



The Nexus Between Temporary Marriage and Early Child Marriage in Iran

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Abstract

This study is a step towards gaining a deeper understanding of the phenomenon of temporary marriage ('TM') and its role in promoting early child marriage ('ECM') in Iran. This article reveals that traditional families wish to control sexual behaviour and avoid social pressures; for example, when parents disapprove of mixed gatherings of youth and so decide to make these boys and girls *mahram* to one another through TM.

The following article reveals that, while on the one hand TM plays a role in legalising illicit relationships, on the other hand it facilitates ECM in Iran. The article emphasises that ECM is not only a by-product of temporary marriage, but also a discourse that stigmatises the younger generation in various ways. While religion is a contributory factor to TM and ECM, ECM is more about control and power in an environment where a patriarchal society and a masculine culture dictate to the vulnerable segments of the population.

Due to the cultural and religious sensitivity of the research topic and the difficulty of reaching samples, probability sampling has been used. Theoretical saturation and data saturation were achieved after some interviews. More interviews were conducted, however, to make the results more reliable. 35% interviewees were men and 65% were women. Data were collected using free and in-depth interview techniques. Major categories, sub-categories and concepts were identified by implementing open coding, and simultaneously with data collection.

Keywords: temporary marriage, sigeh, child marriage, Iran, culture, religion

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The Phenomenon of Temporary Marriage

Temporary marriage ('TM'), 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 husband and wife for a limited and temporary fixed period (Johnson, 2013), after a *dowar*, the bride price paid by the groom or his family, is specified (Manzar, 2008). Historically, it was employed so that a man could have a wife for a short period while travelling long distances.

The practice of TM is said to have existed during the lifetime of Muhammad, who is believed to have recommended it to his companions and soldiers. It was used most frequently in Iran by pilgrims to Shiite shrine cities such as Meshed and Qum. The rationale underlying TM was simple: pilgrims who travelled had sexual needs; a temporary marriage helped to prevent sexual corruption and enabled men to meet their sexual needs legitimately and legally when they were far from their spouses due to a mission, etc. TM was a legal way to satisfy sexual desire.

Linguistically, *mut'ah* is derived from the root word *mat'h*, meaning something you can take advantage of for a short period of time and for pleasure (Ibn Manzoor, 1993, p. 239). In Arabic dictionaries *mut'ah* is defined as 'enjoyment, pleasure, delight'. *Figh* refers to a marriage between a man and woman for a specified duration and *mahr*, allowing separation without 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).

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 years and, 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, *nikah mut'ah* has no prescribed minimum or maximum duration. At the end of the contract, the wife must undergo *Iddah*, a period of abstinence from sexual intercourse (Esposito, 2003). Although *nikah mut'ah* is a Shiite concept, other types of informal marriages are practised 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; the minority Shiite sect did not. In the Muslim world, the concept is more well-known in the Shiite 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 Sunni and Shiite critics of these informal marriages argue that they allow a person, principally a man, 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* is used as an 'Islamic cover' for prostitution or the exploitation of women.

Age Acts as Determinant Factor in Marriage Success

Among the various dependent variables of marriage analysed by social and economic experts, the age of having the first sexual relationship is considered an important index for evaluating physical and mental health (Üzüm, B., et al. 2022).

To some extent, the age of marriage in each society indicates the method of organising family life and also points to the opportunities for men and women at the time of marriage (Mehrzaad, K., et al., 2022). Late

marriages can trigger serious consequences for youth, such as irresponsibility, a tendency towards undesirable or worrying relationships, the wasting of youth and vivacity, edginess in life caused by the dissatisfaction of personal needs, parental concern at the late marriage of their children, depression, sexual disorders, taking refuge in drugs, etc. (Pournaghi, 2015). Early child marriage ('ECM') can also cause several disorders (Ahmady, 2017). According to the Convention on the Rights of the Child, a person up to the age of 18 is deemed to be a child. The United Nations Population Fund (the 'UNFPA') 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 each country's legal regulations and social and cultural norms.

The most influential of the factors attributing directly or indirectly to ECM are poverty, low levels of education/illiteracy, lack of legal support, social pressures, masculine expectations and the stranglehold influence of tradition and religious beliefs. ECM is worrisome for both sexes, but the phenomenon harms girls more than boys. Rises in divorce levels, child widowhood, a rising number of parentless and ill-equipped children who are themselves now parents, the sexual abuse of girls, the chronic cycle of poverty and prostitution and the rise of mental, physical and sexual illnesses in women are among the sad litany of outcomes of ECM (Ahmady, 2017).

Linking TM and ECM

The widespread traditional practice of TM further fuels the frequency of ECM in Iran.

Based on famous quotations from Shiite religious sources, the essence of TM is permitted in Islam, even though it may have adverse effects on some people. With this in mind, TM is legitimate from religious point of view.

