

The Legal Verdict on Meeting and Dialogue before Marriage

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حکم شرعی دیدار و گفت‌وگو برای ازدواج

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Abstract:

Meeting of marriage candidates each other before marriage to reach a final decision to marry or cancel it is so popular in the Islamic society of Iran that it is not even thought to be "denied" and even the most fanatical religious person cannot forbid it; While most jurisprudential schools have allowed seeing suddenly the girl's face and hands to wrists for the proposal, and some have allowed the girl to see the boy's face as well, provided that the proposal does not enjoy her if it happens involuntarily and by force, some have prescribed it only once for the proposal to see the girl, and some have prescribed to see her several times. Some jurists have prescribed seeing the female body more than the face and hands to wrists, and seeing the girl's body behind a lace covering even with pleasure. However, most schools have forbidden meeting and talking, and some jurists have allowed it on the condition of not committing sin. The study of the opinions of all jurisprudential schools shows that these opinions are inferential and based on their own ijtihad. They are not an indisputable legal verdict. They are based on restricting marriage to the pleasure and enjoyment of couples, ignoring other aspects of marriage and limiting the relationship between men and women to a pleasurable relationship. Criticizing the jurisprudential opinions and their principles, it is concluded that the ruling to allow the marriage candidates to meet and talk to the extent of a definite.

Keywords: Marriage, Meeting, Permission, Forbiddance.

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چکیده:

دیدار داوطلبین ازدواج پیش از عقد نکاح جهت رسیدن به تصمیم قطعی برای ازدواج یا انصراف از آن، چنان در جامعه اسلامی ایران مقبولیت دارد که حتی تصور «منکر» بودن آن نمی‌شود و متعصب‌ترین دین‌دار نیز، توان نهد آن را ندارد؛ درحالی که غالب مذاهب فقهی دیدن - به صورت غافل‌گیرانه - چهره و دست‌ها تا مچ زن را برای خواستگار جایز و بعضی اجازه داده‌اند که زن نیز ظاهر مرد را ببیند مشروط بر عدم لذت‌بردن خواستگار. و چنانچه خارج از اراده، و قهری رخ دهد، بعضی فقط یک‌بار این‌گونه دیدن زن را برای خواستگار، و بعضی چندبار دیدن آن را تجویز نموده‌اند. فقیهانی هم بیش از چهره و دست‌ها تا مچ، دیدن اندام زن با وجود پوشش نازک حتی با رخ‌دادن لذت خواستگار را تجویز کرده‌اند، اما دیدار و گفتگو را غالب مذاهب منع نموده و بعضی از فقیهان با شرط عدم مفسده مجاز دانسته‌اند. بررسی آرای همه مذاهب فقهی نشان می‌دهد که آرای اظهارشده استنباطی و اجتهادی است و حکم مسلم شرع نیست و مبتنی بر منحصر کردن نکاح به کام‌جویی و لذت‌بردن زوجین شده و دیگر جنبه‌های نکاح را نادیده گرفته‌اند و ارتباط زن و مرد را منحصر به رابطه التذادی دانسته‌اند. با نقد آرای فقهی و مبانی آن، سرانجام حکم به جواز دیدار و گفتگوی داوطلبان ازدواج تا حد تصمیم قطعی منجر به ازدواج یا انصراف از آن را با بیانات شرعی و متون کتاب و سنت منافی ندانسته‌اند.

کلمات کلیدی: ازدواج، دیدار، جواز، حرمت، حکم.

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Introduction

It is customary, In the current social tradition of marriage, for a boy and a girl or a man and a woman to have one or more meetings with each other before marriage and to discuss their characteristics and their families, that is, parents and other family members, what they have or don't have such as jobs, housing, cars and education, to talk about the morals and manners that they like or have, about expectations and anticipations, the way they communicate with their parents, the extent of independence, responsibility towards the patient and elderly parents and such similar things. They will take time to visit each other's family or travel together for a while in order to establish their honesty about their claims and to get acquainted with each other's parents' behavior. Sometimes both evaluators are in contact with each other under the supervision of their parents, and sometimes they build a relationship without their supervision.

After a while, which varies among different individuals from one to two sessions or six months or a year or more and less, they announce the final decision to each other; either they will eventually reach an agreement and marry each other, or the final opinion will be negative and they will not marry.

