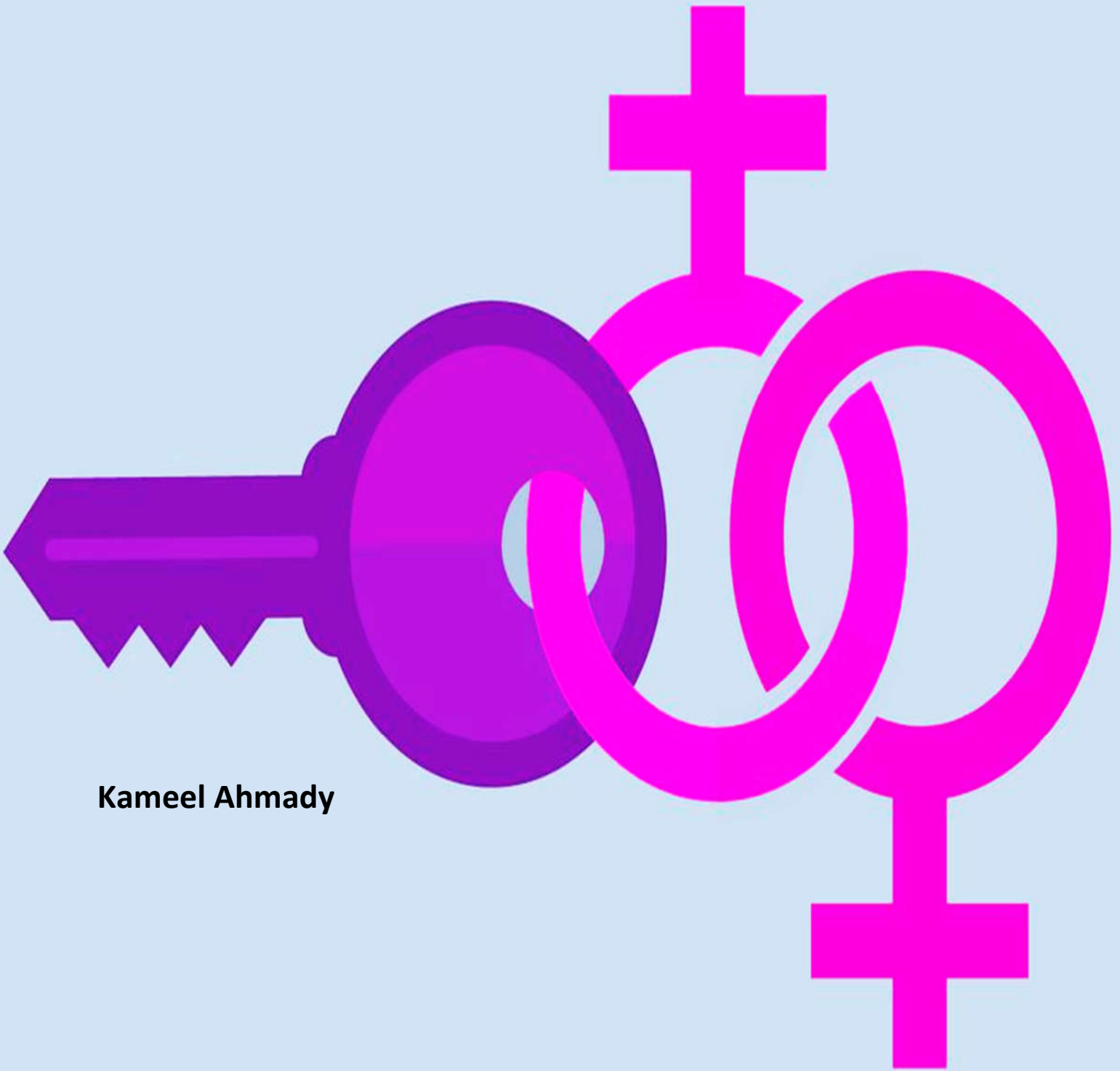


House with open door

A comprehensive study on White Marriage (cohabitation) in Iran



Kameel Ahmady



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Acknowledgment

Relating to its social and cultural conditions, every society encounters particular issues. Social issues in Iran are increasing day by day. Iranian cultural and religious sensibilities mean that some social issues are not often considered. They remain ambiguous and unacknowledged which in turn may often lead to negative consequences at different social levels. A concrete understanding of social phenomena and issues and their dimensions and characteristics, of changes in attitude by administrative and legal structures, and of cultural and sociological elements can be of great help in improving management of social issues. Family structure and also empowering children and women have been amongst my main research concerns over recent years. The present research study on 'white marriage' in Iran was in fact motivated by my previous studies on temporary marriage and *Sigheh*¹, early child marriage², and female genital mutilation/cutting³ in Iran which are published both in Persian and English.

For many researchers and social pathologists, family issues, marriage, and young people in general are the most important social issues in Iran. Relative decline in permanent marriage, increased number of divorces, celibacy, and a rise in the average age of marriage have been significant aspects of change in recent years. Despite proposed changes by administrative entities and macro policy-makers, the average age of marriage is still rising. This implies shifts in the culture and demands of young people, a weakness in operational solutions, and strategic errors.

Declining marriage rates do not necessarily mean a reduction in sexual relationships between men and women. Iranian people and in particular young generations have instead taken advantage of the current transitional period and found an equivalent known as 'white marriage' (cohabitation) in order to fulfil their needs and escape conditions of permanent and legal marriage.

In the course of the previous researches on temporary marriage, it was found that individuals who disagreed with the concept preferred an open relationship or white marriage instead. The factors underpinning the increasing number of open relationships, despite the presence of such rules as *Nikah mutah* are amongst the main themes of the present study.

Unlike western countries, 'white marriage' or cohabitation or domestic partnership, which are increasing day by day, are not legally and officially monitored in Iran. Inadequate knowledge about domestic partnership in Iranian society and also among experts and macro policy-makers, as well as a lack of legal and normative rules, have resulted in uncontrolled growth of such relationships. Beside their benefits for some particular young people or others who believe in gender equality, these types of relationships may result in individual and social harm, especially for women. For a better understanding of the phenomenon of 'white marriage' in Iran, I studied this subject comprehensively for a year, working with my research group and using both library and field approaches. I hope that

¹ Ahmady, Kameel (2018). *A House on the Water: A Comprehensive Research Study on the Temporary Marriage*; Tehran, Iran Shirazeh. <https://kameelahmady.com/house-with-open-door/>

² Ahmady, Kameel (2017). *An Echo of Silence: A Comprehensive Research Study On Early Child Marriage (ECM) In Iran*, New York: Nova Publishing.

³ Ahmady, Kameel (2015). *In The Name of Tradition: A Comprehensive Research Study On Female Genital Mutilation/Cutting (FGM/C) In Iran*, Un CUT/VOICES Press 2016.

the findings of this study will help to develop an adequate comprehension of this social phenomenon and also help to reduce the unpleasant consequences of 'white marriage', especially for vulnerable children and women.

I hereby acknowledge all the individuals who helped me during this time to complete the current study. I would also like to express my gratitude to my family who never stopped supporting me and were always beside me during difficult times. Likewise, my close friends who encouraged me during the research process are really appreciated. I am grateful to all people who helped me during data collection, especially my dear colleagues and assistants Mohammadjamal Hosseini and Ayesheh Aliyar who accompanied me during the field study.

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My special thanks goes to my friend the sociologist Hilary Burrage for her professional proofreading, advice and review of the English manuscript.

My hope is that these kinds of research studies, accompanied by the authorities' work to provide better solutions, will lead to positive social changes and the reduction of social harm in Iran.

Kameel Ahmady - November 2020

Abstract

Living together without being officially and legally married and participating in an unregistered conjugal relationship is considered as illicit and illegal in Iranian society. This type of relationship has however recently emerged as a new phenomenon and is a growing social issue, especially in metropolises and the migrant-receiving regions in Iran. Given the complexity of the issue and the existing sensibilities in the country, there are no specific statistics in this regard. The issue is overlooked and somehow tolerated by the authorities.

The present research study therefore sought to investigate and thoroughly identify this social phenomenon and its causes and consequences in three Iranian metropolises, including Tehran, Mashhad, and Isfahan. It was conducted within an interpretative and qualitative methodology framework using grounded theory. Due to cultural sensitivity of the current subject matter and also difficulty in reaching the required samples, a non-random sampling method was used. After conducting 100 interviews, theoretical data saturation was achieved. However, more interviews were arranged in order to reach more certainty and persuasion in terms of research comprehensiveness, albeit with supervision and solutions provided by qualitative method experts. Whilst the present study also shone light on other types of relationships such as the cohabitation of very young women with an older man, where the relationship is mainly centred on supplying women's economic needs, these were removed from the study in order to obtain consistency. The related data and information were collected using in-depth interviewing techniques. The data were then analysed using theoretical coding (open, axial, and selective). However, to identify research concepts and categories important for the participants, informal interviewing method was used first.

In the second step, concepts and categories obtained during the interviews were organized in line with theoretical sampling using grounded theory. Once the general course of the interviews had been formulated, interview questions were standardized by a semi-structured interview method and the process continued until theoretical saturation was reached. After performing open coding simultaneously with the data collection process, major categories, sub-categories, and concepts were obtained. The axial coding procedure allowed major and sub-categories to link to each other and then the category type was determined in terms of being causative, processive, and consequential.

The research findings indicated that environmental conditions (economic situation, legal / formal framework, and social structures), intervening factors (family conditions, lack of supervision, and living as an emigrant), as well as background factors (experience of relationship and the individual worldview) were among the main factors in the tendency towards 'white marriage'. The pivotal phenomenon of the present research study was the value and normative changes in the lifestyle of younger generation.

Moreover, multiplicity and instability of relationships were determined as the strategic action of the study. Consequences of such relationships included insignificance of gender clichés and freedom of choice, reluctance towards official marriage, social exclusion, lack of support, and fear of pursuit.

Foreword

The study reported in this book by the British-Iranian anthropologist Kameel Ahmady considers both legal and informal coupledness in Iran. It is hugely broad in scope and also detailed in specifics.

In considering the factors which shape young Iranian's decisions about heterosexual relationships Ahmady takes us from the end of the secular era of the Shahs of Iran to the modern day ultra-religious administration. We are also guided across many regions of the globe, and across cultures, from the largely closed communities of decades ago, to the present age of instant global communication and influence.

Ahmady's endeavours explore a way of living and understanding society that most in the West have rarely encountered. We may know that in some countries bigamy, even polygamy, is still permitted; we may even know that in some places children are permitted to be married at a very early age (often, in Iran, girls to older men – but never forget that some western states also permit very young people to marry).

What we are less likely to know however is that Iran has specific contemporarily reiterated legislation allowing 'temporary' or 'white' marriage (*sigheh*), whereby the licence is for a specified duration, in fact anywhere between one hour and 99 years. Nor are we likely to know that sexual involvement outside marriage is increasingly common in the Iranian metropolises, but also, as confirmed by post-Millennium legislation and, should the authorities so decide on the basis of the evidence, punishable in some cases by lashing, stoning or even death.

Present-day Iran is a complex nation, on the one hand imbued with centuries of deeply religious tradition and family strictures, and on the other informed about the modern world by sophisticated and easily accessible technologies available to millions of highly educated young citizens, men and women alike. In this book Kameel Ahmady sets himself the task of exploring how the contradictions between these fundamentally conflicting factors are resolved (or not) by the young people in his country of birth.

As in many parts of the world, age of marriage in Iran has risen dramatically over the past few decades; the duration of 'adolescence' has increased significantly. Amongst the most important influences in this trend have been low rates of secure employment, unmet expectations of good jobs by both male and female graduates, housing problems, inflation, the significant costs (including *mehr* or dowry) of formal marriage, and poverty and the greater expectation now of autonomy and self-direction in younger adults. These factors, insofar as they are recognised at all, are a matter of concern, sometimes alarm, on the part of older family members and traditionalists who fear that their faith, culture and traditions are under threat.

Thousands of young Iranians therefore live double lives – conventionally single in public, but living as 'married' couples in private. Since the law concedes nothing to these private arrangements, there is no protection for the more vulnerable partner, and indeed no prospect of active citizenship for any children born to the couple; these illegitimate offspring, Ahmady tells us, will not even acquire a birth certificate or rights to education. There is, he says, an urgent necessity for legislators in Iran to acknowledge and face up to these serious problems and issues.

Driving the trend to illicit or temporary ‘marriage’ are a number of matters considered entirely private and personal in most of western society. Kameel Ahmady’s and his team respondents have a lot to tell us, quite explicitly, about their ‘sexual needs’ and about the necessity (according to the Iranian Civil Code) or otherwise of virginity before marriage. These are unlikely issues for discussion in most - though not all - parts of the modern world.

Underlying these issues in Iran is the Shi’a Islamic concept of marriage – at once both a formal legal agreement (with many clauses on rights and responsibilities to be negotiated before the wedding is concluded) and a notion of holy purity which will become a sacred bond. Such an interpretation of marital union – found also in its ‘sacred’ aspect in traditional versions of some other religions – does not lie easily with the idea of the erotic ‘needs’ of young people which must be met in a contemporary context where they are unable to fund the married lifestyle that their parents and religious leaders prescribe.

Concerns about such conflicting demands are increasingly unusual in western societies today, but we can learn a lot by thinking more carefully about these matters. We can discern in this at-first perplexing world view a lot about assumptions (around for instance virginity) which are almost never articulated in the modern world, and it is important to take the opportunity to do so.

Perhaps even more importantly, given the tensions between beliefs and nations to which our global media constantly expose us, we must seek to understand how people from historically very different cultures and heritage have until now perceived their world. Ahmady’s research helps us to comprehend the turmoil of tensions between faiths and traditions both in modern western societies and in emerging technologically adroit nations like Iran.

As a western feminist sociologist I am committed to the primacy of human rights over tradition or belief system, but that absolutely does not remove the necessity for scholarly and dispassionate research about difficult social issues. I am grateful to my friend and colleague Kameel Ahmady for asking me to work with him on the English language version of this current publication. It will, I sincerely hope, encourage many of us across the divides of nationality, culture and gender to understand each other a little better.

Hilary Burrage
www.hilaryburrage.com
October 2020

Glossary

Definitions sourced from Wikipedia unless otherwise indicated.

Al-Baqrah : Al-Baqarah is the second and longest chapter of the Quran.

Al-Isra : Al-Isra' is the 17th chapter of the Quran, with 111 verses. It is about Isra. This sura is part of a series Al-Musabbihat surahs because it begins with the glorification of Allah.

An-Nisa : An-Nisa' is the fourth chapter of the Quran. The title derives from the numerous references to women throughout the chapter.

Ar-Rum : Ar-Rum is the 30th chapter of the Quran. The term Rûm originated in the word "Romans" and in the time of Prophet Muhammad referred to the Byzantine Greeks, hence the title is sometimes also translated as "The Greeks" or "The Byzantines".

Ashura : Ashura, also known as Yawm Ashura is the tenth day of Muharram, the first month in the Islamic calendar. For Sunni Muslims, Ashura marks the day that Moses and the Israelites were saved from Pharaoh by

Bride price : Bride price, bridewealth, or bride token, is money, property, or other form of wealth paid by a groom or his family to the family of the woman he will be married to or is just about to marry

Dowry : A dowry is a transfer of parental property, gifts, or money at the marriage of a daughter. Dowry contrasts with the related concepts of bride price and dower.

Faqihs : A faqīh is an Islamic jurist, an expert in fiqh, or Islamic jurisprudence and Islamic Law.

Fatir : Fatir, also known as Al-Mala'ikah, is the 35th chapter of the Qur'an

Fiqh : Fiqh is Islamic jurisprudence. Fiqh is often described as the human understanding and practices of the sharia, that is human understanding of the divine Islamic law as revealed in the Quran and the Sunnah.

Halal : Halal is an Arabic word that translates to "permissible or lawful" into English. In the Quran, the word halal is contrasted with haram. This binary opposition was elaborated into a more complex classification known as "the five decisions": mandatory, recommended, neutral, reprehensible and forbidden.

Haram : This may refer to: either something sacred to which access is forbidden to the people who are not in a state of purity or who are not initiated into the sacred knowledge, or, in direct contrast, to an evil and thus "sinful action that is forbidden to be done". The term also denotes something "set aside"... In Islamic jurisprudence, haram is used to refer to any act that is forbidden by Allah and is one of five Islamic commandments that define the morality of human action.

Iddah : In Islam, iddah or iddat is the period a woman must observe after the death of her husband or after a divorce, during which she may not marry another man. One of its main purposes is to remove any doubt as to the paternity of a child born after the divorce or death of the prior husband.

Khula : Khul', also called khula, is a procedure through which a woman can divorce her husband in Islam, by returning the dower or something else that she received from her husband, as agreed by the spouses or Qadi's decree

Mahr : In Islam, a mahr is the obligation, in the form of money or possessions paid by the groom, to the bride at the time of Islamic marriage. While the mahr is often money, it can also be anything agreed upon by the bride such as jewelry, home goods, furniture, a dwelling or some land.

Mahrams : In Islam, a mahram is a member of one's family with whom marriage would be considered haram; from whom purdah, or concealment of the body with hijab, is not obligatory; and who may serve as a legal escort of a woman during journeys longer than three days.

Mariage / Marriage blanc : Mariage blanc is a marriage that is without consummation. The persons may have married for a variety of reasons, for example, a marriage of convenience is usually entered into in order to aid or rescue one of the spouses from persecution or harm; or for economic, social or visa advantage.

Mehrieh : See Dowry

Mubarat : Mubarat divorce is a type of divorce in which due to lack of love between the man and the woman, the woman pays the dowry or another property to the man so that he divorces her. Mubarat divorce is among ba'in divorces in which the man cannot return to the woman; i.e. during the 'idda period, the man cannot make her his wife again without reciting the marriage formula. However, in mubarat divorce, during the 'idda period, the woman may withdraw from her giving. In such a case, the man can return to her like rij'i divorce.

Mut'ah : Nikah mut'ahromanized: nikā ,ḥ al-mut'ah, literally "pleasure marriage"; or Sigheh is a private and verbal temporary marriage contract that is practiced in Twelver Shia Islam in which the duration of the marriage and the mahr must be specified and agreed upon in advance.

Nikah mut'ah : The temporary marriage, or *nikah mut'ah*, is an ancient Islamic practice that unites man and woman as husband and wife for a limited time. Historically it was used so that a man could have a wife for a short while when travelling long distances. [BBC News]

Sharia : Sharia literally means "the clear, well-trodden path to water". Sharia law acts as a code for living that all Muslims should adhere to, including prayers, fasting and donations to the poor. It aims to help Muslims understand how they should lead every aspect of their lives according to God's wishes.

SighehMahramiat:Abstract Temporary and permanent marriages are the only legal and legitimate ways for regulating sexual relations of men and women based on official law of the country. However, unlike permanent marriage, temporary marriage is not that welcomed in Iranian culture fa

cing agreements and disagreements throughout history. The advocates consider temporary marriage as a factor preventing prostitution and immorality in society, while the opponents deem the marriage as a way for men's pleasure seeking and hedonism and a tool for violating rights of women and children. On the other hand, the religious traditional society of Iran has accepted temporary marriage in the framework of Sigheh Mahramiat and is loyal to it. [Ahmady, 2017]

Sunni : Sunni Islam is the largest denomination of Islam, followed by 87–90% of the world's Muslims. Its name comes from the word Sunnah, referring to the exemplary behaviour of Muhammad.

Umm walad : An *umm walad* (Arabic, 'mother of the child') was the title given to a slave concubine in the Muslim world after she had born her master a child. She could not be sold, and became automatically free on her master's death.

White marriage : ‘... a growing number of young couples in Iran who are living together without exchanging vows, a trend that the government says undermines the country's religious values. Last year, the chief of staff to the supreme leader, Ayatollah Ali Khamenei, called cohabitation “shameful.” [LA Times. 29 May 2015]

Zina : Zinā' or zina is an Islamic legal term referring to unlawful sexual intercourse. According to traditional jurisprudence, zina can include adultery, fornication, prostitution, rape, sodomy, homosexuality, incest, and bestiality.

Preface

Although Modernity as an evolution in the western human life is generally believed to go back to the 16th and 17th centuries, it can be claimed that modern life in practice appeared with the emergence of enlightenment in the 18th century and then the Industrial Revolution in the 19th century. In general, Modernity has passed a complicated evolutionary process which can be simply classified into four spheres;

- A) Political sphere: advent of secular government and abolition of the church;
- B) Economic sphere: capitalism and development of the technology;
- C) Social sphere: new social classification and division of labour in society;
- D) Cultural sphere: transition from theism and change of gender relations.⁴

Indeed, Modernity can be perceived by the advent of new philosophic discourse and especially change in methods of production. Accordingly, history and society can be understood not only as one of the God's manifestations, but rather as a dynamic existence in transformation based on which human being can perceive and formulate the governing legal patterns.⁵ Over the course of history, Iran has encountered Western modernity in two different ways. The first was advocated by those who were interested in the West developments and believed that this deep gap could only be overcome by following the West (encounter of the Constitutional intellectuals with and their pure surrender to the Western modernity). The second group, in contrast, were anxious about the existing gap and sought to conduct a kind of denial behaviour with the West by highlighting some components of Iranian culture and civilization which were still capable of confronting their Western counterparts. The second group internalized the problem while implicitly rejecting Western progress and, instead of attempting to understand the West and its distinctions, focused on internal drawbacks and took the view that negligence of the precedent heritage (e.g. Islamic teachings) was the fundamental cause of their lag; they therefore felt the necessity of their own resurrection (the intellectuals of the 1st and 2nd Pahlavi era like Shariati and Al-e-Ahmad).

Given the two agreement or confrontation discourses with the Western modernity that are clearly felt and observed in the historical eras like Pahlavi and/or after the Islamic Revolution of 1979, modernity in Iran did go through economic, cultural, social, and political stages which led to modernity in the West and thus caused the appearance of an imperfect modernity. This imperfect modernity and a transitional culture in the form of globalization and renewal process have caused social-value changes which resulted in the emergence of such phenomena as open relationships between men and women, albeit against the country's public norms (religious, social, and legal).

⁴ Hall, Stuart, Held, David, and McGrew, Tony (1992), *Modernity and its Future*, London, the Open University Press.

⁵ Turner, Charles (1992), *Modernity and Politics in the Works of max Weber*, London & New York, Routledge.

On the other hand, this is considered by some groups of people especially young generation as a modern, logical, and reasonable solution. Increasing number of single people (12 million, according to the Statistical Centre of Iran), lack of job security, increasing number of educated women, emergence of feminist beliefs and calls for equality, insignificance of gender clichés, occupational and educational emigration (particularly by women and girls), access to the Internet and satellite channels, ease of communication without limitations of time and place, financial difficulties for arranging a legal and permanent marriage (marriage portion, bride token, wedding hall, jewellery), appearance of romance and temporary / fluid relationships, disappearance of neighbourhoodism, extensive advent of apartment-living, and decreased religious beliefs have all caused some young people (especially educated ones born in the late 1980s or early 1990s) to choose a kind of shared lifestyle without marriage which is known as cohabitation in the West.

This type of lifestyle is the origin of free pattern of relationships between men and women which was accepted by the law after the sexual revolution in 1960s in the West and may sometimes lead to marriage. In this pattern, men and women live together have sexual relations without being officially married. This lifestyle, also known as cohabitation or ‘white marriage’ in Iran, is predominantly and rationally selected by young people whose religious beliefs have declined or become quite unimportant or those who cannot afford an official and legal marriage due to economic and social-cultural reasons. Since Iranian rules and culture are influenced by Islam, this type of open sexual relationship between men and women is considered illegal and illicit.

We are therefore faced with a phenomenon which is taboo but is stealthy and subtly growing in the pulse of the city, as many experts and researchers have asserted. Due to its religious sensitivity, this issue was always ignored in the past, but its prevalence, especially in metropolises, have been associated with social harms, including risking the status of the family as an institution, decreased pregnancy, children abandonment, illegal abortions, violence against women, sexually-transmitted diseases, and etc.

Although this phenomenon has been studied by some social researchers and pathologists in recent years, no practical results have been suggested and there are only a few articles at academic level. For that reason, a comprehensive study of the phenomenon was required. The obscurity of the main causes underlying this phenomenon's advent and expansion, as well as its consequences, may have heavy costs for society and those involved in these types of relationships. An awareness of the hidden and obvious angles of this social phenomenon can provide the authorities with some strategies and solutions to minimize associated social harms. The present research study collected too much information and data over more than one year by focusing on field-work and anthropology in three metropolises (Tehran, Mashhad, and Isfahan) using standardised interviews and precise analyses. The aim was to provide an unbiased and comprehensive assessment of aspects of this newly-emerged phenomenon using a scientific and precise analysis of interviews and data and also by interviewing real-estate agents, lawyers, and religious experts. Finally, practical and legal solutions were introduced in order to identify this phenomenon and reduce the related possible harms due to lack of knowledge and awareness.

Chapter One: Research Overview

A 28-year-old female from Tehran:

“Both of us were students in Tabriz and since we were members of some Women’s Associations or other active feminist associations, we met each other.

We were together just as simple friends for almost three years; but after two years, he rented an apartment and we used to hang out together and with our friends at his home on different occasions.....”

1.1. Introduction

The main core of social studies is social relations based on human needs. In the 1970s and 80s, these human needs became even more than previously a focus as the main element which shapes society.

Abraham Maslow is one of the behavioural scientists who introduced a theory about human needs and he is still well regarded by most social scientists in spite of contemporary critiques. From Maslow’s point of view, human needs comprise five basic tiers, including physiological, safety, belonging and love, social needs or esteem, and self-actualization. Each class, moreover, contains similar and correlated needs. For instance, the fourth tier also covers such needs as the need to feel respected and acknowledged, need for pride and reputation, and desire for value and dignity.

Maslow believed in a hierarchy of needs classified into higher-order and lower-order needs; meaning that physiological and sexual needs come first, followed by the need for relationships and then respect. Accordingly, when all these needs are fulfilled, the human being may concentrate on the higher-order needs like the contemplation of meaning and content.

Fulfilling human needs and social relations varies according to time and place. A society's culture along with its values and norms determines how human beings are fulfilled and how human relations are regulated. Culture shapes and reflects the lifestyle of the members of any society.

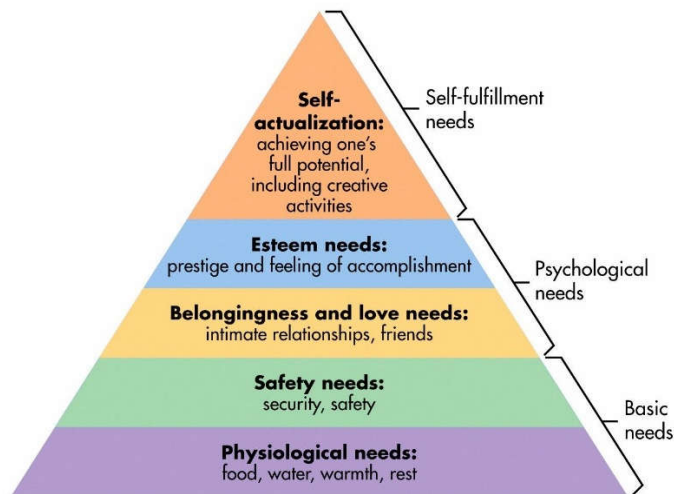


Figure 1. Maslow's Hierarchy of Needs

Culture comprises different elements of society, from marriage traditions and customs, family life, patterns of job and clothing, to entertainment, leisure time, and religious rituals. When sociologists talk about culture, they mean those aspects of human communities that can be learned and not those which are genetically inherited.

Indeed, culture is discussed and considered as a socially acquired factor in the social sciences. Members of a society are all involved in its culture, and that's how coordination and cooperation are shaped within that society. These cultural elements provide a holistic context in which people lead their lives. The culture of every society contains some intangible aspects (beliefs, opinions, and values that form that culture), as well as some tangible and perceptible aspects (objects, symbols, or technology representative of the related cultural content).

All cultures are based on the conceptions and thoughts that determine what may be important, valuable, desirable, and appropriate in that society. These subjective conceptions or values give significance to human beings and guide them in their interaction with the social world. Monogamy is an example of a prevalent value or norm in Western societies. Norms are defined as rules of conduct which reflect or even determine the culture's values.

Together, norms and values underwrite the behaviour of the members of each culture in their own social atmosphere. Moreover, norms and values vary in different cultures to the extent that the

values of one single society or community may be in contradiction with another culture or another time. Cultural norms and values normally undergo changes over time. Values and norms that we take for granted in our present life may be in contrast with those accepted by people in previous decades.

Sexual behaviours may differ based on the specific culture, values, and norms of each society. Cultural variation and conflict of values among different communities or even between different generations of a society induce changes in some values and behaviours over time. In Western societies, sexual behaviours like premarital sex or common law 'marriage' (cohabitation or domestic partnership) which are currently acceptable were in conflict with public values in past decades (Giddens, 2010: 36).

Sexual need is considered one of the most basic human needs, the fulfilment of which through marriage in Muslim societies like Iran is regarded as a normative sexual behaviour. In contrast, sexual affair outside marriage is considered illicit, illegal, and unconventional. However, due to recent structural changes in transitional societies like Iran, especially in metropolises, the sexual behaviour of the younger generation has found new manifestations beside marriage, including domestic partnership, friendship accompanied by a sexual affair, and also extramarital affairs.

Due to factors such as modernity, globalization, individualism, decreased religious commitment, and the generation gap, cohabitation or 'white marriage' can be observed among the young people in Iranian metropolises like Tehran, Mashhad, and Isfahan. 'White marriage' or cohabitation means the shared life of a couple with a sexual affair without being married to each other, and this has been welcomed by many young people as a modern lifestyle.

Being marginalized by Iranian society and official entities, this issue seems to have been less accurately studied and assessed as a newly emerging social issue. For that reason, researchers will face more limitations and difficulties in studying and intervening in the issue which, in turn, can exacerbate the possible harm to young generation.

1.2. Sexual Behaviour Paradigms

Some form of marriage is viewed as a healthy pattern of sexual behaviour in most cultures. Since every society has sexual norms which give approval to some functions of sexual relationships and disapprove of some others, human sexual behaviour always has normative meaning. Members of a society learn these norms through socialization. Therefore, the acceptable sexual behaviours of each culture are different from those accepted by another cultures. This suggests that human beings learn sexual reactions from their own culture.



Figure 2. A Symbol of Sexual Relationship in Different Cultures based on *Sexuality Today: The Human Perspective*: Gary F. Kelly

In the two-thousand-year history of the West, different paradigms have underpinned sexual cultures. The most ancient one is the religious-moral doctrine originating from Christianity, which is generally founded on the sinfulness of any sexuality outside the conventional framework and attempts to severely control or deny it.

In his book *the Rise of Christianity*, Don Nardo confirms this claim and states that “in those times, virginity was a valuable virtue and outside-of-the-marriage sexual relationships for those who wanted to conceive a child was frowned upon.” He also observes that “from the 4th century onwards, monastic movements were formed that under the influence of some blasphemous belief systems and philosophic schools inserted austerity and celibacy into the Christianity and institutionalized them as moral behaviour.” Interest in austerity and celibacy had been a part of Manichaeism (disciples of an Iranian prophet called Mani who believed that the world is divided into light and darkness forces representing the dichotomy of good and evil). According to the followers of this religion, evil causes the decadence of human beings and redemption depends on the separation from evil and ascending to the heavenly realm of pure light. This is only possible via excessive austerity and avoidance from sexual touching, violent behaviour, and carnality.

However, with the advent of the Renaissance and empiricism, as well as the formation and extension of modern science in the 16th century, a biological acknowledgement of sexual instinct appeared, and gradually grew for four centuries in the social and intellectual atmosphere of the West. Until the emergence of the Enlightenment in the 18th century, sexual relationships were still governed by religious-moral doctrine. Moreover, the pre-modern pattern of sexual behaviour was gradually replaced with emotional love as modern and individualistic form of sexual behaviour took precedence from the 19th century onwards. Considering this evolution, some researchers consider love in the modern era as the fruit of Secularism in the West (Beck, 1995: 286).

After the advent of Freud in the 19th century, psychology acquired a prominent status in determining the human affairs, and sexual behaviours were placed in the centre of new psychology. As the result of the development of psychology and Freud’s ideas, the psychological doctrine was largely accepted by western countries and shaped the sexual culture of the West. Accordingly, Freudianism turned into an ideology to account for the sexual instinct in human social life and

traits. Via the idea that a society without sexuality is a malfunctioning society, Freud could provide a theoretical rationale for further free sexual behaviours.

The conjunction of Freud's analysis with the social changes in Europe caused sexual relationships to become more open, compared with the past. More than ever, this provided a context for discussing sexual taboos. Since the second half of the 20th century, this form of historical-sociological doctrine has appeared in sexual studies discourse and has slowly dominated public attitudes towards gender in the West's sexual culture.

The advent of the second wave of the 'women's movement', also known as radical feminism, in the 1970s influenced the whole sexual culture of the West and is referred by some people as the 'sexual revolution'. It is one of the most important aspects of contemporary sociological thought.

In all aspects of its journey, feminism has targeted women's self-awareness of their individual and social rights and also demanded their freedom from historical patriarchy. Feminism pursues not only sexual issues, but also artistic criticism, epistemology, and formation of a new social order based on the equal rights of women and men. It is assumed that existing traditional and historical patterns in the modern age should be broken, reacting against the power, methods and means of creating, stabilizing, and developing the patriarchy.

This does not however necessarily mean the denial of moral values, but seeks to otherwise introduce and confirm these values from a different perspective, so that women's rights are not sacrificed under the title of morality. In this new doctrine, sexual behaviour and relationships are considered as a type of social construction, formed and defined by human beings in each era relative to the needs and changes of that age. There is no fixed or permanent pattern for approved sexual behaviour.

This new approach is in conflict with all absolutist approaches. The women's movement in the West has so far attained successes in different fields, including increased attendance of women in the market, education, educational opportunities and higher education, generating sensitivity against violence against women, extending the self-awareness about women, and some other matters. However, an even more important success is the change that it has induced in the family structure and appearance of new sexual behaviours based on these achievements.

Traditionally, sexual behaviour depends on the form and type of family. In other words, one of the major functions of family was to regulate the fulfilment of sexual instinct and guide it towards the more common interests of the individual and society. But this role has turned in the opposite direction at the present time: the family complies with the new sexual pattern and its internal shape and structures have been extended and redefined.

Sexual behaviour is also moving towards individualism. Western societies largely accept as a cultural axiom that everyone should choose their sexual lifestyle according to their individual preferences; governments, religions, and legal systems should not force anybody in that regard.

In other words, family and sexual issues have been individualized. For instance, in explaining sexual relationships which, unlike the Christian conventions and doctrine, may not necessarily be accompanied by romantic love, John Armstrong, in his book *Conditions of Love*, states that “sexual pleasure is different from other types of physiological pleasure like eating or playing. The reasoning would go like this: as it is unreasonable to think that you must always play tennis or eat with your beloved, the thought that you must have sex only with the person you love is quite unreasonable. If sexual relationship is considered as something merely separate from other pleasant activities, it is quite unwise to think that sexual loyalty is at all related to love” (Fazeli, 2004).

Along with traditional attitudes, more liberal ones relating to sexual orientations have recently appeared; these particularly flourished in the 1960s. Some people, especially those influenced by the Christian doctrine in Western culture, believe that premarital sex is not appropriate; however, the majority believe that sexual pleasure is an important and desirable part of the life. In contrast, some other people approve or even engage in premarital sex and, accordingly, have tolerant attitudes to sexual behaviour outside official marriage and reproduction, and to various other sexual activities.

Sexual attitudes have opened up more than before in most Western countries during the past thirty years. Movies and shows, for example, contain some scenes that were not totally acceptable in the past and most adults currently have access to pornographic materials when interested (Giddens, 2010: 185-186).

Sexual desire and behaviour are among the most significant aspects of human life and may lead human beings towards moral excellence when directed and guided appropriately. Sexual instinct has caused humanity to survive and form societies by creating social solidarity: it is not aberrant to say that present forms of human socialization are derived from the concept of reproduction and primal sexual instinct. For the same reason, how to fulfil human beings’ sexual needs has always been the core of historical arguments and the schools of thought about guidance around specific plans for education and sexual behaviour. In other words, different intellectual and religious schools have attempted to dominate this human need and prevent its perception as amoral by moulding the sexual instinct within particular frameworks.

Over the course of history, monotheistic religions have sought to legalize this human instinct and prohibit their own disciples from promiscuity and disobeying the related guidelines. Meanwhile, Islam has particularly highlighted a safe pattern of sexual behaviour and given special attention to the prevention, modification, and treatment of sexual abnormalities, deviances, and problems. Islam sees many issues - including human growth, development, happiness, and perfection, generations’ education and modification, the continuity and preservation of filial and family systems, and society’s purity - as being dependent on purity and protection from all types of deviance.

The Islamic model of sexual behaviours is formed of two aspects; chastity (purity and sexual self-control) and marriage (appropriate and approved fulfilment of sexual needs through spouse selection). These two dimensions have included a wide spectrum of principles and programs during the course of human evolution, from birth to the end of life (sexual care, control, education, and guidance, sexual preparation and education at the time of marriage, training in martial etiquette, and modifying and treating sexual abnormalities) (Nooralizadeh, 2009).

For that reason, the fulfilment of sexual needs in Muslim communities like Iran makes sense only through marriage (permanent or ‘temporary’). The family, which has developed via permanent marriage, has undergone structural changes over time, but despite that, marriage and family formation are still considered the essential source for the fulfilment of sexual needs. However, in Western countries cohabitation without marriage is an approach through which sexual needs are shaped and is acceptable as a public norm.

In Sweden, for instance, ‘living together’ or ‘common law’ partnerships have been accepted and have a high rate compared to other countries; moreover, the children conceived in this type of relationship are also supported. But in a country like Iran where the law and convention do not recognize such a new phenomenon, such a lifestyle is totally fragile and can be harmful to young people.

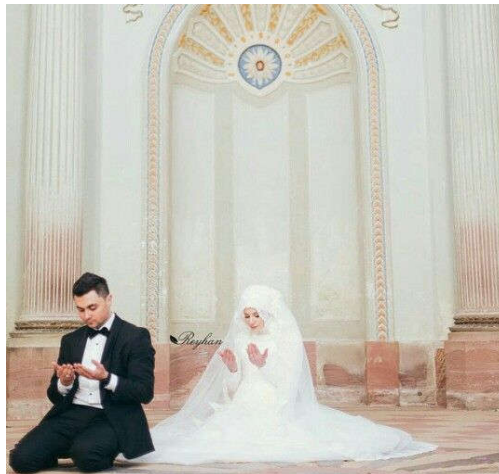


Figure 3. Marriage of a Muslim couple and start of a lawful and religious life

1.3. Puberty and Sexuality

Puberty is stage of human growth causing a transition from childhood to adulthood. The individual who has passed the stages of childhood becomes an adult who is capable of sexual reproduction. Puberty largely implies the physical changes which bring about physical maturity; but full maturity refers also to the psychological and personal development of the individual. Social maturity is the stage of human development parallel to puberty that determines the individual’s social character.

Puberty is thus the actual physical process of human bodily development through which all secondary sexual traits (genital, bodily, and mental) appear and both young men and women are thereafter perceived as men and women in terms of sexual characteristics.

Puberty in contemporary times however initiates earlier than in the past and thereby lasts longer than before. The elongation of this period does not however necessarily mean the extension of youth and happiness; it also necessitates attempts to cope with the excitements of this period. Young people must learn how to deal with themselves and their surrounding world during the currently longer duration of puberty.

Puberty has lost meaning and importance in contemporary society, compared with the past. Cultural and social development has not only become longer and more complex, but also more difficult, to the extent that puberty and physical maturity have moved a long distance from both social and psychological development.

Theories relating to the sexual behaviour of the young people in contemporary society emphasize that their attitudes and behavioural patterns, compared with the last generation, have undergone a transformation. Many consider the Student Movement of the 1960s as the main reason. Previously banned gender issues like cohabitation and extramarital sex began to be discussed and practised by young people.

Breaking the so-called taboos or prohibited sexual matters attained a special position. Such theories as Wilhelm Reich's *Polit – sex Bewegung* were reintroduced among young people. More than ever in history, many young women now consider 'sexual liberation' as a representation of their own freedom, including with it an ideological and emotional interpretation. This change of attitude among young people can be attributed to a change of attitude towards the physical body. Disregard of one's own body by former generations has given way to universal morality (mundane and material) about the body and sexual attitudes.

According to Thomas Ziehe, the relatively early start of sexual relationships and diverse methods of sexual behaviour have decreased their importance as indicators of puberty. The increased spread over time of sexual intercourse in contemporary society is closely linked to two important phenomena associated with gender in that society: first, boosting the commercial aspect of sexual relationship, and second, the separation of sexual relationships from routine life, turning it into a totally private relationship (Scheffers, 2004: 107).

In general, sexual relationships as a private relationship that can fit into the frame of marriage without any legal registration has no place in religious cultures, especially in countries like Iran. However, with globalization and modernism, as well as with communication networks and virtual space, the sexuality of young Iranian people has also been influenced by a culture in which sexual relationships are considered merely private matters, to the extent that an evolution of mores more or less similar to that of the West can be observed among them.

1.4. Late Marriage in Iran: Disorder in Normative Sexual Behaviour

Human lifestyles have changed in the present time. Lifestyle has now taken a different shape both from individual and collective points of view. Changes in the way family institutions are formed are considered to be one of these differences that covers both premarital and post-marital periods. A single lifestyle in the current world is not constrained by the social and secular limitations of previous generations.

People's freedom of choice in selecting their own spouse and extensive social relations has caused the need for marriage as a certain necessity to turn into a matter of choice. If we assume that marriage is a connection between two genders based on stable sexual relationships, it necessitates the conclusion of a social contract that legitimates physical relationships (Sarokhani, 2006: 23).

Karlsson defines marriage as “a process formed by a mutual interaction of two individuals (a woman and a man) who have realized some legal conditions and held a ceremony to legitimise their marital relation and in general, their actions have been accepted as an act of marriage” (Karlsson, 1963: 63). Change in the pattern of marriage is one of the main characteristics of social and cultural change. If the evidence implies a huge decrease or increase in marriage and divorce statistics respectively, society will face the collapse of the family and extreme altruism (Azad Armaki, 2007: 99). The age at which people enter marital life is a significant factor in any society.



Figure 4. Economic problems, housing, procuring furniture, large marriage portions (*mahr*), unemployment, the expensive lifestyle of some young people, and poverty are among the most important economic causes affecting the late marriage in Iran. <http://www.dana.ir/news>

The factors determining the age of marriage have changed compared to the past. Women's age in their first marriage was previously dependent on economic fluctuations. Increase in the marriage age or the age lag from the appropriate age for marriage of young people in society can be calculated and evaluated based on quantitative variables like years, or on qualitative ones, including delay of the marriage age. According to the Research Centre of Islamic Legislative

Assembly, the average age of marriage for men and women are 29 and 28, respectively which shows an increase (Kheiri, 2016).

Factors influencing delay in marriage are variable both inside and outside the family. In this respect, such internal factors include the family's culture and point of view as well as its economic and social state. Factors outside the family which affect age at marriage include general social conditions.

The issue of marriage has always been a focus for sociologists, especially in the field of family studies. It also becomes an intellectual concern for the related authorities when the age at marriage is not deemed by them to be appropriate. Increased marriage age has led to the facilitation of outside-of-marriage sexual relationships like domestic partnership. The most important factors influencing postponement of marriage are social, cultural, and economic; these factors will be examined in detail below.

1.4.1. Social Factors

One of the main factors that might increase the age of marriage is education. Young people consider marriage incompatible with education. They believe that marriage brings responsibility and makes the individual responsible. As a result, the age of marriage increases and young people put aside personal preference to postpone marriage until after graduation. Leading an acceptable life in accordance with the expectations of modern societies often requires a long educational period. Obtaining educational degrees brings the individuals social and economic credit and provides them with a better opportunities for employment in administrative centres, factories, and etc. It follows that, in order to have a better social and economic situation in the future, young people, particularly young men, have to spend the third decade of their life in education.

The significance of higher education for women is more due to the fact that it improves their social status. Women with higher education can usually marry men with a better economic and social status (Bostan, 2010: 12). Moreover, education alerts individuals to their own rights and makes them aware of situations where their expectations are not met or are contradicted. This is particularly true for women.

