

Batil and Fasid Marriages Under Presidential Decree 1083 as Practiced by Meranaw Marriages in Tamparan, Lanao del Sur

Rhesma Mascara Hadji Amer

Student, Master of Arts in Islamic Studies

Abstract

This study was purposefully undertaken to explore and document the occurrences of batil and fasid marriages under Presidential Decree 1083, specifically within the context of Meranaw marriages in Tamparan, Lanao del Sur. The primary objective of this research was to address key inquiries, seeking comprehensive insights into the following questions: What are the common batil and fasid marriage practices and nature? What is the understanding of the respondents of the nature of these marriages and its acceptability? What are their opinions regarding the topic? What are the observable effects of these marriages? What are the reasons for its prevalent occurrence? and what are the remedies for its mitigation? To seek answers for these mentioned problems, an Interview Guide Questionnaire was utilised in order to gather data from the four selected respondents under the Local Government Unit of Tamparan, Lanao del Sur. The data were gathered using experiential learning method and were manually encoded.

The findings showed that for the first problem, despite being briefed on the concept, respondents assert the absence of "batil" practices in the community.

For the second problem, respondents, including those knowledgeable about Islamic principles, Taritib, and Igma, collectively assert that adherence to these cultural and traditional norms is crucial.

As for the third problem, one respondent strongly disapproves of such marriages, emphasizing Allah's prohibition of wrongdoing and the Qur'an's guidance. Another respondent highlights that batil and fasid marriages are infrequent. Additionally, a respondent emphasizes the importance of adhering to Islam's optimal laws.

The fourth problem's findings were that more respondents agree that these marriages have adverse effects, causing displeasure to Allah and diminishing life's blessings, as emphasized in Qur'anic verses promoting forgiveness.

The fifth problem's findings were attributed it to a lack of strong faith, secrecy and politics.

The sixth problem's findings were their suggestions focus on proactive measures, communication, and shared responsibility to effectively manage and reduce these issues.

Considering the noteworthy discovery of the research, the subsequent recommendations have been formulated: Provide ethical guidance and religious education; Raise awareness about cultural and traditional norms; Address conflicts arising from Maratabat; Explore the impact of cultural assimilation; Strengthen education on Islamic teachings; Promote unity and collective responsibility; Advocate for proactive prevention of wrongdoing; Organize seminars and utilize social media; Focus on community education and involvement; Encourage discussions and dialogue; Emphasize adherence to Islamic principles; Recognize Tamparan as an Islamic municipality; Address adverse effects and promote well-

being; Explore cultural and social dynamics; Address weak faith and cultural conflicts; Investigate political influences; Promote community responsibility; Strengthen the role of Ulama; Conduct seminars and utilize social media; Focus on community education and involvement

Chapter 1

THE PROBLEM AND ITS SCOPE

Rationale

Exploring complicated rules about marriage in Islam is like diving into a really tricky and interesting subject for the researcher. The researcher got interested in this because she knows these kinds of marriages can seriously affect people, families, and even whole societies. The researcher is looking specifically at *batil* and *fasid* marriages, checking out what it says based on Presidential Decree 1083 and Meranaw marriage practices. It's not just about the legal aspect; the researcher also wants to understand how the culture and society around these marriages work. The researcher is doing this research to add some helpful details to what is already known about Islamic family law. The researcher hopes to connect the theories she learned in the class with the real experiences of people dealing with marriage issues, especially following the rules set out in that decree.

Additionally, this topic is important in today's world where different legal systems exist together. The researcher is studying how marriages are classified in Islam to understand the complications when Islamic law meets Meranaw traditions. She wants to figure out the challenges and opportunities when Islamic principles and Meranaw traditions are side by side. It's not just for academics; it could be useful for lawyers, policymakers, and anyone dealing with relationships in different cultures and legal systems.

Moreover, the significance of a person's marital status varies across cultures, and people often hold different views on this matter. While some may see it as a burden, others consider it a cause for celebration, particularly among Meranaw Muslims, where marriage is seen as a positive reflection of an individual's good character. This cultural perspective is intertwined with the close relationship between religion and marriage throughout human history. The impact of one on the other is profound, emphasizing the impossibility of fully understanding either in isolation. In essence, the cultural and religious influences shape people's perceptions of marital status, highlighting its importance in societal contexts.

At-tuwaijiry (2000) says one of Allah *subhaanahu wa ta'ala's* laws for His creatures is the *nikah*, or marriage and coupling. Animals and vegetation are generally paired. As for man, Allah *subhaanahu wa ta'ala* has distinguished him from the rest of His creation by giving him a fitting system that allows for the preservation of his honor, dignity, and respect through the practice of lawful *nikah*. A relationship between a man and a woman that is founded on respect and consent is secured by such a procedure. In this way, man's basic needs are ethically met in order to protect future generations and prevent women from becoming objects of consumption.

The celebration of marriage in a Muslim society is less complicated because there is already a standard to adhere to, the Prophet's (peace be upon him) Sunnah. While in diverse societies, the traditions may vary as a result of multifaceted effects brought about by several cultures that have blended into one group, resulting in varying marital practices.

The Qur-an contains Ayah which provides for the significance of marriage; one of which is, in *Surah An-Naba, Ayah 8*;

وَخَلَقْنَاكُمْ أَزْوَاجًا

(and We have created you in pairs)

It is a statement that says it is legal for men and women to enjoy one another (via marriage) and have children. Both physical and emotional pleasure are experienced. It offers compassion and enduring companionship.

The Prophet is quoted by Anas in a Hadith as saying,

إِذَا تَزَوَّجَ الْعَبْدُ فَقَدْ اسْتَكْمَلَ نِصْفَ الدِّينِ فَلْيَتَّقِ اللَّهَ فِي النِّصْفِ الْبَاقِي

(When a man marries he has fulfilled half of the Deen; so let him fear Allah regarding the remaining half.)

One of life's greatest blessings is marriage. By following the rules of Islam, one can have a good life with a good companion.

Marriage is an important aspect of life. The Muslim Code describes marriage as both a social institution and a legal contract (Arabani, 2011). It is regarded as a civil contract because both parties must be of legal age and have their consent in order for the agreement to be valid (Ronsing, 1996). Since it is a contract, there are laws to abide by that have been established by The Muslim Code and The Qur'an. A marriage or nikah may be considered *batil* or *fasid* under certain conditions.

This study concentrates on one area of Islamic family law known as the *batil* (Void) and *fasid* (Irregular) Marriages.

Theoretical Framework of the Study

Requisites of Marriage Under Presidential Decree No. 1083

The researcher supports the study with the requirements for marriage under Presidential Decree No. 1083 in order for the researcher to fully grasp it.

Under Article 15 of the Code; “No marriage agreement is complete until the following mandatory conditions are met. The legal capacity of the contracting parties; Mutual consent of the parties freely given; Offer (*ijab*) and acceptance (*qabul*) duly witnessed by at least two competent persons after the proper guardian in marriage (*wali*) has given his consent; and Stipulation of customary dower (*mahr*) duly witnessed by two competent persons.”

Legal capacity (Arabani 2011), which indicates that the parties must be adults, sane, and free from any other conditions that might prevent them from legally contracting marriage, is one of the first important requirements of marriage according to the Muslim law. Any Muslim male at least fifteen years old and any Muslim female who is in the age of puberty or older who does not have a condition that would prevent them from getting married under the rules of the Muslim Code are eligible to enter into a marriage, according to article 16 of the code.

Capacity to contract marriage is encapsulated in Article 16. It states that;

1. Any Muslim male at least fifteen years of age and any Muslim female of the age of puberty or upwards and not suffering from any impediment under the provisions of this Code may contract marriage. A female is presumed to have attained puberty upon reaching the age of fifteen.
2. However, the Shari'a District Court may, upon petition of a proper wali, order the solemnization of the marriage of a female who though less than fifteen but not below twelve years of age, has attained puberty.
3. Marriage through a wali by a minor below the prescribed ages shall be regarded as betrothal and may be annulled upon the petition of either party within four years after attaining the age of puberty, provided no voluntary cohabitation has taken place and the wali who contracted the marriage was other than the father or paternal grandfather.

The general rules of Islamic law state that a male reaches adulthood at the first sign of *Ihtilam* (ejaculation of semen), while a girl reaches puberty (*baligha bululamut*) at the first sign of menstrual blood. In the absence of certain circumstances, he or she will be deemed to have reached majority (*baligha bissin*) at the age of fifteen.

The *ijab* and *qabul* in marriage must be publicly declared in the presence of the solemnizing person and two witnesses. The declaration must be signed or marked by the contracting parties and witnesses, and attested by the solemnizing person. A copy is given to the contracting parties and sent to the Circuit Registrar, who keeps the third. No particular form of marriage ceremony is required as stated under Article 17 of the Muslim Code.

Article 18 grants the authority to solemnize marriage by the woman's proper *wali* or a competent person under Muslim law, i.e. *imam*, *sultan*, *qadi*, or an *adil*. If the *wali* refuses, the Shari'a District or Circuit Court judge may solemnize the marriage or designate a competent person.

As to the solemnization, the Holy Prophet said,

"أَعْلِنُوا هَذَا النِّكَاحَ وَاجْعَلُوهُ فِي الْمَسَاجِدِ وَاضْرِبُوا عَلَيْهِ بِالذُّفُوفِ"
(Perform the marriage openly, and in the mosque.)

This is the basis of Article 19, which provides that marriages should be performed publicly. In cases where the marriage is in the Shari'a District Court or Circuit judge's office, it is essential to be in open court to comply with publicity and witnesses' laws.

Arabani cited the Holy Qur'an as a basis of the Article 20, as having the following command regarding the payment of dower (*mahr*) in marriage:

وَأَتُوا النِّسَاءَ صَدُقَتِهِنَّ نِحْلَةً فَإِنْ طِبَّنَ لَكُمْ عَنْ شَيْءٍ مِّنْهُ نَفْسًا فَكُلُوهُ هَنِيئًا مَّرِيئًا
(And give woman their dower as a free gift.)

Dower in Islam refers to valuable and lawful items that can be subject to valid contracts. Dower should be estimated based on circumstances, with moderation being emphasized. The wealthy according to his means, and the poor according to his means.

Article 21 and 22 states that the dower can be paid before, during, or after the marriage, and the husband's property or estate is liable for unpaid dower.

Furthermore, the provision for the breaching of contract holds that a breach of contract occurs when a person refuses to marry without reasonable grounds, resulting in the other party paying the expenses and court-granted damages.

Moreover, Imaam Muhammad Ibn Saalih Al Uthaymeen has quoted the Prophet in his book "The Concise Mariage Manual". Abi Thalabah Al-Khushani Jurthum Bin Nashir (R.A.) narrated that the Messenger of Allah (sallallahu 'alayhi wa sallam) has stated:

عَنْ أَبِي ثَعْلَبَةَ الْخُسَيْبِيِّ جُرْثُومِ بْنِ نَاشِرِ رَضِيَ اللَّهُ عَنْهُ، عَنْ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : إِنَّ اللَّهَ تَعَالَى فَرَضَ فَرَائِضَ فَلَا تُضَيِّعُوهَا، وَحَدَّ حُدُودًا فَلَا تَعْتَدُوهَا، وَحَرَّمَ أَشْيَاءَ فَلَا تَنْتَهِكُوهَا، وَسَكَتَ عَنْ أَشْيَاءَ رَحِمَهُ لَكُمْ عَيْرَ نِسْيَانٍ فَلَا تَبْحَثُوا عَنْهَا
[حديث حسن رواه الدارقطني وغيره]

"Verily Allah the Almighty has prescribed the obligatory deeds, so do not neglect them; He has set certain limits, so do not go beyond them; He has forbidden certain things, so do not indulge in them; and He has said nothing about certain things, as an act of mercy to you, not out of forgetfulness, so do not go enquiring into these."

[Related by Al-Daraqutni and others - Al-Nawawi said this is a Hasan (fine) hadith]

Uthaymeen (2000) asserted that among the numerous boundaries set by Allah, the Most High, are regulations regarding marriage, distinguishing between permissible and impermissible unions. Allah has

forbidden certain marriages based on blood relations, suckling, marital relations, or other factors. Marriage prohibitions (Arabani, 2022) can be categorized as either absolute and perpetual, or relative and temporary. An absolute or perpetual prohibition occurs when marriage is permanently and entirely forbidden between a man and a woman under Muslim law.

Experiential Learning

The Kolb Experiential Learning Theory, crafted by David A. Kolb, is a widely accepted framework explaining how individuals acquire knowledge through hands-on experience. Since learning is a fundamental process guiding life, people can apply this method to various forms of learning, development, and adaptation. Learning is not confined to a specific environment and extends across one's entire life. The experiential learning process promotes enhancement in performance, continuous learning, and overall development.

Conceptual Framework of the Study

The exploration of *batil* (void) and *fasid* (irregular) marriages within the context of Presidential Decree 1083, as observed in the specific cultural practices of Meranaw marriages in Tamparan, Lanao del Sur, was undertaken through a well-considered analytical model. The research methodology involved the utilization of an analytical framework depicted in a schematic diagram, guiding the investigative process. To gain comprehensive insights into the subject, key individuals were selected for interviews, including a member of the Agama Council, the President of the Ulama Council, a Sultan, and a Shari'ah Judge. These interviews were conducted using a structured interview guide questionnaire designed to elicit detailed responses and opinions from each participant. By engaging with these knowledgeable and authoritative figures within the Meranaw community, the study aimed to unravel the complexities surrounding *batil* and *fasid* marriages, specifically examining how these marriages align with or deviate from the provisions outlined in Presidential Decree No 1083.

