

Legal Jurisprudential Investigation of Girls' Puberty

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Abstract

Maturation is a source of responsibility for a great transformation in every person's life, in addition to physical and spiritual changes, and it takes the human being from the world of childhood and escape responsibility to the adolescent world. All the laws of the world are based on adulthood, and apart from the natural symptoms that have occurred in boys, such as being mentally motivated and appealing in the shade of hair, in girls, there are other symptoms that have been maturing for age. In the present article, the study of jurisprudence and legal issues regarding the maturity of the girls will be examined and verified, but in general it can be stated that there is a reputation and consensus among the Shi'a jurists and fewer jurists believed among the later jurists maturity is at the age of 9, so there is a lot of fatwas in this regard. And, according to the legal rules of puberty, these are the natural and apparent changes that occur in the body and today the customary laws of today usually age 18 to be the basis for girls reach maturity.

Keywords: girls' maturity, jurisprudence and legals, age.

Introduction

. One of the issues that is debatable in various aspects of jurisprudence and law is the problem of puberty. Maturity is a stage in life in which secondary sexual characteristics are manifested and a person is able to reproduce and the legislator reaches this stage has considered the obligation to belong to the home. From here, the importance of the issue is determined by the sacramental obligation by requiring an individual to enter this stage, orders and assignments to a person who is required to perform or leave the verb from the person, and this stage (puberty) is accompanied by a series of symptoms that these symptoms and qualifications determine. The age of adolescence is the age at which boys and girls are physically and occasionally mentally mature. In Islamic religion, this age is called the age of an assignment, and for boys, the end of the 15th anniversary of the AH and the end of the 9th year of the Lunar Year for the girls. After reaching this age, observing certain religious rules is obligatory for Muslims. The most important reason that jurists have paid attention to their fatwa and controversy have been narratives about puberty. It is important to pay attention to this fact that these traditions are all narrated from the infallibles (a). Otherwise, in the prophetic prayers and practices, there is no specific age for maturity, besides, in dealing with the existing narrations of the Imams (AS) it has been noted that although some of these narratives are correct, it has not emphasized a particular age, and in fact the reliance on traditions has been on another sign, such as menstruation; therefore, it should not only be fingers, but should also examine the space of the narrations to be published. The study of verses also shows that it is not relevant to reaching a certain age, and the time of puberty is when man reaches the stage of physical and sexual development, and the verses correctly emphasize this important issue; what is in this period when man understands goodness and corruption. It removes instantaneous emotions. In the Iranian law system, so far, regardless of the natural symptoms, the age of puberty in the legislative process has reached a certain age as the criterion of the individual's personality. Accordingly, note 2 of Article 1210 of the Criminal Code. Which is motivated by compliance with jurisprudence, is not in accordance with the jurisprudence and is against it, and is therefore criticized. In jurisprudence, puberty is not considered to be a growth trend, but it is believed that recognition should be made, whether it is before puberty or later. Accordingly, the text of Article 1210 of the Criminal Code. It is not consistent with the famous theory of Imams' jurists. In all respects, the amendment of Article 1210 of the Criminal Code. It is necessary to amend it and note 2, and according to the existing custom of people 18 years of age, and this age is defined in most countries of

the world as the age of development, its determination as a growth index. It is recommended, and this is not contrary to Shiism and Imam's jurisprudence. However, puberty is a natural occurrence and it is not possible to introduce a particular age as its absolute status. Therefore, considering that puberty, unlike the words of worship, is not a religious matter, cannot be a sign, as the sign of a natural and developmental matter must be natural, and this is a normal sign in the son, in the presence of a girl is menstruation, in men is autoerotism, and not in getting to a certain age, the concept of maturity and its legal and juridical meanings will be discussed further.

