The Phenomenon of Temporary Marriage

Research Article

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Abstract

The present study is a step towards deeper understanding of the phenomenon of Temporary Marriage (TM) and its role in promoting early Child Marriages (ECM) in Iran. The article reveals that traditional families wish to control sexual behavior and avoid social pressures, such as when people admonish the mingling of youth in mixed gatherings and thus, they decide to make these boys and girls *Mahram* to one another through temporary marriage.

This study reveals the fact that while temporary marriage is playing a role to legalize illicit relationships, on the other hand, facilitate the narrative of Early Child Marriage (ECM) is Iran. The article places an emphasis that ECM is not only the by-product of the temporary marriage, but also a discourse that stigmatized the younger generation from various angles. The article also tells the reader that religion is just a contributory factor; however, this is more about control and power by the patriarchal society and masculine culture in place over the vulnerable segment in society.
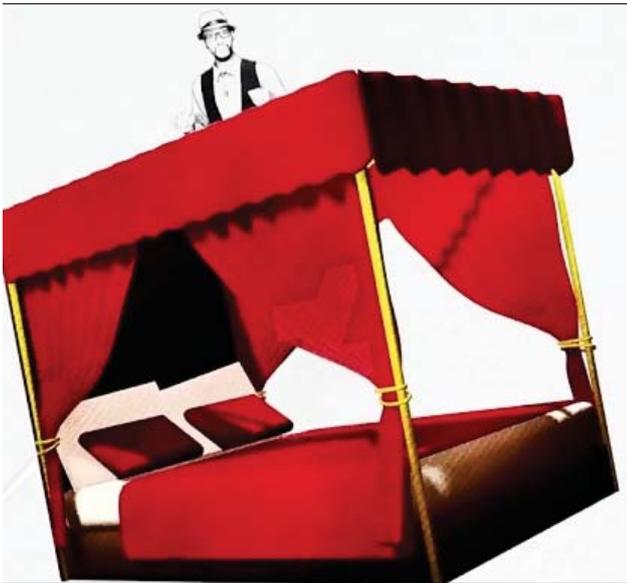
Due to the cultural and religious vulnerability of the research topic and difficulty of reaching the samples, probability sampling has been used. Theoretical saturation and data saturation was achieved after completing 100 interviews. More interviews were then conducted in

order to make the results more reliable. The researchers agreed on theoretical saturation and comprehensiveness of the research after interviewing 216 people. However, the experts on qualitative method contributed in supervising and providing guidance throughout the study.

Of the 216 interviewees, 35% were men and 65% were women. Data on the present study has been collected through free and in-depth interview techniques. The interviews were conducted first and then were analyzed and interpreted through theoretical coding (open, axial and selective). In order to collect data, and for the purpose of reaching important concepts and categories of participants, informal interview method was applied.

At the second stage, the concepts and categories achieved in the process of interview were pursued in line with sampling. When the general themes of interviews were formed through concepts and categories, interview questions were standardized by semi-structured interview method. The process was continued until theoretical saturation was achieved. Afterwards, major categories, sub-categories and concepts were achieved through implementing open coding and simultaneously with data collection. Through axial coding, sub-categories became related to each other, and also to major categories. Types of categories were also identified in terms of being causal, procedural and consequential.

The Phenomenon of Temporary Marriage

Temporary marriages, often referred to as *nikah mut'ah,* (short-term marriage in Arabic), is an ancient practice. It allows Muslim men and women to be considered as husband and wife for a limited and temporary fixed time (Johnson, 2013) after specifying a *Dowar*, the bride price paid by the groom or his family. (Manzar, 2008). In Arabic dictionaries "Mut'ah" is defined as 'enjoyment, pleasure, delight'. Historically it was employed in order for a man to be able to have a wife for a short period whilst travelling long distances. The practice of temporary marriage is said to have existed during the lifetime of Muhammad, who is believed to have recommended it to his companions and soldiers.

Historically, it was used most frequently in Iran by pilgrims in Shiite shrine cities such as Meshed and Qum. The rationale underlying temporary marriage was simple,

pilgrims who travelled had sexual needs. A temporary marriage helped to prevent sexual corruption and enables men to meet their sexual needs legitimately and legally when they are far from their spouse due to a mission, etc. Temporary marriage was a legal way to satisfy them.

Linguistically, Mut'ah is derived from the root word of "Mat'h", meaning something you can take advantage of for a short period of time and for pleasure (Ibn Manzoor, 1993, p. 239). "Figh" refers to a marriage between a man and woman for a specified duration, and "Mahr" refers to allowing separation and no formal legal divorce proceedings. (Gharshi, 1992, p. 226). Moreover, Al-Allameh Al Hilli defines Mut'ah as discontinuous temporary marriage (Al-Hilli, 1991, p. 175).