What matters here is the age of TM. Twelver jurisprudence and the Civil Code of Iran have specified the age of 13 (or the age of nine, with the permission of the court and the parent) for marriage.¹ Based on international definitions from agreements related to children and religion, this age of marriage for children, and particularly for girls, is ECM. Akbar Hashemi Rafsanjani, in his book entitled *Temporary and Permanent Marriage* (1998), considers the end of nine years to be the permissible age for *sigheh mahramiat* (child marriage supposedly without sexual relations) and TM.

In summary, the religious legitimacy of TM can be counted as a driver of ECM. According to answers given by religious sources like Ayatollah Sistani and Ayatollah Noori Hamedani, there is no difference between *sigheh mahramiat* and TM. Therefore, some traditional families make their sons or daughters marry another person through *sigheh mahramiat* or TM with the aim of controlling their sexual behaviours and the pressures imposed by others. The person they marry would also be from a peer-group, religious family. In such cases of *sigheh mahramiat*, avoiding sexual penetration is implicitly set as a condition. On the other hand, one cannot expect couples to avoid sex and be alert because of their parents' warnings, as they are usually in early puberty, but mentally and economically immature.

The results of this study and interviews² with traditional, religious families indicate that ECM is practised in the framework of *sigheh mahramiat* and TM, with a parent's permission. According to the interviews, some children are not satisfied with such marriages, yet, as children do

¹ From the perspective of some traditional Islamic scholars like Mamusta Abdul Karim Shahrikandi, Ahmad Moftizadeh, and some Shiite sources like Ayatollah Sanei, this age and TM are not (religiously) acceptable for today's women. ² Ahmady, K. Et al (2016). *An Echo of Silence: A comprehensive study on child marriage in Iran*. Tehran: Shiraze (2015) and USA: NOVA.

not have a full knowledge of marriage, one cannot fully regard those who express satisfaction, either.³ In Iran, some traditional families do not let their children mention their opinions on marriage. The parents consider themselves rightful in choosing a spouse for their child and controlling their sexual behaviour.

Relationships formed under the cover of sigheh mahramiat and in the framework of pre-marriage familiarisation will sometimes not become formal until two years after practising sigheh⁴. Participants did not mention any special reason for these long periods of sigheh mahramiat; they only stated that sigheh mahramiat is practised for the purpose of fulfilling family commitments and marrying officially.

The religious legitimacy of a relationship is significant in Iranian society: it is permissible only if it is located in the framework of religion. Such an attitude weakens the necessity for marriages to be legal. The collected data indicate that religious legitimacy is much more important than legality. This shows the significance of religion as the origin of the phenomenon and a tool for making it continue.

TM: An Approved Way of Facilitating Child Marriage in Iran

Recent social reforms in Iran are changing not only people's behaviours, but also their values (Bayat, 2013). One of those social reforms is the occurrence of premarital sex (with the opposite sex). Results of several studies indicate that premarital sex has increased among teenagers and young people in recent years. But the increase in premarital sex is not the end of the story. As newly (or perhaps newly admitted)

behavioural trends arise, so is there a gradual rise in the complications they cause (Riahi, 2011). There are different types of premarital sex today, with diverse origins. Patterns of premarital 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 within a sigheh mahramiat framework are non-romantic, premarital relationships accepted by the official religion and law of the country. ECM is one of the social and psychological consequences of sigheh mahramiat for women – and the possible sexual intercourse afterwards. The core of sigheh discourse is the intersection of instinct and religion, in parallel with chaotic societal conditions. Studies show that such relationships are seen more among individuals with strong religious beliefs who seek a religious solution for satisfying their sexual instincts (Parishi, 2009).

Under Articles 1075 to 1077, marriage can be discontinued when it is arranged for a specific duration and with a specific mahr. This is when sigheh enters the dangerous and fraught territory of ECM. Even the most sunny optimists and ardent supporters would be hard pressed to celebrate 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 in a comfort zone of legal approval (Ahmady, 2017).

The legally permissible age of 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 mahramiat 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 usually practised for boys and girls to become acquainted with one another during the engagement period (Kalantari, 2014). Ayatollah Sistani, an eminent Shiite cleric, considers sigheh mahramiat to be a sort of

³ Woman's satisfaction is a custom practised by Islam's prophet, and an underage person does not need a marriage for which a parent's permission is a condition.

⁴ Ahmady, K. (2020). *A House on Water: A Comprehensive Study on Sigheh Mahramiat and Temporary Marriage in Iran*. London: Mehri.

temporary marriage. If the girl loses her virginity, there will be no legal or religious penalties, as the lawmaker has not specified any impediment in this regard. Nevertheless, the consequences of such types of sigheh, such as young girls naturally losing their virginites, impose heavy social pressure on girls (Yari Nasab, Tohidi, Heidari, & Askari, 2015).

