

# The Legal Debate on the Phenomenon of 'White Marriages' in Contemporary Iran

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**Abstract:** The rising popularity of 'white marriages', relationships between a man and a woman who live together but are not married, has caused a commotion in the Iranian public sphere in the last few years. The debate includes state institutions and religious circles, who feel anxious about the change in gender relations among Iranians, but also academics who elaborate on the causes and consequences of the phenomenon. An important aspect of this controversy concerns legal issues, since according to Shiite law any intimate relationship of an unmarried couple is considered illegal. This article analyses this key aspect of the ongoing dispute and attempts to elaborate on the question of how the gap between people's expectations and desires and the legal capacity of Islamic rulings is addressed in contemporary Iran.

**Keywords:** *ezdevaj-e sefid*, Iran, Islamic law, marriage, white marriage

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In recent years in Iran some forms of gender relations typical for a traditional society have undergone significant transformation.<sup>1</sup> One such change concerns marriage, whose dynamics involve modifications in the family structure and redefinition of gender roles in society. However, an encounter with broadly understood modernity, which by many scholars has been identified as the main reason behind these changes, also brings a need to confront religious concepts that have been influencing the perception of gender relations for years. As Maral Sahebame notes in her study on Iran's clash with modernity, 'in Iran the institution of marriage is experiencing a rapid shift in definition, norms, and practices. What appears to be an acceptance of modern values and protocol with regards to marriage has brought with it challenges to traditional values' (2012: 4). This challenge seems to be particularly difficult because in contemporary Iran, gender relations are still not only shaped by the religious



doctrine and its notions, but also subject to legal regulations developed under Shiite law.

Developments in gender relations that occur inter alia as effects of an encounter between modernity and tradition do not necessarily have to lead to the simple and complete rejection of what is old, replaced by what is new. In Iran, tradition can sometimes serve as a means for legitimising change. This study aims to elaborate on the issue by examining how Iranian society faces the challenge of new lifestyles that have gained popularity over the last few years. Specifically, it deals with the phenomenon of the 'white marriages' (*ezdevaj-e sefid/ezdevaj-e sepid*), a new form of male-female relationship that has recently gained popularity among Iranian youth. The author analyses the ongoing discussion that is taking place in the Iranian public sphere by examining one of its most crucial aspects – its legal dimension.

### What Is a 'White Marriage'?

The term 'white marriage' was introduced into the Iranian public sphere a few years ago to describe the relationship of an unmarried couple living together under one roof. As such, it does not correspond with the Western meaning of the popular term *marriage blanc* – that is, a marriage without consummation – but rather denotes an emotional and physical relationship between two people, although unregistered. Curiously enough, it is not the first term describing a relationship between men and women in contemporary Iranian discourse that uses colours to explain its character. Iranians already speak about a 'black marriage' for a relationship that makes life miserable, and a 'grey marriage' for divorced older couples, sometimes even still living together.<sup>2</sup>

The introduction of the term 'white marriage' into the public sphere has aroused much objection, especially among conservative circles. Many complained that an informal relationship should not be called either 'marriage' or 'white'. The suggestion was raised that the use of the term 'marriage' was intentional and aimed at creating the impression of a legally and socially acceptable coupling. Nevertheless, the term has taken root among people, and although other phrases like *hambashi* or *hamkhanegi* (cohabitate) were also in use, they never quite replaced the term 'white marriage' fully.

Scholars agree that there are still no reliable data on the scale of this practice, although the number of references made lately in Iranian media may lead one to believe that 'white marriages' are becoming more and more popular, primarily in major cities and among young people. It is obviously very difficult to determine when the phenomenon occurred and when it started to gain popularity. The causes of this phenomenon are also complex.

From the beginning, the dispute could be described as highly controversial. When in 2014 the women's journal *Zanan-e emruz* devoted part of its monthly issue to the question of relationships without marriage, the Council for Media

Control (Hey'at-e Nezarat bar Matbu'at) suspended the journal and accused the editors of promoting an immoral lifestyle among young people.<sup>3</sup> Gradually, however, more and more circles engaged in the debate; even governmental institutions and religious authorities, initially reluctant to address the issue publicly, started to elaborate on its causes and consequences.