Additionally, increased crime rates and social and family harm like addiction, promiscuity, domestic violence, divorce, cold relationships, interference by other people, etc., have not only resulted in family disintegration, but also in young people's distrust of marriage. This has made them dismiss marriage as a source of happiness (Rajabi, 2007) and to perceive its potential combination with harm such as addiction as an additional problem for their own normal daily lives. Other people's experience in marital life can either persuade them towards, or dissuade them from, marriage.

Good experiences accompanied with sympathy and understanding of people's lives can motivate others to form a family. On the other hand, failures, quarrels, and disagreements in some families,

especially between young couples, cause hatred and fear of marriage (Derakhshan, 2004: 150). It is thus obvious that the increased rate of divorce in Iran over the past decade promotes pessimism toward marriage among today's young people.

All behaviours present in the family influence the individual's life. Freedoms, type of communication, the governing mores of the family, interactions, feelings, emotions, selections, conscientiousness, obligation or lack of obligation, etc., are among the behaviours that, though simple and superficial, can be the source of huge changes in life experience. For instance, the relationship of a young person raised in a disciplined and rule-bound family with a person without that same obligation and discipline is unlikely to last. The existing behavioural diversity in each educational space may generate a characteristic result for the overall behaviours in that specific atmosphere. Likewise, the educational environment of particular families can also be considered as a barrier to marriage.

In the contexts of marriage patterns influenced by different times, cultures, and value-based attitudes, a comprehensive definition of this phenomenon seems too difficult. Such issues as the legitimacy of polygamy in many communities, the legitimacy of temporary marriage in Islam, approval of homosexual marriage by some new movements and also some western governments, and the appearance of sexual communes in some societies, all contradict the comprehensiveness of conventional definitions of marriage. Some observers even tend to include cohabitation - domestic relationships between men and women outside marriage - in the concept of marriage. Since the cohabiting couples usually have a long-term relationship and have recently acquired spousal rights, they claim a change in the concept of marriage (Lawson, 2001: 146). Although social life is one of the requirements of human life to the extent that no person can survive without community, lack of adequate attention to related social policies and plans will produce many problems.

1.4.2. Economic Factors

Economic factors are one of the main reasons for the increased age of marriage in young people. Unemployment, for instance, is an important hindrance to marriage. Although young people's sexual instincts are strong and move them towards getting married and forming a family, unemployment and lack of an income for their daily needs are deterrents. Thus, they are driven to suppress their sexual desires and postpone the desired time of marriage until they find an appropriate job. A young population, limited numbers of employment opportunities, and the high demands of young people in Iran, mean that unfortunately the country is faced with an unemployment crisis. Economics is thus one of the most important barriers against marriage (Kheiri, 2016).

Having a suitable job therefore affects the age of marriage. Young people often get married when they are sure that they can afford family expenses according to the traditions and customs of their own social class. And since people cannot generally earn an adequate income before their later

twenties, employment becomes important and also an obstacle to marriage. In current societies employment systems are designed to require many years of education (Majdaldin, 2007).

There are many illiterate, low-literate, and graduate young people who have arrived at the expected age of marriage but are unemployed. They either rely on the help of their parents to procure the essentials for their daily life or they seek temporary jobs like retailing or dealing. Graduates are also hired in unspecialized and low-income occupations like secretariat or salesmanship, and therefore cannot start a family with all its related costs. As a result, despite their desire and need for marriage, such people become disappointed and face marriage problems; and if, supposedly, they marry in such conditions, incompatibility and divorce will likely be the consequence (Hosseini, 2010: 167).



Figure 5. According to official statistics, 11% of the active population in Iran are unemployed. Unemployment among young people aged 15 to 25 is up to 26%.

1.4.3. Cultural Factors

Some people believe that marriage will limit most of their needs and preferences. Thus, they prefer to choose a single and free life. This is not specific to young men however; some young women also consider marriage an obstacle to their individual freedom. It seems that there is a connection between the increased age of marriage and the tendency towards unconventional sexual relationships.

Some researchers suggest that the open relationships between young men and women which make possible their sexual fulfilment have devalued for them the need to get married. In a study on the problems and obstacles to marriage, especially for young women, it has been highlighted that some young people find the satisfaction of their natural instincts only in a relationship with the opposite sex. Accordingly, the open relationship between young men and women, and the accompanied sexual advantages outside marriage, somehow shifts the responsibilities of marriage off their shoulders; this is one of the causes of the increased age of marriage (Shojaei, 2005).

Castells believes that there is a revolution going on but not the one announced and followed by the movements of the 1960s and 70s. However, there were important factors in these movements causing the sexual revolution be placed under the spotlight. The sexual revolution's characteristic

is the dissolution of marriage bonds, family, sexual needs, and homosexuality. These four factors, which have been intermingled under patriarchal conditions over the last two centuries, are currently moving young people towards independence (Castells, 2001: 282).

According to William Goode, the time of marriage is affected by modernization at both individual and social levels. Improvement of educational opportunities, changes in employment patterns, women's occupations, and urbanism can be considered the most important factors in modernization. Due to different lifestyles and also less social control, marriage is postponed in urban regions, compared to rural areas (Ahmady, 2010).

Based on this theory, William Goode considers the observed transformations in family as the inevitable results of structural (social) and ideological transformations. He suggests that when structural and ideological transformations occur at macro scales (e.g. industrialization, urbanism, etc.), micro entities (family) are forced to conform to such changes (Ezazi, 2006: 17). On the other hand, Giddens believes that the family is changing in particular aspects all over the world. He called this transformation structuration. Although Giddens states that Iran has moved against the general flow of global transformation during the Islamic Revolution, he believes that this is an exceptional matter. However, the drawback of Giddens' theory is that he considers the Islamic Revolution to be the result of a rewind to traditional values, while the changes which have occurred over recent years indicate that structuration in Iran has been similar to that of West and other human communities. According to Giddens, structuration consists of the following:

- 1- Macros (large kinship groups) and other interconnected ones which lose their own influence.
- 2- There is a general procedure observed in the free selection of the spouse.
- 3- Women's rights are more than ever taken into account regarding both their selection rights in marriage and also decision-making in the family.
- 4- Marriages in traditional cultures are kinship marriages, which are gradually reducing in number.
- 5- Sexual freedom has become prevalent in strict societies but sometimes it has been restricted and undergone reversals. This is exactly what occurred after the Islamic Revolution of Iran in the late 1970s (the Iranian authorities decided to enact some rules to limit sexual freedom). Nevertheless, such cases seem to be exceptional.

Adopting to Giddens' concept of structuration, some factors regarding the changes of marriage in Iran might include:

- 1- The influence and impact of kinship groups have decreased in Iran.
- 2- There is a general acceptance of free selection of the spouse.
- 3- Women's rights in selecting their husband and also the requirement or not for the father's approval are more than ever taken into account.
- 4- Kinship marriages have become very uncommon.
- 5- Sexual freedoms have increased (Ahmady, 2010: 52).

1.5. Identifying the Patterns of Sexual Relationships

Studying the social transformations in Iran suggests the occurrence of gradual but extensive changes. With the development of new communications, IT and social media, Iranian society has slowly faced an increasing wave of value and normative changes. The emergence of such facilities as satellite TVs and the internet in homes has familiarized Iranian audiences with different lifestyles from different cultures and societies. This has indirectly and secretly challenged previous values and at the same time has given these audiences new life options.

Presentation of these different lifestyles has resulted in a gradual change in the values and attitudes in Iranian society. This process has produced an intergenerational gap in values and has resulted in a trend towards change in a society, where young people are less influenced by traditional and cultural values. The change in values begins with a generation gap and young people's denial of traditional values in society, and it may lead to extensive social transformations.

Beside the recent transformations in the value system, Iranian society struggles with other structural and social transformations. One of these challenges is the change in the country's economic structure and its social consequences for the younger generation. The interval between puberty and economic maturity is now over ten years and is increasing every day.

Economic maturity is obtained via stable employment and, for that reason, the young people's occupations have turned into a critical issue for Iranian society. Decent employment is a prerequisite for marriage and economic problems increase the age of marriage, especially in large cities. In spite of everything, marriage remains the only legitimate way to satisfy your sexual needs in Iran – but it is currently being confronted with many barriers.

In fact, individuals' choices are even more limited than that. Although marriage is said to be the only legitimate way for sexual needs to be met, the fact is that only permanent marriage gains this acceptance and people's desire to choose 'temporary marriage' can incur heavy expenses beyond the individual's celibacy. There are currently more than ten million young people in Iran who are at the age of marriage but have yet to marry.⁶

On the other hand, the number of people accepted to universities has increased, compared to previous decades, and now society is faced with millions of unemployed graduates who have almost no chance of getting married at an appropriate age. Iran has now encountered an important issue: millions of young people who regarded education as the key to their happiness went a long way hoping to have a better life. However, after many years of endeavour most of them have found their expectation of a better situation to be a mirage of an ideal, whilst those who did not show interest in academic education were actually the successful ones.

⁶ According to Statistics Center of Iran report

Those who distrusted this mirage and did not follow it won the game.

All these factors have caused an increase in rates of depression amongst graduates and also a sense of anomie or anomaly in them over recent years (Ofoghi and Sadeghi, 2009). This sense of anomie has in turn resulted in the formation of new values in some young people - although this does not apply only to unemployed graduates; those in employment also fear severe job insecurity in Iran.

This problem has become more severe after privatization in Iran in recent years. Job insecurity is more sensitive and extensive than unemployment and targets those employees who feel uncertain about their occupational future. One of the indicators of insecure jobs is a temporary contract. This situation is exacerbating in economic organizations in Iran day by day. Provisional contracts allow employers to dismiss their employees anytime they prefer at low cost (or sometimes even without any cost at all).⁷

These decreased economic prospects have also deprived the individuals of their psychological security. In the past, economic problems were one of the major causes of divorce in Iran, and those issues have now turned into an excuse for not getting married in the first place.

Unemployment and job insecurity in contemporary Iranian society have resulted in the fear of marriage. The present young graduate is more vigilant than the past fatalist one. In the current new conditions, people do not easily yield to a marriage, the heavy expense of which may be divorce. The result of such changes has been an increase in the age of marriage followed by the formation of new behavioural patterns.

Meanwhile, people under pressures caused by the gap between puberty and economic maturity, and also the increased age of marriage, behave differently. The formation of anomic opinions and the appearance of new values are among the consequences of this growing break. Changes in the value system and economic structure of Iran have gradually provided the conditions for some young people to show new patterns of sexual behaviour. The formation of new values and emergence of new behavioural patterns act as responses to their unsatisfied internal needs.

The few studies conducted in this regard suggest an increasing trend towards premarital sex in Iran, and this has turned into a major intergenerational conflict in urban families. Most of these relationships are formed and continued secretly, without the knowledge of the parents. The related authorities warn against the possible increase of AIDS infection among the young and implicitly consider the prevalence of risky sexual relationships at this age to be the cause of the onset of the third wave of this disease in Iran. A complicated issue is about to emerge and the governing policy tends to ignore it.

Meanwhile, most parents are not aware of this hidden story, because most young people do not trust their parents with their sexual secrets. This ignorance by families has made it difficult for them to control their children. On the other hand, lack of social *research* in the past has made most

⁷ Protests of Hefco Co. workers in Arak for their unpaid salaries for 8 months and layoffs and also protests of workers of National Steel Industrial Group in Ahwaz against the layoffs and their delayed payments are some examples.

authorities treat all premarital sexual relationships over the recent years similarly and thus, recommend the same solutions. Therefore, they ignored the complexities of social facts and failed to understand their different social origins.

Lack of specific knowledge about social diseases will certainly cause dangerous errors in their diagnosis and treatment. In line with that, Taghi Azad *et al.* (2011) conducted a research study entitled “Typology of Premarital Sex Patterns in Iran” and identified six categories of such relationships which will be explained as follows:

1.5.1. Non-Romantic Relationships

The characteristic of non-romantic relationships is a lack of emotional belonging and sexual commitment between the partners. In this type of relationship, money or good compensation by men for the sexual services of women is necessary for the stability of the relationship. Non-romantic relationships are divided into two subcategories:

A) Open relationship; emergence of prostitution patterns

Open relationship is the most obvious representative of non-romantic relationships. This type of relationship, however, is the continuation of prostitution patterns. Open relationships are found in cases where sexual services are offered or solicited for money. This is not however a new phenomenon and is among the social deviances that have existed forever. Buying and selling the body is the main characteristics of this type of relationship. Materialization of sexual relationships in this category reflects supply and demand at a different level from other categories.

Prostitution is founded on the belief that the human body can be sold or bought exactly like other goods. In open relationship patterns, one side seeks her/his financial benefits and the other side seeks satisfaction. The concept of love is quite meaningless and what is important is new sexual experiences for men and income for women. The results obtained by Armaki *et al.* (2011) suggest that the subjects involved in such relationships do not believe in any religious aspect and its limitations.

In this pattern, men generally have different motivations from each other, compared to women. Men seek to satisfy their instincts and women seek livelihood. Due to few limitations on what men consider for themselves in this type of relationships, their target groups may vary a lot. They will get into a sexual relationship with every woman or girl whom they can tempt, persuade or even force to conduct a relationship. Beside park, street, friends and social networks suggestions, such subjects take advantage of different means like virtual networks to find their targets. Most of these people put no restrictions for themselves and usually welcome any new relationship.

B) *Sigheh* relationship

The second subcategory is a *sigheh* relationship, which occurs before official marriage in Iran. The main argument for this relationship is the connection of religion and instinct by the individual in

the unorganized conditions of the society. This type of relationship is seen in subjects with more religious commitment. In this category, the subject searches for religious solutions to satisfy sexual instincts. Based on the legal and juridical regulations, two types of permanent and temporary (*sigheh mahramiat*) marriages are officially recognized and have legitimacy in Iran.



Figure 7. One-hour marriages with National ID on the Internet. Some women have registered themselves on <http://funigma.com>, a website for *sigheh* and finding partners for temporary marriage in Tehran.

Some young persons over 18 who are raised in religious and traditional families consider *sigheh* before marriage and during their engagement period as a correct and legitimate act. In its common sense, temporary marriage or *sigheh* is registered with the binding condition in case of pregnancy and has been emphasized by Article No. 21 of the Family Support Act approved in 2012. Despite the lack of quintessential difference between *sigheh mahramiat* and temporary marriage, there is no written law about the former. The positive function of *sigheh mahramiat* for people over 18 is to know each other before getting engaged. However, its negative aspects like social pressure on young women or men to get married to the same person can lead to family collapse in the future. Or if a sexual relationship is being conducted during this period, its negative social consequences would be more severe for woman and since it has not been legally or systematically registered, man can potentially escape any further responsibility or commitment. In addition, a close sexual relationship is more probable in *sigheh mahramiat*, which in some cases leads to the marriage of children and adolescents without maturity or good economic conditions, but who got married according to cultural and traditional customs.

Among the most important consequences of this type of marriage are leaving school, unwanted pregnancy, psychological and physical diseases, and child widows. *Sigheh* relationships can be considered as one of the solutions for sexual relationship before permanent and official marriage. However, this type of relationship has always been misused by prostitution dealers, due to lack of any control and supervision. Thus, *sigheh* is sometimes concluded in a matter of hours without any announcement and without *iddah* (a period of abstinence from sexual intercourse), and so can be seen as a kind of modern prostitution hidden under the shelter of religion and jurisprudence.

During the study on child marriage in Iran⁸, we found that such religious and traditional beliefs as *sigheh mahramiat* are amongst the main causes of the prevalence of child marriage in Iran. Therefore, this social phenomenon was comprehensively studied and the results were published in a book entitled *A House on the Water* in May 2019.⁹ *Sigheh mahramiat* or temporary marriage is among the religious and traditional norms in Iran which have legitimacy. Based on Articles 1075 and 1076 of the Civil Law of the Islamic Republic of Iran, temporary marriage is a marriage for a certain period and with a specific *mahr*.

What needs to be investigated however is that policy-makers have ignored issues such as alimony, inheritance, and marriage dissolution. Further, children are married under the aegis of *sigheh mahramiat*, and child marriage is facilitated through this provision with many consequences, the most important of which is leaving school, especially for girls. Research studies conducted to date have been in agreement with temporary marriage, and there was until now no comprehensive study of this phenomenon.

A House on the Water has for the first time highlighted the historical, religious, legal, and social foundations of temporary marriage / *sigheh mahramiat*. In addition, by using both qualitative and quantitative approaches and also survey methodology, this study has comprehensively scrutinized the phenomenon in three metropolises (Tehran, Mashhad, and Isfahan) in 2016-17. The findings show that the indulgence and facilitation of child marriage are the core phenomena underpinning temporary marriage / *sigheh mahramiat* - which are associated with such consequences as social stigma, especially for women, and the formation of negative attitude in men towards permanent marriage.

In the book *A House on the Water*, an attempt has been made to study scientifically, without bias, the hidden and transparent aspects of temporary marriage and *sigheh mahramiat*, to introduce a clear-cut grasp of this social phenomenon and provide the administrative authorities and policy-makers with fundamental and realistic solutions. It is hoped that these solutions will cause temporary marriage in Iran to be legally and socially organized and controlled, so that the women and children rights will not be violated and the family institution and permanent marriage status will be reserved safe.

The most important solutions obtained in this research include: policy-making for increasing the age of temporary marriage and *sigheh mahramiat* to 15 years old; legal and official registration in Marriage and Divorce Registry Offices; obligatory and free education; legal and health consultations; considerations of the conditions and legal restrictions for temporary marriage and *sigheh mahramiat*; policy-making regarding alimony and the right of revoke in women's interest in temporary marriage; improving economic conditions and creating new job opportunities and

⁸ Ahmady, Kameel (2017). *An Echo of Silence: A Comprehensive Research Study On Early Child Marriage (ECM) In Iran*, New York: Nova Publishing

⁹ Ahmady, Kameel (2017). *A House on the Water: A Comprehensive Research Study On Sigheh or Temporary Marriage In Iran*, Tehran Shirazeh Publishing (<http://kameelahmady.com/fa/temporary-marriage-in-iran>)

entrepreneurship; religious leaders' roles as a factor for changing the form of temporary marriage in Iran; and generating cultural and social infrastructures through mass media and non-governmental organizations.

1.5.2. Romantic Relationships, Appearance of Premarital Romance

Love and romance are inseparable parts of the human condition. The existing gender tensions represent the most obvious desire of human being for love. Due to the existence of love in their hearts, human beings sometimes marry and sometimes divorce. Love is the single position where a human being can truly identify him/herself and connect to other people. Meanwhile, love is disappointment and consolation; a powerful force that obeys its own rules and is reflected in people's anxiety, expectations, and behavioural patterns (Giddens, 2010: 260-62).

Emotional love has various shapes. The first level shows lustful instincts and life force and the last stage is the most perfect form of love or transcendental love sometimes also known as Platonic love (Bradshaw, 2002: 198). Transcendental love goes beyond the physical relationship and is so idealised that it turns into myth. There are many people who imagine they have reached transcendental love the moment they feel a sexual attraction associated with emotional enthusiasm, because they do not have adequate experience and education (Lap, 1998: 138).

Some attitudes to 'love' may cause emotional relationships in the young to turn into the converse; some dissuasive and selfish loves may result in depression, self-harm, addiction, suicide, prostitution, change of relationships, and even sometimes sadistic and masochistic behaviours in form of violent and misanthropic events like acid attack and murder of the beloved.

Attitudinal differences between men and women regarding love can influence marriage as an institution. Change of mental states, globalization, and communicating without spatial restriction, anxiety, and fear of loneliness direct individuals towards the noisy culture of love in other societies, especially in its western form. As a result, such individuals will be lost in space and time. If they fully understand love and its aspects, the victims of emotional events will probably decrease.

Giddens introduces 'pure romantic love' as an authentic and good relationship founded on mutual trust and the parties' independence and ability to connect to each other as adults. It is an appropriate relationship in which the individuals are emotionally autonomous and enter of their own volition, and, if sufficiently satisfied, try to sustain it. According to Giddens, such a pure relationship stands apart from interference by culture, tradition, religion, and family. For that reason, those who voluntarily enter such a relationship for its own sake will achieve peace of mind in the conditions where tradition and religion are over-shadowed by individualism (Giddens, 1999: 140).

In the existing conditions and structure of Iran women and men are not provided with equal social power and individual capital. Men are even favoured in terms of power and functionality in their mutual relationships with women, and so some women are identified by the status of their marriage in that society. They are not yet totally seen as independent even after achieving higher education

and job positions, since the social credit of most women is shaped by their legal relationship with men - though many changes, especially in urban communities, are emerging.

Culture, tradition, religion, and family play a key role in people's lives. For that reason, it is difficult to talk about Iranian society in terms of Giddens's pure relationship. In fact, in addition to lack of mutual trust, independence, and the individuals' political, class, and gender inequality in the society, young people still enter into secret relationships without peace of mind and full of anxiety.

Iranian modernity and its consequent events have markedly changed patterns of sexual relationships over time and have included a wide spectrum of varieties and alternatives, until now considered as taboo, within the prevalent patterns. Previous patterns had many drawbacks which would make the couples reluctant to marry. Cold relationships continuing without any feeling between the partners caused them to face an internal dissatisfaction. Mere sexual relationship could possibly satisfy their bodies, but not their souls.

Further, such relationships were normally associated with the humiliation of women and their reduction to a commodity. This had caused women in such relationships to turn into vulnerable and cold creatures with low self-confidence. In the new approach, however, the woman's status changes from being a mere sexual object to the beloved; men also think about their own soul and seek ways to satisfy it.

The presence of money and its use for soliciting sex was essential for the formation of non-romantic relationships. By contrast love is the key element for forming and continuing a relationship in the romantic relationships approach. Human beings are not essentially epistemological actors, but instinctive actors who seek pleasure rather than simply awareness. Making love is the highest pleasure that one can achieve and fight for. Sex and affection are intertwined in love to the extent that an attempt to dissect and separate them would be a difficult task. The formulation of sexual relationship is connected with the formulation of the concept of romantic love in the discourse of romance. Romantic love consists of emotional and sexual preferences relating to a specific person.

Premarital romance is much dependent on the social availability of young men and women, as well as on the potential for direct connection. New communicative technologies and changes in social structure of Iran over the past years have made such opportunities possible. The enhanced presence of women in social spheres (academia and work places) have made it possible for different individuals to make visual contact and to create emotional bonds. Such connections were not possible in the past since, because of their absence from open society, women had no chance to conduct and continue relationships with the opposite sex. However, all of these limitations are to a great extent now removed, thereby providing a context for forming new patterns of sexual relationship in Iranian society.

Romantic relationships can be divided into two subcategories:

A) Friendship with the opposite sex

Some theorists of developmental psychology see forming a close and romantic relationship as a social developmental stage in adolescence. When children pass to their adolescence, they have more time to spend with the opposite sex at their own age. From the middle of adolescence till the end of the period, this increasing heterosexual interaction will change into romantic interests leading to the formation of romantic relationships. Therefore, the number of adolescents who are in contact with the opposite sex would increase. The relationship between young men and women is a relative concept that should be defined within a cultural context (Hendrik *et al.*, 1999).

The core of this approach is intimacy and sexual attraction between individuals and their partners. In forming such relationships, individuals do not engage in religious aspects and related restrictions. This relationship mostly occurs between people of the same age. In such cases, emotional needs have the same significance as sexual needs. All these aspects are common in the search for premarital romantic love.

At this subcategory, sexual relationship usually occurs after a long time of friendship. Here we are faced with an incomplete pattern of cohabitation among western people with the difference that they normally live under the same roof together and share their finances. But due to various restrictions in Iran, young adults usually live separately. Dates outside home at the cinema and park or similar behavioural patterns which were uncommon in the past are found in this subcategory due to factors such as love and emotional attraction.

Unlike non-romantic relationship patterns, the purpose of a relationship here is not pleasure for man and income for woman. In this type of relationship, the economic factor is of interest to neither of the parties and the only materialistic aspect would be the expenditure on gifts or entertainment. Compared to the discourse of non-romantic relationships, subjects of the current discourse are less fickle and often conduct only one relationship at a single time. Their relationship encompasses both sexual and emotional aspects and after separation, they seek another partner and follow the same process.

B) Domestic Partnerships; Appearance of Married Singles

In its advanced forms, romantic relationships will turn into domestic partnerships. This new pattern has all the characteristics of the previous subcategory except that the subjects here also experience a shared life and finances under the same roof. Cohabitation is a serious competitor against marriage institution and is reflected in the form of unofficial marriage. This pattern, however, contains most of the conditions of marriage but escapes its traditions, rules, and limitations.

In domestic partnerships the two partners are educated, employed, and have decided quite consciously to leave their parents in order to experience single and independent lives. Their parents are normally unaware of such partnerships. Independence and freedom from the prison of society's traditions are among the most important causes of such relationships, which most often end with a severe failure.

1.5.3. Anti-Romantic Relationships: Appearance of Deception Patterns

At the heart of modern relationships, various patterns are increasingly being explored. According to the older generation, previous patterns they suffered also had many drawbacks: the disadvantages of such relationships were more than their advantages. In non-romantic relationships, a man would conduct a relationship with anyone who would receive money for satisfying his need - an incomplete satisfaction which caused him financial loss; and the woman was also belittled as an object. But in romantic relationship, money is replaced with emotion.

Nonetheless, this new type of relations has its own problems. For instance, both parties could lose their anonymity and become labelled with involvement in a relationship with different social consequences. Moreover, the sexual and emotional commitment would deprive the subjects of new romantic experiences. Altogether, such problems, plus the possible separation and different harms done by the failure of premarital romantic love, increased the costs of such relationships.

Another model was needed to remove all these perceived harms; anti-romantic relationships were the answer. The purpose of anti-romantic relationships is more variety, less commitment, and acquirement of certain advantages in relationships with a relatively romantic facade. In fact, anti-romantic relationships have a romantic appearance but are deceptive by nature.

The characteristic of anti-romantic relationships is secret polygamy. In these relationships, money is still present but not directly and is more represented in the form of gift between the subjects. A more characteristic feature of such subjects is their high social connections with the opposite sex. In non-romantic relationships, love is a tool for lust and a means for more variety in sexual relationships with a taste of emotion; an emotion mixed with a kind of deception. Love for such people is not an inspiration for internal forces in order to refine their own instincts but an excuse to satisfy them. Persistence of the so-called romantic relationship depends on the lies both parties successfully tell each other. The goal of men in anti-romantic relationships is firstly sexual variety. In the case of failure, or sometimes even simultaneously, they also set other goals for themselves. Women often seek financial goals and try to direct the relationships towards their own economic interest.

Anti-romantic relationships have turned love into a commercial matter which could be routinely offered to various people and with the expectation of services in return. It is worth mentioning that the difference between anti-romantic and romantic relationships lies only in the mind of the subject. These two groups have a similar behavioural patterns which may cause many inexperienced people to be easily deceived and supply their love with the least cost. This may result in a serious grudge against the opposite sex and any type of romantic relationship which finally causes an orientation toward anti-romantic relationships to generally take a revenge on society.

1.5.4. Relationships Based on Liquid Love

This type of relationship is amongst the most recent relational patterns in urban life. According to the subjects in this category, premarital romantic love has a major flaw which is the possibility of either party leaving the relationship at any time. For that reason, emotional insecurity is felt acutely in such relationships, which brings a kind of instability with different socio-economic roots. Many people have therefore gradually learnt from experience not to spend too much emotional energy on a probably unstable relationship in order to protect themselves from harm at the time of separation. The mutual commitments in the previous category are considered as restrictive factors for the new subjects.

Beside other factors, this problem has generated grounds for the formation of 'liquid love' in society. Liquid love is the product of the late modernity and postmodern approaches in the West. This new relational pattern violates the strict and absolutist commitments of romantic love and denies the necessity for intimate and committed relationships (Giddens, 1992: 136).

Liquid love emphasizes the fact that instead of repairing and replacing altruistic benefits with individualistic ones, the individual searches for short-term relationship which can fulfil both physical and emotional needs over a short period of time and, at the same time, does not deprive her/him of better or probable loves in the future. Increased loneliness, depression, anxiety, and lack of pleasure from having an emotional relationship can all be considered as the liquidity of love among different people.

It is also worth stating that romantic love is not exactly love *per se*, but a dramatic form of liking. In the new pattern, love is weakened and diluted but still survives in other forms. In other words, a kind of exchange is observed in the relationships based on liquid love, where the parties continue their connection insofar as they see the relationships as an opportunity for mutually beneficial exchange.

Whatever denies the benefits of liquid love will prevent the relationship - which highlights that the postmodern human does not 'love', but 'likes', and is in favour of friendship rather than serious intimacies; thus, he grants only part of himself. He tries to like more people with less intensity, because he considers this as a guarantee against the adversities of premarital romantic love in the contemporary age.

1.6. Appearance of New Family Structures with Focus on White Marriage

The history of the family as an institution, and its structural changes from extended to its current nuclear form, have long been acknowledged. But even this nuclear and small family structure has undergone many ups and downs from divorce to different forms of cohabitation. Over the past decades, the family as an institution has been widely transformed in the world.

The origin of such transformations should be found in the sexual revolution in the late 1960s in European and American countries (Carr, 2011). This revolution gradually led to changes in sexual discourse and fundamental transformations in sexual attitudes, behaviours, and ethics in most western countries (LaDuke, 2006: 17). One of the most important consequences of the sexual revolution in the West was the prevalence of premarital sex in such locations, which little by little spread through the other parts of the world (Legkauskas and Stankeviciene, 2009; Regnerus and Uecker, 2011).

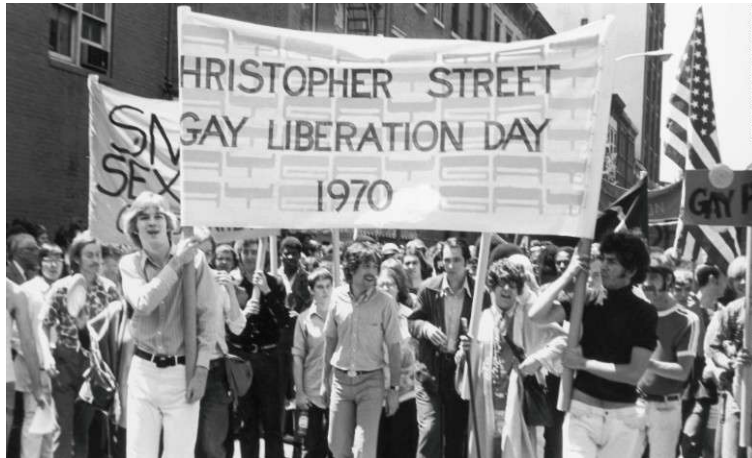


Figure 6. The 60s and 70s were the beginning of newly open sexual orientations like homosexuality and domestic partnership. <https://edition.cnn.com>

By demythologizing sexual relationships, the sexual revolution turned such relationships into normal and regular acts easily accessible before marriage. During this period, satisfying sexual need was separated from being married; and the prevalence of premarital sex procured the ground for further changes. Not only did the age of marriage increase, but these changes also provided the necessary foundations for the development of such patterns as domestic partnership. Social changes became more radical.

Despite the fact that at the beginning of the sexual revolution marriage age had gradually increased in Europe and America, many people were still getting married, though rather later. Nevertheless, this was not the whole story. By promoting cohabitation patterns, the new sexual revolution degraded not only the myth of sexual relationships, but also of marriage itself. The emergence of such patterns of relationship with the opposite sex promoted them from premarital sex not only to emotional level, but also to a shared life without marriage, the advocates of which are increasing every day (Bumpass and Lu, 2000).



Figure 7. In European countries such as Sweden, ‘white marriage’ is a commonly accepted relationship. <https://bustedhalo.com>

Meanwhile, beside economic issues, value changes have also played a role in the formation of these informal relationships. One of the reasons for the expansion of cohabitation has been the weakened social constructs around marriage in Western countries. Nowadays, the young generation in these countries differentiates the commitment to live together and commitment to marriage. While in the 1960s cohabitation was a rare phenomenon in all countries around the world, it is currently accepted and practised in Europe and America, especially by the younger generation (Mills, 2000; Thornton et al., 2007). For instance, around 400,000 couples were living in the form of cohabitation in 1970s in America. This number increased to 1.5 million couples (Spanier, 1985) in 1980s, and in the late 1990s it increased to more than 4 million couples (Seltzer, 2000).

In 2010 the number of couples sharing a domestic life in America was more than 7 million, and more than half the women who got married then in America had previously experienced cohabitation with their present husband (Goodwin et al., 2010). These changes suggest the occurrence of an important attitudinal shift in these societies over recent decades, followed by economic transformations and social changes. The development of premarital sex in different countries in the world resulted in an increased age of marriage in those countries. In addition, the prevalence of cohabitation markedly decreased the number of marriages, because it had become a serious competitor to marriage (Pla and Beaumel, 2010).

The institution of marriage is currently being weakened while cohabitation reinforces itself every day. For instance, the indicators show a huge drop in the number of marriages during the past decades in Canada. The number of women aged less than 50 who married decreased from 95% in 1965 to less than 60% in 2003, whilst cases of cohabitation in this country rose up to 100%, from 15% in 1960 to 50% in 2000 (Bourdais and Lapierre, 2004).

Cohabitation has also been growing in Oceania to the point that the reported incidence in Australia went from 16% in 1975 to more than 70% in 2007 (Hewitt and De Vaus, 2009). These changes, however, were not limited to North America and Oceania, and influenced Europe as well.

Although cohabitation is not a new phenomenon in Europe and could be seen before the sexual revolution of 1960s in some European societies for a variety of reasons, it was then often illegal, rare, and subject to punishment. In his article, Kiernan (2001) indicates that in the initial stages of domestic partnerships, it was mostly those people who could not afford marriage who entered into such relationships.

Economic problems were one of the most important causes of informal partnerships, whilst others conducted such relationships due to problems they had after separation or the death of their partner. As an example, Nave-Herz (2000) reports that middle-aged women in Germany after the Second World War preferred cohabitation rather than a second marriage after break-up or the death of their partners; they did not want the government to cancel the salary they were receiving as widows.

Since the 1960s, not only individual's in particular social situations, but also others, tended to such relational patterns to the extent that cohabitation gradually became prevalent among most social groups and classes (Carmichael, 1995). Meanwhile, attitudinal changes in relation to marriage, and the increasing growth of cohabitation, brought legal acknowledgement of such relationships. For instance, cohabitation is currently being supported as a legal relationship in eleven European countries and is not condemned in others, though not legally recognised. In many European countries, domestic partners are now living together in parallel with married couples, and even have children. In other words, long cohabitation can slowly produce a mutual commitment that may cause the partners to become ready for children, thereby moving them closer to a sexual relationship akin to marriage. Research conducted in 2002 in America confirms this trend and demonstrates that longer cohabitation is directly connected with less separation and higher commitment rates.

Nevertheless, the family as an institution has not changed uniformly across Europe. The changes were firstly observed in Northern Europe, then moving South over the last 50 years (Prinz, 1995; Roussel, 1992). Cohabitation in Europe which began in the middle of 1960s was seen first in Sweden (Trost, 1978; Trost, 1979). After being accepted there, it developed in a second phase in 1970s, reaching central European countries like France, Austria, Swiss, Germany, Holland, and Britain. In the third phase, cohabitation arrived in Southern Europe, including by the early 1980s countries like Italy, Portugal, Spain, and Greece (Loffler, 2009: 16).

And so cohabitation in Europe has gradually turned from a deviant and abnormal behaviour into a normal and regular one. Meanwhile, the gradual process of cohabitation prevalence in Europe has left its footprint in this region; in Northern and Central Europe cohabitation is more common than in the South, and it fluctuates from perhaps 80% in France to 10% in Italy (Heuveline and Timberlake, 2004). Even more strikingly, the large majority of young people in Sweden, as the pioneer of this behaviour in Northern Europe, prefer cohabitation to marriage and, as Trost states, "Swedish young people do not replace marriage with domestic partnership; there is only domestic partnership" (Trost, 1987: 186).

The growing prevalence of cohabitation as a new shape of families in western countries has been the most significant change in family structure over the last 50 years (Nazio, 2008:2008). Two major types of cohabitation are generally recognised in the West: premarital and non-marital. The former is considered more as a preliminary and experimental stage for a better marriage (Murrow and Shi, 2010; Rhoades et al., 2009). In the latter, cohabitation has effectively marginalized marriage.

Premarital cohabitation has caused the postponement of marriages. Unlike non-marital cohabitation, premarital one is of shorter duration and is less likely to result in childbearing (Brown and Booth, 1996). Non-marital cohabitation, which is an extended form of this behaviour, is common in northern European countries like Sweden and Denmark, as well as some regions of North America like Canada.

Premarital cohabitation is also the characteristic of many countries in Central and Northern Europe and also quite often in the United States of America, to the point that most marriages have as a prelude cohabitation (Casper and Bianchi, 2001). However, the changes in these patterns suggest that with the admission and expansion of cohabitation in Central and Northern Europe as well as the United States, premarital cohabitation is quickly changing to a non-marital one in these regions. This is a process which will have important and long-term impacts on the structure of these communities in the future (Manning and Smock, 2002).

Nowadays, cohabitation is spreading not only in developed countries but also in developing ones. Esteve *et al.* (2012) report that cohabitation in Latin America has become widely prevalent over the last decades. In 1970 Brazil had only 7% of cohabitation amongst young people, but this increased to 40% by 2000. Similarly, rates of cohabitation in some other countries in that region have also increased. Cohabitation in Argentina and Venezuela was about 50% in 2000 and in some countries like Cuba and Columbia, more than 60% of the young people are involved in cohabitation.

Nor has Asia been an exception; that continent has been influenced, though later, by cohabitation and changes of family pattern. Globalization, capitalism, and cultural promotion of the values of other regions have escorted cohabitation to Asia. Raymo *et al.* (2009) report that more recently cohabitation has been raising in Japan, though most of the relationships are temporary and a preface to marriage. According to the National Institute of Population and Social Security Research (2007), the rate of cohabitation in Japan increased from 3% in 1987 to 8% in 2005, but the results of other researchers indicate that cohabitation in Japan has grown beyond previous estimations. In a study on 20-34 year-old women in Japan, Iwasawa (2005) and Tsuya (2006) concluded that almost 20% of the participants were cohabitating at the time of the study.

The same trend was also observable in Philippines. According to Williams *et al.* (2007), more than 2.5 million Filipino couples cohabit, a situation caused mainly by poverty and the economic problems of marriage.

Cohabitation can also be found in Turkey, especially in its modern areas like Istanbul and west. There is no law against people involved in such relationship. After gaining power in Turkey, Erdoğan closed or separated about 75% of shared student dormitories. He was then faced with many objections by domestic critics like seculars and feminists and was accused by the European Union of interference with the private life of adults.

Nonetheless, such relationships are still common in Turkey due to lack of legal prohibition. However, they are conducted secretly and expressed less due to their social indecency, particularly in religious and traditional areas. But in modern and secular regions, there is no restriction whatsoever.

Likewise, though any woman who is found to engage in cohabitation will be sentenced to 2 years of imprisonment in Egypt, it is somehow tolerated by the governing political system.

With the rule of Abrahamic religions like Islam, Christianity, and Judaism in the Middle East, domestic partnership without marriage is considered a sin. But considering the economic and social conditions of the region, this lifestyle has become pervasive among young people, especially in such countries as Tunisia and modern and urban parts of Beirut in Lebanon. The sexual revolution and its distribution in different parts of the world has firstly facilitated its quantitative spread among young people by changing attitudes towards sexual relationships. Secondly, it has prepared the necessary contexts for the formation of cohabitation in different countries by increasing the diversity of this practice.

The findings of studies in Iran indicate that premarital sex is increasing (Garmaroudi *et al.*, 1388; Khalaj Abadi Farahni and Mahryar, 1389). Moreover, a new trend of cohabitation has recently begun in Iran. Value changes over the last few years have shaped social relations and have had different consequences for Iranian society.

The development of global communicative media like the internet and satellites in Iran have created different lifestyles and formed new values. The exacerbation of economic issues, increased age of marriage, and appearance of universal values through new communicative means have together created new behavioural patterns among Iranian young people, amongst which patterns premarital sex is of great importance.

Nonetheless, premarital relationships in Iran are conducted in different modes and with different motives. In this regard, one of the most extreme forms of premarital relationships is the rise of cohabitation. This relational pattern, originating in the West, is the result of social and economic transformations of the mid-20th century in western countries and has led to the emergence of a new form of family structure in Iran which is not legally, religiously, or conventionally acceptable.

Chapter Two: Theoretical Background

A 28-year-old female from Tehran:

“If you now take a look at our older generation, you’ll see that some of them didn’t even experience affection and a true relationship. They live together, but perhaps out of fear from traditions that frown on divorce or other issues. But in these new relationships, you can easily break up with your partner when you are not satisfied...”

2.1. Introduction

Anthropologists view family as the foundation of society, the basic social unit of life, and a shelter for its members; a shelter where socialization first occurs, the first experience of human interaction. The family consists of a group of directly related individuals, its adult members responsible for the children. It is amongst the most common social structures, formed by the marriage of two people of opposite sexes; its members are generally relatives connected by blood or marriage.

The family usually has a shared location, with different individual, physical, economic, and educational functions. It exists in various forms in all human communities and has been defined and classified by anthropologists and sociologists. Nuclear, extended, patriarchal, matriarchal, patrilocal, matrilocal, single parent, polygamous, incomplete, and step families, as well as open marriage and cohabitation, are among the categories of family based on the members, power, location, and type.

Family is based on the institution of marriage. It is the most intimate type of relationships in response to all needs, including physical and spiritual, and one of the stages of individual human development. Getting married and creating a family have had various formats in different places and cultures over time. In some cultures, homosexual marriage is considered as a symbol of freedom and respect for human rights and in others it is a sin, crime, and illegal and illegitimate behaviour.



Figure 8. According to Salamatabonyan Institute, women mostly start open relationships for emotional and extramarital reasons and are less inclined towards sexual issues. But if this emotional connection continues, it will result in sexual relationships as well.

Marriage as a social institution has in recent times changed significantly in developing countries like Iran. In line with that, new forms of marriage with Western origins are emerging, including ‘white marriage’, i.e. cohabitation or domestic partnership without marriage; these new forms are in contrast with Iranian culture and religion. This type of cohabitation occurs within the frame of a friendship between young men and women in extramarital relationships.

As well as the domestic partnership of young couples who live together without being married, extramarital relationships are also one of the new forms of white marriage in Iran. Extramarital relationship are between men or women who are legally married but have a secret relationships with another person outside that formal arrangement. These relationships are amongst the most important issues considered in the literature on marriage, and often happen secretly or outside the marital context, for the fulfilment of emotional or sexual needs.

Dissatisfaction with sexual and intimate relationships with the spouse, as well as the thrill and enjoyment in having an affair with someone else rather than your own spouse, are among the factors providing the necessary conditions for couples to step outside their marital relationship.

White marriage or the partnership of two people without official marriage has no political, legal, and religious status in Iran. Given its transitional culture and characteristics, including individualism, modernity, fluid relationships and moral conflict, cohabitation or white marriage bears scrutiny in Iran. Considering the prevalence of such relational patterns and the authorities’ silence or legal and administrative tolerance, this social issue, which has endangered the family institution in Iran, remains as yet unknown and ambiguous. In what follows we will thoroughly examine the social, legal, and sharia principles of this phenomenon.

2.2. Social and Anthropological Foundations of ‘White Marriage’

To encompass the widespread variety of marital formats existing in a culture, anthropologists have provided various competitive definitions for marriage. In his book *The History of Human Marriage* (1921), Westermarck defines marriage as “the persistent or less persistent relationship of male and female regardless of reproduction until the birth giving.” He rejects this definition in his book *The Future of Marriage in Western Civilization* and in turn defines *temporary* marriage as “the relationship of one or more men with one or more women that has been accepted by the law or convention.” Later, in his book *Notes and Queries* (1951), an anthropological guidebook, he redefines marriage as “the binding between a man and a woman so that the born children of the woman are known as the legitimate children of both parents.”

[Duran Bell criticizes this basis of legitimacy, relying on the principle that some societies do not need legitimacy for marriage and argues that “in societies where illegitimacy only applies to a non-married mother and there is no other implicit law, the basis of legitimacy is cyclic.” He puts the definition of marriage in the category of rules of sexual achievement.]

In Mo'in¹ Encyclopedic Dictionary, marriage is defined as a legal relationship incorporating a specific contract (permanently or for a certain time) between a man and a woman, including the right to a sexual relationship. Some people consider marriage to be a mutual interaction between a man and a woman, a dramatic conflict of culture (social rules) and nature (sexual attraction), and a permanent binding between a heterosexual couple who are thereby permitted to engage in sexual relations within a legal and official structure (Razavi, 2002: 8).