Sigheh mahramiat marriage with young girls, even if not intended for sexual pleasure and practised only to avoid the perils of sin while interacting with one other, is still accompanied by social pressure imposed by others. If the man is loyal with his sexual relations or if the girl's age is marriage appropriate, the marriage will be legally valid. But, 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 marriage. In such situations, sometimes the marriage is not successful and the couple cannot take advantage of societal and familial benefits. ECM and the harms the couple are exposed to because of sigheh are named as primary examples of the harms and malfunctions of TM.

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

Iranian society is religious. Even if religion and worship were not practised, it would be considered a traditional, religious society because of social training and the religious sociality of families, schools and the media. Based on the Shiite religion and the Civil Code of the Islamic Republic of Iran, the age of 13 or even younger (if the court's and parent's permissions are given) is legitimate for marriage. However, these types of marriages are not accepted by many people, social activists and international human-

rights entities (KHUC, A. T, et al. 2022). They are mostly common among religious, traditional families or families that are vulnerable (because of financial disadvantage, addicted parents or unsuitable guardians), which results in ECM. In this type of marriage, the family makes the decision for their child, and even if the children are satisfied, their satisfaction cannot be deemed the consequence of an appreciation and understanding of what they are entering into. Sigheh mahramiat is often imposed on children by force. They normally do not have an understanding of marriage and accept it, without any reason, due to the desires of their parents.

Controlling the sexual behaviour of children is an important reason sigheh mahramiat and ECM are practised, and the consent of the children is not of high significance. The majority of girls forced to get married consider themselves women after a while, rather than children.

This causes numerous spiritual, psychological and social losses. Child divorce is among the consequences of ECM. In fact, marriage law-makers have tried to increase marriage figures, unaware of the fact that these types of marriages increase the possibility of divorce. Another consequence of ECM is that it prevents the child from having the minimum education. Certainly, these traditions are also transmitted to their children and perhaps even to still future generations. In other words, cultural factors like deprivation of a minimum level of education prevent children's talents and skills from blossoming. These deprivations are then transmitted from one generation to the next as 'a culture of poverty' – poverty perpetuated in a special social class.

TM and sigheh mahramiat are among the religious beliefs of Shiite Muslims. Contrary to Sunni Muslims, Shiite Muslims consider TM to be a religious, traditional act that is legitimate and deserving of an otherworldly reward. Based on Shiite Hadiths and narrations, mut'ah is one tradition that should be practised to prevent corruption in society. However, the tradition is specifically for men who are not able to practise permanent marriage because of difficult economic circumstances. Additionally, based on Shiite jurisprudence, TM and sigheh mahramiat are

permissible. The majority of religious sources and scholars in the Islamic Republic of Iran also believe that sigheh mahramiat and TM are permissible after puberty; in fact, they recommend the act to their followers. However, clergy like Ayatollah Sanei consider TM to be something related to the special time and conditions of battle

at the beginning of Islam. They say that this type of marriage is one factor in the collapse of the family in today's society.

People practise TM because of their economic, sexual and emotional needs. They undergo this type of marriage without feeling guilty, as they consider it to be religiously legitimate.

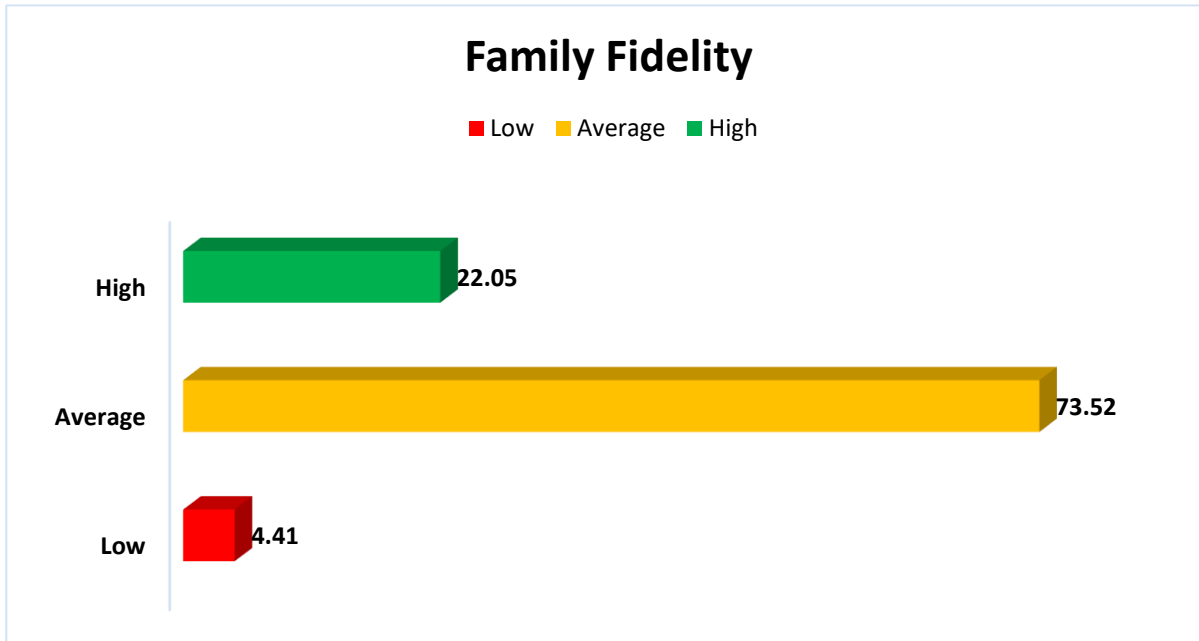


Figure 1. Percentage distribution of religious fidelity in families with backgrounds of sigheh mahramiat (%)

