

Representation of Muslim Women's Hijab in the Western Media (Legal and Political Aspects)

Susan Safaverdi

Abstract

This paper is the outcome of a research project conducted to investigate the legal and political aspects of the Western media's representation of Muslim women's hijab. The important issue in representation of reality by the media is that they can never be considered a neutral tool, and an impartial mediator in presenting an image. Media rely on language and sense and within the framework of discourse these two always rely on power. Therefore, representation of events by the media, regardless of being moral and immoral, is of ideological bias and is in line with weakening or consolidation of a power source or a specific discourse. The findings of this study indicate that the Western media about Muslim women in their stereotyping attempts on hijab. They introduce Muslim women as a negative political and anti-women's rights symbol.

Keywords

representation, Western media, Muslim women's hijab, content analysis, women's rights, political symbol.

The Phenomenological Role of a Guardian's Permission for the Marriage of a Maiden Daughter

Abolghasem Alidoust

Abstract

That marriage of a mature virgin girl depends on her guardian's permission or not is one of the important and widely-discussed issues. Because of difference in hadiths relevant to this issue, Muslim jurists are of different views in this regard. Though the legislators of the Islamic Republic of Iran have accepted the idea of dependence, some institutions affiliated to the Judicial Power have proposed the idea of independence. This is the idea which was previously well-known among jurists. In the present article, this issue will be discussed according to well-known juridical documents on the one hand, phenomenology of marriage and interpretation of the guardianship as supervision and protection on the other, and the idea of dependence will be confirmed.

Keywords

marriage, virgin, permission, girl, guardianship

Crime - Supposing husbands Disobedience

Abdolali Tavajjohi

Abstract

Family is a holy Society that had made on high feeling. Functionally it performs the most important role in welfare and adversity in Societies, SO effort in to protect and firm it, is a necessity which is not avoidable. In regard to unique characteristic of Family, there is no place penal sanction in the society. Even though in Some cases that husband doesn't discharge the rights of his wife and in spite of his mal feasan, he doesnot accept his freedom. Because it contradict with the high interests of religious and its negative social influences, can be performed penal sanction in front of it. One of the defects in protect family bill is that producers don't pay attention to this important matter. So to the witter, effort to solving this problem is necessary.

Keywords

Family, Disobedience, Penal Guaranty, Malfeasance

The Critical Investigation of Dower in Protective Bill of the Family

Seyyed Mehdi Jalali

Abstract

The designation of dower for women in the permanent marriage and temporary marriage is confirmed in Islam. God said in the Quran, The woman should be paid the dower. In Islam is confirmed the recommendatory of insufficient dower and repugnance of excessive dower. In recently, rate of dower is increased in Iran and it has originated of many problems in the living. In this article, rate of dower in shiah and Iranniam low and muslims countries is investigated, and also the possi bility of interference of legislator and allteration the edicts of dower conditions are based on Islamic regulation is investigated. The final decision of couples is doubtful in the rate of dower by changing of commands, lack of basis of changing in dower, and limited in in tereference legislator. By determination of anew regulation is proposed in protective bill of the family, by presentiny official and lagal claimes, article 25 of this bill and their notes, The eliminating of this bill and is proposed.

Keyword

Dower, Designing dower, Common dower, Limited dower

**An Analytical Study on Article 23 of Family Protection
Bill 1386**

Mohammad Taqi Rafiei

Abstract

Family as an authentic social institution constantly possesses an especial place from among the establishments of law. Family Protection Bill recently suggested by the Judiciary and approved in meeting dated 03/ 04/ 1386 of ministers board has been analyzed in different directions by the lawyers and experts. The Article 23 of this bill which is of outstanding importance in the present study is examined with social-legal approach. In this Comparison the only condition of polygamy considered is the finding of financial ability of man for permission to next marriage by court. Also this bill has provided merely the condition of undertaking to perform justice among wives, which could be done superficially. Whereas, this condition lacks Islamic Jurisprudence basis as well as civil and criminal sanctions, in which the necessity of finding performance of justice as one of the fundamental conditions of polygamy has not been taken into consideration.

Keywords

Article 23 of Family Protection Bill 1386, polygamy, consent of the first wife, condition of justice in polygamy, women law

An Analytical study on Article 23 of Family

Protection Bill 1389

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Abstract

The Government recently presented so-called Protection of Family Bill to the Islamic Consultative Assembly of parliament. Legal and Judicial Commission has limited the allowance of polygamy in 10 cases after examining it. In this paper the teaching of polygamy has been defended in theological manner and known against of Jurisprudential principles and proven that limiting polygamy in rare cases can not obviate the social necessity of that in the case of women and girls who are deprived of being the first wife. In addition to oppression of women and girls who remained unmarried that this limiting causes, it leads to extension of corruption, secret relationships and expansion of divorce.

Keywords

Articles 23 and 24 of Family Protection Bill, Polygamy, Plural marriage, Conditions of Polygamy, Family

Final Decisions of the Court in Divorce and Their Effects

Leila Sadat Asadi

Abstract

In civil procedural law, judicial decision of the court has been divided to “Judgment” and “Order” but certificate of non-adaptation as one of judicial decisions in divorce proceedings, has not been considered well. This paper undertakes to discuss, existing regulations have failed in exact determination of divorce judgment status and its differences with certificate of non-adaptation. Judges have not applied acceptable jurisprudence regarding its legal vacants and ambiguities too but bill of family protection with proper recognition of court final decisions structure, has been successful to some extent, although requires some amendments.

Key words

Divorce, Court, Certificate of Non-Adaptation, Judgment, Bill of Family Protection, Jurisprudence

Penal Rules in the Bill of Family Protection Criticized

Ahmad Haji Dehabadi

Abstract

Penal protection of values and rules should be always made in the last step; this is the case in particular for rights such as family rights which are based, more than contracts, on creation and continuation of love and interest between spouses. When penal intervention is necessary, principles and rules of legislation should be fully observed. That to what extent the penal rules of the Bill of Family Protection are regulated according to the necessities of legislation is a question to which the present article tries to provide an answer.

Keywords

Bill of Family Protection, legislation, necessity, comprehensiveness, proportion between crime and punishment, spiritual element.