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NORMATIVE ISLAMIC CONCEPTUALIZATIONS OF FAMILIES AND KINSHIP THROUGH MAQASID PERSPECTIVES: A COMPREHENSIVE LITERATURE STUDY

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ABSTRACT

The current article represents a comprehensive understanding of the family system and kinship in normative Muslim scholarship. It introduces the perception and definition of family and kinship relations and presents some of its fundamental features and bases in order to restructure critical, yet scattered opinions of scholars from various religious, legal, and historical Islamic sources. This research also aims to investigate numerous normatively formed perspectives related to family forms, the paradigm of values for family and kinship, and the family systems inspired by normative sources of Islam which have been discussed in broader discourse echelons to show the development of Muslim scholarship, provisions, opinions, and analysis, with regard to family and kin, especially under the umbrella of *maqāṣid al-shari'ah*. The article follows a qualitative methodology with historical, analytical, and descriptive approaches in a comparative manner when investigating normative accounts of the Muslim family and kinship. This study's contribution to international scholars in the field lies in its comprehensive analysis of *maqasid* framework for family and kinship in Islam and its divergence among normative scholarship. By shedding light on these normative perspectives, it enriches the existing scholarly discourse on *maqasid al-shari'ah* and opens up new avenues for further research and exploration in contemporary approaches to family and kinship studies. The findings of this study provide valuable insights for researchers, academics, and practitioners seeking a deeper understanding of *maqasid al-shari'ah* and its practical applications in contemporary contexts. The article found out that the advent of Islam, as mentioned in normative Muslim scholarship, introduced several religious rudiments into the family and kinship life that morally, structurally, and socially altered and regulated the character, structure, and purposes of the Muslim family to ensure stability and advocate social relations and order.

Keywords: Family, Kinship, Normative Islamic Scholarship, Muslims, Maqāṣid.

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Introduction

Family and religion have been understood as interconnected and mutually influential to each other, with neither being comprehended completely apart from the other (Reiber, 1970). The Muslim family system is the result of multifaceted historical and cultural interplays that left indelible features on the societal organization and composition of the family system. Despite cultural evolutionary alterations within Muslim civilizations, the Islamic perception of the family and kinship systems has remained peculiarly consistent and different from other, non-Islamic systems, with its integrated structure and diversity of components and elements.

However, the interconnection between religion and the family, and the fact that neither can be fully understood apart from the other may elucidate an evident knowledge gap in traditional studies of the Muslim family in terms of structure and approaches through which researchers have shown discrepancies in dealing with normative (religious and moralistic) and non-normative (anthropological and sociological) methods (Sorokin, 1966). Certainly, the Muslim family system is founded upon Islamic religious values, and some authors who have studied this topic from purely a religious normative perspective tend to either uncritically and idealistically celebrate the Muslim family system or denounce it (Hamudah, 1982). Other authors have applied a non-normative method severed from religious and moral principles, such as in sociology or anthropology, and they tend to produce inadequate research outcomes (Parson, 1966).

The institution of the family in Islam has received enormous attention in normative scholarship and contemporary Muslim scholarly works. The organizational and structural provisions (*ahkam*) related to the family entity in Islam from Qur'anic or Sunnaic sources have been elucidated in detailed research and studies that took the form of accumulative knowledge with multiple approaches and emphases. This current article aims at investigating the family system and its structure from the Islamic normative approach in light of a variety of contexts that revolve around the perceptions of family, marriage, and kinship in the scholarly legal and religious literature. Methodologically, the article intends to utilize descriptive, historical, analytical, and comparative approaches to contextualize, critique, and reinterpret the Muslim family system through normative Islamic scholarship and its evolution.

Historically, this article will be confined to the formative era of Islamic tradition scholarship that characterized Muslim civilization throughout the 7th (600-699 AH) and 11th (999-1099 AH) centuries. This period represents the nucleus of the legal tradition for the Muslim community, although it should be noted that some ideas of the formative era are made comprehensible and available by later or contemporary scholarly literature, and these sources are also considered in this article. This study does not focus on a particular Muslim place at any determined time, instead emphasizing the evolutionary changes and diverse circumstances which transformed Muslim societies in relation to the traditional era of scholarship. With the coming of Islam, several religious principles were introduced to family and kinship that helped reshape their form and systems morally, structurally, and socially. Moreover, Islam also introduced the concept of *maqāṣid* to family and kin, where social relations were given a set of purposes and regulations in Muslim normative scholarship.

Definition, Structural Bases, and Features of the Muslim family

The term "family" has different definitions within etymological, social, anthropological, and religious contexts. The distinctions between, and intersections of family and kinship, in particular, make it challenging to determine a universal definition for these terms. To evade such confusion, the author advocates for the use of operational definitions of the term "family" within the Islamic context as suggested by several key Muslim scholars throughout the history of Islam.

There is no apparent or embedded definition of the term "family" or its equivalent in the Holy Qur'an and the Sunnah of Prophet Muhammad (p.b.u.h.). The word "*ahl*" and "*āl*", mentioned in both Qur'an and Sunnah are the most closely corresponding expressions to denote the term family where *ahl* means family, relatives, and kinship; and *āl*, depending on the context. In the Arabic language, the term is used for the family or descendants of a person or the people or followers of a person (Faudil, 2013). This by no means diminishes the Qur'anic interest in the family, as the Qur'an has repeatedly emphasized several legislative, ethical, and organizational attributes of the family, its structure, and components,

and Muslim scholars have given many definitions to the term family. In al-Tabarani`s (2014) opinion, there are various etymological conceptions of "family", including the fortified shield, one's relatives, and loved ones in whom one takes refuge and attains empowerment (al-Tabarani, 2014).

Al-Asfahani's book entitled *al-Mufradat fi Gharib al-Qur'an* is still one of the most relevant traditional sources on the family system in Islam. Al-Asfahani (n.d.) tries to define the parameters of the family, such as chastity, affection, mercy, marriage, and inheritance. He states that *ahl*, or family, is the bond that ties man with his close ones by lineage or religion, home, and country. Accordingly, Al-Asfahani (n.d.) also defines the family as the building block of human vicegerency (*istikhlāf*) on earth, and the responsibility of the family is to develop and educate individuals capable of carrying this divine purpose of existence (*khalifah*) (al-Asfahani, n.d.).

Ibn 'Ashur views the family as a system of values that regulate human relationships encompassing three dimensions: marriage, lineage, and kinship. These levels serve as a methodological compass for the objectives and rulings of the family, extend the network of relations, and pilot the mutual rights and obligations between human beings inside the family system and beyond (Ibn Ashur, 1999).

Adnan Zarzur et al. (1986) argue that the family is an existential institution that started with the first man, Adam, and Eve. Allah s.w.t. says:

> Translation: We said, "O Adam, dwell thou and thy wife in the Garden and eat freely thereof, wheresoever you will. But approach not this tree, lest you be among the wrongdoers."