The data gathered in this study show that 22.05% of families that believe in sigheh mahramiat have strong religious fidelity. 73.52% of families with experience of sigheh mahramiat have an average level of fidelity, and only 4.41% have a lower level of religious fidelity. Families with strong and average levels of fidelity justify sigheh mahramiat by citing religion, but families with low levels of fidelity consider this type of marriage to be a tool for organising the sexual behaviours of their children, because of traditions/norms, the masculine culture and to reduce social pressures.

Regarding the attitudes of religious

scholars, sigheh mahramiat is the same as TM that is practised among children and teenagers (the sigheh is practised by older people as well, but for this study the statistical population is under the age of 18). In fact, religious, traditional families practise sigheh mahramiat to reduce social pressures imposed by friends/acquaintances and to control sexual behaviours at the beginning of puberty. However, the practice usually leads to sexual relations and facilitates ECM. In other words, these families try to push their children into legitimate relationships at early ages to control their sexual desires and prevent the consequences of childish naughtiness. Religion, therefore, provides grounds for TM, but in the end there are cultural factors that also compel families to arrange TM for their children.

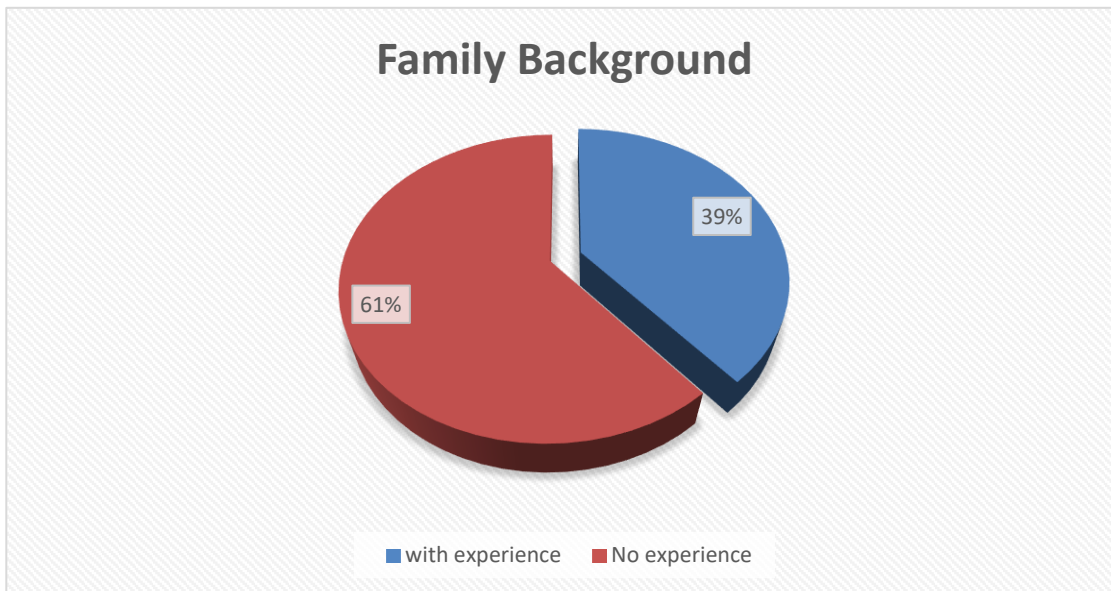


Figure 2. Percentage distribution of family background of participants in temporary marriages

Child marriage is referred to as ‘early’ or ‘forced’ marriage, since children are not given a chance to give prior informed consent to their marriage partners. Family lifestyles and methods of social training of children are basic reasons that sigheh mahramiat and TM are accepted. Families with backgrounds of sigheh mahramiat and TM internalise the behaviour and practise it for future generations as a kind of accepted social behaviour.

In this study, 61.18% of participants were families without backgrounds of sigheh mahramiat, while 31.81% had families in which this type of marriage was common.

In cultures characterised by broad socialisation (Arnett, 1995), independence, individualism and self-expression are promoted, while in cultures with narrow socialisation, obedience and conformity are held as the highest values. In religious families, sigheh mahramiat is practised for teenagers by their parents. The children

have to obey and conform, even if they are not content in the act. Furthermore, according to social-learning theory, family members learn family norms. Thus, if they see other members of the family practise TM, they learn it as an accepted norm and easily repeat it when there is opportunity.

