

Review of legal jurisprudence and the legal system in the phenomenon of white married in Iran

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ARTICLE INFO

Article history:

Received 11 Jul 2015

Received in revised form 14 Aug 2015

Accepted 01 Sep 2015

Keywords:

White Marriage,

Temporary Marriage,

Mutati Marriage,

Divorce law

ABSTRACT

Objective: Nowadays in the country, another type of marriage is emerging not only in accordance with Islamic law and custom, but also not willing to accept it. This type of communal life among the youth of the country to marry white interpreted and these days we have seen an increase in the society. **Methodology:** In the meantime, God in the Book of Revelation says, married to one of the signs of divine perfection and greatness and power, and: It is a sign of divine power for you from among yourselves, created to pair him find peace and mankind together define and said, Verily in this is established between you kindness for people with wisdom, knowledge and wisdom is evident right. Researches showed that sex before marriage is increasing in Iran. One of the new species of pre-marital relationships between male and female relationships in major cities such as Tehran-based white marriages increased. **Results:** This model, the two partners living together without marriage refers to each other and in this kind of marriage between two persons is established allograft for an indefinite time without social and legal legitimacy. White married almost does not conform with Muatati marriage in religion and marriage, the permission of parents, divorce legal and some are not respected and above all, in any contract, constitutes an essential element of its intention to people, but in white marriage in many cases, the parties intend not to comply and if want to have parity, due to non-compliance with the rules of marriage and divorce law, common life like the lives of many people in the West, only an association and not under religious parity. **Conclusion:** In fact, this marriage is marriage between men and women, without willing concubine temporary or permanent contract is a matter of religious ceremony and secular parties, with the consent and agreement of, their lives begin in the same place, but where are not legally married, they are not legal and will not be registered. On the one hand, they don't have the duty and commitment to each other, and whenever one of the parties wants out of this life and separation, and divorce them without legal marriage ends.

1. Introduction

The cohabiting without marriage or white marriage is phenomenon that boys and girls live together as roommates, without formal link between marriage and the couple's relationship (Robbennolt and Johnson, 1999).

Such a phenomenon widespread in society experts warning tone due to widespread threats of legal, social and psychological long has it. In the West, due to lifestyle changes, along with increased economic pressures, in general, tends to be formal legal marriage and relationships decreased mainly based on the satisfaction of the instincts and test species is formed. Lack of responsibility, is a key factor for this kind of life, because in such relationships do not take responsibility for their own performance (Haeri, 2014).

Such factors can have a dramatic effect on the continuation of married life (Harianto, 2014). However, now the perfect marriage is space and the desire to marry due to problems such as economic issues. Although the white marriages process both sides are difficult injuries, but the injuries inflicted on women

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DOI: <https://doi.org/10.24200/jsshr.vol3iss03pp45-52>

than men. Women also, because of their physical structure and sensitivity to the emotions they cannot easily get out of these types of relationships and suffer more than men (Brundage, 2009).

Women in such relationships don't have the opportunity to be a mother, wife and opportunity are their chances of living healthy. Some women may be due to this relationship and form of rebellion against the patriarchal traditional marriage brought into question, but again we see that the desired result of carrying out patriarchy and violence against women in the form of different life forms. Violence in the form of life has its own style and if not physical, verbal and psychological (Behjati-Ardakani et al., 2015).

In official marriage, however, the women take legal support, but this support does not exist in this type of marriage, so that they can go to court to demand their rights. In such a relationship, even if children exist, usually unwanted, and a desire to preserve it have not been defined and man can disturb the desired relationship and not take any losses. Lack of psychological security is the important characteristics of white marriage.

White marriage is seen as a lack of psychological security for both parties and especially for girls and women and since the creation of the structure and character of women is very emotional, subtle nuance and complexity, according to their specific design, such relationships, destructive and disastrous effect on the psyche of a footprint. Possible disruption white marriage is much higher than official marriage. These couple did not pledge financial support for his wife (Higgins, 1985).

These couple officially married couples who have more free time to spend a single entertainment and keep social life separate. Although most of these people expect that their sex lives with loyalty but sexual infidelity in these relationships is seen much more than the law couples.

A significant number of legally married couples definite plans and decisions, and behavior in society just like normal couples. Many of them have no decision for marriage and committed relationships of commitments on trade integration. In fact, it is better to couples about to get white married in with much more precision to think, because the law does not include any limitations or formal responsibility (Mason, 2002).

On the other hand, such communication possible for children and pregnant there was no predictions and this matter on the children and illegitimate children, no birth certificate and no future, as well as statistics on illegal abortions and mortality it adds. In general, married white men and destroy microbes that cause pollution mind the personality and dignity of women (Momeni, 1972).

