

Digital Marital Infidelity: A Virtual Threat to Family Life

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ABSTRACT:

Since the dawn of civilization and the development of human understanding, marriage has been considered a natural outlet for sexual instinct. Sexual intercourses outside of marriage are deemed a crime prohibited by divine laws and rejected by human conscience. Infidelity has taken many forms, with the latest being the notable rise of digital marital infidelity, which now threatens the security and stability of families due to technological advancements and the evolution of communication systems.

key words: Digital infidelity, silent divorce, family disintegration

Introduction

The world is witnessing rapid and significant developments in various modern technologies. Among the most notable achievements are computers, the internet, and lately digital platforms, which provide numerous advantages in advancing and addressing many challenges in various aspects of life¹. Remarkably, this technological progress has transformed the globe into a closely connected community, facilitating effortless communication among individuals regardless of geographical distances.

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1- Ali Abdullah Alwan Al-Farji, Khaled Majid Abdul-Hamid Al-Jabouri, Criminal protection media platforms, Arab Center for Publishing and Distribution, Cairo, Egypt, first edition, 2024, p. 09.

However, despite the positive aspects of technological advancement in the service sector, negative uses of technology are manifold, especially when exploited in deviant actions such as virtual marital infidelity. Committing such deeds is facilitated by computers and smartphones, given their features that facilitate such behaviours¹.

Technology has swept across the entire world, including European and Islamic Arab societies, making it easier for individuals to engage in a new type of conduct that was not previously possible, such as sexting with unknown people². The Western society has long been struggling with a crisis of sexual permissiveness, prompting authors like the American writer James Reston to call for curbing this permissiveness, warning that the danger of sexual energy may ultimately be greater than that of atomic energy³. Criminal legislation has deemed adultery or marital infidelity punishable, based on fundamental factors: the material element, which involves sexual intercourse between a man and a woman, and the moral element, which encompasses criminal intent. In the Algerian law, adultery is stipulated in Article 339 of the Penal Code⁴ as a crime committed between a married man and woman, in line with Islamic principles that condemn extramarital relations regardless of marital status. Adultery, whether according to the Algerian penal law or Islamic Sharia, is a recognised offense. However, with technological advancement, a new form of marital infidelity has emerged: digital marital infidelity, the focus of this study.

This topic holds significant importance due to its impact on families. While digital marital infidelity may not be seen as violating marital sanctity like physical adultery, it poses a threat to marital stability, thereby undermining the integrity of the family unit.

The problem addressed in this research pertains to the prevalence of digital marital infidelity in the Algerian society and its repercussions on family cohesion within the Algerian community. To tackle this issue, a descriptive

1- Ghania El-Haj Kula, Digital marital infidelity: causes and manifestations, *Studies in Deviant Psychology Journal*, volume 08, issue 01, 2023, p. 151.

2- Abdul Aal Al-Dirbi, Mohammed Sadiq Ismail, *Digital crimes*, National Center for Legal Publications, Cairo, first edition, 2012, p. 256.

3- Ghania Qari, *Explanation of the amended family law*, Touleitila Publishing House, Algiers, first edition, 2011, p. 141.

4- Decree No. 66-156, dated 18 Safar 1386, corresponding to June 8, 1966, containing the Penal Code, amended and supplemented, p. 95.

Article 339 (amended) stipulates: Imprisonment for a period of one to two years shall be imposed on every married woman proven to have committed adultery.

The same penalty shall apply to anyone who commits adultery with a woman knowing that she is married.

The husband who commits adultery shall be punished with imprisonment for a period of one to two years, and the same penalty shall apply to his accomplice.

No measures shall be taken except upon the complaint of the concerned husband, and if the latter forgives, this puts an end to any prosecution."

approach was employed to analyse and interpret this social phenomenon, providing insights into its nature and implications.

The study will be structured as follows:

Part one: The concept of digital marital infidelity

Part two: The consequences of digital marital infidelity

1. Part One: The Concept of Digital Marital Infidelity

Experts do not deny the threats posed by social media platforms to Arab families, which have become a looming danger to family stability if misused. Experts in law have revealed that one in three divorce cases is due to the discovery of "marital infidelity". What's more is that divorce petitions filed due to the discovery of marital infidelity through social media platforms have become common in courts, increasing the violation of marital fidelity between spouses¹.