Definition and concept of puberty. Maturation in the word means getting to, reaching the age of growth, the child's youth, reaching the purpose of adolescent. Against puberty, the concept of childhood lies. In the abstract, children, minors, children are synonymous words that refer to a specific age range. In Persian, the child means a small child, as well as a child who has not reached the age of maturity, whether it is a girl or a boy. Matrimonial in the religious sense means that the child is at risk of being injured in a man and being in or out of the womb, and also the arrival of the child to the extent of the obligation and the age at which worship is obligatory. The owner of the jewel in the definition of puberty states: "The purpose of maturation, which is meant to mean perception in the word, is to reach the limit of time and the time of marriage because at that time the age is recognized in the body and sexual desire awakens, the person needs to be blended and the ejaculation occurs and the outflow of jumble water is the origin of mankind's creation, "and goes on to say:"

Maturation is the natural perfection of man, with manhood, the human generation is preserved and the intellect is strengthened. This state of transition from infancy to the border of perfection and reaching the rank of women and men, so if the probability at the right time comes in, maturity is achieved and there is no need for the expression of sharia, since the maturity of its natural phenomena ten is in the word and the custom, not in the religious matters that should be recognized by the Shari'a. "The meaning of the lithe and its derivatives are used in many Qur'anic verses, some of these verses specifically refer to the mission, and others include the meaning of maturity or communion the concept of reaching the object. Among the verses related to the announcement of the mission are verse 17 of Surah Yasin and verse 67 of Surah Ma'edah. There are other verses in the Qur'an, in which criteria such as maturity of solos, maturity of marriage, pubescence are mentioned, and when we look at the words that represent the maturity of the human being, we find that the maturity of the child's reaching the stage of the assignment is a natural, sexual matter. Which is mentioned in the Holy Qur'an.

1-2. Maturity of solos

God states in verse 58 of Sura Noor:

"O believers, your slaves, as well as your children who have not reached the age of maturity and grief, should be allowed three times a day to get you one before the morning prayers, two at midnight when you take your clothes and the third one later. From the night prayer, these three times are in your privacy and after that you can enter without permission and there is no sin to you and to them and look around each other and serve you with kindness and intimacy).

Also, in verse 59 of Sura Noor says:

"As your children reach adulthood, they must be allowed to enter, just as the people before them who were grown up and allowed, this way, God explains his verses to you, and God is the wise and the wise."

Sheikh Tusi writes about this verse:

"The maturity of this law in this verse means that at this time the requirement for the permission to seek a monopoly will be expelled three times, and it is necessary for all adult male adults to be admitted"

It seems that the children's sentence is assigned to the sons of Mobarakeh verse and can be obtained from the sentence of the ruler.

The following verses can be deduced from the following points:

A) In general, three times a day, everyone in his home has simple, low-level clothes.

Before the morning prayer, which still does not prepare his person for prayer, he does not go out of bed and does not wear more clothes, and sometimes half naked.

In the afternoon, people often wear their own clothes that are worn to do their daily work and leave the house to relieve tiredness and rest.

After the prayer of night, who prepares himself for sleep.

B) The Holy Quran divides the children into two groups:

First Category: Those who have not got happened, who at any given time (referred to) cannot enter the parents' room without permission.

The second group: Those who have reached the point that their permission is not limited to a specific time and should always be entered with permission

Tabarsi narrates in Majmao`l-bayan in the words of Imam Baqir (PBUH) and Imam Sadegh (PBUH), who say: the meaning of Holom is a child that has been distinguished and recognizes sexual and other, and so on issues. But not mature.

The order for admission implies that children understand the meaning of the permission and to some extent understand why. Rational growth and the perception of good and evil in children are gradually achieved, and as much as age grows, intellectual and rational growth also goes up. Based on the gradual growth, Islamic teachings have given special commands for different children's ages. For example, at six, seven years of age should observe sexual restrictions, as the Prophet (pbuh) said: "Separate your children's bed at the age of seven." "And it's narrated to separate your children's bed from the age of six." In addition, the girls at the age of six and the boy at the age of seven years later have the power to distinguish sexually. Therefore, they should avoid them from the acts that provoke sexual instinct, and this is confirmed by the prophet of the Holy Prophet (pbuh).

Prophet Mohammad (PBUH) said: "Do not kiss a six year old daughter, and women will refrain from kissing a boy whose age has exceeded seven years."