The Effects of Temporary Marriage on Children

The study attempted to shed light on TM and to present a detailed and clear image of this social phenomenon and its nexus with the narrative of ECM. This article explains how this religious tradition is the main reason for ECM and is a violation of women’s rights in Iran.

The principal drivers of TM are pleasure-seeking and facilitating ECM. It has negative consequences such as damaged reputations, for women in particular, and a negative mentality among men towards permanent marriage. Legal loopholes contribute to the extensive violations of women’s rights. Moreover, some children get married in the form of sigheh mahramiat, resulting in all the problems of ECM, including school dropouts,

especially among girls. Opponents of TM have labelled the legal loopholes and the abuse and pleasure-seeking culture fostered by 'pleasure-dealers', who facilitate TMs, 'a religious cover'.

TM is often entered into in the hope that it will lead to permanent marriage; however, this religious behaviour can turn into a dangerous and damaging act if its legal aspects are ignored. Some families are performing mut'ah for their adolescent boys and girls. Families who have limited sociability and consider mut'ah to be the only way to stop their children's sexual acts normally opt for TM. Often, when young boys and girls go through mut'ah, after a while they end up in permanent marriages because they have had sex or have been called 'married' by relatives and friends. At such a young age, adolescents have no intellectual, economic or social maturity and need to be controlled and managed by the family. Therefore, in a religious framework, mut'ah facilitates ECM.

ECM not only restricts girls' educational and economic opportunities, but also it has negative impacts on their physical integrity and reproductive health (AlShuhayb, F. H et al., 2022). Moreover, if they engage in sex and lose their virginites during a TM that may not lead to permanent marriage, they may suffer from emotional, psychological and social consequences; for example, since TM does not need to be legally registered, a woman cannot take any action to restore her rights.

But the sigheh that is applied to children and adolescents to make them *mahram* and to prevent sinful acts has different consequences. Relationships between young boys and girls going through puberty can take on a more sexual flavour when they are not mentally, economically or socially ready for marriage. These relationships lead

A married woman living in Mashhad, who experienced sigheh mahramiat when she was 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.

A 22-year-old married woman living in Mashhad, who practised sigheh with her husband at the age of 11, said: *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 any more. I think you should get more mature. When you are a child the man bullies you. You have to obey whatever he says.*

to sexual contact during childhood and adolescence, and, due to social pressures, families seek ways to then legalise these relationships. If the male partner agrees to permanent marriage, the relationship facilitates ECM. In most cases, this ends in school drop-out, physical and sexual trauma and, for girls in particular, emotional vulnerabilities and even child widowhood. If the TM expires and the male partner refrains from permanent marriage, the consequences are more dire and the girl suffers irreparable emotional loss.

Critically reviewing some religious traditions and customs is a taboo many avoid, for various reasons. But once a tradition leads to psychological or social harms for the individuals and society in a given time and place, they need to be revised and supervised legally.

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'. A man may engage in serial unions, marrying a girl for a limited time until she conceives a child (hopefully a boy, if his previous or present 'regular'

marriage has failed to produce one) or until she can assist in economic activities. These young girls are then abandoned (and her child, if unwanted) once they are no longer needed. Once Iranian girls are abandoned, they are unmarriageable and forced to continue lives of exclusion. ECM thus turns into human trafficking, free labour, prostitution or, in short, the enslavement of a girl for the purposes of indiscriminate exploitation.

Among participants who experienced *sigheh mahramiat*, the *sigheh* can be considered the main factor that prevented them from continuing their educations (especially the girls). 17.64% of the participants had continued their education after *sigheh mahramiat*, while 69.11% of them had quit, accepting the roles of spouse and 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 young person is not prepared, prevents the ordinary trends of education.

It should be mentioned that two major factors create ECM: cultural customs and economic poverty.

Actions should be taken against the abovementioned problems caused by ECM. 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 fight against such traditions. Making education compulsory, requiring *sigheh mahramiat* to be registered legally, and specifying an age for *sigheh* are policies that may postpone or eliminate child marriage. Naturally, education and the social and economic empowerment of students and their families should be

considered among the macro-policies of the country, and operational legislative solutions should be implemented. That way, the social harms will be reduced and fewer consequences imposed on people and society in various cultural, social, economic and even political dimensions.

Discussion

Some sociologists believe that, although UNICEF categorises people under the age of 18 as children, making their marriages crimes, cultural and ritual differences are not taken into consideration in this definition. Almost the majority of the one billion Muslims of the world consider the age of 15 to be puberty and the time of entering adulthood. The sexual values and regulations of Islam, which ban any sexual relations outside of marriage, make specifying the age of 18 as the minimum age of marriage seem unrealistic for the Eastern society of Muslims.