This situation flourished in the society and became such an accepted principle that no other procedure or critique of this procedure can be imagined in general. In such a way that even fanatical, strict and Sharia-bound families agree with this approach. If they do not accept that their daughter is in a relationship with a boy for a few months, they agree, or at least do not dare to disagree, with at least a few

sessions of private meeting under their supervision; although, they may not be as strict with their boys as they are with their daughters; chastity is, however as important for boys and men as for girls and women, according to Islamic law. Unfortunately, the prejudice of customary practice is so deep that expressing a jurisprudential point of view requires clarity, courage and boldness, because the reaction of society against the jurisprudential point of view is likely to be severe; That is, when it is said as an expression of the view of Sharia or jurisprudence:

"whereas a boy or a man is allowed to see a girl or a woman upon marriage, a girl or a woman is not allowed to see a boy or a man, it is surprising for the society and in case of presenting as Islamic law and presenting what is customary as illegal and contrary to religion and sharia, the society not only does not go under its burden but also shows a strong negative reaction against it.

Even for the children of fanatical families who adhere to jurisprudence and sharia, it is hard and difficult to accept it and they do not accept it, and their families do not dare to express it either. With this customary practice, the question that arises is what is the jurisprudential ruling for knowing and meeting a boy and a girl who will get married if they reach an agreement? Is their frequent meeting permissible to get acquainted with ethics, backgrounds, characteristics, privileges and assets such as jobs, wealth, housing, cars and such things?

Is the practice of custom compatible with the jurisprudential view in Islamic religions? Is it possible to adapt the view of jurisprudence and custom in

conventional social behaviors in marriage? In case of non-compliance, should the view of custom necessarily be corrected or should the view of jurisprudence be adapted to custom?

Because having religious behavior is important in all matters, especially in marriage, it is particularly important to accept the answers to the above questions; because at least those who want to perform their religious duties and orders, will know what to do.

1. It is not necessary for two people who intend to marry each other to see each other before marriage

What was the custom of marriage in the beginning of Islam and in the time of the Prophet (PBUH)? It has not been reported and has not been addressed in historical sources. What is clear from the jurisprudential literature and jurists' statements is that two people who want to marry each other do not need to have seen each other, or to see each other (Ibn Abdul-Salaam, 1436 AH, v.2, p.159 and 251), but some believe, there is a contrary necessity on behalf of a girl or woman.

That is, before getting married, a woman or a girl is not allowed to see the person she is going to marry (Bahrānī, 1406 AH, v.46, p.23, Najafī, 1987, v.29, p.68).

The following reasons are given to prove this claim, that it is not necessary for those who are going to marry to see each other:

1- The interpretation that has been used to see for marriage is the word "permission", which means "permissibility", i.e. there is no obligation to see. (Hillī, 1403 AH, v.2, p.268, Hillī, 1421 AH, v.3, p.419, Āmī, 1410 AH, p.174, Hillī, 1424 AH, v.2, p.10, Bahrānī, 1406 AH, v.23, p.42,

Hurr 'Amili, 1412 AH, v.20, p.87, Matarzchi, 1434 AH, v.5, p.25, Ibn Qudāmeḥ Maqdasī, 1426 AH, v.3, p.4, al-Darari al-Mudhi'ah, v.1, p.441 & 449, Shawkān, 1434 AH, p.741).

They can see each other if they want to. Other interpretations used in jurisprudence also have the same meaning, some (Tūsī, 2009, v.10, p.152, Marghīyānī, 1429 AH, v.7, p.199) have used the word "لا بأس", some (Sharabīnī Khatīb, nd, v.4, p.318), and its explanation and margin are the help of the students have used the word "سُنَّ" and some (Al-Mahalli, v.9, p.161, Ibn Qudāmeḥ Maqdasī, 1426 AH, v.3, p.4) have also used "فله أن ينظر", all of which are other expressions of permission which implies "seeing" is optional; That is, seeing and not seeing is the same and does not make any difference and has no effect on the relationship between a married couple or their interest.

