



Woman in Culture and Arts

Cinematic Representation of Women's Rights in Temporary Marriage; An Approach from Law and Cinema

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Article Info	ABSTRACT
Article type: Research Article Article history: Received: 9 March 2025 Received in revised form: 11 October 2025 Accepted: 14 August 2026 Published online: 2 October 2026 Keywords: <i>Cinematic Representation of Law, Family Law, Law and Cinema, Temporary Marriage, Women's Rights.</i>	Introduction One of the primary obstacles to Iranian law is the status of women in family law regulations. This challenge is notably exacerbated in the context of temporary marriage. The preservation of the status and rights of women within this legal framework has been perpetually questioned due to the focus on sexual pleasure and the payment of a dowry (Mahr) in exchange for it, the absence of a legally enforceable obligation to register temporary marriages and the resulting consequences, and the rejection of this legal institution by a significant portion of society, which often leads to its clandestine formation. Moreover, Iranian cinema has consistently taken a critical posture toward temporary marriage and has addressed substantial issues associated with it. Utilizing the approaches of films in Iranian movies that have taken temporary marriage and its ramifications as their subject matter could serve as an illuminating guide for legislators. This is because an artist, in accordance with the nature of art, examines the pathology of a subject free from practical constraints, thus better clarifying the underlying causes of issues. Legal scholars, whether intentionally or unintentionally, adhere to legal principles and foundations in their analyses. The objective of this investigation is to illustrate the extent to which this pathology has influenced legislative developments in family law and which aspects still necessitate further consideration by lawmakers by examining the most significant Iranian films produced between 1991 and 2023 that focus on temporary marriage. It is important to acknowledge that the necessity of utilizing films to reform family laws is not merely a claim. Indeed, this research demonstrates that the necessity of mandating the registration of provisional marriages was evident in Iranian cinematic works before it was formally anticipated by legislative authorities. Methodology Employing an analytical-descriptive methodology underpinned by a non-normative approach, this research—based on the belief that lawmakers can use movies to amend laws more swiftly and accurately amend laws through the use of movies, employs a semiotic approach to analyze selected films and utilize library data. It also explores the perspectives of these films on temporary marriage and its related issues, as well as the cinematic representation of women's rights within this legal institution, while further aiming to investigate how these perspectives are reflected in the evolution of family law. It is important to note that this type of representation has occasionally occurred in the past and should, in an ideal world, occur in a preferable future state. It is important to note that the films examined in this study were selected in accordance with auteur theory, which is characterized by their valuable visual aspects and debatable approaches to investigating social phenomena. Findings The findings of this investigation demonstrate that significant films in Iranian movies perceive the institution of temporary marriage, as it is currently supported by lawmakers, to have serious flaws. Firstly, the majority of society does not hold a favorable opinion of temporary marriage, and legislators must explicitly consider this widespread perception. This imperative stems from the recognition that customary understanding and adhering to custom is the most important issue that lawmakers should consider in legislation. Secondly, temporary marriage, particularly when the male spouse is already married, poses significant risks to the family that was previously established through permanent marriage. This is to the

extent that it cannot be disregarded in the support of this institution. This is due, in part, to its secrecy. Thirdly, the absence of mandatory prior registration can result in an unfavorable outcome for both the wife and her child when a temporary marriage results in the wife's pregnancy. This is due to the fact that the child's welfare is only enhanced by registering the marriage prior to the birth; thereafter, the male spouse may decline to do so, and in numerous instances, it is nearly impossible to compel him to do so.

A thorough analysis of the pathologies within Iranian movies regarding temporary marriage reveals an indisputable necessity for legal reforms in this area. Additionally, the dominant social perception of temporary marriage in modern Iranian society is not favorable, and legislators should take these social norms into account when enacting legislation. However, it is essential to develop solutions that are workable in the current environment, given the substantial impact of Islamic jurisprudence on family law in Iran. On the other hand, due to the predominantly concealed nature of temporary marriages, particularly when the man is already married, this institution often inflicts detrimental effects on the man's existing family and permanent marriage. Furthermore, the father can typically avoid responsibility when a child is born from a temporary marriage, as registration of temporary marriages was not mandatory until the Family Protection Law of 2012, and registration is only mandatory after the child's birth. In practice, the majority of temporary marriages in Iran are not officially registered due to a variety of cultural and social factors, which results in substantial harms for women in temporary marriage. In a sense, it can be argued that the legal framework of transitory marriage in Iran is compromised by deficiencies that become increasingly apparent as time progresses.

Conclusion

Several legal solutions may be suggested to address the issues depicted in prominent Iranian films. One method is to reinstate the Family Protection Laws of 1967 and 1974, which necessitated court authorization for married males to enter into temporary marriages and imposed criminal liability as an enforcement mechanism. This reform would align the legislator's stance with the current prevailing understanding of temporary marriage and would also alleviate the negative impact of temporary marriages on extant permanent ones.

Furthermore, the legislator has the option to formalize the standard provision of marriage contracts that allows the wife to pursue divorce in the event that her spouse enters into a temporary marriage. Furthermore, the strict enforcement of mandatory registration of all temporary marriages is necessary to prevent the wife from experiencing the challenges associated with establishing paternity and obtaining a birth certificate for the child, as depicted in the films analyzed in this study, in the event of childbirth.

Cite this article: Mollamohammadi Ardakani, H., & Shakeri, Z. (2026). Cinematic Representation of Women's Rights in Temporary Marriage; An Approach from Law and Cinema. *Woman in Culture and Art*, 18(3), 339-356.
DOI: <http://doi.org/10.22059/jwica.2026.391756.2142>



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Publisher: The University of Tehran Press.

DOI: <http://doi.org/10.22059/jwica.2026.391756.2142>