The age of *mut'ah* or *sigheh* is specified as 13 for girls and 15 for boys, both legally and religiously. However, people may get married at lower ages with a parent's permission or the permission of the court. *Sigheh mahramiat* is normally practised for teenagers under the legal age of marriage, and their families have planned for their marriages. This is common mostly among traditional, religious families. These families tend to control the sexual behaviours of their children to prevent them from entering into out-of-marriage relations, but so the families can have easier interactions. *Sigheh mahramiat* mostly occurs as endogamy, which means it is mainly practised with a specific group of people as religious as the partner's group. Generally, traditional and established families, which are less seen in modern society nowadays, practise *sigheh mahramiat* for their children at young ages, in the framework of endogamy, based on the traditional, masculine 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 ill-equipped guardians also practise *sigheh mahramiat* for their children; that way, they can make their children marry permanently sooner, to decrease the economic burden on the family.

Interviews in the field of study revealed that people having the experience of *sigheh mahramiat* in 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 practised to regulate children's sexual behaviours, but as these children and teenagers are usually at the age of puberty, they do engage in sex, which sometimes leads to pregnancy and ECM. Therefore, *sigheh mahramiat* is one of the basic factors facilitating the rise of ECM in the country.

As discussed, ECM refers to any type of marriage under the age of 18. Based on the Convention of the Rights of the Child, a person under the age of 18 is considered a child. However, the age may be different in some countries, depending on the regulations. The WHO categorises a person under the age of 15 as a child. Therefore, a marriage under the age of 15 is considered ECM. These marriages are often practised by the father or grandfather of the child on behalf of him/her, disregarding the minimum legal age. ECM is a global topic, but statistics vary between countries and between various communities within a country. Nevertheless, based on the existing statistics, ECM is mainly practised in rural areas of South Africa and south Asia.⁵

Due to the global attention paid to this topic, ECM is decreasing; however, a significant number of children still get married below the legal age of their societies (Polevoy, G. G., & Sablin, A. B. 2022). Iran is a distinguished, clear example of this. From sexual and human-rights perspectives, ECM is the

evident consequence of sexual suppression and destructive actions that cause gender inequalities and suppression.

In developing countries, the issue of ECM is becoming more complicated because of the growing population of youth. The problem is due to the growth of poverty, the absence of knowledge and education, submission to a masculine culture, and the incorrect beliefs that cause people to 'protect' girls by forcing them to marry unwillingly. Unfortunately, because of physical consequences and constant discrimination against young girls, few actions have been taken to prevent ECM in Iran.

Regarding the religious structure dominating Iran, puberty and the first menstrual cycle are considered to be the beginning of adulthood. Reaching this biological stage is interpreted as a girl's readiness and fitness for marriage, regardless of her real age. ECM is a term applied to both young boys and girls, but the consequences of ECM are more serious and perilous in society for young girls than young boys. Save the Children UK has found that, in many communities where child marriage is practised, girls are not valued as much as boys – they are seen as burdens on their families. Marrying off one's daughter at a young age can be viewed as a way to ease economic hardship, transferring this 'burden' to her husband's family (Save the Children UK, 2003).

Because of the absence of independent, reliable studies on ECM in Iran, there is little information available; 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. Meanwhile, the real number of children forced to marry is much more than what is stated, as some families in Iran do not register underage marriages, practising marriage illegally with a local priest. UNICEF has reported the rate of ECM in Iran (2008–2014) to be 3% of those under 15 and 17% of those under 18. Based on Iran Civil Registration Organisation data, figures of marriage for children under the age of 15 decreased during the period

⁵ https://www.unicef.org/media/media_68116.html

2012 to September 2016; however, it is worth mentioning that the percentage of marriage of girls under 15 to 30-year-old men, and even older ones, has increased despite the decline of marriage itself in recent years. This type of marriage in Iranian families is the result of poverty and parents' tendency to control their daughters' relationships (Ahmady, 2017).

Based on data collected in the study, an important reason for marriage of children under 15 and 18 in Iran is the religious/traditional value of *sigheh mahramiat*, for which there is no special age. *Naaf bor*, which refers to announcing two babies as spouses of each other soon after their umbilical cords are cut, is a form of *sigheh*. Therefore, there is no specific age or principle for *sigheh mahramiat*. Thus, as ECM is the result of this kind of traditional and religious value, solutions are presented below in two levels: legal and religious common law.

Recommendations

1. As marriage before the age of 18 is a fundamental violation of human rights, **ratifying a law that specifies the exact age of marriage and *sigheh mahramiat* to be 18** for girls and boys, making *sigheh mahramiat* under the age of 18 a crime.
2. **Implementing cultural and social work**, especially in rural communities, in the countryside and in slum areas, using local capacities, NGOs and religious leaders.
3. **Advocating for women as community leaders**. In many communities that practise ECM, women are often kept out of decision-making processes and are not allowed

voices in local politics. It is vital that women be 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 ECM and TM.