> (Surah al-Baqarah, 2: 35)

From this verse, the aspect of creation and the formation of human existence was bound to stand upon family relations which marked the beginning of human societal existence. If one adds Ibn Khaldun's necessity (*darurah*) and cohesion (*assabbiyyah*) with its economic and protective levels, where individuals cannot stand on their own, family thus represents existence and defines the continuation of human society (Zarzur, 1986). This is also identical in terms of conception to al-Awwa's definition of the Muslim family. According to him, besides its existential and societal role, a family has a sacred divine interconnectedness that carries the meanings of love, purity, and kindness which transcends the family itself to incorporate lineage and kin (al-Awwa, 1964).

Zaynab al-Alwani (1981) enunciates that the family in Islam is the first structural unit in different human societies through which individuals receive the fundamental values and concepts that regulate their conduct and movement in society and the universe. Hence, Islam's interest in the family is in line with the nature of the prominent role it plays in both the lives of individuals and the formation of both societies and the ummah intellectually and constructively. Family is the entity that preserves what the human species has built in the past and ensures its survival from one generation to another (al-Alwani, 1981). She also stressed that Islam does not impose or precisely define the type of the family (nuclear or extended), as much as defines the values that connect family relations and illustrates pivotal circles for the network of these relations, (al-Alwani, 1981) whether in the *maharim*, or marriage systems, through which the sexual bond is a pivotal framework for determining the nature of relationships, refining the features of the relationship, and identifying the rights and obligations in such a system (al-Alwani, 1981).

Practically, other Muslim scholars defined family as the institution that signifies a distinctive type of composition whose principles are interconnected through blood ties, milk-kinship, or marital relationships, and whose kinship is composed of mutual beliefs that are stipulated by religion, strengthened by legislation, and internalized by individuals. The family members may be recognized through natural blood ties, milk-relations, or obtained through marital relationships. Allah s.w.t. states:

Translation: As for your adopted children, call them by their (real) fathers' names: this is more equitable in the sight of God; and if you know not who their fathers were, (call them) your brethren in faith and your friends. However, you will incur no sin if you err in this respect: [what really matters is] but what your hearts intend – for God is indeed much-forgiving, a dispenser of grace!

(Surah al-Aḥzāb, 33: 5)

Therefore, according to the Qur'an, individuals should enjoy the right of blood lineage identity and be acknowledged accordingly. If the individuals' lineage is unknown, then they enjoy a certain level of brotherhood in Islam (al-Alusi, 1992). The verse also has some interesting implications regarding inclusion and exclusion from family lineage and membership. During the pre-Islamic era, people disowned original relatives and admitted alien individuals to their kinship system, yet Islam abrogated such customs and required of individuals to reclaim their rightful families and identity (Hamudah, 1982). Based on some of the reviewed literature, the Muslim family system stands for the provisions and principles that deal with the family from an organizational stance, starting from its formation, its establishment, and its falling. There is no family without marriage in Islam and there is no relationship between a man and a woman except through marriage, which is the means for legitimate relationships, the formation and strength of the family, and the spread of solidarity among its members (Hediyye, 2016).

Structurally, the family system in Islam takes shape after a legal marriage contract that fulfils the Islamic elements and conditions of such a relationship (dealt with below). Spouses are certainly the two main pillars in the Muslim family, which expands after marriage to incorporate children and kinship from the matrilineal and patrilineal pedigrees. Abu Zahra (1965) states:

"The family in Islam comprises of the spouses and children who are the consequence of marriage. It also contains the lineages of fathers and mothers as well as matrilineal and patrilineal siblings, grandparents, uncles and aunts, and their offspring. Thus, a Muslim family is structured upon spouses and relatives of both parents."

(Abu Zahra, 1965, p. 62)

In terms of distinguishing features, Rasha Bassam (2010) illustrates that normative Islamic scholarship exerts great influence on the family and its existential role. Rasha argues that the Muslim family is a unifying entity because Islam promotes unity, harmony, and cohesion (Bassam, 2010, p.12), Allah s.w.t. says:

Translation: O humanity! Indeed, We created you from a male and a female, and made you into peoples and tribes so that you may ˹get to˺ know one another.

(Surah al-Ḥujurāt, 49: 13)

The Holy Qur'an highlights that some values are crucial in maintaining human relationships, particularly in a solid and healthy family ambiance. Accordingly, cohesion and unity are achieved through some of these values such as piety towards Allah s.w.t., *khayr* (virtuousness), *birr* (righteousness), *haq* (integrity and truth), *iḥsān* (good action), `*adl* (justice), and others. On the other hand, Islam forbids qualities that hinder the stability of family and society's cohesion, and harmony, and affect human relations in a negative manner such as lying, dishonesty, deceit, back-biting, and corruption (al-Alwani et al., 2003).

Islam places significant emphasis on human development and sustenance, and Muslims are commanded to follow these principles privately and publicly. Islam is also a religion that calls for cooperation, mercy, and passion. Allah s.w.t. says:

Translation: And one of His signs is that He created for you spouses from among yourselves so that you may find comfort in them. And He has placed between you compassion and mercy. Surely in this are signs for people who reflect.

(Surah al-Rūm, 30: 21)

Another feature of the Muslim family, according to Rasha, is its continuation and perpetuation. The Islamic marriage contract is indefinite in duration and referred to in the Qur'an as a firm pledge, covenant, or firm commitment *al-mithaq al-ghalidh*. Allah s.w.t. states:

Translation: And how can you take it back, when you have lain with one another, and they have made with you a solemn covenant?

(Surah al-Nisā', 4: 21)

Additionally, the relationship within the Muslim family is permanent because relations between children, parents, and relatives are ruled by a blood connection that should not be severed or abandoned and which also creates mutual rights and obligations amongst family members and kin. Such rights and obligations include religious, spiritual, moral, and educational prepping; kindness; good companionship; and excellent mutual treatment as Allah's Messenger said, "The best of you is he who is best to his family, and I am the best among you to my family. When one of you dies speak no ill of him) (al-Tabrizi, 1985, 2: 971) fulfilling financial and emotional commitments; keeping household secrets; collective guardianship of honour; cooperation; and others. These are reflected through the ideas of *qarabah* and *arham* between family members and kin.

Severing these ties and disregarding rights and obligations amongst family and kin according to the Qur'an is similar to inflicting *fasad* (corruption). Allah s.w.t. says:

Translation: Would you, perchance, after having turned away [from God's commandment, prefer to revert to your old ways, and] spread corruption on earth, and [once again] cut asunder your ties of kinship?

(Surah Muḥammad, 47: 22)

Finally, the Muslim family in Rasha's view is established upon constructive values of the relationship through which Islam disregards negative, destructive feelings that inflict division, and sever social ties (Bassam, 2010) Therefore, preserving good relations with the family and kin is bound to assure people earn Allah's mercies, forgiveness, and bounties, in addition to strengthening individuals' amity, affection, and prosperity.