Throughout this part, we will attempt to clarify the meaning of marital infidelity (section one) and then explore the motives behind digital marital infidelity (section two).

1.1 Section One: Definition of Infidelity Committed by One of the Spouses

Before delving into defining digital marital infidelity, it is necessary to clarify the meaning of the actual crime of marital infidelity, apart from technological development.

1.1.1 Definition of Actual Adultery

Islamic jurisprudence defines adultery as the sexual intercourse of a responsible person with someone prohibited to them by marriage, with mutual consent, in the absence of doubt. The jurists defined sexual intercourse as the penetration of the male organ or a part thereof into the natural place of the woman's body². The Maliki school of thought defines it as: proven intercourse occurring without valid marriage or ownership, and it is one of the "prohibitions against which God has decreed punishment or admonition."³ Both the Shafi'i and Hanbali schools agree with the Maliki school's definition of prohibited intercourse, although they differ in wording. They all mean proven intentional prohibited intercourse outside of marriage. They differ on the location of intercourse; some limit it to vaginal penetration only, while others include anal intercourse as well. The prevailing opinion is that intercourse limited to the vagina alone constitutes adultery, while anything beyond that constitutes a sin

1- Noufel Ben Khalifa, Soraya Laaraba, Digital infidelity and the threat of social media to marital life, Scientific Journal of Technology and Social Sciences, volume 04, issue 04, 2022, page 89.

2- Ezzat Mustafa El Desouki, Rulings on adultery, Legal Publications Office, 2nd edition, 1999, p. 31.

3- Ghania Quri, Explanation of the amended family law, a comparative study between sharia and law, Touleitila Publishing House, Algeria, 1st edition, 2011, p. 129.

that does not warrant the prescribed punishment but rather discretionary punishment¹.

Referring to the Islamic Sharia rulings on proving adultery, it is evident that strict conditions and restrictions have been placed, the significance of which lies in two aspects:

Firstly, covering up is required, as stated by the Prophet Muhammad (May peace and blessing be upon him): "Whoever commits any of these indecencies, let him cover himself with the cover of Allah, for if anyone reveals his acts to us, we will surely punish him according to the Book of Allah."

Secondly, the severity of punishment in Islamic Sharia (stoning for the married offender and flogging for the unmarried offender) necessitates strict proof to avoid killing or flogging an individual without complete certainty of committing the crime².

However, the legislative aspect has not adopted the same policy of criminalisation and punishment regarding adultery, whether concerning criminalisation, punishment, or even evidence³. In the Algerian law, Article 339 of the Penal Code stipulates that only the husband who commits adultery or his partner is punished. The aggrieved husband is granted the right to pardon the offending spouse, thereby dropping both the lawsuit and the punishment. If an unmarried man has a sexual intercourse with an unmarried woman, with her consent, they are not subject to the punishment prescribed in the article because one of the conditions for imposing the punishment under the Algerian law - derived from the French law - is that one or both of the partners must be married.

It is clear from the text of Article 339 that the Algerian legislator did not define the crime of adultery but rather elaborated on its elements with a particular perspective, considering it more a violation of personal interests than a societal concern. Unfortunately, most modern Islamic countries derive their laws from Western legal systems⁴.

In the Egyptian law, adultery committed by a husband is distinguished from that committed by a wife in four ways:

1. The crime is only considered for the husband if committed within the marital home, whereas the wife's adultery can be proven anywhere.
2. If the wife commits adultery, she can be sentenced to a maximum of two years' imprisonment, while the husband's punishment is limited to a maximum of six months.

1- Dalal Warda, The Algerian legislative stance on digital marital infidelity and its impact on marital dissolution, *Al-Bahith Journal for Academic Studies*, volume 08, issue 03, 2021, p. 505.

2- Ahmed Mahmoud Khalil, *Explanation of moral corruption crimes*, Modern University Office, 2019, p. 212.

3- Dalal Warda, *The impact of family relations on the application of criminal law*, New University Publishing House, Alexandria, 2020, p. 282.