The discussion that takes place in the public domain – on the internet, in the press, on television, in public institutions such as universities – is multi-dimensional and touches upon various issues related to the question of marriage, gender and family – the sociological, demographical, economical, psychological and ethical aspects. Many commentators identify the crisis of traditional marriage as the main cause for the increasing number of informal relationships in the Islamic republic. A frequently invoked argument is that the financial requirements, long-lasting and costly ceremonies and high social expectations for men who want to marry have caused a decline in the number of marriages in recent years. On the other hand, many point to the weaknesses of the family code of law in Iran; they suggest that if for men ‘white marriage’ may be a way to avoid financial and social responsibility, for women living in an informal relationship may become an opportunity to bypass the limitations and restrictions arising from Islamic rulings (e.g. submission to a husband, difficulties in getting a divorce or taking over childcare) (Heidaryan 2017; Qazyan 2017). The growing number of divorces may also be relevant.<sup>4</sup> Obviously, the above-mentioned issues need to be verified and studied before any conclusive findings are announced. The current study does not aim to answer these questions, nor does it intend to analyse the phenomenon itself; rather, it concentrates on the legal debate that occurred and intensified in Iran after the phenomenon had been observed.

### How Illegal Is a ‘White Marriage’?

The discussion on the legal status of ‘white marriages’ arises from within Islamic doctrine itself, as this constitutes the basis for marriage law in contemporary Iran. According to Shiite regulations, any intimate relation between men and women that takes place without marriage or outside of marriage (such as *zina* – that is, adultery) is considered *namashru*, or illegal. According to Article 637 of Chapter 18 (entitled ‘Crimes against Chastity and Public Ethics’) of the Iranian penal code, intimate relations established between a man and a woman who are not spouses are punishable with up to 99 lashes. The legal discussion focuses around a pair of concepts known as *mahram* and *namahram*, which, as rightly noted by Shahla Haeri, constitute a fundamental paradigm in Islamic gender relations (1989: 76). Generally, any man and woman who are not related or are relatives but can marry each other, as in the case of cousins or distant relatives, are considered *namahram* – that is, strangers – and their contact in private is restricted. This means that a

woman should veil herself in front of such a man, and the man should not make any physical or even prolonged eye contact with the woman. The state of *namahramiyat* (the state of unfamiliarity and unavailability) as a natural state for those who are not kin can be repealed, for example, by marriage, which makes a man and woman *mahram-e yek digar*, that is, intimate with each other.<sup>5</sup> Therefore, one of the important consequences of marriage is creating a state of *zoujiiyat* – that is, the ties of marriage.

In accordance with Islamic doctrine, a 'white marriage', being a relationship in which the ties of marriage are not established, violates the fundamental principle governing gender relations in Islam, since it allows two *namahram* (strangers) to engage in an intimate relationship. As previously noted, such a practice is punishable according to the Iranian penal code. One of the consequences of the penalisation of such practices in Iran is that those who engage in 'white marriages' usually decide to keep it secret. The secretive nature of 'white marriages' may also be caused by the ever-conservative nature of Iranian society, in which living together before or without an official marriage may be considered unacceptable. Nevertheless, the legal and social restrictions regarding living without formal marriage do not seem to be a major obstacle for many young people (at least in the major cities), who, as reported by the media and state institutions, are increasingly eager to engage in such relationships (IRNA 2014; Nikfam 2015; Din Online 2014). This is how, in a repeatedly reprinted interview, a couple living in a 'white marriage' describes the reason for their choice: 'Look at the divorce rates that increase day by day. We do not want to be one of them. First, we want to get to know each other and then, if we see that we want each other for the rest of our life, we formalise our relationship' (Khabar Online 2015).