The *Nikah Mut'ah* consists of a verbal or written contract in which both parties agree to the duration and conditions for the marriage, similar to the elements of a commercial contract. Like any other contract, Islamic marriage creates rights and obligations between the contracting parties. The union can last for a few hours, days, months or even years. When the contract terminates so does the marriage, much in the same way long-term / permanent/ conventional marriage does via "till death do us part". The main difference is that the temporary marriage lasts only for a specified period of time. Generally, the *Nikah Mut'ah* has no proscribed minimum or maximum duration. At the end of the contract, the wife must undergo *Iddah*, a period of abstinence from sexual intercourse. (Esposito 2014) Although *nikah mut'ah* is a Shia concept, other types of informal marriages are practiced by Sunni Muslims, such as *misyar* and *urfi*.

Mut'ah is an issue that is not only delicate and fraught with rancorous debate, but also it has been distorted and misused throughout the years (Moaddel, Mansoor, and Kamran Talattof, eds., 2016). There is a sectarian divide over the issue. The majority Sunni sect in Islam banned it, while the minority Shiite sect did not. In the Muslim world, the concept is more well-known in the Shia sect, as they believe it is legally permissible. However, when the concept was first introduced, all Muslim sources agreed to its practicalities (Bang, 2016). Both Sunnis and Shiites critique of these informal marriages, as they argue these marriages allow a person, principally men, to contractually take on multiple "wives" for a number of hours, and thus have multiple sexual partners. It also has been argued that Mut'ah marriages are used as an "Islamic cover" for prostitution and or the exploitation of women.

Age Acts As Determinant Factor in Marriage Success

Amongst the various dependent variables of marriage analyzed by social and economic experts, the age for having the first sexual relationship is considered as an important index for evaluating the quantity of physical and mental health.

To some extent, the age of marriage in each society indicates the method of organizing family life, and also points to the opportunities for men and women at the time of marriage. Late marriages can trigger serious consequences for youth, such as irresponsibility, tendency towards undesirable or worrying relationships, waste of youth and vivacity, edginess in life caused by dissatisfaction of personal needs, parental concern of late marriage of children, depression, sexual disorders, taking refuge in drugs, etc. (Pournaghi, 2015). Early child marriage (referred to as ECM) can also cause several disorders as well. (Ahmady, 2017).

According to the Convention on the Rights of the Child, a person between the age ranges of birth to 18 is deemed as a child. The United Nations Population Funds has ascertained that any type of marriage under the age of 18, before boys and girls are prepared mentally and physically to accept nuptial and child-care duties, is a child marriage. However, in some countries the age varies based on the countries' legal regulations and social and cultural norms.

The most influential factors that are attributed directly or indirectly to ECM are poverty, low level of education and illiteracy, legal support, social pressures, masculine expectations, and the stranglehold influence of tradition and religious beliefs. Early marriage is worrisome for both sexes, but the phenomenon has found to harm girls more than boys. Rise of divorce, child widowhood, rising growth of parentless and badly equipped children who are now parents, sexual abuse of girls, a chronic cycle of poverty and prostitution, and the rise of mental, physical and sexual illnesses of women are amongst the sad litany of discovered outcomes of early childhood marriage (Ahmady, 2017).

Linking TM and ECM

The widespread traditional practice of temporary marriages further fuels the intensity of child marriages in Iran.

Based on famous quotations of Shia religious sources, the essence of temporary marriage is permitted in Islam, although it may sometimes oppose the benefit of some people. Having this attitude, temporary marriage is legitimate from a religious point of view. What matters here is the age of temporary marriage. The twelver jurisprudence and Civil Code of Iran has specified the age of 13 (age of nine with the permission of court and the parent) for the marriage.[1] Based on international definitions from the child and religious agreements, this age of marriage for children (and particularly for girls), is the cause of early marriage.

Akbar Hashemi Rafsanjani, the late Iranian president, considers the end of nine years as the permissible age for *Sigheh Mahramiat* and temporary marriage, according to his

book entitled *Temporary and Permanent Marriage*. In conclusion, religious legitimacy of temporary marriage can be counted as the basis of child marriage. According to the questions asked from religious sources like Ayatollah Sistani and Ayatollah Noori Hamedani, there is no difference between *Sigheh Mahramiat* and temporary marriage. Therefore, traditional families that make their son or daughter marry another person through *Sigheh Mahramiat*, or temporary marriage, are aiming at controlling sexual behavior of their children and the pressures imposed by others.

The person to whom they marry is traditionally also from a peer religious family. However, in such cases, avoiding sexual penetration is implicitly set as a condition in *Sigheh Mahramiat*. However, one cannot expect the pairs to avoid sex and be alert because of their parents' warning, as they are at the age of early puberty, but are mentally and economically immature. Results of the present study and interviews with traditional religious families indicated that child marriage is practiced in the framework of *Sigheh Mahramiat* and temporary marriage through parent's permission. According to the interviews, some children were not satisfied with such marriages. Also, as children do not have previous knowledge of marriage, their satisfaction is not counted as conscious either.[2]

Legitimacy of the relationship is significantly important in Iranian society, only considering it permissible if the relation is located within the framework of religion. Such an attitude weakens the necessity of being legal. The relationships formed under the title of *Sigheh Mahramiat* and in the framework of pre-marriage familiarization, will sometimes not become formal until two years after practicing the *Sigheh*.