Marriage in the eyes of any nation, according to and in accordance with the beliefs and culture and their traditions, customs and special way to implement it, men and women in various aspects, including in the field of instinct and sexual behavior towards society and their commitment to rights and responsibilities and limitations and are based on the couple. Some legal experts believe that this kind of life, including those of legal retribution has not only time, but also a form of abuse of women and girls in custom defined (Mehryar et al., 2007).

1.1 White married or cohabiting history

In the recent decades, the "family" in the world's major developments; the changes that have its roots in the "sexual revolution" of the late 1960s in Europe and the US sought. Revolution led to change in sexual discourse and a fundamental change in attitudes, behavior, and sexual behavior in many Western countries. One of the most important results of the sexual revolution in the West, spreading sexual relations before marriage in this country has gradually spread to other parts of the world (Springer et al., 2009).

These revolutions, the demythologization of sex, it will become commonplace to easily in the "maiden" is achievable. In this period, satisfying "sexual needs" of relying on the marriage, but the development of sexual relations before marriage later provided the basis for determining the changes in the meantime, not only to gradually increase the age of marriage social grounds necessary for the formation of patterns such as white marriage. Social changes during this period became more radical aspects (Blake, 2011).

At the beginning of the sexual revolution, however, gradually increased the age of marriage in Europe and the United States, however, many people still married, but with a slight delay, but this was not all the way and the sexual revolution, the marriage patterns of white, more hard hit, this time not only the myth of sex, but marriage brought. The emergence of patterns of relationship with the opposite sex that the level of premarital sexual relations is not only an emotional level, but also to improve cohabitation between them, a pattern of relationships which will be added every day on behalf of the owners.

In the meantime, apart from the economic issues, changes in the value of these relations have played a role. One of the causes of marriage white, Western countries has been undermining the philosophical foundations of marriage. Nowadays, the youth of this country, the concept of "commitment to living with each other" and "commitment to marriage" will have little difference. While in the 1960s, in all countries, very rare white marriage was scarce.

Nowadays, white marriage is weakening and strengthening marriage. For example, shows measures to reduce the high rate of marriage in Canada in recent decades. In this country, the rate of marriage for women to 50 years, over 95 per cent in 1965 to less than 60% reached in 2003. In contrast, the white marriage in Canada, a growth of 300 per cent and from 15 per cent in the late 1960s to nearly 50 percent in 2000 reached. In marriage Pacific white continent is increasing, so that in Australia from 16 percent in 1975 to 70 percent in 2007.

Expansion white marriages in Europe, which began in the mid-1960s, in first stage in the north of the continent and in Sweden took place after the country was accepted that, in the second stage, was further expanded and in the 1970s the countries of Central Europe, such as France, Austria, Switzerland, Germany, Netherlands, and England. Then, in the third stage of his historical life, in the early 1980s in Southern Europe and countries such as Italy, Portugal, Spain and Greece were transferred (Shahidian, 2002).

Thus, white marriage various territories in Europe, rolls, gradually, the deviant and abnormal behavior as normal and mundane behavioral change that meaning. In the meantime, the historical trend and the gradual dissemination of a white wedding in Europe, the effects of different levels in these countries are associated with; for example, white wedding in northern and central Europe because of its historical precedence, much more common in southern Europe. These relationships in central and southern Europe have fluctuated from 80% in France to 10% in Italy.

From Japan reported that a white wedding in the country has increased in recent years. Most of these relationships are short-term and a prelude to marriage. According to a research organization affiliated with the Japanese government over a period of 20 years, white married the extent of 3% in 1987 to 8% in 2005 has increased, but the results of studies by other researchers have shown that the white marriage in Japan has been more than previous estimates.

And in a study of women 20 to 34 years in Japan, concluded that nearly 20 percent of respondents are now white marriage relationship. In the Philippines also observed a similar trend of increasing white marriage. According to Williams and his colleagues more than 2 million couples married in the Philippines are white relations.

Major factor in the formation of white marriage in this country, poverty and economic problems have been married. The results of other studies in countries such as Thailand, Singapore, India, and some other countries in Asia also shows that although the marriage rate in these countries is much lower than white European and American countries, nevertheless, a growing trend in recent years.

The results of the above studies indicate that the sexual revolution and its dissemination to different parts of the world, beginning with changing attitudes to sexual relationships before marriage, it's a little spread among youth in the next stage, by increasing the diversity of these relationships, the grounds of the White marriage in several countries has provided. However, while the study results in Iran show that premarital sex is rising.