According to the verse 58 of Surah Nour, the child who is at the dawn of puberty is not allowed to enter a private place at a special time to enter a private parental home, lest he encounter an unusual view, his inborn nature is instigated and his background of distraction and sexual contamination It is always up to you to comply with this order by ending the childhood and entering the course of responsibility and duty.

2-2. Maturity of marriage

(Test your orphans as they reach adolescence. If you find them growing enough, they will have the meaning of possession and examination. Ultimately, the orphans are meant to mean immature boys and girls who have lost their father.

In Ayatollah Bojnourdi's commentary on this verse, he says:

"The orphan is the attribute of the current weight in Arabic to the one who is a minor or confused of seizure, that is, without the independence of seizure," "that is the orphan", that is, to the extent of the physical and intellectual growth that would be able to seize independence, and it is not possible to do the financial transactions itself, so the translation of the verse "and the illness of elite" is as follows: to test and try those who are confined and forbidden to seize property. Of course, it is very obvious that this experiment and the discretion, before puberty because in the verse there is the word "even" for the ending, which means "up" in Persian. Try not to get people who are not financially self-reliant and forbidden to be "captured" until "they become mature."

"Anes" means getting it. In the process of receiving the divine message on the mountain, the Prophet (Moses) says: "I understood." Of course, according to the appearance of receiving him, besides

receiving yogurt, however, if you have tried the orphan and forbidden to seize, and you have reached the stage of growth in sexual, legal and legal matters, and that you recognize your interests and interests, it is obligatory for you. Return your property to him ".

The term maturity of marriage is the same as being married, in terms of the nature of the body, and that which we interpret as sexual ability. The sexual ability of the man to be able to perform the action (proximity) and thereby proves the effects of seminal exodus, lust and pleasure. In other words, the maturity of the marriage is achieved through the developmental (physiological) changes in the human body, and from the stage of childhood to the stage of physical fitness, which is achieved through sexual ability through physical ability.

Allameh Tabatabai says about maturity of marriage: "The maturity of marriage is the time when power becomes married."

In Maraghi's commentary, it is stated that "the maturity of marriage is the reaching of an age, which is the result of the talent and readiness of marriage, and that is the maturity of the hymn. In this case, the child will become a spouse and guardian of the family. "

It is stated in the book of al-Kashef that "the maturity of marriage is when one becomes acquitted because at that moment he finds the qualification for marriage and reproduction, which is the purpose of marriage."

3.2 Mature

The Qur'anic word has been used in verses of the Holy Qur'an in eight verses, which means growth, strength, and reference to the strength of physical and spiritual power. Three of these verses have been revealed about divine prophets, and it refers to the time when it is prepared to receive revelation and prophecy.

In two verses below, the time of giving wisdom and knowledge to Yusuf (a) and Prophet Moses (AS) is stated.

Verse 22 of Surah Yusuf says: (Since Yusuf (AS) has reached puberty and power, we have given him "commandment" to prophecy and knowledge, and so we will reward the benefactors).

Verse 14 of Sura Qesas says: (When Moses reached the age of growth, and reached perfection, we gave him knowledge and so rewarded the benefactors).

Verse 15 of Surah Ahqaf says: (But we advised a man to do good to his parents and his mother carries him with discomfort on the ground, and carries it out and milk lasts for thirty months until it reaches full strength and growth, and to forty years old)

This verse is expressed in relation to man in general, and the name of the prophet is not mentioned, but after the word "Crescent" it is mentioned until the age of forty, which according to the commentators is the time when the revelation was revealed in the Prophet.

2. Legal Principles of Girl's Maturity

Adolescence is an age legal reform that a natural person can legally take on his work and enjoy civil rights. The arrival of a person is at a certain age, in which he usually reaches to the fullest extent physically and mentally and can independently seize his property and financial rights.

In 975 AD, it reads: "Carrying out of civil rights is subject to the condition of being born alive".