2.2.1. Types and Forms of Marriage

Marriage is a social symbol which characterizes society’s construction and contains its features. This social institution both influences and is influenced by that society. The presence and significance of marriage in societies during all ages and eras, in one hand, and being particularly emphasized by human communities on the other hand have caused the emergence of specific forms and methods of relationship in each society reflects, and is conversely an influence on, the lifestyle of its members. Marriage has been classified in different ways. In this section, we will explain those forms of marriage classified by Bagher Sarookhani in his book *Family Sociology*.

A) Marriage by capture

In tribal or semi-tribal communities where every element of life from the early years is based on the practice of warfare and especially victory in war, marriage also finds a distinctive shape. By capturing his wife in such conditions, man proves his courage and superiority over her and also guarantees his victory over his competitors. In their work *An Introduction to Iran Sociology*,

¹ The second biggest Persian language encyclopedia written and integrated by Mohammad Moin

Rasekh and Behnam state that the history of Iran - which is the story of tribal wars and competition - is full of marriages by capture.

Will Durant also considers the same tradition in Sparta. Where fighting is an important aspect of social experience, children are pushed to struggle and strive for victory from their early years. Durant tells us that “in Sparta, parents were responsible for procuring their children’s marriage. The groom did not pay any money to capture the bride and he had to take the bride out of the home by force, and she had to resist him. Thus, matrimony for Spartans meant capturing. In some other cases, even numbers of single men and women were placed in a dark room and men were supposed to select their wives among the girls in the dark.” (Will Durant, 1349; 150).



Figure 9. Helen is being captured from Sparta based on *The Iliad* by Homer. Visit at www.art-prints-on-demand.com

Marriage by capture is found in some patriarchal and matriarchal cultures. It is however often frowned upon by social convention and such marriages are usually condemned by the wider society. In some regions of Kurdistan and southern Iran capturing the girl, or her elopement with the man whom she loves, have been observed. Nonetheless in recent years, capture has been almost forgotten, although elopement still exists in some Kurdish regions of West Azerbaijan.

Marriage by capture in the contemporary world has the following characteristics:

- 1- It is inappropriate or even banned in most parts of the world and can only be found in rare cases.
- 2- It has been observed in some prehistoric communities but not as a desired and constant institution.
- 3- It can also be seen in some societies where an individual seeks to escape the common rules.
- 4- In some cases, capture has been done only ostentatiously, for show.

B) Marriage by purchase

Patriarchy and the emergence of masculism (or androcracy) and men's ascriptive position enabled them to purchase their own wife or wives. This situation, where women are perceived as goods or chattels, has been realized in different forms throughout history. Women were sometimes sold overtly, and sometimes in secret or implicitly. However, the result was the same and deprived women of attaining higher social states.

Women's duties became 'owned' by men at the time of purchase or power transfer, which has historically resulted in the exploitation of women. According to Bastani Parizi, purchasing a slave as a wife was a prevalent issue in the slavery system and such a woman was known as *umm walad* (child's mother).



Figure 10. A picture of a woman being sold and purchased. Visit at <http://www.abartazeha.com>

In his work *Social History of Women in Iran*, Morteza Ravandi writes "In Babol those families who had a girl at the age of marriage would take them to a neighborhood to be sold by dealers. But every girl was sold on the condition of acceptance as the buyer's wife." For the same reason, the girls at the time of Homer in ancient Greece were called *Gav Avar*.

Günther believes that purchasing a woman had been the most common way of marriage among Indo-European cultures and German-race people to the extent that it can be said that marriage by purchase is the same as Indo-European marriage itself (Günther, 1952: 68). Some people even go further and think that some customs such as *mahr* or bride price are the leftovers from the purchase of a wife by her husband.

Others suggest that male domination and the fact that women were treated as objects and exchanged as chattels were the reasons for the emergence of such a custom in the process of spouse selection. Forcing women to act as servants and trading them (especially non-Muslim women and those belonging to Yazidis Kurdish groups and some Christian women) by the so-called Islamic State of Iraq and the Levant in Mosul has recently become quite newsworthy.

C) Temporary marriage

Mut'ah or *nikah mut'ah* or temporary marriage, which is also known as *Sigheh*, is a type of marriage practiced in Shia Islam. In this practice, the couples get married with a specified *mahr* for a certain and limited period, after which the marriage contract and their matrimony automatically terminates. There is disagreement among Muslims regarding the legitimacy of this type of marriage. Disciples of Sunni, Ibadi, and Zaidiyyah consider it as *Haram* (forbidden) and Shia Muslims regard it as legitimate and correct.

Following Ja'fari jurisprudence, *mut'ah* has been officially recognized in Iranian laws, whereas other Islamic and western countries do not recognize it as a legal institution. This type of marriage is specific to the Shia sect and Ja'fari jurists consider it correct according to verse 24 of An-Nisa (The Women) chapter (surah) of Quran which says: "you shall pay the marriage portion of those women with whom you have satisfied yourself, since it is obligatory". However, the jurists of Sunni sect do not accept the Shia interpretation and believe that this verse applies only to pleasure in permanent marriage.

Mut'ah is both similar to, and different from, marriage. The most important feature is the specified period after which the marriage expires without the need for divorce proceedings. This period of time has no minimum or maximum duration but some people suggest that in cases where this exceeds normal life expectancy, the marriage becomes permanent. Temporary marriage is concluded when the *Sigheh* statement (I shall marry you in return to a specified *mahr* and for a specified period of time) and the response (I accept) are respectively announced by woman and man.

Jurists such as al-Muhaqqiq al-Hilli contend that when no period is specified for the marriage, the marriage contract becomes permanent. Others however maintain that temporary marriage without a specified period of time is invalid and no matrimony has been established. This is a more common and accepted opinion among jurists and other Shia scholars like Zayn al-Din al-Juba'i al'Amili and al-Allamah al-Hilli also agree.

The period of marriage can be extended and the man is also free to stop the relationship and terminate the matrimony by foregoing the rest of the period. The parties can also change the relationship into a permanent marriage after the *Sigheh* contract expires.

Sigheh was firstly raised in 1992 by Akbar Hashemi Rafsanjani who was President of Iran at that time and considered temporary marriage to be a solution for sexual issues among young people. However, the issue of youthful sexual activity was marginalized after a decade because of many objections and disagreements.

Exactly like permanent marriage, *mahr* should be determined and agreed upon by both parties, but with the difference that in temporary marriage it must be specified at the time of concluding the contract; otherwise, it results in the annulment of marriage. There is no divorce in *mut'ah* and its expiration depends on the specified period or the man's intention to discontinue the relationship.

Article No. 940 of Iranian Civil Law states that “those couples with permanent matrimony who are not deprived of inheritance will inherit from each other”, which implies that temporary marriage does not involve inheritance. It is not however clear whether this issue can be mentioned in the binding conditions of the marriage, or not. Some jurists consider such a condition as being correct according to the principle of fairness or equity, while others interpret the silence of the law as proof that inheritance cannot be involved. Given that any changes in inheritance regulations relate to the interests of other individuals as well as social benefit, they do not accept inheritance as legitimate in the case of temporary marriage.

Additionally, women cannot marry non-Muslims or those who are not Twelver Shia and men also cannot marry polytheists and enemies of Shia and Sunni sects, but may marry Zoroastrians.

The temporary marriage of one woman with more than one man at one time is not permitted but the man has no limitation regarding the number of women he wants to marry. This is unlike permanent marriage, in which man may marry up to four women at the same time.

Temporary marriage may be terminated after an abstinence period finishing after two menstrual periods following the *mut'ah*. If the husband dies during the temporary marriage, the abstinence period is exactly similar to that of permanent marriage, being four months and ten days.

Mature adolescent men and mature non-virgin women are judged to be independent and free to engage in temporary marriage and no one else, even their fathers, has any responsibility for the decision. The father or paternal grandfather of minors or mature children with disabilities can intervene in the marriage and have the authority to marry them to others. But there is still a controversy regarding the father's (or paternal grandfather's) permission for the marriage of 'mature' virgin girl (9 years old and above, with no disability).

Some jurists do not accept the father's guardianship of the 'mature' girl and believe her to be responsible for her decision in marriage, while others believe in the common guardianship of the father and the girl, meaning that both the father's permission and the girl's will are necessary, though neither can independently agree the marriage. Some other people differentiate between the temporary and permanent *Nikah* and consider the girl to be independent in the latter or vice versa. Another group of people give the whole authority and guardianship to the father and acknowledge no rights whatsoever for the girl in marriage.

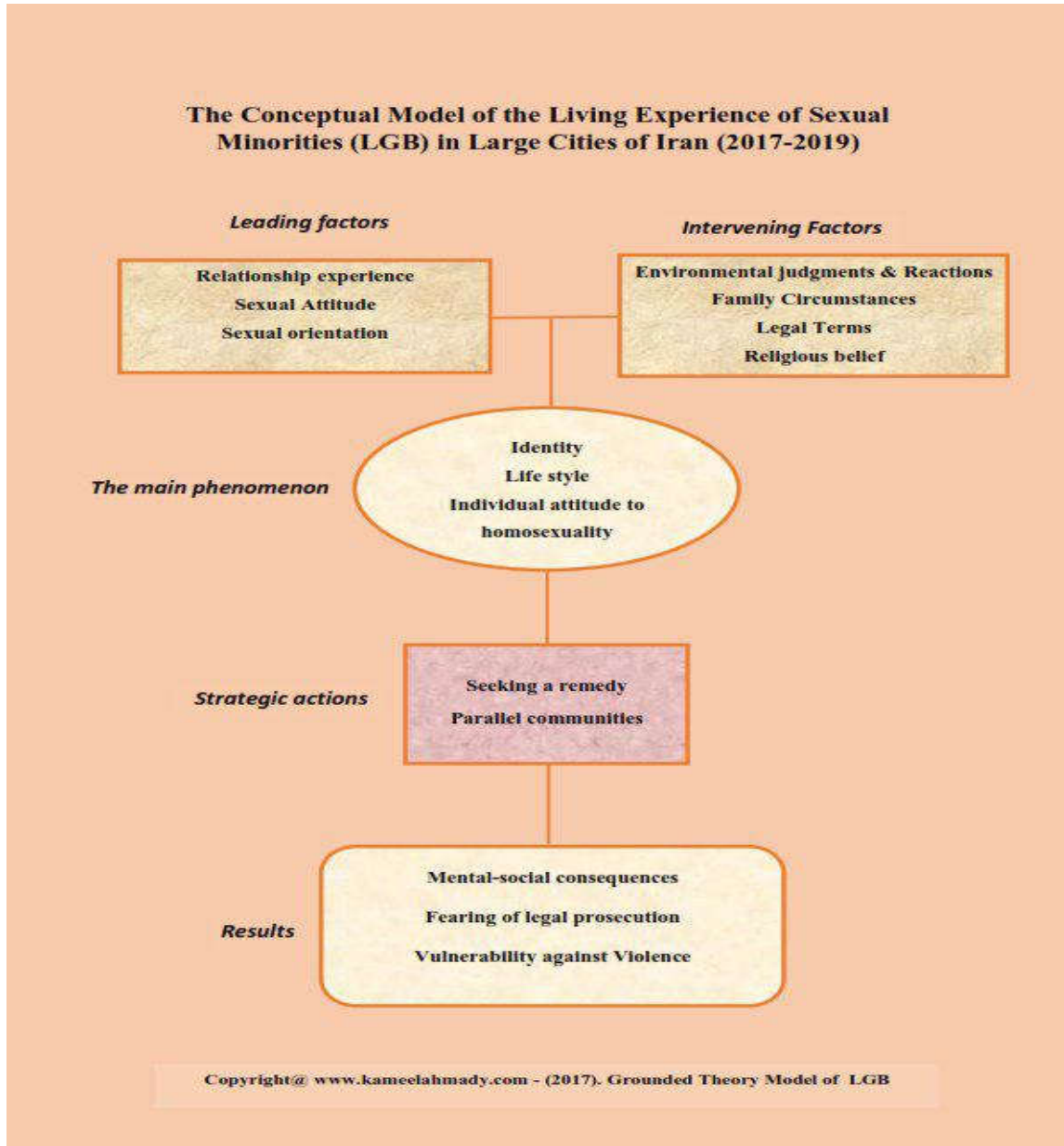


Figure 11. Grounded Theory (GT) model of the causes and consequences of *Sigheh Mahramiat*/temporary marriage in Iran (Ahmady, 2017)

D) Marriage by exchange

Human beings conduct their lives within a cycle of mutual social interactions based on exchange. They are involved in responses to each other and also in the wider society. This exchange is not always materialistic, which is why the theory of economic human activity

developed by some economists such as Adam Smith, David Ricardo, and John Stuart Mills provides only a limited explanation of the different behaviours and exchanges in which humans are engaged.

Sometimes a person expects nothing in return for what they give in their community, meaning that no material exchange happens but there is still reciprocity in its wider sense. Instead, people may expect something non-material like social credibility and respect to bolster their self-image in return for what they have given. The exchange system has an important function in the social life but is not always on the basis of objective advantage on both sides (barter). This social context is in many cases the origin of those humans who do not pursue other goals. Sometimes, the person conducting the exchange is simply seeking personal satisfaction or pleasure.

In marriage by exchange, the woman plays an essential role as two clans or sets of kinfolk are conjoined. The marriage is a symbol of the continuity of the dynasty. This type of marriage has various forms and types but in all cases, mutual benefits arise. In some cases the reciprocal exchange is not simultaneous, but the service or good supply in return for the young woman who has been accepted by the family as the wife will be promised for the future.

In others cases, the exchange of a woman with another clan occurs in return for a murder committed by the clan of that woman. Thus, the woman is given to the clan of the victim in order to stop the infinite cycle of revenge and further conflicts and murders between the clans or tribes.

According to Westmark, in Australia no man used to marry unless he exchanged his sisters or daughters for that woman. The tradition of exchanging a girl for marriage was also prevalent in Baluchestan clans, Kashmir, and also in some regions of Kurdistan and south of Iran. This practice has declined in recent years.

Marriage by exchange takes several forms, each based on many different and delicate sets of rules:

1. Exchange is conducted based on the trading of sisters. Gunther reports the common tradition in Australia, New Guinea, and some parts of Oceania whereby two men exchange their own sisters for marriage.
2. In another tradition common among European princes, the siblings (brother and sister) of a family were exchanged for marriage with the siblings of another family.
3. Marriage by exchange might also occur outside the family structure, when it is done by force. When a man from one clan reluctantly receives a girl from another clan, he has no other choice but to offer a girl in exchange.
4. When one of the partners in matrimony has a problem, the other party has to leave the relationship to protect the paternal family, or sometimes at the insistence of the husband's family, until the problem is solved.

E) Marriage by arrangement

Arranged marriage, also known as ‘marriage by formality’ occurs when the spouses are selected by the parents or seniors and usually occurs without the presence or even observance of the parties. It is therefore considered an indirect and mediated marriage. This type of marriage is controlled by people other than those to be married, for third party benefit, and is not aimed at the happiness of the parties to the marriage.

Arranged marriages are managed by seniors with the aim of achieving social goals. For example, when the family’s wealth and resources are not supposed to be divided, they will select a girl who is already a relative; or when the aim is to reunite the lost friendship between two families, their children are married together. The result of such intentions are that sometimes the marriage occurs during childhood.

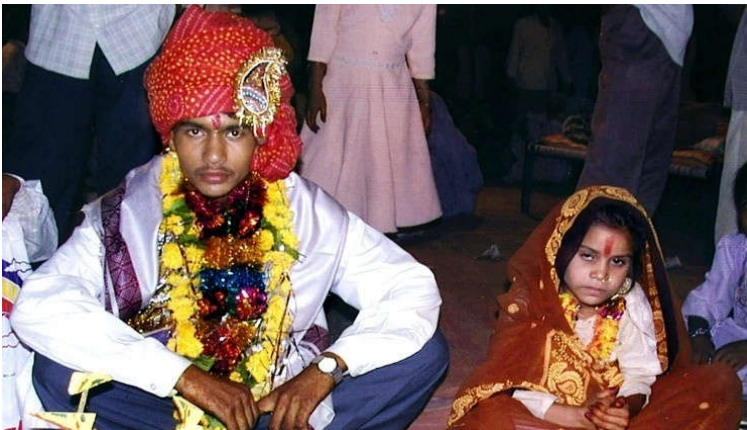


Figure 12. Child marriage in India; an example of marriage by arrangement. Visit at <http://observatorio3setor.org.br>

In this type of marriage, the main actors are not those people whose destiny is involved in the act of marriage, but the parents and family seniors who search for and decide who the ‘right’ person for marriage is. In the marriage by arrangement, the selection or arrangement criteria are more focused on socio-economic interests and family origin than on the psychological or even physical compatibility of the spouses.

Child marriage is a type of formality which is practiced by a large percent of Iranian society. In his previous research study *An Echo of Silence: A Comprehensive Research Study on Early Child Marriage (ECM) In Iran*¹, the current author has thoroughly researched this issue.

¹ Ahmady, Kameel (2017). *An Echo of Silence: A Comprehensive Research Study On Early Child Marriage (ECM) In Iran*, New York: Nova Publishing

According to the Articles of the Convention on the Rights of the Child (CRC) and UNICEF, a minor is known as an individual between 0 and 18 years old. Accordingly, when people under 18 get married, early or child marriage occurs. In early and child marriage, one of the parties at least is younger than 18. The term is used for both boys and girls; however reality suggests that child marriage is more harmful and dangerous for girls.

Early and child marriage exist in different parts of the world and follows the social, cultural, economic, and religious systems of those communities. Such marriages are however more common in African countries and the south-west region of Asia, such as Iran. The findings of Ahmady (2017) indicated that seven provinces of Iran, including Khorasan Razavi, East Azerbaijan, Khuzestan, Sistan and Baluchestan, West Azerbaijan, Hormozgan, and Isfahan have had the highest rates of child marriage during recent years.

Although the rate of early marriage is currently declining in these provinces, the divorce rate of children is in turn increasing. Research reveals that poverty, few years of education, lack of legal support, social pressures, masculinistic /macho or paternal attitudes, and traditional and religious beliefs are the most important factors affecting the endurance of marriages by children in these regions. Among the consequences of early child marriage are increased divorce rate, child widows, high numbers of ill-attended and unattended children, sexual abuse of girls, continuing poverty and prostitution, and increased prevalence of sexual, mental, and physical diseases in girls.

To prevent and oppose this problematic phenomenon, Ahmady suggested some solutions as follows:

- Increase the legal age of marriage to 18 years old
- Provide cultural and educational background
- Register all these marriages
- Reduce governmental rigidity and increase cooperation with relevant organizations against child marriage
- Introduce mandatory and free education in deprived regions
- Increase awareness about the consequences and disadvantages of child marriage through mass media and new technologies
- Secure juridical and legal support to make child marriage illegal and impose heavy punishment for violators
- Use cleric and religious figures as the most important influencers for social change against child marriage

Based on Article 1041 of the Civil Code in Iran, the *Nikah* of girls and boys before reaching exactly the ages of 13 and 15, respectively, is conditional on the permission of the parents if good intention is practiced, and accepted by the court. This law provides the necessary ground for child marriage and is one of the key reasons for the increase in this phenomenon in Iran.

For the same reason, social and cultural activists, writers, and parliamentary delegates have attempted to fight child marriage and through legislation to increase the average age of marriage. As a result of these endeavours, child marriage has become a concern of parliamentarians. Accordingly, on Sept. 26, 2018 legislators in the Iranian Parliament voted for a bill to increase the minimum age of marriage. This bill was an amendment to Article 1041 of the Civil Law enacted on June 22, 2002 which banned the marriage of girls under 13 and boys under 16. According to the Note of this bill, ‘the minimum age of marriage for girls and boys are respectively 16 and 18’.

Despite this legislation, the marriage of 13-16 year old girls and 16-18 year old boys is possible with the guardian’s permission, subject to the court’s decision on the physical health of the spouses as approved by medically trained lawyers. The bill was finally approved by the Parliament members with 151 positive, 34 negative, and 7 neutral votes. However, it was then rejected by the judicial commission of the Parliament a few months later, which has made its fate more ambiguous and taken the related endeavours to a raised level of engagement.

F) Clandestine or white marriage

In the history of marriage, there has always been controversy amongst scholars and thinkers about whether it should gain legitimacy through complex legal and jurisprudential procedures or simply via the consent of both parties involved. Clandestine marriage is an example of the latter. Thus, in the 12th century, the church distinguished between legal and valid marriages. The former was procured in the presence of a priest and by following legal and religious formalities, while valid marriage was conducted without all of these elements and only with the consent of the partners. In this second type of marriage, not only are jurisprudential standards not necessary, but also the parties are not obliged to obey customary laws.

Clandestine marriage with the highest level of individualism shows a sort of rupture between matrimony and society and is closer to customary marriage, being exactly the opposite to marriage by arrangement. Such a marriage probably cannot be stable due to this extreme and obvious individuality. That was the reason why in the 16th century, a marriage which was not performed at the presence of priest and three witnesses was not accepted by the Council of Churches and it was considered as cohabitation (white marriage), whereas in other cases like customary marriage, persistence will create the required causes for legitimacy.

It seems that marriage, as one of the most important transactions in people’s lives, cannot be realized without being monitored by society; and if it is not noted and monitored, it will fail. But if difficult or impossible conditions for marriage are imposed, these will result in avoidance of the act. The goal is however that marriage should always receive social legitimacy, meaning it should be conducted with the supervision and consent of the community. Illegality of marriage, or the removal of its jurisprudential aspects (which happens in many societies) and finally its customary laws, will not result in anything but the fragility of the matrimonial bond and ultimately, what is nowadays known as *asynchronous polygamy*.

G) Trial marriage

Trial marriage is a type of conditional or delayed marriage with two different formulations. The first is a marriage, the finality of which is conditional on having a baby. This type of conditional matrimony has been observed in primitive societies. In its second sense, trial marriage has evolved in industrial society and means an uncertain marriage which is merely conducted for providing the couples with the opportunity to make the final decision after mutual acquaintance.

Trial marriage is particularly of note in the latter sense, because it has been introduced by some anthropological researchers (e.g. Margaret Mead). Those who subscribe to this concept seek to make marriage and in general spouse selection dependent on it.

This type of marriage has many problems for both individuals and society:

- The birth of a child or children who will be abandoned and unattended when one of the couple or both decide to stop the trial relationship.
- Due to cultural and social conditions, people, especially women, have certain years to select their own partners. If this period passes without such a selection, it is possible that the individual will unwillingly stay single or lose better options.
- If an individual wants to abuse this custom in order to fulfill their sexual needs, they can simply carry out many trial marriages without censure and then terminate the arrangement due to lack of understanding.

It seems that trial marriage can never be realistic.

H) Marriage of comradeship

This type of marriage is simple and performed without heavy ceremonies and the usual costs. A couple select each other and start their life together and then their marriage is normalized after having a baby or some other event. It has two features: no ceremony and delayed finality.

In the marriage of comradeship, two young individuals start their shared life without any ceremonies or formalities.

However, the presence of a marriage ceremony has some positive aspects as well:

- Making the marriage official: the wedding ceremony alters the legitimacy of the relationship between the couple and causes the important and sensitive event of matrimony to become official in the eyes of the wider society, so everyone acknowledges it.

- Establishment of affinity: with the marriage of a couple, two wider groups of relatives are also connected and a new kinship is formed among them.
- Significance: if the wedding ceremony is performed in an acceptable and normal manner, marriage will lose its simplicity and easy repetition. Thus, the most important event of human life will be given significance and represented as less easy to repeat.
- Guaranteeing continuity: each ceremony and element in every social custom acts as a symbol which originated in ancestral tradition and reinforces specific social conditions. So following their traditions and holding ceremonies preserves the memory of ancestors and links current generations to previous ones. This prevents the generations from being isolated; the wedding ceremony transmits and confirms heritage through the ages.
- Authenticating identity and unity: the wedding ceremony is a custom which continues across generations. The wedding ceremony is a part or element of a nation's identity through which each generation finds its social identity. In addition, since the ceremony is conducted in a community at a certain time and place, it may reinforce ethnic unity. All of those who have a particular custom and appreciate it during their important moments of life will never experience consensus.

Marriages of comradeship reflect individualism and separation from social traditions and customs, and as such are somehow similar to clandestine marriage; though the second type above is similar to *Sigheh*. Marriage conditional on future agreements or the birth of children will bring up some issues like problems with children and definitions of celibacy.

We have so far described different forms of marriage in different cultures. It is obvious that not all types of marriage can be found within the geographical borders of Iran. Identifying all the forms of marriage to be found in Iran requires an examination of cultural and socio-economic conditions over time.

2.2.2. Spouse Selection in Iran: the Nuclear Family Structure

After the industrialization in the West, the nuclear family structure became the dominant shape of families, whether in the industrialized world or other parts of the globe. However, statistics in developed countries suggest that the nuclear family (parents and children) is no longer the norm. New types of family have recently developed to the extent that they are no longer exceptional. The family as an institution therefore needs to be redefined and its variety considered since all the evidence confirms the transformation of this institution.

Some statistics show that 72% of people in America live in a family containing a spouse and unmarried children. Those families without children comprise 27% of the population. The rates for single people and single-parent families are respectively 27% and 8%.

The proportion of the population living as nuclear families has recently decreased in industrial countries, and different predictions have been made regarding the family's future, but many

countries in the world, including Iran, still have the nuclear family as the most dominant form of family structure in both rural and urban areas.

Statistics for 2011 show that the share of each family structure in Iran was as follows:

- Nuclear family: 60.63%
- Couple family: 14.64%
- Single-person family: 07.16%
- Single-parent family: 06.97
- Extended family: 03.84%
- Families run by children: 0.24%
- Other families: 06.52%

Talcott Parsons maintains that spouse selection based on involvement with and love of the chosen partner is one of the features of the nuclear family. After marriage, the young husband and wife will not orient towards any other family forms but create an independent unit for themselves and try to live their life without any kinship dependencies. For the same reason, they also free themselves from family rules and considerations and choose their partner according to personal desire and emotions.

This pattern of behaviour is called free-choice mate selection, i.e. freedom from any type of family considerations, restrictions, and orders but not from social regulations. Spouse selection is without direct interference by the families of origin, which in industrial societies means modern mate selection is mainly focused on the importance of love. However, in other countries like Iran, besides the importance of love, contemporary marriage also involves relatives and other conditions on both parties. The couple's interest in each other is what matters and not the contracts and agreements arranged between the families involved (*change in the nature and form of marriage in societies and decline of the role of parents and other factors*).

The word 'freedom' implies that each individual is free and legally permitted to choose one partner from the opposite sex group within the society. In some communities, the individual can also select from the same-sex group of people. Everybody has the right to choose and marry someone else in the society, except from *mahrims* (family members between whom marriage is illegal and *haram* in Islam).

The situation is not however as simple as it seems. Many social conditions are barriers to marriage because it is social phenomenon bound with social rules and regulations. The marriage of two people is announced to society through engagement and a wedding ceremony. By this ceremony, the couple express their readiness to play the role of husband and wife and also inform society of their relationship, which is implicitly accompanied with the consent of the latter.

Although family interference declines at this point, a new social mechanism arises which prevents the occurrence of marriages that may disturb social order. The most important of these mechanisms is social class. Usually, everybody marries someone from the same class, religion, race, and ethnicity. Although people may seem to marry outside their social group, they are indeed getting married inside the circle in terms of social, religious, racial, and national classifications. This marriage occurs outside the group of *mahrms* (forbidden marriage partners) but is actually present within the group with which they are socially, religiously, racially, and nationally affiliated.

In America, 61% of boys and girls date someone from exactly their own social class and 35% of them date someone from a social class close to theirs. Statistics show that, in a group of three boys, all date a girl from a lower class and of each three girls, two of them date a boy from a higher social classes. Those young Americans who date a person from a higher social class have certain special characteristics. For girls, this trait may be their beauty and attractive reputation and for boys, being a good sportsman or a good student. It means that only those who are distinguished in a lower class can find a way to the upper classes. Rather than class homogeneity, there was also age homogeneity. Half of dates were arranged between classmates and the rest between people one school grade higher or lower. This age difference is also noticeable at the average age of marriage which is about 2 or 3 years (Konig, 1975:106-115).

Lack of homogeneity regarding beliefs and opinions between couples is also considered norm-breaking in Islamic communities, and this type of marriage is usually faces many family and social hindrances. A woman and man from different religious sects (e.g. Shia and Sunni) are less accepted by their communities for marriage. Even particular religious interests of the parties' families can cause tension and disagreement from the time of engagement until matrimonial life begins.

Marriage among neighbours is also common in Iran, and half of urban marriages, especially in towns, occurs among the people of one neighbourhood. The geographical radius of spouse selection in the neighbourhood is normally up to 1.5 km. being a neighbour means living in the same neighbourhood where usually people with similar career, income, and other class features gather in one place. For example, specific neighbourhoods for different social classes, including the poor and rich, workers, and employees can be easily identified in every city.

Neighbourhoods cause people of similar social class to communicate and become familiar with each other, which can lead to affection and finally to marriage. On the other hand, people of one class normally have no connection with other social classes, with no contact or acquaintance; so mixed social class marriage is unlikely. Even in those societies where marriage is based on love, deep-rooted traditions or cultural mechanisms prevent love developing between two individuals whose social class differ. Each young woman or man only hangs out with people from their own class and contacts which arise from neighbourhood, family relations, or particular class entertainments and hobbies.

Since an individual from upper class has enough people around with whom s/he can mix and acquaint, there is no need to choose a spouse from other social classes. This type of pressure and consideration is particularly implemented by those parents who still have some family benefits like wealth, property, power, or family social standing. Such families provide the necessary grounds for their children to learn how to conduct themselves within their social class by sending them to certain schools, entertainment clubs, travel, etc.; and these contexts also prevent any encounter with children from other categories. Families decrease the possibility of inter-class marriages by placing their children within specific social frameworks (Ezazi, 2015: 98).

Beside social class, there are also other homogenous matters. Although there are no laws against inter-racial marriage (e.g. black and white) and it has recently increased in American society, race / ethnicity still remains a challenge for spouse selection. The rate of inter-racial marriage is less than a marriage within the same ethnicity. When this type of marriage occurs, the black man usually is from the upper social class and chooses a wife from the lower class.

Religion or faith is another factor in selecting a spouse. Religious groups are usually endogamous, meaning that they marry people within the same religious cycle. Statistics in Western countries indicate that Jews are more endogamous than others, followed respectively by Catholics and Protestants. Around 80% of Jews select their spouse among Jews. Endogamy is closely related to religion, and also reflects people's dependency on their religious affiliation. Some religions emphasize endogamous marriage. In general, a person whose adherence to his/her religion is less serious is more likely to marry people from other religions.

Social class is also a factor in some inter-religious and inter-racial marriages. For instance in America, Catholics are closer to minority ethnic groups like Mexicans, Italians, Puerto Ricans, Irish, and Hungarians. However, most of these ethnic groups have lower standing than other groups in terms of social value and credibility. It may not be religion, but, rather, low social status which means Catholics will not be selected as spouses by Protestants. For example, an American Protestant is likely to marry a German Catholic but not a Mexican one (Konig, 1976 : 106-115).

Research studies on mate selection show that most marriages are homogenous and endogamous. Class, religious, and family similarities among married couples arise too often to be considered a co-incidence. Social processes determine the spouse selection of similar groups by placing them in close proximity; but some marriages are nonetheless between two different social classes, where the husband is usually from the upper class.

Cross- / inter-class marriage can be explained by various selection criteria in each society. These criteria for selecting a mate have changed significantly in the West in recent times (Liechter, 1991: 843). In addition to existing social criteria, superficial beauty and income are of great importance respectively for men and women in the mate selection process; and men usually transfer their social status to their wife unilaterally. For that reason, when a middle class man with high social status and financial ability marries a beautiful woman from lower class, this social agreement still applies. Society does not generally however approve of a marriage between a woman with high

social status and a man from lower class only because of beauty. Nor does it accept the transfer of this social status from the wife to the husband, unless the latter also has specific capabilities and can improve himself occupationally.

Another factor in spouse selection process is the cohabitation of a minority group beside a majority. Minority groups usually favour endogamy, because the number of people from whom they can select a spouse is few and the chance of finding their desired mate is too low. Majority groups however tend to exogamy, because there are enough people in their group from which they can select a spouse. A marriage between members of two different groups usually occurs due to the unique and particular individual characteristics of a member of the minority group.

Contemporary marriage seems to have separated itself from family restraints, and then gradually from some social restrictions as well. This loosening of restrictions has resulted in either an obvious, or a secret, emphasis on love, mutual interests, and the personal desires of the couples – all of which may contain some risks for social order. For this same reason, social controls are automatically and subconsciously generated and replace traditional family controls, in order to prevent heterogeneous marriages.

Often, any given individual may only marry someone from a small social group which is socially homogenous. This social control has an implicit influence in Western societies, while control is still exercised overtly by families in developing countries – where one of the outcomes is pre-determined marriages. A known example is the belief that the marriage of cousins is written in heaven. In some parts of Iran and neighbouring countries like Pakistan, India, and Afghanistan, young men and women are married together from childhood even before they have any interest or desire to be married.

In China by tradition young women had to choose only young men from another village, so that no premarital relationship or love could emerge. In Islamic countries, the purpose of this separation is to prevent young men and women remaining alone together. In all such cases, the possibility of choosing a spouse ‘for love’ decreases, and parents usually select a suitable spouse for their children.

In most contemporary societies, however, a balance has been established between these family / social restraints and spouse selection by young people, in the sense that marriage occurs after young women and men express their intention to marry and introduce their prospective mates to their families. In general, the higher the family in terms of social class, wealth, and social credibility, the stricter is the mate selection, because an inappropriate marriage or connection in such families can damage their credibility and family reputation, or cause misuse of their wealth and assets. For the same reason, a family that fears the negative consequences of its children’s decisions will take more supervision and control over their marriage.

But homogeneity in marriage is not limited to the above-mentioned factors. Of all those available, only one person is selected as spouse. So what is the main criterion? Is a person with similar moral

characteristics (homogenous spousal relationship) or totally opposite moral and personal characteristics (heterogeneous spousal relationship) selected?

According to Robert Winch (1958), of all those suitable for marriage, the spouses with whom the highest level of fulfilment is achieved will be chosen. Considering psychological characteristics, Winch *et al.* made a list of 12 main needs and three psychological traits according to which each person may choose a spouse with close similarity. This list has been prepared based on complementary needs and desires, rather than on similar characteristics. Nonetheless, selecting a spouse according to this list will not guarantee happiness in the future because it emphasizes only the complementary needs of individuals. In addition to psychological characteristics, happiness is also dependent on various other factors (Ezazi, 2015: 103).

Mate selection and the marriage process in Iran vary relative to geographical locations, but these events are still controlled by families. The family's monitoring adheres to the standard social restraints, taking into account the social homogeneity of the couple in terms of class, family, and social status. Marriage then occurs according to the personal desires and interests of the young woman and man. It is also possible that initially they chose each other, and then gained their own families' consent and agreement.



Figure 13. Wedding ceremony of students which have been in recent years become prevalent as a solution for facilitating their marriage. Such wedding is supported and facilitated by authorities and government affiliated charity organizations See <http://www.farhangnews.ir>

The particular feature of marriage in Iran is that it normally occurs between relatives, which is still common in both urban and rural regions. However, familial marriages usually act as an assertion of marriages within the same social classes, because members of both families are similar in terms of economic conditions. Moreover, some minority religions in Iran prefer endogamy and do not approve of a marriage with followers of other religions.

In Islam, a Muslim man can marry a woman with another religious affiliation, but according to Article 1059 of the Marriage and Divorce Law, the marriage of a Muslim woman with a non-Muslim man is not allowed. Similarly, under Article 1060 of the same law, the marriage of an Iranian woman to a foreigner, even in cases without any legal prevention, is conditional on special permission of the government. Such legal restrictions also exist among some Iranian ethnic groups (e.g. Turkmen) who allow their men to marry women from other groups but are stricter when their women want to marry a man from another ethnic group.

This prohibition is because, according to Islamic jurisprudence (*Figh*), non-Muslims cannot rule over Muslims and women are deemed subservient to men. A Muslim man also is not permitted to marry a woman with blasphemous beliefs. Therefore, he can marry women of the *book* (Christians, Jews, and Zoroastrian) but is not allowed to force his spouse to convert.¹ 2

In contemporary Iran there is an increasing tendency to hold a traditional wedding ceremony. But in a modern form. Given that the governing social conditions have always affected the form of marriage and related assumptions, a particular contradiction is felt in Iranian society. Although contemporary Iranian society is governed by the conditions of urban and industrial life, the government and society are still not accountable for individuals' rights.

Just as in the past, people's economic lives are formulated within family frameworks and through mutual family commitments. Thus, we are faced with a situation in which financial issues remain significant and, in fact, exacerbated by the media. But instead of helping people to afford their everyday lives, the government has left this matter to families. Firstly, families must prepare the conditions for the young couple to begin their married life (by buying a suitable dowry) and secondly, if necessary the family must support the wife financially after divorce (by determining a high settlement when the marriage ends).

The above-mentioned factors are not compatible with those social conditions that gave rise to the nuclear family structure. Iranian families formed according to current economic arrangements and agreements can hardly have barely attain the specific features of the nuclear family. Although the personal interests of young men and women are considered in mate selection, in the majority of families financial issues such as the dowry and *mahr*¹ take precedence in the marriage of young people.

Generally speaking, only very wealthy westerners have specific nuptial agreements. There is no special protection of any kind in the west, at least in the UK, when women (and men) cohabit, and at marriage the normal law applies to both parties. The 'new' thing is 'civil marriage' for both heterosexual and homosexual couples.

¹² Alkhan, Mustafa & Albagha, Mustafa & Alsharbaji, Ali. *Methodological jurisprudence*. Tehran: Ehsan Publications, 2000.

¹ An amount of money or other goods like gold or silver paid by the groom at the time of Islamic marriage also known as marriage portion or dowry.

Not only people from the upper classes, but also less privileged families commit to the expensive costs of different ceremonies such as the bachelorette party, engagement party, and wedding ceremony, due to personal interest or social obligation. This type of approach is not congruent with the nuclear family structure. In such (Iranian) marriages there remain elements of agreements and arrangements which are not in line with enhancing and transformed conditions of society, government, and family.

Due to the probability of divorce and lack of social support through the law or via the provision of an income for divorcees, the woman and her family seek individual solutions. A woman who marries may believe she can only prevent divorce, or afford life after divorce, by setting a high divorce settlement which - except in some limited cases - will not be adequate to compensate the divorced women for her ensuing life. Further, this dowry/portion is usually paid in instalments and quite irregularly after divorce.

What matters here is to induce an expectation that the financial well-being of each woman should be sought through employment opportunities. A woman who can afford her living costs, either before or after marriage, can support herself economically. Individual solutions are not effective in contemporary society. For example, a high *mahr* not only prevents divorce but also induces a feeling of regret in the husband about the deal he has done. Likewise, a woman who gets divorced after one year and has received her divorce settlement, though she has won the deal, also feels a sense of regret and failure because she had married with the aim of being in a partnership, rather than just securing a financial deal.

According to Iranian Civil Law, marriage is a legal contract that assigns different rights and tasks to both men and women. After signing the matrimonial contract, women lose some of their civil and spiritual rights, including travel, employment, location of accommodation, house, guardianship of children, divorce; but in turn, they secure some financial rights like *mahr* and alimony. In the present Iranian society, some women refuse to acknowledge that they will lose these rights after marriage merely because of being a woman. On the other hand, some men also abuse this legal superiority and put women in unfair and inhumane situations.

A small survey can disclose various cases of such unfair and immoral treatment within many households. There are certainly cases where wives also treat their husbands unfairly, but the law only defends men's rights and it deprives women of this privilege. The husband can easily apply for a divorce, prevent his wife from working or even going out of home, gain the children's guardianship, marry another woman, engage in a temporary marriage and have other sexual relationships outside home, and refuse to pay for household expenses. In return, the wife can only request her *mahr* and alimony, which in many cases men will get away with by hiring a good lawyer (who is normally very familiar with the patriarchal environment governing Iranian courts) or by claiming inability to afford it.

When these legal discriminations are embedded within patriarchal traditions and cultural habits aided by the ruling masculine bureaucracy of Iranian courts, women are practically placed in a

dead-end from which there is no escape. The question is, how can women free themselves from this deadlock as long as Iranian laws have not fundamentally changed and women are not considered as equal to men? According to many law experts, one of the solutions that can presently help women who want to marry is the binding conditions of the nuptial agreement.

In Civil Law, the husband is given some rights and authorities over his wife, including the right of divorce, second marriage, accommodation selection, etc. Although these rights may be associated with some duties for men in caring for his wife and family, it is possible that some irresponsible and improvident men misuse this legal superiority. Thus, women can also use these binding conditions based on the Civil Law to compensate to some extent for the legal limitations, and to stand against the probable abuse by their husbands. This solution is stated in Article 1119 of the Civil Law:

“The parties to the matrimonial contract are allowed to set any conditions which are not against the requirements of the contract during the conclusion, including the conditions that when the husband marries another wife or disappears for a period of time or abandons the family or carries out any misconduct or harmful association that makes the continuation of matrimonial life impossible, the wife is granted permanent and irrevocable power of attorney to divorce the husband in case any of the above situations is verified by the court to have arisen.”

What has been stated in this Article is metaphorical and the couple can also determine any other conditions for the wife’s right to divorce, such as addiction or the husband’s imprisonment for more than a certain time. However, a condition contrary to the requirements of the matrimonial contract is considered as a contradiction to the philosophy of the contract itself; though there are different opinions in that regard.

Some *faqih*s (Islamic jurists) believe that the philosophy of marriage is to form a family and become sexually satisfied, while there is a consensus that the wife can set a condition against having any sexual relationship which is not prohibited by *Shria*. A condition congruent with the requirements of the matrimonial contract is considered to be in agreement with those requirements, and if both parties consent it can replace the standard law. The binding conditions are a solution for the problems that may arise in future shared family life. Familiarization with this solution allows women to adopt such conditions instead of their standard lesser rights until there are further amendments of the law.

Since 1981, in the matrimonial deed published by the State Organization for Registration of Deeds and Property, some clauses comprise the binding conditions of marriage which the notary officer has to read and explain for both spouses before performing the marriage contract, and the spouses have to sign every clause they agree with. Beside the written conditions in the deed, the spouses can also add others as they wish, providing they are not contrary to the requirements of the contract. For instance, the wife can request the right to travel abroad and the husband cannot refuse, or she can claim rights to choose the location of accommodation, education, employment, and the

children's guardianship in the case of divorce. Some have considered this possibility as a compensation for the waiver of the Family Protection Law.

The binding conditions observed in the matrimonial deed are as follows:

- A) The wife requests, and it is agreed, that if and when she is divorced not on her own accord and, as viewed by the court, the divorce is not a consequence of her own misconduct or her refusal to fulfil her conjugal duties, then the husband shall be obliged to transfer to her half of the assets he has acquired during the period of their marriage (or the equivalent thereof).
- B) The wife requests, and is granted, permanent and irrevocable power of attorney, with substitution rights, to refer to the court, select a divorce type and (after acquiring the needed permit from the court) divorce the husband in case any of the following is verified to have arisen:
 - 1- When the husband refuses to pay alimony and when it is not possible to force him to comply with this or to his other financial obligations towards the wife and his duration of default exceeds six months.
 - 2- Misconduct and harmful association of the husband to the extent that continuation of matrimonial life is made impossible for the other party.
 - 3- Where either of the spouses suffers from a refractory (intractable) illness to the extent that continuation of marriage would be dangerous for the other party.
 - 4- Insanity of the husband when cancellation of marriage is not possible.
 - 5- Refusal to observe instructions of the court, on the part of the husband, concerning not to engage in any profession inconsistent with family interests or the prestige and reputation of the wife.
 - 6- Finalized conviction of the husband to imprisonment for five year or more or to a fine, non-payment of which would lead to imprisonment for five years or more, or to a fine and imprisonment totally entailing imprisonment for five years or more and that such judgment is enacted.
 - 7- Any harmful addiction which, at the discretion of the court, is prejudicial to the family foundation; and the matrimonial life becomes impossible as a result of it.
 - 8- Where the husband abandons the family and remains absent for more than six months as confirmed by the court.
 - 9- Finalized conviction of the husband because of a crime, when such conviction is inconsistent with the prestige of the family life and dignity of the other party. Determining whether a crime is inconsistent with the family prestige and reputation of the family is within the purview of the authority of the court, with attention of the status of the parties and other common rules.
 - 10- Where the husband is sterile; and this is verified and accompanied by the wife's failure to conceive within five years of their marriage; also in cases where the spouses, because of physical particularities, cannot have common children.