According to studies in other countries, forming patterns of sexual relations before marriage introduction to the emergence of white marriage patterns in those countries and gradually and the creation of necessary conditions for acceptance has provided. In other words, the spread of sexual relations before marriage in society, sooner or later, we should expect the emergence of patterns in white was married. Although recent research results show that premarital sex has increased in recent years, gradually branches of white marriage in Iran, has been formed (Lichter et al., 1991).

But in the meantime, the study of how the emergence and continuation of these relations, and sensitive topics generally neglected in the policy and academic studies in Iran, Iranian sociologist and severe cognitive deficiency on this sensitive issue and understanding its various aspects; subject to various influences in the family and social problems associated with it, as well as reveals the necessity of the study.

1.2 The concept of white marriage

White married the combination of the word "marriage" and "white" that degradation was beautiful and for someone who does not know the composition, attractive and a simple marriage, intimate and beautiful in mind and ignorant audience by reading headlines about it is inconsistent. But in fact, the words and meaning of cohabitation indicates that no commitment and strength in it and their sides and abuse is high.

The origin of making words "white marriage" is a disproportionate with respect relieved of his community and religious culture in Iran that for warding off attempts Islamic population lifestyle and not social and legal legitimacy. Boys and girls living under one roof without marriage may meet the emotional needs and psychological or sexual purposes, but it cannot be called marriage.

Some believe life as cohabitation is long-term marriage and there is no need to worry about it. This view is not tenable, because marriage is a contract and requires the will and the intention to realize it.

What is missing from the common life of men and women with sexual relations outside of marriage is called, in Oxford Dictionary "cohabitation", the "association" is, even the West, this relationship does not marry and "cohabitation" is defined.

And the term "White wedding" to marriage in the church where the bride wears a white dress called. Customer white marriage and the age difference at marriage of new trends in the field of marriage in event of taking it by some young people and at the same time start a new life is common.

Some Iranian youth escape from marriage and the legal obligations arising from the marriage contract with each other on the basis of a common treaty, emotional life and name this way have a white wedding, this means that document was exchanged in this respect and identity in marriage and divorce remain white. If marriage is a marriage contract and unregistered White is an unwritten contract.

In some countries there are different types of life and common men and women, married and not recorded in official authorities and disregard for the religious traditions of marriage, is not a new phenomenon. White married one of these together in Iran as a common name for all kinds of informal marriage and illegitimate use. But about difference between these types of marriage is the marriage of these two differences can be seen as two sides of a coin; the first difference is that it is a legal permanent marriage, obviously.

2. Materials and methods

2.1 White marriage from the perspective of Jurisprudence and law

2.1.1 Muatati marriage white marriage from the perspective of Jurisprudence

Marriage without the legal term "Muatati marriage" has been called, the jurists, the validity of the marriage is questionable and cannot be described justification for it. Muatati marriage is marriage to a family, the right to enjoy and marital relationship between man and woman, but made no verbal offer and acceptance. So, the marriage legal and White concept based on the true marriage is Muatati.

Imam Khomeini, the definition Muatati marriage says: If men and women together to talk and wanted to go home married man and woman, for instance, with the dowry, provide parity parity men and women accept with compliance woman in her home, then the marriage is done Muatati.

Some Muatati marriage suggests that the definition of "marriage Muatati marriage means that only with mutual agreement and compromise is limited and does not create and is verbally accepted. Hence marriage, to the satisfaction of male and female heart is not sufficient. Marriage is desirable and if one fears that the fall left unlawful marriage, marriage is obligatory upon him.

Through marriage, man and woman are both solvent and it is twofold; marriage, which is always a woman who comes to this conclusion in "permanent". Temporary marriage contract for a limited period of marital tie, whether it is short or long, the "marriage" and "formula" is also called. If a woman without marriage with a man communicate, to support, for example, and not entitled to be paid and the legal opinion this practice is prohibited. One of the terms of the legal and formal marriage is considered legal consent is against the people, but is a sexual beast satisfaction, especially in the white wedding is enough?

Legal arguments in this regard in this case is that only through legal marriage with the conditions mentioned in the paper, any illegitimate intercourse between unmarried men and women is not permitted and prohibited. In marriage, whether permanent or temporary, and the satisfaction of both parties recited is not enough. The parties or their lawyers can read the formula of marriage.

If a woman and a man without recited together with the religious marriage is void and white marriage is an example of this type of relationship, I.e., if the parties are aware of this, which can only through marriage (temporary or permanent) have sexual relationship to each other, but together with them from the arbitrary rule of adultery.

