

Investigating the Marriage and its Consequences in Afghan Society

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Abstract: *Shghar marriage or what is in our country and particularly in Kabul and its suburbs called "Exchange" known as one the social phenomena in our society that can be found to certain extent in the city and the country unless this method is used in the formation of the family. The formation of families in this way can cause serious dam-ago to the small community center because Afghanistan be- cause families usually with an eye to both eyes and is settled and the negative competition closes and this approach can de- bate that all the suffering and pain into her husband's family to arrive . Islamic scholars have different views on marriage, along whit the president of the jurists do not allow it, Ahnaf of marriage are correct , but do not accept that a woman is used as sealer, so it can be said which is a slightly different consen- sus among Muslim scholars about the prohibition of the marriage has taken place .*

Keywords: Marriage, Beetroot, Replacement, Haram, Violence.

1. Introduction

The peace of the home and, consequently, the peace of the family and all its close relatives are in the proper formation of a family.(1)

Correct family formation is a set of accounting factors that must be provided by their couples and families. Any wrongdoing in this field will lead to failure in marital and family life, turning family law into a burning hell that will burn down not only direct family members but also all distant and dependent families. (2)

One of the major mistakes and mistakes usually made in Afghanistan when forming a family is reaching out to the family through non-religious means, which naturally are both irrational and irrational.(3)

One way is to form a family by using marriage crops. As mentioned above, in the case of Shoghar the woman is used as a seal against the woman. The appearance of the case, although it is a tool used by women to use her as money and money, is a great insult to women's right, but it does not end there; it causes both women to retaliate And become overwhelmed by all kinds of problems.(4)

This article attempts to discuss this issue in the light of Islamic law and the country's ruling authorities and to determine whether this practice has a place in Islam or the law.(5)

Research Objective

The main purpose of the Enlightenment is to make people aware that using such tools and practices in marriage cannot bring happiness and happiness.

2. Literature Review

The meaning of beetroot

The word Shoghar, known as Dari, is an Arabic word that has its own meanings. Referring to vocabulary and vocabulary, it is clear that the word illiterate means hollow. When it is called 'Baladeh Shoghar', it is a city devoid of the sultan. And sometimes it is said that the duty of the branch is to empty.(6) The so-called Shoghar of the jurists of the Holy Quran is to marry someone to marry someone else who will marry him, according to one of these beliefs, whether it is the daughter of a person or his sister or a slave girl. This type of marriage is called rashghar because it is devoid of seal; (7 15 4) the woman should be used as a stamp and the marriage contracted.

Jurisprudents' views on marriage

There are two views offered by Islamic scholars in this regard:

Hanafi Jurisprudents' Viewpoints and Their Reasons

It is permissible from the point of view of the marriage contract of two men, one for one woman and the other for the other woman, but in both cases it is necessary because in Imam Abu Hanifa's view, mercy is not on the marriage but on the marriage. , By making the stamp necessary, the stamping problem is solved, so the contract is permitted (8).

Jurisprudents say that this marriage is proverbial and has entered into a corrupt condition, which is to put a watermelon as a watermelon because the watermelon does not qualify for sealing; That we should marry this bastard, which is the same as a seal, is not in fact a marriage, because the marriage is without a seal, and here is a poisonous seal (9).

They also compare marriage to areas where Khmer is used as a stamp, and they say that just as marriage and marriage are correct, and instead stamps are needed, stamps are needed, And the fact that in this marriage a woman's

marriage is a stamp of marriage is a necessary stamp in this respect (3:10,17).

The Afghan Civil Code governs marriage by marriage in accordance with the Hindu religion; it states: "In marriage, the wife shall not be substituted for another woman, and it shall be sealed as necessary for each of the wives" (11).