4. **Using religious authorities** to raise awareness about *sigheh mahramiat* in communities, through mandatory verdicts and the promotion of *fatwas* by clergymen in religious ceremonies at mosques. **Working with religious leaders** to build their capacities to communicate accurate information to their communities on TM and ECM,⁶ and to develop their understandings of scriptural support for girls' education and delaying marriage.
5. **Requiring legal registration of *sigheh mahramiat*** in official marriage-registry offices.
6. **Making education compulsory and free of charge or with low costs**, up to the level of a diploma, and teaching students and their parents social and cultural skills. Research demonstrates how women can manipulate systems in favour of their own interests. What often stands in their way, however, is their unequal power in relation to men – a weakness rooted in their lack of social standing and lack of education.
7. **Raising public awareness through national media and cyber social networks** by making psychological, religious and legal programmes about the destructive consequences of *sigheh mahramiat* practised underage.
8. **Mobilising community leaders, religious leaders, teachers, doctors, etc.** and building their capacities as champions of girls' education and the benefits of delaying marriage.
9. **Developing a network of child-rights activists and NGOs** to empower children and their families in various urban and rural areas.
10. **Reaching 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 ECM (caused by *sigheh*

⁶ See Grand Challenges Canada's project in Nigeria 2014–2016: Walker, J. (2015). Engaging Islamic opinion leaders on

child marriage: preliminary results from pilot projects in Nigeria, *Faith & International Affairs*, 13(3), 48–58.

mahramiat) makes children's lives more complicated, as marriage has harmful consequences for their health. Marriage also affects individual growth at any level of development. In some countries and cultures, ECM is considered an economic tool, which can improve the economic status of the family and reinforce family ties. Moreover, ECM can help 'preserve' the virginity of girls before marriage and prevent them from reaching an age at which they lose sexual attraction as a spouse. On the other hand, complications from pregnancy and delivery are among the top reasons for deaths of girls aged 15 to 19. In general, the most important consequences of sigheh mahramiat at young ages include:

- growth of divorce and child-widowhood rates;
- loss of education;
- suicides, especially of girls;
- physical, sexual and spiritual harms; and
- continuation of the poverty cycle.

There exists a significant relationship between the law, the prevention and reduction of crimes and, in turn, the rise of social order and security and mental and social health. Therefore, legislative organisations like parliament need to tackle this social issue within the framework of official law, by ratifying a law increasing the age of sigheh mahramiat to 18 and considering it as a crime otherwise.

Religion is one of the most influential factors on Iranians when setting social actions. Thus, Iran's law is based on Twelver jurisprudence and legal support of a matter is not possible without religious support. As the first step, clergymen at the Guardian Council and other religious authorities can announce sigheh mahramiat under the age of 18 to be illegitimate and *haram*, because Shiite jurisprudence is

active and makes way for the issue of new verdicts compatible with contemporary time and place. This would be a vital step towards the elimination of ECM. Furthermore, mosques could efficiently function to promote sigheh mahramiat over the age of 18 and ban it under the said age, as they are places of connected networks. Additionally, explaining in mosques the harms of sigheh mahramiat and ECM in the current conditions of Iranian society could play a significant role in invalidating the practice.

Making obligatory the registration of sigheh mahramiat with the Civil Registration Organisation is a basic factor in eradicating sigheh mahramiat and ECM. The Organisation is in charge of providing registration information like births, deaths and marriages and issuing identity documents. As sigheh mahramiat leads to the facilitation and continuation of ECM, mandatory registry of the practice may be highly effective. As the Civil Registration Organisation works under the supervision of the Ministry of Interior and the executive body, making governmental policies can reduce crimes and the negative consequences of sigheh mahramiat/ECM. In addition, advocating culturally for the registration of sigheh mahramiat and the prevention of violations of the couple's rights may contribute to the abandonment of underage sigheh mahramiat.

The role education plays as a tool for increasing the age of sigheh mahramiat and ECM is indisputable, as well. Therefore, mandatory, free-of-charge education should be available all over the country. The most important effect of this would be to underline that these couples are still school students. Additionally, the information about sigheh mahramiat and ECM can be disseminated by 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 education system in recent years. Although the classes are not always regular, they can be a means of informing parents of the negative consequences of this type of marriage and dissuading them from practising it. Providing courses to students for sexual training, knowing one's body and promoting kinship and entrepreneurship, as well as advertising equality-seeking

attitudes and banning violence among students are measures that will promote mental and psychological excellence in them. Teaching these life skills helps students stand up against things like *sigheh mahramiat* and ECM. Getting students interested in school and education will also increase the marriage age. Students must be instilled with humane attitudes and the desire to respect others' rights. The gender gap is a major cause of the opinions that sexual desires must be controlled and marriages must occur at young ages. These opinions can be changed by teaching social skills to students and parents.