This is while the participants did not mention any special reason for the long period of *Sigheh Mahramiat*; they only stated that *Sigheh Mahramiat* is practiced for the purpose of fulfilling family commitments and marrying officially. The collected data indicates that religious legitimacy is much more important than being legal. This shows the significance of religion as the origin of an event and a tool for making it continuous. In Iran, some traditional families do not let their children mention their opinions on marriage, as the parents consider themselves rightful for choosing a spouse for their child and control their sexual behavior.

TM-An Approved Way of Facilitating Child Marriage in Iran

Recent social reforms in Iran have different dimensions changing not only the behaviors, but also the values in people (Bayat, 2013). One example of the recent social reforms is the occurrence of pre-marital sex with the opposite sex. Results of several studies indicate that pre-marital sex has increased amongst teenagers and young people in recent years. However, the increase in premarital sex is not the end of the story; as there is a rise of newly admitted behavioral trends, and a gradual rise in its complications. (Riahi,

2011). Consequently, there are different types of pre-marital sex today, all with diverse origins. Patterns of pre-marital sex in Iran can be divided into the following categories: free relations (prostitution patterns), *Sigheh* relations, boyfriend/girlfriend relations, cohabitation or white marriage relations, and homosexuality relations.

Relationships in *Sigheh* framework is a non-romantic, pre-marital relation accepted by official religion and law of the country. Early marriage is one of the social and psychological consequences of *Sigheh Mahramiat* for women, and the possible sexual intercourse afterwards. The main core of *Sigheh* discourse is the connection of instinct and religion in parallel with chaotic societal conditions. Studies show that such relationships are seen more amongst individuals with strong religious beliefs, and who seek a religious solution for satisfying their sexual instinct (Parishi, 2009).

Based on articles 1075 to 1077, marriage can be discontinuous when it is arranged for a specific duration and with a specific *Mahr*. This is when *Sigheh* enters the dangerous fraught territory of ECM. Even the sunniest optimists and ardent supporters would be hard press to acquiesce the deplorable state of ECM. The abuse of vulnerable young and sexually inexperienced girls by older men is already endemic, and has been happening for years, with perpetrators easily moving around the comfort sector of legalized approval. (Ahmady, (2017).

The legally permissible age of early marriage is stipulated in the Constitution of the Islamic Republic of Iran as the age of maturity, which is 9 to 13 for girls and 15 for boys. *Sigheh Mahr* allows a virgin (young girl) to enter into a courtship with a man who is supposedly her husband. Although not officially registered, this ECM is religiously approved. In religious families, such *Sigheh* is practiced generally for boys and girls to become acquainted with one another during the engagement period (Kalantari, 2014). Ayatollah Sistani, an imminent Shi'ite cleric, considers *Sigheh Mahr* as a sort of temporary marriage. In the case that the girl loses her virginity, there will be no legal and legitimate penalties as the lawmaker has not specified any impediment in this regard. Nevertheless, the consequences of such types of *Sigheh*, where young girls naturally lose their virginity, imposes heavy social pressures on girls (Yari Nasab, Fatemeh. Tohidi, Afsaneh. Heidari, Afifeh. Askari, Zahra., 2015).

Sigheh Mahramiat marriage with young girls, even if it is not intended for sexual pleasure and is practiced only to avoid the perils of sin whilst interacting with one other, is still accompanied with social pressures imposed by others. In the case that the man is loyal within his sexual relation or if the girl's age is marriage appropriate, the marriage will be legally valid. However, if the girl's age is less than what the law has specified for marriage, the judge will issue the final verdict on the young girl's competence for the child marriage. In such situations, sometimes the marriage is not successful, and the couple cannot take advantage of societal and familial benefits. Child marriage and the harms the couple are

exposed to during *Sigheh*, are named primary examples of the harm and the malfunctions of temporary marriage. Moreover, establishing legal mechanisms for determining the exact age of temporary marriage, increasing the age to 15, and making obligations for registering the marriage in marriage registry offices with valid identification documents are considered as solutions for minimizing the harms (Nandi, 2015).

The Suppressive Role of Religion and the Dominancy of Culture in Temporary Marriage of Children and Teenagers

Iranian society is considered a traditional religious society. Even though religious and worshiping deeds are not performed, it is considered one because of social training and religious sociality of the families, schools, and media.

Based on Shia religion and the Civil Code of the Islamic Republic of Iran, the age of 13 or even less is considered legitimate for marriage, as long as there is the court's and the parent's permission. However, these types of child marriages are not acceptable among most people, social activists, and international human rights entities. They are mostly common among religious, traditional families or families that are most vulnerable in society (with weak economic conditions, addict parents, and bad guardians), as a result leading to child marriage. In this type of marriage, the family makes decisions for their children, the approval or disapproval of the child does not count. *Sigheh Mahramia* is often practiced for these children by force, as they normally do not have any understanding of the concept of marriage and accept their parents decision without protest.