In Islam, even looking at a non-intimate woman's body, or the lust or without it, is forbidden. If you do not know either because of lack of awareness of legal issues, it seems unlikely that such an issue would not know, they must repent and ask forgiveness.

While this interpretation is incorrect and words owner of the jewelry is not anything to do with it. Muatati marriage means marriage "marriage or marriage contract in any language is correct and if there's no specific word that" Ankaht "or" marriage "is, if the flow is between men and women do, what to write or say or hint, or any other clearly indicates that marriage is sufficient, ...

If the shoes on the shoe rack or sweet compliments to each other or each point and other operations in their practices because of marriage is sufficient and whether the formula in Arabic and other languages are not necessary. Major is that there is no known cases of cronyism and adultery, but the purpose of marriage and the formation of a new life, whether permanent or temporary. "

Been told is determined by evaluating the cases of marriage and white no guarantee of permanent marriage is not good and a form of friendly relations between male and female is equal to adultery in the law is that the legal judgment. This theory to prove their claims of some Quranic verses and traditions will be evaluated.

2.1.1.1 Health advocates evidence marriage Muatati

One of the most important reasons is the lack of evidence of marriage Muatati this may imply the need to fulfill that covenant. In Holy Quran says: (O ye who believe to fulfill contracts.) (Maedeh 1)

In another verse reads: (to promise you that you will be held accountable for their promises) (Isra, 34) How argument to the above verse is that God Almighty has decreed the need to adhere to the contract and covenant. Term contracts, contract and local collectors and Lam is a general term and includes any agreement, which is why this contract as it is true; Verses, complete and forms necessary to fulfill the contract and covenant compliance does not appear on Muatati marriage. But completely is anti-white marriage, unless the reason for the exception marriage and expel it from the public and referred to the need to fulfill the contract be revelations. Muatati marriage to authenticate, to some traditions may also be argued:

1. Noah Ben Shoaib narrated in this hadith narrated by Imam Sadeh phase that the Prophet said: A woman came to the second Caliph and said: I've committed adultery, me (the punishment) cleanse. Khalifa ordered the stoning. Imam Ali was and Imam's wife asked how data adultery?

He said in response: (they passed a desert, thirsty hard I got a man desert request. He refused to give water to me unless I surrendered to him. So, thirst brought me down and I was afraid of his life, gave me water and asked me for my obedience him. Imam Ali said: The God of the Kaaba is this coupling.).

There are drawbacks to this argument:

A) Narrative of the document is weak;

Because in document name "Ali Bin Hassan 'and' Abd al-Rahman ibn Kathir," can be seen, which is considered weak and charges are levied tradition. So this narrative is not reliable.

B) The Chairman and the following narrative inconsistency;

Therefore white marriage name that the marriage is over, and among them, and become, it seems a bit odd; because mentioned in the narrative text is a phrase that has not seen the marriage. If evidence of a marriage between the two men exchanged words, in this case, the contract is located, marriage, and the marriage will not be allowed to formula. White marriage are two ways to recognize each other verbally, but not to legal marriage together, but also to the formal contract that is not the norm Sbvl and not of law.

2.1.1.2 Theory marriage opponents Muatati

On the other hand Muatati marriage nullity theory long great reputation. Almost all jurist's way against the marriage, they have emphasized the need for verbal of offer and acceptance. For example, Imam Khomeini, in this regard stated:

(Permanent and temporary marriage is of two types, each of which requires a contract that consists of offer and acceptance is literal.)

He then emphasized the principle that single heart consent of the parties is not enough. Muatati that most of the transactions are, in marriage is not sufficient. (This case is also true of married white that is, the parties consent to the marriage, but it is not the intended marriage to be legal and religious marriage applies to this marriage) Similar expressions that can be seen in many legal sources.

A group of scholars terms of offer and acceptance, and has protested to discuss the offer and acceptance of the necessity of not verbal. In their view it is self-evident.

Some of scholars about the necessity of verbal offer and acceptance of marriage have gone so far without the formula of the Saffah marriage (fornication) has been called, like Sheikh Ansari, who wrote:

(Verily, relief with permissible and not permissible Matat and marriage and Saffah difference in the formula, since in Saffah is also often compromise.)

This is of great jurists like Sheikh Ansari seems a bit odd. Because there are many differences between Saffah Muatati marriage and mutual consent (marriage white). In Muatati marriage, in marriage is compromise and this compromise with the heart in a way; while in Saffah, marriage is compromise on both sides is intended marriage. In this case, how can the two be compared with each other.