4- Ghania Quri, *Op. cit.*, p. 130.

3. The husband has the right to pardon his wife after conviction, whereas the wife does not have the right to pardon her husband after conviction.
4. The husband is excused if he kills his wife while catching her in the act of adultery, whereas there is no such excuse for the wife in similar circumstances¹.

1.1.2 Definition of Digital Infidelity

Digital infidelity is defined as a negative social phenomenon present in various human societies, but it varies from one society to another depending on the prevailing norms and ethical standards. It arises due to some flaw in the natural relationship between spouses, caused by negative influences or external cultural factors, ultimately disrupting family dynamics through internal conflicts². It is an illicit relationship occurring by accident, out of curiosity, or intentionally between a recently married spouse and someone other than their spouse via the internet, through exchanges of messages, photos, or videos, or spending time together via the different social media platforms (such as Facebook³, WhatsApp, Viber, etc.)⁴.

Dr. Tarek El-Habib defined digital infidelity as: "a virtual term designed to keep pace with practices carried out by some under the guise of personal freedom and rights, ignoring their multifaceted dimensions until they become mere transgressions threatening the security of marital and familial relationships."⁵

Based on the foregoing, it is possible to define digital marital infidelity as: the use by either or both spouses of modern technologies to engage in activities that breach the trust of their partner in marital matters without their knowledge. Digital marital infidelity, with its various forms, is no less dangerous than other forms, as it constitutes a precursor to sexual contact involving violations of morals, family disintegration, and the breaking of the marital bond⁶.

1.2 Section Two: Motives for Digital Marital Infidelity

There are several reasons for the occurrence of marital infidelity, or what is known as digital infidelity, between spouses. These include religious morality, emptiness, the pursuit of perfection, and lack of compatibility between spouses, as explained below:

1 Ahmed Mahmoud Khalil, Op. cit., p. 281.

2- Dahabia Sayyid Ali, Omar Ziyat, Marital infidelity through social media and its impact on marital relationships, Education and Development Journal, volume - 02, issue 01, 2023, p. 65.

3- Facebook ranks first in terms of ease of committing marital infidelity, according to a study published by an American university, with 32% of users seriously considering abandoning their life partners. Additionally, a study conducted in Britain found that 33% of divorces were caused by Facebook. See Dalal Warda, The Algerian legislator's stance on digital marital infidelity and its impact on marital dissolution, Op. cit., p. 510.

4- Ghania Hajj Kula, Op. cit., p. 141.

5- Dahabia Sayyid Ali, Omar Ziyat, Op. cit, p. 65.

6- Lamia Tala, Marital infidelity through virtual spaces and its impact on the spread of the divorce phenomenon in societies, International Journal of Literary and Humanistic Studies, Volume 05, Issue 01, 2023, p. 153.

1.2.1 Religious Morality: Weak faith can be a significant factor contributing to digital infidelity. When someone has strong faith, they tend to treat their spouse with fairness and loyalty, even if the romantic feelings between them have faded. Conversely, couples who still love each other typically value and respect their relationship, which includes safeguarding their partner's trust and well-being. For those who adhere to religious beliefs, protecting the sanctity of marriage is often a core tenet¹. However, when individuals lack a firm adherence to religious teachings, they may experience psychological instability, leading them to give in to their desires and engage in morally questionable behaviour. Without the guidance of religious morality, individuals may not distinguish between right and wrong, or good and bad².

1.2.2 Pursuit of Perfection in a Partner: On television screens and internet pages, women are increasingly present on satellite channels advocating for women's rights and seeking to awaken the instincts and desires of women from non-Western societies. As a result, women now subject themselves to those who offer more, leading to the phenomenon known as "women's trade" or "white slavery".³. Unfortunately, husbands expect their wives to be like the dazzling beauty they see on their phone or computer screens. They only see the negatives in their spouses, their gaze only falling on flaws, and the same applies to wives.⁴

1.2.3 Inequality in Marriage from the Beginning: When partners have different educational levels, they may belong to different intellectual classes, leading to a sense of intellectual mismatch within the couple. This necessarily leads to marital dissatisfaction, as one of the spouses feels superior or inferior to the other, and these differences negatively affect marital life over time. The husband or both spouses may then seek companionship elsewhere, even if they do that virtually.⁵