Therefore, the birth of a fetus before any birth has all the rights that any person can own, but cannot exercise his rights (Article 985 of the Criminal Code)

This article indicates that the onset of a child should be presumed at birth before the birth and originated from the time of conception, therefore, Article 956 of the Criminal Code is not a declaration of the

beginning of childhood, but what is stated in this article. That the livelihoods are suspended for the sake of civil rights and are definitively resolved with a live birth.

What can still confirm this promise is Article 875, which states:

"The condition of inheritance is alive at the time of death, and if he is inherited, he inherits that he has inherited death time and is alive, although he dies immediately after birth."

And also Article 851 of the Criminal Code, which states: "A will is for the right to carry, but his possession is subject to being born alive."

With regard to the above, it is proved that in Iranian law the beginning of the childhood period has elapsed since the time of conception of the spleen and it does not make sense to start it from birth, but to give birth to a law devoted to the zombie before birth.

On the other hand, the same result will be reached by considering Iran's laws on punishment.

Because in the 12th Islamic Penal Code, which is the subject of abortion, abortion is considered in the evolutionary stages of the body corresponding to each course, and, as the name implies, refers to all stages of development after the fetal development of the fetus.

Regarding the contents of this section, it appears that in this field the laws of sharia are exactly in line with our laws, and the beginning of the childhood is the same as in the second one, and this, of course, is a logical consequence, because as we saw in the discussion, according to the Islamic law, the beginning of the childhood the start of coagulation is the spleen.

In the case of the end of a childhood period, before the 1210 AH article was amended in 1996, the age of maturity was 18 years later, and therefore those under the age of 18 were considered minor, and according to the 1207 AH article they were deprived of possession of their property and financial rights.

The age of this age has been growing, and reaching the age of 18 is a matter for the party, unless it is proved to be the opposite.

In the amendment to Article 61 of 61, the substance was amended as follows:

"No one can be confused with madness or lack of growth after reaching adulthood unless his growth or insanity is proven.

Also, two notes were added to this article:

Note 1: "The age of puberty is 15 years old in the whole lunar boy and 9 in the full-lunar girl." Note 2: "Minor property that has matured can be given to him if his growth is proven."

As it turns out, there is a conflict between Article 2 and Note 2, because according to the article, the age of puberty

is a growth pattern, while according to Note 2, growth needs to be proven and not enough to reach maturity.

The reason for the conflict is that the material of 1210 BC has been preserved with the same combination and only put 18 years of age at the very beginning of puberty, ignoring the fact that it actually merged the age of growth and puberty, while in the reform 61 years of puberty other than the age of growth.

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The above article caused disagreement between the courts and resulted in the issuance of the unanimous vote of Order No. 30 dated 10/3/64, the Supreme Court of the country.

Based on this opinion, "Article 1210 of the 8th Amendment of January 69, which states that must reach the age of adulthood as the reason for its growth and, contrary to it, requires proof that it interferes in all its affairs, except in the financial affairs which requires the proof of growth in the sentence of Note 2. In the last minute, after reaching adulthood and proving growth, it can directly seize and interfere with the property owned by the marriage contracts or aggression before maturity, and it is forbidden before this growth is proved. "It seems that, according to the provisions of Article 1210 of the Criminal Code, and its limbs, the end of childhood is attaining puberty. Because:

First, the child (siblings), as it was in the early definition of the word, comes from the maturity of Shari'a, and traditionally refers to someone who has reached the age of adulthood, not minors.

Secondly, in Note 1 of Article 49 of the Criminal Code, the child is included in the definition. "The child is meant to have not reached the age of maturity, and therefore the criterion has been maturing, not growth."

Thirdly, we know that according to Article 1210 of the Criminal Code, "nobody can be confused after having reached puberty as insanity or lack of growth." Since, according to the issue of maturity, it means departing from confinement, and since it is known, in accordance with paragraph 1 of Article 1207 of the Criminal Code, that the confluence of the cave is known to be contrary to Article 1210 and Article 1207 (1) of the Criminal Code, it becomes apparent that indeed, a confused minor is unconfident with the mature and therefore is different from that. "

With regard to the above, the end of childhood in Iranian law is at the same time as puberty and growth does not have any effect on it.