## Whose Problem Are 'White Marriages'?

The growing number of such couples causes concern among state institutions, which decided to fight 'white marriages' by launching a program that was aimed at helping young people meet the financial conditions for marriage (preparing *jahiziye*, *mahriye*, etc.). Officials believe that supporting young Iranians in their struggle to start a family will result in decreasing the amount of informal relationships (ISNA 2014). The anxiety of state institutions about the situation is, however, twofold. The first reason, as frequently addressed in the press and in public speeches, concerns demographic issues. According to an Iranian sociologist, Dr Amanollah Qarai, under current regulations a 'white marriage' is hardly conducive to the expansion of a family. This academic is convinced that at least for now, people who engage in these kinds of relations usually decide not to have children. This is understandable, since in Iran children born out of marriage are still frequently called *haramzade*, or 'born out of sin'. As noted by an Iranian journalist, Zahra Minui (2014), 'children conceived

in a “white marriage” under Iranian law are not considered lawful [*mashru*]. Consequently, they may not enjoy their full rights as citizens, as they are, for example, deprived of the right to inherit from their parents (*ibid.*). There is also an oft-repeated thesis that an increase in the number of ‘white marriages’ leads to a decrease in the birth rate, also due to the rising number of abortions performed in Iran. The last argument is of course dubious, as it is highly difficult to estimate how many such operations were performed on women living in ‘white marriages’. Nevertheless, it is reasonable to assume that people living in informal relationships are less likely to have children.

The question of a child’s legal status is, however, not the only issue raised against ‘white marriages’. Its informal character, as noted by Europe-based Iranian sociologist Hossein Qazyan (2017), may be perceived by women as a protection against unfair rules or even liberating (*rahaibahsh*). Some commentators even considered it a sign of a protest against the discriminatory marital law and its popularisation as an effect of women’s emancipation (Heidaryan 2017). But, at the same time, as remarked by Iranian lawyer and scholar Mehrangiz Kar, it also results in the fact that neither the man nor the woman in such a relationship are protected by any law. The scholar noted that women who oppose Islamic law by avoiding formal marriage may in some circumstances (e.g. physical abuse) be forced to seek legal support. In such a situation, they may first face legal charges for engaging in illegitimate relations, before being able to officially report an offence (Kar 2014). Of course, it is not only about potential abuse in the relationship; there are concerns over other legal issues as well, such as inheritance, alimony or access to the partner’s medical information, which in the case of an informal relationship has no legal ground.

At the same time, the discussion on the legal status of ‘white marriages’ touches the question of ethics. This perspective on informal relations is commonly addressed by religious circles in public speeches, interviews and personal statements, although no official legal ruling (*fatwa*) has been proclaimed against ‘white marriages’ yet. As previously stated above, any intimate relationship between two *namahram* is, according to Shiite doctrine, illegitimate. Thus, most religious scholars criticise it not only as an unlawful but also as an immoral activity. Ayatollah Mohammad Reza Golpayegani once said that ‘it is shameful that a woman and a man, a girl and a boy live together without marriage’ (BBC Persian 2014). Many religious authorities agree that such an informal relationship should be called a ‘black’ rather than a ‘white’ marriage (*hambashi-ye siah*), since, as emphasised by the previously mentioned sociologist, Dr Amanollah Qarai, it makes the life of a woman miserable (Entekhab 2014). This view can be understood as based on a common connection present in Persian culture between what is white and bright and what is proper and ethical. In Iranian society, a respected person is called *aberumand* or *aberudar*, which literally means the owner of *aberu* – that is, a bright, shining face, a sign of excellence (cf. Rodziewicz 2018). Unethical behaviour that results in losing face is expressed as losing the light of the face (*aberum raft/aberum bordand*).

Mythical Iranian kings and heroes, whenever they misbehaved or felt embarrassed, were noticed as losing the brightness that surrounded their figure, and being covered by darkness (Ferdousi 1394 [2015/2016]: 21–28). Even today Iranians may use the phrase *rum sijah*, 'my face is black', when they want to express shame. Using this universal metaphor, 'white marriages' by their critics are commonly called practices that ruin a person's reputation and make life miserable, and thus should be called 'black' instead of 'white'. It has also been pointed out, by both religious scholars and some academics, that the price for such a lifestyle is much higher for the woman, who will have to face more social costs. As noticed by the sociologist Dr Sa'id Ma'idfar, 'unfortunately in our society behaviours which are acceptable in the case of a man, are not accepted in the case of a woman' (Samar 2014).