11- Where the husband disappears and is untraceable and remains so for a period of six months from the date of the reporting to the court.

12- Where the husband marries another wife without securing the wife's consent or, at the discretion of the court, does not treat his wives equitably.

It should be mentioned that these conditions have been composed in accordance with Articles 8 and 16 of the Family Protection Law (1974) which contained contents related to the request for the issuance of certificate of irreconcilability and the husband's authority to marry a second wife.

It seems that this preparation had been efficient before the amendment of Article 1130 of the Civil Law and could help women in overcoming many difficulties. But the amendment of this article has to a great extent reduced this advantage, because the Law itself provides this means and lessens the need for power of attorney. According to Article 1130 of the Civil Law, "when the continuation of the matrimony causes trouble and difficulty to the wife, she can refer to the court and request a divorce and the husband is forced to divorce her according to the court order and when the court cannot force the husband, the wife will be divorced by the court order."

As it can be noticed, the cases where the wife can refer to the court and divorce herself on behalf of the husband are very limited and all are conditioned on cases the assertion of which are sometimes too difficult for women. In many cases, the judges' personal ideas and tastes generates difficult situations for women or the long process of proving the troubles and difficulties causes loss of time or abuse of the husbands. Such vital cases - like traveling abroad, the guardianship of children, and employment, which are the priorities of contemporary women - have no place in the binding conditions of matrimonial deeds. Therefore, since men and women can specify any bidding condition according to the Law, it is recommended that they add the following conditions in the same deed or another document (preferably in both). It is better to use exactly the following phrases or statements:

a) Right of education

Although education is one of the basic rights of each individual and cannot be prevented by other people, the following statement is recommended to be included in the matrimonial deed for avoiding further problems:

The husband is obliged to support the wife to continue her education until she deems necessary and whenever the circumstances allow.

b) Right of employment

According to the Law, if the wife's job is against her family's interests or the prestige of the wife or her husband, the husband is allowed to prevent his wife from performing that job. Given different interpretations of this legal statement, it is recommended to include the following sentence in the matrimonial deed as well:

The husband is obliged to support the wife in choosing any job she desires until circumstances allow.

c) The wife's power of attorney for issuing permission for traveling abroad

According to Iranian Passport Law, married women can exit the country only with the written consent of their husbands. Considering that this issue may create many problems in the future, it is recommended to include the following sentence as one of the binding conditions in the matrimonial deed:

The husband grants the wife an irrevocable power of attorney with all legal authorities to exit the country without either oral or written consent of the husband. The period, destination, and conditions of the journey are determined by the wife.

d) Sharing half the assets obtained during the matrimonial life between both parties after divorce

There is a similar condition in the current matrimonial deeds, the realization of which is conditioned on the fact that the wife does not request a divorce, does not carry out any misconduct, and does not refuse to fulfil her conjugal duties which are all verified by the court. In order to create a more equal situation for both men and women in this regard, it is recommended to include the following statement in the matrimonial deed (it is worth remembering that to reach an agreement, consideration of just circumstances for the financial duties of the husband, like *mahr* by the wife, must be effective and fair):

The husband commits to transfer to his wife half of the assets, including both movable and immovable, acquired during the period of their marriage upon divorce (either requested by the husband or the wife herself).

e) Children's guardianship after divorce

According to Article 1169 of the Civil Law, "mother is prioritized in raising the child up to 7 year old and after that the guardianship is taken by father" even if he is not suitably qualified. Article 1170 of the same law states that: "in case of insanity of mother during this period or when she marries another husband, the guardianship will be taken by father." There is discrimination against the mother in this Law and she is not been granted in return another right with similar conditions. Besides, the child's interest has also not been taken into consideration.

To avoid such a defect, the spouses can reach an agreement regarding the children's guardianship. This agreement can be in different forms. For example, the following statement can be suggested:

'At the conclusion of the marriage contract, the spouses agree that the mother will have priority in the guardianship of the child or common children in case of divorce.'

or

‘During the conclusion of the marriage contract, the spouses agree that the guardianship of the child or common children in case of divorce will be in accordance with the child’s interest which shall be determined by an expert or a neutral judge.’

It can also be added that: ‘and the child’s alimony will be equally paid.’

f) Absolute power of attorney of wife for divorce

According to the Law, a wife can divorce her husband only in specific situations, while a husband can divorce his wife at any time by paying all her rights.

Since the spouses have the right initially to select each other to continue their life together, it is also fair that both of them are given equal rights for terminating it. It is worth noting that wife can also balance the situation by decreasing the amount of *mahr* in return for acquiring the right of divorce and obtaining half of the assets. Inclusion of absolute power of attorney of wife for divorce in the matrimonial deed is recommended to be as follows:

The husband grants the wife permanent and irrevocable power of attorney, with substitution rights, to refer to the court on behalf of the husband at any time and under any circumstances, to select a divorce type (including Baa’in¹, Rij’e¹, and Khula or Mubarat⁵) and divorce the husband either by obtaining or remitting the *mahr*.

It is natural that families comply with marriage customs in the traditional manner, albeit that at the same time these are incompatible with contemporary social and economic conditions. The high expenses of wedding, dowry, and *mahr* effectively destroy the concept of intimacy which is the defining feature of the nuclear family. When marriage is performed like a deal, the amount of *mahr*, dowry, and other expenses for the bride will be appraised along with the individual and family characteristics of the woman. This type of marriage becomes exactly like arranged marriages where the wife is proud of selling herself for a high price and the husband is proud of having bought a woman with excessive dowry.

The existence of these relationships and conditions prevents the formation of the nuclear family in its sociological sense, as this transactional perspective on marriage determines and defines the reciprocal role of the man and the woman from the beginning. Any deviance from the specified role can lead to tension in the family and cannot restore the normal relationship even if a high *mahr* prevents divorce. The partners in such marriages have also their own contract-defined traditional roles as specified. The woman plays the role of wife and mother and the man provides the family income. Such an attitude can itself prevent spousal cooperation, collaboration, and

¹ Irrevocable 4
¹ Revocable 5
¹ Divorce with compensation from wife

mutual sympathy. No longer can either talk about the equality of men and women in family life. Although this family is considered nuclear regarding the living arrangements and number of members, it has been shaped, like traditional marriages, by the fact that each member plays their own clichéd role. Any violation of this role or call for equality in the family may be the cause of tension and separation.

Since the beginning of the 20th century and along with the acceleration of economic and social changes in Iran, the traditional pattern of family has gradually undergone changes. One of these changes has been in the age of marriage. It is assumed that economic and social transformations over the second half of the 20th century have largely influenced the increasing age of marriage in Iran.

Along with these changes, population growth in the early 1980s, the state of readiness of young men and women born in this decade for marriage, and economic inflation have all turned the increased age of marriage into a social issue. According to statistics and reports, the age of marriage in men and women has increased to more than 35 and 30 years old, respectively.¹

Delays in age at marriage have been discussed and studied as a dependent variable by different social and economic theorists. From an economic point of view, marriage is generally postponed in recession times or generally during economic depressions, low productivity, and political and cultural crises like war, revolution, earthquake, etc.

Sociological views on marriage present it as a social contract that guarantees the survival of the human race; there is the prospect of peace and safety in society as a result of healthy marriages and a comfortable family atmosphere. From a psychological perspective, a normative and positive marriage is one of the factors that can enhance the mental health of spouses. Medical scientists argue that single people may experience human disorders and diseases which diminish to a great extent on marriage. And for ethics scholars, marriage is one of the pillars of society's health and can prevent corruption, prostitution, and abnormal behaviours arising from the eruption of sexual instincts.

From an Islamic perspective, besides having all necessary features for protecting family and social relations, the survival of the human race, and preventing different deviations, marriage is considered a holy institution that leads to human perfection. Defining marriage and determining the cause of structural imbalance in society. In emphasizing the balance achieved by the acceptance of embedded goals and behaviours, Merton attempts to explain a coordinated social system. He describes a social system with low stability which is caused by excessive focus on the social goals of success whilst overlooking the means of achieving those goals. In such a situation, people turn to deviant means of goal achievement. The outcome will be more deterioration of social norms.

¹ www.tasnimnews.com

This in turn will result in a structural imbalance in society and thereby, even less control via social norms. The extreme form of this situation causes lawlessness, lack of societal integrity, and anarchy.

By highlighting social change Emile Durkheim demonstrates that specialization and individual differences cause a situation which is exacerbated when individuals face disorder and values confusion. Population growth, increased division of social labour, and various jobs have all caused the creation of many social relations, moral constraints and different values and norms in the contemporary world. Although variations in values and norms has long been present in different societies, this variety is now found within one single society.

According to Durkheim, traditional societies are being replaced with a new one characterized by social differentiation. Contemporary modern societies comprise different groups or classes, each with its own values, norms, behavioural patterns, and particular social customs.

Modernism is an important concept in the field of social change and is a phenomenon with undeniable impacts on human social life events, including family and marriage. Everything is changing in modern societies. Due to the interdependence of different sections of society, an evolution in one section spreads quickly to other ones as well. Modernism has also changed some parts of society in Iran since the second half of the 20th century. These changes have inevitably influenced family, marriage, and spouse selection processes. The decreasing number of marriages and increased age of marriage are among such changes.

Giddens tells us that industrialism, capitalism and the dominance of capitalistic values, the empowerment of social monitoring, organizational power, the fluid dynamics of modern age institutions, and globalization are among the characteristics of modernity. The extraordinary mobility of the modern age is characterized by three factors; spatial and temporal separation which has turned many local phenomena into global events; fragmented structures of fundamental reflection or extraordinary sensitivity of modern society's organizations in accepting the changes that, according to observations, are quickly reflected in family. We can also discern all these changes in other features of modernism, including rationalism, individualism, disenchantment, nihilism, and evolution.

The contemporary family as an institution is subject to many aspects of change such as urbanization, decreased impact of kinship systems, the geographical mobility of information technology, women's employment, the women's rights movement, and the variability of social organizations. In other words, changes in modern society have in turn transformed some features of marriage in traditional society, including type of mate selection, kinship marriages, polygamy, women's fertility, low age of marriage, age difference between husband and wife, second marriage, etc.

The marriage rate in Iran is declining and statistics show an average negative growth of 6.5% from 2011 to 2014. In 2015, this number raised to 40% and the number of marriages decreased to

685,357, compared to the previous year. This decline also continued in the next year, when only 481,809 marriages were registered by National Organization for Civil Registration in the first 9 months of 2017 which, compared to the same period of previous year, is a decrease of 53,861 (0.1%).

Besides this decline in the marriage rate and the increased age of marriage, Iranian society has also recently faced an increased rate of divorce. The number of divorces rose from 158,753 in 2013 to 165,971 in the first 9 months of 2016, an increase of 7,218 divorces. Official statistics show the number of divorces registered in 2012 and 2011 as respectively 150,324 and 142,841.

Sociologists and behavioural science experts believe that divorce has various causes, including economic poverty, unemployment, addiction, spouses' difference, family's interference, etc.. What has recently accounted for many divorces is however the infidelity of one of the spouses. The general director of the marriage planning and family excellence department of Ministry of Sport and Youth reports betrayal as the second most significant cause of divorce in Iran in recent years¹ .⁸

Various problems regarding the topic of 'marriage' exist in Iran because it has some prerequisites like employment, especially for men. The most important barrier to the marriage of young people is unemployment and job security. Young women have also experienced some changes in their attitude towards marriage. Education and feminist opinions are among the most important cultural factors that postpone the time of marriage.

In the past, marriage in Iran was organized and controlled by parents. After the evolution of new forms of family life, and the emergence of modernity in Iran which highlighted the concept of love, the parental role in spouse selection has lost significance. But these cultural changes, alongside economic and social issues, have caused the appearance of a phenomenon known as cohabitation or 'white marriage' in Iran, particularly observed in metropolitan areas like Tehran. In spite of being religiously and culturally denied, this phenomenon in Iranian society is a result of transitional culture.



Figure 14. A scene from the movie *My Tehran for Sale* written and directed by Granaz Moussavi in 2009, about two young couples who cohabit in Tehran without being married to each other

¹ www.khabaronline.ir

2.2.3. Young People and Change of Transitional Culture: Contexts, Requirements, and Interpretations

Transition is both a movement from adolescence to adulthood and a process for cultural recreation in which generational relations are reconsidered. For that reason, transition is both individual and historical / social. Traditionally it promises a recreation of adults' culture and roles by young people through a linear process. The path to adulthood is somehow smooth and expectable and offers a limited margin for deviance from it and divergence from its limitations for young people. This experience, conceptualized via a generational paradigm by such classical theorists as Parsons, Eisenstaedt, and Ortega, regards adolescence as a stage of life which can potentially result in accidents, generational continuity, and finally challenging the adults' values.

New approaches to adolescence reflect social and cultural structures and non-linearity, non-standardization, and reversibility of constant moves during the course of life - the characteristics in fact of a new transitional period. Cravings for experience, adventurousness, extremism, exaggeration, relativism, and, most importantly, interest in preserving the individual independence of action and freedom which offer young people flexibility, are among the representations of a new culture that may sometimes provoke intergenerational tensions.

The desire for constant motion and options, as reflected in their consumerist behaviour and their tendency to fashion, relational narcissism and virtual leisure, cohabitation or white marriage, are amongst the distinguishing aspects and expectations of the culture of contemporary young people.

From a structural perspective, familial structures will gradually adapt to a new situation where different generations are likely to cohabit with each other for a longer time. On the other hand, young people's connections with such entities as school, family, and marriage have adjusted to new lifestyle patterns. Changes in socio-economic structures have also brought young people a high level of intergenerational mobility and have increasingly lessened the transition period to adulthood. Through these processes future success is drastically separated from the starting point, and contemporary experience has more influence than that of previous adjacent time periods.

The outcome is selection of new paths and values which strengthen young people's dramatic creativity. Parents' attempts to socialize their children lead to a kind of reflective movement that finally results in a reverse socialization of parents with their children, to whom in the end they have to refer.

The conventional approach to young people in western sociology and anthropology points overtly this issue: youth is a stage in life, the unique characteristic of which distinguishes it from other stages in life. The focus is on analysing young peoples' transition to adulthood. Of particular interest to sociologists is the identification of social legitimacies (patterns) which show transitional experiences within different communities.

There are several sociological typologies or models in the related literature which address the origins of young people's lifestyle and life goals. These models point to the linear relationship between the transition stages and their components, specifically the link between different life arenas, education, occupation, family, spouse selection, lifestyle, consumption, and citizenship.

Of greatest significance for young people during this model of transition are education, occupation, or independent accommodation. This perspective or theoretical framework, also known as the generational approach, emphasises the values of young people and/or the inconsistency of intergenerational values as the main subject in studying the transition from childhood to adulthood, with socialization theory as the dominant theoretical approach. The appearance of different small youth cultures which deviate from conventional norms is in the generational model the result of deficiencies in the socialization process which disrupt the social order and consistency. This point of view underpins the prevalence of pessimistic attitudes toward and problematic interpretation of some features of youth culture and also of young people as the champions of this culture.

Exponents of generational theory include such thinkers as Manheim and Ortega and also some social functionalist theorists like Parsons and Eisenstaedt, for whom contradistinctions and lack of generational continuity are considered to be malfunctions during the socialization process. Generational theorists also believe that the differences and inconsistency of cultural experiences of young people are a factor which distinguishes them from other generations.

The generational paradigm, also known as cultural or culturist approach, maintains that the borders between childhood, adolescence, and adulthood have become less visible, unstable, and sometimes inseparable to the extent that finding a specific origin, goal, and route in transitional experience, especially in a linear and predictable manner, is difficult. Advocators of this approach would argue that the individualization and non-linearity of life stages are the main reasons behind such difficulty. Culturists believe that the cultural aspects of young people's lives should receive more attention. Some of them like Růžek (1995) consider social structures and their determining effect on actions and behaviours as a general assumption related to modernism, where the social structure is exaggerated and culture is thereby overlooked.

From the standpoint of other members of this cultural thinkers group, the firm structures of modern society are collapsing and turning into a type of new fluid modernity. Classical perspectives arising from this approach particularly reflect and highlight the ideas of the Birmingham School thinkers. Instead of emphasizing generational relations and seeking the recreation and continuity of generational values, this school of thought sees recreation basically in terms of such structural components as class, gender, and race.

The Birmingham School also emphasizes the distinct cultural features of young people, especially their class character, before conceptualizing adolescence merely as a stage in life. Both classical and modern cultural approaches have in common a focus on the cultural formulation which sees different structures as resulting in a variety of selections and life paths during the transitional period. Some people believe that, however formulated, the life path concept, with its predefined

origins and goals, has become obsolete, and is deceptive both for young people and researchers. Most young people, it is suggested, consider the existing routine life progressions as opportunities for breaks which offer different pathways and routes: everyday life is not merely a lived life (monotonous and repetitive) and young people creatively and willingly plan for their futures.

According to a culturist point of view, young people seem to have lost their historical sense of continuity and forgotten their sense of belonging. It can be argued that modern young people are in a situation which has the experience of former generations on the one hand and their future expectations on the other. The usual response and reaction of young people to this tension is the extension of their range of experience in the present time (everyday life).

The life conditions of the current young generation are more influenced by their predictions and expectations of their future, compared to past generations. Such uncertainty and ambiguity give young people more space and desire for new experiences, adventures, the development of a comparative attitude, and a desire to maintain their individual independence and freedom – all of which help them to manoeuvre in their choices (particularly given the structural limitations). These issues have given a kind of reciprocal characteristic to the phenomenon of transition.

Transition as a movement of roles and a process has brought some changes in Iranian society which shape the content of this experience. Some characteristics of this transition period are:

A) Non-standardization:

At both the subjective and objective levels, young Iranian people do not conceptualize the transition period necessarily as the ownership and completion of the common normative roles of adulthood (e.g. completion of education, employment, marriage, and childbearing) with their specific order and sequence. Change in the concept of adulthood as a social structure is in a direction at which individual criteria play a more important role than normative incidents and the related role-playing in the life of young people. Moreover, the extreme impetus of young people toward education, increased age of marriage, and postponement of childbearing or fewer children are obvious signs of the displacement and disorder of transition events from an objective standpoint.

Another interpretation of this change of orientation would be de-ritualization in the experience of transition. Reaching adulthood by passing through discontinuous and disconnected chain of events does not occur with its predefined norms and rituals, and young people prefer to do it according to their own desired combination. This transformation decreases the young people's dependence on their family in decision-making, gives them more responsibility and commitment, and forces them to take more risk and accept the consequences of their own decisions. On the other hand, the traditional authority of parents on their children also declines and is replaced with liberal norms in generational relations and interactions.

B) Non-linearity of the transition:

Non-linearity is the result of variety in the standards and patterns of the transition, and of a decline of the prevalent normative patterns based on which the adolescence period is defined. In classical sociology adolescence is defined as a modern concept or behavioural role which includes a period of increasing maturity prior to adult responsibilities, especially marriage or employment. Formal and statistical reports obtained from the governmental organizations in Iran, particularly the National Youth Organization, also confirm this definition and inevitably consider it in their planning.

Nonetheless, although the role-playing and growth model incorporated in this definition of adolescence are in agreement with the experimental reality of many young people and have some advantages for organizational intervention and planning, this model is not indicative of all the realities related to the adolescence experience. Affected by global conditions, the cultural and structural changes of Iranian society have introduced new orientations and behaviours in the experience of young people which have changed the existing representations and conceptualizations.

Another important impact of transitional culture is on independence and transformation of power relations between the young and adult members of family.

C) Modern media and their entertaining and relational functions:

Transitional culture has been deeply influenced by the development of new media which have in turn changed generational relations. The extent which modern media are used and enjoyed reflects their attraction for young people, then being replaced by other common media. This spectral change may have potential negative and positive results regarding the identity of young people and their interactions with themselves, family, and larger society. Prevalence of virtual and digital entertainments can promote passive pleasure and fewer relationships of young people with their family members.

Meanwhile, with the greater emphasis of young people on language and technology, these media can potentially create a barrier to a mutual relationship with parents and family. In addition, the difficulty that parents may face in controlling their children's relationships, especially with the opposite sex, and in controlling their sexual socialization is another result of this transformation. Besides reducing the authority of parents, their exclusion in this matter and substitution of their role by new media will result in change of values.

Among the functions of new media are the empowerment of young people in forming and/or maintaining their micro cultures, offering compensation for some limitations that the public sphere may have imposed on their pleasures. By surpassing gender and class borders, the internet has changed the traditional interactions of some young people in the family, extended their relationship spectrum, and increased their strength. They can experience the possible collapse of power hierarchy in virtual space. New information and communication technologies, especially the

internet and cell phone, can change the users' agency and resonate their engagement in the formation of their own identity.

In addition to providing new forms of micro-cultural relationship for young people, these media have also facilitated and offset their relational needs in reality. Virtual space is considered empowering element for young people, especially women, in interacting with both their family and society. Young people can easily fulfil their desire for adventure and curiosity and also free themselves from their parents' direct control through such advantages as the anonymity that virtual space has to some degree provided for them. Nonetheless, these cultural impacts perform within the context of social relations and structural conditions of society and reflect tangible power relations and real world conditions.

D) Individualization:

The increasing share of individualism in the identity of young people does not only signifies independency as a psychological variable in the individuals' character, but also represents their growing sense of independence via individualism as an ideology. Young people would like to shape their futures independently and according to their own desires. Thus, the role of family and society in defining the young people's adulthood status has been gradually declining.

An indication of this move towards autonomy is young people's attention to individual success and their interest in increasing their skills and cultural capital, and also their materialistic dreams, such as getting rich or gaining high occupational positions. The increasing attention to higher education, especially for young women, the desire to enter the employment market, and highlighting individual right in selecting a spouse and also child bearing, are amongst the features that represent the young people's agency and right to choice.

Similarly, the right to choose one's place of work, to have separate accommodation from family (for a small group of young men and gradually for women as well), emigrational trends for education or even for employment, and even sometimes changing the surroundings or environments are objective manifestations of individualization. Individualistic ideologies are not currently prevalent and remain controlled by individual, familial, and structural contexts as young Iranian people are still mostly dependent on their families. However, individualistic frames of mind are also increasing along with the growth of families and collective orientations.

Another result of contemporary individualistic tendencies is young people's greater reliance in the absence of prescribed roles on their own creativity and abilities in important choices of life. For many Iranian parents, the transition experience would be realized via employment or marriage, while lack of experiencing these roles by some young people forces them to experiment and take risks. Moreover, the popularity of some norms and unconventional lifestyles like a singular lifestyle or cohabitation ('white marriage') might be due to lack of alternative viable role models.

The new transitional culture has provided women with more opportunities (e.g. higher education). But despite the existing challenge between some generational roles and parental values which have been generated due to the development of new behaviours (pre-marriage acquaintance, spouse selection, or employment), this culture is still characterized by gender distinctions.

The transition of young Iranian people to adulthood suffers a kind of dichotomy. On the one hand, it limits the scope of action and structural space for transition, and on the other hand it places young people in the context of mobility and individualization throughout life. This paradox is of interest for some people because of the advantages they gain from family dependence and the acceptance of norms. Other people just have to tolerate this tension; and for some others it will result in seclusion, passivity, and the denial of existing realities. As a result of these tensions, such phenomena as cohabitation without marriage will arise.

2.2.4. 'White Marriage', Cohabitation or Domestic Partnership in Iran

'White marriage' in its contemporary usage means the cohabitation of a couple who have sex without being married to each other. This lifestyle has been growing in most western societies. 'White marriage' is the literal translation of the French '*marriage blanc*'. This type of marriage was in the original meaning incomplete because it was not accompanied by sex. For different reasons, including economic or social motivations, obtaining a passport, or escaping judicial pursuit, some people may choose this type of marriage.

It is also possible in 'white marriage' that a man or woman involved in this relationship might be homosexual, or for any reason suffers from a sexual dysfunction which makes sexual contact impossible. 'White marriage' is a metaphor for white sheets, meaning that no sexual relationship is performed and defloration blood which is for traditional people associated with the consummation of marriage is not seen on sheets. Since there is sexual relationship in this type of partnership in Iran, the term 'white marriage' has found a different use and unlike '*marriage blanc*', is not legally registered.

Recently, cohabitation without marriage and hidden from the law has become prevalent in large Iranian cities. 'White marriage' in Iran is known as a cohabitation of a couple without any legal agreement. According to unofficial statistics, 'white marriage' is increasing in Iranian metropolitan cities. However, the secret nature of this relationship makes it difficult to have access to true statistics.

Some sociologists and religious experts consider 'white marriage' in Iran a product of western culture which is in their view quite inappropriate for Iranian-Islamic culture. This cohabitation without marriage which is presently known as 'white marriage' is not new phenomenon is western countries. But due to *Sharia* and the secular issues and beliefs in Iranian families, it is considered culturally shocking. In response to the question 'what is white marriage and its outcome?' asked

by a political reporter of ISNA (Iranian Students News Agency), Ayatollah Mohammadi Golpayegani stated that: “people involved in this relationship shall lose their *Halal* generation in no time and become bastards. The Islamic governor must severely stand against this lifestyle.”¹

On Aug. 16, 2014, the Jahane Sanat Newspaper reported an increase in the cohabitation of strange single people and white life in Tehran and described this lifestyle as a temporary economic necessity to ease the costs of everyday life. While criticizing the exaggeration of ‘white marriage’, Siavash Shahrivar, the general director of Social and Cultural Affairs Department of Tehran State Secretariat, stated that he had no statistics in this regard. He also reported that the plan for ‘promoting a sustainable family’ to fight ‘white marriage’ is being finalized, having been developed according to population policies announced by the leader of Islamic Republic of Iran.

At the time of this announcement by Mr Shahrivar however, Morteza Mirbagheri, the former deputy of Interior Minister in social and cultural affairs, had previously spoken of a new lifestyle and the normalization of this marriage. According to him, “unregistered and illegal relationship between men and women had been existing in the past in the same form, but it has taken a morally-acceptable shape in the present time; though it is not still prevalent in our country.” In its report on May 06, 2014, Ebtakar Newspaper counted economic problems, relationship experiments, distrust of marriage, and high housing costs as reasons to prefer ‘white marriage’ over an official one.

Morteza Talaei, the director of social-cultural commission of the Islamic City Council of Tehran in 2012 reported the development of housing in northern Tehran where young women and men live together without being officially married to each other. He also confirmed that this lifestyle may have existed before but no one was aware of it. In mid-2014, ‘white marriage’ generated numerous debates in the media and convinced many experts that a secret crisis in sexual issues exists.

There is no commitment, guarantee, and responsibility in these types of relationships. For that reason, the people involved can easily and deliberately end the relationship without any loss. Sexual betrayal also exists in this type of relationship; both parties have no responsibility and they can break up and choose other alternatives whenever they wish.

Being temporary and unofficial, this lifestyle has made investment and support by both families very difficult, not least because family members are reluctant to get themselves acquainted with the other party and share their activities, ceremonies, or economic issues with them.

The children of such marriages are however the real victims, because ‘white marriage’ is not registered anywhere. Therefore, the children’s fate is not clear from birth onwards, and they will not benefit from social rights like education and having a birth certificate, nor are they subject to inheritance from their birth parents.

¹ <https://www.isna.ir>

Changes of lifestyle and the financial consequences of divorce are the main causes of cohabitation without marriage in western countries. This phenomenon, however, is new in Iran and has existed (as at 2020) only for a decade. It is mostly found in metropolitan cities like Tehran, Mashhad, Isfahan, and Shiraz and is usually practised by non-local young people who are either students or employed there. The increased age of marriage followed by individual, intellectual, and financial independence from families and also more freedom of choice are among the factors influencing the spread of 'white marriage'.

The urge towards modernism, the inconvenience of traditional and half-traditional marriages for some young people, and the wish for continuous fulfilment of sexual needs are among other factors that cause 'white marriage' to be welcomed by young people. 'White marriage' is generally seen as an imported phenomenon and is frowned upon in current Iranian culture that is a combination of *Sharia* and tradition.

2.2.5. 'White Marriage' Formation

This newfound social phenomenon has 5 stages as follows (Azad Armaki, 2012):

1- Acquaintance

At this stage, young women and men get acquainted with each other through their friends' circles or virtual space or student groups. After becoming relatively familiarized with each other's beliefs and thoughts, they become more inclined to have a relationship and know each other better.

2- Falling in love

More intimate relationship between couples based on their commonalities in beliefs, opinions, and even occupational and education matters cause them to fall in love with each other.

3- Moving in

After that, when both parties feel they can understand each other, they decide to move in together. But since they have not yet been fully socialized to conventional norms, they step outside these norms and become deviant by way of cohabitation.

4- Conflict and tension

It can be easily predicted that individuals who get involved in a white marriage type of relationship find themselves in a world full of conflict, tension, and unsolved issues. For that reason, the initial love and affection may soon be replaced by hatred, grudge, and self-claim.

5- End of cohabitation

Along with appearance of tensions and contradictions, both parties are not able to use reasonable and logical approaches (solving their problems with the help of seniors, consultants, and etc.) to

overcome their problems and as a result, they end the relationship. In the Islamic Republic of Iran, only those marriages which are considered official will be registered in Marriage Registry Offices. Both parties at official marriages know their legal duties and are responsible for anything that might happen after marriage. Moreover, in the case of any conflict or crime, they can refer to the court and resolve the problem.

‘White marriage’ is not officially recognized by the Islamic laws of Islamic Republic of Iran and is considered a crime.

When the Law deems such a relationship as a crime, it never takes responsibility for the related consequences and treats these consequences like a crime as well. According to the Law, permanent marriages which are not registered by parties after the announcement of marriage vow are not legal and the husband will be pursued by the law.

2.2.6. ‘White Marriage’ in the World

After a quite long time, ‘white marriage’ has been accepted as a lifestyle in western countries. Before 1970, cohabitation without marriage was illegal in the United States. In the same decade ‘feminism’ arose, with its goals to effect changes in the social, political, and economic systems of American society, with the aim of establishing equal and fair conditions for women.

What the feminist movement yielded, however, was a sexual revolution which gave birth to new lifestyles like cohabitation. The number of unmarried couples in the USA who lived together increased by a factor of ten between 1960 and 2000. Some Western countries enacted rules for cohabitation to ensure its official recognition. Such recognition helps couples who have lived together for several years to demand some rights at the time of separation and it also lets nobody escape his/her responsibilities.

‘White marriage’ is considered as a general pattern of relationships in the West. If marriage was previously regarded as a foundation for binding two people together, such a role cannot be expected anymore from marriage as an institution. Now we can only talk about the formation and dissolution of couples. There are increasing number of couples who have a long-term and committed relationship; they live under the same roof but they have decided not to marry each other and they raise their children together.

‘White marriage’ firstly appeared in Scandinavian countries in Europe and later became common in Mediterranean Europe. Traditionally, Mediterranean countries are more conservative and religion plays a more important role in people’s lives. This is why ‘white marriage’ was quite rare in these regions until the mid-1990s but it has generally increased since then, and now people consider it a forerunner to official marriage (Martin, 2015). The high rate of women’s employment and their easy and wide access to contraceptives have caused western women to have a wider range

of choices. This has in turn resulted in the replacement of marriage by cohabitation (Mills *et al.*, 2015).

Major political changes like the downfall of communist governments were observed in Eastern and Central Europe in the late 1980s and early 1990s. These communities entered a new age with more social freedom, less restrictive rules, and no totalitarian government. They also communicated with Western Europe and joined the European Union. Patterns of family life began to change simultaneously with these social and political transformations. The age of marriage increased and rate of marriage decreased; cohabitation and the birth of children by unmarried parents increased quite rapidly in some countries (Thornton & Philipov, 2009).

The growing rate of cohabitation is due to social changes, including secularization, increased women's involvement in the marketplace, change in the meaning of marriage, risk reduction, individualism, changing sexual desires, different attitudes towards gender, and feminist ideas. Further, some people avoid official and legal marriage with the thought that it is unnecessary, old, and outdated.

In the European Values Survey (EVS) of 2008, the percentages of people who approved of the opinion that "marriage is an outdated institution" were as follows: 37.5% in Luxemburg; 35.5% in France; 34.3% in Belgium; 31.2% in Spain; 30.5% in Austria; 29.2% in Germany; 27.7% in Swiss; 27.2% in Bulgaria; 27.00% in Holland; and 25.00% in Slovenia. The European Union has officially admitted and recognized this objective reality of coupledness, where people live together and have sexual relationships with each other without being married or legally registered. In a legal guideline, in 2004 the European Union banned any interference with the private sphere of cohabiting couples.

Cohabitation was considered a disgrace in Britain up to recently. Cohabitation was included for the first time in 1979 in the General Household Survey (GHS) which is the main database of British families. The related status of 'white marriage' or cohabitation is changing among British people and in other European areas. The number of people who cohabited before marriage increased 400% in Britain. Among women born in 1930 and 1940, 4 and 19% opted for cohabitation; but this rate increased to 50% among women born in 1960. It is estimated that four fifths of those couples who married in 2000 were previously cohabiting with each other.

Although cohabitation has become increasingly popular, research shows that conventional marriage is still more stable than 'white marriage'. The probability of separation for couples in Britain who live together without being married is three or four times higher than for married couples. Although the period of premarital cohabitation is increasing and more couples select it as a substitution for official marriage, it seems that cohabitation is more a premarital experiment in contemporary Britain. Young people often begin to live together by chance and not based on any specific plan. A couple who had sexual relationship before will start to spend more time and finally, one of them moves in with the other. Young people who cohabit usually imagine a day when they marry but not necessarily with their current partner.

In a study conducted in 1999, sociologists from Nottingham University interviewed a group of married and cohabiting couples with children aged 11 or less, and also a group of the parents of these couples who were still married. They intended to study the differences between the commitment and faithfulness of the previous married generation and the younger couples. The researchers found that married and cohabiting couples of the younger generation had more similarities than expected compared to their parents. While older generation perceived marriage as a duty and obligation, the younger one emphasized commitments given freely by and to each party. The main difference between all the young respondents was that some of them preferred their commitment be approved and confirmed through marriage (Giddens, 2010; 278) and some did not.

Cohabitation or 'white marriage' in European Union member states is a common and prevalent phenomenon.

Of all babies born in 2014 in the 28 countries of EU, 42 % of the birth mothers were not officially married² . In 2016, most of births⁰ in European countries occurred outside of an official marriage framework² : Iceland with 69.9%; France with 59.7% Bulgaria with 58.6% Slovenia with 58.6%; Norway with 56.2%; Estonia with 56.1%; Sweden with 54.9%; Denmark with 54%; Portugal with 52.8%; and Holland with 50.4%; and whilst cohabitation has been observed at most ages in European countries, this phenomenon is most common among young people.

Of all women in Finland in 2005, 21% were cohabiting and 18% of them had children. In general, cohabitation is considered a normal and public matter among Finns who are mostly under 30² . Since the mid-1990s in Canada, the rate of child birth among cohabiting couples, especially in Quebec, largely increased. In 2012, 28.3% of Canadian women who gave birth were unmarried at the time² . According to the latest statistics of Quebec in 2015, 63% of babies were born to mothers who had never married² .

4

'White marriage' or cohabitation became common in America in the late 20th century. In 2002, around half of women aged between 15 and 44 year old cohabited with their partners without being marriage. In 2005, about 4.85 million American couples had experienced cohabitation. In addition, around 6.4 million unmarried couples were identified in 2007 (Andrew, 2010). According to a Public Survey conducted in 2012 in America, fewer than 20% of the population disagreed with cohabitation (Herrnson & Weldon, 2014).

² Eurostat - Tables, Graphs and Maps Interface (TGM) table. Ec.europa.eu. 2016-08-11. Retrieved 2017-03-26.

² <http://ec.europa.eu/eurostat/tgm/table.do?tab=table&plugin=1&language=en&pcode=tps00018>

² The Finnish population structure of 2005 at Statistics Finland (Finnish/Swedish)

² Canada, Government of Canada, Statistics. www5.statcan.gc.ca.

² Québec, Institut de la Statistique du. "Proportion de naissances hors mariage selon le rang de naissance, Québec, 1976-2016". www.stat.gouv.qc.ca.

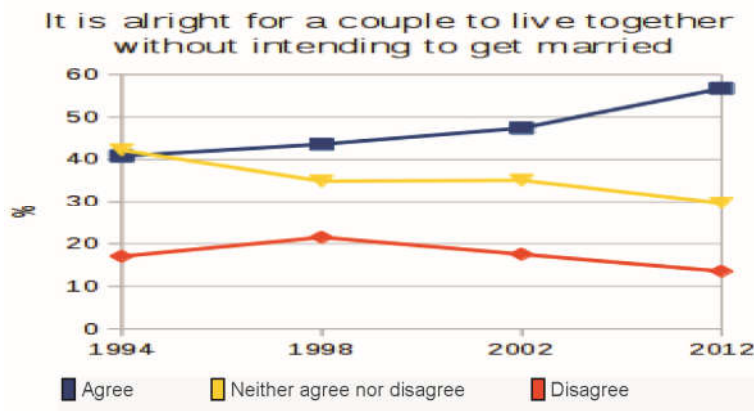


Diagram 1. Survey on the level of agreement with 'white marriage' from 1994 to 2012 in the United States of America

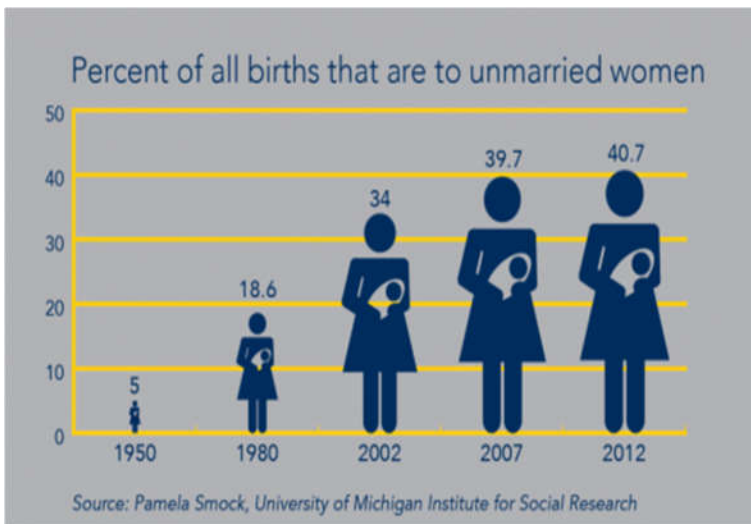


Figure 15. Increasing number of unmarried mothers in America

'White marriage' is also rising in Latin America. Despite the prevalence of Catholicism in this region, it has the highest number globally of mothers who have not officially married.

Of all children born in this region (Latin America), 55 to 74% are born into cohabiting families². From 2005 to the present time, Mexico has reported that 18.7% of cohabiting couples have continued their life together. This type of relationship has been largely welcomed by Latinos over recent years (Ambert, 2005).

In Australia, 22% of couples had previously experienced cohabitation and 78% of them were cohabiting before getting married in 2008². In 2013, 34% of babies were born to unmarried women. Cohabitation relationships are officially recognized in Australia. In New Zealand, 23.7% of couples in 2006 were cohabiting without marriage, and, of all births recorded in the same

² Global Children's Trends. The Sustainable Demographic Dividend. Sustaindemographicdividend.org. Retrieved 10 November 2012.

² Percentage of marriages preceded by cohabitation 1975-2008". Australian Institute of Family Studies.

country in 2010, 48% were to unmarried women. Like Australia, New Zealand has recognized cohabitation² .

7

Unlike other parts of the world, 'white marriage' or cohabitation is still considered a taboo in Asia and has been slowly received, compared to western countries. Nevertheless, this lifestyle is observed among young people of Asia, especially in large cities. In Asian countries like Bangladesh, people involved in 'white marriage' or cohabitation will be prosecuted in court and are subject to punishments; it has also negative consequences for young people and they may be sacked from university or their rental houses.²

8

Due to the high population of India, especially in metropolitan areas, 'white marriage' is more common, compared to other countries. But it is still considered a taboo in smaller and rural regions. In Indonesia, a couple who were cohabiting without being married to each other were sentenced to two years of imprisonment in 2005.²

9

The International Institute of Research on Population and Social Safety of Japan reports that fewer than 3% of women aged 25-29 have a common law partnership without marriage. According to research conducted by Wasawa, 30 and 53% of cohabiting couples were born in 1960 and 1970, respectively. His studies in Japan also indicate that 68% of cohabiting couples were born in urban regions.



Figure 16. Difficult economic conditions of marriage is among the major causes of young Japanese people's tendency towards 'white marriage'. On the other hand, easy access of young women and men to each other in public spheres has increased this type of relationship: <http://jpninfo.com/61117>

In the Philippines, 2.4 million couples were found in 2000 to have a common law partnership. The General Census conducted in 2000 in Philippines shows the rate of cohabitation in the whole country to be 19%. Most cohabiting couples were aged between 20 and 24 years old and poverty is found to be the main cause of cohabitation in the Philippines.³

0

² "2006 Census: Family portrait: Continuity and change in Canadian families and households in 2006: National portrait: Provinces and territories". 12 September 2007. Retrieved 22 August 2015.

² <http://www.refworld.org/docid/4f40f072.html> Refugee Review Tribunal (Australia); Research Response Number BGD32882, 12 February 2008

² "Indonesia plans new morality laws". BBC News. 6 February 2005. Retrieved 28 March 2010.

³ <http://www.gmanews.tv/wedding/tomarryornot.html>

2.3. Legal and Jurisprudential Foundations of ‘White Marriage’ or Cohabitation

2.3.1. Marriage from the Religious and Islamic Point of View

According to the Quran, human beings were created with an inherent desire for marriage and forming a family. Human genesis is based on parity and no woman and man is ever created without a mate. According to the Quran: “We created you in pairs.” (Surah *An-Naba* -The Great News-, verse 8)³ The Quran also states that: “God created you from dust and then sperm, and made you in pairs.” (Surah *Fatir* -The Originator-, verse 11)²

With these interpretations, the Quran actually points at the foundational philosophy of family and considers the origin of pairs (marriage and parity) as the “human being’s ‘natural state’”. God created women and men equal; thus, forming a family arises from the ‘human nature’.

In contrast to the views of some theorists, this orientation to marriage not only originated in the human being’s sense of servitude but is also due to the strong emotions which take human beings from selfishness to altruism, and which in turn results in the stability of the family as an institution (Jahani, 2012).

The institution of marriage is sacred and has a sublime status in Islam. This has been implied in different religious manuscripts in different forms. For example, the Quran explicitly encourages people to marry: “Marry women of your choice.” (Surah *An-Nisa* -The Women-, verse 3)³ Moreover, Prophet Muhammad encouraged Muslims to marry: “Whoever likes my religions must remain committed to my traditions one of which is marriage.”³ (Tabresi, 1986; 196 & Ghazali, 1998; 152)

According to the Quran and Hadiths, sublime human and social goals are realized through marriage and spouse selection and women and men will reach perfection and also protect each other; “Wives are your garments and you are their garments.” (Surah *Al-Baqrah* -The Cow-, verse 187) Spouse selection also causes spiritual and mental comfort and it generates emotion and love between couples: “And among His Signs is this that He created for you mates from among yourselves, that you may dwell in tranquillity with them, and He has put love and mercy between your (hearts): verily in that are Signs for those who reflect.” (Surah *Ar-Rum* -The Romans, verse 21)

1 وَخَلَقْنَاكُمْ أَزْوَاجًا ³

وَاللَّهُ خَلَقَكُمْ مِنْ تُرَابٍ ثُمَّ مِنْ نُطْفَةٍ ثُمَّ جَعَلَكُمْ أَزْوَاجًا... ³

فَانكِحُوا مَا طَابَ لَكُمْ مِنَ النِّسَاءِ ³

4النِّكَاحُ سُنَّتِي، مِنْ أَحَبِّ فِطْرَتِي فَلْيَسْتَنْ بِسُنَّتِي ³

5 هُنَّ لِيَابِسُ لَكُمْ وَأَنْتُمْ لِيَابِسُ لَهُنَّ ³

وَمِنْ آيَاتِهِ أَنْ خَلَقَ لَكُمْ مِنْ أَنْفُسِكُمْ أَزْوَاجًا لِتَسْكُنُوا إِلَيْهَا وَجَعَلَ بَيْنَكُمْ مَوَدَّةً وَرَحْمَةً إِنَّ فِي ذَلِكَ لَآيَاتٍ لِقَوْمٍ يَتَفَكَّرُونَ ³

On the other hand, marriage and forming a family is believed to increase income and the improvement of financial conditions. As Imam as-Sadiq stated: “Whoever does not marry because of poverty has become distrustful of God; because God says that if they cannot afford it, He shall make them needless.”³(Abd-al-Malik al-Hindi, 279)

One of the important social functions of marriage is reproduction. God introduces marriage as a means to maintain the human race, emphasizing the necessity of women in human communities and reminding us that human beings need women to continue their species: “Your wives are as a tilth unto you; so approach your tilth when or how you will.”³ (Surah *Al-Baqrah* -The Cow-, verse 223)

From a religious and Islamic standpoint, marriage is a decent and sacred act in accordance with human nature, spiritual values, Sharia, and reason. It is also in line with the Prophet’s custom and guarantees human survival and generation purity. By recommending marriage and dictating a religious point of view about human and the necessity of having a spouse, Islam emphasizes a special solution for satisfying sexual instinct; placement of man and woman in framework of a conventional family.