The view of Islamic jurists and their reasons

Republican jurists of al-Maliki, Shafi'ah and Hanafilah, deny having a marriage license. For Meredith Shafi'i, the marriage is void and, according to Maliki, the marriage is corrupt and should be terminated. (12)

Al-Maliki's jurists believe that if the marriage took place and that the parties to the marriage had realized the sanctity of the marriage before they entered, it would have to be terminated immediately, and in such a case the woman would not be entitled to a seal. If the marriage is revoked after marriage, the marriage will be terminated, but it is necessary for the married woman to terminate it, even though there are also children in the marriage (2:21'9).

According to Shafi'i jurists, this marriage is not lawful and should be terminated, if it enters, each of them needs a stamp, and both of them must be counted, and these marriages are subject to all the decrees of the corrupt marriage.(13) **According to the jurists of Hanbalab**, the traditions made by Imam Ahmad Rah about corruption of marriage are not different, and their marriage is corrupt and vile (8'6).

The scholars in their opinion refer to the following traditions:

- 1) Hadith of Abdullah ibn 'Umar Razzad "Ann Rasulallah Nahi al-Shoghar" (11) (Prophet of Islam forbade marriage to Shoghar).
- 2) Hadith of Anas ibn Malik Reza's Prophet (PBUH) against Weslaam "La Shaghar fi al-Islam") (20:5'1) (Not a job in Islam).
- 3) Hadith of Imran ibn Hussain al-Nabi al-Wali Salaam v. Wassal Qalm: "Lajbal Wala beside Wala Shaghar fi al-Islam" (12:10) (Attracting charity to the recipient's charity and not alienating the recipient's charity from the owners of the property, and not from Islam).

The image of the beetle also implies that the beast has been slaughtered, and that the beetle has raised its leg, and that beetle is also bewildered (14).

Basically, the use of women as property for whatever reason and for whatever it is a disgraceful and unacceptable thing to undermine the human value of women.(15)

Conflict of views beyond the issue We have seen in the past that there are two views on the marriage contract, one being the opinion of the jurists who agreed to have the marriage contract of the same kind as Mehr, and the republican opinion that it was not permissible to terminate the marriage contract.(15)

Of course, the jurists do not want to marry, but to conclude it, because the condition of marriage to a woman is one of the corrupt conditions, and the corrupt condition does not

eliminate the principle of marriage; To correct this description, which is done with the necessity of a stamp.(16)

In the view of Imam Kassani, we also saw Abin Abedin Rah, who said: "If necessary, this is not a marriage contract, but a kind of normal marriage." It is understood that, if necessary, the stewards do not give birth to the husband, while there is no indication in their books of the marriage license; Rather, they say, the contract is entered into under the corruptive condition, and that corruptive condition must be abolished, which is abolished as in marriage, and then the marriage takes on a natural form, and thus a kind of convergence and closeness in view Causes and repetitions arise, taking into account the same convergence and proximity to the correct and explicit traditions that the scholars have cited, considering that marriage is one of the causes of domestic violence in our country.(17) The opinion and opinion on the matter shall be the same as those for which the marriage shall be forbidden and forbidden, if any such marriage is void and shall be terminated, if they wish to marry, each of them shall have separate marriage and marriage according to their marriage. Correct and correct marriage conditions.

Causes the marriage of beetle

The question now is that despite the disagreement about marriage, why is it so widely used in our society, which is an Islamic society? Because now there is no weddings in Afghanistan that have not used the marriage in some way. The fact is that if this is properly eradicated, it is well known that the cause of this marriage is economic poverty, cultural poverty, and Hanafi religion, which has been misunderstood, and the fatwa has not been properly digested and based on this practice. The fact is that people are not able to pay the dowry and the high cost of marriage, so they are committing to this marriage.(18)

The marriage of the beetle motivates people to do both:

- 1) To pay for the dormant dowries and the curbs that are saved by this marriage, because the families, by putting the woman in front of the woman and using it as a stamp, are in fact avoiding paying the dowry.
- 2) Families can use this type of marriage as a hostage; meaning that when the family asks for extra money, the family will ask for extra money, or if the family opposes a big wedding, the family will For example, it looks like a big wedding.