## How to Make 'White Marriages' Legal?

As I attempted to demonstrate, a central issue for the legal discussion on 'white marriages' revolves around the dichotomy of two concepts – *mahram* and *namahram*. Shiite doctrine, and consequently Iranian law, accepts the relationship of two people only if they are *mahram* to each other; otherwise such a union is considered immoral and illegal. Therefore, as will be evidenced further, any solutions to the legal question of 'white marriages' that do not aim at a complete rejection of religious doctrine must take this pair of concepts into account.

While state institutions are trying to prevent the spread of 'white marriages' among young Iranians, more liberal circles discuss the possibility of legal changes that would protect young people against restrictions resulting from breaking the law. However, a third outlook can be noted, which to some extent combines both previous standpoints. It can be described as a bottom-up initiative in the sense that it has not been proposed by any governmental institution, religious authority or civic organisation, but rather expressed by people themselves – on the internet, in blogs and in questions addressed to *marja taqlids*. Afterwards, they were taken up by journalists and addressed in public debate.

The first interesting attempt that could be observed within the framework of this legal controversy sought to inscribe or include 'white marriages' (which in fact are not marriages at all) into Shiite religious doctrine – in other words, to find some religious justification for this kind of relationship between a man and women. As a result, it would allow such relationships to be perceived as legal according to civil law as well. Considering, as stated by Shahla Haeri, that 'all schools of Islamic law consider marriage to be a contract, an "*aqd*"', a solution has been sought in the Islamic doctrine itself (1989: 23).

It has been proposed that 'white marriages' be considered a *mo'atāt* agreement, a sort of contract already sanctioned in Shiite law. *Mo'atāt* (e.g. practiced

in trade) is a contract of silent arrangement between two parties. The term *mo'atat*, from the Arabic word *ata*, meaning something given, offered, signifies a legal agreement whose conclusion does not require a written confirmation, signature, witness or even verbally articulated consent. It is constituted through implementing its provisions. An example is in trade, when a seller takes payment and the buyer takes what he has just purchased without articulating the formula: 'I sell this' or 'I buy this'.

As 'white marriage' in principle means that the man and woman do not sign or register any legal contract, nor must they verbally express their consent before witnesses, a question has been raised as to whether it is possible to perceive it as a *mo'atat*, a silent agreement? Could the principle of *mo'atat* be applied to a marriage? This proposition has given rise to discussion, as some people considered it a potential solution to a legal dispute on informal relations, while others, like most Shiite authorities, found it groundless and called it into question (Hoseini Adyani 1382 [2002/2003]: 111). However, the deliberation continued, and the religious scholars had to take an official stand on the matter. The rejection of the idea that a 'white marriage' could be treated as a kind of silent contract was not so obvious or evident. According to some Shiite scholars, a marriage between two people is constituted mainly because of their mutual consent, not necessarily through the articulation of a contract (*aqd*) or presence of witnesses, and can even be concluded in secret (Niechcial 2009: 173). Why, therefore, should 'white marriage' not be recognised as at least potentially legal?

As a key argument in favour of the thesis, the term *nekah-e mo'atati* (*mo'atati* marriage) already known in Shiite texts, was recalled. The term was used to describe a legal relationship between a man and woman that could be sanctioned without reading the marriage formula (*sighe*) and without signing a contract (*aqd*), and was merely based upon *rezayat-e qalbi*, a consent of the heart. *Nekah-e mo'atati* is not accepted today by most Shiite scholars. An agreement between two people is not considered a sufficient condition for obtaining the state of *zoujyat* (ties of marriage) and *mahramiyat* (intimacy) that is legally required and that distinguish marriage from any other illegal relationship, e.g. *zina* (adultery). Many years ago, Ayatollah Khomeini took a stand on this issue. He declared that if the relationship between a man and woman is to be legal the consent of both parties must be accompanied by reading the *sighe* and articulating all its conditions. The intention itself does not guarantee that the state of *zoujyat* and *mahramiyat* will occur between man and woman. The sole intention of creating a marriage is not, therefore, enough, according to this view. However, not all Shiite jurists were so rigorous. The late Ayatollah Sa'id Abolqasem Khoi believed that marriage is an act of recognition (*amr-e ettebari*), since a man recognises a woman as his wife, and the woman recognises the man as her husband, while adultery is only about sexual intercourse (Hoseini Adyani 1382 [2002/2003]: 113). The late Ayatollah Mohammad Sadeqi Tehrani was of the opinion that a written or