The study determined which marriages are *fasid* (irregular) based on the following criteria: a) those contracted with a female observing *idda*; b) those contracted contrary to Article 30 of Presidential Decree 1083; c) those wherein the consent of either party is vitiated by violence, intimidation, fraud, deceit or misrepresentation; d) those contracted by a party in a condition of death-illness (*marad-ul-maut*) without the same being consummated; e) those contracted by a party in a state of *ihram*; and f) mixed marriages not allowed under Islamic law.

Moreover, for *batil* marriages, the following types of marriages will be deemed *batil* (void): a) those entered into in violation of Articles 23, 24, 25, and 26; b) those entered into in violation of the prohibition against unlawful conjunction; and c) those entered into by parties where one or both have committed the crime of killing the spouse of either of them.

The study finds out if participants are familiar with the process of validating *fasid* unions. There is no way for *batil* ones to be valid because they are void from the start, in contrast to *fasid*.

Additionally, the model is intended to understand the effects on the families involved and the entire community, including any issues that may arise during the celebration of the union, during the negotiation of the families, including the bride's dowry.

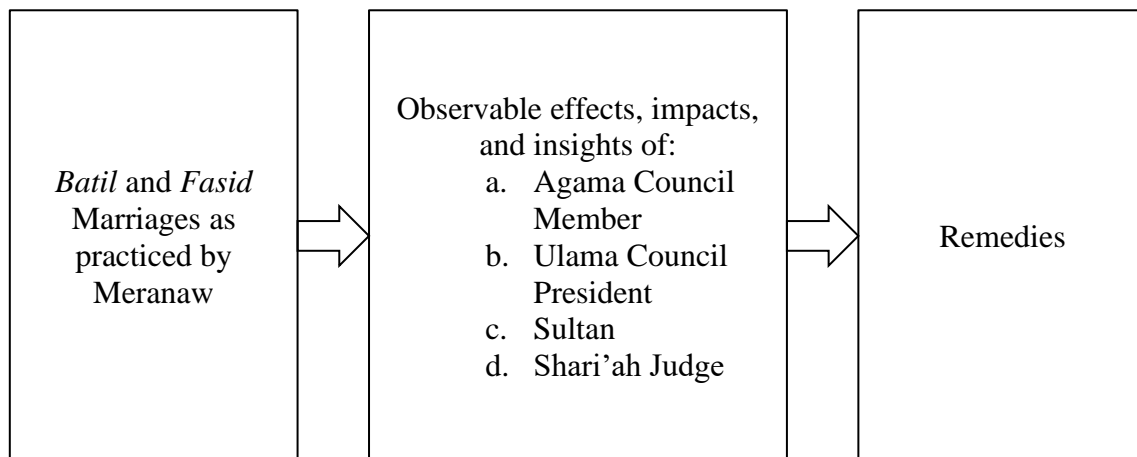


Figure 1. Schematic Diagram Showing the Conceptual Framework

Statement of the Problem

The study aimed to investigate the prevalent *batil* (void) and *fasid* (irregular) marriage practices within the Meranaw community in Tamparan, Lanao del Sur, guided by insights from key community stakeholders, including a judge, an *ustadh*, a sultan, and a member of the Arbitrary Council. The research sought to address the following specific questions:

1. What are the common *batil* and *fasid* marriage practices?
2. What is the understanding of these marriage practices by:
 - a. *Agama* Council Member
 - b. *Ulama* Council President
 - c. Sultan
 - d. Shari'ah Judge
3. What are the observable effects?
4. What are the opinions of community leaders?
5. What actions would they take to mitigate/remedy the occurrences?

Scope and Limitations of the Study

The study focused on the *batil* and *fasid* marriages under Presidential Decree No. 1083 as practiced by Meranaw marriages in Tamparan, Lanao del Sur. This study only takes into account the Islamic and traditional viewpoints.

The study took place in Tamparan, Lanao del Sur and interviewed four (4) consenting Muslim Meranaw community leaders situated in the said area. The respondents are a member of *Agama* Council, an *Ulama* Council President, a Sultan, and a Shari'ah Judge.

The aforementioned study was carried out from September to January of 2024.

Significance of the Study

This study is significant to all Muslims, especially Meranaw Muslims whose traditional marital practices greatly affect marriages. The following would benefit from this:

Muslims. This research will aid Muslims in adhering to the Prophet's Sunnah by advising them to steer clear of the *Batil* and *Fasid* marital customs.

Meranaws. This study will help Meranaws comprehend the distinctions between the Prophet's Sunnah and Meranaw

culture with regard to marriages, allowing the former to take precedence over the latter in all circumstances.

Community Leaders. This study will be highly beneficial in instructing leaders on how to properly perform Islamic marriages, as well as in transferring knowledge to people who fall under their purview and those who seek their assistance regarding marital problems.

Youth. The youth will benefit from this study since it will tell them of the proper and improper ways to get married. Knowledge gained when one is young helps mold one into a better person, which includes getting married.

Legislators. Lawmakers who will pass a law regulating *batil* and *Fasid* marriages may use the findings of this research as a guide.

Researchers. This work will be very helpful to future researchers, exploring relevant topics in studies concentrating on marriage in Islam and in general, and will give supporting data in studies where research on other topics shall require it.

Definition of Terms

The following definitions are provided conceptually and operationally to help readers better comprehend the primary concept and phrases utilized in this study.

Islam. An Arabic term derived from the word “*salam*” or “*aslam*” which means peace; it connotes submission, surrender or obedience. Religiously, Islam is defined as the complete submission to the Will of Allah and obedience to His law Shari’ah (Mawdudi, Towards Understanding Islam, p.17)

Marriage. The Arabic word for marriage is “*nikah*” which literally means “union of sexes”; Technically, “*nikah*” or marriage is defined as a contract, for the legalization of intercourse and the procreation of children. (Fyzee, Muhammadan Law, p. 74)

It is a meeting between a male and a female in a designated manner (Al-Uthaymeen, 2020).

Meranaw. A conservative Muslim population in the southern Philippines (Macalandong, 1978). They are primarily found in Lanao del Sur, Mindanao, in the southern Philippines, and they speak the Meranaw language (Hadji Abdul Racman, 2011).

Presidential Decree No. 1083. A decree to ordain and promulgate a code recognizing the system of Filipino Muslim laws, codifying Muslim personal laws, and providing for its administration and for other purposes (Presidential Decree No. 1083, 1977).

Muslim Personal Laws. It includes all laws relating to personal status, marriage and divorce, matrimonial and family relations, succession and inheritance, and property relations between spouses as provided for in this Code (Article 2, P.D. 1083).

Awareness. It is the knowledge and understanding that something is happening or exists. Also, it is the quality or state of being aware (Webster, 2023).

Family. A human social group whose members are bound together by the bond of blood ties and/or marital relationship (Abdul’ Ati, 1995).

Batil. Unlawful unions are referred to as “*batil* marriages” in Muslim personal law. An example of a *batil* marriage is one that violates the terms of fosterage, affinity, etc (Arabani, 2011).

Fasid. Marriage irregularities are viewed as *fasid* under Muslim personal law. It is usually possible to annul irregular marriages (for instance, a marriage without witnesses), as long as the bans are short or the consequence of unintentional events (Arabani, 2011).

Unlawful Conjunction. It is the English translation of *batil* and *fasid* marriages. It is that marital situation

established when there are irregularities and nullity in marriages (Arabani, 2011).

Ithram. It is the sacred state into which a Muslim must enter in order to perform the *hajj* (major pilgrimage) or the *‘umrah* (minor pilgrimage) (Brittanica, 2023).

‘Idda. It is the period of waiting prescribed for a woman whose marriage has been dissolved by death or by divorce the completion of which shall enable her to contract a new marriage (Article 56, Presidential Decree No. 1083).

Chapter 2

REVIEW OF RELATED LITERATURE AND STUDIES

The related literature and studies that have been determined to be pertinent to the current topic are presented in this chapter.

Related Literature

Batil and Fasid Marriages under Presidential Decree No. 1083

Under Presidential Decree No. 1083, *Batil* and *Fasid* marriages are provided in Section 4, Title II (Marriage and Divorce), Book Two (Persons and Family Relations) as follows:

In *Batil* Marriages under Presidential Decree 1083, it states that Article 31 stipulates that marriages are considered void (*batil*) from the start under the following circumstances: (a) if they are contrary to Articles 23, 24, 25, and 26; (b) if they violate the prohibition against unlawful conjunction; and (c) if one or both parties have been found guilty of killing the spouse of either of them.

The stipulations outlined in Article 31 of Presidential Decree 1083 regarding *Batil* Marriages highlight the conditions under which marriages are considered void from the beginning. These circumstances include contravention of specific articles addressing degrees of prohibited relationships, violations against unlawful conjunction, and instances where one or both parties are implicated in the killing of a spouse. This legal framework underscores the importance of adhering to established laws and ethical standards within the context of marriage to ensure its validity and legality.

Article 31 (a) pertains to those contrary to bases of prohibition, prohibition by consanguinity, prohibition by affinity, and prohibition due to fosterage. It is further discussed below.

Article 23 outlines the bases of prohibition for marriage, stating that no marriage can be entered into by parties within the prohibited degrees of consanguinity, affinity, and fosterage. Further, Article 24 prohibits marriage by consanguinity, stating that no marriage can be contracted between ascendants and descendants of any degree, brothers and sisters, and their descendants within the third civil degree, regardless of whether they are germane, consanguine, or uterine. Prohibition of affinity is encapsulated in Article 25, it states, Article 25 prohibits marriage by affinity, stating that no marriage can be contracted between spouses and their respective affinal relatives within the ascending and collateral lines up to the third degree. Additionally, it prohibits marriage between stepfather and stepdaughter, stepmother and stepson, and stepson or stepdaughter and the widow, widower, or divorcee of their respective ascendants. This prohibition remains in effect even after the dissolution of the marriage creating the affinal relationship. Additionally, Article 26 of the Code states that the Article prohibits marriage due to fosterage, stating that no person can validly contract marriage with any woman who breastfed him for at least five times within two years after his birth. Additionally, the prohibition on marriage by reason of consanguinity also applies to persons related by fosterage within the same degrees, with exceptions recognized by Muslim Law.

Articles 23 to 26 of the marriage code set rules against marrying close relatives, including consanguinity, affinity, and fosterage. These rules help preserve family and cultural values by stopping marriages within

specific family connections. They emphasize the importance of following family and cultural traditions while dealing with marriage laws, which helps keep society harmonious and stable.

In Article 32, the Code specifies the Fasid marriages. Article 32 outlines Fasid marriages, stating that the following marriages shall be irregular (fasid) from their performance: those contracted with a female observing 'idda, those contrary to Article 30, those wherein the consent of either party is vitiated by violence, intimidation, fraud, deceit, or misrepresentation, those contracted by a party in a condition of death-illness (marad-ul-mault) without being consummated, those contracted by a party in a state of ihram, and mixed marriages not allowed under Islamic law.

These provisions aim to ensure the integrity and validity of marriages within the framework of Islamic principles and legal guidelines.

Article 33 outlines the validation process for irregular marriages, stating that they may be regularized through a new marriage contract under specific circumstances: (a) when the impediment stated in Article 32(a) is removed, (b) upon fulfilling the requirement of Article 30 for cases mentioned in Article 32(b), (c) after the causes vitiating consent cease for cases in Article 32(c), (d) if the party referred to in Article 32(d) recovers, (e) when the party in Article 32(e) is no longer in a state of ihram, and (f) after conversion to a faith that could have made the marriage valid for cases mentioned in Article 32(f). The effects of the new marriage contract retroactively apply to the date of the celebration of the irregular marriage.

The subsequent article outlines how irregular marriages can become valid through a new contract in specific situations. This ensures clarity and legal recognition for couples in such marriages. The retroactive effect of the new contract aims to correct any irregularities, promoting fairness and consistency in the legal process.

Marriage in Islam

According to At-tuwaijiry (2000), he elaborates that for individuals who have a desire to get married and are not willing to engage in fornication, it is recommended to perform the nikah, which refers to the Islamic marriage contract. On the other hand, for those who fear falling into fornication, marriage is considered obligatory. The guidance suggests that individuals seeking marriage should aim to wed a woman who possesses qualities such as religiosity, virginity, fertility, and attractiveness. Furthermore, At-tuwaijiry emphasizes the importance of mutual respect between the prospective couple, indicating that a man should feel honored and proud to see the woman he intends to marry in the presence of her family. Similarly, the woman has the right to observe the man in the company of his family. This underscores the significance of family involvement and respect in the process of selecting a life partner.

In the context of marriage proposals in Islamic traditions, if a man is unable to personally visit the woman he intends to propose to, he has the option to send a trustworthy woman as his representative. This representative would then provide a description of the man to the woman. Additionally, Islamic etiquette, as noted by At-tuwaijiry, prohibits a man from proposing to a woman who has already received a proposal from another Muslim and declined it. This emphasizes the importance of respecting the woman's decision and avoiding unnecessary repetition of proposals in such situations.

Additionally, making an explicit proposal to a woman currently observing the *iddah*, the waiting period after divorce or the death of a spouse, is explicitly forbidden. However, suggesting or discussing the prospect of marriage in a more indirect or general manner with such a woman is deemed acceptable during this waiting period. On the other hand, once the *iddah* period is completed, it becomes permissible to make both direct and indirect marriage proposals to a lady, whether she is a divorcee or a widow. The distinction between the waiting period and the post-*iddah* period underscores the sensitivity and respect accorded to

the circumstances of individuals, adhering to Islamic principles throughout the process of marriage proposals.