The Traditional Family Forms in Islam

Hamudah Abd al-Ati (1982) elucidates that the Islamic religion does not advocate any particular organizational family form or system; yet, in practice, traditional Muslim family construction has been extended rather than nuclear. According to him, this is seemingly a perpetuation of the systems in Arabia before the advent of Islam and is not a religious innovation (Hamudah, 1982). While Islam does not prescribe any family form, if the extended type of Muslim family was due to historical continuity or societal circumstances, Islam evidently does not disapprove of this family system. The Islamic tradition was conspicuously familiar with the social conditions; thus, there was no need for restricting the Muslim family system and structure to any particular structure, whether nuclear, extended, or polygynous. This may designate that these family systems are not mandatory in the overall conception of the Muslim family system; rather the system's unity, stability, and cohesion are the fundamental concerns in Islam. In fact, familial behaviours and principles that encompass rights and obligations are impartial and must be distinguished from the structural systems of the family. While principles are established, the family organizational forms and systems are malleable and unrestricted (Hamudah, 1982, p.31).

Accordingly, if one considers the extended family system to not impede or prevent the nuclear family type, both Islam and normative scholarship appear to have viewed the extended system as more adequate, but not necessary. This is probably due to the features of intertwining and interdependence in the extended family that improve male-female relations and provide immense advantages for both men and women.

Lamya al-Faruqi (1985) maintains that normative Islamic scholarship, as well as the Qur'an, actively promote the extended family that includes grandparents, aunts, uncles, and their offspring in addition to the father, mother, and their children. The interconnection of the Muslim extended family members stretches psychologically, socially, economically, and politically, beyond the nuclear family (L. al-Faruqi, 1985). She expounds that the extended family in Islam is fortified in the Holy Qur'an, which mentions the importance as well as rights of kin. Allah s.w.t. states:

> Translation: We accepted this solemn pledge from [you,] the children of Israel: "You shall worship none but God; and you shall do good unto your parents and kinsfolk, and the orphans, and the poor; and you shall speak unto all people in a kindly way; and you shall be constant in prayer; and you shall spend in charity.

(Surah al-Baqarah, 2: 83)

He also says:

> Translation: And give his due to the near of kin, as well as to the needy and the wayfarer, but do not squander [thy substance] senselessly…

(Surah al-Isrāʾ, 17: 26)

> Translation: Hence, [even if they have been wronged by slander,] let not those of you who have been graced with [God's] favour and ease of life ever become remiss in helping 2858 [the erring ones among] their near of kin, and the needy"

(Surah al-Nūr, 24: 22)

Accordingly, Lamya al-Faruqi (1985) accentuates that not only do nuclear family members inherit, but the extended family in its kinship dimension is also part of the Qur'anic allotment of inheritance, Allah s.w.t. states:

> Translation: It is ordained for you, when death approaches any of you and he is leaving behind much wealth, to make bequests in favour of his parents and [other] near of kin in accordance with what is fair: 161 this is binding on all who are conscious of God…"

(Surah al-Baqarah, 2: 180)

Therefore, the extended family in Islam is not merely a traditional social product, it is an entity anchored and bolstered in the revelation (Lamya al-Faruqi, 1985).

Besides the two most popular traditional family systems in Islam, namely nuclear and extended, Hammudah suggests that there exists a third category he called the polygynous system or form. Similar to the nuclear and extended, this system is neither entirely required nor unambiguously prohibited; rather, the polygynous family system in Islam is permitted — perhaps because it is related to each person's preference and conscience, and the social and economic conditions of any particular familial situation (Hamudah, 1982). There are no universal rulings or rules in Islam regarding the polygynous family system. However, when it happens, individuals must adhere to some specific shared beliefs and practices.

Even though polygyny was practiced, whether prevalently or otherwise, in pre-Islamic Arabian societies, Islam and Muslim scholarship afterward did not retract, ignore, or prescribe it. This fact is explicated differently by scholars and researchers (Wafi, 1960). Nothing in the Islamic tradition suggests that "polygyny is or is not a universal rule; or that it must be upheld or abandoned categorically. But once polygyny occurs, certain mutual expectations must be met" (Jumu'ah, 1949, p. 2).

A complete elucidation requires more information about features and societal structures of pre-Islamic Arabia. A. Hammudah (1982) believes that in light of the changes brought by Islam to the whole social structure and system, it would appear highly improbable that Islam permitted conditional polygyny merely or primarily because it was incapable to do otherwise. If Islam either viewed polygyny as essential or opposed it, it could have taken such a stand. In this regard, the Islamic stand on polygyny was aimed at a greater purpose or for something, at least, evenly good.

Historically, the Muslim tradition as argued by Lamya al-Faruqi (1985) had accommodated the extended type of family system and declared no additional provisions regarding other structures and forms which may imply that, in the early days of Islam, the extended traditional family system was probably more favourable to achieve the functions and objectives of the family. The malleability of the Islamic traditional family systems in terms of organization and the specific religious provisions and values revealed and devised for family members may designate that the traditional Muslim family system and its forms were or could be perceived as partially divine and static, and somewhat human and changing.

Paradigm of the Traditional Islamic Values for Family and Kin

In the absence of a proscribed family structure, Islam focuses on the values that connect family relations and their network, whether in marriage or kinship. Marriage, according to Zainab al-Alwani (1981), is the defining bond of a framework that determines the quality, structure, and values regulating relationships within family and kin. Islam not only clarifies the nature of these relationships but also elucidates the duties and obligations within those relationships (Al-Alwani, 1981). Accordingly, Islam integrated a complete system of values based on *tawḥīd, istikhlāf, wilayah, qiwāmah*, and *zawjiyyah*.

Firstly, it is a rooted belief that the Islamic worldview is centred on the Holy Qur'ān and the Sunnah, yet the basis of both sources is the tenet of *tawḥīd* (oneness of God). *Tawḥīd* offers a framework for all that there is within the Islamic tradition and thought, including conceptions of family, kin, and social life. The concept of *tawḥīd* eliminates any kind of dependence on worldly and unworldly matters upon anyone other than the Creator; it also is the denunciation of all sources and authority except His, and that man should submit to the will of Allah s.w.t. and worship none except Him. In other words, *tawḥīd* is the equivalent of human emancipation from all that is associated with Allah s.w.t.. This attestation to the Oneness of God is also the antithesis of the pre-Islamic *jahiliyyah* (Ayoub, 2006). *Tawḥīd* is not a mere doctrinal value or a religious concept but rather is a holistic vision that defines and regulates the purpose of human creation, and its relationship with the universe and life. This purpose is reflected in humanity's thinking and practices that denote stability and perpetuation of belief from which Islamic thought derives its originality, despite challenges and calamities (Ezzat, 1995). The importance of *tawḥīd* is evident in understanding the role of the family as a model for constructive change and reform. The provisions of the shariah associated with family and kin are centred on the concept of Oneness as the core principle in the Islamic creed (*aqidah*) and the foundation for family legislation that contains universal purposes and comprehensive rules, where the objectives behind rulings are considered governing values, from which concepts, worldview, frameworks, and rulings are sourced (al-Shatibi, 1975).