2.3.2. Marriage in Iran

In Iran, marriage is bound by Islam and religious values. Accordingly, only two types of marriage, permanent and interrupted (temporary or *Sigheh*), have been recognized by the Civil Code of the Islamic Republic of Iran. In permanent marriage couples conclude a marital contract without any time limit or determining a specific period based on Islamic faith and the related laws (articles 1062 to 1070 of Iranian Civil Code pertaining to conditions of a true marriage). But in temporary marriage, which is a controversial issue in Islamic and social discourse, people reach an agreement to announce a *Sigheh Mahramiat* to have marital relationship for a specific period of time according to Shia sect and article 1075 of Iranian Civil Code. This type of marriage is automatically terminated after the specified period and no divorce is needed.

It is common for men and women in the West to live together without marriage like two spouses. Although this is particular to western societies in the context of globalization and modernism, ‘white marriage’ or cohabitation is also observed in Islamic countries like Iran, where it may serve as a way to avoid the financial burdens of permanent marriage. But according to *Sharia* law no sense of marriage is established in this type of relationship, because in Islam the relationship between a man and woman is counted as marriage only when it is based on *Sharia* or related rules.

من ترك التزويج مخافة العيلة فقد آسأ ظنه بالله عزوجل إن الله عزوجل يقول إن يكونوا فقراء يغنيهم الله من فضله³

نساؤكم حرث لكم فأتوا حرثكم أنيستم وقدموا لأنفسكم³

Patterns of sexual behaviour have undergone many changes in the world during recent decades; and Iranian society has also recently faced remarkable transformations regarding young people's values and beliefs (Rezaei, 2013; 15).

In his interview with Rouydad24 News Agency about definition of 'white marriage' (also known as 'black cohabitation'), Majid Abhari, sociologist and social pathologist, said: "white marriage' is defined as a type of domestic partnership in which no legal and individual commitment exists between man and woman."

Abhari also explained the causes of the increasing tendency to 'white marriage' among young people and added: "problems of permanent marriage, in one hand, and escaping from responsibility by young people, on the other hand, have led to an increase in this form of marriage. Both women's and men's expectations reduce the number of formal marriages. Existing difficulties in permanent marriage in terms of housing, employment, inflation, and high expenses are the main factors in reducing rates of formal marriage. Moreover, unconventional dowries have caused young people to fear marriage deeply and be deprived of their families' support."

"White marriage", Abhari continued, "affects and reduces the number of formal marriages. Although permanent marriage does not happen only for satisfying sexual needs, its major role is the mutual sexual need of man and woman. When this need is met in other ways, the desire for permanent marriage will reduce." According to him, "fear of official commitments is also another factor which drives young people whose sexual needs are not satisfied towards cohabitation. There are currently around 30 million single people most of whom have passed the age of marriage in Iran."

Focusing on the fact that "children born from cohabiting partners will have no clear future", Majid Abhari described some disadvantages of 'white marriage'. He observed that: "besides giving birth to children with uncertain futures, 'white marriage' provides the context for prostitution. When a young woman decides to move in with a man, their relationship is fragile because there is no commitment between them."

Abhari added that: "in such situations, the woman has to find another person to continue her life with. This may result in some cases in a situation where a woman moves in with 8 men in only one year. A small percentage of these young men and women continue their black cohabitation more than one year. Statistics show that these relationships are short-term, because they do not contain any moral and legal commitment. There is no element guaranteeing these relationships and it is possible that one of the parties wakes up in the morning and decide to end the relationship and nothing can prevent this."³

³ <http://www.rouydad24.ir> ⁹

2.3.3. Terms of Valid *Nikah*

Like every transaction which has some conditions in order to be deemed valid, marriage also comprises some terms some of which will be described shortly. Terms of a valid *Nikah* are described in chapter four of the seventh Book of Civil Code from articles 1062 to 1070.

1- Intent and consent of both parties

Husband and wife must be content and intended. Accordingly, if marriage is performed in drunkenness or unconsciousness, or if by mistake the intent of one of the parties would oppose reality, *Nikah* is invalid and futile due to lack of intention. Likewise, if a man and a woman do not genuinely wish to marry and only surrender to the act formally to get around some regulations or obtain some benefits, this *Nikah* is invalid. Although proving the formality of marriage is difficult, what is perceived from circumstances around that marriage (for example, oral or written words of the parties confirming the artificiality of what has been occurred as marriage without the necessary intent can convince people that no marital relationship was formed.) When a man or woman is forced to marry due to external threats, the *Nikah* is ineffective meaning that the compelled party can nullify or reject it after the removal of coercion.

According to article 1070 of the Civil Code: “the effectiveness of *Nikah* is conditioned on the consent of both parties and when the compelled party consents to *Nikah* after the removal of coercion, it is deemed effective, unless the compelled party cannot make any decision. For instance, if someone forces another person to say some phrases consenting to *Nikah* with them through torture or sleep induction, *Nikah* is null and cannot be restored even with the future consent of the compelled party (Safaei, 2012: 225).

According to Sunni jurisprudence (*Figh*) and to prevent probable misuses, *Nikah* is valid even if performed even as a joke, because it is possible that some people might want to misuse this situation and escape some obligations and nullify the real marriage by saying that “I was joking”. This rule is based on a *Hadith* stating that “there are three things that can never be dismissed as a joke and are always considered real (*Nikah*, divorce, and return)⁴. Insanity or inebriation⁰ are however reasons to void *Nikah*, according to Sunni jurisprudence.

2- Will and declaration of will

Presence of will alone in *Nikah* or other contracts is not enough to be realized and it should be declared. How this will is announced is of importance in *Nikah*. Beside this, other issues like the adequacy or inadequacy of written text, Arabic language of *Sigheh* and its past tense, precedence

⁴ Hadith No. 1184 of Sunan at-Tirmidhi and Hadith No. 447 of Sunan Abu Dawood

of request over acceptance of marriage, legal status, and terms of an official matrimonial deed are also worth noting. Like other contracts, an inherent intention alone is not enough for concluding a *Nikah* contract and it should be pronounced in words that clearly convey the intention. According to article 1062 of the Civil Code: “*Nikah* is realized by requesting and accepting terms which explicitly imply marriage.”

All Islamic jurists agree that *Nikah* by conduct⁴ is worthless exactly in contrast to other transactions and contracts like a sale, which are concluded as soon as the sale and price are determined without any verbal request and verbal acceptance or meeting any requirement. Thus, *Nikah* is a formality that must be performed only with specific terms, because they are only means of declaration of intent and do not influence the effectiveness and conclusion of the contract when they stand alone (Emami, 2014: 189).

The Civil Code reflects the legal interpretation of Islamic jurists that using specific terms during *Nikah* is necessary to conclude the contract if it is verbal, but due to the superior status of written documents over oral discourse, as well as the prevalent convention, a written contract that explicitly states the intent to perform *Nikah* is as valid as the verbal confirmation. Therefore, both parties can conclude a *Nikah* contract through writing. According to article 1066 of the Civil Code: “when one of the parties or both are mute, marriage can also be performed through sign language provided that it explicitly announces the intent.”

In *Nikah* it is not necessary for parties to declare their will power or volition in person themselves; this can also be achieved through a representative. In the law of some countries like France, *Nikah* is considered merely a personal affair that must be performed necessarily through an unmediated declaration of intent, in order for the parties to have time and opportunity to change their decision before the confirmation of the *Nikah*. This ‘in person’ requirement however prevents *Nikah* in cases where one of couples cannot attend the marriage ceremony due to some reasons like war, traveling, and sickness. To facilitate marriage, Iranian policy-makers have admitted advocacy in this regard and clearly stated that both man and woman can give a power of attorney to another person for their *Nikah* (article 1071 of the Civil Code).

Furthermore, in order to prevent any misuse by attorneys, policy-makers have enacted different rules; for example, when the power of attorney is granted by female partner in full effect, the male attorney cannot marry the female client unless otherwise authorized by the female client (article 1072 of the Civil Code).

And if a male partner grants a power of attorney for marriage to a woman, is she able to marry the male client on his behalf? The Civil Law has remained silent about this; but according to article

⁴ *Nikah* by conduct is a marriage that occurs to form a family or conduct sexual relationship between man and woman without verbal request and acceptance

1072 of the same Law, it can be perceived that the attorney's authority is restricted as well. The rule that prevents a male attorney from marrying a female client is the same as the time when a female attorney cannot marry her client, unless otherwise explicitly authorized by the client (Safaei and Emami, 2012: 225).

- 3- Necessity and order of request and acceptance the order is here important, meaning that an acceptance is always preceded by a request, and also that both are obligatory

The necessity of a sequence between the request for marriage and acceptance of marriage is not specific to marriage and is applicable to other contracts as well. According to Jafari Jurisprudence, sequence means that the time interval between request and acceptance does not exceed normal limits. Therefore, as article 1065 of the Civil Law points out, sequence is a conventional issue meaning that no time interval (even short) should exist between the time of request and acceptance. Acceptance should be pronounced when, according to convention, it is deemed to be precedent and related to request.

Some people believe that the sequence of request and acceptance is realized when the latter occurs during the wedding ceremony and before separation of either parties to marriage or before their engagement in any other activity. The wedding ceremony acts as the context in which request and acceptance occur and after that, the request is not valid. This belief, in many cases, is in agreement with convention (Katouzian, 2014: Vol. 1, 411)

4- Legitimacy of *Nikah*

Nikah has a more ameliorative aspect compared to other contracts, to the extent that whenever a man and a woman decide to actually start a life together, it is always legitimate unless their intention is to reach an illegitimate goal. For that reason, legitimacy for marriage has not been independently highlighted in the subject of *Nikah*. When a man marries a woman to facilitate her prostitution, not only is this marriage illegitimate, but also it can be claimed that they did not have any real volition for marriage (Katouzian, 2014: Vol. 1, 263).

Most legal scholars have not stated any specific and explicit opinion about the legitimacy of *Nikah*'s orientation and have actually remained silent.

This silence may be because if we want to nullify marriage due to its illegitimate orientation, we will face many complicated issues and problems (e.g. responsibility for children, etc.) the impacts of which can be too harmful for society. This issue now needs to be clearly and explicitly addressed by the law.

If the illegitimacy of marriage intent can be proved through reasonable causes, firm statements, and undeniable evidence, the marriage is definitely invalid. However, if some secondary objectives

(like marital relationship to purchase military service, or change nationality or gaining new nationality or inheritance, etc.) resulted in a marriage and the parties' intention to *Nikah* could be really and objectively established, this marriage is valid and undeniable. But if any of these conditions hinders the actual will to *Nikah*, it will be considered invalid and must be nullified (Safaei and Emami, 2012: 56).

2.3.4. The Nullity of White Marriage and *Nikah Mut'ah*

Domestic partnerships of young men and women without *Nikah* may be due to reasons such as the fulfilment of emotional or mental or sexual needs, even though it cannot be called marriage. Some people believe that cohabitation is like a long-term *Sigheh* and there is no need to worry. This view, however, cannot be generally defended by Islamic jurisprudence and law, because marriage is a contract which needs the free will of both partners if it is to be realized.

According to *Fiqh*, marriage without the verbal declaration of the marriage pledges is called *Nikah Mut'ah*, which is not a valid marriage and cannot be jurisprudentially justified. *Nikah Mut'ah* is a temporary marriage for pleasure which permits the partners to form a family and have marital relationship, but lacks the validity acquired by a full marriage contract or *Nikah* because it lacks any verbal request and acceptance.

According to Ayatollah Khomeini: “*Nikah Mut'ah* occurs when a man and a woman decide to marry each other and she conducts marital relationship by going to man's house, along with dowry, and he also accepts her at his home.”⁴ (Khomeini, 2000: 180)²

Other people define this type of marriage as a “*Nikah* which is performed only by agreement and consent of parties and lacks verbal request and acceptance.” (Mohaghegh Damad, 2006: 166)

Almost all Islamic jurists who oppose *Nikah Mut'ah* have emphasized the necessity of verbal request and acceptance. For example, Ayatollah Khomeini stated that: “*Nikah* is of two permanent and temporary types both of which require a contract including verbal request and acceptance.”⁴ He also emphasized that “mere consent of parties to marriage and interactions by conduct which are noticed in other deals do not suffice.” (Khomeini, 2000: Vol. 2, 246)

A group of Islamic jurists have studied the terms of request and acceptance and have not opposed the necessity of their verbal state, because they deem it as a certain and obvious fact (Tousi, 2008: Vol. 4, 193; Muhaqqiq al-Hilli, 1409: Vol. 2, 217-8).

Regarding the necessity of verbal request and acceptance of marriage contract in *Nikah Mut'ah*, some Islamic jurists have reached the point that they consider a *Nikah* without *Sigheh* as *Zina*⁴.

⁴ فَلَوْ تَقَاوَلَ الزَّوْجَانِ وَ قَصَدَا الْاِزْدِوَاجَ ثُمَّ اِنْشَاَتَهُ الْمَرَاهُ بِذَهَابِهَا بِهَا اِلَى بَيْتِ الْمَرْءِ بِجَهِيْزَتِهَا مِثْلًا وَ قَبْلَ الْمَرْءِ ذَلِكَ بِتَمَكِّيْنِهَا فِي الْبَيْتِ لِذَلِكَ تَحَقَّقَتْ الزَّوْجِيَّةُ الْمَعَاطِيَّةُ

النِّكَاحَ عَلَى قَسْمَيْنِ: دَائِمٍ وَ مُنْقَطِعٍ، وَ كُلُّ مِنْهُمَا يُحْتَاجُ اِلَى عَقْدٍ مُشْتَمِلٍ عَلَى اِجْبَابٍ وَ قَبُولٍ لَفْظِيْنِ

⁴ Adultery

In confirmation of this opinion, Sheikh Ansari wrote: “the difference between *Nikah* and *Zina* lies in *Sigheh*, because *Zina* is also practiced with consent.” (Ansari, 1998: 78)

According to Sunni jurisprudence, the declaration of request and acceptance (pledges) is also mandatory with the difference that it should not be necessarily in Arabic and can be announced in any language as long as it conveys the related meaning. For those people who cannot speak, signs that explicitly show consent to marriage are deemed acceptable.⁴ The necessity of verbal⁵ request and acceptance of marriage is to establish a legal liability between parties to the contract and make the marriage and its consequences such as rights and duties official.

Contemporary Islamic jurists also assert the invalidity of *Nikah Mut’ah* and consider the verbal request and acceptance as categorically necessary. In response to a question about *Nikah Mut’ah*, Ayatollah Bahjat said: “interaction by conduct does not apply to *Nikah*.” (Collection of Jurisprudential Verdicts in Legal Issues, 2003: Vol. 1, 69)

Ayatollah Makarem Shirazi also commented on this topic: “there is nothing as *Nikah Mut’ah* and such a marriage is void.” (Collection of Jurisprudential Verdicts in Legal Issues, 2003: Vol. 1, 71)

According to Ayatollah Khamenei, “*Nikah Mut’ah* is not legitimate.” (Collection of Jurisprudential Verdicts in Legal Issues, 2003: Vol. 1, 71)

Thus, the mere consent of a man and a woman to marriage is not adequate. According to article 1062 of Iranian Civil Code, “*Nikah* occurs provided that a verbal request and a verbal acceptance are declared while explicitly indicating an intent to marry.” Legally speaking, this means that the marriage pledges (*Sigheh*) should be announced and the request and acceptance must be verbal, unless the parties cannot speak or are unable to communicate verbally. This verbal necessity and other conditions like *mahr*, alimony, etc. all indicate glory and the significance of this sacred bondage which shall not be tainted.

In this type of marriage, which is not registered in governmental entities or religious organizations, spouses live together and are responsible for everyday chores, but they are not legally considered husband and wife. In this relationship, factors such as unexpected pregnancies, children, several illegal abortions, etc. are very important threats to society’s health (Rezaei, 2013: 20).

In the light of the above-mentioned positions of Islamic jurists, as well as article 645 of the Islamic Penal Code,⁴ there is no doubt that cohabitation is not considered as marriage. Moreover, even if it is turned into a permanent marriage framework by pronouncing *Sigheh* accompanied with real consent of both parties, this marriage is still invalid and illegal if it is not registered in any Notary.

⁴ Alkhan, Mustafa & Albagha, Mustafa & Alsharbaji, Ali. *Methodological jurisprudence*. Tehran: Ehsan Publications, 2000; Vol. 2, pp. 523-52.

⁴ To protect the institution of family, registering the event of permanent marriage, divorce, and referral is obligatory according to the regulations and in case a man performs permanent marriage, divorce, and referral without registering them at official Notaries, he shall be sentenced to imprisonment up to one year.

According to article 645 of the Islamic Penal Code, any violation regarding the registration of marriage is subject to a punishment up to one year of imprisonment. In addition, registration of temporary marriage in the case of pregnancy or agreement of both parties at the time of conclusion of the contract, or as a binding condition, has become obligatory according to article 21 of the Family Protection Act enacted in 2012. Thus, if some people reach an agreement to cohabit, they have actually acted against public order and morality and is considered illicit.

According to article 637 of the Islamic Penal Code, any illicit and *Haram* act is subject to prosecution and punishment and the resulting children of such a relationship are also considered illegitimate. These children will be denied social rights like education and having a birth certificate and will not inherit from their parents. It should not be expected that any legal irregularity in general is safeguarded by the law. There is no legal gap regarding *Nikah Mut'ah* and it has been predicted in the law (Ranjbar, 2016).

A 25 years old male from Tehran:

"This way is more comfortable; no commitment for 1 or 2 years or even 1 or 2 months; you can remain like this for your whole life, for as long as both of you want. But in permanent marriage, you have to commit to things. For now, both of us are content."

Chapter Three: Research Method

The present study was conducted within an interpretative and qualitative methodological framework, using grounded theory. Due to the cultural sensitivity of the subject matter, 'white marriage', and also because of the difficulty of obtaining respondents, a non-random sampling method was used.

After conducting 100 interviews, the theoretical saturation of the data was achieved, but more interviews were arranged in order to reach greater certainty and persuasion in terms of research comprehensiveness, drawing on advice provided by qualitative method experts. The present study was however also found to highlight other types of cohabitations (for instance, the cohabitation of a very young woman with a middle-aged man, mainly centred on supplying the woman's financial needs), and they were removed from the study in order to maintain sample consistency.

The research data and information were collected using in-depth interviewing techniques. The collected interviews and data were analysed using the theoretical coding (open, axial, and selective coding). To determine the important concepts and categories of participants, initially an informal interviewing method was used.

In the second stage, the concepts and categories obtained during the interviews were organized in line with theoretical sampling using grounded theory. When the general course of the interviews was formed, the interview's questions were standardized by a semi-structured interview method and the process continued until theoretical saturation was reached.

After performing the open coding simultaneously with data collection process, the major categories, sub-categories, and concepts were obtained. The axial coding procedure linked sub-categories and major categories and the types of categories were then determined in terms of being causative, processive, and consequential.

The research findings indicated that environmental conditions (economic situation, legal and formal framework, and social structures) and intervening factors (family conditions, lack of surveillance, and living as an emigrant), as well as background factors (experience of relationship and individual worldview), were among the main factors in the tendency towards 'white marriage'.

The pivotal phenomenon revealed by the research was the value and normative changes in the lifestyle of the younger generation. Multiplicity and the instability of relationships were determined as the strategic action of the study. The consequences of such relationships included the insignificance of culturally established gender clichés, freedom of choice, a reluctance to engage in official marriage, social exclusion, lack of support, and fear of legal pursuit.

3.2. Field-Work Findings

Over recent decades, the family as an institution has been widely transformed in the world. The origin of such transformations should be found in the sexual revolution in the late 1960s in European and American countries (Carr, 2011). The demythologization of sexual relationships, gave rise to the sexual revolution and turned sex into a normal and regular act easily accessible before marriage.

Despite the fact that at the beginning of sexual revolution marriage age had gradually increased in Europe and America, many people were still getting married, albeit rather later. Nevertheless, this was not the whole story and by enabling cohabitation patterns, the sexual revolution degraded not only the myth of sexual relationships, but also the marriage itself (French, 2104).

Iran has also not remained immune from global cultural-social transformations. During the last century, Iranian families entered a period of transition by experiencing modernism in different fields, particularly in relationships between the genders, and regarding cultural conflict between traditional and modern patterns. Families could, however, acquire some features of modern society whilst also maintaining some traditional elements (Kowsari and Askari, 2015).

Recent value changes in Iran have influenced social relations and had different consequences for Iranian society. The development of global communicative media like the internet and satellites in Iran have created different lifestyles and formed new values. In addition, the exacerbation of economic issues, increased age of marriage, and appearance of universal values through new communicative means have formed new behavioural patterns among Iranian youth, one of which, premarital sex, is of great significance. Premarital relationships in Iran are nonetheless conducted in different configurations and with different motives. One of the most striking forms of premarital relationships which have arisen is cohabitation (Azad Armaki *et al.*, 2012).

Undoubtedly, cohabitation without an official and registered marriage is considered an illicit and illegal type of relationship in Iranian society, but it has recently emerged as a new phenomenon and is increasingly important as a social issue, especially in metropolises and the migrant-receiving regions in Iran.

Given the complexity of the issue and the existing sensibilities in the country, there are no specific statistics regarding white marriage / cohabitation; this issue is largely overlooked and somehow tolerated by the authorities. Given this situation, the present research study sought to investigate and thoroughly identify this social phenomenon and its causes and consequences in three Iranian metropolises, Tehran, Mashhad, and Isfahan.

3.3. Contextual Conditions

Contextual conditions comprise a specific set of conditions existing at one place at a specific time in which social interaction are signified (Strauss and Corbin, 2012: 154). Relationship experience and worldview are the contextual conditions of ‘white marriage’ in Iran.

3.3.1. Relationship Experience

This factor includes some indicators like violence, pregnancy, abortion, prevention, and sexual knowledge, level of relationship, age range, continuity and duration of relationship, acquaintance, satisfaction, travel experience, and characteristics of partner.

3.3.1.1. Acquaintance

Interviews suggest that most acquaintances before cohabitation occurred either in universities or through social networks and friends circles.

Ms. Arsalani, 28 years old from Tehran:

“Both of us were students in Tabriz and since we were members of some Women’s Associations or other active feminist associations, we met each other.

We were together just as simple friends for almost three years; but after two years, he rented an apartment and we used to hang out together and with our friends at his home on different occasions.....”

Relationships with the opposite sex and friendships are inter-personal relationships in the context of the complicated experiences of adolescence. The aim of such relationships is to fulfil possible needs, including sexual and emotional needs and the need to love and be loved and respected.

Relationships with the opposite sex are defined according to the culture of each country, realized on the basis of social, jurisprudential, and official rules. Relationships between the opposite sexes in Iran are not admitted and permitted by the law and Sharia, and are in contrast with cultural and religious beliefs. Nevertheless, this type of relationship has been long common and will more probably form in cases where wives and husbands face problems in their life. University is a place where young men and women attend classes together for the first time. Friend’s circles and clubs in universities are normally the ground for further intimate friendships and acquaintances which sometimes may lead to cohabitation in Iran.

A 46-year-old male from Tehran:

“I was driving out of the car park at the university when I saw her. I picked her up and drove her home. We started to talk on the way and so began our acquaintance.”

The prevalence of premarital opposite sex relationships along with the change in sexual coeducation structure in universities are two new social and cultural phenomena that have recently been observed in Iranian society. To determine social relations and particularly inter-personal relationships between opposite sexes in university, macro-structural theory of Peter Blau is of great help.

This theory is based on the assumption that the probability of social bondage between people is conditioned by their opportunity to contact each other; thus the proximity of people in a multi-dimensional space would increase this probability. The more gender-unbalanced this space is (i.e. the number of males is less than females or vice versa), the more encounters people may have with different groups of people. Given therefore that university, and especially classes, are known places for contact between young men and women and that these attendances increase contacts between opposite sexes, the probability of friendship increases. The unequal gender balance of university classes would also affect such friendships and interactions.

Likewise, social networks such as Facebook and Instagram and other virtual social networks and friendship Apps have facilitated and increased communication between people. Due to their wide geographical coverage and popularity among users, virtual social networks have become a method of private and personal communication without any control or monitoring by authorities.

A 31-year-old female from Tehran:

“I can say that we kind-of met each other virtually. Hossein had seen me somewhere from a distance and then by chance had visited my Facebook profile. He wondered if maybe I was the same person. Then, he asked our common friend and became sure on our first date.”

Social networks are places where hundreds of millions of users get together and communicate with each other regardless of border, language, gender, and culture. Indeed, social networks have been designed to increase and strengthen social rations in virtual space. Communication in these spaces are generally facilitated though the information provided on people’s profiles like their picture,

personal information, and interests, all of which give some hints about their identity. Users can see others' profiles and communicate with them (Pempek, 2009: 228).

Facebook, Instagram, and Twitter are among the most important and popular virtual social networks. The usage rate of these networks and their impacts can be explained using George Gerbner's cultivation theory. The main proposition of Gerbner's theory is that there is a direct relationship between the time that audiences spend on a medium and their perception of the real world, based on the content and programme of that medium. When an audience spends a considerable time on a medium, it is likely that the audience's attitude will change and align with the reality portrayed by that medium. By determining the level of exposure to a medium and type of its programs, cultivation theory in fact evaluates the impact level of that medium (Abbasi and Khalili Kashani, 2013: 81).

Cultivation theory emphasizes the media's effect at a cognitive level and highlights the fact that exposure to media can shape the public's perception of social reality. This theory was developed to show how the long-term effect of media functions at a social level. According to cultivation theory, the level of usage of social networks and period of membership of them influence users' lifestyles. The more time users spend on social networks, the more they may be affected by virtual social relations, and the other way around. Young men and women who spend several hours on virtual networks and create an ideal identity for themselves influence other users as well. This facilitates communication and underlies more intimate friendship and cohabitation.

The development of mass communication media and easy communication reflect the gap between "what it is" and "what I like it to be" in the form of individuals' activities in virtual space. Virtual pages with unknown identities and the portrayal of personal interests remind us of the 'lack of opportunity to flourish' in the contemporary generation. Although the contemporary young generation may not explicitly express its positions, it objectifies them in the form of secret personal relationships.

3.3.1.2. Duration, Depth, and Continuity of Relationship

Duration of cohabitation relationships and their continuity depends on different levels of satisfaction. When couples are satisfied with cohabitation and consider it as a means to meet their needs, they continue the relationship. Needs that are met through cohabitation (sexual and emotional needs) without the financial or legal/traditional pressures of permanent marriage, as well as lack of responsibility and commitment, are the main factors in continuing a relationship.

A 31-year-old male from Tehran:

"As I said, it was because of financial and sexual needs; because we couldn't marry each other permanently and forever; and sometimes our sexual needs drove us to cohabitation."

A 30-year-old female from Tehran:

“As two 30-year-old person who live together, we aren’t in a position to fulfil our families’ expectations; for example, we can’t afford the expense of a wedding ceremony. Each of us shares whatever s/he has. We live in a small house; we can afford the rent and we are living comfortably, but unfortunately my family does not accept our choice.”

Unemployment, high inflation, living expenses, high expectations, *mahr*, and dowry, all lead men to avoid permanent marriage and search for an easier alternative. Thus, difficult economic conditions along with recession and the high costs of living in permanent marriage are among important factors that lead people towards ‘white marriage’. In ‘white marriage’ and cohabitation relationships, financial issues are usually shared between both parties who have freed themselves from such traditions like *mahr* and the high costs of a wedding ceremony, including the wedding venue, dress, etc.

On the other hand, the increased age of marriage due to economic conditions and women’s social participation through their attendance in universities, as well as high life expectations, have also postponed the satisfaction of sexual and emotional needs. Accordingly, ‘white marriage’ is considered a reasonable choice for couples. Although the level of sexual satisfaction and fulfilment of other needs are factors that may guarantee the continuity of the relationship, other factors like legal and jurisprudential restrictions, leading a secret life, and not being able to appear in public or travel with your partner also create some difficulties which may end cohabitation. This secrecy and double identity (being a partner or a spouse) may cause some mental and psychological pressures that lead to break ups.

A 31-year-old female from Tehran:

“An advantage that permanent marriage would bring me as a woman in society is that I don’t have a secret life; I can travel with my partner or introduce him as a person with whom I live and we can go everywhere together. This type of life [cohabitation] has a major problem which is secrecy and the challenge that you have with yourself; you have to lie to everybody and this puts too much pressure on me.”

According to basic principles of Homan’s Exchange Theory, human behaviour changes according to obtained rewards and the associated costs. The more a person’s activity at a certain time yields rewards, the more that person is inclined to repeat that activity; in addition, when a person’s action receives an expected (or even greater) reward and/or does not receive the expected punishment,

that person enjoys more gratification and will tend to value the results of that action more than ever. Social exchange theory suggests that the reason some couples select cohabitation and continue it for some time is the reward they receive from that relationship. These rewards are usually sexual satisfaction and lack of the financial problems in a permanent marriage.

Further, 'white marriage' can be analysed and explained according to Maslow's hierarchy of needs. From Maslow's perspective, human needs comprise five basic tiers, including physiological (food, water, and sexual need), safety, belonging and love (to like and to be liked), social needs or esteem, and self-actualization. He saw these needs as natural instincts; though they might be influenced by learning, social expectations, and the fear of being disapproved.

Lower tiers of this hierarchy, according to Maslow, show more vital and simpler needs, while higher tiers represent less vital but the more complex needs of human beings. Higher-order needs are addressed when the lower-order ones are already met. When a person moves to higher tiers, lower-order needs are no more of great significance; even if the person may need one of the lower-order needs, s/he gives priority to that need temporarily and never descends to the lower tiers permanently.

Material and sexual needs which are known as physiological needs are the most basic needs which come before anything else, and until they are met, self-actualization or, in other words, a spiritual social life cannot be achieved. When permanent marriage is postponed due to difficult economic and cultural circumstances sexual needs are not fulfilled, which may result in *discontent or unhappiness*. And so alternative arrangements such as 'white marriage' are created, which can fulfil human sexual needs without financial pressure.

Coleman's rational choice theory also provides us with an analysis of cohabitation relationships. Coleman suggests that actors evaluate existing chances, possibilities, and circumstances as they attempt to select the most valuable goal. Individuals act purposefully and consider society's norms and values, as well their own norms and values and available resources and possibilities, to achieve maximum benefit.

In our case, the social actors are educated men and women who select cohabitation in Tehran, given the social and economic conditions of Iran. If existing circumstances are in the interest of both parties in a relationship, it will last; and otherwise the relationship will end.

3.3.1.3. Sexual Knowledge, Pregnancy, and Contraception

In cohabitation relationships, the parties reach agreement on various matters at the beginning of or during the relationship. One of the agreements which is explicitly discussed in cohabitation is sexual needs and their fulfilment for both parties. Unprotected sexual intercourse may have consequences like unintended pregnancy or some sexually transferred diseases (HIV, gonorrhoea, etc.). Conducted interviews suggested that most couples used protection during intercourse. Due

to access to the Internet and other sources of information, the participants' knowledge of sexual health was adequate to ensure that they were totally aware of unprotected sexual intercourse.

A 28-year-old female from Tehran:

"For protection, we use the usual methods that everybody uses like pills or the like."

A 26-year-old male from Tehran:

"Well, I was always careful that it (pregnancy) won't happen; once I also told her to check it as well and till now it hasn't happened, thank God."

Pregnancy and sexually transferred diseases are generally prevented through the use of protections like condoms or contraceptive pills. Unmarried cohabiting couples know that unintended pregnancy can be resolved via abortion or curettage and most of these couples did not want to keep unintended babies.

A 31-year-old female from Tehran:

"I'll do abortion; even if I was officially married, I would have aborted the baby, because right now I'm not in a position to have a baby."

A 27-year-old female from Tehran:

"Since I am being supported by two members of my family, I think that it's going to be alright; I'll let them know. If I end up marrying him, it's another issue but if not, I'll do abortion."

'No pregnancy and no baby' is one of the agreements which parties to a cohabitation relationship usually commit to. The nature of such relationships is their secrecy and every factor like pregnancy can reveal this secret life. Accordingly, couples do their best to prevent pregnancy. In case of pregnancy, however, most of couples believe that abortion is the first and final solution and a small percentage of interviewees considered marriage as a reason for keeping the baby.

The sanctity of life, a tenet of some religious and ethical rules, demands that the life of an embryo must be protected in all circumstances. Traditional forms of the Hippocratic Oath state that: "Neither will I administer a poison to anybody when asked to do so, nor will I suggest such a course. Similarly I will not give to a woman a pessary to cause abortion." (Taylor, 2003: 527)

Human life is by nature respectful and it is more valuable than all other values; even an unexpected baby must in these religious and ethical frameworks be respected, and an embryo's life, which is followed by human life, is sacred. Thus, abortion as the first solution for unintended pregnancy in cohabitation perceived as immoral.

On the other hand, advocates of free will believe that a pregnant mother is completely at free will to abort her baby and they consider it a personal matter. Thus, opposition to a mother's decision to abort is a violation of her rights as a human (woman) and denial of control over her body. Feminists are generally amongst the advocates of 'a woman's right to choose' and support the removal of all restrictions against abortion. They consider abortion an appropriate act and justify their position by reference to factors such as the mother's life and health, prevention of population growth, and women's freedom of choice. According to feminists, preventing abortion and monitoring it is a part of the domination of the patriarchal system.

Most of our female interviewees valued feminist ideas and equality rights; they advocated feminism in regard to issues like abortion and considered it not only not immoral but also just a personal matter.

3.3.1.4. Violence in Cohabitation

Violence is a complicated phenomenon that takes different forms in family and domestic partnerships. Domestic violence is one of the common problems in public health worldwide and includes child abuse, elder abuse, and spouse abuse. Violence against women is one of the most prevalent forms of domestic violence. This type of violence is more observed in cohabitation relationships since there is no responsibility for the victim and there is no legal protection. Violence against women has many sub-categories, but it generally includes:

Physical violence: hurting a person by hitting, cutting, slapping, kicking, and the like.

Emotional (psychological) violence: any type of violent behaviour and speech that endangers other people's mental health, such as unjust criticism, insult and humiliation, cursing, threat to divorce, etc.

Sexual violence: any type of behaviour that results in non-consensual sexual touching of women against her will or causes her sexual harm like prostitution, coercion to have inappropriate sexual relationships, and sex during pregnancy and menstruation.

Economic violence: any type of behaviour that leads to pressure on women (not paying alimony to housewives) and financial discrimination (preventing women from working).

Social violence: it is a type of violence which deprives women of social interactions and activities in society like communication with family members or friends, being deprived of education or occupation, and being imprisoned at home.

In most cases, financial agreements are not adequately specified in 'white marriage'. In some cases the man, or whoever accepts more responsibility for household expenses, has greater power, and this may turn into violence against the other partner (generally the woman), whether in verbal or non-verbal ways. One likely disadvantage in such cases is that victims of this type of violence cannot file a lawsuit. However, they can easily leave their partner without any legal consequences due to their freedom from the divorce regulations pertaining to permanent marriage.

A 43-year-old female from Tehran:

"Yes, we used to hit each other; then he told me that "I didn't want to lose you and thought that I could have more control over you this way.""

A 26-year-old male from Tehran:

"Sometimes we had fights over small things, but I think that it was more because of this relationship. For example, once we had a fight over the issue that she had told one of her friends about us; we had a small argument about this matter for a couple of nights."

In a research study entitled *Studying the Rate of Spouse Abuse and Effective Factors*, Shams and Emami (2004) explained that there is a direct relationship between violence and economic turmoil and poverty; the latter creates tension and can cause domestic violence, especially against women. In another study *Evaluation and Comparison of Different Types of Domestic Violence among Men and Women*, Pournaqash and Tashak (2005) showed a direct relationship between inappropriate cultural beliefs and violence, and the experience of violence.

Cultural and economic issues affect violence between couples, especially against women. Accordingly, illegal and illegitimate relationships are more prone to domestic violence since there is no opportunity to pursue a lawsuit.

Social learning theory tells us that people learn how to behave through companionship with other people. Bandura claims that most of human behaviours are learnt via observations and the modelling process; children learn from their parents how to act violently. Fathers' violence and its acceptance by both parents during childhood teaches boys to adopt a dominant behaviour and causes girls to become tolerant. Children learn by observing others, either randomly or consciously. In families with a background of violence against women, children are also influenced and they are most likely to behave similarly in the future.

Feminists further believe that social and economic processes act (in) directly in line with a type of particular social structure and patriarchal family. Patriarchy looks down on women and forms the historical model of systematic violence against women. From this standpoint, the main cause of

domestic violence must be explored within the traditional family structure dominated by authoritative patriarchal discipline.

Similarly, feminist researchers consider male superiority as the explicit and major reason for domestic violence (Gelles, 1985). William Goode's theory of resources, introduced in 1971, posits that men often have financial resources which make them feel superior in family relations. Since women are in general financially dependent on their husbands and are supposed to raise the children, they cannot deal with the economic problems which would after divorce and so will remain the victims of violence. Women's dependency means that they have only limited ways for dominance over their husbands.

If one of the couples seeks to dominate the relationship, s/he normally chooses harm and violence which can be presented in different forms, including threat, fear, exclusion, child abuse, financial restrictions, etc. Meanwhile, those couples who are equal in terms of finance and power experience less contradiction and, if there is any conflict, they try to solve it through non-violent means (Mohammadi and Mirzaei, 2012).

Studies show that, in addition to men's economic privilege and the impossibility of lawsuits by women, a patriarchal culture can increase the probability of violence. Verbal violence such as arguments with women and physical ones like beating them are examples of domestic violence. Lack of clear-cut agreements at the beginning of cohabitation, together with its secret nature, may cause such violence. Also World-wide Corona phenomenon now, in lockdown – global increase in domestic violence.

3.3.2. Worldview

In general, marriage as a social reality is influenced by our culture, role, and circumstances. Therefore the attitudes of people who live together under the 'white marriage' arrangement are also affected by social and cultural structures. Individual worldviews consist of such components as adherence to religion, attitude towards marriage and betrayal, mate-selection criteria, virginity, and agreements. In the next section, people's worldview regarding 'white marriage' and cohabitation will be explained.

3.3.2.1. Adherence to Religion

This factor has two aspects: general behavioural and belief adherence. In other words, an individual is considered religious when s/he believes in a religion and behaves according to his/her beliefs.

Thus, any damage to either of these two aspects will affect the other one. Our contemporary society, generally seen as transitional and stuck in the challenges between tradition and modernity, is experiencing transformation in every aspect, particularly in its religious values.

Iranian young people, no strangers to the ideas of the modern world, are more than any other class exposed to transformation and turbulence. Those people who succumb to 'white marriage' are explicitly opposed to religious values and show that they do not believe in these values. When cohabitantes were asked about their religious affinity, some of them said that they did not believe in religion.

Religion affects and is affected by society in a process of reciprocal interaction. It can be also considered as an important part of culture and one of the most important influences on individuals' behaviour. However, modernity, globalization, urbanism, technology development, rationality, etc. transformed human being's perspectives and thoughts about themselves, the world, and the related values. Some signs of these transformations were predicted many years ago in Weber's works where he regarded rationality as the pivotal point of the modern world. Rationality covers all aspects of human life and is depicted by Weber as fear of disenchantment.

Indeed, rationality as the essence of modernity loosens the foundations of certainty and finality and provides the necessary ground for changes in attitudes. The younger generation is more than any other class exposed to transformation and turbulence. Apostasy or irreligiousness is explicitly observed among young people in the form of such social phenomena as cohabitation.

Scholars identify changes in disposition, function, and commitment to values and religious mottos, compared to the past strict moralization of religion in society. According to Carl Dabblers, this moralization occurs at three levels; first, the individual level which is related to personal religious necessity and guarantee in individual behaviour (Dabblers, 1998). Examples of this primary level include individualism, lack of faith, collapse of ecclesiastical religiosity, etc. Individualism of religion means that it becomes a part of private sphere.

The second level is related to the moralization of sacred values; meaning that sacred, transcendental, and sublime values are removed from religion. And the final level occurs at a society level and emphasizes moralization at a macro-social level; it is a process related to the structural and functional distinctions of social entities and institutes.

Inglehart predicted that generational replacement will gradually result in a long-term change of materialist values to metaphysical values (Inglehart, 1997: 37). He divides values into two materialist and post-materialist groups. Although post-materialism is widespread, it is only one aspect of a greater process of a cultural transformation which has reformed political worldviews, religious affinities, sexual-based roles, and sexual norms in an industrially-developed society. Such transformations have one thing in common: the need to feel secure, which used to be fulfilled by religion and absolute cultural norms (Inglehart, 2003: 201).

Inglehart suggests that there are three basic reasons for the downfall of religious norms and traditional sexual norms in industrialized societies. The first reason would be an increased need for security which overshadows the need for absolute norms. People under mental pressures need predictable and strict regulations in order to feel assured of what will occur, because they are at risk. But post-materialists reflect a reverse phenomenon. A person can tolerate more variation and difference in a semi-secure and non-risky situation; thus, that person does not need security resulting from the strict and absolute regulations which can be procured by religious deterrents.

The second reason is that social and religious norms initially have a functional role. In fact, most of these norms are conditional on the necessity for family survival; but with the rise of public welfare states, even if the family is fractured the new generation can survive. Although social values would not quickly change after the dissolution of the functional role of those norms which caused the family to grow, they are always at risk of being forgotten.

And the third reason for the collapse of traditional worldviews is cognitive consonance. People seek to harmonize their worldview with their own daily experiences. The superficial decay of traditional social and religious norms is related to the change from materialistic to post-materialistic values. The transformation to metaphysics and the decline of traditional forms of religion are two parallel events with the same cause: the unprecedented level of individual security in a contemporary industrially-developed society.

Given the changes in religion and values, it can be seen that in modernizing Iranian society, the younger generation, as modernist academic people, will disregard religious principles and beliefs in the fulfilment of their needs. From a religious point of view, cohabitation and sexual intercourse without marriage is considered adultery.

Surah *Al-Isra* (verse 32) in the Quran tells us: “And do not approach unlawful sexual intercourse. Indeed, it is ever an immorality and evil.”⁴ This verse severely disapproves of extramarital affairs and adultery which, according to *Sharia*, is a big sin. In addition, Surah *An-Nur* (verse 3) says: “The fornicator does not marry except a [female] fornicator or polytheist, and none marries her except a fornicator or a polytheist, and that has been made unlawful (haram) to the believers.”

Such a relationship outside marriage is a great sin to the extent that if someone accuses a woman for having an adulterous affair and cannot prove their accusation, the accuser will be severely punished. Accusers will always thereafter be considered unreliable and not to be trusted. According to the 4th verse of the same Surah: “And those who accuse chaste women and then do not produce four witnesses - lash them with eighty lashes and do not accept from them testimony ever after. And those are the defiantly disobedient.”⁴

7 وَلَا تَقْرَبُوا الزَّانِيَةَ إِنَّهُ كَانَ فَاحِشَةً وَسَاءَ سَبِيلًا 4

وَالَّذِينَ يَرْمُونَ الْمُحْصَنَاتِ ثُمَّ لَمْ يَأْتُوا بِأَرْبَعَةِ شُهَدَاءَ فَاجْلِدُوهُمْ ثَمَانِينَ جَلْدَةً وَلَا تَقْبَلُوا لَهُمْ شَهَادَةً أَبَدًا وَأُولَئِكَ هُمُ الْفَاسِقُونَ 4

It is well known that according to the Quran, sexual relationships without marriage are among the greatest sins, against which people are severely warned. Accordingly, when people prioritize cohabitation and sexual relationships in spite of being religiously banned, this indicates the decline of adherence to religion in both the belief and behavioural dimensions. Almost most of participants in the present study had a certain attitude towards religion; different metaphysical beliefs from pure disbelief in metaphysical (*beings*) to quasi-belief in religious rituals like *Ashura*⁴, etc. What was common among all the participants was a decline of religious beliefs and disbelief in performing religious ceremonies, replaced with a tolerant interaction with different worldviews.