On the other hand, there is a specific prohibition against making direct or indirect proposals for a revocable divorce to a woman who is currently in the period of *iddah*. The *iddah* is a waiting period that follows a revocable divorce, during which the woman is required to observe a waiting period before potentially entering into a new marriage. This prohibition emphasizes the sensitivity and respect with which individuals, particularly women, should be treated during this specific phase of their marital journey. The guidance underscores the importance of refraining from actions that may complicate or influence the women's status during the *iddah* period, as it is a time for reflection and consideration before any decisions regarding reconciliation or future marriages. Thus, Islamic teachings seek to prioritize the dignity and well-being of individuals during the complex aspects of marital relationships, integrating ethical principles into religious guidelines.

In Islamic teachings, placing importance on the dignity and well-being of individuals is a key focus, especially within the intricate dynamics of marital relationships. This involves incorporating ethical principles seamlessly into the religious guidelines that govern the conduct of marriages. The objective is to create a balanced and harmonious environment where the dignity and welfare of each individual are central considerations. By intertwining ethical values with religious directives, Islam aims to promote healthy and just relationships, particularly within the complexities that come with married life. This holistic approach underscores the significance of maintaining a balance between spiritual values and ethical conduct in the context of marriage.

Following Islamic guidance, it is recommended to conduct a marriage ceremony on Friday night as it is believed that prayers on this day are answered. Performing the ceremony in a mosque, if feasible, is also considered a commendable practice. However, it's important to note that there is no harm in completing a marriage contract on any day, at any time, or in any location as long as it adheres to legal requirements. The flexibility in these guidelines allows for practical considerations while ensuring the religious sanctity of the marriage commitment.

In Islam, marriage is designed to honor the rights of both husbands and wives. Al-Sadlaan (1991) highlights the acknowledgment of wives' rights over their husbands, encompassing both financial and non-financial aspects. Financial rights include the dower and maintenance, ensuring financial support for the wife. Non-financial rights, equally significant, involve assisting the wife in her acts of obedience to Allah, supporting her in maintaining her chastity, and treating her with kindness and respect. This comprehensive approach aims to establish a balanced and respectful marital relationship based on mutual rights and responsibilities.

In the Qur'an, the verse 19 in *Surah al-Nisaa*;

يَا أَيُّهَا الَّذِينَ آمَنُوا لَا يَجِلُّ لَكُمْ أَنْ تَرثُوا النِّسَاءَ كَرِهًا لَكُمْ وَلَا تَعْضَلُوهُنَّ لِتَذْهَبُوا بِبَعْضِ مَا آتَيْنَهُنَّ إِلَّا أَنْ يَأْتِيَنَّ بِفَاحِشَةٍ مُبَيَّنَةٍ وَعَاشِرُوهُنَّ بِالْمَعْرُوفِ فَإِنْ كَرِهْتُمُوهُنَّ فَعَسَى أَنْ تَكْرَهُنَّ شَيْئًا وَيَجْعَلَ اللَّهُ فِيهِ خَيْرًا كَثِيرًا

(O believers! It is not permissible for you to inherit women against their will or mistreat them to make them return some of the dowry as a ransom for divorce – unless they are found guilty of adultery. Treat them fairly. If you happen to dislike them, you may hate something which Allah turns into a great blessing.)

It emphasizes Allah's directive to treat others, particularly women, with goodness and kindness. This highlights the importance of benevolent and compassionate treatment in relationships.

Additionally, *Surah al-Baqarah*: Ayah 228 states that;

وَالْمُطَلَّاتُ يَتَرَبَّصْنَ بِأَنْفُسِهِنَّ ثَلَاثَةَ قُرُوءٍ ۚ وَلَا يَجِلُّ لَهُنَّ أَنْ يَكْتُمْنَ مَا خَلَقَ اللَّهُ فِي أَرْحَامِهِنَّ إِنْ كُنَّ يُؤْمِنُ بِاللَّهِ وَالْيَوْمِ الْآخِرِ ۚ وَبُعُولَتُهُنَّ أَحَقُّ بِرَدِّهِنَّ فِي ذَلِكَ إِنْ أَرَادُوا إِصْلَاحًا وَلَهُنَّ مِثْلُ الَّذِي عَلَيْهِنَّ بِالْمَعْرُوفِ ۚ وَلِلرِّجَالِ عَلَيْهِنَّ دَرَجَةٌ ۗ وَاللَّهُ عَزِيزٌ حَكِيمٌ

(Divorce women must wait three monthly cycles before they can re-marry. It is not lawful for them to conceal what Allah has created in their wombs, if they truly believe in Allah and the Last Day. And their husbands reserve the right to take them back within the period if they desire reconciliation. Women have rights similar to those of men equitably, although men have a degree of responsibility above them. And Allah is Almighty, All Wise.)

It gives a note that, women, like men, have similar rights over them according to what is reasonable. This underscores the concept of equity and fairness in Islam, emphasizing the parallel rights and responsibilities of both men and women within the framework of reason and justice. The Quranic verses collectively contribute to the Islamic principle of mutual respect and consideration between genders, promoting a harmonious and just society.

Treating a wife with kindness and good manners in Islam encompasses a comprehensive approach to marital relationships. It involves acknowledging and respecting the rights that wives have been granted, ensuring that their well-being is safeguarded, and actively working towards their fulfillment. This kindness extends beyond mere avoidance of harm and includes positive actions that contribute to the happiness and satisfaction of the wife. Islam encourages husbands to create an environment where their wives feel valued, respected, and cared for, fostering a relationship built on mutual understanding and consideration. This approach aligns with the broader Islamic teachings that emphasize compassion, empathy, and equity within the framework of marital bonds.

The wife has the right to teach and support her in obedience to Allah, ensuring proper belief in the oneness of Allah and early generations' practices. This includes teaching her if she is ignorant, reminding her if she forgets, and supporting her when she remembers. This includes proper worship and behavior.

The wife holds the right to receive guidance and support from her husband in matters related to obedience to Allah. This involves nurturing and promoting a correct understanding of the oneness of Allah and adherence to the practices of the early generations of Muslims. The husband is entrusted with the responsibility of imparting knowledge to his wife, especially if she lacks awareness in certain aspects of faith. Additionally, he is encouraged to offer gentle reminders if she forgets, and to provide support when she endeavors to uphold her religious duties and principles. This guidance extends to matters of worship and general conduct, emphasizing the importance of fostering a spiritually enriching environment within the marital relationship. The overarching goal is to ensure mutual growth and adherence to Islamic principles for both partners.

The ayah found in Surah Nisaa, Ayah 34, as explained by Imam Abu al-Fidaa Ismaeel ibn Katheer, states that:

يَا أَيُّهَا النَّاسُ اتَّقُوا رَبَّكُمُ الَّذِي خَلَقَكُمْ مِنْ نَفْسٍ وَاحِدَةٍ وَخَلَقَ مِنْهَا زَوْجَهَا وَبَثَّ مِنْهُمَا رِجَالًا كَثِيرًا وَنِسَاءً ۚ وَاتَّقُوا اللَّهَ الَّذِي تَسَاءَلُونَ بِهِ وَالْأَرْحَامَ إِنَّ اللَّهَ كَانَ عَلَيْكُمْ رَقِيبًا

(O humanity! Be mindful of your Lord Who created you from a single soul, and from it He created its mate, and though both He spread countless men and women. And be mindful of Allah – in Whose Name you appeal to one another – and honor family ties. Surely Allah is ever Watchful over you.)

It highlights a concept within Islamic teachings that underscores a degree of responsibility given to men in the context of family dynamics. This assertion doesn't imply superiority or dominance but rather

emphasizes a role of guardianship and provision. Men are entrusted with the responsibility to safeguard and provide for their families, ensuring their well-being and protection. It is a recognition of the complementary roles within the family structure, where both men and women have distinct responsibilities, contributing to the overall harmony and stability of the household. Understanding this principle is crucial for maintaining a balanced and cooperative relationship between spouses in adherence to Islamic teachings.

The husband is granted certain rights within the marital relationship. These rights encompass obedience, with the wife expected to comply with her husband's lawful and reasonable requests. Additionally, the wife is obliged to serve and protect her husband's honor, children, and wealth. Expressing gratitude towards the husband and refraining from discrediting his virtues are integral aspects of fulfilling these responsibilities. Moreover, the wife is encouraged to treat her husband with utmost respect and courtesy, ensuring that her words and actions reflect goodness and positivity. This underscores the importance of maintaining a harmonious and supportive atmosphere within the marital bond, where mutual respect and consideration contribute to the overall well-being of the family.

As for women (Al-Uthaymeen,2017), in particular, are often married for four distinct reasons: wealth, social class, beauty, or piety. Firstly, a woman might be married for her wealth, such as in the case of an older woman with significant fortune, where the husband may anticipate inheriting a portion or the entirety of her wealth upon her passing. Secondly, marriages can be influenced by social class, where a person of lower status may marry into a higher-ranking tribe to elevate their own social standing. Thirdly, a woman's beauty may become the primary reason for marriage, regardless of her social class or financial status. Lastly, piety, particularly religious devotion and knowledge, can be a determining factor. A religious woman is considered an ideal spouse, as she assists her husband in obeying Allah and is obedient to him. Following the Prophet's advice to "select the pious," meaning the religiously devoted, is emphasized as a wise approach to choosing a life partner. This guidance encourages prioritizing a woman's religious virtues over superficial qualities like physical beauty, as true beauty is believed to be determined by Allah and the sincerity of the heart.

Marriage Conditions in Islam

In the book of Muhammad b. Ibraheem At-Tuwaijiry "The Book of Nikah", one of the marriage conditions is designating two spouses. Marriage conditions require consent from both spouses, with the virgin giving silence and the non-virgin giving verbal consent. Insane individuals and intellectually incompetent individuals may be married without their consent. No forced consent is required.

Islam respects women and gives them certain rights, including the right to own things. When a man marries a woman, he has to give her a dowry, a kind of payment to make her happy about being under his care. It's not allowed for anyone to take her dowry without her saying it's okay. It's a good idea to ask for a small dowry and mention it in the marriage contract. Women who ask for less dowry are considered more blessed. You can give anything as a dowry, even if it's not a lot. There's no maximum limit for the dowry. It's also okay if the dowry includes teaching the bride how to read the Qur'an.

You can pay the dowry all at once or part of it upfront, or you can wait and pay it later. It's better to pay part of it at the beginning. If there's a specific time set to pay the dowry, that's okay too. If the husband dies or they get divorced, the wife can ask for her dowry. A father can let his daughter get married for a dowry that's equal to, less than, or more than what's usual. Once a woman is married, the dowry becomes hers once her husband has been with her.

Both spouses should be kind to each other and not delay fulfilling each other's rights or express displeasure in doing so. The husband can be intimate with his wife whenever he wants, as long as it doesn't harm her or prevent her from practicing religious duties. The husband can take his wife on a trip unless she specifically said he shouldn't. It's not allowed for a husband to have intercourse with his wife during her period, and it's also not allowed for him to do certain intimate acts. After her period, the husband can ask his wife to take a bath to clean herself. Both spouses should take a bath after being intimate, but if the wife is not Muslim, she doesn't have to if she doesn't want to. If a husband is away for more than six months and his wife wants him back, he should return if he can, but if he refuses, she can request a separation. It's recommended to mention Allah's name during intercourse. It's good to talk during intimacy, but it's not allowed to have intercourse in front of others or talk about it publicly. It's not allowed to have two wives in one home unless they agree. The husband can control whether the wife goes out or works. He must treat his wives fairly in terms of housing, maintenance, and overnight stay, but not necessarily in terms of 5 intimacy. If a woman disobeys her husband, she may lose her right to financial support. A wife can give up her day to her co-wife if her husband agrees, and the husband can decide where to spend that day. If a man marries a new wife, he should spend seven days with her if she's a virgin, then rotate his time among all his wives. If the new wife was married before, he can spend three days with her unless she requests more, in which case he should spend the same amount with the other wives.

If a man divorces his wife before being with her, she gets half of the dowry unless she or her guardian says it's okay not to. If a man divorces his wife after being with her but before naming a dowry, she gets a dowry similar to what's usually given. If the couple separates before being together because of an improper marriage, she doesn't get any dowry. But if they were together, the man has to give her a dowry for legalizing their relationship. If a woman is married in a way that's not right, like being the fifth wife or remarrying too soon, she still gets a dowry if they separate. If the husband and wife argue about the size or type of dowry, the husband's word is final if they swear it's true. If they argue about whether she got the dowry, the wife's word is final unless the husband can prove otherwise.

A guardian must be a male, free, adult, and trustworthy individual who subscribes to the same religion. The governor may marry a non-believer woman without a guardian. The man who has the right to give a woman in marriage is her father, her grandfather, regardless of how far down his lineage is, or her son. After these men, the woman's first brother, half-brother, or sons, first uncle, second uncle, or sons, or her closest living relative from the ta'seeb group, or the governor, are next in line.

Marriage would be invalid without two male witnesses present for the marriage. 6 The next of kin guardian may act in the first guardian's place if he declined, was unfit, was absent, or was otherwise unavailable. The marriage would be legal if the guardian gave a devout woman in marriage to an impious man. The nikah would be invalidated if the woman or her guardians objected to this marriage since they would all feel ashamed.

Marriage in Meranaw Traditions

From the journal writing of Macabanding (2017), it relays that polygamy remains a prevalent tradition among Meranaws, primarily observed by Maranao males who choose to marry more than one spouse. This practice has deep roots in ancestral times, particularly among Maranao leaders and individuals with royal lineage. Influenced by these leaders, many Meranaws have adopted polygamy, making it an integral part of our culture.