Secondly, the concept of *istikhlāf* (vicegerency) organises the movement of humans by identifying their pursuits and the purposes of their existence. Humanity in Islam is assigned the position of a caliphate or vicegerent who could reclaim the two worlds because he acquires God-inspired values and qualities that render him the bearer of *khilafah* in the sight of Allah s.w.t. who created him and taught him what he did not know (al-Asfahani, 1987). Allah s.w.t. says:

Translation: And [tell them that] I have not created the invisible beings and men to any end other than that they may [know and] worship Me.

(Surah al-Dhāriyāt, 51: 56)

Several traditional and contemporary scholars maintained that based on this verse, the purpose of the creation of humanity is to worship Allah s.w.t. and to be entrusted with responsibly inhabiting earth (Rida, 1928). According to Z. al-Alwani (1981) this is the most important role of the institution that supervises the upbringing, fostering, and educating of the *khalifah*—family. In this sense, *istikhlāf* is realised through worship as another dimension of jihad (striving) against oneself and striving for *Umrān* (civilisational progress), and for the promotion of humankinds' wellbeing and *falāḥ* (true success) in this world and the Hereafter (al-Asfahani, 1987).

Within the universal Islamic framework, *istikhlāf* is a governing concept in establishing family and kin ties because of their ability to regulate human practices and behaviour. *Istikhlāf* comprises men and women collaboratively working towards its realization. Therefore, this concept is founded upon the unification of their movement under some general fundamental relations that contribute to the advancement of the *ummah*. Those fundamentals and elements regulating men's and women's relationships are drawn to manifest specifically within the family and kinship systems. Accordingly, the Qur'anic and normative Islamic discourse exerts great interest in the issue of marriage at different levels of *umrān*: a level related to the relationship between a man and a woman, a family level related to the spouses as they are entrusted with different social roles within the framework of the kinship, and a general level in which the spouses are seen as an entity within the community of believers (al-Alwani, 2013).

Thirdly, the concept of *wilayah* or *awliya'* in the Holy Qur'an and the traditional scholarship refers to men and women being protectors of one another and identifies the relationship between them as partners, especially in establishing strong families and society. Both terms expand and necessitate equal responsibility for men and women in terms of their actions and fulfilling their duties (al-Alwani, 2006). Therefore, from an Islamic point of view, wilayah does not disprove the basis of equality; rather it is an indication of social complementarity, cooperation, and solidarity between family members and people to achieve righteousness and virtue, revive the spirit of faith, and convey the universal moral message of Islam (Saqqah, 1990).

The meaning of *al-wilayah* was further extended in the Holy Qur'an to accommodate all capacities of human relations and interactions not only individually, but also in the sense of the ummah. Allah s.w.t. says:

Translation: ..and [as for] the believers, both men and women - they are (*awliyaa'*) close unto one another they [all] enjoin the doing of what is right and forbid the doing of what is wrong.

(Surah al-Tawbah, 9: 71)

Wilayah in this verse carries the meanings of the importance of cooperation in activating good and resisting evil and instils the value of sincerity between the believers which are foundational in establishing the *ummah*.

Throughout the history of Islam, normative and contemporary Muslim scholarship have extensively discussed the meaning of *qiwāmah*, especially in light of the verse from surah al-Nissā when Allah s.w.t. says:

Translation: Men shall take full care of women with the bounties which God has bestowed more abundantly on the former than on the latter, and with what they may spend out of their possessions…"

(Surah al-Nisāʾ, 4: 34)

This verse has been differently interpreted by scholars, *mufasirūn*, and interpreters in various historical and cultural circumstances. Some distortive interpretations of this verse claim the subjugation of women in Islam within a gender-based despotism. Such misinterpretations disregard the Qur'anic and Sunnaic universal call for equality and promoting women's rights. Additionally, the term *qiwāmah* is derived from the Arabic verb *qāma* which literally means to stand for someone in a protecting and caring manner, which does not suggest dictatorial leadership as it is linguistically misappropriated and inconsistent. Moreover, Qur'an uses *qiwāmah* to assert the supportive role of males rather than authoritative (Qutb, 2003; Ibn 'Ashur, 2000).

The *qiwāmah* verse in its entirety determines the underlying responsibility and role of both men and women and of men towards women, in establishing not only stable, balanced families but also shared responsibilities within society and in achieving justice. The familial responsibility of men towards women does not encompass merely financial matters, but it exceeds that to holistic spiritual, emotional, and educational obligations (al-Alwani, 2003). Consequently, men and women in the Islamic tradition are viewed as partners who undertake mutual responsibility to maintain the family institution in a healthy and organized way that ensures *taqwa* for parents, children, and kin relations in society.

The concept of *zawjiyyah* (pairing) is another fundamental principle in the Islamic paradigm of family values that illustrates the nature of female-male relationship. According to Amani Salih (2002), the idea of pairing has a human and universal dimension. She explains:

> Grounding in a universal cosmogony, *zawjiyyah* is poised to compass and encompass a dynamic axiology. It declares the meaning of a deep-rooted unity and similarity, human equality, interdependence, functional integrity, a fair and balanced system of reciprocities, a right-duty distribution, and a basic social equity between both sexes where merit and due recompense are required and not accredited…With this in view, the Qur'an unequivocally denies the inevitability of a confrontation between the sexes and dislodges traditional male-bounded authoritarian theories on the gender question.

<div align="right">(Salih, 2002, p. 23)</div>

Zawjiyyah according to al-Awani (2013) is one of the most fundamental conceptual elements in the Islamic worldview of men-women relationships. Qur'anically, *zawjiyyah* is affirmed to all creations which also expresses cohesion between human and natural life and refutes the so-called perception of human versus nature. Additionally, the recurrent utilization of the term *zawjiyyah* in the Holy Qur'an affirms a duality of gender for men and women in Islam (male and female). Thus, the concept of *zawjiyyah* in Islam is practically exemplified through the institution of family that translates it into a specific bond between individuals (males and females) united through marriage. Moreover, the Muslim family, in particular, occupies a wide extent in the Islamic legal rulings that emphasizes the importance of *zawjiyyah* in establishing cooperation, complementation, mutuality, and participation of men and women to perform various familial, social, and universal responsibilities (al-Alwani, 2013).

The Family Systems in Islam

The Islamic point of view considers family as the foundational brick in human society and the centre for civilizational development, unlike the modern Western secular perception which views the individual as the central entity (al-Alwani, 2013). During the 1960s, Earnest Burgess analysed the change in marriages and family perception, and he noticed that it went through three different stages. According to him, the family was a social institution, then a mere companionship and camaraderie between spouses which emptied the institution of its meaning and functions. The final stage of the family perception is the dominance of absolute individualism within the relationship (Burgess, 1963; Cherlin, 2004). However, in Islam family is a social entity and institution more than a mere relationship between spouses. It exceeds the marital relationship to being a network of relations through marriages, milk-relations and blood, legitimised through social, legal, moral and religious customs and traditions (al-Alwani, 2013).

This perception distinguishes between family structure and systems. Islam designates systems and functions to create a balanced life in terms of rights and obligations for individuals, families, and communities. Despite the fact that the nuclear form of family is a significant starting point in the Islamic conception of family, the extended family represents the spirit of the Ummah (al-Faruqi, 1988). Normative Muslim scholarship often emphasizes the established Qur'anic system that maintains the family balance and its continuation. To understand the family's purpose and function within the Islamic worldview, it should be viewed within four main systems: mahram, inheritance, marriage, and divorce.

