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تبیین اندیشه‌های امام خمینی (ره) در فقه و حقوق خانواده

بررسی اندیشه‌های فقهی و حقوقی امام خمینی (ره)، در خصوص حقوق خانواده و تبیین اندیشه‌های امام در این خصوص از اهداف این نوشتار می‌باشد که در خصوص حقوق مالی و غیر مالی خانواده رویکردهای ایشان مورد بررسی قرار گرفته شده است و مسائلی از جمله نفقه زن و مرد و فرزند و مهریه زن و بحث اشتغال زنان و حتی اجازه خروج از منزل زنان نیز با توجه به نظریات و آراء امام خمینی (ره) مورد بررسی قرار داده شده است. در بحث حقوق غیر مالی نیز امام خمینی (ره) در خصوص اخلاق و حُسن معاشرت و اختیارات زوجین در خانواده و بحث فرزند آوری نیز مورد بررسی قرار گرفته شده است. اصولاً بدون شناخت مبانی فقهی ایشان نمی‌توان به درک کاملی از اندیشه حقوق خانواده پرداخت. در این راستا، آگاهی اجمالی از مبانی فقهی اندیشه ایشان برای شناخت هرچه بهتر اندیشه حقوقی ایشان، حائز اهمیت فراوان است. این تحقیق با روش تحقیق توصیفی و تحلیلی با استفاده از مقالات و متاب‌ها و پایان‌نامه‌های با موضوع اندیشه‌های امام خمینی (ره) در موضوع خانواده از دیدگاه فقهی و حقوق خانواده انجام گرفته شده است. نتیجه‌ای که بدست آمده نشان دهنده اهمیت خانواده و استحکام آن و حقوق مالی و غیر مالی خانواده (زوجین و فرزندان) از دیدگاه و آراء امام خمینی می‌باشد. و نشان می‌دهد که امام خمینی (رحمة الله) نهاد مقدس خانواده را از بنیادی‌ترین، مهم‌ترین، طبیعی‌ترین و تأثیرگذارترین نهادهای اجتماعی می‌داند. نکت؟ بسیار مهم و کاربردی که در زندگی خانوادگی امام خمینی (رحمة الله) وجود داشت، این بود که ایشان در هیچ شرایطی از خانه و خانواده غافل نبودند. این نقط؟ برجسته در کارنام؟ کسی است که مشغله‌های زیاد و مهمی داشت. ایشان با وجود مشغله‌های فراوان، وقتی را برای خانواده گذاشته، برای آن‌ها نامه می‌نویسد و مرتب آنان را د جریان کارهای خود قرار می‌دهد و از احوال آن‌ها نیز با خبر می‌شود.

کلیدواژه‌ها: امام خمینی (ره)، اندیشه‌های فقهی، حقوق مالی خانواده، حقوق غیر مالی خانواده

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Thesis:



Explanation of the thoughts of Imam Khomeini (RA) in jurisprudence and family law

Examining the jurisprudential and legal thoughts of Imam Khomeini (RA) regarding family rights and explaining Imam's thoughts in this regard is one of the goals of this article. Men's and women's alimony, children's and women's dowry, women's employment, and even women's permission to leave the house have been examined according to Imam Khomeini's views and opinions. In the discussion of non-financial rights, Imam Khomeini (may Allah be pleased with him) has been examined regarding ethics and good company, the rights of couples in the family and the issue of having children. In principle, without knowing the foundations of his jurisprudence, it is not possible to fully understand the thought of family law. In this regard, a brief knowledge of the jurisprudential foundations of his thought is very important to better understand his legal thought. This research has been done with the descriptive and analytical research method using articles, books and theses on the topic of Imam Khomeini's thoughts on the family from the point of view of jurisprudence and family law. The result obtained shows the importance of the family and its strength and the financial and non-financial rights of the family (spouses and children) from the perspective and opinions of Imam Khomeini. It shows that Imam Khomeini (may God have mercy on him) considered the sacred institution of family. He knows the most fundamental, most important, most natural and most influential social institutions. A very important and practical point in the family life of Imam Khomeini (may God have mercy on him) was that he never neglected his home and family under any circumstances. This is a prominent point in the career of someone who had many and important preoccupations. Despite his busy schedule, he leaves time for his family, writes letters to them, and regularly keeps them updated on his work and is informed about their condition. ,

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Keywords: Imam Khomeini (RA), jurisprudence, family financial rights, non-financial family rights