Another tradition within the Maranao community is known as "parental" marriage, where parents play a

decisive role in choosing a spouse for their son or daughter. In this arrangement, both sets of parents negotiate the dowry, a monetary gift from the groom's parents to the bride's parents. Dowry, in our cultural context, represents the financial contribution made by the groom's family before the wedding. Once the terms are agreed upon, a week-long celebration called "*kandialaga*" precedes the official "*kakawing*" or wedding ceremony. This tradition is likely rooted in a desire to uphold family pride, especially for those originating from esteemed and large families.

Additionally, arranged marriages come with several benefits. In today's society, forced marriages are less prevalent due to increased education among women, empowering them to assert their rights, especially concerning marriage. Well-informed about Islamic principles related to marriage, women can use this knowledge to express their concerns if pressured into marrying someone chosen by their parents. Another advantage is the elimination of the risk of incompatibility. Before parents select a partner for their child, they carefully assess compatibility in terms of personality, religion, and culture, as well as ensuring a similar social status. Considering these factors facilitates easier communication between the couples. Additionally, there is a lower risk of divorce, not only because Islam discourages divorce but also because shared cultural backgrounds and beliefs contribute to marital harmony. Parents play a crucial role in selecting their children's partners, emphasizing safety and the potential success of the marriage.

Purposes of Marriages

Dogarawa (2009) mentioned in his book writings that the primary aim of marriage is to enable individuals of different genders to offer companionship, love, and to procreate, all while living in harmony according to the commandments of Allah. Marriage acts as an avenue for emotional and sexual fulfillment, serving as a means to reduce tension. Additionally, it is considered a form of worship as it involves obedience to Allah and His messenger. This institution is viewed as the sole viable method for individuals of different genders to come together. In essence, marriage encompasses the following purposes:

Firstly, is the procreation. The paramount purpose of marriage is procreation, signifying a crucial contribution through lawful means to the ongoing existence and preservation of the human race. The sexual urge functions to unite mates in achieving this fundamental goal. The procreational objective encompasses four aspects: fulfilling the will of God, seeking the love of Prophet Muhammad (Peace and blessing of Allah be upon him), benefiting from the child's prayers, and profiting from its intercession on behalf of its parents. Although achieving this goal is possible without marriage, actions contrary to Allah's commands lack His blessings, leading to societal corruption. The Prophet (Peace and blessing of Allah be upon him) advised marrying those who are loving and child-bearing, expressing a vision of surpassing other nations in numbers on Qiyama. The ultimate aim is to nurture righteous children obedient to Allah, serving as a source of reward for their parents even after their demise. The Prophet (Peace and blessing of Allah be upon him) emphasized that he would not boast before other nations on the day of Qiyama with children of Muslim parents who deviated from the path of Islam.

Secondly is the fulfillment of the natural urge. It is arguably the most potent human inclination. It appears not as an end in itself but as a means to unite mates for the purpose of fertilization. Despite being a means to an end, fulfilling this urge is the most enjoyable and absorbing human experience. Failure to satisfy this urge may lead to either deviation or maladjustment, with deviation considered dishonorable and strictly prohibited in Islam. Naturally, men are inclined towards women, and women towards men. Marriage serves as the institution that fulfills this inherent desire, directing it in ways pleasing to Allah Most High. Allah acknowledges this attraction, stating,

رُيِّنَ لِلنَّاسِ حُبُّ الشَّهَوَاتِ مِنَ النِّسَاءِ وَالْبَنِينَ وَالْقَنَاطِيرِ الْمُقَنْطَرَةِ مِنَ الذَّهَبِ وَالْفِضَّةِ وَالْخَيْلِ الْمُسَوَّمَةِ وَالْأَنْعَامِ وَالْحَرْثِ ذَلِكَ مَتَاعُ الْحَيَاةِ
الدُّنْيَا وَاللَّهُ عِنْدَهُ حُسْنُ الْمَبَاقِ

(The enjoyment of worldly desire – women, children, treasures of gold and silver, fine horses, cattle, and fertile land – has been made appealing to people. These are the pleasures of worldly life, but with Allah is the finest destination.)

The Messenger of Allah (Peace and blessing of Allah be upon him) clarified that the attraction between sexes is natural and should not be denied or suppressed but rather channeled in ways pleasing to Allah (Most High). He expressed,

" حُبِّبَ إِلَيَّ مِنَ الدُّنْيَا النِّسَاءَ وَالطِّيبُ وَجُعِلَ قُرَّةُ عَيْنِي فِي الصَّلَاةِ " .

(Women and perfume have been made beloved to me in this world of yours, and my peace of mind is in prayer.)

The longing between men and women is a natural urge that requires fulfillment. If left unmet, it can become a source of discord and disruption in society. Therefore, the Prophet (Peace and blessing of Allah be upon him) directed all capable men to embrace the responsibilities of marriage, stating,

يَا مَعْشَرَ الشَّبَابِ مَنْ اسْتَطَاعَ الْبَاءَةَ فَلْيَتَزَوَّجْ، فَإِنَّهُ أَغْضُ لِلْبَصْرِ، وَأَحْصَنُ لِلْفَرْجِ، وَمَنْ لَمْ يَسْتَطِعْ فَعَلَيْهِ بِالصَّوْمِ، فَإِنَّهُ لَهُ وَجَاءٌ.

(Whichever of you is capable should marry, for it will aid him in lowering his gaze and guarding his body from sin. As for the one who is not capable, fasting serves as his protection.)

Thirdly, a healthy relaxation. In the realm of marriage, there exists a wholesome relaxation. It encompasses solace for the soul, visual beauty, companionship, playful interactions, and moments of leisure. These aspects collectively alleviate the heart from its burdens and enhance the mind's ability to concentrate during prayers and worship. Constant seriousness and the deprivation of joy from the soul can be monotonous to the heart and potentially obscure its vision. Finding relaxation through the company of one's spouse is not only enjoyable but also beneficial for overall well-being. The Qur'an acknowledges the spouse as a source of mutual comfort. It is often recommended to wisely allocate one's time among three activities: worshiping the Lord, self-examination, and engaging in heartwarming pastimes.

Fourthly, a comfortable home. Marriage fosters cooperation in household matters and alleviates concerns in creating a comfortable home. Partners collaborate in managing the house, maintaining it, cooking, washing, and other shared responsibilities. This collaborative effort allows more time for worship, knowledge-seeking, and provides an environment conducive to concentration. A righteous spouse is considered not just a worldly asset but also a pathway to success on the Day of Judgment. Furthermore, marriage elevates an individual's societal standing by adding responsibilities, offering an opportunity for resilience in facing life's challenges. Living with a spouse of diverse inclinations cultivates adaptability, and both partners contribute to each other's development of virtues like patience and forbearance. The responsibility of raising children and providing for their well-being is an additional merit stemming from the institution of marriage.

Nevertheless, marriage may pose challenges or encounter adverse situations. The most severe among them is the failure to seek sustenance through lawful means. If this proves difficult, the husband may be tempted to resort to forbidden actions. Another challenge involves falling short in upholding the rights of women and exercising patience with their characteristics and annoyances. This poses a significant danger as the man is considered the "shepherd" of the household and is accountable for those under his care. Moreover, marriage can become a trial if one's family becomes a distraction from the remembrance of Allah, leading

to spending days and nights solely enjoying familial pleasures, neglecting introspection on the hereafter and efforts towards spiritual growth.

Prohibited Marriages in Islam

Sharia declares certain marriages as void ab initio, without legal effect or divorce. These marriages are prohibited by the holy Qur'an, Sunnah, and other legal stipulations due to blood, fosterage, marriage, or a woman's *iddah* period. Muslims are forbidden to marry due to blood relationships, affinity, fosterage, or legal marriage. These marriages are classified into permanent and temporary prohibited degrees (Gombe, 2021).

The Qur'anic provisions prohibit, according to Gombe, certain degrees of marriage, including mother, step-mother, grandmother, daughter, sister, father's sister, mother's sister, brother's daughters, foster mother, sister, wife's mother, step daughter, son's wife, legally married woman, and combining two sisters simultaneously. These prohibitions apply to all generations, regardless of their marriage status.

Temporary prohibitions arise due to specific circumstances, such as *Mut'a*, a temporary marriage contracting for a specified period. This type of marriage was practiced before Islam, particularly among Arabs, but became prohibited after it. It is both untrue and against the law, as it reduces a woman to a commodity exchanged between individuals. Additionally, it is detrimental to any children born from such unions, as they lack a stable home environment for upbringing. The sole objective of this marriage is the satisfaction of carnal desires, with no intention of producing offspring. While it was permitted in the early days of Islam for a brief period, it has since been permanently prohibited. This prohibition is universally accepted by Sunni schools of law. Also, *shigar* is a marriage where one person acts as a guardian for another, who gives their daughter or woman in exchange without mentioning dower.

A man who pronounces three divorces against his wife is prohibited from remarrying until she marries another man and the marriage is consummated. It is unlawful for another man to marry the woman with the intention of divorcing her later, removing the prohibition against the husband who pronounces the triple divorce.

Marriage prohibited during pilgrimage or lesser pilgrimage during contracting or giving in marriage.

Marriage during *Iddah* is void ab initio, with an impediment acting as a bar until the woman's waiting period ends. After three monthly courses, the impediment is removed. Implied proposals to the woman are not blamed, but must not be direct enough to constitute a promise to marry.

Marriage with Pagan or Polytheist is strictly prohibited as long as the woman remains an unbeliever. However, once a Muslim becomes a believer in any faith, it becomes legal for them to marry. If the woman is a Muslim, it is not permissible for them to marry anyone else.

Moreover, Shari'ah prohibits marriage with a sick person due to potential death risk, preventing inheritance for both parties.

A Muslim cannot have five wives simultaneously, contradicting the Qur'an's maximum of four. The Prophet (PBUH) instructed Naufal Ibn Mu'awiya to keep four wives and make the other free. Muslim jurists unanimously agree that no valid marriage exists if a husband is already lawfully married to four wives. In these cases, there is no legal effect, and the court may annul the marriage if it falls within these categories.

Related Studies

According to the study of Barra (1988), Islamic Law addresses the dissolution of marriage, a topic often

misunderstood, particularly concerning the husband's prerogative to end the marriage through talaq. There is a misconception that marriage can be dissolved at the husband's will. However, it is essential to recognize that while Islamic law allows the dissolution of the conjugal bond, it is viewed with indifference and even disapproval. A Prophetic tradition underscores this perspective, stating that divorce is considered the most detestable of all lawful acts in the sight of Allah. This implies that talaq should only be pursued when all attempts at reconciliation between the spouses have proven futile.

The talaq prerogative granted to the husband should not be taken lightly, and its usage is discouraged unless absolutely necessary. The Prophetic tradition emphasizes the undesirable nature of divorce, urging Muslims to prioritize reconciliation efforts. The intention is to preserve the sanctity of marriage and resort to divorce only as a last resort, highlighting the significance of exhausting all possible avenues for resolving conflicts and maintaining the marital bond. This approach aligns with the broader Islamic values of promoting harmony and unity within families, emphasizing patience, understanding, and the pursuit of reconciliation.

Minodar (2011) stated in her study that, meranaw society needs education on Islamic legal principles outlined in the Qur'an, as highlighted by a study. The study uncovered various negative causes leading to marriage dissolution within the meranaw traditional society, conflicting with Qur'anic injunctions. These causes include parental intervention, undue attachments to in-laws, suspicion, jealousy, subsequent marriages by the husband, irreligious behavior, immaturity, irreconcilable differences, unusual cruelty, barrenness, and differences in political affiliation. However, Islam recognizes specific forms of divorce, such as repudiation (*talaq*), vow of continence (*'ila*), injurious assimilation (*zihar*), acts of imprecation (*li'an*), redemption by the wife (*khul*), exercise of the delegated right to repudiate (*tafwid*), or judicial decree (*faskh*). These Islamic forms of divorce are systematically codified in the legal Code.

A study conducted by Amer (2017) focused into the perspectives of knowledgeable respondents in Islam regarding the Ayah (verses) of the Articles on Marriage and Divorce under the Code. The findings revealed that these informed individuals hold the belief that the Ayah in question are not only true and authentic but are also deeply rooted in the Qur'an, the holy book of Islam. Their assessment indicates a high level of confidence in the credibility and accuracy of the Ayah, suggesting that they perceive them as genuine teachings derived directly from Islamic scripture. Additionally, the respondents expressed a consensus that these Ayah are devoid of fabrications, emphasizing the purity and authenticity of the religious guidance provided in the context of marriage and divorce.

This insight from Amer's study highlights the importance of the Ayah in shaping the understanding of knowledgeable individuals in Islam regarding the Articles on Marriage and Divorce. It underscores the significance of these verses as authoritative sources of guidance in matters pertaining to marital relationships, reinforcing the trust placed in them by the informed respondents who consider them integral to Islamic teachings.

Chapter 3

RESEARCH METHODOLOGY

The research strategy and methodology applied in this study are covered in this chapter. The research design, locale of the study, respondents, sampling procedure, research tools, data gathering procedure, and data analysis were all outlined in this chapter by the researcher.

Research Design

The researcher used a qualitative method together with an interview guide questionnaire to examine respondents' opinion and insights which can be recognized and interpreted using ethnographic approaches. The community has a significant impact on its members' relationships, institutions, ways of life, and values. The ethnographer spends a lot of time in the field conducting interviews and collecting data on the respondent's manner of life and their level of knowledge on certain things.

Locale of the Study

The Bangsamoro Autonomous Region in Muslim Mindanao is made up of provinces of Maguindanao and Lanao del Sur in the Philippines. The province of Lanao del Sur is the chosen site of this study. Tamparan, which is the focus of the study, is one of its municipalities. In the coastal province of Lanao del Sur, the municipality of Tamparan is landlocked. The municipality makes up 3.46% of Lanao del Sur's total area with a land area of 520.52 square kilometers, or 200.97 square miles. The 2020 Census found that it had a population of 32,074.