1.2.4 Emptiness: One of the most dangerous factors contributing to this phenomenon is emptiness experienced by the spouses, and the lack of interest each of them has in the other. This situation can lead to digital adultery⁶. The Prophet, may peace and blessing be upon him, said: "There are two blessings which many people lose: health and free time."⁷

1- Rana Hikmat Abbas, The impact of social media websites on the family system (marital infidelity as a model), Lark Journal of Philosophy, Linguistics, and Social Sciences, part 02, issue 29, University of Wasit, Iraq, 2018, p. 195.

2- Ghania El-Haj Kula, Op. cit., p. 144.

3- Sayyid Ibrahim al-Dasuqi, International protection of women's rights in light of the convention on the elimination of all forms of discrimination against women, Dar al-Nahda al-Arabiya, Cairo, 2009, p. 210.

4- Noufel Ben Khalifa, Soraya Laaraba, Op. cit., p. 97.

5- Fatima al-Zahra Nassissa, Amina Ghoulam, The phenomenon of marital infidelity in the algerian society, p. 128.

6- Lamia Tala, Op. cit., p. 155.

7- Narrated by Al-Bukhari, Sahih Al-Bukhari, Softening the heart, Chapter of striving, Hadith Number: 6412, Vol. 8, p. 88.

Often, marital infidelity through digital means occurs accidentally and out of curiosity. It starts with one spouse entering general or specialised websites for entertainment but quickly turns into an addiction and a suspicious relationship. As the saying goes: "A glance, followed by a smile, a word, then a date, leading eventually to forbidden acts with dire consequences."¹

2. Part Two: Consequences of Marital Infidelity through Digital Media

Psychology and behavioural therapy expert "Warda Ben Rahla" stressed out that she wished to have the opportunity to break the chain of marital infidelity in our society, which has taken on a digital form in a virtual world. She warned of the significant increase in those who engage in this type of addiction, which resembles drug addiction, whether at home or in the workplace. She emphasised that both types of addiction have the same symptoms, including guilt, dependency, inability to control oneself, and chasing after a destructive illusion. Those affected by either of these addictions are often unaware of the harm they bring to themselves and their families, so they continue to indulge more and more until their behaviour becomes pathological and can be classified as emotional and sexual deviance that affects the relationship between spouses over time. It corrodes the mind of the addict and reflects the suffering from emptiness or from a psychological, physical, and sexual detachment from the partner². This type of adultery often leads to silent divorce (section one), followed most of the time by actual divorce and complete family disintegration (section two).

2.1 Section One: Silent Divorce as a Consequence of Marital Infidelity via Digital Media

Marital life does not progress uniformly but experiences many fluctuations. The couple may choose to continue their relationship even without affection and love. These challenges make divorce, especially silent divorce, one of the most dangerous threats to marital relationships. For this reason, we will attempt to define silent divorce first, followed by its connection to marital infidelity via digital media.

2.1.1 Definition of Silent Divorce

Al-Shaibi defined this type of divorce as a pattern of discord between spouses, representing a relationship that exists only in form. Meanwhile, Al-Obaidi defined it as a disturbance in communication, a disconnection while still connected, akin to a temporary death that may endure. It represents a significant rupture in emotions and feelings, which are the cornerstone for the success of

1- Noufel Ben Khalifa, Soraya Laaraba, Op. cit., p. 96.

2- Ilham Taleb, The Algerian law does not criminalize offenders: digital infidelity a new justification for divorce and murder, article published in Al-Nasr newspaper, article link: <https://www.annasronline.com/index.php/2015-08-17-13-22-10/2015-08-27-18-45-22/4149-2015-02-28-00-28-08>, Consulted on: February 20, 2024, at 22:26.

marital life¹. Silent divorce, also known as a relationship with an expired warranty, involves a person being bound to it but unable to exit the relationship. Usually, silent divorce starts with constant disputes and arguments between spouses, without daring to legally end the relationship out of consideration for the children². Some couples are as attached to it as they are to their children, leading some to coin the term "Internet widows." One of the most dangerous aspects for the family is one spouse's addiction to the internet³. This can lead to emotional abandonment of the partner, creating a deep rift between them and potentially serving as a precursor to committing actual infidelity⁴.