The Islamic worldview restricts and clearly describes the nature and structure of female-male relationships through the idea of mahram. Linguistically, the term comes from the Arabic word *harama-yahrumu* meaning preventing or prohibiting. In that sense, the concept of mahram encompasses all individuals who are forbidden from marrying one another due to milk kinship of heredity as categorized by the shariah:

> Translation: Forbidden to you are your mothers, and your daughters, and your sisters, and your aunts paternal and maternal, and a brother's daughters, and a sister's daughters; and your milk-mothers, and your milk-sisters; and the mothers of your wives; and your step-daughters – who are your foster-children – born of your wives with whom you have consummated your marriage; but if you have not consummated your marriage, you will incur no sin [by marrying their daughters]; and [forbidden to you are] the spouses of the sons who have sprung from your loins; and [you are forbidden] to have two sisters [as your wives] at one and the same time – but what is past is past for, behold, God is indeed much-forgiving, a dispenser of grace"

> (Surah al-Nisāʾ, 4: 23)

Mahram as mentioned in the Holy Qur'an is the prohibition of marriage between people who are viewed as each other's mahram. For instance, a sister and brother cannot marry each other (Skripsi, 2016). The chapters of al-Nisā and al-Nūr contain the categories of marriages forbidden by the system of *mahram*. *Mahram* also creates a certain level of social and economic obligations between the people of those categories.

The Holy Qur'an in chapter al-Nisāʾ (verses: 7-13 and 176) elaborates on the system of inheritance. Under the category of *mahram*, people are required to observe some responsibilities and obligations related to inheritance. In the Muslim family, fathers are responsible financially for their wife/wives, children, and parents if necessary. At the time of the father's demise, the wife/wives, children, and parents are given the entitlement to inherit after him. The systems of inheritance as well as of mahram in the Muslim family are intimately interconnected, especially in the light of the financial responsibilities of inheritors. The two systems' connectedness not only guarantees the material aspect for the family, but it emotionally, spiritually, and psychologically advocates its morality as well. Women inside both systems are held in the highest regards and are safeguarded socially and economically. Ibn Hazm for instance cited Prophet Muhammad's companion Ibn Abbas repeatedly regarding the system of inheritance in Islam and particularly emphasized the right of women and mothers to inherit appropriately (Sultan, 2004).

The third of these systems is marriage and its arrangements, which along with blood ties represent the foundational element of the Muslim family. Pre-Islamic Arabian societies practiced several types of sexual and marital relationships. Islam organized and regulated those practices within solid frameworks. The Muslim family marriage system is characterized by values, principles, and objectives associated with this institution that should uphold *mawaddah* and *raḥmah* (compassion and mercy).

The fourth system is divorce or family dissolution, which may occur for many reasons under Islamic conceptualization. While practices of marriage termination existed before the advent of Islam, the Holy Qur'an and normative Islamic scholarship have dealt with the system of divorce in an extremely detailed manner in order to maintain peace after separation and guarantee the rights of men, women, and children. Divorce in Islam is legally and morally inclusive, which safeguards the family after the spouses fail to sustain the marriage due to unresolved conflicts. The Holy Qur'an delineates the mutual rights and obligations of the members involved in the divorce and outlines the moral and legal features and rules related to marriage dissolution (Hamudah, 1982).

The Traditional Marriage in Islam and Levels of Kinship

Blood ties and marriage provisions are the foundations of the family in Islam. With the advent of Islam, regulations and restrictions were introduced to regulate relationships, creating multifaceted patterns that are subjects of discussion in Muslim countries to this day. Female-male relationships in Islam are characterized by normative cohabitation under the banner of the shariah. Allah s.w.t. created mankind into males and females and instilled shared affection between them to find serenity in one another. Marriage in Islam is accordingly founded upon the following Quranic verse:

> Translation: And among His wonders is this: He creates for you mates out of your own kind, so that you might incline towards them, and He engenders love and tenderness between you: in this, behold, there are messages indeed for people who think!

> (Surah al-Rūm, 30: 21)

This signifies that the central purpose of marriage in the divine law is establishing harmony and tranquillity. Marriage according to the Qur'an is the reposing, soothing and calming place that accommodates and sustains the Muslim family from worldly commotions in a shared marital responsibility.

Allah s.w.t. the Almighty has created men and women with innate urges related to their physical and psychological needs, which are regulated within a certain Islamic framework. Sex is among these drives and represents one of the most important intrinsic motives for the male-female connection. Sexual needs are framed within a moral framework governed by values and social functions, which renders marriage the only basis that fulfils the concept of responsible sexual practice socially, financially, morally, and legally in a manner appropriate to the role of *khilāfah* (al-Alwani, 2013).

The concept of marriage in Islam is only given to the legal relationship between a man and a woman who agree to observe the *ḥudūd* of Allah s.w.t., abide by the mutual responsibilities assigned to them, and adhere to the values indicated by Allah, to preserve the internal and external structures of the Muslim family that encompass *taqwa* (God consciousness), love, mercy, kindness, harmony, and justice (al-Alwani, 2013). Marriage in Islam is characterized by three levels through which it operates; namely, a level related to the special relationship between a man and a woman in all its dimensions, a level related to the prevailing relationship within the (extended) family, and a level related to the ummah in which the spouses are part of the believing community (Hind, 2002).

Islam acknowledges and advocates marriage, and persuasively discourages celibacy, even for religious, spiritual, or ascetic purposes. The Islamic tradition is filled with instances that encourage the natural normative behaviour of Muslims to establish a family as it has been a nearly universal practice for commoners, leaders, messengers, and prophets. To that effect, several Qur'anic passages and sayings from the Prophetic tradition expand on the marriage of Muslims being a path towards the completion of their religion with respect to finding and living in marital relationships with spouses (Ibn al-Qayyim, 1953). Marriage according to Ibn al-Qayyim al-Jawziyyah and many other Muslim scholars was considered a religious obligation that morally safeguards society based on mutually respected responsibilities (Ibn al-Qayyim, 1953).

With this being said, even if marriage is a social obligation, it is not absolutely obligatory for every individual. Even though Islam advocates marriage, at the same time, it also recognizes that it is unlikely for everyone to have the ability and means at their disposal to get married. Thus, Islam prescribed several mechanisms of self-discipline, taqwa, and provisional abstinence for those who are unable to marry. Prophet Muhammad (p.b.u.h.) said:

> Translation: It was narrated that 'Abdullah said: "The Messenger of Allah said to us: 'O young men, whoever among you can afford it, let him get married, for it is more effective in lowering the gaze and guarding chastity, and whoever cannot then he should fast, for it will be a restraint (*wija'*) for him."

> (Sunan an-Nasa'i, 4: 26, Hadith 3211)

This hadith refers to the importance of safeguarding moral integrity and control over desires, as well as implying that sex or marriage should not be dismissed or taken frivolously (Ibn al-Qayyim, 1953).