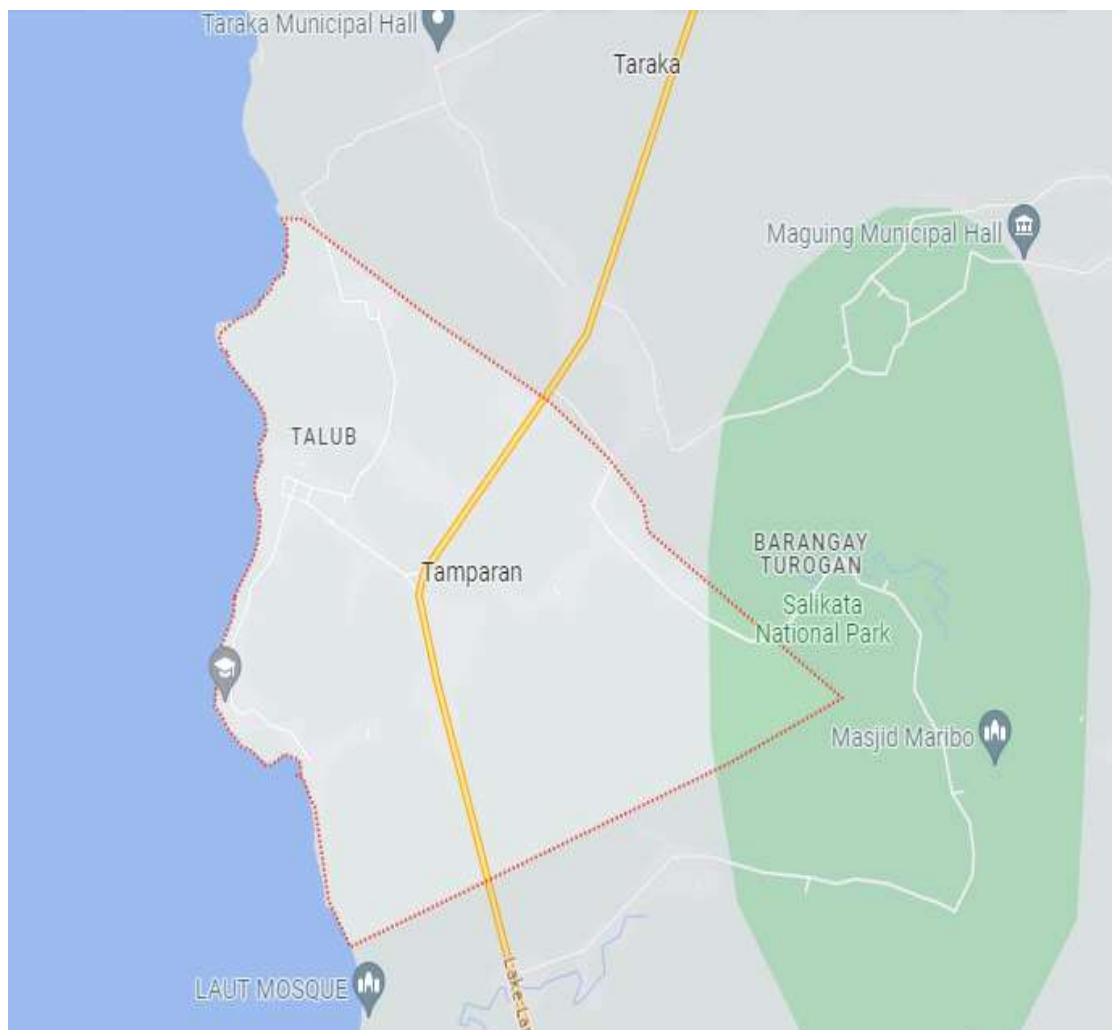


Figure 2. Map of Tamparan, Lanao del Sur

Respondents of the Study

The researcher chose five (5) consenting study participants. These are: an Agama Council member, an

Ulama Council President, a Sultan and a Shari'ah Judge in Tamparan, Lanao del Sur. The researcher chose an interview guide questionnaire to identify and scrutinize the in-depth and comprehensive information on the phenomena being examined. The qualitative researcher subjectively established the selection of each participant for the study.

Sampling Procedure

An interview guide-questionnaire and a purposive sampling was used in this study. A purposive sampling is a non-probability method for acquiring a sample where a researcher uses its competence to choose selected participants that will help the study meet its objectives. These selected participants have specified characteristics that the researcher have to assess from the research question. In fact, the research chooses the participant's "purpose". So, the researcher chose from the members of the community stakeholders based on her evaluation. The researcher was able to gather qualitative remarks through this guide, which had produced better insights and more précised study results.

Research Instruments

The researcher interviewed and gathered data from the respondents in this study. A developed semi-structured interview guide questionnaire was used by the researcher to collect data in her attempt to provide responses to the problem statement. To achieve cultural validity, the research questions are designed and translated into the participants' native tongue.

Data Gathering Procedure

The researcher constructed a semi-structured interview guide questionnaire that is based on the existing related literature and review of related studies. The researcher assessed the validity of the instruments that are used in this research. The researcher was advised to interview respondents personally. After selecting her chosen respondents, the researcher invited them personally to take part in the research interview by sending them letters, setting an interview appointment and interviewed them personally. After gathering the data, the researcher interpreted it and encoded it as results.

Methods of Data Analysis

Because the researcher used interviews as research instruments, the study performs a thematic analysis of the data. A qualitative research technique called thematic analysis focuses on listening to the stories and experiences of the respondents before delving into what it all means. Analyzing people's stories and how they are recounted helps the researcher gain understanding of how people cope with and make sense of reality.

CHAPTER 4

PRESENTATION, ANALYSIS, AND INTERPRETATION OF DATA

This chapter presents the study's findings derived from the collected, analyzed, and interpreted data. It follows a structured sequence addressing specific questions posed by the inquiry. The presentation, discussion, and data analysis flow according to the study's statement of the problem outlined in Chapter I. Within this chapter, statements or testimonies from respondents are provided with translations, and preceding paragraphs aim to accurately contextualize the remarks of the respondents.

A. Common *Batil* and *Fasid* Marriage Practice

a. *Batil* Marriage

The concept of *batil* or void marriages, as described in the Presidential Decree No. 1083, denotes marriages that lack validity right from their initiation. Essentially, they are considered as if they never occurred. The regulation distinctly addresses two key factors that render marriages void.

Primarily, it prohibits marriages among individuals closely related by blood, such as parents and children or siblings. This prohibition extends to half-siblings or those with different parents, creating a comprehensive restriction. Marriages involving nieces or nephews are similarly invalidated, akin to encountering a prominent stop sign for such unions.

Secondarily, the Presidential Decree emphasizes that individuals cannot marry certain individuals related to their spouse. Once married, marrying into the family, including parents, siblings, or stepchildren, is explicitly forbidden. This prohibition remains applicable even if the initial marriage concludes, enforcing a stance of “once part of this family, marrying any family member is off the table.”

In essence, *batil* marriages signify a nullification, asserting that these marriages never truly occurred due to non-compliance with established rules governing permissible unions. The essence lies in ensuring that matrimonial alliances adhere to universally agreed-upon standards of fairness and appropriateness.

In light of this information, the researcher provided clarity to the respondents and that it was articulated to them that, up until the present moment, they consistently communicated that instances of “*batil*” practices have not manifested within the community. Despite being briefed and equipped with information during the discussions, the respondents affirmed that, to date, there has been an absence of any occurrences of *batil* practices in the community.

This collective assertion highlights a shared viewpoint among the respondents, emphasizing their mutual stance on the non-occurrence of *batil* practices within the community thus far. This response prompts a deeper exploration into the cultural dynamics, awareness levels, and communal perspectives that contribute to the respondents’ shared observation of the apparent nonexistence of *batil* practices.

b. *Fasid* Marriage

In the realm of Islamic marital concepts, *fasid* marriages are irregular unions with distinctive characteristics.

Firstly, if a marriage is contracted with a female who is in the midst of observing *idda*, the waiting period after divorce, it is considered *fasid*. This indicates a departure from the usual procedures and renders the marriage irregular from the very beginning. Similarly, marriages entered into after three instances of divorce, known as *talaq*, fall under the category of *fasid*, portraying a departure from the normal expectations surrounding this area of marriage.

Another face of *fasid* marriages involves situations where the consent of either party is compromised by various factors such as violence, intimidation, fraud, deceit, or misrepresentation. These elements lead to marriage’s classification as irregular. Moreover, if a marriage is contracted by a party in a condition of death-illness without consummation, it is deemed *fasid*. This underlines the significance of a marriage being not only a legal contract but also a union that involves the genuine and voluntary consent of both parties.

Additionally, the *fasid* category extends to mixed marriages that do not align with Islamic law. This denotes unions that break the boundaries set by Islamic regulations concerning permissible marital unions. So, understanding *fasid* marriages is like figuring out a tricky puzzle. It’s about looking into a complex situation where things don’t follow the usual rules.

In contrast to *batil* marriages, *fasid* marriages are prevalent in the community. Three of the respondents shared examples of situations where they noticed *fasid* marriages occurring, and it seems to be a common practice. This suggests that within the community, irregular marriages, or *fasid* marriages, are not isolated incidents but rather occur more frequently. The fact that all the respondents provided examples reinforces the notion that *fasid* marriages are an established aspect of the community's marital landscape.

During one of the interviews, the respondent provided a specific instance of *fasid* marriage within the community, shedding light on the prevalence of such irregular practices. Sulutan Pacasirang Ambulo's statement:

"Madakel a makapira niyan kaawai na kyasuyan iyan bo."

He added that,

"Kagya aden a katoon sii ko mga bae a daa maratabat iyan kagya dii nyan paratyaan so mga loks iyan, baya bo a ginawa. Maling si karuma niyan na pyakabaling iyan."

Translation: (Many wives choose to accept their husbands back after divorcing them by three talaq. Some women opt not to follow their parents' advice, preferring to pursue their own desires. This is one of the reasons why, after their husbands left, they choose to accept them back.)

In his reference to the three talaq of a husband to his wife as a form of divorce, he highlights this practice as one of the *fasid*, or irregular, marriage practices within the Presidential Decree No. 1083. He suggests that a contributing factor to such divorces is the failure of the wife to heed her parents' advice, implying that guidance from elders could potentially prevent or mitigate the occurrences of such divorces. His observation underscores the interconnectedness of cultural, religious, and familial factors in understanding the marital relationships within certain communities.

Furthermore, in corroboration of this point, Shariah Judge Alberto Romoros noted that:

"Isa ko mga common fasid practices na so makatlo mataalaq, ikadowa na tigel so babay odi na so mama, kadakelan an di matao mag idda. Kadakelan na kapag idda niyan an pito."

Translation: (One of the prevalent *fasid* practices involves the husband issuing three talaq, while another irregularity occurs when the consent of either the male or female is compromised by violence, intimidation, deceit, or misrepresentation. Additionally, a significant number of individuals lack knowledge on how to observe *idda*, with many restricting the period to only seven days.)

From this data, it becomes evident that prevalent *fasid* practices encompass the issuance of three talaq and then getting back together, improper observance of *idda*, and the acquisition of consent in a manner contrary to legal requirements. Notably, individuals are aware of the concept of *idda*, yet there exists a significant gap in understanding how to observe it correctly, particularly in alignment with the guidelines set forth in Presidential Decree No. 1083. This indicates a disconnect between knowledge and proper implementation within the context of the Decree mentioned. Addressing these issues is crucial for fostering a more informed and legally compliant approach to marriage within the community.

As previously stated, Ulama Council President Abdulhamid Macadadaya reported that they have not come across any instances of *fasid* marriages in the community. He says,

"Aya bo a pkagdam ta a lagid anan (myakatlo makatalaq na mikasoya bo) na so daa agama niyan, upama na Meranaw baden, kenaba titho a mag-Islam."

Translation: From my perspective, meranaw individuals who do not practice the Islamic faith may experience such occurrences related to the issuance of three talaq.

It is crucial to emphasize that the respondent being interviewed resides in a part of the community that boasts a substantial presence of Ulama individuals, fostering a constant adherence to ethical principles and

are steered by a moral compass that discerns between right and wrong, extending its influence even to the realm of marriage practices. Islam is truly the way of life as it encompasses all aspects of life.

It can be said that the community's strong ethical guidance, explains why the respondent hasn't witnessed improper marital conduct. Faithfully fulfilling their roles, there's a shared dedication to maintaining moral standards. This commitment fosters an environment that resists deviations from proper behavior, particularly in matters of marriage under Presidential Decree No. 1083.

In addition, this indicates the influential role of religious scholars in shaping societal values. The lack of inappropriate marriage practices in his experience serves as evidence of the close relationship between the meranaw community's dedication to moral ideals and the leadership.

B. Understanding of *Batil* and *Fasid* Marriage Practices and Its Acceptability

The researcher proposes a theory to explain how people understand a topic both hands-on experience and gained knowledge.

Based on David Kolb's Experiential Learning Theory, experience plays a vital role in learning, as stated by Kolb (1984) himself. Learning is portrayed as an active process where knowledge is shaped through engaging with experiences. This theory revolves around four key concepts: experiencing, reflecting, thinking, and acting based on an experience. The interaction of these elements, guided by reflection and hands-on experimentation, results in authentic learning and a heightened understanding of the subject.

Consistent with this theory, individuals such as respondents who are part of the Agama Arbitrary Council, hold the position of Ulama Council President, serve as a Sultan, or act as a Shari'ah Judge, are expected to grasp this concept. Their understanding is grounded in the teachings of Islam regarding marital unions, the meranaw traditions encompassing *taritib* and *igma*, and their practical experiences.