Controlling sexual awakening of children is an important reason of practicing *Sigheh*
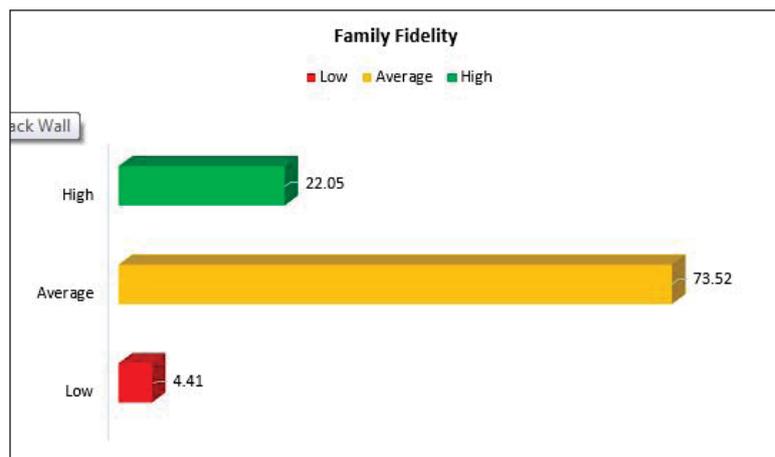
Graph No.3. Distribution of frequency percentage of religious fidelity in families with the background of *Sigheh Mahramiat*.

Mahramiat and **child marriage** at the young ages; and the consent of children is not of high significance. The majority of the children that are forced to get married, consider themselves as women after a while rather than children. This issue causes numerous spiritual, psychological, and social losses.

Child divorce is among the consequences of **child marriage**. In fact, marriage laws try to increase marriage figures; unaware of the fact that these types of marriages increase possibility of child divorce. Another consequence of child marriage is preventing the child from having the minimum education. In case these children live in traditional societies, they may not be able to take advantage of required information. Certainly, these habits are transmitted to their children and may involve future generations too. In other words, cultural factors like deprivation from the minimum education prevent children's talents and skills to blossom. The factors are transmitted from one generation to another, under the title of "Culture of poverty", perpetuating poverty among a special social class.

Temporary marriage and *Sigheh Mahramiat* are among religious beliefs of Shia Muslims. On the contrary to Sunni Muslims, Shia Muslims consider temporary marriage as a religious traditional act which is not illegitimate, but rather something deserving an otherworldly reward. Based on Shia Hadiths and narrations, *Mut'ah* is among traditions which should be practiced in order to prevent corruption in society.

Graph No.4. Distribution of frequency percentage of family background of participants in temporary marriage

However, the tradition is specifically for the men who are not able to practice permanent marriage due to difficult economic status. Based on Shia jurisprudence, temporary marriage and *Sigheh Mahramiat* are legitimately permissible. The majority of religious sources and scholars in the Islamic Republic of Iran also believe unanimously that *Sigheh Mahramiat* and temporary marriage are permissible after puberty, recommending the act to their followers.

However, a clergy like Ayatollah Sanei considers temporary marriage as something related to special time and conditions of the battle at the beginning of Islam, saying that the marriage is a factor for family collapse in today's society. Therefore, people practice temporary marriage due to the economic, sexual, and emotional needs they have. People

undergo this type of marriage without feeling guilty, as they consider it legitimate due to the religious permission. On the other hand, in this study, *Sigheh Mahramiat* refers to a type of temporary marriage which is practiced by religious traditional families for their teenagers, in order to control their sexual desires.

The data achieved in this study showed that 22.05 of the families believing in *Sigheh Mahramiat* have strong religious fidelity. Moreover, 73.52% of the families with the experience of *Sigheh Mahramiat* have on average only 4.41% lower religious fidelity. The families with strong and average fidelity justified *Sigheh Mahramiat* citing their religion as a reason. However, the families with low fidelity considered this type of marriage as a tool for organizing sexual behavior of their children, because of traditional norms, the dominant masculine culture, and for the purpose of reducing social pressures. Regarding the attitudes of religious scholars, *Sigheh Mahramiat* is the same as temporary marriage, which is practiced among children and teenagers (the *Sigheh* is practiced for older people as well, but at the present study, the statistical population includes people under the age of 18).

In fact, religious traditional families practice *Sigheh Mahramiat* as a solution for reducing social pressures imposed by associates, and for the purpose of controlling sexual behavior at the beginning of puberty. However, the practice usually leads to sexual relations and facilitates the conditions of child marriage. In other words, these families try to push their children into common, legitimate relations at early ages in order to control their sexual desires, and to prevent consequences of childish naughtiness. Religion though provides a ground, but at the end there are cultural factors which compelled families to arrange TM for their children.

Child marriage is referred to as early or forced marriage since the children are not given a chance for a prior informed consent for their marriage partners. Family lifestyle and method of social training of children are among basic factors of accepting *Sigheh Mahramiat* and temporary marriage. Families with the background of *Sigheh Mahramiat* and temporary marriage tend to internalize the behavior in their future generations, as they practice it as a kind of accepted social behavior. In this study, 61.18% of participants were from families without the background of *Sigheh Mahramiat*, while 31.81% had families in which this type of marriage was common.

There are some cultures where broad socialism, independence, individualism and self-expression are promoted, while other cultures narrow socialism, obedience and conformity are deemed as higher values. In religious families, *Sigheh Mahramiat* is practiced for teenagers by the parents, and the children have to obey and conform even if they are not content with the act. Furthermore, based on the social learning theory, family members learn family norms. Thus, if they see other members of the family practice temporary marriage, they learn it as an accepted norm and easily repeat it when there is an opportunity.