Deceased Khoei in word critique of Sheikh Ansari stated: Saffah difference between marriage and not in words, because sometimes refers to the relationship between opposite sexes is Saffah and sometimes without words, their relationship is marriage. In terms of them, the difference between the

credit and the marriage of the wife's weight, and even credit the woman died. Also, sheikh spoke only in specific action is true and the other calls adultery does not apply.

2.1.2 white temporary marriage and marriage Iranian legal system

Marriage contract or the marriage of Iranian civil law requires that this definition does not drive the definition is not clear, but perhaps the diversity of the consequences of marriage and the disappearance of the pillars and the main elements in this is due to the addition. The word Marriage contract means is attached to and joining in legal terms it is defined as follows: "Marriage contract is a contract under which men and women living with a partner and united together, form a family."

Based on this definition of this problem may be that this definition is not exhaustive since it does not include temporary Marriage contract, but it can be said in response that temporary marriage is considered as a family, this type of Marriage contract in terms of strengthening cooperation and collaboration blackwater family like marriage marry more than temporary Marriage contract.

2.1.2.1 Definition and principles of temporary marriage and its consequences

According to Article 1075 of the law, when the Marriage contract is interrupted for a limited period of time and in a detailed definition of temporary marriage, it can be stated: "Marriage and temporary marriage is a man and a woman whose marriage has no legal hindrance to him, for period certain specified dowry to marry and upon completion of a specified period, men and women are separate from each other without the need to have a divorce."

Given that of the peculiarities of family law, the temporary marriage in Iran and the Islamic and non-Islamic long established there, this law of religious views Jafari (which is our national religion.) Including brilliant Islamic law to prevent the illicit relations and preserve protect society from prostitution is forging. Therefore, in our traditions that did not prevent if from the life of temporary marriage, as marriage was a common practice, formal, but little did not commit adultery, do not commit adultery or alternative person.

Disruption or temporary marriage contract marriage contract is not permanent and will be for a limited period. This Marriage contract is the subject of Article 1075 of the Civil Code can only be for a few days, months or years is determined. So, the speech, for example, if temporary contracts of 99 years or more or less determined, secret contracts and the nature of the temporary and permanent marriage did not work out for it not to. Temporary and permanent marriage contract are the same directions and, in some ways, distinct from one another. Order to clarify the differences between permanent and temporary contracts mentioned:

1. Difference between permanent and temporary contracts in terms of the duration of the contract:
2. Difference in terms appointed:
3. Difference in terms of maintenance:
4. Difference in terms Part couples:
5. Differences in terms of dissolution of marriage:

2.2 Comparison of temporary marriage with white marriage

Comparison of temporary marriage without love and marriage nullity white, this indicates that the concept of temporary marriage is against the express decision, of course temporary marriage, in other issues of permanent Marriage contract is different from civil law is not mentioned here, but it can be deduced from the following articles. A few more notable:

1. To express the offer and acceptance in marriage can be cut off three words, Marriage contract, coupling and marriage as well as mention time and dowry completely and accurately used and dowry can also be external or interest or right of financial rights, but, however, should by attorney or weight or number or view or a detailed description of any ambiguity is empty white is married with no such conditions. It is also clear, not precise dowry and...
2. Temporary marriage contract as soon as a permanent Marriage contract, the wife is the owner of the dowry and should be Couple if the claim for payment of his wife, that marriage is not white like this.
3. If you close without it, the term specified in the contract expired, during this period the woman is not no action to prevent the enjoyment of the couple and the couple is to pay all dowry.
4. Whenever the contract, for example, was given one month or two years, but the beginning of the period is not specified, then the beginning of the term of the contract will be considered the same time. Whether the parties have agreed temporary marriage could drive a certain time, but with a certain distance after the date of their marriage, for example, the contract signed in mid-May and the first-time next month to determine whether or not it? Says, some right and some to the invalidity of such a contract are speaking. But there is no logical reason to invalidate it, although for precaution, is to leave it that none of the cases mentioned in the white marriage are not considered, so it cannot be regarded as a temporary marriage.
5. To extend the temporary marriage or turn it into a permanent Marriage contract should end after the current contract for the formula again and whenever before the end of its long-term reduced or are determined, the remaining amount of time to forgive and re-marriage couple should be married, but expiry some do not, but do not attempt to change or revise the remaining term without parole. It should be noted that if a person other than the husband wants to marry the lady, should also spent some time there, but these conditions do not exist in pairs.
6. Temporary marriage couples can contract any condition with regard to the enjoyment of quality and quantity and the time and place agreed that this option in white marriage is meaningless.