Marriage in Islam is viewed as virtuous and necessary because it carries the meaning of serenity and ensures progeny and responsible continuance of human life; by extension, those practices outside this fold and which might disrupt these outcomes are forbidden to safeguard social structures. Further, judging by the immense sanctity of marriage, Muslims have been encouraged to select spouses based on their knowledge of Islam and their inclination to foster the relationship within its framework and values (Ballalah, 2004).

Pleasing Allah s.w.t. is first and foremost one of the aims of marriage, making it — according to some scholars — an act of worship. (Bassam, 2010). Other aims of marriage are to extend the circle of relationships among people and maintain lineage and procreation (Mursi, 2004). Normative scholarship has a general consensus that marriage must fulfil certain criteria to protect the rights of spouses and their children, including the contract of marriage and its publicizing. Traditional marriages must also consist of witnesses who are prudently crucial to the validation of marriage contracts, yet some scholars deemed that unnecessary (Badawi, 1995). Fulfilling the role of *khilāfah* for spouses and their children is indeed one of the great objectives of marriage and family which gives equilibrium to the interactions and needs of individuals. It is through marriage and family that the bonds of qarabah, *ulū al-Arhām* are manifested and developed when *tawḥīd* and *taqwa* govern these relationships.

Qarābah and the Levels of Kinship in Normative Scholarship

People in pre-Islamic Arabia were acquainted with their familial and collective commonality and interdependence. When Islam came, the idea of kinship and family relations among the believers was not a novel occurrence but it was to some degree regulated, structured, and reorganized under the umbrella of faith. Thus, the Muslim family relationships and systems of kin were restructured either to take different dimensions or to be discontinued. However, the very concept of kinship was introduced with the principle of *iḥsān* not only to solidify kinship but also to inspire brotherhood and sisterhood in the Muslim ummah. Even though there existed values of reliability, cooperation, and alliance within the kinship structure, readers of the patterns of kinship relations in the pre-Islamic era observed that these relationships were characterized by contention, *ta'assub*. (zealotry), *qabaliyyah* (tribalism), non-regulated inheritance, divorce and marriages, and unrestricted polygamy, antagonism, and others (Hamudah, 1982). These negative values and sentiments and unregulated relationships inside the family and kinship structure were abrogated and regulated with the revelation of the Qur'an that instilled universal faith-based brotherhood, and regulated the systems of inheritance, marriage, divorce, and relationships (*mahrim*). With reference to kinship rights and obligations, these systems must be governed by *iḥsān* which encompasses kindness, respect, justice, and other values (Hamudah, 1982).

Qarābah, often translated as the relationship of kin, has been defined in Muslim scholarship as the bond of blood between a group of people, and is reflected in the Qur'an through Allah's commands of *silat al-arḥām* in different degrees. Accordingly, *qarābah* or kinship is divided into three main categories. Firstly, scholars identify the *qarābah of nasab*. This kinship is divided into two groups; the first of which is the direct kinship resulting from marriage, whether the spouses are from the same bloodline or from two different origins. That connection is also called *silat al-dam*, or blood relation, due to the biological and actual transmission of blood from fathers and mothers to their children through that relationship (al-Hamawi, n.d.).

The other group is called *qarābah of al-hāshiyah*, known also as collateral kinship, represented by the paternal uncles and aunts and their progeny and the maternal uncles and aunts and their progeny. Secondly, scholars recognize the *qarābah* of *musāharah* (affinity or marriage kinship), which refers to the relationship resulting from the marriage relationship that Allah s.w.t. designated and permitted. This is composed of the kin relationship with the wife, her brother, her father, or her sister (al-Hamawi, n.d.). Thirdly, they distinguished the *qarābah of al-ridā'ah* (milk kinship) resulting from relations through breastfeeding (Clarke, 2007). According to Qur'an and hadith, there is a universal ruling that prohibits marriage between milk-kinship relatives, even if they are from different paternal and/or maternal lineages.

The concept of *qarābah* in Islam is also tied to one of the most important concepts related to the family in Qur'an, which is the concept of *ulu al-arhām*. *Ulu al-arḥām* comprises the relatives from the mother's and father's sides. In the context of inheritance, *ulu al-arḥām*, or blood relatives, are those females and males who are not eligible to inherit a share from the deceased through *fard* or *ta'sīb* (undefined inheritor) (al-Shanqiti, 1995, 2: 105).

Accordingly, *arḥām* in Islam can be a *muḥarram* or a *non-muḥarram*. The former is through which marriage is prohibited by shariah such as between fathers, mothers with their children, brothers, sisters, milk-related members, and others mentioned in verse 24 from surah al-Nisā'. The latter is through which marriage is permissible inside the kinship system, such as between an individual and his/her maternal and paternal cousins (al-Shanqiti, 1995, 2: 105). With reference to the Muslim family and kinship mutual rights and obligations of believers, there is a general consensus in the normative and contemporary scholarship that these relationships must be governed by *iḥsān* — the compassion, love, and fairness that are repeatedly emphasized in the Holy Qur'an and the prophetic tradition. For that reason, jurists such as al-Amidi considered the protection of *nasl* or *nasab* (lineage) as one of the highest objectives of the Islamic Shari'ah (al-Amidi, 1984). Yet, some scholars like Ibn Taymiyyah disagreed regarding the precise application of the concept of *iḥsān* in the kinship dimension (Ibn Taymiyyah, 1949, 452-453). Some juristic doctrines take it to indicate principally certain, fixed obligations inside the kinship system. Islam commands that it is a religious and moral duty of Muslims in kinship to support each other's needs adequately.

Failing to honour the kinship obligations not only indicates ingratitude and insolence to blood relatives, but it is also unlawful in the sight of Allah s.w.t. based on one of the prophetic narrations "He who believes in Allah and the Last Day, let him maintain good relations with kins." (al-Nawawi, 1976). Some other juristic opinions elucidated that *iḥsān* towards kin and relatives means universal sentiments that do not acclimate to any particular obligatory or excessive configurations or practices (Ibn Taymiyyah, 1949). For instance, in cases of aid maintenance in the kinship system, some jurists like Abu Zahra believed that relatives are not responsible for one another's maintenance. Yet, what is essential is a certain level of concern for each other's welfare (Abu Zahrah, 1955). However, other scholars interpreted the Qur'anic verses in this regard as lucidly denoting a shared responsibility for maintenance (Abu Zahrah, 1955).

The Objectives (*Maqāṣid*) of Marriage and Family in Islam

The great emphasis that Islam has placed on marriage and family may be understood more deeply in the context of the purposes and roles they are defined to serve.