The Effects of Temporary Marriage on Children

A 22 year-old married woman living in Mashhad practiced Sigheh with her husband at the age of 11: "What does one know at this age? One day I came back home from school, they said you have to marry this guy. I didn't go to school anymore. I think you should get more mature. When you are a child the man bullies you. You have to obey whatever he says".

A Woman, living in Mashhad, married, experienced Sigheh Mahramiat when 11, shared; "We didn't have a problem but the adults made us quarrel. When I came to my house, I didn't listen to my husband because I was too young. I performed better later after listening to the advice of my family".

The principal aspect in temporary marriage is pleasure-seeking and facilitating child marriage, which in turn leads to consequences such as bad name (for women in particular), and a negative mentality among men toward permanent marriage. In this study we tried to shed light on temporary marriage, and present a detailed and clear image of this social phenomenon and its nexus with facilitating the narrative of Child Marriages. The article explains that the religious tradition called TM is the main factor behind child marriage and violation of women's rights in Iran.

This very legal gap contributes to the violation of women's rights in temporary marriages. Moreover, some children get married in the form of TM and as a result, child marriage is facilitated while the most important consequence is school dropout, especially among girls. Legal gaps and the opportunities which arise as a result of abuse and pleasure-seeking through what can be called the "pleasure-dealers" have made the opponents of temporary marriage coming up with the term "a legitimate cover".

TM is applied with the hope that it leads to permanent marriage; however, this religious behavior can turn into a dangerous and damaging act if its legal aspects are neglected. Some families are performing *Mut'ah* for adolescent boys and girls. Families who have limited sociability and consider *Mut'ah* as the only way to stop their children's sexual acts, normally opt for TM when the children are under-age. When young boys and girls go through *Mut'ah*, after a while due to sex or because they have been named so by the relatives and friends, end up in a permanent marriage. Therefore, in a religious framework, *Mut'ah* facilitates child marriage. At such a young age, the adolescents have no intellectual, economic and social maturity and need to be controlled and managed by the family.

While early marriage not only restricts girls' educational and economic opportunities, it also has a negative impact on their physical integrity and reproductive health. Moreover, in case of sex and losing virginity during the time of TM which may not lead to permanent marriage, the woman suffers from emotional, psychological and social consequences. Also, since TM has not been legally registered, she cannot take any action to restore her

rights. But the *sigheh* which is applied to children and adolescents to make them *Mahram* and prevent sinful acts, leads to different consequences. For example, the relationship between young boys and girls in puberty, gets on a more sexual flavor while they are not mentally, economically and socially ready for marriage. This relationship leads to sexual contact during childhood and adolescence.

Due to social pressures, families seek ways to legalize this relationship; if the male partner agrees to permanent marriage, the relationship just facilitates child marriage. In most cases, this ends in school drop-out, physical and sexual traumas, and for girls in particular it leads to emotional vulnerabilities and ultimately child windows. But once the TM expires and the male partner refrains from permanent marriage, the consequences are direr, and the girl suffers irreparable emotional losses. Critical review of some religious traditions and customs is a taboo many avoid due to various reasons. Once some of these traditions lead to psychological and social harms for the individual and the society in a given time and place, they need to be revised and supervised legally.

Often following the initial removal of a young girl from her parental home, under the pretext of marriage, she can be sold into the sex trade, or just sold to another husband, as in the case of so-called fake or temporary child marriages. Men may engage in serial unions, marrying a girl for a limited time until she conceives a child (hopefully a boy, if the previous or present regular marriage has failed to produce one), or assists in economic

activities. These young girls are then abandoned, and her child if unwanted, once she is no longer required.

Once girls are abandoned, they are unmarriageable and forced to continue a life of exclusion. Child marriage thus turns into human trafficking, free labor, prostitution, or, in short, enslaving a girl for the purpose of indiscriminate exploitation.

Among participants who had experienced *Sigheh Mahramiat*, the *Sigheh* can be considered as the main factor which prevented them to continue their education, especially among girls. 17.64% of the participants had continued their education after *Sigheh Mahramiat*, while 69.11% of them had quit their education, accepting the roles of being a spouse and a mother. Thinking about the role of a spouse and early pregnancy ruins the possibility of education. The conflict and overlap of the roles for which the person is not prepared, prevents an ordinary trend of education.

It should be mentioned that two major factors create child marriage: cultural customs and economic poverty. Regarding the problems caused by child marriage, actions should be taken against the factors mentioned above. Making appropriate policies, talking about the problems caused by this type of marriage to children and protecting them, and supporting families with economic problems can help in fighting against such traditions. Making education compulsory, registering *Sigheh Mahramiat* legally, and specifying an age for the *Sigheh* is among the policies based on which child marriage can be postponed. Naturally, education and socioeconomic empowerment of students and their families should be considered among macro policies of the country, and legal operational solutions should therefore be managed for them. This way, the social harms will be reduced and fewer consequences are imposed to the person and society in various cultural, social, economic, and even political dimensions.