3. Discussion and results

3.1 Alimony and its role in marriage, temporary marriage white

In a permanent Marriage contract, man is bound to alimony, i.e., housing, clothing, food and furniture provide a bit woman, but in woman the right to alimony unless the condition is temporary contract or the contract is based on the current.

Therefore, if the charity is Mnqth condition of the contract, he will be required to comply with that condition and if he refuses to pay alimony to be said that a woman has the right to go to court and ask the court to force him to do condition. Now we have to see whether in the event of failure to pay alimony from her husband, she can go to court and his absolute inability to compromise their education?

It seems that since temporary marriage and temporary marriage is a certain time after the expiration of the term, is a free woman, therefore need for certification is no possibility of compromise.

because non-payment of alimony in this case, in fact the failure to fulfill the condition that the marriage occurred or that the current contract is not obligatory that such Marriage contract is a permanent condition, therefore court can only man to do such a condition requires the commitment and the divorce from his second he is out, just as the leaving spend in temporary marriage the wife will be entitled to a criminal complaint.

As we will explore what works of charity leaving, order of the permission set forth in Article 642 of the Penal Code wife alimony is not permanent, not temporary and temporary marriage and if the wife cannot be provided by the authorities to pursue criminal couple, but also to justify recourse to the courts of law will be just right.

White marriage must say that the only time that will determine together under a temporary marriage is a branch, but any alimony and dowry is not among them, in any legal and not legal, because the basis of this marriage commitment to address the circumstances of the marriage is official.

3.2 Status of temporary marriage registration offices and official documents of its similarity to white married

One of the important issues that arise in respect of temporary marriage and temporary marriage, or in other words, whether such marriages as well as marriage should be registered in the register of official documents or without registration will be legal and religious legitimacy.

Before we answer the question of temporary marriage, we must first goal, because, as was stated, one of the objectives of temporary marriage and prostitution prevention strategy for youth sexual desire is satisfied and Given that our country is one of the countries with large young population, so this marriage is in charge of youth issues. Because, if we can implement this kind of marriage, crimes of sexual problems arise naturally will be cut. Therefore, should make it easier to provide the means for such marriage.

So can the common folk and concluded that this marriage may not need to register. because, given that those aspects of customary marriage has not, unfortunately, in our society and our society as it is something worthless and abnormal exist, therefore, strict arrangements put it, because if such marriage is no longer required to register such marriages are not willing to do. the registration of such marriages will have dark future.

Secondly, it cannot easily be terminated, it must be held to be easier. Of course, there is no law in this regard candor, but in Article 645 of the Penal Code and also in Article 1 of the Law of Marriage Act of 23.5.1310 states that in order to maintain the integrity of recorded family event permanent marriage, divorce and reference is mandatory under the provisions of an article and registration of temporary marriages among not, Moreover, in Article 1062 of the Civil Code states: "Marriage contract is done to offer and acceptance to name that clearly indicates the intention of marriage." I.e. formula of marriage should be expressed in terms of legal and verbal offer and accepted, except in the case of incapacity of pronouncement, however, is not meant strictness in marriage.

Term and other conditions, such as dowry, alimony, etc. all show the grandeur and importance of this treaty is sacred contract that should not be contaminated that in white marriage is no contract between legal and legitimate if it is not.

3.3 Evaluation white marriage and temporary marriage legally

In fact that the cohabitation is not married, no doubt and in assumption that both sides satisfaction with their real intention to contract with the current formula of permanent marriage contract in the event of non-registration in Notary public offices, not legal and according to the Penal Code for couples, discretionary penalty to one year imprisonment is prescribed and in article 21 of the Family Support Act of 1391 registration of temporary Marriage contract, if a pregnant woman or written agreement between the parties at the conclusion of temporary Marriage contract is necessary for stipulation.

Therefore, if people only if you agree to subscribe to choose this kind of life, such an arrangement contrary to public order, morality and illegitimate that of act as illegal and unlawful act in accordance with Article 637 of the Penal Code can be prosecuted and punished and children from the illicit defined the social rights Including education and citizenship will be denied and not inherited from her biological parents and his wife will be entitled to alimony and cannot be expected for any abnormalities law, a legal suits cover and in this regard, there is a legal vacuum. In terms of marriage law marriage is predicted.

Of the problem of ambiguous and vague from the beginning of Islam until now can be traced to the institution of temporary marriage. After the revolution, particularly the door before, due to the high rate of young population and the problems of marriage and other factors, temporary marriage has become one of the issues the community.