3.3.2.2. Attitude towards Marriage

Interest in the opposite sex, which is the foundation of marriage, depends on biological development. This tendency appears in both sexes during adolescence; though marriage occurs in frequently at this age. Since the relationship between two sexes in the form of marriage is conditional on the presence of a collective agreement, social rules governing marriage determine the usual age of marriage, variations from which may lead to different forms of marriage in different times.

Attitude towards marriage among the participants in the current research programme was of two main types: the first group often considered financial conditions and traditional customs in permanent marriage as factors relevant to this type of marriage; the second group, on the contrary, were driven to ‘white marriage’ (unlicensed cohabitation) due to disbelief in permanent marriage and its nature.

Sepideh, a 35-year-old female from Tehran:

“We don’t have the necessary requirements and cannot fulfil our families’ expectations; otherwise we would have married. Just imagine an expensive wedding ceremony or the jewellery that he would have to buy for me...”

Somayeh, a 37-year-old female from Tehran:

“We didn’t believe in other modes of coupledness and in permanent marriage.”

⁴ The 10th day of Muharram, the first month of Islamic calendar which marks the death of Hussain (the Prophet’s grandson)

Difficult economic conditions, unemployment, and some features of modernism like the higher education of women and their occupation have postponed the age of marriage. On the other hand, some cultural and traditional customs and beliefs like *mahr* and dowry also bolster this delay. In addition, some modernist beliefs like feminism, individualism, or the decline of religious values have changed the status of marriage among the younger generation, compared to the past. Existing legal gaps in the six marriage binding terms of Iranian law leave no other choices, especially for women, who wish to promote themselves from a status where they are obedient to their husbands, to one where they can claim their rights. When such women cannot establish their requested rights, they will avoid official marriage.

The restrictions of permanent marriage and unwelcome cultural traditions are considered a major social problem, addressed and theorized by many religious experts and cultural/political authorities in Iran. It seems however that their ideas and approaches have not been so far helpful and effective, because ‘white marriage’ has become a significant alternative to official and permanent marriage among young people.

In other words, when faced with official marriage in the current conditions, subjects prefer avoidance rather than surrendering to the restrictions of official marriage, including commitment for life, imprisonment in normative frameworks and high financial costs; instead, they attempt to replace this phenomenon with something that can both fulfil the need for a companion and get around these restrictions.

Anthony Giddens’ sees modernism, industrialism, capitalism and the dominance of capitalistic values, the empowerment of social monitoring, organizational strength, dynamic entities and globalization as characteristics of modernity. Dynamism and the extraordinary mobility of modern society, according to him, are characterized by three factors: separation of space and time which has changed many local phenomena into global realities; fragmented structure (symbols and expert system); and resistance of modern organizations against admission of changes that, according to observations, are immediately reflected in families.

Modernity has different dimensions, including urbanism, decreased influence of kinship, geographical mobility, information technology, women’s employment, women’s rights movement, and a variety of social institutions. Changes in modern society have also changed some features of marriage in traditional societies. Accordingly, modernity and its characteristics can be referred to as the determining factors in ‘white marriage’.

3.3.2.3. Selection Criteria for Cohabitation and Infidelity

Human beings possess unique psychological characteristics, the most prominent one of which is to express love to the opposite sex. This inherent capacity is not only a survival mechanism, but also a force in human being’s natural evolution. Creativity, intelligence, reason and morality, as well as all other factors that play a role in the formation of personality, are defined according to

this desire (Miller, 2000). Desire for the opposite sex is realized through marriage in Islamic communities. But as previously mentioned, cohabitation without marriage is widely adopted by many people due to difficult financial conditions and also a reluctance to get married, particularly among young generation who advocate freedom from traditional marriage restraints.

Although this reluctance is not publicly expressed, it is often exchanged through friendship circles and student groups at universities, cafes, parties, or through social networks like Facebook, Twitter, Instagram, Telegram groups, or in private messages between individuals. It means that discussions about ‘white marriage’ and tendency towards it is more observed in private conversations.

Mehran, a 28-year-old male student of Art from Mashhad:

“We lived together about one and a half years. We were studying at the same university where we met each other and became interested in each other and decided to live together.”

A 23-year-old female, expert on speech-language pathology from Isfahan

“We met each other at a friend’s gathering and it is almost two months since we began living together. I am at his home most of the time except one or two days per week.”

One of the most prominent features of participants of the present research study was their membership at like-minded groups and avant-garde communities. This means that an individual with a particular attitude towards marriage (as specified above) will enter a friendship relationship with people who share his/her worldview; and this will also strengthen his/her particular position via other members of that community. This issue was particularly true for those participants who were active in artistic fields.

The interviews suggest that acquaintance with this type of relationship occurs mostly between small friend and student groups and through virtual space. Selection criteria for cohabitation are different from those of permanent marriage. Limited numbers of groups and people who support such attitudes privately leave them with few alternatives.

Having a positive attitude towards ‘white marriage’ without the possible responsibilities and commitments of permanent marriage is the most important criterion for both parties making the distinction between these options clear. The parties to such relationships address only the fulfilment of their sexual and emotional needs without traditional and legal pressures, and they can easily break up if one of the partners cheats on the other.

Due to the low level of responsibility and commitment in this relationship, however, such issues as infidelity may not happen frequently. Infidelity does not have the usual connotation for people involved in cohabitation, and they view separation or selection of another partner, instead, as their natural right. The short duration of cohabitating relationships and avoidance of any responsibility and commitment is rooted in this modern lifestyle.

Nima, a 25-year-old male from Tehran:

“It is much easier this way; no responsibility whatsoever, and you may live together for one or two years or even one or two months or for life. You can be together till anytime you want, but in permanent marriage you need to be committed to things. For now, both of us are satisfied.”

Giddens talks about changes that occurred in patterns of sexual relationships during the last decades of the 20th century. The newly-formed pattern of relationship between men and women was based on ‘liquid love’ which was intimate, short-term, and optional. Relationships in ‘white marriage’ are based on short-term and fluid love which can be replaced anytime with new loves. For that reason, infidelity cannot be perceived in its general sense in ‘white marriage’ which is always prone to come to an end.

Some researchers such as Carroll (2011) consider three factors in selecting a mate or partner: the first group of factors relates to emotional and personality traits which are known as ‘internal (or inherent) criteria’, including intelligence, self-esteem, kindness, etc. The second group is related to financial status which is referred to as ‘external criteria’ that include wealth, power, prestige, etc. The last group of criteria is related to physical characteristics known as ‘physical attractions’ which include beauty, appropriate style, and body shape. Carroll believes that ‘internal criteria’ are important and valuable both for men and women. The second group is however deemed significant mainly for women, while ‘physical attraction’ is preferred mostly by men.

3.3.2.4. Virginity

The hymen in marriage is still considered a social value which many families, whether explicitly or implicitly, are proud of. They consider the presence of the hymen a sign of chastity and purity of their daughters and its absence may result in violence against women. Virginity has had a sacred connotation in history and has been known as a factor for testing women’s chastity, particularly in marriage. Sex and the fulfilment of sexual needs are the first concepts that are suggested in cohabitation. In sexual relationships, young women are naturally faced with a taboo that is of losing their virginity.

In Iranian society, losing virginity means the loss of chastity which may be accompanied with special social consequences. Virginity is a sensitive social issue and its absence can cause problems for women in marriage. Accordingly, hymenorrhaphy⁵ is a solution adopted by some people in order to associate themselves with social and official norms once more.

Given the social and legal importance of virginity, some men and women who enter cohabitation do not care for this issue. Those women who have lost their virginity, however, have no choice except continuing 'white marriage', restoring 'virginity', or marrying a man for whom virginity is not of great importance. Interviews revealed that most women did not consider virginity as an important issue and if they want to marry, they will marry men with the same opinion.

Nonetheless, some men who were already involved in cohabitation were not interested in actually marrying non-virgin women.

A 25-year-old male from Tehran:

"I believe in it (virginity) and think that I'll marry a virgin."

Somayeh, a 37-year-old female from Tehran:

"I was not a virgin at that time and had lost my virginity in my previous relationships. That is something which I always thought to be mine and was not anything to do with others."

Those participants who had married before and were now divorced did not have any problem with virginity, unlike those young women whose virginity was lost during their cohabitation and considered it insignificant and a limitation for women. Although some male participants were more careless of female virginity, others believed in it.

Feminists disapprove of whatever restricts women and they consider women's bodies as their personal propriety and right. Most educated female participants believed that virginity was a personal matter not related to their chastity and also hoped that this taboo will soon be changed.

Sexual relationships and defloration in Iranian culture and religion are only acceptable through official marriage. According to Iranian Civil Law, performing hymenorrhaphy to conceal pre-marital sexual relationship will result in the annulment of marriage. Article No. 1128 of the same Law states that if a couple reaches consensus regarding virginity and then marry each other, the husband can terminate the marriage if he finds out that he has married a woman with an annular hymen (hymenal tissue present all around the vaginal opening including at the 12 o'clock location), though unrepaired. Because virginity means lack of sexual activity and is considered as a taboo

⁵ Temporary surgical restoration of the hymen

broken in temporary marriage, loss of virginity will have particular social and legal outcomes for women.

3.3.2.5. Agreements

People must inevitably surrender to some agreements and commitments proportionate to their social needs in order to maintain their social life and contacts. This issue is rendered in the form of binding conditions in official and legal social relationships like permanent marriage.

Such a rule is also applicable to other types of relationships like cohabitation, but since this has no official status the related agreements will not be presented in the form of binding conditions of marriage (e.g. right of education, children's custody, etc.) but as personal and verbal agreements made between cohabiting couples. Research interviews demonstrate that couples have implicitly agreed on such issues as housing expenses (financial/economical), sexual needs (physical), and lack of commitment to gender clichés (social).

A 43-year-old female from Tehran:

"We split all costs like rent, everyday expenses, etc."

A 27-year-old male from Tehran:

"I was more responsible for financial affairs and I had rented the apartment, but we split other costs as well as house chores. Both of us were employed and committed only to be together."

Finance is of great importance in both permanent and 'white' marriages. Economic pressures imposed on men, and some cultural traditions and beliefs like that men should pay for jewellery, wedding ceremony, etc., have decreased the tendency to marry and the age of marriage, respectively. This issue, however, is balanced in cohabitation; man and woman verbally agree at the start to share housing, food, and other expenses during their cohabitation.

A 28-year-old female from Tehran:

"Gender has not been an issue for us; I was not bothered about being a female and he was not worried about taking on 'male' responsibilities. Financially speaking, he owned the apartment and everything was alright, but after I found a job I also gave my own share; we shared almost one third of our incomes, but I share generally less than him. Our relationship is not open because

we believe that we won't have too much energy for others and don't want to face any problems; we need each other and our emotional and sexual needs are also fulfilled."

A 29-year-old female from Mashhad:

"Well, sex is present in every relationship and we have agreed about that; emotionally, we expect from each other mutual respect and equal rights, and have tried to share the costs as much as we could afford."

Interviews reveal that couples normally reached an agreement regarding the sexual and materialistic needs in their cohabitation. It is worth mentioning that such agreements are not clearly made at the beginning of a cohabitation but are gradually reached, especially in terms of financial issues.

Unlike the binding conditions of permanent marriage which are legally supported, verbal agreements of cohabitation are not stable. Since 1981, in the matrimonial deed, some clauses comprise the binding conditions of marriage which the notary officer has to read and explain for both spouses before performing the marriage contract, and the spouses have to sign every clause they agree with.

As previously noted, beside the written conditions in the deed, the spouses can also add others as they wish according to Article 1119 of Iranian Civil Law, providing they are not contrary to the requirements of the contract. For instance, the wife can request the right to travel abroad and the husband cannot refuse, or she can claim rights to choose the location of accommodation, education, employment, and the children's guardianship in the case of divorce. Some have considered this possibility as a compensation for the waiver of the Family Protection Law.

In Civil Law, the husband is given some rights and authorities over his wife, including the right of divorce, second marriage, accommodation selection, etc. Although these rights may be associated with some duties for men in caring for his wife and family, it is possible that some irresponsible and improvident men misuse this legal superiority. Thus, women can also use these binding conditions based on the Civil Law to compensate to some extent for the legal limitations, and to stand against the probable abuse by their husbands. This solution is stated in Article 1119 of the Civil Law:

"The parties to the matrimonial contract are allowed to set any conditions which are not against the requirements of the contract during the conclusion, including the conditions that when the husband marries another wife or disappears for a period of time or abandons the family or carries out any misconduct or harmful association that makes the continuation of matrimonial life impossible, the wife is granted permanent and irrevocable power of attorney to divorce the husband if any of the above situations is verified by the court to have arisen."

What is undeniable in cohabitation lifestyles is instability of agreements to the point that they are ignored and broken. In line with the nature of cohabitation, couples should committedly observe their agreements; otherwise they might lose interest in continuing their partnership without being able to consider any right for themselves due to non-commitment of their partner.

3.4. Environmental Conditions

Human beings as actors in social environments are affected by the structures that make social life possible. The effectiveness and impact of social structures depends on various factors.

Over the past decades, Iran has witnessed great changes in the patterns of sexual relationships which arose from the impact of economic, social, and cultural factors. The appearance and extension of global media like satellite and Internet connectivity, and traveling to neighbouring countries, have produced different lifestyles and formed new values which have reciprocally influenced social relations in Iran.

No action can be understood without the context in which it is formed or without studying the different influencing factors. A deep overview of changes in the patterns of sexual relationships is not possible without contemplating social, economic, and legal structures. Environmental conditions affect 'white marriage' and include legal / official framework and social structures in the present study.

3.4.1. Economic Conditions

Making a decision and acting accordingly in modern society is based on a degree of rationality and young people have become more calculating. In the past, individuals were financially supported by family and relatives and had no worries about marriage; however, young people have recently become less inclined to marry because there is decreased collective support; they have developed a more economic frame of mind.

Contemporary young people believe that starting a family is expensive; and with only limited job opportunities some of them, especially the educated ones, do not accept every job. In addition, other factors like inflation, high costs of living, increased price of housing, health and hygiene, and food - the most fundamental requirements of life - are influences on the declining tendency to marry. In such circumstances a young person with an economically rational mind-set and reasonable choice will not think about permanent marriage.

A 32-year-old male from Isfahan:

“The reason (choosing ‘white marriage’) was sexual need and financial problem; because I wasn’t in a good financial position to marry permanently.”

Becker’s economic theory of marriage (1974) discusses the role of individual’s decision-making in marriage or celibacy based on the advantages and consequent repercussions of this decision. In this theory marriage, like other economic behaviours, is based on a maximizing desirability model; marriage occurs when its desirability increases for both parties. In the context of the present economic conditions, permanent marriage promises no desirability and such issues like *mahr*, bride token, unemployment, inflation, and recession are obstacles to official marriage for young people, who select instead ‘white marriage’ or cohabitation as a solution with the highest degree of desirability.

The Iranian contemporary younger generation has undergone many changes; they are often educated, raised in a nuclear family, and financially / individually independent. Given few job opportunities in the government or privatized sectors, educated young people (male and female) usually migrate to capital cities to find a job. Unlike in small cities, there is almost no monitoring in large cities, which has resulted in choices of accommodation for people living together. Private companies and employers in large cities that employ educated men and women, even with unrelated educational degrees, provide the necessary ground for their acquaintance and thereby, cohabitation.

A 32-year-old female from Tehran:

“I was employed in a company and he was also working there and since we were colleagues, we made friends after a while and this relationship was formed.”

A prerequisite of marriage, especially in modern urban life, is having economic independence and job security to let couples procure requirements for their shared life and meet social expectations. This burden, however, is cast more on men in such countries as Iran, to the extent that financial support in life is defined as one of duties of men, even though the presence of women in employment cannot be ignored, especially in large cities.

Eastern cultures are often characterized by a gender-based distribution of labour which is basically religiously influenced, and Iran is no exception. In Iranian-Islamic culture the role of the husband comprises a wide range of duties, particularly economic obligations (e.g. *mahr*, dowry, minimum procurement of life, etc.). This prevalent culture has not determined any specific economic duty

for woman in the role of a wife whose costs are accepted by her husband. This rule applies even when the woman has an income; she should still be financially supported by her husband.

3.4.2. Legal and Official Framework

Civil Law has divided marriage into two types of permanent and contemporary (*Sigheh*) marriages with different outcomes. ‘White marriage’ or cohabitation implies the partnership of a man and a woman under the same roof without officially being formally married to each other, either temporarily or permanently. It is called ‘white’ marriage because the names of the couple will not be registered in each other’s birth certificates which also record marriages and deaths, etc. and thereby, the form will remain blank (white) in the marriage information section.

In other words, ‘white marriage’ is not registered by Public Notaries and has no legitimacy according to Islamic law and *Sharia* and, if revealed, the parties will face criminal punishment. (There is, however, another connotation to the term ‘white marriage’, which is when the partners are only cohabitant and have no sexual relationship; this implies white sheets and lack of any sexual contact and is not focused in the present study.

Analysis of the interviews conducted suggest that none of couples who experienced cohabitation was aware of related punishments (like flogging, stoning, and execution) for ‘white marriage’ in Iran, and they only admitted that it was considered a crime.

A 26-year-old male from Isfahan:

“I think that there is a law regarding ‘white marriage’, but I’m not aware of it. I just know that some specific relationships are supported in Europe; for example I know about the rules related to homosexual relationships in other countries. So ‘white marriage’ should definitely have some specific rules.”

‘White marriage’ in Iran is considered a crime with two major legal burdens that can also cause other accusations:

- A) Lack of matrimonial bond between man and woman (parties)
- B) Illegitimate relationship and *Zina* and related crimes

If we only take illegitimate relationship and *Zina* into account, the Islamic Penal Code has specified some penalties in different cases. According to article 637 of Islamic Penal Code: “when a man and a woman between whom no matrimonial bond exists engage in illicit relationships (except adultery) or behave against public decency through kissing or sleeping together, they will be

sentenced to 99 lashes, and if the action has been forced by one of the parties, only the responsible party will be punished.”

Indeed, all illicit relationships and sexual contacts except have criminal penalties. However, punishment of illicit relationships or adultery changes in regard to the different civil status of the parties in accordance with article 225 and 230 of Islamic Penal Code.

According to article 225 of the Islamic Penal Code enacted on Apr. 21, 2013, “punishment of *Zina* for married male and female adulterers is stoning. In case the stoning punishment cannot be performed, with the suggestion of the court in which the final verdict has been issued, as well as the agreement of the Chief Justice, the order shall be changed to capital punishment of the married male and female adulterers if the crime has been approved by witnesses; otherwise, they shall be sentenced to 100 lashes.”

If a permanent marriage is performed in accordance with law and *Sharia*, it is associated with financial and non-financial consequences. The outcomes of permanent marriage are in fact determined by government policy-makers through particular regulations that define a specific legal situation which must be registered in official notaries. But since temporary marriage is not registered, that legal situation will be in effect only if the marriage is ‘proved’. For instance, children born into such relationships cannot have a birth certificate unless the marriage is proved or registered. The children of ‘white marriage’ are considered illicit according to Islamic laws and are deprived of legal rights like birth certificate, alimony, and inheritance.

Article 20 of the Family Protection Law enacted on 2013 states that “registering and annulling permanent marriage and divorce are obligatory.” In addition, article 21 of the same law states that “registering temporary marriage is only necessary where pregnancy occurs or both parties are consent or when it is mentioned in marriage binding conditions.” Given that, it is possible that a young woman and man who live together under the name of ‘white marriage’ would justify their relationship by referring to *sigheh mahramiat* and temporary marriage.

However, it is probable that their relationship will face some problems, the first consequences of which will affect woman. She will not be supported by law if subjected to physical violence or in general any type of domestic abuse, and her children will experience various deprivations in life.

In cohabitation, partners cannot inherit anything from each other and the female party cannot use the social security services of her partner. In these relationships, women are generally exposed to social, psychological, financial, and even physical harms to the extent that Iranian Government cannot decently protect their rights.

Factors approved by law in support of legitimate partnership do not apply to ‘white marriage’ or cohabitation. Not only are *mahr*, dowry, and inheritance not included in cohabitation, but appeal to the court for any issue related to this type of relationship may also present problems. No law has been approved for advocating the parties to cohabitation and even in the case of legal intervention crimes will not be acknowledged and may increase the possibility of violence by

abusers. What has so far been discussed encompassed only legal facts and regulations; however, it should be noted that although 'white marriage' is legally condemned, it is overlooked or dealt with easily by related authorities.

It seems that policy-makers and judicial authorities have deliberately kept this issue at the margins and they consider time to be the best solution.

3.4.3. Social Structures

Social structure or construction is a complex, intertwined, fundamental, and essential core of social phenomena that are constantly changing. This process of change regulates and restores itself in order to find its own flexibility and dynamicity.

Therefore, social structure can be defined as such: a social whole comprising organized parts which are more and less dependent on each other and are firmly united. In this section, public attitudes towards 'white marriage' and its change to permanent marriage via cohabitation relationships will be explained.

3.4.3.1. General Social Attitude and Awareness and Reaction of Surrounding People

The most important consequence of the sexual revolution was the spread of pre-marital sexual relationships in the west. By demystifying sexual relationships, the sexual revolution has changed sex into a normal act that can be easily accessed before marriage. In fact, the emergence of new patterns of sexual relationship with the opposite sex has promoted this type of relationship from merely pre-marital sex not only to an emotional level but also to partnership without marriage between couples. Beside economic issues, this change in values was also effective in the formation of such relationships. One of the reasons for the expansion of cohabitation was the weakening of the philosophical foundations of marriage in western countries.

According to this change of values regarding the concept of family, marriage and a variety of relationships provide the necessary grounds for cohabitation. Despite the fact that pre-marital or even extra-marital emotional and sexual relationships are against the traditional, cultural, and religious norms of Iranian society, and are even banned by the law, recent evidence show an increased trend in such relationships among young people. Research indicates that in 2005-2006 more than half of Iranian students in Tehran had pre-marital relationships and friendships with the opposite sex, and more than a quarter of them experienced closer contacts, including sexual intercourse.

In 2005-6 between 20 and 60% of adolescents aged between 14 to 18 years old in Tehran had a sexual relationship with one or more people from the opposite sex. Research shows however that pre-marital sexual contact has a negative relation with conjugal satisfaction and may be followed

by many social consequences (Alitabar *et al.*, 2014). The present study surveyed the phenomenon of ‘white marriage’ or cohabitation in three metropolitan cities of Iran, including Tehran, Isfahan, and Mashhad. Although the social structure of these cities are different, they share a common approach to a phenomenon like ‘white marriage’ or cohabitation. This is undoubtedly due to the religious attitude of the majority of people in the sample society, which dominates existing values and can be still be observed in people’s lifestyle and culture despite its decline.

Even though modernity has made its way through Iran and has accordingly changed some social values, Iranian society is still grounded in a religious attitude regarding social phenomena. Marriage is considered a divine bondage with special conditions which go beyond general contracts. In the public mind it is a good deed which should not be postponed or overlooked.

In spite of value and normative changes, especially among the younger generation, the general attitude of society towards official marriage is still prevalent and other alternatives like ‘white marriage’ or cohabitation are not yet accepted. Family and society continue to internalize the values and norms that had been long held acceptable for them. Socialization process has two states: either the individual internalizes norms and values and feels attached and committed to them, or s/he just follows them because s/he has no other choice. In the latter situation, individuals may seek every opportunity to avoid these norms and values.

From a sociological perspective marriage can be defined as a sexual relationship between two persons which is socially acceptable and recognized (Giddens, 1994: 781). In other words, it is considered a unit that is socially recognized, legally approved, and is composed of a man and a woman.

According to Islam, which is the religion of the majority of people in Iranian society, and on which the law is based, official marriage is the only sexual arrangement which is both legally and jurisprudentially acceptable. Individuals’ lifestyles and related marriage rituals have been based on this pattern during many centuries. Thus, existing cultural norms admit this type of cohabitation, placed within an official framework and appropriate to each region’s culture; others however may deny it.

Undoubtedly, denial of any out-of-norm relationship will direct people towards secret relationships. This denial was observed in the current research interviews, in most of which the subjects refused to explicitly refer to their cohabitation lifestyle. Most of them believed that their families could not understand such relationships due to different values. They also thought that their relatives and people in their social orbit should not interfere with their private lives. Meanwhile, what was important for our subjects was their friendship circles; since most people had met their partner in friend groups, universities, parties, or in virtual space, they were aware of each other’s lives and did not face any unrespectable reaction.

A 27-year-old female from Tehran:

“All my friends and also my siblings did not have any specific reaction; but my parents don’t know. They know that I’m with somebody, but they don’t know that I live with him.”

Friends as the major source of these types of relationships are the primary individuals who are aware of cohabitation, which is deemed by young people as a period in which modernist values are seen. In the current transitional period of Iranian society, it is important to note that most close relatives cannot accept cohabitation and similar relationships due to religious and traditional values. They are therefore not normally informed of such relationships and, if they do know, they are reluctant to broach the subject. For the younger generation who underrates religious and traditional norms and considers cohabitation as their own private sphere, this type of relationship is also considered natural and normal by their friends. The general outlook of Iranian society is based on current culture and does not accept such relationships, but the increase is observed and there is no option but to tolerate it.

Cohabitation can be discussed in terms of conflicting values. A given social issue is a situation incompatible with the values of some groups the members of which advocate action and activism for success. Social issues arise from such conflicts of values and interests (Rubington and Weinberg, 2014: 66-7).

In fact we see here a complex of antithetical norms and values at work exactly like the situation where women with feminist tendencies, who consider the hijab to be a hindrance to their freedom or as a device for their suppression, demonstrate that they value freedom by wearing a white scarf or removing their hijab. But wearing the hijab is regarded by most jurisprudents and authorities as an Islamic value and obligation.

Similarly, cohabitation can be considered a type of value conflict. Some groups of young people are in favour of the western lifestyle and do not consider virginity as a sign of chastity, and they also believe in their own right freely to satisfy their sexual needs. Meanwhile, the general attitude of society is that temporary or official marriage are the only solutions for the fulfilment of sexual needs. This conflict of values is evident in Iranian society and can be interpreted as an escape which modern young people take from traditional lifestyle. Such values have not only become quite common and public in the transitional society of Iran, but are followed in secret and are reluctantly tolerated.

Since younger generations are the main initiators of changes in existing social patterns, a kind of attitude and generational gap has arisen which is not tolerated by the majority of society. Changes in family structure are amongst the most important shifts during the last decades. Redefining previously ordained roles, women’s independency, increased number of divorces, etc. are witness to some transformations in the structure of family in recent decades. These changes provide people with the opportunity to live independently from their parents.

These new factors cause the subject to encounter social abnormality and to avoid traditional social frameworks. Although this is happening gradually in all parts of Iran, the situation is quite different

in our case studies, especially in Tehran. The present study suggests that the interviewees living in Tehran, as compared to Mashhad and Isfahan, were more against traditional frameworks and followed this free lifestyle more boldly. In contrast, participants from the other two cities seemed to interpret their own actions as a kind of abnormality which would come to an end when they approach the age of marriage. Indeed, reactions to this issue can vary according to the traditional beliefs in the cities and also to some factors like family origin.

A 27-year-old male student from Isfahan:

“If family becomes aware, you’ll definitely face serious threats; first of all, it is possible that you’ll be abandoned or removed from the family completely; second, this issue in Iran is illegal and you may be sentenced to stoning; third, if society becomes aware of your white marriage, people begin to point at you and socially humiliate you to the point that they might even physically beat you or cut their own social relations with you.”

3.4.3.2. Tendency towards Permanent Marriage after White Marriage

Creating relationships is one of the emotional needs of human being. Marriage is the most intimate relationship, ideally fulfilling all human needs both material and spiritual; and it is also considered an advanced stage in human evolution. According to most ethnic groups and nations, marriage is a sacred bond. In this ancient tradition, woman and man begin their life together and vow to accompany each other both in sorrow and happiness, make each other happy, love each other, and end their own loneliness.

In Iranian contemporary society, there exist various groups where different levels of either pre-modernism or post-modernism are found. Within these social groups, the shape of families and type of mate-selection are in line with that group’s situation and family’s circumstances.

Changes in the mate-selection process, from a social issue to an individual one, caused love and desire to be considered as major elements in selection. Couples seek to be in a relationship with each other before officially getting married. Because they need to know each other better and assure themselves of their partner’s real love, and also of the quality of the relationship, sometimes these relationships may turn into cohabitation. This development is common in western / American countries and is considered a regular norm which is in some countries protected by law.

The first ‘white marriages’ were observed in the West and particularly in France and America. In some western countries, those couples who choose ‘white marriage’ may inform their local police station of their address and other personal information in order to be registered and on the record in case they have a child, break up, or the like.

When registration is possible everything is clear and each partner will play their role according to what has been agreed. If the parties decide to break up, the assets they have acquired during their common life will be divided between them and each partner will get their own shares. Judicial authorities resolve the parties' disputes (if the marriage has been registered) and the woman always has the same rights as the man. In other words, 'white marriage' and the related laws of this familial phenomenon are valid and acceptable in the legal system of the west. Cohabitation is more likely to lead to permanent marriage in western countries, compared to a country like Iran where it is secretly conducted without any support. Interviews conducted in Iran suggest that those who cohabitated were less inclined to marry the same partner. Moreover, the subsequent marriage of cohabiting parties was generally a failure and people rarely wanted to marry their original sexual partner.

A 28-year-old female from Tehran:

"He told that "I don't want to get married at all and even if I want, not now". We had an age difference of 1 year and were kids at that time; he was only 23-year-old, but now 6 years have passed and he's 29. I was too young at that time and it wasn't that important for me. We were used to each other when we wanted to break up, but I wanted that."

A 26-year-old male from Mashhad:

"I can't say that I didn't want to; I even had a serious relationship, but it didn't happen for some reason. I think that I'll have a permanent marriage as well, when I'm ready and if I find the perfect case that I haven't found yet."

The form of 'white marriage' in Iran is different from that of western countries and it is not accepted by tradition, family, law or official religion. These social structures have created a mindset for individuals who are engaged in such relationships that a person who has had 'white marriage' cannot be selected as a partner with whom you can spend the rest of your life. Unlike permanent marriage, the nature of 'white marriage' is lack of responsibility, and freedom from some sexual clichés.

Most interviewees stated that they could not prepare themselves for a permanent marriage and they had no other way but 'white marriage'. This situation can be explained based on the theory of anomie and anomaly; it means that there is a tendency towards official marriage but circumstances do not allow and 'white marriage' as an anomalous behaviour is then preferred and considered to be of value by young people. The anomaly of 'white marriage' reduces its probability to be turned into a permanent one.

Other important factors in studying the present metropolitan areas included urban changes which have made possible living in small apartments and reduced financial and social pressures. Apartments with small floor space are cheaper and are better places for the formation of unconventional relationships like cohabitation, which can be easily hidden from the public and neighbours. However, this opportunity does not exist in downtown locations or in smaller towns with fewer apartments, where people know each other.

This phenomenon was explicitly observed in Mashhad and its suburb areas with new-built residential complexes. In addition, 'white marriage' is more observed in those neighbourhoods of Tehran with the above-mentioned features.

One influence on social structure is technology. The emergence of available technologies like the Internet and satellites, as well as the possibility of access to *virtual* space in secret, are amongst the most significant factors shaping social structure. The exchange of different ideas, globalization, and being affected by prevalent universal patterns of communication have caused people to depart from tradition and experience other patterns of communication.

In an environment where social interactions are based on tradition but modern means and tools are used for everyday life, it is obvious that a part of society chooses new approaches to fulfil their needs, in contrast to established general structures.

Respondents were different in terms of social and financial status. Some had good financial and social lives and others were suffering from financial difficulties which had made them select cohabitation due to the high expenses of wedding ceremony as well as because they lacked commitment.

This second group were normally from low-income groups living in southern parts of Tehran. Some of them were addicted to drugs and the conditions they were in seemed to be forced on them rather than being deliberately selected by them. However, most of participants were educated and belonged financially to the middle class.

3.5. Intervening Factors

Factors with direct impact on approaches related to 'white marriage' are referred to as intervening factors in the present study.

3.5.1. Familial Conditions

Marriage is seen as the legitimate and perfect social method for intimate relationship between men and women in most societies, but marriage is often not the first intimate relationship of an

individual with the opposite sex. Previous experiences of people are placed within a spectrum of relationships from a limited emotional connection to cohabitation.

Iranian society has traditional cultural foundations in which both tradition and religion play an important role in people's lives. Although a clash of tradition and modernity in Iran has led to more fundamental challenges, religion, tradition, and culture have still maintained their significance in all aspects of people's lives.

One of the behaviours which is frowned upon by both sharia and custom in Iranian society is having a relationship with the opposite sex. Facilitation via social media of such a relationship, in the workplace or at university has resulted in the prevalence of friendships and cohabiting lifestyles. Studies on small samples of respondents in Iran indicate that the relaxed behaviour by parents in response to their children's pre-marital relationships is related with their sexual relationships (Khalajabadi & Mehryar, 2010).

Interviews demonstrate that most cohabitations were hidden from parents and close relatives due to their anti-social and anti-religious nature. It was rare that one of the interviewees' parents knew about their children's cohabitation.

37-year-old female from Tehran:

"My mother knew, but she pretended that she doesn't; everybody knew that we were friends, even my brother and father. Not that they knew him personally, but they knew that I had a friend. I preferred that my relatives and friends in small towns didn't know; my neighbours and others also didn't know. I don't communicate with people whom I don't know and my connections were not too many and harmful."

A 26-year-old male from Tehran:

"Perhaps, one or two of my friends know about my relationship; in fact, only one of my friends was kind of aware of our cohabitation and one of his friend also knew. But my family or close relatives and also hers didn't know about our relationship."

Like the society that still does not consider cohabitation relationships as social and conventional habits, families and relatives have similar attitudes and they cannot constantly monitor their children in modern life. On the other hand, those families that try to monitor their children cannot directly prevent them from entering such relationships. Children's separation from their parents for educational or occupational purposes allows them to enter secret relationships.

The family is the most fundamental entity for education and socialization. People in Iranian society reach a 'familial ego' within the family and try to maintain it and form their behaviours accordingly. Many behaviours of people in Iranian society are influenced by their family identity. Iran is country with a traditional and family-based structure that does not approve of pre-marital relationships, but we are more and more observing pre-marital sexual relationships in the public sphere.

This conflict between realities and values inserts an increasing pressure on members of society. It gives rise to an inter-generational conflict of values that is clearly seen in Iranian families. Meanwhile, young people manage their relationships according to their own values far from their parents' supervision. Having a secret relationship may lead to psychological pressures that can also disturb the management of individual's emotional relationships; but what is important is to keep these relationships hidden from families.

Those families with more open-minded attitudes towards extra-marital relationships, or even with previous experiences in that regard, increase the probability that their members enter a cohabitation because individuals do not have to tolerate all the pressures of cohabitation and feel protected by their families.

Unlike this minority that has the support of their families, there exists a majority that sometimes becomes tired of family restrictions and stands against restricting traditions using such relationships as a weapon.

Parsons defines a subjective socialization process as internalized in personality via cultural patterns like values, beliefs, language and other symbols, all of which also constrain the structure of this system. There is then motivational capacity to learn and obtain inter-personal and other necessary skills to enable activists to adjust to norms and play their roles.

Another function of socialization is to create stable and safe contacts between individuals in order to heal most psychological pressures, worries, and tensions by acquiring necessary skills and motivations (Turner, 1994: 75). The family, as the most important entity for socialization, is successful in socializing their children by using such methods, including having an emotional relationship with children, recognized authority, playing symbolic roles, conducting steady relationships, giving children freedom of action, beginning a relationship with reason and explanation, and punishment and encouragement (Dastranj, 2013).

If children have pre-marital sexual relationships in families where it is frowned upon, familial bonds may weaken and all members of the family (both parents and children) will experience excessive pressure followed by psychological problems. When children violate specific rules set by their families, they will face punishment which is itself a reason for hiding anomalous relationships from parents. Moreover, another socialization process is imitating the symbolic pattern of parents and other members of family. If children know about the cohabitation of other family members, they may conduct the same relationship much more easily comfortably.

A 28-year-old female from Mashhad:

“Yeah, my family is open-minded and such issues do not matter to them. My sisters lived with their current husbands for some time before marriage and this is not a big deal for them.”

In the social learning theory, social phenomena are generally arise from observing other people’s behaviour and its consequences. Human capability to learn through observation enables people to acquire general behavioural patterns. When other members of the family accept this lifestyle, younger ones will also consider cohabitation as a normal and regular relationship.

3.5.2. Declining Supervision and Living in Migration

Social supervision can be defined at two levels: family and society. Supervision of children has declined in the family, compared to the past, which is due to factors such as the employment of both parents and single-parent families. On the other hand, easy access to different types of media, the Internet, and social networks have decreased communication between family members who seem to live together but are actually far away from each other. Moreover, attendance of young people in different spheres like language courses, music classes, etc. has increased, so that both sexes are in the same environment. When parents’ control of their children is less because of their different occupations anomalous relationships like cohabitation will occur more frequently. Declining surveillance of families of their children may enable social anomalies. Further, a preference for individual-based relationships by the habitants of metropolitan cities results in a lack of wider social cohesion which in turn causes citizens to conduct anomalous relationships like cohabitation.

A 27-year-old female from Tehran:

“At our age, this type of lifestyle is accepted, though there may be some limitations. For me, this society is a place where my identity is more recognized, compared to smaller communities. This lifestyle is not accepted in towns, but most of my friends in Tehran are leading a life like this.”

Unlike small towns, controlling other individuals in larger cities have become almost impossible. Individualism has also decreased people’s communication and contact. The resulted anonymity due to individualism and lack of surveillance would make people’s private life and relationships less significant for others. On the other hand, a phenomenon like educational or occupational emigration has separated children from their families. People usually emigrate and leave their

hometowns due to problems, including poverty, sickness, political issues, famine, natural disasters, war, unemployment, and insecurity. In addition, they might be attracted to some positive features of migration destination like health provision, education opportunities, accommodation, and also political freedom. Studies indicate that ‘white marriage’ or cohabitation occurred more among people who had migrated to larger cities for educational and occupational purposes, rather than those who stayed at their own cities.

A 26-year-old male from Tehran:

“She was also Fars but was not originally from Tehran. She had come here from one of the southern cities of Iran for educational and job reasons and has lived here ever since. Well, she was doing her Master’s studies and working at the same time and she had to stay in Tehran.”

Both male and female students migrate to larger cities to pursue their education and find a better job. Since they are not under the supervision of family anymore, they can choose any type of relationships which is common in that city. Anonymity in metropolitan cities allows young people, especially women, not to be controlled as they are in small towns. On the other hand, academic studies may also cause migration for jobs, because young people who are educated to a higher level expect better employment positions and seek them in larger cities. Therefore, the attractions of metropolitan cities like education and employment cause people to migrate and this decreases families’ control. People in capital cities are more reluctant to interfere with other people’s private lives. We may conclude that educational and occupational migration has reduced the level of surveillance and created the conditions for ‘white marriage’.

Modernity and the call for equality between men and women have resulted in a bolder presence of women in different cities, and also in their geographical mobility. This mobility, along with distance from the family, have enabled women to be less controlled by family, which is an outcome of modernity and feminist perspectives.

In his book *Metropolis and Mental Life*, George Simmel states that metropolitan life has resulted in individualism and rationality which can cope with many social changes; people do not react emotionally. In psychological terms the metropolis is much different from small towns and rural life. This urbanity can be felt through every beat of citizens’ social and economic life. Compared to rural life, the metropolitan one demands of individuals more awareness and consciousness.

In rural life rhythm and mental images are more harmonic and familiar; this feature can help us perceive the complicated nature of metropolitan psychology, especially compared to life in smaller cities which is largely based on unconscious, deep and emotional relationships. In general, reason is placed on higher, more conscious, and more transparent layers of the psyche; it is the most

flexible internal force of human beings. To adapt to changes and conflicting phenomena, the reasoning mind does not need a shock and an internal revolution.

More conservative minds can however adapt to the metropolitan rhythm of events only through such revolutions. The metropolitan human has protection against threatening incidents and the contradictions of the outer. S/he reacts with her/his mind and not her/his heart. Metropolitan life then establishes increased awareness and reason and rationality protect mental life against the powerful strength of metropolitan life. Rationality is found in different directions and is mingled with different phenomena.

3.6. Central Phenomenon

In all of the research interviews and field-work activities, one basic factor always present was the values and normative changes in lifestyle of people who had experienced cohabitation without marriage. Over the last five decades, Iranian society has experienced one of its most important eras in terms of social and cultural status; it has always been subject to renewal and change due to social-economic programs and has also been transformed by some historic events (e.g. The Revolution 1978) and development plans.

The changes in social and cultural structure of Iranian society during the past decades have given rise to an improvement in indices like industrialization, increased urban life, increased social mobility and migration, young population, development of public transportation networks and mass communication, emergence of modern communication technologies, and the establishment of new social entities like education and university which underlie basic transformations in the values and attitudes of Iranian families. The values of younger generations born in the 1980s and 1990s are remarkably different from those of previous generations, as is clearly observed in the former's behaviours and norms. This change of values ranges from lifestyle to political/religious beliefs. A considerable proportion of this new generation is educated, which is an important factor in facilitation of the cohabitation lifestyle.

Access to universities by the generations of 1980s and 1990s was contemporaneous with political changes in these universities. Active modern movements in higher education provide activists with opportunities to build their personal life accordingly. People's interactions would increase their flexibility around various moral values and thus, new patterns of sexual behaviour are formed.

The findings showed that many individuals who had chosen cohabitation as their lifestyle could not meld this perfectly with other values like religion and religious actions and concepts like chastity and virginity. They neither considered out-of-marriage sexual behaviours and related religious orders as an incorrect and illegal matter nor did they regard virginity as a sign of chastity.

Men's and women's roles have undergone a basic change; according to the new values, a 'good' woman is not a woman who is officially married and provides comfortable conditions for her

children and for her husband, who works out of home. New generations redefine man and woman and their related norms in contrast to the cultural and religious values of previous generations. Young men and women who were born in 1980s and 1990s generally sought to migrate to larger cities for education and employment purposes, relationships without jurisprudential limitations, and equality in job and financial opportunities.

A 27-year-old female from Tehran:

“At our age, this type of lifestyle is accepted, though there may be some limitations. For me, this society is a place where my identity is more recognized, compared to smaller communities. This lifestyle is not accepted in towns, but most of my friends in Tehran are leading a life like this.”

A 26-year-old male from Mashhad:

“I think that, I don’t know, virginity is a limitation for women and it shouldn’t be like this; I mean that this is only a restriction for women in our society and I really don’t believe in it.”

Value and normative changes can be palpably felt, when cohabitation turns into a natural lifestyle and some young people do not accept an emphasis on virginity and consider it as a restriction. These changes justify new behavioural patterns and are beyond the mere usage of modern world’s examples. The new logic not only does not consider these behaviours anomalous but also challenges every prevalent norm and emphasizes the subject’s free will in selecting their own values. The criteria for an individual’s action are derived from his/her modern worldview. We have here a new definition of social values which is the result of both individual and prevalent conventions in society.

A male speech therapist from Tehran:

“The main personal reason that I accepted this lifestyle was that my social ideology had changed; for example, superficiality is cheap according to my ideology. But no social reason like friends, field of study, etc. was present to encourage me to this lifestyle. I studied medical sciences and had almost no one around me. So, I had a theory in my mind which I objectified and modified at some point.”

Considering this modern attitude, the individual is inclined to experience everything that is new. Imitating western lifestyle, leaving traditional styles of one’s own society behind, and changing one’s approach are examples of such cases which are against existing convention. Such standpoints

suggest that the individual's pleasure and individualism are the priority and everything depends on their free choice in selecting behavioural values; the individual him/herself becomes the yardstick for distinguishing good and evil.

The identity of modern humans is in a constant challenge which interplays with his/her evolution in the continuous process of 'becoming'. Undoubtedly, social environment is not unaffected by this progressive flow and larger social systems will be motivated and moved forward through various mechanisms.