verbal agreement is not a necessary condition for a marriage. In his *Resale-ye touzih-e masa'el-e nouin* (Explanation of the new issues), Sadeqi Tehrani wrote that 'the marriage contract is valid in every language, also when it is executed without words *nekah kardam* – that is, 'I marry you' – providing that there is evidence of marriage, either in writing, in speech or by action or any other way that would clearly indicate that the marriage was concluded' (Sadeqi Tehrani 1389 [2010/2011]: 281). The scholar declared that it is enough that a man asks a woman if she wants to marry him and she agrees, because that is how a marriage is constituted and how people become *mahram* to each other. The only condition he speaks of is the condition of the good and pure intentions of creating a marriage, rather than, as he calls it, *rafiqbazi* – that is, having fun (ibid.).

The thesis that 'white marriage', as a kind of *mo'atat* agreement, could be considered at least religiously justified is supported by arguments derived from older sources of Islamic tradition as well. In many articles and public discussions, a tradition of the sixth Shiite imam, Imam Sadeq, is recalled, as documented by a seventeenth-century theologian, Mohsen Feiz Kashani. It refers to a story about a woman who came to the imam asking him to punish her for adultery. When asked about the circumstances of the sin, she said that while traveling through a desert she got thirsty and asked a passerby for water. The man in exchange for water wanted her to have intercourse with him. As the woman was very thirsty, she agreed, but afterwards regretted this and felt that she had committed sin. Feiz Kashani, commenting on the story, argued that there might not be any sin in the woman's behaviour, since a specific kind of marriage could have been constituted between her and the man – that is, a temporary marriage based on the rule of *mo'atat*, a silent agreement, where water could play the role of a dowry (*mahriye*) (Hoseini Adyani 1382 [2002/2003]: 122).

There is also another testimony referred to in those discussions from the tradition of the eighth Shiite imam, Reza, who was invited to speak on the legality of a marriage involving a drunk woman. When the woman sobered up, she had doubts whether her marriage was valid or not. According to the tradition, Imam Reza was of an opinion that if the woman decided to stay with the man she married while she was intoxicated, that would mean she had accepted him as her husband and the marriage would be considered legal (ibid.: 123). This shows that a woman's consent would be treated as more important than legal actions.

## Should a 'White Marriage' Be Subject to the Law at All?

The reasoning presented above is based on the conviction that an informal and unregistered relationship between a man and a woman under certain conditions may be considered religiously and legally justified. The intention



and consent to establish a marriage turns out to be the decisive element here, more important than the act of marriage itself. However, there is also another proposal on how to avoid the penalisation of such relationships in contemporary Iran. This second idea, which emerged in the Iranian public sphere, is based on a different assumption. It assumes that the decision to enter a 'white marriage' should not be subject to religious or legal regulations at all. This idea was articulated during a series of scientific meetings about *hamzisti bedun-e ezdevaj* (coexistence without marriage) organised at Tehran University in April 2016. The thesis, presented by Dr Mohsen Bahrani (a member of the research team from the Faculty of Law and Political Science at Tehran University), was constructed in accordance with the notion of *harim-e khosusi*, or privacy: 'the private space of every human which should not be violated' (Khabar Online 2016). Therefore, it has been proposed that the form of relationship that a person engages in belongs to his or her private sphere and as such should not be subject to governmental control or punished. During the meeting, Dr Bahrani said: 'Any interference with privacy is a kind of intervention into the deeper layers of the personality of the community. Therefore, all criminal procedures must be proceeded in such a way that they do not involve the violation of privacy' (ibid.).