Islam advocates marriage to gratify peoples' emotions and sexual needs; as an instrument for reducing tension, for lawful procreation, and for societal engagement; and as a method for interfamilial harmony and unity. Marriage in Islam is also promoted to encourage procreation and preserve progeny as objectives of the shariah. It should be noted that during the *jahiliyyah* period, people opted to marry outside their kinship for social relations and healthy offspring, and these practices were later accepted by Islam and the prophet Muhammad (p.b.u.h.) (Ibn Qudamah, 1964). Some local customs or *'urf* of pre-Islamic Arabia are part of the fundamentals of Islamic jurisprudence. Islam did not want to abrogate or nullify some important pre-Islamic elements of the institution of marriage that fortified the status of families and brought together families that had been antagonistic to each other (Nader, 2013). Accordingly, Islam incorporated some practices such as the women's say in their own marriage (evidenced by Khadija the daughter of Khuwaylid who proposed herself to the Prophet), (Ali, 1993; Ibn Hisham, 1996) some marriage proceedings such as *khitbah* (the marriage speech), mahr (bridal money), woman's right to divorce their husbands and others (Nader, 2013).

Apart from its social functions, in an Islamic worldview marriage is considered as an act of worship and piety. Control over sexual desires, the emphasis on reproduction, and sound mental health are certainly triumphant moral paradigms associated with marriage. However, these concepts have even higher values and meanings, perceived as divine blessings, if entwined with the *taqwa* and remembrance of Allah s.w.t. which represent the pivotal aspect of marriage in Islam. A few passages from the Holy Qur'an illustrate this point when Allah s.w.t. says:

> Translation: He it is Who created you from a single soul, and of the same did He make his mate, that he might find comfort in her"

> (Surah al-Aʿrāf, 6: 189)

> Translation: And among His wonders is this: He creates for you mates out of your own kind, so that you might incline towards them, and He engenders love and tenderness between you: in this, behold, there are messages indeed for people who think!

> (Surah al-Rūm, 30: 20)

These verses illustrate some of the purposes of marriage; correspondingly, the Holy Qur'an designates that even in times of disputes and disagreements during the marriage or its dissolution, spouses are reminded to remain kind and generous to one another. Another Qur'anic verse often quoted restates another purpose of marriage. Allah s.w.t. states:

> Translation: They are as a *libās* (garment) for you, and you are as a *libās* (garment) for them.

> (Surah al-Baqarah, 2: 187)

Libās in the Arabic language means a dress and garment. In this verse, *libās* is mentioned intimately, which suggests that the spouses are protectors of one another and serve as concealment for each other's flaws, provide comfort from hardships, and maintain the treasured intimate life they enjoy (al-Alwani, 2007).

The Islamic legal tradition equally affirms provisions for males and females. For instance, if celibacy is not advocated for males, the same applies to females which makes marriage the natural practice for both. Another purpose of marriage in Islam is to secure some economic stability in the life of women; however, this does not mean that marriage is merely a business transaction. In comparison with many other cultures, marriage in Islam has the least interest in economic factors (Rapoport, 2005). In one of the hadiths prophet Muhammad (p.b.u.h.) is reported to have stated that a woman is commonly wanted for her wealth, beauty, social status, or religion; yet good tidings to the one who chooses his spouse on the basis of piety. Additionally, the Holy Qur'an acclaims the act of marrying the *sālihah* and the pious even for a slave:

> Translation: And [you ought to] marry the single from among you as well as such of your male and female slaves as are fit [for marriage].

> (Surah al-Nūr, 24: 32)

11th century scholar Al-Sarakhsi demonstrated that the contract of marriage has various types of religious and worldly interests *(masāliḥ)*, including the protection and maintenance of women, fortification of men and women from adultery, and the multiplication of the servants of Allah s.w.t. and the Ummah of prophet Muhammad (p.b.u.h.) (al-Sarkhasi, 1993). Marriage in the opinion of al-Shatibi serves as the divine project for procreation as the primary objective, followed by the seeking of comfort and cooperation in worldly and hereafter interests (al-Shatibi, 1975). In brief, marriage in Islam is the only legitimate way to establish a family. Muslim scholars considered its objectives similar to the objectives of what results from it, which is the family.

Ibn Ashur viewed the *maqāṣid* of the family as a complete subject that goes beyond the objective of preserving *nasl* (offspring) to presenting the family as an important social institution in which the entire system of human relations with its various bonds is established (al-Alwani, 2013). Moreover, the family-related *maqāṣid* were shaped by the accumulation of partial objectives associated with family provisions such as marriage, divorce, *'iddah*, (waiting period), custody, and others. Therefore, Ibn Ashour presented the family system, its structure, and its objectives as a model for the Islamic social system, bringing it out of the narrow *fiqhi* (doctrinal) spectrum to a broader civilisational perspective (al-Alwani, 2013).

The special family-based objectives of shariah commonly serve the general objectives, al-Najjar (2005) says:

> Translation: A reading into the entirety of the legal rulings, and provisions related to the family demonstrate that they are all governed by shariah objectives that Allah s.w.t. as a Shāri' (the Legislator) intends through this social institution, so that it fulfils the higher objectives of the shariah regarding the human being, the purpose of his existence, and the role entrusted to him in his life

> (al-Najjar, 2005, p. 69)

The normative scholarship on the objectives of shariah has stipulated that the aim of preserving the *ummah* and its system is one of the higher objectives of shariah, which can only be achieved through the preservation of the social institutions of the *ummah*, in which family represents the founding nucleus (al-Mesawi, 2006). In addition, the Muslims' interests (*masāliḥ*) are tied to three-dimensional spheres that revolve around individuals themselves, family, and society as shariah manifests its provisions on the objectives and wisdom behind matters related to each of these dimensions whether by realizing interest or preventing harm.

Moreover, the Islamic family rulings in jurisprudential schools commonly emphasize the preservation of the necessary objectives of shariah, especially the necessity of preserving offspring, whose preservation is one of the reasons for *i'mārat* (good inhabitation) of the earth (al-Yubi, 2001). According to Hallaq W. (2022), offspring are safeguarded through the prohibition of *zina* (fornication) and the imposition of stiff penalties against those who commit it. Furthermore, fornication represents not only as a diametric moral opposite to marriage, but it stands vis-à-vis this institution, therefore the Islamic law combats zina through the advocation of marriage. Belkacem Shatwan (2005) enunciated that the Muslim family must draw guidance from the divine and adhere to the methods of Islamic Shari'ah in order to achieve success and inviolability, which in return can be reflected through the *ummatic* stability, advancement, and *tamkīn* (firmly established on earth).

The fundamental objective of the family in Islam is the preservation of *nasl* or offspring, also often expressed as the preservation of the human species. Muslim scholars consented that family is the means to safeguard *nasl*, which represents one of the elementary necessities (*dharūriyyāt*). *Maqāṣid* of the family are preserved through establishing legal provisions that ensure fair and easy marriage-related legislations, promoting marriage, and the desire to bring children. *Maqāṣid* of family are also realised through halting harm by prohibiting fornication and adultery and their dialectic relationship with the decrees of marriage particularly, and those associated with morality in general, and legislating penalties for adultery and slander (Hallaq W., 2011).

As mentioned recurrently by al-Faruqi (1985), one of the most fundamental objectives of the Muslim family indicated by the Qur'an is to achieve *mawaddah* and *rahmah* and *sakan* —often translated as compassion, mercy, and tranquillity between spouses. This legitimate union, which is represented by the family, provides the spouses with psychological and moral protection characterized by a set of intimate (*libās*), emotional (*mawaddah*), psychological (*sakan*), and social (*qiwāmah and infāq*) needs for both spouses.