2.1.2 Its Connection to Digital Marital Infidelity

The wife's prolonged use of these websites often accompanies neglect of household responsibilities, the husband, and the children. Similarly, the husband may spend extended periods on these platforms without communicating or showing concern for his wife and children. This fact was emphasised by a professor of psychiatry at Al-Azhar University, who stated: "The infiltration of internet networks and social media platforms into homes contributes to the deterioration of marital relationships and family disintegration, as one spouse tends to engage in chat rooms."⁵ Numerous studies and reports have cautioned against the growing phenomenon of violence through social media platforms, which can take various forms—direct or indirect, public or secret—ranging from physical violence to verbal abuse in its different manifestations. A report issued by the Crown Prosecution Service in 2016 revealed that crimes committed through social media and other means have led to an increase in violence against women, threatening and humiliating them⁶.

As couples increasingly engage with social media, their relationships tend to deteriorate as they become more absorbed in the virtual realm and isolated. This leads to a deterioration of real relationships, including marital bonds, as evidenced by the findings of a study by Meriam Nariman Nomar, which showed that the use of social media affects personal face-to-face communication and interaction among users and their families, in addition to the noticeable withdrawal of individuals from social interaction⁷.

1- Noria Bouchrit, Emotional divorce: readings on causes, Manifestations, and Intervention Methods, *Al-Miyyar Journal*, volume 13, issue 01, Ibn Khaldoun University, Tiaret, 2022, p. 151.

2- Lamia Tala, *Op. cit.*, p. 159.

3- Ismail Amin Nawahida, Ma'mun Ismail Nawahida, Guidelines for the use of modern communication means, Research Paper presented at the Fourth Annual International Conference on Social Media and its Impact on Society, An-Najah National University, Palestine, Faculty of Sharia, 2014, p. 36.

4- Dahabia Sayed Ali, Omar Ziyat, *Op. cit.*, p. 68.

5- Shaha Nahy Saeed Al-Atti, Fiqh Rulings related to sharia politics in social media, PhD Thesis, Al-Albayt University, Jordan, 2016/2017, p. 151.

6- Djamal Cherif, The impact of social media use on family relationships, PhD Thesis, Amar Telidji University, Laghouat, 2020/2021, p. 281.

7- Asmaa Bakal, Abba Mahrez, The relationship between the use of social networking sites and marital life, *Journal of Education and Mental Health*, volume 08, issue 01, 2022, p. 106.

What has emerged is what is known as the "empty nest family," where direct and intimate relationships among its members are lacking, despite living under one roof¹. The spouse remains behind computer screens, mobile phones, and chat rooms, seeking a virtual world where they create a separate family away from their spouse and children with a virtual partner. Emotions become cold, aggressiveness dominates family life, and it can escalate to exchanging accusations and insults between spouses. The partner loses control of their emotional and sexual inclinations due to the internet's facilitation of access to adult content sites, gradually leading to establishing a complete extramarital relationship online². This is sometimes referred to as a sexless marriage, where the marriage continues without any intimate relationship between the spouses, and over time, it evolves into complete detachment, with feelings of estrangement dominating, as if they were strangers under one roof³.

Digital marital infidelity can destroy the family when the partner's betrayal is discovered, resulting in complete family breakdown⁴.

2.2 Section Two: divorce and Complete Family Breakdown

The effects of the internet manifest its dangers on marital relationships due to the irrational use of social media by couples, leading to negative feelings between them, inevitably leading to marital disputes that, in turn, lead to divorce and family breakdown.

2.2.1 Excessive Use of Social Media

The addiction of couples to social networking sites and their excessive use has made their negative impact increase day by day. These sites have become an important part of marital relationships. A recent study conducted by research fellows at Carnegie Mellon University and the University of Kansas in the United States concluded that the use of these sites can harm romantic relationships between spouses, to a degree that outweighs any positive aspects regarding this relationship⁵.