Discussion

Some sociologists believe that although UNICEF defines people under the age of 18 as children, announcing their marriage as a crime, cultural and ritual differences are not taken into consideration in this definition. Almost the majority of the one billion Muslim population of the world consider the age of 15 as puberty and the time of entering adulthood. Regarding sexual values and regulations of Islam, which bans any sexual relations outside of marriage, specifying the age of 18 as the minimum age of marriage does not seem realistic for the Eastern society of Muslims.

Age of *Mut'ah* or *Sigheh* is specified to be 13 for girls and 15 for boys, both legally and religiously. However, people can get married at lower ages with their parent's permission or the permission from the court. *Sigheh Mahramiat* is normally practiced for teenagers under the legal age of marriage and their families have planned for their marriage. This

is common mostly among traditional religious families. These families tend to control sexual behaviors of their children in order to prevent them enter out of marriage relations, so that the families can have easier interactions. *Sigheh Mahramiat* mostly occurs as endogamy, which means it is mainly practiced in a specific group as religious as the partner's group.

Generally, traditional and developed families, which are less seen in modern society nowadays, practice *Sigheh Mahramiat* for their children in young ages, in the framework of endogamy, which is based on masculine traditional values and customs of their ancestors. Endogamy is the result of old traditional beliefs of families. On the other hand, families struggling with cultural and economic poverty, and families with unqualified guardians also practice *Sigheh Mahramiat* for their children; this way, they can make their children marry permanently sooner in order to decrease economic burden of the family. Interviews in the field of study revealed that people having the experience of *Sigheh Mahramiat* at childhood often faced permanent marriage and pregnancy at young ages. Some of these couples faced several losses and harms as they were not familiar with nuptial life.

Sigheh Mahramiat for children and teenagers is mostly practiced by traditional religious families aiming at regulating sexual behaviors of the children and reducing social pressure, provided that they avoid sex and penetration. As these children and teenagers are usually at the age of puberty, they engage in sexual intercourse, which sometimes leads to pregnancy and early marriage eventually. Therefore, *Sigheh Mahramiat* is one of the basic factors facilitating the process of child marriage and increasing figures of child marriage in the country.

Early marriage or child marriage is referred to any type of marriage under the age of 18.[3] Based on the Convention of the Rights of the Child, a person at the age range of birth to 18 is considered as a child. However, the age may be different in some countries depending on the regulations. The WHO has defined a person under the age of 15 as a child. Therefore, a marriage with someone under the age of 15 is considered a child marriage. These marriages are practiced by the father or grandfather of the child on behalf of him/her, disregarding the minimum of legal age. Child marriage is a global topic, but figures and their ratios are different both inside a country and also among various communities.

Nevertheless, based on the existing statistics, early marriage is mainly practiced in rural areas of South Africa and South Asia.[4] Owing to the global attention paid to this topic, early marriage is decreasing; however, a significant number of children still get married at ages lower than the legal age in their societies. Iran is a distinguished, clear example of this topic. From a sexual and human rights perspective, early marriage is the evident consequence of sexual suppression and the destructive actions, which later cause gender

inequalities and stronger suppression. In developing countries, the complicated problem of early marriage is increasing because of the growing population of youth.

The problem is caused due to the growth of poverty, absence of knowledge and education, submitting to a masculine culture, and the false beliefs which make people protect girls through forcing them to marry unwillingly. Unfortunately, because of physical consequences and the constant discrimination against young girls, only a few actions have been taken for preventing child marriage in Iran. Regarding the religious structure dominating Iran, puberty and the first menstrual cycle is considered as the launch of adulthood. Reaching this physical biological stage is interpreted as her readiness and expediency for getting married, disregarding her real age.

Early marriage is a term applied for both young boys and girls; but the consequences of child marriage are more serious and perilous in society for young girls as compared to young boys. As per the findings of the Save the Children UK, in many communities where child marriage is practiced, girls are not valued as much as boys – they are seen as a burden on their family. Marrying off your daughter at a young age can be viewed as a way to ease economic hardship by transferring this 'burden' to her husband's family[5].

However, owing to the absence of independent reliable studies on child marriage in Iran, there is little information available in this regard. Nevertheless, official statistics of Iran show that tens of thousands of boys and girls under the age of 18 are annually forced to get married by their families. This is while the real number of children forced to marry is likely much more than what is stated, as some families in Iran do not register marriage at low ages, practicing marriage illegally with a local priest. UNICEF has reported the rate of child marriage in Iran to be 3% for those under 15 and 17% for the children under 18 during 2008 to 2014. But, as it is indicated in Table No. 2, and based on Iran Civil Registration Organization data, figures of marriage for children under the age of 15 have decreased during 2012 to the first nine months of 2016. It is worth mentioning that the percentage of marriage of girls under 15 with 30 year-old men, and even older ones, has increased despite the decline of marriage figures in recent years. This type of marriage in Iranian families is the result of poverty growth and parents' tendency towards controlling their daughters' relations (Ahmady, 2017).