Law scholars have also argued that "growth is a high potential of thought that one can, with the help of it, normally manage its financial affairs for its own expediency". On the basis of this principle, it is not unreasonable that "his possessions in his property and his financial rights are not rational, that is, they have no salary, and if his property office is left to him, he shall be subjected to arbitrariness, expropriation". Whether this person "has grown sufficiently enough in the non-financial affairs or is left behind." Therefore, "the mere maturity of a person is not a sign of his growth, the adult must be tested in order to achieve his growth and obtain the sum of those two people".

From the outset, the Iranian legal system, without any reference to the signs and symptoms of the age of puberty, at various stages of the legislature, has determined a certain age as a criterion for the individual's marriage, in which the age of the child is sometimes more than the age of puberty is determined, and sometimes, the maturity of the marriage is considered to be the natural maturity. For the first time in the legal system of Iran, in Article 1041 of the Criminal Code. Adopted in 1313, "Female adultery is prohibited before reaching the age of 15 years and male adolescence before reaching the age of 18 years. However, in cases where material is required, the exemption from the age limit may be granted by proposing a court of appeal and approval by the court. However, this exemption cannot, in any case, be granted to women

who are under the age of 13 and to men who are less than 15 years old. "Determining the minimum legal age for marriage and anticipating the possibility of abandoning it actually causes increased marriages in the ages. Providing less than the minimum legal age, the consequences and bad effects of this law, including the increase in the number of divorces among such couples, led the legislator as a remedy. As a result, the adoption of Article 23 of the Family Protection Act was approved in 1353; under this article: "A woman's marriage is prohibited before reaching the age of 18 years and the man is barred before reaching the age of 20. However, in cases requiring material expediency, exceptionally, in the case of a woman who is less than 15 years old and has a physical and psychological ability to marry, may be exempted from the age requirement on the recommendation of the prosecutor and approval of the county court. A woman or man who, in contravention of the provisions of this article, carries on with a person who has not yet reached the legal age for marriage, will be sentenced, as the case may be, to the penalties provided for in article 3 of the marriage law enacted in 1316. "After the

victory of the Islamic Revolution, many criticisms of the contradiction of Article 1041 of the Criminal Code. According to the Shari'a rules, therefore, in the first session of the Islamic Consultative Assembly in 1982, under the draft law "On Amendments to some Articles of Civil Law", the proposal to amend the article was submitted to the Parliament and Article 1041 of the Criminal Code. The following was amended: "Adultery is prohibited before adulthood, Note: The marriage contract is before adulthood with the proper permission, provided that it is in accordance with the interests of the Mole ". By modifying its note on November 14, 1370, the following was changed: "A marriage contract before adultery is allowed with the permission, but subject to the consideration of the interests of the Moushavs against the correct." Also, with the developments that took place after the victory of the Islamic Revolution in the legal system of the country, Article 3 of the Law on Marriage approved in 1316, which was discussed above, was also approved by the adoption of Article 646 of the Criminal Code. Adopted in 1375. According to this article: "Adultery marriage is prohibited without admission, but it is prohibited. If a man with a girl who has not reached puberty contrary to the provisions of Article 1041 of the Criminal Code and the following note is married, sentenced to imprisonment from six months to two years. "Failure to prosecute the execution of penalties for cases of defective organs or death due to coupling contrary to the provisions of Article 1041 of the Criminal Code has resulted in Article 50 of the "Family Support Bill" prepared by the Judiciary and held by the Islamic Consultative Assembly. For these cases, such a guarantee is to be foreseen. According to this article: "If a man with a girl who has not reached the legal age of marriage, contrary to the provisions of Article 1041 of the Criminal Code, He will be sentenced to six months to two years' imprisonment. If, due to marriage, in contravention of the above regulations, an event leading to a defect or permanent illness of a woman, the couple will receive two to five years' imprisonment in addition to paying him, and if he ends up to death, in addition to paying the money, he will receive five to ten years' imprisonment convicts ".