The process of this transformation and formation of this new identity is not however scrutinized in the present research. Previous analyses reveal that the evolution of structures and what is known as social disorganization have produced changes, the objective reflection of which are observed in people's actions. Despite the prevalence of technology, this change has also affected third world countries although its reflection may differ due to cultural or other differences.

In general, value is defined as a set of beliefs that individuals of a society hold for desirable, proper, and good reasons. In contrast, norms are known as a set of behaviours (or rules) that should and should not be done, and which direct people's life; if they violate these rules, they will be seen as strange anomalous people who should be penalised. In each society, law strongly supports the norms of that society. Value and normative paradigms are intellectual and cultural frameworks based on which people of a society describe and interpret their social realities. During the socialization process people will be familiarized with the dominant value and normative paradigms of their own society which they either internalize or obey due to social obligation.

There are different theories about the relation between social/economic changes and cultural changes/values. Some of these theories emphasize the convergence of values as the result of modernism or, in other words, change of cultural values due to political/economic pressure. These theories predict that traditional values have declined and been replaced with modern ones. Scholars such as Weber, Durkheim, and theorists of Modernism have related cultural changes to economic improvements.

Weber studied social entities deeply and compared them using a precise structural analysis and finally presented the role of values in a theoretical framework. The significance of his work lies in the analysis of social interactions systems in which beliefs, values, and also economic forces affect the action.

Parsons believes that traditional and modern societies are different in the degree of structural distinction. For instance, the family in a traditional society is responsible for children's education and also has an economic function, whereas in modern society, educational and economic responsibilities have been separated from the family.

According to Durkheim, religion in traditional societies comprises a set of symbols which unify different sections of society and different experiences of people. However, after widespread distribution/specialization of affairs and the appearance of new social entities/organizations,

different parts of society (and inevitably people's different experiences) will be governed by different and sometimes paradoxical meanings which religion is not able to place into the symbolic and comprehensive whole that it has created.

Some modernist theorists like Rogers also have interesting opinions about cultural changes and believe that some cultures are more often subject to change. In addition, Englehart's theory about value changes states that people's value priorities are shaped by economic/social welfare and the socialization process. If individuals are raised in a comfortable political and social environment with a sense of security in the early stages of their life, they will be more inclined to spiritual values, compared to those without the above conditions who will have material values as their priority.

Given the fact that Iranian society is being transformed into a modern and universal society, cultural values may not be sufficiently and accurately transmitted from previous generations to new ones. The resulting generational gap due to this deficiency will lead to the creation of some norms that are different from past values, while they may seem more natural to the present generation.

On the other hand, economic factors are amongst the most important factors in value changes. The prevalence of individualism characterized by independence, indulgence, and the prioritisation of personal interests are also features of the present generation. In other words, the growth of individualism and self-preference can be considered as reasons for increased temporary marriage in the current society.

In individualism, long-term commitments will be interpreted by individuals as eternal. They prioritize pleasures over social responsibilities and consider themselves as the centre of their actions. This position follows a simple rule; the most pleasure and the least expense are embraced by 'me individually'. In this way, the individual finds a solution to minimize all social pressures and possible expenses and chooses the most accessible alternative, which is hiding the action ('white marriage').

With this assumption that they own their private sphere, activists objectify re-defined values in the form of 'white marriage'. By separating the public sphere from the private arena, and also preventing governmental interference in the private life of people, this approach gives freedom to subject to select different lifestyles.

What has been so far described is an hedonist interpretation that is largely compatible with the characteristics of the contemporary age. What highlights 'white marriage' and its continuity is having a relationship that fulfils sexual, psychological, and sometimes financial needs of individual while excluding him/her from obligations which may create many responsibilities. The individual then interacts with his/her sexual partner whilst retaining freedom of action.

3.7. Strategic Action

Action or interaction is used by people and includes their essential tactics, regular or daily actions, and situation management when encountered with different affairs. These tactics are behaviours and actions that people do (Straus and Corbyn, 2011: 152). Findings of the present study indicated that people who have experienced cohabitation without being married will probably repeat it several times but usually as short-term relationships. For the same reason, the plurality and instability of relationships can be seen as strategic choices.

The findings suggest that, due to value and cultural conflicts, people with experience of cohabitation cannot have an official and permanent marriage other than with people with similar experience and for whom such issues as virginity are not too important. These people have usually experienced short-term and unstable cohabitations, because these relationships will continue until a particular cohabitation delivers the fulfilment of sexual, emotional, and financial needs. However, cohabitations usually last for a short period and have no specific end and people may prefer to have various relationships instead.

A 28-year-old male from Mashhad:

“I had two relationships; the first was awful and full of fights and violence. I’m not an aggressive person, but we didn’t get along both personally and morally in that relationship. The second one is a totally different experience which made me interested again.”

A 37-year-old female from Tehran:

“We’re together whilst we want each other; when not, we’ll break up. Our relationship was committed, and financially everything was implicitly set and automatically followed by us...”

Sexual needs have a biological aspect the fulfilment of which has a social aspect. According to Maslow’s hierarchy of needs, sexual need is among primary, physiological, and essential needs which put the highest pressure on individual. For economic, social, and cultural reasons, marriage in Iran is postponed. This time gap between maturity and marriage has caused sexual needs to be satisfied in different forms: friendship, *Sigheh*, prostitution, and cohabitation without marriage are among sexual relationship patterns in Iran that are in conflict with Iranian cultural and religious values.

The new generation, however, has chosen such anomic relationships in order to fulfil their sexual needs. The reason behind the various and unstable relationships of cohabiting partners is fulfilment of their sexual need without heavy financial burdens or legal complications. Multiple unstable relationships are within the category of weak relationships not in line with Iranian-Islamic culture

and considered socially deviant. From a functionalist point of view, the gap between wishes and their realization causes deviation.

When marriage is postponed and sexual needs are not met, these will be satisfied through anomalies and social deviations. Merton tells us that when there is a conflict between accepted social values and access means, grounds for divergence and innovation will appear. 'White marriage' can be called an innovation, a pleasure-seeking function or even a rebellion that is the best alternative to permanent marriage in conditions where lack of access to required means does not allow it.

A variety of anomalous relationships could also be due to lack of control; people with less supervision will repeat their unconventional and non-conformist behaviours more frequently. On the other hand, when a person in a friends group is known to have a cohabiting partner, this type of behaviour is reinforced and confirms the identity of the anomalous person in line with the non-conformity.

3.8. Consequences

Another paradigm framework is consequences. Whenever people decide (not) to do a certain action/interaction in response to an issue or in favour of their interests, there will be consequences (Straus and Corbyn, 2011: 152). According to conducted interviews as well as analyses of experts in the present research study, several consequences of 'white marriage' were identified:

3.8.1. Decline of Gender Clichés, Freedom of Choice, and Reluctance to Official Marriage

Individuals in all human communities can be classified according to social criteria like role, status, class, religion, race, ethnicity, etc. One of the most important social/cultural criteria for this classification is gender. In fact, the largest classification of individuals in every society is based on gender that divides them into two groups of male and female. Each category is then identified with specific gender-based presumptions and default roles assigned to members of that subset which might vary in different cultures and societies.

Clichés are general and flexible assumptions in the human mind that are used in people's judgments and are iterated and reproduced without changes. Gender clichés are sets of organized beliefs about women and men which include information about their appearance, physical attributes, attitude, interests, psychological traits, social relations, and occupations. These different aspects are generally interconnected; simply being known as a woman is almost inevitably associated with having specific physical characteristics (smaller, subtle, and delicate voice) and psychological traits (kind, dependent, fragile, and emotional) and being engaged in specific activities (childcare, cooking, and taking care of a husband).

Gender clichés do not acknowledge women as human beings with complete human rights; the cliché hinders equal relationships between members of both genders and prevents women from progressing and flourishing via their full human capabilities (e.g. emotional, spiritual, and cognitive abilities). On the other hand, gender clichés also prevent men from expressing all their feelings and humanity and direct them more towards violence, competence, aggression, negligence, and coldness (Michel, 1997: 35).

Some common default characteristics attributed to women and men according to gender clichés in prevalent culture are presumptions that women should do home chores and men have to work outside; women are emotional creatures and cannot judge correctly and men should not cry; women have fear and are superstitious creatures, while men are cold-hearted, strict, dominant, and aggressive. Gender clichés in a society are generally negative about women and positive about men; the clichés result in prejudgment and gender discrimination.

Findings of the present study suggest that individuals who have selected ‘white marriage’ or cohabitation believe it to contain fewer gender clichés, compared to permanent marriage. In permanent marriage, procurement of financial needs like *Mahr*, housing, alimony, etc. are assigned to men. On the other hand, women will face financial problems when buying a full dowry.

In Iranian culture, matrimonial roles are also defined for men and women and are generally monitored by their families. In ‘white marriage’, not only gender clichés are reduced, but also more freedom of choice is granted to individuals. Women have more freedom of action and can easily migrate for jobs or any other purpose. Both parties to ‘white marriage’ have more freedom of choice to the extent that if they cannot get along with each other, they can simply separate and choose another partner.

A 28-year-old female from Tehran:

“If you take a look at our older generation, you’ll see that some of them didn’t even experience affection and a true relationship. They live together, but perhaps out of fear from traditions that frown on divorce or other issues. But in these new relationships, you can easily break up with your partner when you are not satisfied...”

A 27-year-old female from Isfahan:

“Gender has not been an issue for us and I was not constrained by being a female and he was not burdened by the traditional responsibilities of a male. Financially speaking, he owned the apartment and everything was alright, but after that I found a job I also gave my own share; we

shared almost one third of our incomes, but I share generally less than him. Our relationship is not open because we believe that we won't have too much energy for others and don't want to face any problem; we need each other and our emotional and sexual needs are also fulfilled."

In the theory of role, concepts of status and status groups and also of role and role sets are of great significance. In fact, status is a place that is occupied by individuals in social structures; according to value of this status in terms of action, power, and dominance, an individual will assign a particular position to him/herself in the social hierarchy. Individuals at every status level will benefit from some rights and privileges, whilst they are also assigned some duties and tasks.

The terms 'status' and 'role' relate together in the sense that the former is known as a position which the individual occupies in the social hierarchy and role is defined as the privileges and duties hidden in status and expected both by status-holder and society. Role set implies all role relations that a person has with other people due to his/her specific social status. Members of a certain social system may award other members who play their assigned role perfectly and also punish those who do otherwise (Douch and Kraus, 1995; 189).

Gender roles are then defined as the prevalent expectations of a society from activities and behaviours that men and women are (not) allowed to be involved in (Kammeyer, 1992). In addition to domestic or social roles assigned to both genders separately, their different personality and behavioural traits (e.g. emotional / coping behaviour of women and aggressive / calculative behaviour of men) are also taken into consideration in gender roles.

The most fundamental idea in social role theory is that the attitude and behavioural differences of men and women originated from the different roles they play in society; these roles acknowledge or deny specific attitudes and behaviours. In other words, an individual's place in social structure (status) forms his/her beliefs, attitudes, and behaviours (social role). Since no matrimonial roles are defined for partners of 'white marriage', those behaviours expected from husband and wife in permanent marriage do not exist.

The most obvious method through which society's culture distinguishes men and women's behaviours is socialization. Socialization is a process through which human beings learn about their society's lifestyle and acquire particular characteristics, so that they get prepared to act and behave as a member of that society. What sociologists emphasize during socialization is learning skills and attitudes judged appropriate for people's social roles. Gender socialization not only turns children into social creatures but also assigns to them masculine and feminine features.

Being male or female is a quality that contains some traits and behaviours appropriate for men and women in each society. The content of socialization (e.g. values, norms, attitudes, and behaviours) originates exactly from the perceived needs of a society's social system (Stanley, 2002).

Although sociologists have consensus in terms of the importance of family, school, same-age friends, and mass media in socializing member of society, most of them attribute the highest level of significance to family. When children constantly see their parents playing their daily gender roles (for example when they see that their mothers spend most of their time, compared to their fathers, doing home chores, cooking, cleaning, and taking care of other members in sickness), it is natural that they consider these roles as normal and accepted roles assigned to men and women (Browne, 1992).

According to gender socialization theory, gender identity and attitudes are inherently transferred to children during their socialization process, with the continuance of masculine dominance and feminine obedience. Men are usually seen as independent, firm, qualified, capable, and confident creatures in the gender socialization process whilst women on the contrary are assumed to be calm, obedient, passive, emotional, and dependent creatures (Schaffer, 1992).

Parents can manage their children's gendered conduct through different channels, one of which is different patterns of mutual action and also behaviour with the opposite sex. Parents promote these gender-based behaviours by giving or avoiding specific responses to certain behaviours of their children; children's imitation of their parents' behaviours results in the different socializations of young men and women.

These differences and distinctions between the two genders that exist from the beginning of life cause young women to learn passive, obedient, and attentive behaviours, whereas young men learn active, aggressive, independent, and self-reliant behaviours. Parents most likely encourage behaviours in their male children that will make them self-confident, independent, and daring, while female children are mostly raised in a manner to conduct mutual relationships with others and be dependent on them (Lindsey, 1997). This gender socialization continues in permanent marriage; but 'white marriage' is largely without such gender discriminations.

Feminist beliefs are more reflected in 'white marriage', compared to official marriages. Men and women work together and call for equality in different life aspects. During past decades, feminists endeavoured to prove that the psychological and social characteristics of men and women have no natural origin and are dependent on education and environment (Zibaeinezhad, 2009: 25). Using the words 'gender' and 'sex', feminists focused on natural and cultural differences; sex differences are originated in biological elements while gender differences imply cultural/social differences (Jazni, 2001: 99-100).

Feminist sociologists believe that women are second-class citizens in capitalistic patriarchy (Ghamari Givi, 2006: 59-60). However, the goal of liberal/reformist feminists is to show that gender differences are not inherent but the results of socialization and the assimilation of role and gender. Behavioural differences of males and females begin more or less from birth and prevent the latter's human capacities from flourishing fully. These differences in the West originated from differences in the education of males and females, society's expectation, the existence of

discriminative laws, and in general the presence of gender clichés (Abbot and Wallace, 2001: 287-8).

3.8.2. Social Exclusion, Lack of Support, and Fear of Pursuit

Not only are ‘white marriage’ or cohabitation not in harmony with Iranian culture and religion, but they are also subject to punishment in Iranian law. The management of sexual relationships has always been a concern for religion and the laws of different societies, because anomaly in sexual relations would distort social construction. Marriage is a solution for this problem which has been recognized in many countries as a reasonable, moral, and jurisprudential issue. Marriage in Iran is also the only legal, conventional, and jurisprudential solution for satisfying sexual needs; other means are not only disapproved by family but also banned by law and conventions.

The present study suggests that cohabitation was hidden from families in the case of most interviewees. Families that were aware of their child’s cohabitation pretended that they did not know; however, these children were usually excluded from their families and deprived of their support.

A 32-year-old female from Mashhad:

“My parents and all my siblings know about me; well, they were not too positive and did not support us emotionally or even financially. Because they did not believe in such a relationship.”

A 26-year-old male from Tehran:

“I didn’t want anybody to know about this matter; I kind of considered it a personal issue and didn’t see any reason to inform somebody else, especially family. I think that this they may exclude us. If my family knows that I’m in relationship with someone, they’ll definability get mad at me and that’s why I try to hide it from them. Because no matter right or wrong, this is kind of a red line in our society.”

Social support by families comprises kindness, care, respect, attention, and help provided by members of a family and others, which has two main aspects, namely subjective and objective. The subjective aspect enables individual to better respond to pressure, some situations being assured of family’s support; the objective aspect, on the other hand, helps individual at the time of unpleasant incidents and crucial situations and prevents individual from mental and psychological crisis. When family and close people leave an individual, not only does s/he feel alone and both

emotionally and psychologically pressured, but also the individual cannot overcome his/her problems, especially financial and emotional ones.

Government and law have always criticized 'white marriage' as one of unconventional patterns of relationship which is accordingly deemed by society as a lack of sexual restraint and social corruption.

Society's general attitude to cohabitation, albeit with some exceptions, has usually been reproving. People's attempts to hide it proves the claim that 'white marriage' is perceived as unrestrained behaviour that people should avoid. Social labelling includes negative attitudes that society imposes on a person who will, as a result, feel excluded and useless. Therefore, people who experience 'white marriage' have to pay for what they choose to do, the cost taking different forms, including fear of legal pursuit, lack of security, and also loss of social support.

Insecurity in cohabitation and the probability of its collapse will certainly cause individuals problems in everyday life. Although the urban environment is appropriate for such relationships and provides necessary accommodation for couples through cheap and small apartment units, the resulting security is obviously fragile and can be disturbed by anybody. A part of this insecurity is fear of legal pursuit or fear of the legal announcement of the relationship and the rest is related to individuals' attempts to conceal this issue from their neighbours, friends, and families.

Further, in the case of pregnancy, babies will be left unsupported; unexpected pregnancies in 'white marriage' or cohabitation will result in unhealthy and illegal abortions or, if born, babies will be supported by the State Welfare Organization or even abandoned. The lack of legal support, exclusion by family, and appearance of mental and psychological problems are among the consequences of these types of relationships. What causes problems and prevents such relationships from being stable and continuous is the pleasure that subjects seek and obtain through this lifestyle. Accordingly, the desire for new experiences and sexual pleasures might be reasons of 'white marriage'. Meanwhile, individuals may not be fully committed to minor responsibilities and mutual agreements.

3.9. Quantitative Findings

Statistical data were collected through many interviews and data collection methods and will be analysed and described in the form of diagrams which will provide us with more obvious understanding of cohabitation phenomenon. A total of 203 interviews were conducted in three metropolises of Tehran, Isfahan, and Mashhad with 86, 64, and 53 interviews each. The interviewees contained 116 females and 87 males.

Interviewers were both males and females; sympathy and trust between female participants was greater. Given the sensitivity of the subject matter for women, they were more inclined to discuss this issue while men preferred to keep it as a secret. In respect of the theoretical and experimental

background of the present study, social changes, transitional culture, defective modernity, and social/economic factors are involved in determining cohabitation phenomenon.

The following sections will present a statistical and formative analysis of this phenomenon in Iran.

3.9.1. Age

Age is one of the most important variables in ‘white marriage’. Conducted interviews and the findings of the study show that the lowest rate of ‘white marriage’ and cohabitation occurs at 37-41 year-old (10.34%) and the highest rate of cohabitation occurs at the age range of 25-30 (45.33%).

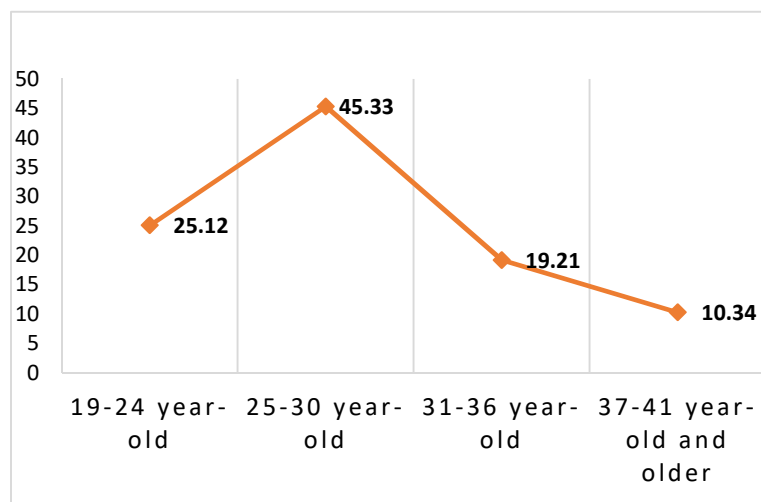


Diagram 1. The age range of interviewees

The 1980s (especially after 1986) was a critical period for this new lifestyle in Iran. Amongst the age features of 1980s and early 1990s were a lack of sufficient educational facilities in schools, university entrance exams and the failure of students to enter universities, high number of students below Master and Ph.D. studies, late marriage, and marriage problems.

The problems of this decade were many and serious, to the extent that some authorities were desperate to find any solutions. In a conference on the Global Day of Future, Eshagh Jahangiri Vice President of Iran discussed existing mega-challenges of the country and said: “whenever the 1980s’ generation entered an arena, we faced problems; their entrance to primary school, high

school, and university and now their employment have been all troublesome, and we have to seriously consider their retirement in the future.”⁵

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Figure 17. Students in the 1990s who are now 30 year-olds or older.

Students of the 1990s mostly graduated from higher education and are currently working in offices or running self-employed businesses in large cities; they are living in Iran with an income barely enough to afford their everyday life, given hard economic conditions and unemployment problems.

Compared to previous generations of the 1970s and 1960s, as well as the early 1980s (who experienced war and revolution), these people are flexible and can cope with conflicting aspects of their lives. Some 28, 29, and 30-year-old people who are the right age of marriage but have not married due to economic, cultural, and social conditions consider ‘white marriage’ as a reasonable choice. According to Diagram 1, these young people, who are preoccupied with new communicational technologies (cell-phone, the Internet, virtual space, Instagram, Facebook, etc.) and are less concerned with religious issues compared to previous generations, are the most likely to select this type of relationship as an alternative to official/permanent marriage.

On the other hand, young people born in the 1990s are now 19-24 year-olds and constitute a large number of the population. Compared to previous generation, they are more flexible. Considering globalization and modernization of Iran, cultural changes, familiarization with western culture, and also the prevalence of the Internet, this generation considers cohabitation, besides boyfriend and girlfriend relationships, a style of living for better understanding and more experience even before reaching the age of marriage. For them this lifestyle is a normal way of living that will be gradually accepted by the society. Young people who are currently studying at university see this lifestyle is a personal choice regardless of religious values – a perspective which has concerned many experts and governmental authorities.

⁵ <https://www.yjc.ir>

3.9.2. Education

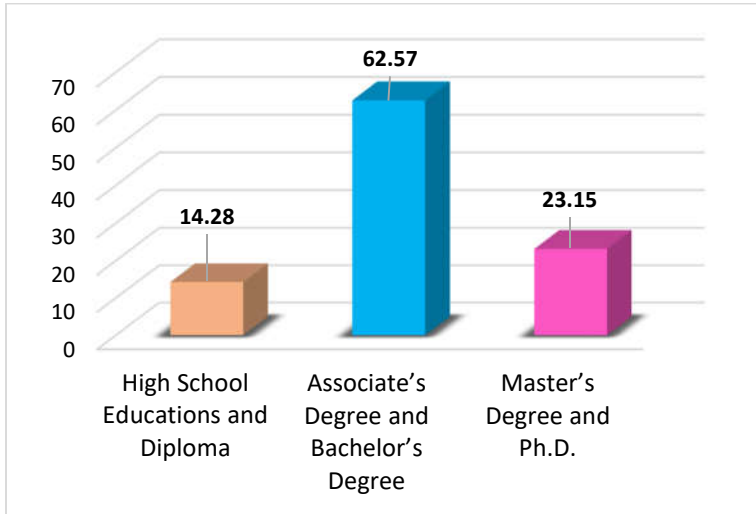


Diagram 2. Frequency of educational degrees of interviewees

Higher education in Iran is a part of an education system that is governed and organized by the Ministry of Science, Research, and Technology and Ministry of Health and Medical Education. Iran's universities provide educational services and graduation certificates, including Associate's, Bachelor's, Master's, and Doctoral Degrees. According to statistical research by the Ministry of Science, Research, and Technology which studied students' frequency in terms of educational degrees at Higher Education Institutes in the educational year of 2016-2017, the number of students undertaking Master's studies was higher.

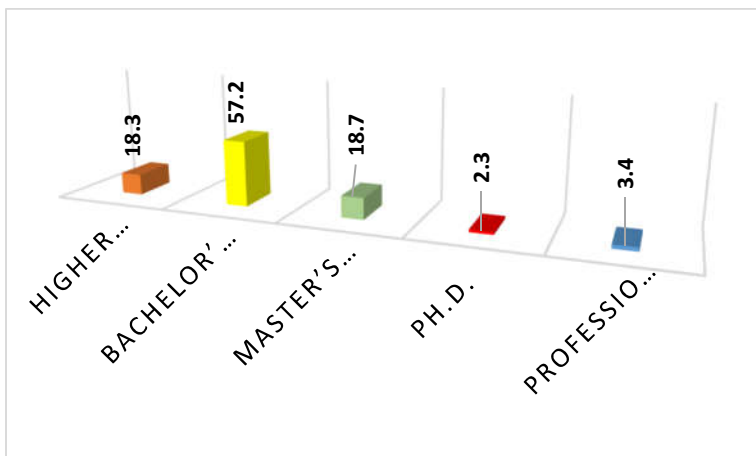


Diagram 3. Distribution of Higher Education students in Higher Education Institutes according to Institute for Research and Planning in Higher Education of Iran

The number of students at each educational level were as follows:

Associate's Degree: 748,677 (18.3%);

Bachelor's Degree: 2,335,729 (57.2%);

Master's Degree: 764,233 (18.7%);

Ph.D.: 93,926 (2.3%);

Professional Doctorate: 140,447 (3.4%).

The present study (Diagram 2) demonstrates that most of the people who had a cohabiting relationship were graduates. Data shows that 62.57% of them had Bachelor's Degrees and 23.15% had Masters and Ph.D. Degrees. Population growth in the 1980s and early 1990s affected academia. Given the implicit social values of university, attempts to enter higher education, along with desire to change social status and seek new job opportunities, resulted in a large number of graduates who were born in the 1980-90s. As a result, many young people had to migrate to capital cities for educational purposes.

Student life, modern and especially western culture, and acquaintance with intellectual ideas at universities formed a new generation that did not deem it necessary to follow the values of previous generations. Due to high living costs, especially in large cities, and the impossibility of marriage, lack of control by families, and also need to fulfil sexual desires, these students selected 'white marriage'.

3.9.3. Employment

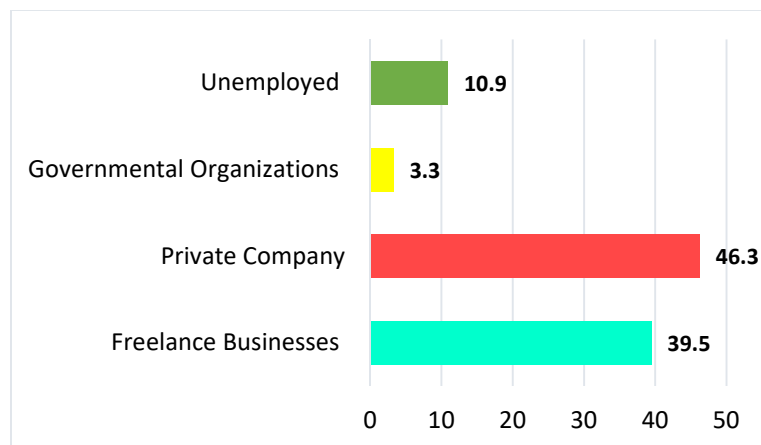


Diagram 4. Types of employment

Due to the high rate of unemployment in small towns, lack of job opportunities, and lack of coordination of educational fields and the free market, and saturation of governmental job positions, educated people usually migrate to capital cities and work in private companies. This gives rise to job insecurity and fears among young people about official marriage, resulting in its replacement by 'white marriage'.

Diagram 4 shows that cohabiting interviewees were mostly employed in private companies (46.3%) or were running freelance businesses (39.5%); these two occupations were most common among interviewees who were simultaneously studying and cohabiting with their partners. These people could afford to live in a capital city and had a more funds to meet the needs of their relationship, which gave them a more powerful status as well.

Nonetheless, given the women's share in the marketplace, they have normally lower salary rates in private companies and are then provided with fewer job opportunities, compared to men. Although 'white marriage' or cohabitation are both free from gender stereotypes and the agreements of official marriage, there is still a kind of patriarchy and male authority in these relationships.



Figure 18. A report of the Statistical Centre of Iran shows that of all 11,839,000 students and graduated students, 6,295,000 are male and 5,543,000 are female; 5,000,000 men are employed and number of employed women is only 1,454,000.

People who were born in the 1980s are currently in the fourth decade of their lives and should have a job with high security according to which that can plan their future, but thousands of them are still struggling with unemployment. While Iran's economy has not yet recovered from the recessionary crisis, people born in the 1990s have reached a stage where they are considered as serious competitors for the previous generation in the market. The high rate of unemployment also covers doctorate graduates as well; in other words, the prevalence of unemployment prevalence is such that no social/educational class of people is safe. This widespread recession and

unemployment has forced majority of young people to engage in private enterprises with low income.

3.9.4. Religious Beliefs and Faith

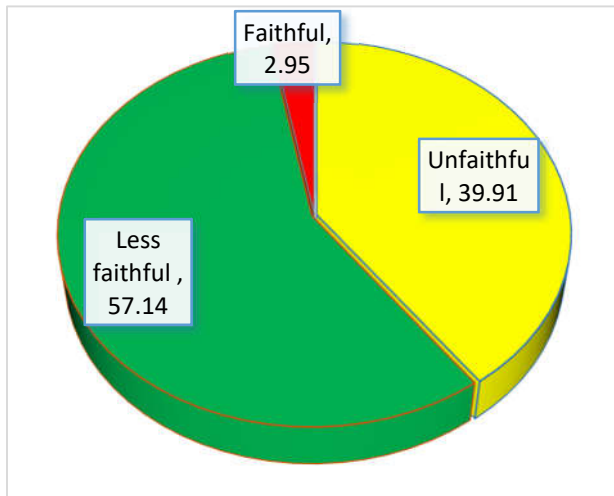


Diagram 5. Degree of religious beliefs and faith among participants

Religiosity means institutionalizing religious values and doctrines in all aspects of life and has many impacts on both individuals and society. Iranian society expects everyone to practise Islamic rules and considers Islam as a comprehensive framework for the individual and social lives of people, but, according to many experts and researchers, there has recently been a disaffiliation from religion and decreased religious faith among its members. According to diagram 5, 39.91% of interviewees with a cohabitation lifestyle were unfaithful, 57.14% were moderately faithful, and 2.95% were completely faithful without being necessarily committed to religious actions. These findings suggest a kind of apostasy and decrease of religious beliefs among Iranian young people.

Religious evolution is not a new subject and Weber is a pioneer in this field. Weber considers rationality as the central core of the modern world which covers all aspects of human life; when discussing disenchantment and the 'iron cage', he actually describes religious gaps in industrialized modern society.

Weberians suggest that the growth of rationality has affected religion's role in two aspects; firstly, through impacts on the religious faith of believers, which has caused disenchantment with religion; and secondly, by changing economic and social structures of society which are reflected in different spheres like industrialization, urbanism, and bureaucracy. Given the fact that Iran is also on its way towards modernization and development, and a type of religious self-reflection based on western theories and culture has been recently common especially among young people, secularization is considered a regular issue and based on modern rationality. Secularism and the

separation of religion from personal and social life has been one of the main factors in the prevalence of cohabitation in the west.

3.9.5. Acquaintance

Diagram 6 shows how participants became acquainted with their partners on the first place. 47.3% of interviewees met their cohabiting partners in students groups, 33.5% in a work environment, and 19.2% through virtual space.

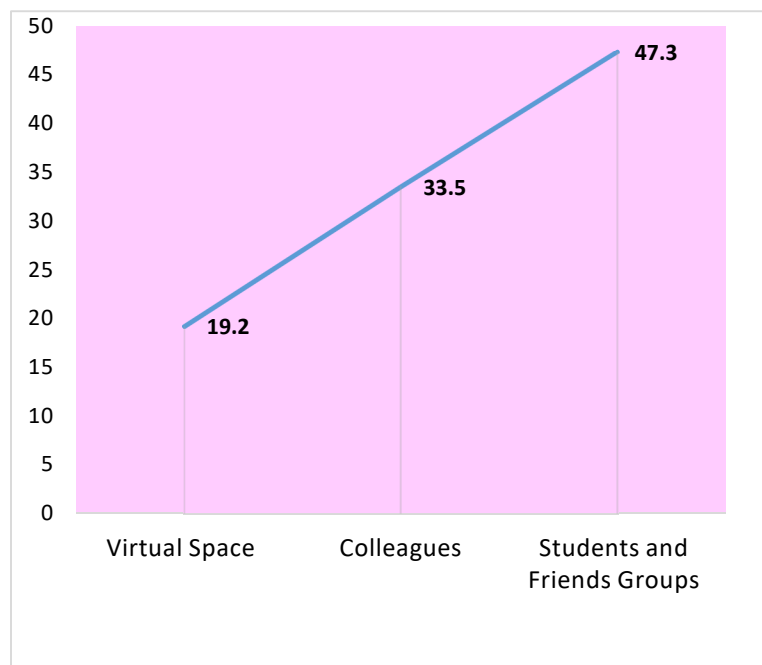


Diagram 6. How participants met their partners

The data suggest that trust is formed after being completely familiarized. People in student or feminist groups and theatre or movie clubs are normally in contact with each other for a long time and understand each other's opinions and attitudes in different meetings and gatherings. However, such groups gradually become smaller and restricted to a few members with similar beliefs and behaviours. Some cafes presently turned into cosy places for young men and women where they can spend many hours discussing life in general. Cafes are increasing in capital cities, because they provide a good space for friend circles to spend time together without social or family control.

People who opt for cohabitation generally find their desired partners in or through these circles. The general director of Migration and Demographic Information and Data Office of the State Registry Organization of Iran reports that there are 11,240,000 single people (5,570,000 male and

5,670,000 female) who are at the age of marriage but have never married. The majority of these single men and women are graduates and ready to start a job but due to insufficient governmental employment they are employed in private companies or work in freelance businesses. Lack of family control or strict job rules/regulations of governmental positions cause single people in capital cities to find counterparts in terms of behaviour and spirit. This results in more intimate relationships to the extent that cohabiting partners often have in common jobs, education, mindset, etc.

On the other hand, virtual space is one of the most important factors that provides the means for unlimited relationships. The Internet and virtual social networks have transcended borders of time and space and connect people from all around the world. Virtual spaces and networks are terms that are used to designate a group of people who have constant and widespread relations together and make unified connections.

With the present easy access to smartphones and the Internet for a large group of young people, membership of social networks have become more prevalent, and this has influenced people's lifestyle. By uploading their pictures on their profiles or private pages, people in fact exhibit their personal and private life to others. Virtual space allows people to present their ideal selves to some extent; selves that can be a background of that person in virtual space or a mixture of his/her foreground and background. Virtual space, in this sense, can act both as an immediate presentation of a person and as a background to who they are.

Although this presentation of personal life is not always in line with reality, profile pictures and access to others' profile enable individuals to get in contact and form relationships. Relationships in the past were generally through secret phone conversations or short dates, but people are now in daily contact with each other through the Internet and social networks. This ease of access and frequent communication prepares people for close relationships and mutual trust which might finally lead to arrangements such as 'white marriage'.

3.9.6. Relationship Duration

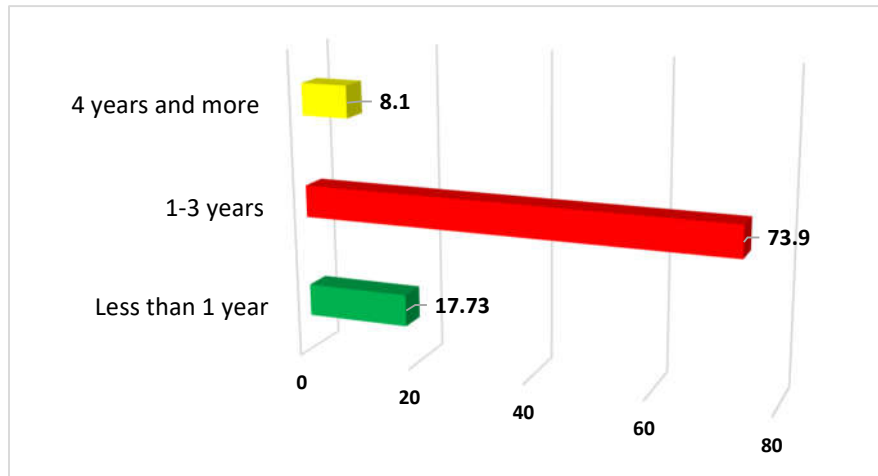


Diagram 7. Distribution of the duration of cohabitation

Cohabitation is a serious rival to marriage as an institution, taking the form of non-official marriage. Although this pattern of relationship is claimed to be promising by its followers, it has drawbacks in terms of its commitment and also ignores rules and traditions. People who yield to such relationships, with its contrasts between modernity and traditions, live in a world full of contradiction, conflict, and questions. For that reason, their primary love and affection may soon be lost, perhaps to be replaced with hatred, grudge, and self-blame. These relationships often cannot endure.

Enquiries revealed that most couples who had chosen 'white marriage' were together less than 4 years and then separated. As shown in diagram 7, cohabitation relationships lasting 1-3 years have the highest rate (73.9%), while other cohabitations usually lasted less than one year (17.3%) and more than one year (8.1%).

If we classify these rates into three classes of long-term, middle-term, and short-term relationships, most interviewees had middle-term and short-term relationships. Desire for change, lack of commitment, post-cohabitation problems, and domestic violence against women, boredom, social exclusion, and fear of being caught in such a relationship are all factors that may cause these types of relationships to stop. Most of these relationships would not last more than 3 years. When cohabitees face problems in their love relationship, any effort to overcome those problems would be probably in vain because it is always possible to end the current relationship and start another one.

In research conducted on patterns of cohabitation among young people by Taghi Azada Armaki in 2012, it was shown that all cases of cohabitation included two parties who were both educated and employed; they had deceived their families and did not let them know about their secret cohabitation, with the excuse that they needed to experience an independent life away from family.

Using the lens of this study, cohabitation relationships usually had love and affection, the decline of which would gradually cause separation.

3.9.7. Violence against Women

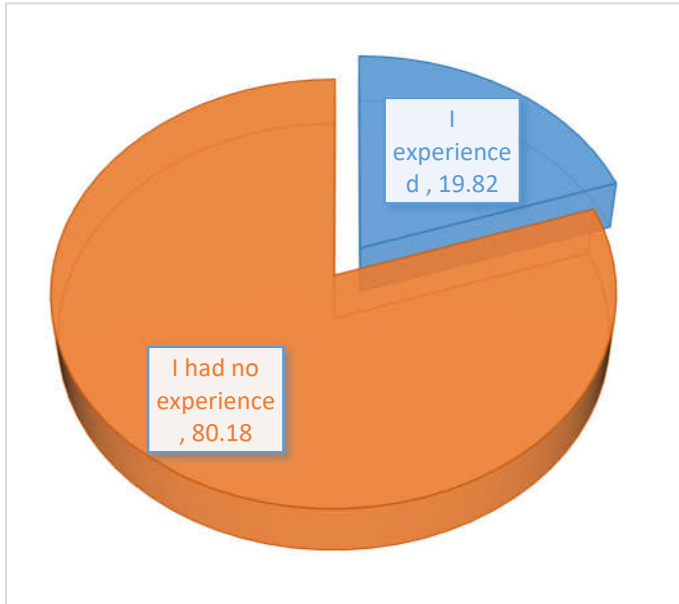


Diagram 8. Incidence of violence among female interviewees

Violence against women is defined as any violent sexual action that may cause or probably lead to physical, sexual, and psychological injuries of women which are harmful and can deprive them of their individual and social freedoms. The most common form of violence against women is a domestic violence which is performed by a live-in partner.

According to the findings, 19.82% of female interviewees had experienced domestic violence and 80.18% had relationships without violence.

Although men can also be victims of violent acts by women, findings of several studies suggest that women are subject to violence of their partners eight times more than men. Surveys in different parts of the world revealed that 10 to more than 50% of women have been victims of violence or misbehaviour by their husbands and around one third to half of them had been subject of physical misbehaviours accompanied with psychological violence.

Since ‘white marriage’ is a secret and illegal relationship, so is violence against women in the relationship.⁵ Different factors, including poverty, psychiatric disorders, addiction, etc. influence the occurrence of domestic violence. Since females in ‘white marriage’ have no legal right of claim, they are even more vulnerable to domestic violence by their male partners, who may abuse their positions.

The illegality and lack of any legal support for women in ‘white marriage’ suggests more violence against women. It is possible that even more than 20% of female interviewees experienced violence, since some people may not feel comfortable to open up and discuss their personal matters in detail in such short and formal interviews. Thus, this percentage seems to be limited and low given the nature of ‘white marriage’.

One of the most important reasons for our lack of adequate knowledge violence in ‘white marriage’ may be questions around the correct definition of violence and related phenomena. Violence has different economic, social, physical, psychological, and verbal aspects, but probably interviewees mostly had physical violence in mind and did not consider other dimensions.

On the other hand, some couples choose ‘white marriage’ in order to free themselves from the limitations, responsibilities, and commitments of official marriage. Since self-centeredness is a core issue at this type of marriage, any conflict in tastes or misunderstanding may result in violent acts and behaviours.

3.9.8. Informing Family and Friends

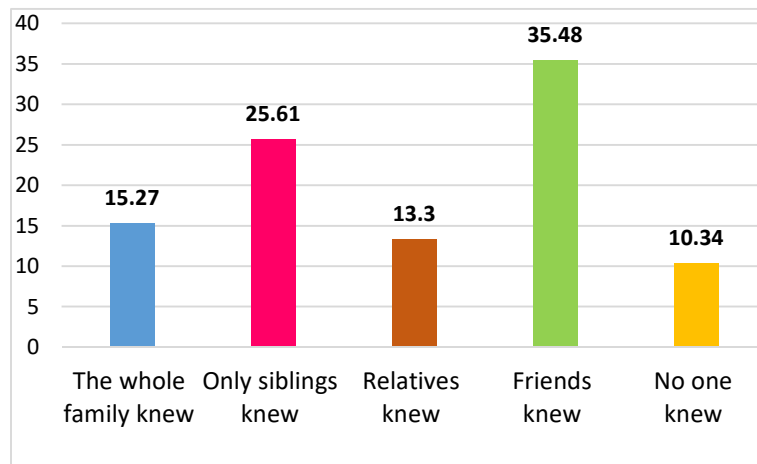


Diagram 9. Extent to which families and friends of interviewees knew about their cohabitation

⁵ Tinglöf S, Högberg U, Lundell IW, Svanberg AS. Exposure to Violence among Women with Unwanted Pregnancies and the Association with Post-traumatic Stress Disorder, Symptoms of Anxiety and Depression. *Sexual & Reproductive Healthcare*. 2015;6(2):50-3.

The family as an institution is one of the most fundamental mechanisms in socializing and transmitting society's values and attitudes to future generations, to the extent that the family links different generations together. The concurrence of the globalization process in Iran and the enhancement of western culture in the country in various cultural aspects have distinguished the present generation from others. Expression of beliefs and reactions of young people are different and depend on the socialization process and families' environments. Families whose children are allowed to choose their own lifestyle, even though in contrast with their parents, are normally aware of these types of relationships.

Diagram 10 shows that 15.27% of interviewees claimed that their whole family (parents) knew about their cohabitation, while in 25.61%, 13.3%, and 48.35% of cases respectively, only their siblings, close relatives, and friends were aware of their relationships. No one knew about the cohabitation of 10.34% of interviewees.

Friends groups with similar mind-sets normally share their secret relationships and let other people know. Due to their unconventional and abnormal nature, a large number of these types of relationship are also completely hidden by individuals, especially those who intend to marry in the future. A few people said that their families knew about their relationships. This value conflict is usually hidden from parents whose lack of supervision on children in capital cities have made it easier for them to hide this secret, compared to small towns. Some interviewees even claimed that their parents knew but pretended that they did not know.

This is a sensitive issue related to honour, so the awareness of parents may in some cases result in incidents like honour killings. In general, cohabitations or similar relationships are hidden because of fear of social exclusion, labelling, and legal penalties.