The second *maqsid* or objective of family is preserving and guarding chastity and lineage, which are complementary to the preservation of *nasl* or offspring. M. al-Zuhayli (2006) confirmed that the existence and continuation of offspring and lineage are established through the Islamic rulings of the family. On the one hand, preserving honour and chastity is by itself intended and objective, on the other, it is a means for safeguarding offspring and kin so that lineages, kinship, and children are not confused, mixed, or lost. Therefore, the preservation of offspring is closely tied to protecting family and kinship and strengthening the affiliation of individuals and confidence. In order to achieve this objective, Islam legislated family rulings such as prohibiting adultery, prohibiting marriages of *maharam*, regulating the provisions of breastfeeding and milk kinship, and others.

Another objective of the family in Islam according to Yusuf al-'Alim (1994) is related to worldly affairs, which is training and teaching individuals to bear responsibility and cooperate in burden-sharing in order to achieve the safety and protection of the family institution and its pillars with shared rights and obligations between spouses. Thus, the Muslim family ensures an organizational system and promotes the distribution of responsibilities between the couples and their children. Based on this objective of bearing responsibility, another foundational objective is generated: the spirit of cooperation and shared *ihsan* through which roles are complementarily integrated, and where life afflictions and burdens are shared to ensure the success of the family entity (Shatwan, 2005).

Another objective of the family in Islam is consolidating and extending the network of social relations and achieving social cohesion. If the Muslim family provisions aim to achieve certain objectives for the family as the founding brick of society itself and its members, those same provisions exert tremendous interest in societal maintenance as well. Therefore, the Muslim family in Islamic conception, according to al-Najjar, is not individualistic in its composition and structure, but it serves a higher aim and a social function where family and kinship relations prosper (al-Najjar, 2005). Allah s.w.t. states in the Qur'an:

Translation: And He it is who out of this [very] water has created man, and has endowed him with [the consciousness of] descent and marriage-tie: for thy Sustainer is ever infinite in His power..

(Surah al-Furqān, 25: 54)

This indicates that one of the most prominent objectives and purposes of the Muslim family is expanding and consolidating lineage and kinship relations based on a value system that fortifies its ties and gives it strength.

This human relations aspect was taken beyond relatives, tribe, and creed to a broader human dimension when Allah s.w.t. allowed the marriage of men from women of the Book (al-Alwani, 2013). Perhaps Ibn Ashour's categorization of the objectives of family provisions in one group that included tightening the bond of marriage, the bond of lineage and kinship, and the bond of in-laws, and the reasons for their dissolution, was intended to enunciate and preserve these familial and social relationships and bonds in order to safeguard the society and the *ummah* (Ibn 'Ashur, 2001). Based on this categorisation, A. al-Najjar concluded that the provisions of the family and its systems in Islam according to Ibn Ashur aim at maintaining and fostering social relations within a wide range of dimensions that celebrate unity and eliminate dissonance and conflicts (al-Najjar, 2005).

Moreover, the position of the Islamic shariah and its worldview on the permissibility of marrying non-Muslim women aims also at realizing the objectives of potential intra-familial influence of the husband over his wife through spreading the Islamic creed, practices, and values such as justice, compassion, and mercy as a method of *da'wah* (Islamic preaching) to invite the wife and next of kin to the Islamic religion as a way of life and the spread of the concept of *ta'āruf* (recognition) (Shaltut, n.d.). Mohammed Khaleel (2012) further explains that this issue is also evidenced in the dominance and influence of the male spouse religion which is recurrent in the Book of Ruth in the Hebrew tradition.

The next objective of the Muslim family is to promote appropriate education and Islamic formation for children and future generations. Z. al-Alwani (2013) deliberates that the foundation for the success and stability of the family is the appropriate upbringing, based on the teachings and principles of Islam, where children are brought up to be virtuous and responsible members of society (*salihin*). The Muslim family in Islam also provides the moral and material frameworks that guarantee integrated appropriate education and upbringing for the youngest generations.

As far as inter-religious marriages are concerned, family responsibilities and provisions of are identical to that of marrying a Muslim woman as long as the marriage lasts, so the position of a non-Muslim female spouse is similar to that of her Muslim counterpart (Jawwad, 1957). It may be sufficient according to A. Atti suggests that Islam does not view family as necessarily a religious entity but rather imposes familial rights and obligations even if the family members do not share the same beliefs (Hamudah, 1982). Initially, one may think that this entails some religious compulsion that neither Qur'an nor Islam subscribe to. Therefore, interestingly Islam presents confidence in its own strength and intention to cultivate certain principles, values, and human relations within the institution of family and its experiences (Rosenthal, 1961; al-Alusi, 1992).

Conclusion

The current research has sought to represent a comprehensive understanding of some aspects of the family system and kinship in normative Muslim scholarship. This study reintroduced the perception and definition of family and kin relations in normative Muslim scholarship while presenting some of its structural features and bases in order to reorganize critical, yet scattered opinions of scholars from various religious, legal, and historical Islamic sources. The numerous traditional perspectives and provisions related to family forms, the paradigm of Islamic values for family and kin as well as the family systems were inspired by normative sources of Islam which certainly could trigger more future multidisciplinary research in light of these themes and scholarly disagreements.

In regard to the other concepts dealt with in this article, the traditional marriage, *qarābah*, and levels of kinship in normative and contemporary Muslim scholarship were discussed in broader echelons to show the development of Muslim scholarship, provisions, opinions, and analysis, especially under the umbrella of *maqāṣid al-shari'ah*. The analysis shows that Muslim scholars perceived these provisions primarily from a religious perspective where the Holy Qur'an and the prophetic Sunnah were the binding sources for guidance and legislation. However, *'urf*, or some customs and traditions from the pre-Islamic era, were also included in the overall conception of Muslim family and kinship provisions. The advent of Islam introduced religious rudiments into family life that morally, structurally, and socially altered the character of the Muslim family and kinship. Pre-Islamic features of family and its ties appeared to be loose and lacking a regulatory system of family and kinship relations and matters of marriage, divorce, inheritance, adoption and others. Islam, on the other hand, introduced specific regulations of marriage, family, and kin to ensure stability and positive social relations. One of the unique elements of family and kinship in Islam is the concept of *maqāṣid*. Therefore, this article has also dealt with some of the objectives of marriage, family, and kin as identified in Islamic scholarship. The objectives of family and kin relations were to achieve unity, tranquillity, and peace based on the Islamic perceptions of *tawḥīd* and *istikhlāf*. Moreover, the Muslim family, its features, and systems are viewed as the fundamental constructive component upon which society is built, developed, and strengthened. The Holy Qur'an and the authentic Sunnah of prophet Muhammad SAW encompass wholistic provisions and teachings relating to the family and kinship and their preservation. In brief, the Islamic shariah as a system and way of life contains a perpetual and adaptable framework, relevant to any given time or place.

Conflict of Interest

The author has no conflict of interest to declare.

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