In Iranian Civil Code, Article 1042 of 1313 was enacted:

After reaching the age of 15, females cannot marry without their permission until they reach the age of 18. Article 1043 of the 1313 Act was also stipulated:

The marriage of a girl who has not yet married, though she has more than 18 years of age, is stopped by the permission of her father's father. If a father or an ancestor of a father without a legitimate reason to give up leave, the daughter can go to the marriage office with the full introduction of the man who wants to marry him and the conditions of the marriage between them are given to the father or the grandfather inform the father and after 15 days from the date of the notice the office can make marriage. The notice may be given to the father or grandfather other than the marriage office, but the notice must be made clear.

Due to the cancellation of age 18 years old as the age of consent and the admission of age criteria of maturity, Article 1042 was removed and Article 1043 was amended in 1361. The corrective text of this article is:

"A marriage of a girl who has not yet been married, although she has reached the age of adulthood, is to cease to allow her father or ancestor, and if the father of the stepfather has no right to deny permission, the girl can complete the man who wants to marry her and the marriage conditions the mediation between them is to be referred to the civil court and informed by the court of the father or paternal grandparent, and after 15 days from the date of notification and non-response by the vice, the court may issue marriage permit.»

Article 1043 of the Civil Code of 1370 stipulates:

The marriage of the virgin daughter, though she has reached puberty, is overthrown by the permission of her father or paternal grandfather.

According to this article, a girl who has reached the age of adulthood and is not outside the province, marriage cannot act independently, while it is no longer under the province and its opinion is valid, and

the marriage contract does not exist without its consent and will. Should also obtain the consent of the father or ancestor of the father to conclude a marriage contract.

The summary of Article 1043 of the Criminal Code implies the following: 1. A marriage of a girl who has not yet been married, although she has more than 18 years of age, ceases to allow father and grandfather, and whenever a girl who has not yet been married and 18 years old It is time to marry without permission, it seems that his marriage is non- penetrating, and from the time of the permission, the marriage is valid.

3. Legal Principles of Girl's Maturity. Most of the jurists in the Imamate are considered to have puberty in 9- year-old girls all over the moon. Shafe`i and Janbali jurists say that age is 15 years. Hanafis are 17 years old and somewhere else they are 9 years old. These will be minted after reaching this age. It is here that the questions are raised. Is the girl still under the province after reaching this age? There are differences between jurisprudents on this issue because they are rooted in jurisprudence. Some religious scholars believe that as we consider independence for boys after reaching the age of puberty and perfectly manage their affairs let's leave the girl, like a boy, to have independence and freedom, and the girl can make her own marriage without permission. But some other scholars have gone through the middle way and said that both the girl and her father and stepfather had to share this. In Islamic jurisprudence, puberty is a condition of the veracity of many rules and regulations. Maturity is a stage of age, during which changes occur in the person's organs, feelings and thoughts. Imams' jurists have not defined a definition of maturity, but some of the natural and the external signs, such as reaching a certain age as the mark of puberty, have been identified in terms of the term "marriage maturity" and "aging puberty". But what we find important is the determination of the age of puberty that should be determined by the custom, and the hadith itself is different in this regard, and some of the traditions of the age of 9 and 10 and some of the age of 13 are puberty and the proofs of these hadiths are correct. As for these traditions, we cannot say that because, for example, it has been mentioned in the traditions, and those narratives have also determined this age for marriage, we must also be submissive and convinced. What can one say, that Islam no matter, it cannot be limited to a specific time and place, and it is a matter of age for the maturity of individuals in our own laws, and we state that this age is the age of puberty and slender. In many cases, it seems that what is needed to bring new issues is Islam has correctly identified these cases, but in many cases the ordinary people's lives did not conflict with Islamic teachings, this is the current procedure in the life of the people. And these issues have been rejected, which has been a misconception and false doctrine. These narratives, mentioned in this regard by the Imams (a), have been confirmed by this customary practice, and in the second half of Islam, with its knowledge and achievements it is not disputed that, if scientific advances prove something, it would be a disadvantage, since at that time it was the custom of science of that time. Some argue that marriage at a young age makes it difficult for people born of these marriages to face genetic defects. Now, if we even consider this a hypothesis and even deny this, we cannot marry let's take a simple look at what it means to form a community that we want to let 9-year-old children take part in this important thing. Something that our community does not accept. To this end, it seems better for our jurists and lawyers to introduce a new theory according to the custom of the society as well as narratives in this field to allow the custom to determine this. What can be said with regard to our community is that at least those who are at an early age can be said to be very rare to be sued or to say: less is a father who is present at his age marrying and lucky enough to leave home. Moreover, few have thought that we will accept all of this in our jurisprudence, and this also means that the girl can reach only one permission from the age of puberty parents get married. Perhaps one of the most important issues that remains unresolved is that the girl is at the age of nine but her violent parents are not alive, is it true that she does all her own affairs independently? What can be considered with regard to our community is that this community is not a community where 9-year-old children can handle all these issues themselves or assume responsibility for these matters.

