

## عنوان مقاله:

Concepts and Nature of Foster Marriage in the Context of Iranian Domestic Law

## محل انتشار:

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## خلاصه مقاله:

Adoption is a legal, ethical, and social institution whereby a special legal relationship is established between a child orphan and a spouse or child without a spouse or children under certain conditions. In some countries where full adoption is adopted, adoptees have all the rights and benefits of inheritance in the line of the real child. This article examines the meanings and definitions and nature of the adopted child in Iranian jurisprudence and law. Following the enactment of the Law on the Protection of Children and Adolescent Children with Disabilities and Adolescents, adopted in ۲۰۱۳, the issue of marriage with an adopted child became one of the most controversial issues, especially in the media and cyberspace. Since according to the verses, traditions and fatwas of the jurists, the institution of full adoption is not accepted in Islam, in Iranian law there is also an institution of adoption in the sense that the adopted child is in every sense a true child and there is no adoption at all. Iran's law, unlike the laws of some countries, cannot cause any separation at any level between the adoptee and his or her family. According to the preliminary evidence, therefore, there is no reason to respect the marriage between the person under supervision and his guardians. However, stipulating that the guardian is allowed to marry a foster child in the orphanage law adopted in ۲۰۱۳ seems to be unnecessary, since despite the fact that the problem is not domestic or foreign, it is considered to be a measure of mediocrity. And with the child he gave birth to as a matter of jurisprudence and our traditions, the legislator could easily have been silent about this as the outdated law of ۱۹۷۴, without creating a serious vacuum. However, the personal status of religious minorities recognized in the constitution varies with the subject in question, so that the Zoroastrian Code of Personal Status adopted in ۲۰۰۷ and the Code of Personal Status of Protestant Christians of Iran approved in ۲۰۰۸, not only marriage The guardian has forbidden his foster child, but has also forbidden the marriage of the children of Salbi with the foster parent, and considers the foster child as the real child of the guardian.

## کلمات کلیدی:

Guardianship, Adoption, Marriage, Jurisprudence, Subject Rights, Child

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