In relation to marriage customs, the researcher inquires whether the respondents understand the meaning of these practices and subsequently questions their acceptability within the community. They appear to provide a concerted answer as to the acceptability of this to the meranaw community.

Sultan Ambulo mentioned that,

“Sii ko Iigma ago taritib na invalid oto, di oto kapakay.”

Translation: According to *igma* and *taritib*, this practice is deemed invalid and is considered socially unacceptable within the meranaw community.

Arbitrary Council Member Pindaton Dima Ibra, providing further details on the *igma* and *taritib* of the meranaws, expressed that,

“Sii sa Meranaw na aden a taritib ago igma o mga lokes tano a pyangbaalan a mas mailot adii so hukuman o agama. Aden pman a maluwig siiko taritib ago igma a mailot siiko agama,”

He added that,

“Inu so sabaad ko mga ulama na dii iran kokowanen iran gyaa taritib ago igma ka tigran na kenaba anan kumpleto ka so taritib, mga lokes tano pimbaalan iran siiko ka daa pn kasawai sii ko Islam ko myamagintaw a myangauuna na mimbaal siran sa taritib na aya ptharoon a igma na dikanggiginawai, kapagadata. Sii sa Islam na anda den e kapagayon o duwa ka tao a mbalaiya na gumiraw so ama o babay a pyakipangaruma aken rka so wata akn na myapasad. Kagya so mga lokes tano na tyaguan iran sa taritib dimakandialaga. Aya maana nyan na daa oto siiko Islam na kagya so mga lokes tano na taritib iran oto.”

Translation: the Meranaws adhere to *taritib* and *igma*. Some individuals exhibit strictness in practicing and interpreting *igma* but adopt a more relaxed approach toward the Islamic faith. Conversely, others are relaxed in interpreting and practicing *igma* but strict in their approach to the Islamic faith. This divergence leads some Muslim scholars to view *igma* and *taritib* not as a comprehensive customary law established by Meranaw elders. This is because this customary law originated during a time when Islam was not widely practiced. *taritib* and *igma* emphasize mutual respect and camaraderie. In Islam, if the parents of both parties agree to a marriage, it is considered finalized. However, in adherence to *taritib*, our elders observe an engagement party, a practice not rooted in Islam but upheld due to its presence in *taritib*.

The *Taritib* and *Igma*, a pre-Islamic and pre-Spanish indigenous system, encompassed rules and regulations governing the political, social, and economic aspects of the Meranaw. The governance (Nolasco, 2004), led by Sultans and traditional title holders, was strong and systematic, successfully resolving conflicts during their era. Emphasizing virtues like "*kanggiginawae*" (friendship) and "*kapamagogopa*" (helping one another), the community-maintained peace. In the present day, clan-based peace organizing serves as effective tools for conflict resolution.

Adhering to the *Taritib* and *Igma* is crucial for the Meranaw, provided it aligns with Islamic principles. Despite some individuals not fully embracing the teachings of Islam, there are situations where the *Taritib* and *Igma* take precedence over Islamic norms in matters concerning them. This underscores the significant importance of *Igma* and *Taritib* in their community.

If this traditional law does not acknowledge it, the Meranaw tribe does not acknowledge it; hence, it is not permitted to be practiced.

During the course of the interview, it was brought to light by 'Aleem Macadadaya, he stated that, "*Apya sii ko ka-me-Meranaw-I na di anan legal, sektano a mga Meranaw na andang tano a sasaboten so hukuman. Aya bo a kapkabinasa niyan na so maratabat.*"

Translation: Irrespective of any connection to the Presidential Decree, the act is deemed illegitimate among the Meranaws. Our community is well aware of the regulations (concerning *batil* and *fasid* marriages), but the adherence to *Maratabat* often complicates the situation.

Maratabat represents the profound feelings of personal honor, dignity, self-esteem, and reputation among the Meranaws (Cimene, et al, 2019). *Maratabat* was referenced, indicating that despite the prohibition by Islamic laws and customary rules within the Meranaw community, such practices persist due to the influence of *maratabat*.

Remarkably, Hon. Romoros also noted that concerning certain Meranaw practices considered unlawful under Presidential Decree No. 1083, their widespread acceptance has made them a frequent phenomenon, "*so pkasima tano run, kadakelan na ino pen pyagayunan ka tiyarima. Ugaid na kadakedakelan ko culture tano na masusupak iyan oto ugaid na kagya piyagayunan na mimbaloy den as good as legal oto reketano a mga Meranaw lagid o da mapos so idda na kyawing, lagid o apya di kyaudasan so wata di makabgay sa consent na kagya misabap ko culture tano na mimbaloy oto a cultural tradition o mga Meranaw.*"

Translation: What stands out to us is that most Meranaw practices gain acceptance based on a collective agreement that deems them permissible. Nonetheless, certain practices within the community are embraced, even if they do not align with Islamic law. For example, a woman may be in the process of observing *idda*, but she enters into a marriage with another woman. Another example is when a marriage takes place despite the absence of proper consent, as it has evolved into a cultural tradition among the Meranaws.

Three conflicting factors influence the acceptability of these practices: Islam, *Taritib* and *Igma*, and cultural assimilation.

The practice is deemed unacceptable in Islam. Despite many professing it to be their religion, some opt to prioritize *Taritib* and *Igma* over Islamic law, as mentioned by respondents. They assert that the practice is not acceptable under *Taritib* and *Igma*. Hence, the underlying cause could be identified as cultural assimilation.

Cultural assimilation is the progression where a minority group or culture begins to mirror a dominant group, adopting their values, behaviors, and beliefs. Additionally, assimilation may encompass additive acculturation, where an individual broadens their existing cultural repertoire instead of replacing their ancestral culture.

Given that the majority of the Philippine population consists of non-Muslims, Muslim Meranaws find themselves immersed in a predominantly non-Muslim environment, leading to cultural assimilation. Upon closer examination, it becomes evident that some forms of *batil* and *Fasid*, such as the non-observance of *idda*, are practiced by non-Muslims.

C. Opinion on the Occurrence of *Batil* and *Fasid* Practices

Perspectives on the prevalence of *batil* and *Fasid* marriage practices within the community are expounded upon in the following statements.

Mr. Ibra conveyed his great disapproval, stating that,

“Gyanan a kanggalebek san na aya maana niyan an karibatan. So Allah na inisapar iyan so kanggalebeka siiko ribat na inisugo iyan so galbek a mapiya.”

Translation: Engaging in such marriages is incorrect. Allah prohibits wrongdoing and instructs us to pursue what is righteous.

Allah says in Qur’an from Surah Al-A’raf, Ayah 157:

يَأْمُرُهُم بِالْمَعْرُوفِ وَيَنْهَاهُمْ عَنِ الْمُنْكَرِ

(He orders them with that which is good and forbids them that which is bad.)

This quote serves as a robust expression of his perspective regarding the matter, offering a clear and emphatic insight into his stance and beliefs on the subject at hand, that if the Qur’an says so, others’ opinion does not matter.

A different view is expressed by ‘Aleem Macadadaya on this controversy, stating that,

“Makapantag ko batil sii sa Tamparan na very seldom anan dimanggulawla. Ino tano myagingaran sa Islamic Municipality ka plimpiyo tano o aden a pkasima tano a datar oto na isapar tano.”

Translation: *Batil* and *Fasid* marriages are infrequent in Tamparan. This is why Tamparan is considered an Islamic municipality, as we strive to purify and, if encountered, educate and prohibit such occurrences. It’s crucial to highlight that the sole Islamic municipality in the entire Philippines is the Islamic Municipality of Tamparan, the specific location of this study. Consequently, the presence of Muslim scholars in the locality is notable. From the perspective being discussed, the respondent asserts that the occurrence of *batil* and *fasid* marriages is infrequent based on his knowledge and experience.

Hon. Romoros put forward a statement, stating that,

“Aya man a the best a hukuman na so Islam. Sa den sa kukuman o Islam na gyoto e the best.”

Translation: The optimal laws are provided by Islam; adhering to what Islam instructs us ensures that we fulfill our duties.

Allah created the Qur’an for us to have a correct basis when conflict arises. Allah says in the Qur’an from Surah Al-Qadr, Ayah 5:

سَلَّمَ هِيَ حَتَّى مَطَّلَعَ الْفَجْرَ

(And peace it is, until the breaking of the dawn.)

Therefore, the different opinions about *batil* and *fasid* marriages show how much Islamic teachings and what people in the community believe impact their views. One side strongly says these marriages are wrong according to the Qur'an and stresses following what's right with God's guidance. Another side mentions that these marriages rarely happen in Tamparan because it's an Islamic place where people work hard to keep Islamic values alive. These views highlight how religion and community values shape what people do and think, showing how Islam guides behavior and beliefs in Tamparan and elsewhere.

D. Observable Effects

a. Influences of *Batil* and *Fasid* Marriage

The evident impacts of *batil* and *fasid* marriage practices can affect both the wife and husband in the following ways.

Most of the respondents appear to concur that the practice of these types of marriages has adverse effects.

Mr. Ibra said,

“*Makagegedam tano sii ko mga tiyoba, isa anan ko mga rarangit o Allah sabap ko di kanggalebeka o madakel a taw sa batil.*”

He added,

“*Kaadaan so kapagintaw sa baraka.*”

Translation: We incur Allah's displeasure due to our actions deviating from His will, resulting in a decrease in life's blessings.

Allah says in the Qur'an from Surah *An-Najm*, Ayah 32:

الَّذِينَ يَجْتَنِبُونَ كَبِيرَ الْإِثْمِ وَالْفَوَاحِشَ إِلَّا اللَّمَمَ إِنَّ رَبَّكَ وَسِعُ الْمَغْفِرَةِ هُوَ أَعْلَمُ بِكُمْ إِذْ أَنْشَأَكُمْ مِنَ الْأَرْضِ وَإِذْ أَنْتُمْ أَجِنَّةٌ فِي بُطُونِ أُمَّهَاتِكُمْ فَلَا تُزَكُّوْا أَنْفُسَكُمْ هُوَ أَعْلَمُ بِمَنْ أَنْتَقَى

(Those who avoid major sins and shameful deeds, despite stumbling on minor sins. Surely your Lord is infinite in forgiveness. He knew well what would become of you as He created you from the earth and while you were still fetuses in the wombs of your mothers. So do not falsely elevate yourselves. He knows best who is truly righteous.)

He also says:

فَقُلْتُ اسْتَغْفِرُوا رَبَّكُمْ إِنَّهُ كَانَ غَفَّارًا ۝۱۰
يُرْسِلِ السَّمَاءَ عَلَيْكُمْ مِدْرَارًا ۝۱۱
وَيُمِدُّكُمْ بِأَمْوَالٍ وَبَنِينَ وَيَجْعَلْ لَكُمْ جَنَّاتٍ وَيَجْعَلْ لَكُمْ أَنْهَارًا ۝۱۲

(I said (to them): 'Ask forgiveness from your Lord; Verily, He is Oft-Forgiving; (10) 'He will send rain to you in abundance; (11) 'And give you increase in wealth and children, and bestow on you gardens and bestow on you rivers.') [Surah Nooh, Verses 10-12]

One of the crucial concepts Islam deems essential for human well-being is the notion of barakah, which refers to the augmentation in the quality and quantity of God's blessings through unseen means in human life.

The repercussions for Muslims who engage in this practice are exceedingly severe as mentioned by the respondent and in the Qur'an.

'Aleem Macadadaya gave a compelling answer,

“*Pkabaloy a rido.*”

Translation: It will lead to a family feud.

Among the Muslim Maranao residing in the southern region of the Philippines around Lake Lanao, the term "*rido*" holds significant meaning as it refers to clan feuds.

Rido is a distinct type of conflict that is prominently observed in Mindanao, marked by intense outbursts of retaliatory violence. This conflict extends beyond individual disputes, involving clashes between families, kinship groups, and even entire communities. The dynamics of *rido* encompass deep-rooted tensions, historical grievances, and complex interpersonal relationships, making it a multifaceted challenge that affects the social fabric of the region.

The consequences for the practice of these marriages weigh heavily because it can lead to serious family feuds among the Meranaw, sometimes resulting in loss of life.

While Sultan Ambulo's answer is different from his co respondent,

"Depende anan, aden a ped na mapiya a kauyag uyag iran."

Translation: It depends. Some individuals who are engaged in this kind of marriage lead content lives.

Hon. Romoros holds the belief that engaging in these marriages leads to an unfavorable outcome, saying that,

"Early divorce. Unsuccessful marriage."

One form of a *Fasid* marriage occurs when consent is compromised through acts of violence, intimidation, deceit, or misrepresentation.

Seeking and obtaining consent is a fundamental aspect of healthy and respectful relationships. It shows self-respect and respect for your partner. When you actively seek consent, you recognize the independence and choices of each person involved, building a shared understanding that encourages a consensual and considerate connection.

To put it simply, seeking and getting consent is more than a formality; it's a strong confirmation of respect, autonomy, and equality in a relationship, creating an environment of trust, communication, and mutual understanding. Thus, consent not properly acquired will result eventually to divorce.

Therefore, the impacts of *batil* and *fasid* marriages can be severe for both spouses. Many respondents' express concerns about these marriages, citing adverse effects like incurring displeasure from Allah and a decrease in life's blessings, as mentioned in the Qur'an. For instance, engaging in such marriages could lead to family feuds known as "*rido*" among the Maranao community in the Philippines, which often result in serious violence and loss of life. While some argue that some individuals in these marriages lead content lives, it's important to note that compromised consent, often through violence or deceit, can lead to early divorce and unsuccessful marriages. Seeking and obtaining consent is crucial in healthy relationships, as it fosters respect, autonomy, and mutual understanding, ultimately contributing to a fulfilling and lasting union.

b. Initial Motive in Practicing These Marriages

To engage in any activity, there must be an initial motive, and the same applies to marriages. If a marriage occurs, there is an underlying initial motive, engaging in the practices of these marriages.