3.9.9. Tendency to Official Marriage

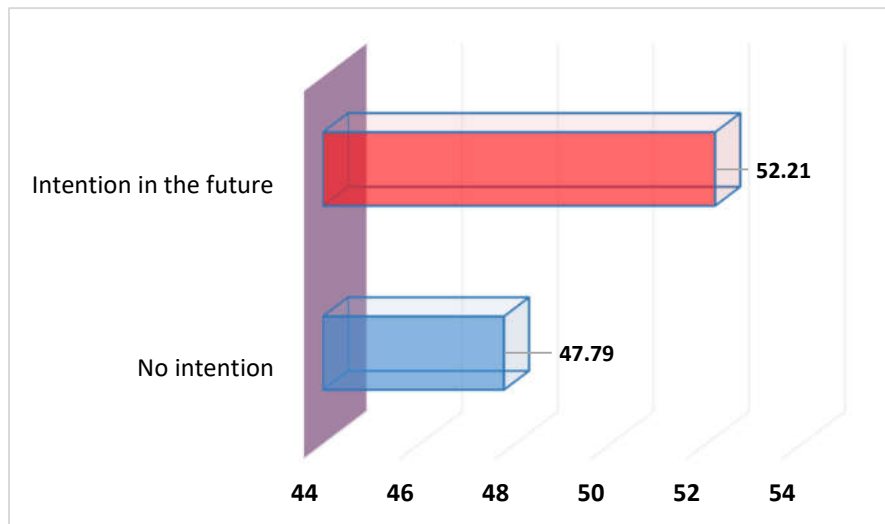


Diagram 11. Tendency to official marriage among participant

In a survey on (dis)agreement of people with cohabitation without marriage conducted by Statista, Das statistic Portal in Germany in 2012, around 80% of respondents agreed with cohabitation; and it is suggested that official marriage has been completely replaced by ‘white marriage’. Religious and cultural experts in Iran consider this semi-marriage a by-product of western influence and attribute the decline of official marriage rates in recent years to the increasing tendency towards ‘white marriage’. They are concerned about the possible consequences of this trend and fear that if no appropriate solution is found for this problem, more young people will choose ‘white marriage’ as an alternative for official marriage.

Diagram 11 shows that 47.79% of interviewees with cohabitation experience did not intend to marry and wanted to continue their current relationship, while 52.21% of them intended to marry officially. This small difference between these two rates suggest that tendency to ‘white marriage’ has increased to the extent that it can now be considered as a substitute for formal marriage.

According to Saeed Peyvandi, the increased number of single people in Iran does not necessarily mean that they do not have sex or are not in contact with the opposite sex. He discusses the occurrence of a silent demographic revolution in Iran and believes that Iranian young people are increasingly distancing themselves from traditional lifestyles within the familial framework.⁵

⁵ <http://www.dw.com>

No specific statistics exist about ‘white marriage’ and it cannot be easily discussed. ‘White marriage’ is more desired by young males and females and not restricted only to Tehran; it is also observed in other parts of the country, especially metropolises.

Despite lack of any accurate statistical data about cohabitation, there are other sporadic statistics that may show the empty half of the glass (or negative aspects of this phenomenon); decreased rate of marriage and increased age of marriage. The latest census, performed in 2016, shows there were 4,423,225 and 5,372,989 single women and men, respectively, who had reached the age of marriage (20 to 34 years). For every 100 males there are therefore 82 females in Iran who have reached the age of marriage, which is rising. However, the average age of marriage among educated people is increasing more than for the rest of society. What is quite clear is that high number of single people and low rate of marriage are not the results of lack of contact between opposite sexes, but rather emergence of a new replacement for official marriage which has been preferred by many people.

3.9.10. Reasons of Tendency towards ‘White Marriage’

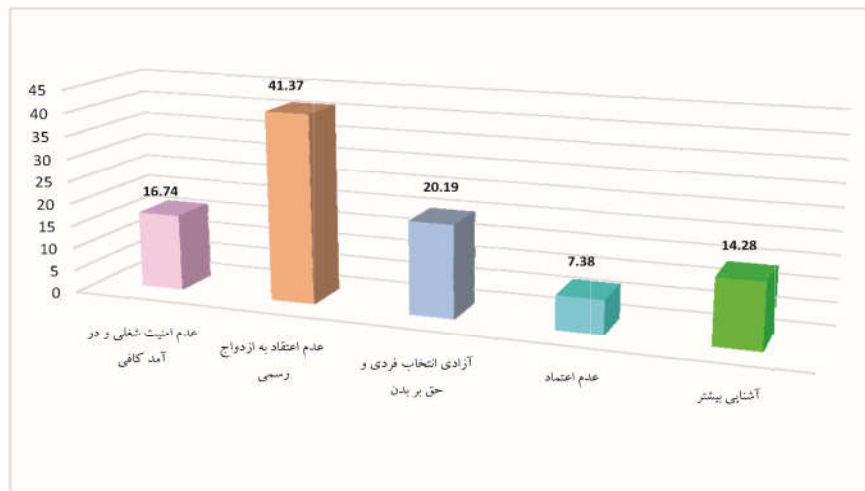
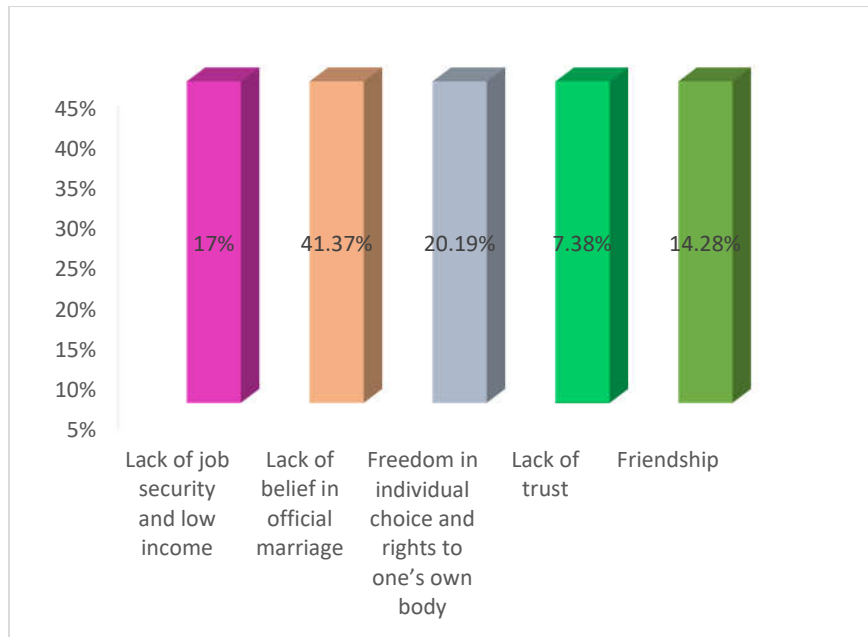


Diagram 12. Different reasons for selecting cohabitation by participants

There has been insufficient research on ‘white marriage’ in Iran, which has not been explored like in the west. Most experts consider cohabitation as a western phenomenon or as an outcome of economic conditions in Iran. Identifying aspects of ‘white marriage’ and its reasons needs more scientific study. The present research study is the first attempt to thoroughly explore cohabitation and related causing factors in Iran.

Of all the interviewees, 41.37% did not believe in official marriage and declared this as the most important reason for tendency to 'white marriage'. More freedom and bodily rights (20.19%), lack of job security (16.74%), more friendship (14.28%), and lack of distrust (7.38%) were respectively other important reasons for selecting 'white marriage' by interviewees.

Some experts generally consider financial difficulties and low income as the main causes of increased bachelorhood and reluctance to get married; nevertheless, other reasons which are only partially economic are of greater importance. Disbelief in official marriage is due to exacting traditions like expensive wedding ceremonies and etc. These traditions are embedded in inconsistent cultural expectations common among even those families which oppose Islamic learnings.

The existence of rules like guardianship, and gender clichés in official marriage, are among the factors that cause young people to prefer 'white marriage'. Of some importance here are freedom of choice and bodily rights. Regardless of religious and legal concepts, the latter is projected by some people via civil disobedience like 'white marriage'. Lack of job opportunities and low income would also present 'white marriage' to young people as an appropriate alternative, with a mutual financial partnership without any gender clichés.

'White marriage' and cohabitation are not exactly similar to their western counterparts. Some participants stated that they had spent only 2 or 3 days per week with their partners; this implies that they only intended to get to know each other more. The crisis of trust in the current world is a prevalent issue that has affected many countries. Distrust and lack of honesty at the time of marriage have created a kind of fear in people who will encounter legal responsibilities just after registering their marriage and starting to know their partners. Therefore, distrust causes people to prefer a relationship that could easily end without any legal liability in case of betrayal or dishonesty.

3.9.11. Pregnancy

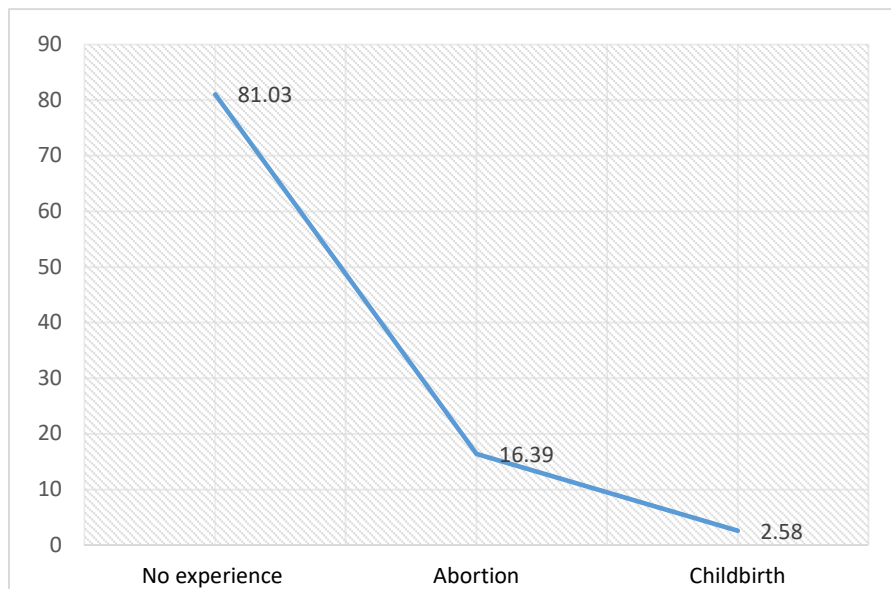


Diagram 13. Incidence of pregnancy and abortion among participants

The aim of ‘white marriage’ is an emotional relationship accompanied with sex without responsibility and commitment. In this type of marriage people try to avoid pregnancy as much as possible and, if it occurs, abortion is the first solution that a couple may think of. Diagram 13 shows that 81.3% of interviewees have not experienced pregnancy, 16.39% of them had an abortion, and 2.58% gave birth to their children.

Under Iranian law abortion is illegal except in cases determined and permitted as abortion therapy by a single article of the Iranian law enacted in 2015. Abortion therapy is allowed and accepted under certain circumstance; if three specialists and a legal medicine commission diagnose a disease in the embryo which might cause mental/physical disability of the child, or injury to the mother, or when they detect and ascertain a disease in the mother which may put her in danger, abortion can be performed with the consent of mother (within the first 4 months) and the attending physician shall not be held liable. Any violations of this article shall be subject to certain penalties according to Islamic Penalty Code.

Awareness of methods to prevent pregnancy, through a pool of information and also easy access to prevention tools for pregnancy, have enabled cohabiting partners to avoid unwanted pregnancies. However, abortion and abandonment were the solutions most of interviewees suggested in case of unexpected pregnancy.

Pregnancy without legal marriage implies the act of *Zina* and illicit relationship which are subject to punishment according to Islamic Penalty Code. There is therefore no way except abortion if pregnancy does occur, and this has increased during recent years. However, given that people may not become aware of the pregnancy in time, or may not be familiar with the abortion regulations, they may have to succumb to illegal and non-hygienic abortions which are usually associated with excessive pain and may leave women with irreparable physical/psychological consequences.

Alternatively, a small group of people would give birth to their children who are then mostly abandoned or sold.



Figure 19. Illegal abortion and abandonment of a fetus on Vali-e Asr St., Tehran

3.9.12. Virginit

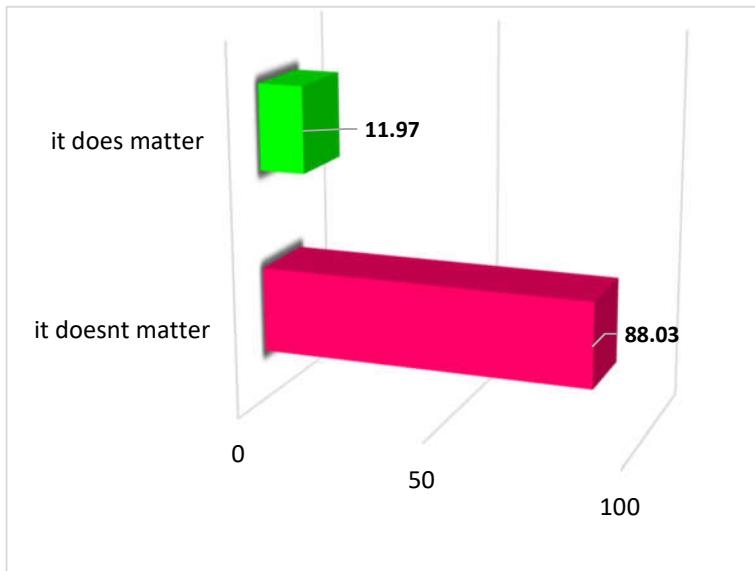


Diagram 14. Importance of virginity among participants

A virgin is a person who has had no sexual intercourse and, if a woman, whose hymen is untouched. Virginit is of a special importance in some cultures and religions and it implies chastity, honour, and decency, especially for women. Losing virginity before marriage (without medical reason) suggests social immorality and anomaly in women and a belief that they are not suitable for marriage.

For various religious and legal reasons, some people in Iran ask future brides to undergo a virginity test. In such cases, people either do the test voluntarily or are forced by the family to apply for an approval of virginity by referring to a gynaecologist or legal medicine centres. In certain cases, virginity testing is only performed by legal medical authorities, with a judicial verdict; for instance, when a person files a complaint of rape, or when a husband or his family submit a plea relating to their bride's lack of virginity, the court shall issue an order for a virginity test. For these reasons, hymenorrhaphy has now become very common and is performed illegally and under unhealthy and non-standard conditions which might cause physical damage.

People who have lost their virginity and consider it a private matter will marry those with the same attitude; otherwise, they have to hide this secret or succumb to such surgeries. Considering that sexual relationships are generally frequent in cohabitations, people involved in such relationships seem to be less inclined to official marriage. Therefore, they choose 'white marriage' as a solution for their bodily rights and they disregard social traditions, preferring to begin a new cohabitation after one another.

Chapter Four: Suggestions and Solutions

A 26-year-old male from Tehran:

“I didn’t want anybody to know about this matter; I kind of considered it a personal issue and didn’t see any reason to inform somebody else, especially family. I think that [if they know] this they may exclude us. If my family knows that I’m in relationship with someone, they’ll definitely get mad at me and that’s why I try to hide it from them. Because no matter right or wrong, this is kind of a red line in our society.”

4.1. Introduction

Sexual revolution in the late 1960s in European and American countries gradually changed people’s lifestyle. Before that, it was believed that sexual needs should be fulfilled only through marriage; however, with the emergence of different perspectives, increased age of marriage, increased individualism, and the appearance of new family lifestyles, this belief succumbed to change. This new trend of thought and action progressed to the extent that America in the 1970s witnessed 400,000 cohabiting couples, and the figure reached 1,500,000 people in the following decade. By 2010 this number had increased to 7 million couples who lived together without registering their marriages.

In Britain, 3% of women cohabited (without marriage) in 1997, and the figure increased to 26% in 1998. Eastern countries were similarly no exception in this respect; 3% of people in Japan in 1987 had cohabiting partners, increasing to 8% in 2005 and 20% in 2006. Meanwhile, the number children born in these relationships are also increasing. For instance, more than 50% of children in Sweden, Norway, and Denmark are born in cohabiting families.

The typology of ‘white marriage’ can be formulated to acknowledge three aspects, based on the quality and duration of relationship as well as attitudes towards marriage (Carrie Murrow & Lin Shi, 2010). These three types include cohabitation to enable greater mutual acquaintance and as a prelude to marriage; cohabitation as a trial marriage; and cohabitation as a replacement for marriage.

The first type of cohabitation is generally seen as a prelude or experimental stage for couples to get to know each other better, for partners or couples who are keen to get married and normally do after two years (Brown, 2003). Compared to the other two categories, this group of people are usually more optimistic about the future of their relationships, they show more compatibility with their cohabiting party, and they have a more positive attitude towards permanent and official marriage. At this stage, people spend most of their time with their partners and try to focus on their personality; they seriously discuss their goals in cohabitation and also other issues like the duration of their relationship and their expectations from marriage (Sassler, 2994).

Media in the west frame cohabitation as a prelude to official marriage, suggested to women mostly, to the extent that one women's news agencies (womensophy) spells out the advantages of pre-marriage cohabitation and recommends women to try it. It regards cohabitation as an opportunity through which; 1) you can share your chores; 2) you will obtain a necessary experience; 3) you can reduce expenses; 4) you get to know your partner's characteristics better; 5) you challenge yourself (prepare for a new stage in life); and 6) you enjoy living with a person who fulfils your needs (rather than living alone).⁵

However, the results of various studies show that marrying people who have experienced long-term cohabitation might not be the best solution and such marriages will most likely collapse, because the partners may not have a positive attitude towards their relationship after marriage (Rhoades, 2009).



Figure 20. In spite of the normality of pre-marriage cohabitation, research has proven that this is not always a good idea for couples who intend to marry.

⁵ <https://womensophy.com/reasons-live-together-marriage>

In the second type, cohabitation is more of a sexual relationship without the intention of getting married (Rindfuss & VandenHeuvel, 1990). In this aspect, couples are not certain about their future and even if they intend to get married, they will choose a person other than their current cohabiting or sexual partners for that purpose. They actually experience a kind of trial marriage without a specific future (Brown, 2000).

The third type of cohabitation/'white marriage' has the common and conventional meaning of being a replacement for permanent marriage. 'White marriage' refers to the long-term relationship of couples who are not married, and it accepted in common law as an alternative to formal marriage (Rindfuss & VandenHeuvel, 1990). People who are not able to get married for financial reasons selected cohabitation as an alternative. In this group, there are also couples who were not content with their previous formal marriages and preferred instead cohabitation. Although this group of people are always sceptical about permanent/official marriage as a legal and social institution, they normally have long-term and relatively stable relationships (Bianchi & Casper, 2000).

Putting aside the necessities and rules of official marriage in favour of more freedom, lack of responsibility and gender roles, and also sharing things in cohabitation, are the main factors which explain why people select it as an alternative to official marriage (Elizabeth, 2000).

In the west, cohabitation is a legal and customary phenomenon. If necessary or inclined to, in some countries parties to this relationship would give their residential addresses or even personal information to local police and register their relationship in both police office and municipality for further follow-ups in case of any fight, childbirth or the like. In terms of lifestyle, everything is clear and both parties agree to play their assigned roles. If they reach an agreement to separate, the assets accrued during their cohabitation will be split between them and if necessary, legal authorities will hear their appeals and women have equal rights with men.

Researchers have found structural causes for the social changes in the family and the prevalence of cohabitation in the west (America and other developed countries). Along with social changes in the family after the Second World War, and an increase in social movements, the age of marriage increased, pregnancy rates decreased, and separate lifestyles became prevalent. In addition, out-of-wedlock births increased during this period (Smock, 2000).

Social experts have explained some important structural factors that have led to the prevalence of cohabitation in the west. One of these factors is culture, which includes individualism and secularism (Lesthaeghe & Surkyn 1988, Rindfuss & VandenHeuvel 1990). Individualism means that each person has his/her own physical/psychological private sphere and possesses a personal belief and other essential rights that all need to be respected in every circumstance.

Individualists respect peoples' actions, goals, and needs, thereby valuing independence and self-reliance; they defend the fact that a person' interests should be prioritized over the benefits of government or a group of people. Meanwhile, individualists disagree with external interventions in society or with government interference in people's personal affairs.

Likewise, secularism as a sociological concept implies any situation where society disregards religious beliefs in its decision-making processes or holds them less centrally. Since the 1960s, individualism has been prioritized and participation in religious circles and religion's influence in personal lives has decreased significantly.

Economic factors and industrialization are the second important causes of cohabitation in the west. Women's entrance into the marketplace and changes of attitude to their employment decreased the tendency to marriage and family life (Cherlin & Furstenberg, 1988). The decline of gender clichés and the equality movement resulted in more cohabitation. The sexual revolution in the west was however the most influential factor in increasing cohabitation (Bumpass, 1990).

The sexual revolution was a social movement which challenged the traditional system of sexual behaviours and interpersonal relationships in the west between the 1960s and 80s. Most of the changes in sexual norms like cohabitation have now turned into common trends.



Figure 21. Demonstration for freedom of comfortable dress at work, against discrimination and enforced heterosexual and monogamist relationships (old marriage), and for the normalization of homosexuality and legal abortion

What has so far been discussed shows the changing process of social structures in the west and how cohabitation has turned into a known and accepted legal and conventional norm. Because of the potential negative consequences of such changes for children, a decreased reproduction rate, family changes, etc., this type of relationship has been studied and scrutinized from its onset by legal authorities in order to avoid and eliminate its negative aspects.

So how is this behaviour controlled and accepted in religious developing countries like Iran?

Despite globalization, the prevalence of modernity, and specific economic/social conditions, developing countries are still faced with the phenomenon of cohabitation especially in their metropolitan areas. Given the religious nature of societies like Iran and the appearance of

cohabitation relationships, how should these be controlled in order to reduce their negative aspects?

Authorities in these countries generally deny this phenomenon, which implies a secret acceptance or intolerance due to the lack of sufficient and accurate knowledge and secrecy around the facts. Given this situation, and since this phenomenon is currently practiced in Iranian metropolitan cities like Tehran, Mashhad, and Isfahan, it should be comprehensively and realistically studied without any political prejudice in order to develop appropriate solutions and decrease negative consequences.

4.2. Conclusion

Patterns of sexual relationships have undergone many changes in the world over the past decades. Similarly, Iranian society has encountered remarkable changes in young people's values and beliefs. Studies suggest that pre-marital sex is increasing in Iran. One of the new forms of pre-marital relationships in Iran is cohabitation or 'white marriage' which has become very common in capital cities like Tehran.

Cohabitation is defined as a relationship where two sexual partners live together without being married; however, it is considered illicit from a religious point of view. This relationship has no legal and conventional status in Iranian/Islamic culture of Iran and is considered a relationship outside of marriage commitments.

Since 'white marriage' is a cultural and social taboo in Iran, it has been less investigated and studied in academia; no comprehensive book has been so far published on this subject, beyond a few article and theses.

In their study "Tehran Metropolis and Signs of a New Pattern of Men/Women Relationships; Context, Process, and Consequences of Cohabitation", Golchin and Safari (2017) interviewed 16 cohabiting couples and analysed the information obtained, using a contextual theory method, to explore the decline of the family's function and significance, emigration in Tehran, a city with comparatively few formal constraints on behaviour.

Negative attitudes towards traditional marriage, feminist beliefs, and no adherence to society's religious values, were identified as causal conditions for cohabitation. Intermediary conditions identified included engagement in the development of emotional love. Awareness of cohabitation, as associated with some outcomes, including equal/open-ended relationship, tolerance of internal/external restrictions, loss due to separation, and the promise of marriage in order to overcome external factors was also noted. Golchin and Safari also identified "cohabitation, an unstable relationship caused by the conflict of modern and traditional values in Tehran metropolis" as the major phenomenon of their research.

Karimian and Zarei (2016) conducted a study entitled “Qualitative Study of Women’s Life who are Engaged in Cohabitation with the Opposite Sex.” They collected information through deep and semi-structured interviews with 19 women. Their data suggested that women involved in such a relationship showed a relative satisfaction of their relationship, with a low quality and weak mutual commitment; and the women were fearful of family/society’s judgment and personal harm and did not intend to get married in the future. Karimian and Zarei concluded that the gradual prevalence of cohabitation among Iranian young people, along with a high divorce rate, the increased emotional/sexual infidelity of married couples, and the popularity of pre-marital relationships, have all targeted the Iranian family as an institution. These researchers called for prompt attention and control by experts and authorities in order to revise policy-makings in the fields of employment, economics, marriage, media and culture.

In their study “Cohabitation; Appearance of New Forms of Family in Tehran”, Azadarmaki *et al.* (2012) interviewed 21 young men and women who had experienced cohabitation. Findings indicated that cohabitation was a product of Iranian modernity and the expansion of globalization in Iran. These processes firstly change economic and cultural circumstances (value systems) and then gradually cause social changes to the country. The result of these social changes has been the emergence of cohabitation patterns among some Iranian young people.

Sociologists have so far determined different reasons for this lifestyle which is mainly common among students in Iran, including financial problems, desire to obtain more experience in relationship and to know their partners better, lack of faith in marriage, declining religious beliefs, increased number of divorcees, imitation of lifestyle patterns presented in foreign media, women’s high expectations, cancellation of marriage-related loans and the financial support of men, less financial commitment, and finally escape from the difficulties presented by weddings.

Changes in culture and attitudes of the new generation to social life and relationships have resulted in the growth of such open relationships. Women’s education, employment, and financial independence have caused them not to humbly accept patriarchal rules. Men, on the other hand, seek less complicated relationships with the opposite sex. For that reason, both young men and young women currently look for an unofficial relationship and cohabitation instead of legal marriage.

Studies on cohabitation in Iran are few and limited only to theses and articles written or published in the last few years. These studies were generally conducted with few participants (10 to 20 people) and analysed this phenomenon only from limited points of view (e.g. psychological, sociological, religious or legal/jurisprudential). The present study is therefore the first attempt to present a comprehensive overview of cohabitation inside of Iran from all legal/jurisprudential, psychological, and sociological aspects, with a larger sample group of 216 couples (not restricted only to students) and using grounded theory method.

Disaffiliation from traditions, economic security, profitable relationships, financial partnerships, the originality of emotional / sexual needs, lack of commitment, fear of homelessness, separation

from family, pleasure, the need for sympathy and companionship, the difficult commitments of marriage, reduced religious beliefs, the importance of love, a gap between sexual and economic maturity, unsuccessful marriages, *carpe diem*, independence, a tendency to modern lifestyle, and in general a new reading of the concept of marriage are all important factors associated with 'white marriage' in Iran. Emphasizing social and legal-jurisprudential dimensions, the current research study sought to scrutinize cohabitation in Iran in four chapters.

In the following, social and legal-religious principles related to 'white marriage' in are briefly discussed.

There are different theories about social definition of 'white marriage'. By highlighting the difference between traditional and modern societies, Reisman develops a theory for determining social harms and deviant behaviours. According to him, people's conduct in traditional societies is guided by tradition; the unified complex of traditions in these societies gave people a specified direction, deviation from which is usually rare. In contrast, people's conduct in modern societies is based on an undercurrent at variance from tradition; because tradition does not provide clear guidance for people's behaviour and what is left is only others' judgments.

Reisman concludes that since the existence of static or quiescent communities in modern societies is not possible, some self-regulating people may appear and act according to their own wishes without reference to any static community or attachment to a specific group; and such disaffiliation from society's traditions and self-independence can cause deviant behaviours. Defining 'white marriage' in this theoretical framework requires the presumption of cohabitation as an anomalous behaviour.

Given the urban ecology approach of the Chicago School as represented by some theorists like Park and Burgess, 'white marriage' can be socially defined from another point of view. In this approach, social harm is related to urban phenomena like language, ethnicity, emigration, habitat, and population. Park and Burgess studied the effects of these factors on social harm such as suicide, divorce, and prostitution in Chicago. This theory focuses on social disorganization in determining the pathological consequences of urban life.

For Park and Burgess the physical environment of cities has a deep impact on cultural and social patterns. Disorganised urban spheres within industrial cities promote criminal and aberrant traditions. Devious subcultures may replace the missing reference groups and resources which can persuade adolescents and young people to adopt acceptable social behaviour. Lack of conforming reference groups and weaknesses in social institutions like the family may turn transitional (changing) environments into suitable places for immigrants and the poor, and support the emergence of subcultures. In this theoretical framework, as in the previous one, 'white marriage' or cohabitation may be considered a deviant behaviour and a social harm.

'White marriage' can also be defined within the Birmingham theory of subcultures, as inspired by Stuart Hall. Hall emphasises the importance of ethnicity, class, and gender in the analysis of youth

culture, using a neo-Marxist approach. In their book *Resistance through Rituals*, Hall *et al.* argued that young people of the low- and middle class seek to express their objection to the ideological assumptions of capitalism via their special lifestyles.

According to Dick Hebdige (1979), subcultures present a fundamental tension between the low and high strata of society; they express a different identity through different styles and also object to and challenge the dominant social order. From this perspective the selection of cohabitation and the violation of formal/traditional culture's norms by some groups of young people are indeed a type of resistance against the dominant formal culture and norms.

From another perspective Durkheim relates religion to the general nature of society's institutions and defines it according to distinction between sacred and profane. For Durkheim almost all aspects of life in small insulated cultures and traditions are influenced by religion. Religious slogans reinforce existing values. Religion determines the mind-set of members of traditional cultures; accordingly, the more people are religious, the less they are expected to deviate from society's cultural values due their group solidarity. From this standpoint, a tendency to cohabitation can be related to the reduced religious orientations of people more prevalent in larger cities.

Control theory suggests that people naturally tend to break norms largely due to a lack of prevention rather than stimulating forces which call for anomaly. From this perspective, cohabitation is assumed to be the result of parents' lack of control over their children and the declining supervisory role of both parents and society when children separate from their families for education and employment.

Theorists such as McLuhan in the field of technology observe that it impacts not only at a theoretical level but also via constant changes in our assumptions, without resistance. In other words, an important feature of group media is that these affect our habits, assumptions, and thoughts and, more importantly, these media challenge traditional and current lifestyles, making them seem regressive.

By presenting the lifestyles of the upper and middle classes of American and European society as normal trends, visual and audio media anger and disappoint their less advantaged audience and motivate them to sample that 'dreamy luxurious lifestyle'.

Olson explains cohabitation within the frame of social psychological theory and describes different types of cohabitation and reasons of the tendency to such a lifestyle:

Protective blanket: this type of relationship occurs when a partner is too attached or dependent or insecure. Insecure people are always worried about being left by their spouses who may fall in love with another person. Therefore, marriage is too worrying for them and hoping for a spouse's commitment is in vain and hurtful. Insecure people try to save themselves from this destructive hope by selecting cohabitation and being free from commitment.

Freedom: some people choose to live together in order to escape values and parental control.

Experiment: some people consider living together as a real experiment before marriage; this lifestyle, however, lacks the serious involvement needed for marriage and cannot adequately prepare a person for it.

In order to find the causes of cohabitation as a phenomenon in Iran, factors like economic changes, the emergence of capitalism and job insecurity, moral liberalism and the revision of traditions, the emergence of modernist elements and urban anonymity, the elimination of the concept and functions of neighbourhood, changes of family structure, and the emergence of temporary relationships are all of importance.

Legal texts are written and implemented according to Islamic *Fiqh* which disapproves of illicit relationships. Accordingly, any relationship which a man and woman deliberately agree without jurisprudential rules and legal registration shall be neither legally nor morally nor jurisprudentially accepted.

Iranian law does not consider cohabitation a formal marriage and also does not protect children from such relationships. The Civil Law of the Islamic Republic of Iran has divided marriage into two types of permanent and interrupted (temporary or *Sigheh*) with different effects. ‘White marriage’ not only has no legitimacy in the legal and jurisprudential system of Iran but also has criminal penalty if proved.

According to article 645⁵ of Islamic Penal Code, a man who does not register his marriage shall be imprisoned up to one year, a penalty which has been turned to a monetary fine (from 20 to 100 million Rials) by the Family Support Act. This amount may cause people to avoid such a violation, though considered less severe and strict than the imprisonment which does not affect the female partner.

In contrast to temporary marriage, Article 20 of the new Family Support Act, enacted on Feb. 19, 2013, makes the registration of permanent marriage obligatory. Likewise, Article 21 of the same law requires that temporary marriage be registered, but only in certain cases like pregnancy or by mutual agreement.

As previously noted, according to Article 637 of the Islamic Penal Code: “when a man and a woman between whom no matrimonial bond exists engage in illicit relationships (except adultery) or behave against public decency through kissing or sleeping together, they will be sentenced to 99 lashes, and if the action has been forced by one of the parties, only the responsible party will be punished.”

⁵ To protect the family as an institution, registering the event of marriage and divorce is obligatory according to the regulations, and if this requirement is violated, the violator shall be sentenced to imprisonment for up to one year.

Article 225 of the Islamic Penal Code, enacted on Apr. 21, 2013, decrees that the “punishment of *Zina* for married male and female adulterers is stoning. In case the stoning punishment cannot be performed, with the suggestion of the court in which the final verdict has been issued, as well as the agreement of the Chief Justice, the order shall be changed to capital punishment of the married male and female adulterers if the crime has been approved by witnesses; otherwise, they shall be sentenced to 100 lashes.” Furthermore, according to Article 884 of Iranian Civil Law, illicit children will not inherit from their parents or relatives.

Therefore, it is clear that cohabitation of a man and a woman without official marriage (either temporary or permanent) and legal registration is illegal and subject to legal penalty; in addition, children of this relationship will not be beneficiaries to inheritance.

A phenomena which is normally identified with cohabitation is *Nikah Mut’ah* which is defined as a temporary marriage for pleasure which permits the partners to form a family and have marital relationship, but lacks the validity acquired by a full marriage contract or *Nikah* because it lacks any verbal request and acceptance. Article 193 of Civil Law provides that this type of marriage is acceptable in cases in which the law issues an exception such as *Nikah*. Article 1062 of the same law states that: “*Nikah* would occur and is in effect when it is mutually intended and accepted by both parties.” This means that the marriage pledge must be verbally requested and accepted by both parties except in case of disability to do so.

Almost all Shia and Sunni jurists like Bahrani, Morteza Ansari, Ayatollah Khomeini, and Makarem Shirazi are in agreement regarding the necessity for verbal request and acceptance in *Nikah* by conduct.

Nevertheless, some jurists such as Sadeghi Tehrani have recently stated a different view regarding the legitimacy of *Nikah* by conduct; they believe that a pledge of marriage is legitimate to the extent that it is intended to confirm marriage and communicated through verbal, written, or sign languages between a man and woman, even when not the specific terminology (‘*yes, I do*’) is used. They go farther and state that even when a special motion or ritual which represents the tradition of marriage in one’s mores (culture) - like eating candies or any other established signs - could legitimize that marriage and no pledge in Arabic (or in other languages) is necessary. What is important, according to these jurists, is to be sure that no other purposes (e.g. friendship and adultery) than matrimony and forming a family, whether temporary or permanent, are intended (Sayedi and Nazari, 2011).

In contrast, Civil Law asserts the invalidity of *Nikah Mut’ah* and considers the verbal request and acceptance to be categorically necessary. In response to a question about *Nikah Mut’ah*, Ayatollah Bahjat said: “interaction by conduct does not apply to *Nikah*.” Ayatollah Makarem Shirazi also commented on this topic: “there is nothing as *Nikah Mut’ah* and such a marriage is void.” (Collection of Jurisprudential Verdicts in Legal Issues, 2003: Vol. 1, 71)

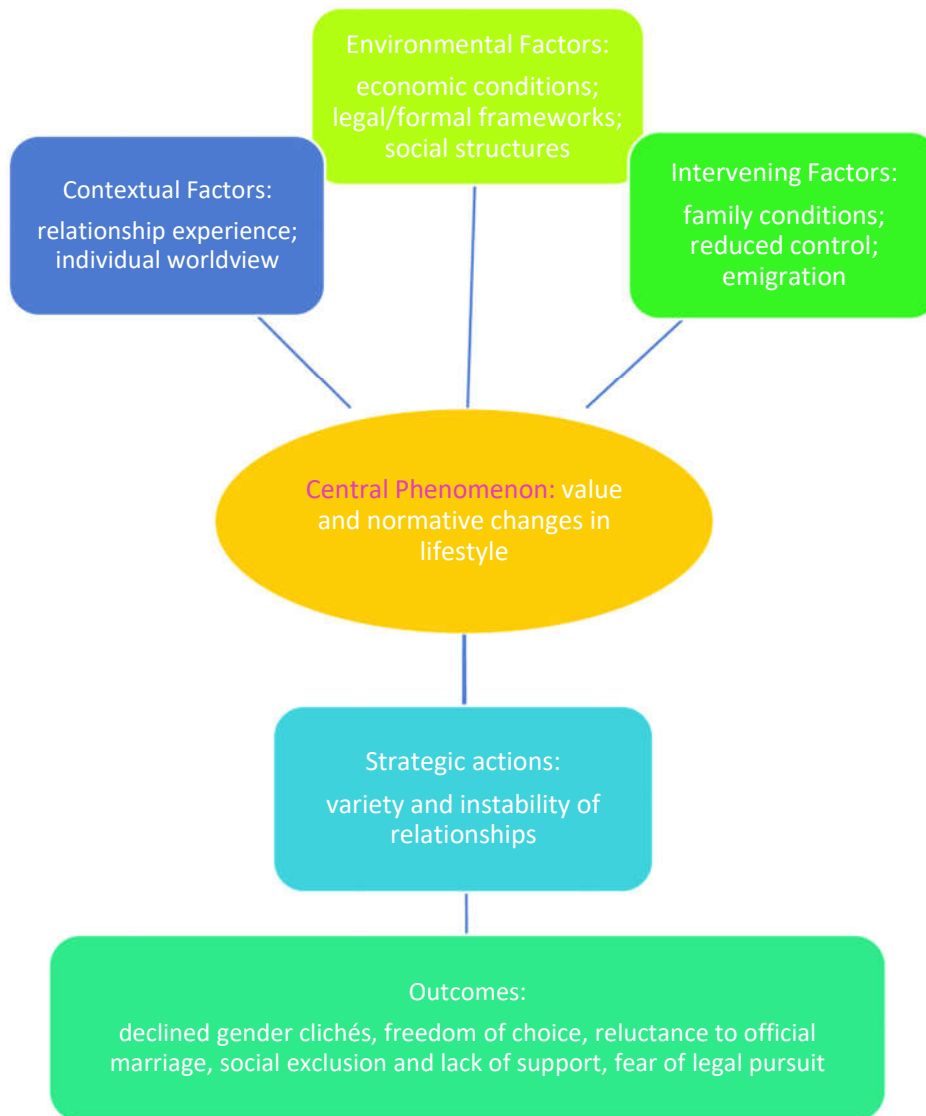
Most people who are engaged in ‘white marriage’ do not consider their cohabitation a partnership, but rather they see it as a pre-marriage friendship experience, or simply a co-habitation in order to escape financial or psychological problems. These people therefore neither believe in official marriage nor do they accept conditions of *Nikah* by conduct; they prefer to select temporary marriage (*Sigheh*) when they want to follow Islamic rules in this regard.

Further, women need their fathers’ permission for marriage, while most parents are not informed about the existence of informal relationships at all. Some people do not commit to any responsibility from the beginning and free themselves through ‘white marriage’, especially men who would be assigned financial roles in their family according to Islamic principles. Most of these people do not even believe in divorce in its Islamic sense and may end their relationships regardless of related Islamic rules.

It follows that ‘white marriage’ cannot be identified with *Nikah* by conduct in any sense and the latter does not include specific conditions like father’s permission, period of abstinence, etc. More importantly, in most cases parties to ‘white marriage’ do not intend matrimony and if they do, their lives will be only a mere co-habitation due to disaffiliation from rules of matrimony and jurisprudential divorce.

Bringing together the theoretical and legal-jurisprudential principles of temporary marriage, the conducted surveys and interviews, and a precise analysis of obtained data, an analytical model for ‘white marriage’ in three metropolitan cities, namely Tehran, Isfahan, and Mashhad can be presented:

Conceptual model of 'white marriage' in Iran (2017-18)



Copyright @www.kameelahmady.com- Grounded Theory Model of Cohabitation (2018)

The pivotal issues related to 'white marriage' in Iran are the value and normative changes in young people's lifestyles. Interviews show that the most important outcomes of 'white marriage' in Iran were declined gender clichés, freedom of choice, and reluctance to accept official marriage – all factors also seen in the west. A study conducted in the United States reported freedom of people and their reluctance to engage in official marriage as the reasons for selecting 'white marriage' (Galena *et al.*, 2009). But unlike western countries, where this phenomenon is officially and legal accepted, Iran does not still approve of 'white marriage', which is associated with some consequences like social exclusion, lack of support, and fear of legal pursuit.

4.3. Suggestions and Solutions

Denial of ‘white marriage’ is denial of a social reality. The social changes in Iran during the last two decades underpin the fact that cohabitation or ‘white marriage’ is rising. This type of marriage occurs in the private sphere and cannot be easily detected by legal and police authorities. Given its secret and taboo nature and its denial by the authorities, ‘white marriage’ is nonetheless covertly increasing and there may be some irreparable outcomes, especially for women, if it is not accurately studied and regulated.

The following solutions are suggested in order to systematize this phenomenon and decrease its unpleasant consequences:



Figure 22. In 2014, the General Director of Social and Cultural Affairs Department of the Tehran Provincial Government announced that a programme known as ‘the promotion of stable families’ was proposed to the government, to fight ‘white marriage’.

- Comprehensive identification of the dimensions, causes, and consequences of ‘white marriage’ in Iran, based on independent scientific studies

Achieving a dynamic society is realized when we can identify social harms and problems, study the solutions, and make specialized and effective decisions. Allocation of larger budgets to research studies, attention by university professors and experts of behavioural sciences, the publication of books, constant field-work on all aspects of ‘white marriage’ and its associated social harms, a focus on the pathology of this phenomenon, and suggestions can all be helpful over time.

Unfortunately, academia seems to have separated from society and its scientific identity is at risk. Repetitive theses and articles cannot play a role in identifying social harm. Policies in academia need to be revised and reconsidered in order to prevent production of inadequate research studies which will be filed in the libraries.

- Advocating for legal solutions and support

After the acceptance and understanding of problems, and suggestions for practical solutions, people need to be engaged and informed about the issues. Most people stated in their interviews that Iranian rituals and traditions (dowries, wedding ceremonies, independent housing, gender

clichés, the restrictions on women in marriage contract, e.g. rights to education, employment, divorce, travel, guardianship, etc.) have made them reluctant to commit to permanent marriage.

The promotion of easy and simple modes of marriage in the media and virtual sphere, and by non-profit organizations, may persuade families not to be strict about their children's marriage. Governmental and administrative entities can also play an effective role by advertising, preparing the necessary conditions for the marriage of young people, offering facilities, giving house loans, and creating job opportunities.

- Entrepreneurship, employment and facilitation of economic circumstances by government and the private sector

A great number of single and unemployed educated people migrate to larger cities to find work which is not entirely related to their expertise and knowledge; these people are likely to select 'white marriage'. Governmental and private organizations need to cooperate and provide people with job security.

Revision of policies, entrepreneurship, and the creation of new job opportunities in people's hometowns may be effective. Moreover, banks can be helpful by offering long-term loans and financial facilities. The private sector can also reduce the rate of unemployment by infrastructure and house building development and workshops in small towns, and by supporting young people. Charitable organisations are another wing of this triangle and can focus on entrepreneurship with the help of government. In this way entrepreneurship in people's hometowns and procuring economic support (for housing, children, etc.) can eliminate some of the financial concerns of young people.

- Support of governmental entities and associations in the form of health and educational consultations and prevention of social and individual harms

Despite their unwelcome positions in society, people with diseases like HIV or addiction are usually supported by institutions such as various Welfare Organizations, their Municipality, voluntary non-profit associations, and rehabilitation camps. These entities could significantly reduce some social harm and negative outcomes through health care training and support. The new lifestyle of cohabitation is inevitably desired by some young people and is increasing. Sexually transmitted diseases like AIDS, unwanted pregnancy, abortions, and domestic violence against women have been reported in such relationships, and these problems have not been legally addressed or pursued despite of their criminal nature.

These new informal relationships are often accompanied by psychological and even physical harm because the partners in the relationship are denied and excluded by their families. Removing the illegality and fear from 'white marriage' will enable the above-mentioned institutions and entities to address and prevent associated harm. People who are engaged in cohabitation can then, without fear of legal pursuit, receive health and support services to enhance the well-being of both the cohabiters themselves, and our wider communities.

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Men/women relationships in Iran are defined according to religious and customary norms and any relationship between a couple except in form of permanent/temporary marriage is considered a crime and illicit. Changes that recently occurred in Iranian society due to difficult economic conditions like inflation and unemployment in one hand and modernity and value-normative changes, on the other, have caused young people to select cohabitation without marriage (or 'white marriage') as a reasonable solution to fulfil their personal and social needs without being committed or responsible like in official marriage. This phenomenon is more common among educated and academic young people who have migrated to capital cities for employment and educational purposes. Due to religious and cultural sensitivity of this issue, authorities have not studied this social phenomenon precisely. After studying social and legal principles of 'white marriage', the present study scrutinized its effective factors and outcomes for the first time. Ultimately, some solutions were suggested with are hoped to be helpful in reducing negative consequences of this social phenomenon and also raising public awareness.