One of the causes of this phenomenon in the Afghan society is the misunderstanding of the Hanafi religion, which is in fact not accepted as marriage, but as an independent marriage; They are not allowed to use women as money and money; They say that the woman is not a stamped wife, and it comes to every married couple, so the hanaf religion, which is one of the most rational jurisprudential religions, never does such a thing as make the woman a stamp, but the principle of marriage is present, knows well, and removes the gap that has been unveiled, by requiring the same stamp as for both, and assumes that each of these beliefs is independent of the other, with no relation between them. ; But people misunderstood this and thought that women could be used as a stamp; they used women against women as money and capital, which led to all kinds of misery, so the

most important tool of propaganda That marriage among the Afghan people is one of economic poverty, the other of misunderstanding of the Hanafi religion.

Negative consequences of this marriage in Afghan society

There is no doubt that such acts have negative consequences for the people. This is self-evident and has been experienced many times, and its concrete proofs can be seen and seen many times.

The most important of these consequences are:

- 1) The use of money and money by women, because it is interfered with by the people in this marriage, and used as a seal, there is no doubt that such an interaction with the woman is not the interaction that the sharia wants and this is of some value to the woman. It is considered the Islamic Shari'ah, while honoring the status of woman as mother and wife.(19)
- 2) Uses of marriage as a lever of pressure on another when forming a family As we mentioned earlier, people who use this marriage use one marriage to pressure another. So that if the other side, as we said, demands a great deal of spending and money, the other side will do the same, and this will spite a lot of hatred and enmity, which may be the place where their marriage is crystallized. The future is yours.(20)
- 3) Using woman as a living hostage to family life. Both families interact with the hostage-takers in their intermarriage with the women, meaning that when there is at least one cruel misconduct against the woman in the house, so does the other woman. Whenever a woman is beaten, the woman is beaten in the house, and when she is mistreated, the woman is mistreated.

All of this is while none of the women may have a problem, or one of them will have a problem, but still there will be all kinds of oppression against that woman.

Naturally, these are not all the negative consequences of this marriage; after all, these are all kinds of psychological, psychological, social, economic, cultural, educational, domestic violence, pain and deprivation, pains and deprivation that have never been There should be no family law because Islam has placed the family on the basis of affection and affection, not hostility.(21)

3. Conclusion

- 1) That a woman be used as a seal against a woman is not acceptable to any jurisprudential religion, and they do not accept it.
- 2) In the Hanafi religion, the use of women as a stamp of honor is also accepted by the weddings, although they accept this marriage in terms of its pillars, but they do not accept it in terms of statehood; They know the stamp as necessary.
- 3) This marriage has many negative consequences, so that it can destroy both lives and ruin all life.
- 4) The consequences of this marriage are quite different and even reversed with what Islam considers as the formation of a family, because Islam wants the family system to be formed on the basis of affection, trust and dedication, while the marriage forms the basis of eyes and eyes;

- 5) Given the problems (mental, psychological, cultural, educational, familial, social, economic, and domestic violence) that this marriage creates for families, it should be possible to prevent it and prevent people from resorting to it.
- 6) Of course, these are not all the results of this discussion. Dear readers, there will be another result to be found through this article.

Offers Due to the bad consequences of this marriage it is recommended to:

- 1) Scientific and academic centers of the country to pathologize this type of marriage, and by conducting field research to try to illuminate the public's minds more and more.
- 2) Honorable religious scholars try to persuade people through the mosque's pulpit not to commit any kind of religious opposition under the name of this marriage.
- 3) Those who work in the field of marriage, including scholars of the country and in the field of marriage, try to avoid the closure of areas where women are treated as women.
- 4) Families should pay more attention to the fact that the consequences of this marriage in a comparable manner in Afghanistan lead to a variety of misfortunes for children and their children.
- 5) Those who have done marital marriage themselves realize that a woman is not a wife, unless a woman commits a mistake, not only that she should not be insulted or humiliated, but that the other party does not have the right to be raped. To be mistreated because of the misconduct of that house.

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