Seen above, Article 1075 of the Civil Code that in temporary marriage is recognized in Iranian law. Customer principles of temporary marriage (temporary marriage) include health conditions, permanent Marriage contract plus a specified term and is appointed to determine specific for women. Temporary marriage obstacles, the same obstacles are permanent Marriage contract.

in a permanent Marriage contract, lack of dowry or not to include dowry is permitted, but temporary marriage, nullity of marriage will cause no dowry. The law is clear on the dowry of women in temporary marriage has emphasized and in accordance with Articles 1095 and 1098 of the Civil Code of the woman in temporary marriage dowry arrangements that were to be submitted to him. Women's contract after the current owner of the dowry, and events such as the death of a woman in marriage, lack of proximity to the expiry of the contract and give his wife time to overthrow the contract on behalf of the husband does not dowry.

If you do not close during the marriage, the husband is obliged to pay half of dowry. But if they refuse to pay the wife of the dowry, he requested the court to require the existence of temporary marriage will be provided. In cases where your spouse or by non-Party temporary office will have current and valid written evidence that the wife is not, this is difficult to prove. According to the law, including temporary and permanent virgin girl let her father or grandfather is required.

In case of unjustified refusal to allow Father, in the absence of the father and the impossibility of permission, girls can introduce the man, and Marriage contract status of the Special Civil Court requesting permission to marry. (Articles 1043 and 1044) Age Marriage contract for girls as well as permanent marriage is 13 years.

At the moment, many clerics and Party offices, to excuse fatwas some grand ayatollahs, the formula of temporary marriage, adult daughter without the father's consent will also apply. But in the White marriage did not need the consent of the father.

Article 1113 of the Civil Code stipulates, "In a temporary marriage for women is now." But even if the provision of maintenance, leaving charity Weight husband is not a criminal act can only be legally married to the child requests the Court under Article 940 of the Civil Code "Couples that their marriage has been permanently banned from inheritance not inherit from each other." Therefore, the matter is that temporary marriage, couples do not inherit from each other that in white marriage no one else does not share.

However, if we look at this relationship of the Islamic perspective, we can look at the characteristics of religious marriage if they are in this kind of relationship that the following are some of them:

1. Openness: One of the Islamic marriage, the public is that Based on this features very is emphasized in the traditions including the Prophet said: hold Weddings ceremony publicly, however, one of the main characteristics of the marriage relationship that some people mistakenly say the secret is to white away from the notice of others and live together without formal registration.
2. Switch of all obligations and rights: The marriage is the legal marriage by reading that this sermon as an agreement between the couple in which all criteria relationship is expressed. Including the rights and duties of each of the two sides is how the problem should be resolved or that various conditions and ... However, that seems to escape these conditions formed white marriage.
3. away from the problems of marriage is to create a building that will help to eradicate many of the problems and behavior before marriage is called adultery, because of the adverse functions is prohibited. Like that repeatedly stated that adultery is lost and the genealogy of his father's son cannot understand or...

If the experience of other countries in relation to the so-called white marriage look, it becomes clear that this relationship created a serious impact in children is unknown. For example, in Morocco, according to studies, many young girls who fear the passage of time and opportunities for education, marriage, false promises of marriage registration at the right time to eat, and resort to secret marriage, later his son faced with the dilemma of proof of identity and the many complaints about the courts.

Therefore is clear that cohabitation without a formal marriage, in terms of religion is not anything different from adultery and it was not possible to attribute of marriage and Given that lie close to the huge debt of sin than adultery, it is strongly recommended that those who are willing to sin, never attempt to justify it and try to smooth the path of this sin withdraw, to not share the guilt of others.

Of course, much is spoken on this subject can be studied from different aspects to it. If like that children of this relationships existed at the time of birth, the child is registered in school and what issues will be pursued, or a woman who could easily be left, how are placed in the events.

3.4 Consequences of marriage white

Their children from such a marriage will suffer the most damage, because the marriage is not registered, and their fate is unknown after birth. Illegal abortions, unwanted pregnancies are other consequences of white marriage.

Such a relationship is a decrease in fertility. In addition, it will change people's lives and vacuum level for the girl's mental consequences and may even reduce the chances of being mother and even led to injuries such as drug use, despite the fact that men suffer less if you leave this relationship.

In such marriages where one of the parties may at any time be reluctant to continue this relationship and this is causing considerable trauma to the opposite side, especially women, because they are by nature like the personal emotional investment in that this person of sufficient value. This is a crime marriage legally.