To start with, 'Aleem Macadadaya said,

"Aya pkapoonan san na maratabat."

Translation: It is mainly because of maratabat.

So, these types of marriage practices often start with cultural ideas like *maratabat*, which means honor and dignity.

In addition, as mentioned earlier, *rido* essentially denotes a prolonged family feud that can endure for

decades. A common approach taken by community elders or the Datu to resolve conflicts between families is to arrange the marriage of their daughter to a member of the opposing family.

Therefore, this shows how cultural beliefs and social situations influence marriage customs and how conflicts are resolved in some communities.

E. Prevalence of These Marriages Nowadays

There are reasons why it has become somewhat widespread, and the respondents have outlined them in the list.

Mr. Ibra said,

“Misabap ko kalubay o paratiyaya, aya kapkhailaya niyan run na gyoto e mapiyawn. Di niyan katawan na gyoto a di niyan dinggalebeka sa gyoto a karibatan a da pakaya o agama.”

Translation: Due to a lack of strong faith, some perceive it as a positive thing for themselves. They may not realize that their actions are inappropriate and that Islam, as outlined in Presidential Decree 1083, prohibits such practices.

A Muslim with weak *Imaan* can manifest various signs, including committing sins without experiencing guilt, remaining indifferent when hearing Quranic verses about warnings and promises, struggling to engage in remembrance of Allah (dhikr), showing apathy towards actions contrary to Shariah, lacking concern for the well-being of fellow Muslims, feeling no sense of responsibility to promote Islam, and engaging in arguments without substantial evidence.

Participating in these marriages is considered unacceptable in Islam. However, individuals with weak *imaan* may ignore the fact that such practices violate Shariah principles. This disregard for Islamic teachings could result from a lack of spiritual strength and a weakened connection to the faith, causing individuals to overlook or dismiss the clear prohibition of such marriages in Islamic law. This emphasizes the importance of nurturing a strong *imaan* to uphold Islamic teachings and refrain from actions conflicting with Shariah principles.

‘Aleem Macadadaya gave a different answer, he argued that,

“Very seldom a dimanggulawla, kenaba kyapakawkit iyan na oba public. Sii bo nan ko pamilya.”

Translation: These happen very seldom, may be happening behind doors of the families involved.

This practice goes against Islamic principles and Meranaw cultural norms (*taritib* and *igma*). As a result, it usually occurs in secret to avoid judgment from the Meranaw community, which may disapprove of these unions based on their religious and cultural beliefs. This might explain why he provided a different response compared to the other participants. It's worth mentioning that this respondent resides in a community area where continuous guidance from ulama is prevalent.

Although Hon. Romoros believes that politics is one reason, stating that,

“Politics, ipamasad sa rido, ipangantap ka an makowa a mapiya si aki aya, pakaaalaan so dowry o pobre.”

Translation: Politics is one factor, and these marriages emerged as a resolution to family feuds. They gained popularity as families sought the perfect matches for their children, leading to the asking of huge dowries to those belonging to below average.

When mentioning politics, it refers to the onset of the election of public officials. It has become a custom that as elections draw near, individuals enter into marriages with influential families who may aid in securing a position for the family. Despite not meeting all the requirements for a valid marriage and not falling under *batil* and *fasid* categories, these unions still occur due to the aspiration for political influence.

Therefore, the widespread occurrence of batil and Fasid marriages has various reasons, according to respondents. One reason is the lack of strong faith, leading some to view these marriages positively without considering their inappropriateness in Islam. Weak faith can cause people to ignore Islamic teachings and the clear prohibition of such marriages. These unions often happen secretly within families to avoid community judgment, especially among the Meranaw people who have strict religious and cultural beliefs. Politics also influences these marriages, especially during elections when families seek alliances with influential partners to secure political positions. These reasons show how faith, culture, and politics shape marriage practices in certain communities.

F. Remedies/Mitigation of the Occurrence of These Marriages

The respondents collectively expressed the importance of fostering a sense of responsibility within the community to collectively work towards a more harmonious and respectful environment. In essence, their suggestions revolved around proactive measures, communication, and shared responsibility to effectively manage and reduce controversies.

The survey respondents proposed various solutions aimed at addressing and, if not completely resolving, at least mitigating the controversies within the community. One respondent emphasized the significance of proactively preventing wrongdoings by any means necessary. Mr. Ibra said that,

“Aya inisogo o nabi na igira myailay nga “man ra-a munkara” na arenan anga a barukan, o tig o nabi a dii nga kaaren a barukan ka ba ka den kabinasae na “falyastati’ bi lisaani” -saparen kasakatharogogolan sa katharo, tharowanga gyoto a marata; o pman o di nga pn khagaga na sii nga phanuna sii ko Allah a matago rka so kaguwad.”

Translation: Prophet Muhammad instructs us to intervene and physically prevent wrongdoing when we encounter it. Should direct intervention prove challenging, we are urged to vocalize our objections. If even that proves insufficient, the Prophet advises us to turn to prayer, seeking Allah's guidance and assistance in overcoming the temptation associated with the undesirable actions.

The Prophet (saw) said in the Hadith 34, 40 Hadith an-Nawawi:

مَنْ رَأَى مِنْكُمْ مُنْكَرًا فَلْيَعْيِرْهُ بِيَدِهِ، فَإِنْ لَمْ يَسْتَطِعْ فَبِلِسَانِهِ، فَإِنْ لَمْ يَسْتَطِعْ فَبِقَلْبِهِ، وَذَلِكَ أَضْعَفُ الْإِيمَانِ. [رَوَاهُ مُسْلِمٌ]

(Whoever of you sees wrong being committed, let him change it with his hand (i.e. by force). If he is unable to do that, then with his tongue, and if he is unable to do that, then with his heart.)

It is advised to promote what is virtuous and discourage what is harmful. Always consider the most effective approach when encouraging positive behavior and discouraging negative actions.

This suggested remedy aims to reduce instances of invalid and corrupt practices in the Tamparan community, as recommended by the respondent. It takes inspiration from the teachings of Prophet Muhammad, as conveyed in his hadith. By adopting this approach, the community endeavors to align its practices with the Prophet's guidance, fostering a culture that adheres to the values outlined in his teachings.

Mr. Ibra supported the idea, asserting that,

“Igira aden a pkha-encounter ami na, di ami kiran din-discuss-n, kapanganyaya. Inisugo o nabi na kailangan na matharo.”

Translation: In instances where we come across such situations, we discuss it with them. Prophet Muhammad instructs us to engage in a discussion with those involved.

The respondent reiterated the Hadith of the Prophet Muhammad that If you witness wrongdoing, intervene with action if possible; if not, speak out against it; and if that's not possible, detest it in your heart

They are unified in addressing this type of issue, emphasizing the significance of the Ulama's role. Mr. Ibra emphasized that,

“Gyangkae mga Ulama na di siran mambo pakatareg sa kisaparan ko batil. Maaden so kalek ago paratiya sii ko Allah.”

Translation: Muslim scholars consistently continue their educational efforts, aiming to prevent undesirable behavior and instill a sense of fear and obedience to Allah.

‘Aleem Macadadaya suggested that it should be done through wisdom. He said that,

“So ulama na aya rkiyan non na isapar iyan so illegal sii ko Islam. Mawit bo sa munisipyo na tanoren iran aya ipasadon na so hukuman o Islam. Kapakawkit angawn na bil hikma.”

Translation: The *ulamas* strive to prevent any violations against Islam. If the matter is brought to the municipal hall, Islamic law will serve as the foundation for judgment. Approach the situation with wisdom. The Quran declares one of the *da'wah* methods as *da'wah bil hikmah*, which entails inviting humanity with wisdom. This approach proves effective in gaining people's attention and potentially persuading them to heed the guidance of the ulama.

One resolution that has been suggested is the conducting of seminar, ‘Aleem Macadadaya commented that,

“Aya plano o mga Ulama na pirmi siran di mamanong sa mga seminars an ma-educate so madakel a tao. Myatimo ko madakel a tao o pnggolalan iran a goso di ka daa puwirsaan.”

Translation: The Ulama's initiative involves arranging seminars to enlighten people about the intricacies of these marriages. The decision to adhere to this guidance ultimately rests with the individuals, as persuasion is our only recourse.

A seminar is a congregation of individuals for deliberation on a specified subject.

Seminars are a modern and advanced way of educating. They involve organized group discussions where participants interact and explore a specific theme together. Through guided interactions, participants deepen their understanding of the subject, promoting active participation and shared discourse, ultimately enhancing the learning experience and comprehensive understanding of the topic.

‘Aleem Macadadaya emphasizes the need of collective efforts to address this, asserting that,

“Di pamamagugupaan, collective ideas/opinion, kapagadvice’a, antunay mapya pagukitan tano saya.”

Translation: This task requires collective efforts, with everyone contributing their ideas and opinions. It involves advising one another on the proper ways to handle the situation.

When a significant number of community residents come together to work collectively, they gain the power to reshape their environment and eventually avoid practicing unlawful things. This joint effort not only boosts their feeling of control but also compels other community to be responsible for omitting the practice of such and overall welfare. In essence, unity among residents empowers them to shape a healthier and more viable community while urging institutions to meet their needs.

This set of respondents appears to concur regarding the significance of conducting seminars. He added social media. ‘Aleem Macadadaya conveyed that,

“Pamakawkiten sa mga seminars communications, pitibarangan a social media para kasabutan o mga tao a ribat aya a mga okit, pakaayon tano ko agama Islam.”

Translation: Conducting seminars and utilizing social media can be effective methods to convey the message that these practices are incorrect. The aim is to foster an understanding that it is Islam that should guide our actions.

It is noteworthy that the interviews were conducted on separate days, yet the consistent recommendation of organizing seminars is noteworthy. Sultan Ambulo added that,

“supposed to be na mga seminar. Kagya imanto na mibengebengel den so mga tao dinga den di taroon so mapya na so tineg o kwan na aya nyan den ngganatan. Binasa imanto so kapagintao.”

Translation: Through seminars. Despite the efforts made through seminars, there appears to be a lack of adherence and implementation of the guidance provided. The current state of living is not ideal, as people often struggle to follow the advice they receive.

Giving significance to understanding the laws of Islam as conveyed by the Holy Qur'an was also mentioned by Hon. Romoros, he said,

“Kailangan na so muslim na katawan iyan so kitab iyan. Kailangan na maeducate so muslim. Lagid gyanan kalae kambtanga, kapamimili.”

Translation: Muslims must have a profound understanding of their holy book and the laws it prescribes. It is crucial to educate them, ensuring they are well-informed. For instance, they should be acquainted with the proper practices of giving dowry, and be aware that rejections can occur.

The correct approach and the right way to steer clear of these practices is by combining knowledge and faith. As stated by Hon. Romoros,

“Kailangan so paratiyaya ago knowledge na magepeda. Opon ka mala i paratyaa ogaid na daa knowledge kawon. Na o pman o mala ka e knowledge na daa paratiyaaywn na kurang. Lagid o kasambayang, kasadqa, kapuwasa.”

Translation: The convergence of faith and knowledge holds significance. Whether one possesses strong faith with insufficient knowledge or vice versa, there is a deficiency.

Also, he underscores the importance of community leaders, emphasizing their pivotal role in addressing and resolving issues within the community through their leadership and guidance, stating that,

“Adn imanto a mga council sa LGU, igira na pka address gyanan a problema na pkapasad anan aden a mga datu imatno na gyanan e mga galbek iran kapamamasad.”

Translation: We have the LGU council, and issues like this can also be resolved through the involvement of community elders. It is their responsibility to bring an end to controversies.

Additionally, he suggests that focusing on community education is the foremost solution to elevate the collective mindset, enabling the community to actively mitigate, if not significantly reduce, the prevalence of such practices. By fostering awareness and understanding through education, the community can develop the tools necessary to address and minimize these practices effectively. He said,

“Kailangan na ma-educate so tao ko Shari'ah ago Presidential Decree No. 1083.”

Translation: It is imperative for individuals to receive education regarding Shari'ah and Presidential Decree No. 1083.

CHAPTER 5

SUMMARY, FINDINGS, IMPLICATIONS, AND RECOMMENDATIONS

This chapter presents the summary of the research study, its major findings from the collected respondents' responses with its implications, and possible recommendations in order to positively aid the problems concerned in all residents of Tamparan, Lanao del Sur on *Batil* and *Fasid* Marriages under Presidential Decree 1083 as practiced by Meranaw marriages.

Summary

This study was purposefully undertaken to explore and document the occurrences of *batil* and *fasid*

marriages under Presidential Decree 1083, specifically within the context of Meranaw marriages in Tapanan, Lanao del Sur. The primary objective of this research was to address key inquiries, seeking comprehensive insights into the following questions: (1) what are the common *batil* and *fasid* marriage practices and nature? (2) what is the understanding of the respondents of the nature of these marriages and its acceptability? (3) what are their opinions regarding the topic? (4) what are the observable effects of these marriages? (5) what are the reasons for its prevalent occurrence? (6) what are the remedies for its mitigation?

To seek answers for these mentioned problems, a member of the Arbitrary council, an Ulama Council President, a Sultan and a Judge under the Local Government Unit of Tapanan, Lanao del Sur was chosen as respondents. An Interview Guide Questionnaire was utilized in order to gather data from the selected respondents.

