the cause of the sins, and some have considered it to be positive and only for the benefit of the man.

## References:

The Holy Quran

- 1-Ibn Hamzah, Mohammed bin Ali (1408), Al-Willila Eli Nil al-Fadhilah, Qom, Ayatollah MarashiNajafi Library
- 2-Emami, Seyed Hassan (1363), Civil Rights, Tehran, Islamic Book Store
- 3-Bishop, Ahmad. (1394), How is marriage successful and healthy? Tehran, Parents & Coaches.
- 4-Javadi Amali, Abdullah. (1388). Interpretation of Sacrifice, Research and Regulation: Hossein Ashrafi and others, Qom, Asra Publications
5. HaghFatmani, Muhammad ibn Hassan (1409 BC), Weshail al-Shi'a, Researcher / Excerpt: Al-'Abit's institution as al-Qa'im, the institution of al-al-Bait (as)
- 6-Holi, Moghadad ibn Abdullah Sivari, (Bey), Kings of the Prophets of the Qur'an, Qum: Imam Khomeini, Translator: Benevolent, AbdolrahimAeghchi
- 7-Khoyi, SeyyedAbolqasem (1377), Mesbah Al-Bukhaha, Qom: Maktobeh al-Dawari, Takfir Mohammad Ali Tohidi

8. DavoodMarzi, Seyyed Mehdi (2000), Concept of Contract in Civil Law, University of Qom: Humanities Research, No. 4
9. Dejkam, Mohammad Reza. (2009), Marriage Psychology, Tehran, The Origin of Knowledge
- 10-Ragheb Esfahani, Hussein ibn Mohammad Ragheb, (1412 AH), Mofradat al-Baq al-Quran, Researcher / Moderator: Safwan Adnan Davoodi, Lebanon-Syria, Dar al-Alam-El Dār al-Shamī, First edition
- 11-Shobeiri Zanjani, Seyyed Moses (1419 AH)., Al-Nakah Book, Qom, Raidar Institute of Research
- 12-Tabatabai, Mohammad Hussein (1374 AH), Interpretation of Al-Meydan, Translation, Mousavi Hamedani, Seyyed Mohammad Bagher, Qom, Islamic Book Publishing House, Qom Seminary Teachers' Community
- 13-Tusi, Mohammad ibn Hassan, (1407 AH) T. Albakam, Tehran: Dar al-Kabul Eslami
14. Fakhr al-Din Razi, Abu Abdullah Mohammed bin Omar, (1420 BC), Mu'tatih al-Ghab, Beirut, Dar Al-'Arth al-Arabi
- 15th Fumi, Ahmad ibn Muhammad Muqrari, (Bey), Al-Masaba al-ManirFiberiq al-Shar 'al-KabirLahrafiyah, Qom: Letters from Dar al-Razi
- 16-Katouzian, Nasser (1992), Family Civil Rights, Tehran, Publishing Company
17. Researcher of the groom, Seyyed Mostafa (1365), jurisprudential review of family law, Tehran, Publication of Islamic Sciences
- 18-Moeini, Mohsen (1376), Ayatollah Ahlam, Tehran, Islamic Studies, 12th, No 1 & 2
- 19-Makarem Shirazi, Nasser (1371 AD). Sample Interpretation, Tehran, Dar Copywriting, Tenth Edition
- 20-Musavi Bojnourdi, Seyyed Hasan, (1419 AH), Al-Qawad al-Fiqahi, Qom: Nahr-e-Hadi
- 21-nazare, Ali Mohammad , (1393), Basics of Couple Therapy and Family Therapy, Tehran, Alam Publication. Print thirty one