The media plays various roles in social life. For instance, it creates a world in which political life is displayed, culture is developed, fashions are paraded, and new styles and life values appear. Accordingly, the media has a specific status as the most important tool for increasing awareness in society. The media can disseminate information on *sigheh mahramiat*, its social and legal dimensions and its negative consequences by publicising expertise on religious, psychological, social and legal programmes. It can promote values in society that make *sigheh*, *sigheh mahramiat* under the legal age and ECM distasteful because of their negative effects and take steps towards implementing cultural work. The mass media can warn the public against social abnormalities by teaching various social harms and reporting them to social activists. That way, social activists become aware of behaviours and various abnormal and harmful cultures, so they can take actions based on logical values and norms. Therefore, the media are responsible for reflecting the realities of incorrect norms to help members of society protect themselves against these vulnerabilities and move

towards conscious, humane actions. Cyber social networks are more effective, compared to other communication tools, because of the popularity of smart phones and easier access to the internet for people from various walks of life. Preparing educational content by experts for social networks and presenting and spreading the content through effective social, religious and national characters like athletes, artists, etc. can be highly influential.

The presence of NGOs with non-commercial, apolitical and voluntary structures is a necessity in today's world, as the most vital element of cultural work and public dissemination and participation is supporting vulnerable groups in society. Based on reports and statistics from the Iran Statistical Centre, 30% of Iran's population is under the age of 18. Establishing justice in welfare, healthcare, cultural and social issues, education and quality subsistence in this population are important topics that should be taken into consideration more than before. Accordingly, the active presence of NGOs in different rural and urban areas of the country is significantly effective in the work towards social and economic empowerment of children. These organisations can take steps towards implementing cultural work to respect children's rights and prevent *sigheh mahramiat* under the age of 18 by teaching life skills to children and their parents.

Conclusion

Research into temporary marriage has tended to concentrate only on specific aspects of its impact such as the gendered harms it brings and the human-rights violations. There has been little examination of the practice as a child-rights violation. The article examines the extent of early marriage, its context and the harm it brings to young children, keeping them deprived of their visions for life.

The practice of child marriage has decreased worldwide during the past 20 years and is increasingly being recognised 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 other problems suffered by 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 eradication of this menace.

Non-registration of temporary marriages is one of the prominent contributory factors to the increasing trend of ECM in Iran. Tracking of such marriages is not easy. Making it a legal requirement to register temporary marriages would not only highlight the prevalence of ECM in Iran, but also would help to prevent sex trafficking and child prostitution.

Changing attitudes is the strategy that underpins all other efforts to end ECM. 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 changes to traditional gender roles in societies. Social awakening is a prerequisite to bring changes in communities that eradicate the issue of child marriages once in for all.

About the Author

A social anthropologist and scholar, **Kameel Ahmady** received the IKWR 2017 Truth Honour Award from London Law University and placed first in the literary category at the 2017 Global Woman P.E.A.C.E. Foundation ceremony hosted by George Washington University.

A dual British-Iranian national, Kameel Ahmady studied economic environment and publishing at the University of Communications in London, earned an M.A. in Social Anthropology from the University of Kent, and pursued additional

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Kameel has worked mainly on international and social development, focusing on gender and minority issues. Published in English, Farsi, Turkish and Kurdish, his previous pioneering research has garnered international attention. In 2011, Etkin in Istanbul brought out *Another Look at East and South-East Turkey*, and his groundbreaking research, *In the Name of Tradition: Female Genital Mutilation in Iran*, appeared in 2015 with UnCUT/VOICES Press. Nova Science Publisher added *An Echo of Silence* – a study of early child marriage (ECM) in Iran – to its programme in 2017, a work that Shiraze publishing made available in Farsi. In 2019, *Childhood Plunder* (about scavenging – i.e. waste picking – in Tehran) was printed by IRSPRC. In 2020, *A House on Water*, investigating temporary marriage in Iran, was brought out by Shiraze in Tehran and Mehri in London.

In the last few years, Kameel has focused on LGBT+ and ethnicity in such works as *Forbidden Tale*, a comprehensive study of LGBT+ individuals in Iran, printed in English and Farsi by Mehri. In 2020, *The House with an Open Door*, a comprehensive look at temporary marriage in Iran, was printed, and in 2021, *From Border to Border: An analysis of Iranian identity and ethnicity, based on research with five major ethnic groups* – Turkish (Azari), Kurdish, Baloch, Arab and Fars (Persian-speaking) – was also published by Mehri in Farsi and English. His new book on child labour, *Traces of Exploitation in Childhood: A Comprehensive Research on Forms, Causes and Consequences of Child Labour in Iran* was published in June 2021 by Avaye Buf publishing. His latest research on **Male Circumcision (MGM) *Blade of Tradition in the Name of Religion: A Phenomenological Investigation into Male Circumcision in Iran*** published in 2023 by the same publisher.

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