As the reasons for divorce vary and multiply in a society that was once known to be conservative, many legal experts believe that the factors leading to divorce are numerous. However, with the recent addition of technological advancements to traditional causes, the harmful effects and disadvantages inherited from this era have been compounded⁶. Consequently, digital infidelity

1- Fatima Debrasa, The impact of using social networking sites on youth, Scientific Journal of Technology and Disability Sciences, volume 03, issue 03, University of Biskra, pp. 63-64.

2- Lamia Tala, Op. cit., p. 160.

3- Eman Laafifi, The emergence of emotional divorce and the diminution of emotional intelligence among a sample of married couples, Journal of Research Unit in Human Resource Development, volume 09, issue 03, part two, University of Oum El Bouaghi, 2018, pp. 269 on.

4- Fatima Al-Zahra Nassissa, Amina Ghoulam, Op. cit., p. 133.

5- Yahiaoui Sid Ahmed, Malfi Abdelkader, The impact of social networking sites on marital relationships, Cultural Dialogue Journal, volume 11, issue 02, 2022, pp. 81-82.

6- Noufel Khalifa, "Soraya Laaraba, Op. cit., p. 880.

becomes the first step towards destroying marital relationships. When one of the spouses discovers their partner's virtual infidelity, divorce ensues soon after¹. The deceived spouse finds it difficult to prove it, and even if it can be proven, there is no legal provision in the Algerian law to criminalise it. Therefore, the deceived spouse finds no recourse but to seek dissolution of the marital bond, by divorce (for the husband) or khul' (divorce initiated by the wife) being easy procedures². Most Arab countries have not designated a provision regarding this type of modern betrayal resulting from the harmful and negative exploitation of technology, pointing to the difficulty of proving actual marital infidelity, let alone through digital media³.

2.2.2 Its Connection to Divorce and the Complete Breakdown of the Family

Many studies worldwide confirm the terrifying increase in divorce rates, with social networking sites becoming one of the reasons for filing divorce lawsuits in courts, mostly by newly married young people. This has led to several marital problems, igniting the flames of jealousy in emotional relationships. Usually, the dissolution of the bond begins with a breakdown in direct communication between spouses and ends with its final dissolution. The divorce rate rose to 65,000 cases in 2018, most of which were due to media platforms⁴.

On the other hand, the repercussions of divorce are attributed to women in our male-dominated society, who are held responsible for the resulting unhappiness. Separation in the case of divorce is considered a stigma due to the perception of women as the weaker sex, which adds a scent of suspicion to their actions and behaviour, especially if the reasons are moral or digital⁵.

In Algeria, MPs in parliament called on the regulatory authority at the Ministry of Post and Telecommunications in late 2015 to block adult websites. The former Minister of Communications, Houda Feraoun, stated in a press conference that: regulating internet ethics is necessary, and there is no disagreement on that. However, what hinders the process is opposition to those regulatory measures for the sake of freedom of expression in the country. Algerians might have been fortunate not to be mentioned on the "Ashley Madison" website, specialized in facilitating extramarital relationships, because

1- Dahabiya Said Ali, Omar Ziyat, Op. cit., p. 69.

2- Warda Dalal, The Algerian legislative stance on electronic marital infidelity and its impact on dissolution of marriage, Op. cit., p. 510.

3- Noufel Ben Khalifa, Soaraya Laaraba, Op. cit., p. 100.

4- Minister of Solidarity, Family, and Women's Issues, "Ghania Dalia," in response to a verbal question posed to her in the National People's Assembly on December 27, 2018, stated: "Algeria ranks tenth in the Arab world and 78th internationally in divorce cases, adding that these rates are even present among adults and the elderly, all due to the spread of various social networking sites and the development of communication technology that has affected the cohesion of Algerian families," see Djamal Cherif, Op. cit., pp. 310-311.

5- Muhanad Yaqoub Mohammad Abu Rumi, The impact of modern communication means on social and family relations in our palestinian society, Fourth Annual International Scientific Conference, An-Najah National University, Palestine, 2014, p. 336.

hackers managed to breach the mentioned website, and leaked information containing the names of members seeking pleasure outside of marriage, both men and women. The leaked information revealed that most of those seeking for marital betrayals are from the Arab world, with no Algerian names included¹.