After gathering the data responses of the respondents from the interview guide questionnaire, the researcher analyzed, translated and encoded it. To have an effective output aligned with the main objectives of the study, purposive sampling, experiential learning method and thematic analysis were used.

Findings

From the gathered and encoded data responses from the respondents, here are the findings that were drawn: The findings showed that for the **first** problem, despite being briefed on the concept, respondents assert the absence of "*batil*" practices in the community. On the other hand, "*fasid*" marriages, irregular unions, include scenarios like marriages during *idda* or after three *talaq*. Unlike "*batil*," "*fasid*" practices are prevalent in the community, with examples cited by respondents. The study emphasizes the role of ethical guidance, especially from religious scholars, in shaping societal values and preventing improper marriage practices.

For the **second** problem, the study investigates the understanding and acceptability of certain practices within the Meranaw community. Respondents, including those knowledgeable about Islamic principles, *Taritib*, and *Igma*, collectively assert that adherence to these cultural and traditional norms is crucial. The *Taritib* and *Igma*, rooted in a pre-Islamic indigenous system, historically governed various aspects of Meranaw life. Despite occasional conflicts with Islamic norms, the community prioritizes these traditional laws. The Meranaw tribe strictly follows *Taritib* and *Igma*, and practices not acknowledged by these traditions are not permitted. However, the adherence to *Maratabat*, representing personal honor, sometimes complicates the situation, leading to the persistence of certain practices considered unlawful under Presidential Decree No. 1083.

The study highlights the influence of cultural assimilation, with some practices gaining acceptance based on collective agreement despite non-alignment with Islamic law. The three conflicting factors influencing acceptability are Islam, *Taritib* and *Igma*, and cultural assimilation, with non-Muslim practices observed due to the predominantly non-Muslim environment in the Philippines.

As for the **third** problem, the findings are various perspectives on the prevalence of *batil* and *Fasid* marriage practices within the community are presented. One respondent strongly disapproves of such marriages, emphasizing Allah's prohibition of wrongdoing and the Qur'an's guidance. He firmly believes that adherence to the Qur'an's teachings is paramount, dismissing the importance of others' opinions. Another respondent highlights that *batil* and *Fasid* marriages are infrequent in Tapanan, which is recognized as the only Islamic municipality in the Philippines. This viewpoint is supported by the presence of Muslim scholars in the area, suggesting a commitment to Islamic principles. Additionally, a respondent

emphasizes the importance of adhering to Islam's optimal laws, stating that following Islamic instructions ensures the fulfillment of duties, with a reference to a Qur'anic verse about peace.

The **fourth** problem's findings are the impacts of *batil* and *Fasid* marriage practices, as perceived by respondents, extend beyond the individuals directly involved. Most respondents agree that these marriages have adverse effects, causing displeasure to Allah and diminishing life's blessings, as emphasized in Qur'anic verses promoting forgiveness. The concept of "barakah," essential for human well-being in Islam, is compromised when engaging in such practices, leading to severe repercussions mentioned both by respondents and in the Qur'an. The term "rido," denoting clan feuds among the Muslim Maranao, is significant, and the consequences of these marriages can escalate to serious family feuds, including rido, with potential loss of life. While one respondent acknowledges content lives resulting from these marriages, another highlights the unfavorable outcomes, such as early divorce and unsuccessful marriages, particularly when consent is compromised through violence or deception.

The respondents discuss the initial motives behind engaging in *batil* and *Fasid* marriages, emphasizing the concept of "*Maratabat*." *Maratabat* signifies profound feelings of personal honor, dignity, self-esteem, and reputation among the Meranaws. One respondent suggests that these marriages are driven by *Maratabat*, indicating that they may be used as a resolution strategy in prolonged family feuds (rido). Elders or Datus in the community may arrange marriages between families involved in conflicts to mitigate tensions. This underscores the complex cultural and social dynamics influencing the initiation of *batil* and *Fasid* marriages within the Meranaw community, where practices are intertwined with traditional values, honor, and conflict resolution strategies.

The **fifth** problem's findings are that the respondents provide insights into the reasons behind the somewhat widespread occurrence of *batil* and *Fasid* marriages within the Meranaw community. One respondent attribute it to a lack of strong faith, noting that individuals with weak iman may perceive such marriages positively without realizing the inappropriateness and the clear prohibition of these practices in Islamic law (Presidential Decree 1083). This weak connection to faith is characterized by signs such as committing sins without guilt, indifference to Quranic warnings and promises, and a lack of engagement in remembrance of Allah.

Another respondent suggests that these marriages often happen in secret, behind the doors of the families involved, due to the practice conflicting with Islamic principles and Meranaw cultural norms (*taritib* and *igma*). This secrecy is driven by a desire to avoid judgment from the Meranaw community, which disapproves of such unions based on religious and cultural beliefs. This respondent resides in a community where continuous guidance from ulama (Muslim scholars) is prevalent.

A different perspective is provided by another respondent who points to politics as a factor contributing to the prevalence of these marriages. The respondent suggests that such unions arise as a resolution to family feuds and gain popularity during elections, with families seeking advantageous matches for political influence. Despite not meeting all the requirements for a valid marriage, these unions occur due to the aspiration for political connections, introducing a complex intersection of cultural, religious, and political factors in the context of *batil* and *Fasid* marriages within the Meranaw community.

The **sixth** problem's findings are that the respondents collectively stress the importance of community responsibility in addressing controversies surrounding *batil* and *Fasid* marriages. Their suggestions focus on proactive measures, communication, and shared responsibility to effectively manage and reduce these issues. One respondent advocate proactive prevention of wrongdoings, citing the teachings of Prophet

Muhammad, who encourages intervention and vocal objection to undesirable actions. This approach aims to reduce instances of invalid practices in the Tamparan community by aligning with Islamic teachings. The role of Ulama (Muslim scholars) is emphasized, with scholars consistently educating to prevent undesirable behavior and instill fear and obedience to Allah. Wisdom is suggested in dealing with violations against Islam, using Islamic law as the foundation for judgment. The importance of collective efforts is highlighted, with suggestions for seminars to enlighten people about the complexities of these marriages. The unity among community residents is seen as a powerful force to reshape their environment and discourage unlawful practices.

The respondents agree on the significance of conducting seminars, utilizing social media to convey the message that these practices are incorrect. However, there is acknowledgment that despite seminar efforts, adherence and implementation of the guidance provided may still be lacking. Understanding the laws of Islam, especially through a profound knowledge of the Holy Qur'an, is deemed crucial for Muslims to avoid such practices.

Community leaders, including the LGU council and community elders, are seen as pivotal in addressing and resolving issues within the community. The focus on community education is identified as the foremost solution, enabling the community to actively mitigate the prevalence of such practices by fostering awareness and understanding of Shari'ah and Presidential Decree No. 1083.

Implications

From the gathered findings of the study and thematic analysis applied on the data, the implications are presented as follows:

The respondents collectively agree that *batil* marriages have not occurred within the community thus far, indicating a shared perspective that warrants further examination of cultural dynamics and community awareness. In contrast, *fasid* marriages are prevalent, with three respondents providing examples of such occurrences, highlighting that these irregular marriages are common rather than isolated incidents. The consistency of examples provided by all respondents strengthens the understanding that *fasid* marriages are a significant aspect of the community's marital practices. Also, the influential role of religious scholars in shaping societal values indicates a vital role.

Given that the majority of the Philippine population consists of non-Muslims, Muslim Meranaws find themselves immersed in a predominantly non-Muslim environment, leading to cultural assimilation.

On the other hand, the impacts of *batil* and *fasid* marriages can be severe for both spouses. Many respondents' express concerns about these marriages, citing adverse effects like incurring displeasure from Allah and a decrease in life's blessings, as mentioned in the Qur'an. For instance, engaging in such marriages could lead to family feuds known as "*rido*" among the Maranao community in the Philippines, which often result in serious violence and loss of life. While some argue that some individuals in these marriages lead content lives, it's important to note that compromised consent, often through violence or deceit, can lead to early divorce and unsuccessful marriages. Seeking and obtaining consent is crucial in healthy relationships, as it fosters respect, autonomy, and mutual understanding, ultimately contributing to a fulfilling and lasting union.

With that, the initial motive on these marriage practices often start with cultural ideas like *maratabat*, which means honor and dignity. On the other hand, in places where family feuds, called *rido*, are common, marriages can be arranged to end these conflicts. This shows how cultural beliefs and social situations influence marriage customs and how conflicts are resolved in some communities.

Additionally, the widespread occurrence of *batil* and *fasid* marriages has various reasons, according to respondents. One reason is the lack of strong faith, leading some to view these marriages positively without considering their inappropriateness in Islam. Weak faith can cause people to ignore Islamic teachings and the clear prohibition of such marriages. These unions often happen secretly within families to avoid community judgment, especially among the Meranaw people who have strict religious and cultural beliefs. Politics also influences these marriages, especially during elections when families seek alliances with influential partners to secure political positions. These reasons show how faith, culture, and politics shape marriage practices in certain communities.

So, the respondents collectively expressed the importance of fostering a sense of responsibility within the community to collectively work towards a more harmonious and respectful environment. In essence, their suggestions revolved around proactive measures, communication, and shared responsibility to effectively manage and reduce controversies.

Recommendations

Considering the discovered results of this study, the subsequent recommendations have been formulated as follows:

First, the emphasis is on the role of religious scholars in guiding the community towards ethical values, especially in preventing improper marriage practices, to offer ethical guidance and religious education.

Second, promote understanding of Islamic principles, *Taritib*, and *Igma*, highlighting their significance in Meranaw culture, and emphasize strict adherence to *Taritib* and *Igma*, with practices not aligned with these traditions considered impermissible to raise awareness about cultural and traditional norms.

Third, acknowledge the role of *Maratabat* in complicating certain situations and contributing to the persistence of practices deemed unlawful under Presidential Decree No. 1083 and provide guidance on balancing *Maratabat* with adherence to cultural and legal norms to address conflicts arising from *Maratabat*.

Fourth, investigate the influence of cultural assimilation on the acceptance of practices conflicting with Islamic law and identify strategies to uphold Islamic principles while navigating a predominantly non-Muslim environment in the Philippines to explore the impact of cultural assimilation.

Fifth, enhance understanding of the Qur'an and Islamic laws to discourage practices like *batil* and *Fasid* marriages and emphasize the importance of education in aligning actions with Islamic principles to strengthen education on Islamic teachings.

Sixth, encourage community members to collectively work towards a harmonious environment and stress the significance of proactive measures, communication, and shared responsibility in managing and reducing controversies to promote unity and collective responsibility.

Seventh, draw inspiration from the Hadith of Prophet Muhammad, encouraging intervention to prevent wrongdoing and promote a culture of actively discouraging negative actions and encouraging positive behavior within the community to advocate for proactive prevention of wrongdoing.

Eighth, conduct educational seminars to enlighten people about the complexities of certain marriages and utilize social media platforms as effective tools to convey messages about the incorrectness of these practices, aligning actions with Islamic guidance to organize seminars and utilize social media.

Ninth, prioritize community education regarding Shari'ah and Presidential Decree No. 1083 and involve community leaders, Ulama, and the Local Government Unit in addressing and resolving issues within the community through their leadership and guidance to focus on community education and involvement.

Tenth, facilitate open discussions with community members involved in controversial practice and follow the guidance of Prophet Muhammad by engaging in discussions, seeking resolutions, and fostering a sense of responsibility within the community to encourage discussions and dialogue.

Eleventh, encourage a strict adherence to the Qur'an's teachings, highlighting the paramount importance of following Islamic instructions and dismissing opinions that contradict religious guidance to emphasize adherence to Islamic principles.

Twelfth, support the infrequency of *batil* and *Fasid* marriages in Tamparan, emphasizing the commitment to Islamic principles and acknowledge the role of Muslim scholars in promoting adherence to optimal Islamic laws to recognize Tamparan as an Islamic municipality.

Thirteenth, acknowledge the adverse effects of *batil* and *Fasid* marriages on individuals and the community and emphasize the compromise of "barakah" in Islam and the potential escalation to serious family feuds, including clan feuds (*rido*) to address adverse effects and promote well-being.

Fourteenth, understand the cultural concept of "*Maratabat*" as a driving force behind these marriages, recognize the role of *Maratabat* in resolving family feuds and appreciate the complex cultural and social dynamics influencing the initiation of such marriages to explore cultural and social dynamics.

Fifteenth, tackle the issue of weak faith leading to a positive perception of inappropriate marriages, recognize the secrecy surrounding these marriages due to conflicts with Islamic principles and Meranaw cultural norms and provide guidance to strengthen the connection to faith to address weak faith and cultural conflicts.

Sixteenth, examine the intersection of cultural, religious, and political factors contributing to the prevalence of *batil* and *Fasid* marriages and understand the role of political aspirations, especially during elections, in driving these unions to investigate political influences.

Seventeenth, encourage proactive measures, communication, and shared responsibility to manage and reduce controversies and implement the teachings of Prophet Muhammad, advocating intervention and vocal objection to undesirable actions to promote community responsibility.

Eighteenth, emphasize the continuous education efforts of Muslim scholars in preventing undesirable behavior and instilling fear and obedience to Allah and use wisdom in addressing violations against Islam, utilizing Islamic law as the foundation for judgment to strengthen the role of Ulama.

Nineteenth, organize seminars to enlighten people about the complexities of these marriages and utilize social media platforms to convey messages about the incorrectness of such practices, aligning actions with Islamic guidance to conduct seminars.

Twentieth, prioritize community education regarding Shari'ah and Presidential Decree No. 1083 and involve community leaders, including the LGU council and elders, in addressing and resolving issues within the community through education and leadership to focus on community education and involvement.

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