Based on data collected at the present study, an important reason for the marriage of children under 15 and 18 in Iran, is the religious traditional values of *Sigheh Mahramiat*, for which there is no special age. "Naaf bor" which refers to announcing two babies as spouse of each other soon after their umbilical cords are cut, is a form of practicing the *Sigheh*. Therefore, there is no specific age and principle for *Sigheh Mahramiat*, and it is mostly practiced in the form of endogamy in religious traditional families, emphasizing on its legitimacy. Thus, as early marriage is the result of this kind of traditional religious value, the solutions are presented in two legal and religious common law levels:

1. Marriage before the age of 18 is a fundamental violation of human rights. Ratifying a law for specifying the exact age of marriage and *Sigheh Mahramiat*, and the rise of the legal age to 18 for girls and boys; considering *Sigheh Mahramiat* under the age of 18 as a crime.

2. Implementing cultural and social work, especially in rural communities, the countryside, and slummy areas, through using local capacities, NGOs and local religious leaders. Advocacy for Women as Community Leaders is a need of today. In many communities that practice child marriage, women are often kept out of the decision-making processes and are not allowed a voice in local politics. It is vital that women are able to voice their concerns and advocate for women's rights in all spheres, as this is often what accelerates the elimination of harmful traditions such as child marriage or temporary marriages.

3. Advertisements for the rise of *Sigheh Mahramiat* age by religious sources, through issuance of mandatory verdicts and promotion of the Fatwas in religious ceremonies by clergy men at the mosques. Work with religious leaders to build their capacity to communicate accurate information to communities on temporary and child marriages[6] including by working with other religious leaders to develop their understanding of scriptural support for girls' education and delaying marriage.

4. Legal registration of *Sigheh Mahramiat* in official marriage registry offices.

5. Research demonstrates how women can manipulate the system in their own interests. What often stands in their way is their unequal power vis-a-vis men, a weakness rooted in their lack of social standing and lack of education. Making education compulsory and free of charge or with low costs, up to the level of receiving a diploma, and teaching students and their parent's social and cultural skills is necessary.

6. Public dissemination through national media and cyber social networks; making psychological religious and legal programs about destructive consequences of *Sigheh Mahramiat* practiced under legal age.

7. Mobilize community leaders, religious leaders, teachers, doctors etc. and build their capacity as champions of girls' education and the benefits of delaying marriage.

8. Developing domain of activity of child rights activists and NGOs regarding empowerment of children and their families in various urban and rural areas.

9. Reach out to new stakeholders, especially those working in rural areas and

young gender activists who are able to promote messaging at the ground level and locally.

Many experts believe that early marriage, (caused by *Sigheh Mahramiat*), affects children's lives, making it more complicated, as the marriage has harmful consequences for their health. The marriage also affects individual growth at any level of development. In some countries and cultures, early marriage is considered as an economic tool, which can improve economic status of the family and reinforce family ties. Moreover, by controlling sexual desire, early marriage can guarantee virginity of the girls before marriage and prevent the girls reach an age in which they lose sexual attraction as a spouse.

On the other hand, complicated problems related to pregnancy and delivery are among death reasons of girls at the age range of 15 to 19. In general, the most important consequences of *Sigheh Mahramiat* at young ages and early marriage include growth of divorce and child widowhood, quitting education, committing suicide especially among girls, physical, sexual, and spiritual harms, and continuation of poverty cycle.

There is existence of a significant relationship between undertaking the law and prevention and reduction of the crimes, and accordingly the rise of discipline, security and mental, social health is something undeniable. Therefore, legislative organizations such as Parliament and government have to organize this social issue in the framework of official law, through ratifying the law of increasing *Sigheh Mahramiat* age to 18, and considering it as a crime otherwise.

Totally, religion is among the most influential factors on Iranians, when setting social actions. Thus, Iran's law is compiled based on Twelver jurisprudence. Therefore, legal support of a matter is not possible without having a religious support. As the first step, clergy men at the Guardian Council and the religious sources can announce *Sigheh Mahramiat* under the age of 18 illegitimate and Haram, regarding the activeness of Shia jurisprudence and its capacities for issuing new verdicts compatible with contemporary time and place.

This way, they can take a vital step towards annulment of early marriage. Furthermore, mosques can have an efficient function in promoting *Sigheh Mahramiat* over the age of 18 and banning it under the said age, as the places are a type of connected networks. Additionally, explaining the harms of *Sigheh Mahramiat* and early marriage in mosques in current conditions of Iranian society can play a significant role in invalidation of *Sigheh Mahramiat* which then leads to child marriage. Making registration of *Sigheh Mahramiat* by Civil Registration Organization obligatory is among basic factors for eradicating *Sigheh Mahramiat* and early marriage.

The Organization is in charge of providing registration information like those of birth, death, marriage and issuing identity documents like ID certificates. As *Sigheh Mahramiat*

leads to facilitation and continuation of child marriage, mandatory registry of the practice can be highly effective. Regarding that Civil Registration Organization works under supervision of Ministry of Interior and the Executive body, making governmental policies can reduce crimes and negative consequences related to *Sigheh Mahramiat* at young ages.