The concept of *harim-e khosusi* is considered a Western one, one of the fundamental human rights. However, it should be noticed that it also belongs to Islamic culture. According to Shiite scholars, the right to private and secure space is mentioned in many doctrinal texts, like *Nahj al-Balaghe* or hadith collections, where the term *harim* is used to denote each person's space, hidden from the sight of others, where access is forbidden to strangers (Hedayati 1387 [2008/2009]: 38–54). The transgression of the boundaries of *harim*, revealing or disclosing what is hidden beyond its borders, is considered a violation of something sacred and referred to as a sin. The right to privacy and respect for the private space of another man in Iranian culture takes different forms. The term *harim* itself comes from the Arabic root *h-r-m*, which can express the meaning of what is forbidden, restricted and sacred, a space that should be protected (Mo'in 1382 [2003/2004]: 951). From a practical perspective, it can be noticed in the way in which Iranian houses were built, with their *andaruni* and *biruni*, constituting a protected inner, and an outer space of human existence open to strangers. It can also be noticed in the ethical and moral orders of Shiite imams who urge people to respect a person's *zاهر* and *aberu* – in other words, their appearance, good image and reputation – as in some way it may be considered a protection of privacy because it covers and conceals intimate matters and functions like a veil used in contact with strangers from the outside world. Therefore, in Shiite ethics it is considered a sin to reveal someone's secrets, to disclose what can damage his or her reputation, that is, *aberu*, the outer layer of a personality. Therefore, any violation of human privacy is prohibited and condemned. Interfering in the private life of citizens has been therefore presented as a violation of the right to privacy that has been

guaranteed not only by Western ideas of human rights, but also in Islamic tradition as *haqq-e khalvat* by both law and ethics.

### Why Not Replace a 'White Marriage' with a Temporary Marriage?

Since changing the religious and legal framework of marriage in Shiite doctrine can be a difficult challenge, some participants in the debate have pointed out the possibility of rehabilitating the institution of temporary marriage (*ezdevaj-e movaqqat*) to fill the gap that was created by the reluctance of young Iranians towards permanent marriages. Although from a religious point of view, this type of marriage, commonly called *sighe*, has full religious and legal legitimacy, nowadays it does not enjoy general acceptance among society. Its many critics point out that it may often take the form of legal prostitution. Rebuilding the image of temporary marriage as a legal and moral institution without, however, the burden of the financial and social responsibility of permanent marriage could, as observed by Dr Majid Abhari, a specialist on behavioural science, reduce the popularity of informal 'white marriages'. Abhari asks: 'What should a bachelor – a student or a clerk do in this society, when he is unable to enter a permanent marriage or is not ready for marriage due to financial reasons? What should a woman do with her sexual instinct or her emotional and financial needs?' (Majid Abhari [website] 2017). Instead of engaging in illegal 'white marriages', the scholar believes in promoting temporary marriages, which, according to the revised family law (*qanun-e jadid-e hemayat-e khanevade*), do not need to be registered and are easy to terminate.

### Conclusion

Despite the rather harsh opposition of conservative circles to 'white marriages', the dispute over the gap between young people's expectations and desires and the legal capacity of Islamic rulings is still ongoing. While the first proposal discussed in the article aims at finding a religious justification for unmarried relationships, the second one points in the opposite direction. It seeks to remove the intimate practices of Iranian citizens from the space where it is subject to direct legal criticism by widening the scope of application of the notion of *haqq-e khalvat*, the right to privacy. There is also a third approach which aims at restoring the position of temporary marriage as an alternative to informal relations.

At least two first proposals, however, try to change the legal category of 'white marriages' from something that is considered a sin and an illegal act to something that may not be perhaps fully acceptable but is not subject to punishment. Both attempts, therefore, strive to solve the current legal controversy that has arisen around 'white marriages' within Shiite doctrine. The debate

itself is extremely difficult, as the position of Shiite law is strict and considers any informal intimate relation between a man and woman illegal. However, the analysis of religious deliberations shows how open to interpretation and even relative or flexible religious texts can be. It also shows how the same notions and traditions can be used to support or overturn posed theses.