In terms of religion is a sin and a person always with a kind of fear of the consequences of such a relationship is struggling. Meanwhile, if these relationships are registered, there is the possibility of proof of the child to the father. Also, relationship of "cohabitation" in Iran is not acceptable, this relationship not be accepted by the family and social institutions. It can cause a lot of damage.

Though this may equally satisfying emotional and sexual and economic destiny to be followed, but as soon as they unfold, people would oppose it and social support of spouses is removed. Because of this link in terms of legal no place.

4. Conclusion

White marriage is something illicit and illegal increase in Iranian society has been plagued in recent years that somehow escape religious marriage and family formation to shirk responsibility.

in this criminal phenomenon, gender parity and no flow without bond contract, permanent or temporary marriage and marriage without official registration, start in life and marriage that is completely illegitimate and illegal. This phenomenon is typically modeled from Western countries that finally extremes have been blind and white marriages in those countries, the differences are fundamental.

Some women and men committed this criminal phenomenon, with the current claim a concubine oral contract, permanent or temporary, are intended to cover up the crime, but should know that in terms of law of the country, registered a permanent contract at the offices of marriage and divorce registration office and registration system and documentation is required. In this regard, Article 20 of the Family Protection Law of 2013 in this regard include: "Registration of permanent marriage, annulment and dissolution of divorce, nullity of marriage or divorce, go and proclaim required.

As well as Article 21 of the same law says: "The legal system of the Islamic Republic of Iran in order to focus on and stability of family relations, Permanent marriage that formed the basis of support for the family. Temporary marriage is also subject to the provisions of the Sharia and civil law ... " and in Chapter VII of the criminal law provisions related to non-registration of the marriage referred to in Article 49 which reads:

"If a man without official marriage registration offices, divorce or annulment of marriage or after the reference to the month of registration or refusal to register temporary marriage in cases where it is necessary to refuse registration, the registration of the obligation to pay fines or imprisonment grade five and grade seven will be sentenced. This penalty for a man who registered the marriage dissolution and nullity of marriage or divorce with her refusal is also provided.

As part of the Article 29 of the Family Protection Law 2014 Regulations in this regard are: "As regards Article 49 of the law, the court decision to require the registration of marriage, divorce, annulment or declaration of nullity of marriage or dissolution of marriage or divorce, a sentence will be imposed."

Therefore in addition to the claims of the parties to the marriage is not enough, be sure to sign a permanent contract or in cases established by law, temporary marriage registration office marriage takes place, as a result, these individuals without registered permanent contract claim is not accepted, because after the end of their marriage, marry, divorce or annulment and dissolution and nullity of marriage required and registration is required.

In temporary marriage as a permanent contract after the expiry of the term of the contract or giving time, keep some for the wife is required. In other words, the discussion of permanent marriage, divorce, waiver or expiration of temporary marriage, each has its own set of numbers and the wife is obliged to observe the corresponding number.

It should also be noted that from the perspective of the judiciary dealing with this criminal phenomenon, a new crime is not possible without a specific cause cannot be accused of privacy. But at a time when the mass of the people will open aspect, the penalties set forth in the rule of law, but not with this group of criminal justice, unless the plaintiff and private plaintiff complained or under certain circumstances, the Public Prosecutor's indictment against the perpetrators.

in fact that the cohabitation is not marriage, no doubt and in assumption that both sides satisfaction with their real intention to marry is to apply the formula of marriage in the absence of registration in 136 Notary public offices, law and according to the Penal Code for couples, discretionary penalty to one year imprisonment is prescribed and in article 21 of the Family Protection Act 1391 registration pregnant wife in the event of temporary Marriage contract or temporary Marriage contract or written agreement between the parties when signing the stipulation is necessary.

So if people choose their life just for this type of agreement, such an agreement contrary to public order, morality and illegitimate that of act as illegal and unlawful act in accordance with Article 637 of the Penal Code can be prosecuted and punished and children from the illicit defined that of social rights including education and citizenship will be denied and will not inherited of their natural parents and his wife would be entitled to alimony cannot be expected for any abnormalities law, a legal suits cover and in this regard, there is no legal vacuum.

So, in marriage (white marriage) men and women deliberately without any legal restrictions and legal registration accept their relationship, this type of relationship, not religious, not secular, not a legal marriage cannot be considered as essentially it to an illicit relationship that the law does not protect it and its children. In this case, the higher the weight, men and children born out of there and naturally, child birth and parents' names will be without their ancestry is only maternal family.

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How to Cite this Article:

Pourfarhadi P., Millanei A., Review of legal jurisprudence and the legal system in the phenomenon of white married in Iran, *Uct Journal of Social Sciences and Humanities Research* 03 (2015) 45-52.