Also, implementing cultural work for registering *Sigheh Mahramiat* legally and preventing violation of the pairs' rights, can contribute to ban *Sigheh Mahramiat* at the age of 18. The role education plays as the tool for increasing age of *Sigheh Mahramiat* and early marriage is indisputable as well. Therefore, mandatory free of charge educational system should be available all over the country. Underlining the opinion that these pairs are still school students can be the most highlighted effect of the educational system.

On the other hand, dissemination over *Sigheh Mahramiat* and early marriage can be done through teaching life skills to students and their parents via educational classes like the ones called family education. Family education classes have been held in Iran's educational system in recent years. Although the classes are not held perfectly, they can be a means of informing parents on negative consequences of this type of marriage and can potentially prevent them from practicing it.

Courses for sexual training, knowing one's body, and promoting kinship, and also holding entrepreneurship courses for students, advertising equality seeking attitudes, and

banning violence among students are the measures which cause mental, psychological excellence among them.

Teaching these life skills makes students secure against topics like *Sigheh Mahramiat* and early marriage, therefore increasing marriage age through making students interested in school and education instead. Respecting rights of others and having a humane attitude should be inspired in students in such classes.

Having opinions which summarize many problems in sexual dimension and advocate controlling the sexual desire and getting married at young ages, is derived from these gender gaps. The opinions can be modified through teaching social skills to students. The media can play various roles in social life. For instance, the media can create a scene in which political life is displayed, culture is developed, the fashions parade, and new styles and life values appear.

Accordingly, media has a specific status as the most important tool in increasing awareness in society. The media can disseminate information on *Sigheh Mahramiat* and the pertaining social legal dimensions and negative consequences through expertise religious, psychological, social and legal programs.

They can promote values in society which introduce *Sigheh*, *Sigheh Mahramiat* under legal age, and early marriage unpleasant due to their negative effects, and take a step towards implementing cultural work as a result. Mass media can warn the public against social abnormalities through teaching various social harms and reporting them to social activists. This way, social activists become aware of behaviors and various abnormal and harmful cultures, so that they can take actions based on proper logical values and norms.

Therefore, the media are responsible for reflecting dimensions, types and quality of incorrect norms, in order to help members of the society protect themselves against these vulnerabilities and move towards conscious, proper actions. Cyber social networks are more effective compared to other communicational tools owing to the popularity of smart phones and easy access to internet among various walks of life. Informing people through preparing educational content in social networks by the experts and presenting and spreading the content by effective social, religious, and national characters like athletes, artists, etc., can be highly influential in public dissemination.

Presence of NGOs with non-commercial, nonpolitical and voluntary structure is a necessity in today's world, as the most vital element of cultural work and public dissemination and participation in supporting vulnerable groups of the society. Based on reports and statistics of Iran Statistical Center, 30% of Iran's population are under the age of 18. Establishment of justice in welfare, health, cultural and social issues, training and quality of subsistence for this population is an important topic which should be taken into consideration more than before.

Accordingly, active presence of NGOs in different rural and urban areas of the country is significantly effective in social and economic empowerment of the children. These organizations can take a step towards implementing cultural work and respecting children's rights and preventing *Sigheh Mahramiat* under the age of 18, through teaching life skills to both children and their parents.

Conclusion:

This article focuses on early marriage, linking the practice with the marriage of children and young people under the age of 18. Research into early marriage has tended to concentrate only on specific aspects of its impact such as the gendered harms it has brought and the aspect of human rights violation. There has been little examination of the practice as a child rights violation in itself.

The article examines the extent of early marriage, its context, and the harm it brings for young children, to keep them deprived of their vision in life. The practice of child marriage has decreased worldwide during the past 20 years and is increasingly being recognized as a human-rights violation. However, it is still prevalent in most parts of the world including Iran.

The elimination of child marriage is vital, as it is intricately linked to the issues that are linked with children and young people. It requires partnership and collaboration across sectors such as education, health, and justice, and must include young girls and boys, their families, communities, religious and traditional leaders, governments, and other stakeholders to move towards the eradication of this menace.

Non-Registration of TM is one of the prominent contributory factors to the increasing trend of child marriages in Iran. Tracking of such marriages is not easy as they are not registered transactions. It is a fact that registration of temporary marriages would not only highlight the ratio of the ECM prevalence in Iran, but would also help in prevention of sex trafficking and child prostitution.

Changing attitudes is the strategy that underpins all other efforts to end early marriage. Real change can only be ensured if we introduce and promote initiatives to change attitudes towards the gender roles of girls and boys in general, and towards the practice of early marriage in particular. It calls for amendments in traditional gender roles by societies. Social awakening is a prerequisite to bring a change in communities in order to eradicate the issue of child marriages once in for all.

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His recent books **"Forbidden Tale"** (A *Comprehensive Study* on Lesbian, Gay and Bisexual (LGB) in Iran (2018) and **"A House on Water"** (A Comprehensive Study on temporary Marriage in Iran) also **"A House under shadow"** (A Comprehensive Study on temporary Marriage in Iran) are under printing.

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44. Woman's satisfaction is a custom practiced by Islam's prophet and a nonage does not need marriage for which parent's permission is a condition.

45. https://www.unicef- irc.org/publications/291

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