The traditional approach to gender relations in Shiite doctrine is developed within a framework of traditional jurisprudence (*feqh-e sonnati*) and is based, as indicated by scholar Mehdi Salimi, on *ejma* – that is, the consensus of Shiite jurists (1392 [2013/2014]: 76). Considering the growing trend for *feqh-e puya* (dynamic jurisprudence), that is, jurisprudence that attempts to answer the contemporary needs of people while being faithful to fundamental Islamic values at the same time, the possibility of any changes in this matter cannot be excluded. This is confirmed by the fact that some changes in Islamic rulings about marriage have already been introduced and even accepted by religious authorities (see Gorji 1383 [2004/2005]: 28). For years, several progressive theologians, religious intellectuals, Islamic feminists and women's activists have been expressing their conviction of an urgent need to adjust the religious interpretation of marriage to the real expectations and needs of people.<sup>6</sup>

'White marriages' challenged the religious understanding of gender relations based on traditional jurisprudence by undermining the notions of *zoujiyat* (the ties of marriage) and *mahramiyat* (intimacy). Marriage in Islam is not, however, a sacrament as in Christianity, but a legal agreement; therefore, its rudiments, as has been shown, are more open to interpretation. Furthermore, the conclusion can be made that the dichotomy between what is traditional (frequently associated with religion) and modern (usually perceived as incorporated from the West) is not fully valid in this case. All proposed solutions to the problem of 'white marriages' that have been elaborated in the public debate were born from within the religious doctrine, which is considered traditional, conservative, rigid and not susceptible to change.

It is still too early to expect any legal measure in favour of informal relationships to be taken officially, although it should be remembered that the problem of 'white marriages', in the current situation, is also an institutional problem that deals with such issues as the decreasing birth rate and the question of inheritance or domestic abuse. Therefore, even if the main area of dispute on 'white marriages' is constituted by religious doctrine (in its religious, legal and ethical aspects), its outcome will contribute to other spheres of Iranian social and political reality.

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## Notes

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1. There are several works on the institution of marriage illustrating its changes in contemporary Iran. Some analyses focus on its sociological and psychological dimensions, while others attempt to place marriage practices within the framework of political dynamics. The relatively rich literature presents studies conducted with a feminist approach that explore women's struggle for equality, also in the context of marriage and divorce. Likewise, some important studies have been conducted in exploring the changing forms of relationships between men and women regarding Islamic doctrine. For instance, anthropologist Shahla Haeri analysed the institution of temporary marriages in Shiite law (*Law of Desire: Temporary Marriage in Shi'i Iran*, 1989), Ziba Mir-Hosseini worked on the status of marriage and divorce in Iranian family law (*Marriage on Trial: A Study of Islamic Family Law*, 2000) and Janet Afary wrote on attempts to rethink Shiite doctrine in accordance with women's issues (*Sexual Politics in Modern Iran*, 2009).
2. Information obtained during the Anthropology of the Middle East IUAES 2017 conference that took place in Krakow, Poland, 10–12 August 2017.
3. The accusation was based on paragraph 2, article 6 of Press Law prohibiting the dissemination of anything immoral and contradictory to Islam. It was issued on 27 April 2015.
4. State institutions also inform on a growing number of *khaneha-ye mojarradi*, that is, houses where young single people live.
5. Obtaining the state of *mahramiyat* is also possible by reading *sighe-ye mahramiyat* – that is, a traditional, religious formula – to the two people in question. The practice is still carried on among religious families. It is practiced in the case of children, more often teenagers or young affianced couples, so their interactions with each other may be religiously and morally proper. The ritual does not involve a written contract and can be conducted by a family elder. However, it does not mean that people can engage in a physical relation, as the state of *zoujijyat* can be obtained only through a marriage (constant or permanent). It only allows a couple to interact and spend time together without it being regarded as sinful (Haeri 1989: 90; Niechcial 2009: 177).

6. The discourse on new readings of Islamic texts has been conducted in Iran for several years now by theologians (M. Kadivar, M.M. Shabestari), lay intellectuals (A. Soroush), women experts on religion (M. Gorji, A. Teleqani), etc.

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