1-3-Maturity marriage

In the Holy Qur'an, the word "maturity of marriage" has been mentioned in the statement of the orphan test for the surrender of property. It is apparent from this verse that the criterion of maturity is to reach the extent that the son or daughter desires marriage and that it would be possible for a man to die and a woman's wife. In commentary books, Marriage's maturity dates back to the age of marital talent and preparedness. The famous jurists considered the criterion of marriage's status as maturation and lack of it, and according to some narratives, the age of puberty is 9 years for the full moon for girls and 15 for boys. Even some have claimed consensus. Therefore, Imamite jurisprudents believe that natural maturity is enough for a person to marry. He also accepted the coupling of the child before reaching adulthood by father and documented this ruling in various narratives. In this regard, and especially in the context of the discussion of the existence of an option for termination of marriage for a child after it has been suggested that some of the permissions of such a coupling have been documented by the consensus of the jurists, although, despite the aforementioned traditions, the consensus documented in these narratives is a documentary and lacking authority. Imamiyah jurisprudents, despite the permission of knowing the coupling of the child by father, have forbidden the proximity of such a girl to the age of adulthood. Some of the violations make it a civil responsibility for a person, and they see the occurrence of any defect as eternal sanctity. Other concepts that are associated with the maturity of marriage and in the world of law are the source of many works, is growth. In the Holy Qur'an, the word "matured" is used. In explaining the meaning of puberty, the commentators have not had a single view, and some have considered it as probable and mature, and some have made sense to the point of view; among these interpretations, even the age of thirty years is expressed as the age of puberty.

Allameh Tabatabai believes that maturation is when physical strength strengthens. Weakness disappears, and this is the same maturation and growth that is mentioned in verse 6 of the Surah Nesaa; the beginning of this state is often eighteen years old. In some traditions, maturation has been construed to mean 13 years.

It is found from all verses and traditions that puberty has a broader circle of sexual maturity and includes a collection of rational maturity, strength and perfection of physical forces. So that the financial gain of a person with a maturity of marriage and growth is both allowed.

Imams' jurists are also using the words of Imam Sadiq (AS) who say: The term "growth" refers to the ability to hold property in transactions and not to waste them, the meaning is clear in the custom. Some people believe that this situation is due to physical maturity and growth. In this case, there is no controversy among the Imams. Therefore, from the perspective of the jurisprudents, the removal of the hijab from the minor and the possibility of his capture in his property and his financial rights, is achieved with two conditions of maturity and growth. According to the jurisprudents of Imamiyah, "growth must be achieved through the test, and this also depending on the circumstances and social, family and personal circumstances of individuals. It should not be repeated at all, but should be repeated to the extent that knowledge of the growth and ability to manage the property. "Therefore, the determination of the means of acquiring science is to grow, but the method is not unique and such a science can be obtained by other customary methods, such as the testimony of witnesses.

2-3-Maturity

Extreme means physical and spiritual strength, and "high maturity" means reaching this stage, and this title is used in the Qur'an in various stages of human life.

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the beginning of this state is often eighteen years old. In some traditions, maturation has been construed to mean 13 years.