The two main reasons for divorce, agreed upon by all religions, are adultery and infertility². Evidence suggests that digital marital infidelity is no less dangerous than physical betrayal, potentially resulting not only in the breakdown of the marital relationship but also in extreme consequences, including murder. From this standpoint, Algerian legislators consider catching one spouse in the act a legal excuse mitigating the gravity of committing a crime such as murder, assault, or battery against the partner. This is in consideration of the psychological state of the offended spouse, influenced by their partner upon being caught in adultery, leading them to commit the crime as a form of revenge for their honor without consideration for the consequences³.

Conclusion

The phenomenon of digital marital infidelity is a cross-border issue, and one of the main reasons contributing to the escalation of this problem is the frightening technological advancement and its ease of use, which has blurred the geographical boundaries between countries, turning the world into a small village. There is little disagreement that this has brought new threats that directly impact families, opening a backdoor for this moral crime. Upon studying the subject, the following conclusions have been drawn:

- 1- Religious morality plays a pivotal role in shaping one's character, acting as a safeguard against indulging in whims and moral deviations. Straying from the teachings of Islam can lead to psychological vulnerability and exacerbate marital infidelity, reflecting a lax adherence to moral principles. Such deviations often stem from the misuse of technology and its adverse effects on married life.
- 2- Digital marital infidelity leads to the disintegration of the family and negatively affects children, as well as the erosion of trust and respect in the event of the continuation of the marital bond.
- 3- The absence of criminalisation of digital marital infidelity in the Algerian law, coupled with the difficulty of proving the harm suffered by the aggrieved spouse, leads them to seek the dissolution of the marital bond.
- 4- The Islamic law has an effective criminal policy to protect families in general, and the honor and dignity of the husband in particular, more than the Algerian penal law.

1- Warda Dalal, The Algerian legislature's stance on electronic marital infidelity and its impact on marital dissolution, *Op. cit.*, p. 512.

2- Fatima Zahra Nacssissa, Amina Ghoulm, *Op. cit.*, p. 133.

3- Warda Delal, The impact of family relations on the application of criminal law, *Op. cit.*, p. 164.

5- The Internet gives easy access to an infinite world of suggestive adult content, making it one of the means of undermining values and destroying families, ultimately leading to their disintegration.

6 - The ease of access to technology within families, and its affordability, has made the rhythm of marital life slow and obsolete.

Recommendations

1- Coordination between spouses on the necessity of avoiding frequent and continuous absence from the marital home.

2- Prevention is better than cure, so efforts should be made to avoid actions that could lead to problems for the spouses. Although this space is available for friendships and communication, some conversations should not exceed what is morally acceptable, threatening human dignity and violating the privacy of marital life.

3- Preserving one's mental well-being by not excessively using modern means of communication, avoiding wasting time on them, and not neglecting the duties imposed by Allah towards oneself, Allah, and the family.

4- Urging official authorities to enact laws against violators of internet rules and regulations, and to establish laws to combat the misuse and harmful use of this network, especially regarding digital marital infidelity.

5- Combatting digital threats and cybercrimes that affect individuals and threaten family security.

The rapid development in the scientific and technological field has both positive and negative aspects. It is a double-edged sword, which can be used either positively or negatively, depending on how people use these fast-moving communication tools. From a religious perspective, Islam encourages progress that can enhance development and simplify tasks.

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4- Dalal Warda, The Algerian Legislative Stance on Digital Marital Infidelity and Its Impact on Marital Dissolution, Al-Bahith Journal for Academic Studies, Volume 08, Issue 03, 2021.

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6- Fatima Zahra Nacisse, Amina Ghoulm, The Phenomenon of Marital Infidelity in the Algerian Society, University of Khemis Miliana.

7- Ghania El-Haj Kula, Digital Marital Infidelity: Causes and Manifestations, Studies in Deviant Psychology Journal, Volume 08, Issue 01, 2023, p. 151.

8- Iman Lafifi, The Emergence of Emotional Divorce and the Decline of Emotional Intelligence among a Sample of Married Couples, Journal of the Research Unit in Human Resource Development, Volume 09, Issue 03, Part Two, 2018.

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