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## THE FAMILY INSTITUTION AND ITS GOVERNING LAWS IN MALAYSIA AS A VANGUARD IN PROTECTING THE SOCIETY FROM SOCIAL AILMENTS: A SHARI'AH PERSPECTIVE

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### Abstract

The family is the basic unit of society that if damaged, will have a direct impact on the society at large. The increase in social problems and criminal activities are among the direct results of the decay of the family institution. Various matters within the family institution contribute to the strengthening or its weakening it. The failure of a man in carrying out his duty as the head of the family is one of the main issues addressed in this article. If he neglects his responsibilities such as non-payment of maintenance or fails to act as a guardian who protects the interests of his children, the direct victim will be the wife and the children. Sufficient evidence show that children brought up in an unhappy or broken family would have a higher tendency to be involved with evil activities outside their homes. This creates a new ailment or adds up to the existing ailments in the society. The role of the wife and mother in ensuring the stability of the family institution is also examined. Issues pertaining to polygamy also have a direct impact on increasing ailments in society, and this is also discussed. Finally, suggestions and recommendations are made in order to improve the current legislations and policies with regard to family matters so as to optimise their efficiency and contribute to minimise the ailments in the society. This article concentrates on the Islamic law as well as the legislation relating to family matters which are applicable to Muslims in Malaysia.

### Keywords

**Author Keywords:** family institution; Islamic family law; ailments; marriage; parental responsibilities

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