It is found from all verses and traditions that puberty has a broader circle of sexual maturity and includes a collection of rational maturity, strength and perfection of physical forces. So that the financial gain of a person with a maturity of marriage and growth is both allowed.

Imams' jurists are also using Imam Sadiq (AS)'s statement that they say: interprets the term growth as the ability to hold property in transactions and to not waste them, and its meaning is clear in the custom. Some people believe that this situation is due to physical maturity and growth. In this case, there is no controversy among the Imams. Therefore, from the perspective of the jurists, the removal from the minor and the possibility of his capture in his property and his financial rights, is achieved with two conditions of maturity and growth.

According to Imami's jurisprudents, "growth must be achieved through the test, and this also varies according to the social, family and personal circumstances of the individuals. It should not be repeated at all, but should be repeated to the extent that knowledge of the growth and ability to manage the property. "Therefore, the determination of the means of acquiring science is to grow, but the method is not unique and such a science can be obtained by other customary methods, such as the testimony of witnesses.

In the words of Imams' jurists in two verses and in two cases, it is believed that growth is a condition and it must be proved that the intellect and capture of the person is considered correct: one about the financial affairs and the possession of people in their property, and the other about marriage that the jurists consider the growth of a valid marriage.

The owner of Orvato Alvosqa writes: The marriage of a person who is a relative is not correct except with the permission and the determination of the divorce and the spouse, and if, without being married, the correctness of it is subject to the permission of the father, so if he saw the expediency and the right in this marriage and signed it this marriage is correct and there is no need to read the sentence again because the individual is not like a madman and the child is not a slave who is determined by the will, and that is why he can be the attorney on the other hand for the execution of the lawyer without permission. But he can do his own.

Imam Khomeini says:

Then, age 18 is a good age for growth that, unlike puberty, does not differentiate between girls and boys, the reinstatement of Article 1209 of the Civil Code can end the important part of these difficulties, and it is hoped that the same test for the compensatory action taken by the Legislative Commission of the Parliament is sufficient to remove Article 1209.

4 - Conclusion

From the topics discussed above, it can be concluded that growth in marriage is necessary and, along with adulthood and adultery, is necessary. What seems to be the jurisprudential point of view is that what is relevant in determining the necessity of an authorization is the existence of growth and that it is possible to look at the admission that some of the jurists have stopped marriage by considering it as a condition of perfection. And the nature of the permission in the promise of the caution is that the necessity of admission is not a condition of the correctness of the contract, but ultimately, if we are to determine the religious effect for it, we must stop the influence of the marriage. Having regard to the jurisprudential arguments and consensus expressed in the fact that the consent of the girl is a condition for the validity of the marriage is that there are virtually no conditions for applying. But with regard to the social necessity of being an experienced advocate of the male self and caring for the girl who is inexperienced in marriage, it can be somewhat emphasized on the evidence of the existence and necessity and validity of such admission. Because it is clear, the expediency alone is not a religious principle that can be issued on the basis of a religious order. If anyone considers expediency to be a religious one, in the case of executing its rulings for the competent ruler, however, considering the social

consequences and customary matters, it may be legitimate and permissible in relation to the necessity of some of the judgments. From the legal point of view, it was also observed that the lawful materials were prepared according to the caution of the jurists and the observance of social and customary interests based on the theory of partaking in the province, where the need for admission was also called as the condition of the correctness of marriage. But for the permission, the legal effects are considered, and not the effects of the influence of the marriage contract. With Lane, since it is necessary for the legislator to introduce a specific age as a growth index, so that practical problems do not need to be addressed at the community level, so according to the habitual practice of age 18 for the perfection of physical fitness, which is often at this age and ending general education is a sign of intellectual growth necessary for life. As a sign of growth, 18 is the right age for growth, which, unlike the maturity of the girl and the boy, does not differ, reinstatement of Article 1209 of the Civil Code can end the significant part of these difficulties, and it is hoped that the same size of experimentation in order to compensate for the unacceptable actions of the parliamentary judicial committee, it is sufficient to abolish Rule 1209.

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