Of course, to see a candidate by the suitor has been considered recommended by some jurists. (Husseini Hisnā Demashqī, nd, v.2, p.29, Jubbaī Āmilī, nd, v.5, p.97) and also Masālik, San'ani, have said: "Ahadith indicate that seeing marriage candidates each other is recommended. Scholars agree on this point" (Sanānī, 1430 AH, p.698) who have considered seeing the suitor preferable and effective in the life of the couple, although considering the jurisprudential sources, all religions believe in the permission for seeing; As Ṣāḥib Jawāhir (v.29, p.63) considered the permission as the opinion of all jurisprudential religions and said: "There is no difference among Muslims..." Therefore, the theory of Istihbāb is one of the rare votes.

According to the jurisprudential theory of all Islamic religions, those two

people can become a couple who have not seen each other at all before marriage, and generally it is not a question of liking or disliking each other by seeing in Islamic jurisprudence.

2- Marriage based on "Wilāyat": Regarding the marriage of a mature girl and a woman who intends to marry for the second time, there was a discussion in jurisprudence whether a girl or a woman has the right to marry independently and without the intervention of another person or not? Some jurisprudential religions believe that a girl or a woman does not have the right to marry independently, they should get married off, and the one who marries them off is called a guardian, and in the definition of "Wilāyat" they have said: "It is to put a word the other, whether it wants or not"¹ (Tamartāshī, 1431 AH, v.4, p.114, Matarzchi, 1434 AH, v.5, p.46, Ghuryānī 'Asqalānī, 1426 AH, v.2, p.556); that is, a person who decides independently for another, and that person has no right to oppose his decision and must give in to the decision, whether she wants to or not, because decision-making is the right of the guardian and his decision is valid. According to the definition of Wilāyat, some jurisprudential religions do not grant any right to a woman in marriage and consider her marriage to be dependent on the will of someone who has Wilāyat over the woman, whether she is a girl or a widow (Sharabīnī Khatīb, nd, v.4, p.351-359, Shattā dāmīyātī Kubrā, 1429 AH, v.3, p.561-575, Matarzchi, 1434 AH, v.5, p.46, Ghuryānī 'Asqalānī, 1426 AH, v.2, p.556, Ibn Qudāmeḥ Maqdasī, 1426 AH, v.3, p.8, Sifārīnī Nablusī, 1428 AH,

v.5, p.328; Shawkān, 1434 AH, p.359 & p.450; al-Mahallī fi al-Athar, v.9, p.25).

Although disputes such as asking for permission from a widow by the guardian may be a condition in some religions (Sharabīnī Khatīb, nd, v.4, p.352), but there is no disagreement regarding this principle i.e. the guardian is a provision in a valid and religious marriage and in the Imamiyyah religion there is a disagreement in terms of the principle i.e. father and paternal grandfather are a provision in a valid and religious marriage (Najafi, 1987, v.2, p.276, Taḥrīr al-Aḥkām al-Shari'ah 3, p.433, al-Lum'ah al-Damishqīyah 175, Bahrānī, 1406 AH, v.23, p. 210-211).

Now, the discussion is not about the guardian's decision in the validity and legality of marriage, but the argument is that, if the marriage of a girl or a woman is subject to the will and decision of the guardian from a religious point of view, and the guardian is independent in his decision and can marry her off without informing her, In such a case, seeing may not be possible for the girl or woman, that is, a person asks the guardian of a girl or woman to marry his daughter or the woman under his guardianship, and he even agrees with marriage contract to be concluded while that girl or woman have no information about their marriage.

3- Getting married by proxy: The religions that had made the marriage of a girl or a woman subject to the decision of the guardian, gave the guardian the right to hire a lawyer without informing the girl or woman who is to be married and the lawyer marries that girl or woman off. Dad (Sharabīnī Khatīb, nd,

¹ «وَالْوَلَايَةُ تَنْفِيذُ الْقَوْلِ عَلَى الْغَيْرِ شَاءَ أَوْ أَبَى».

v.4, p.365, Hillī, 1389 AH, v.3, p.583, Ghuryānī ‘Asqālānī, 1426 AH, v.2, p.559, Ibn Qudāmeḥ Maqdasī, 1426 AH, v.3, p.14, Shawkān, 1434 AH, p.361). Religions that give a woman or a girl authority and guardianship in marriage have authorized them to marry a mahram or non-mahram, just as a boy or a man who is allowed to marry hiring a lawyer, that is, a lawyer should choose a wife for him (Najafī, 1987, v.2, p.277-278, Hillī, 1421 AH, v.3, p.435, Hillī, 1424 AH, v.2, p.88, Marghīyānī, 1429 AH, v.3, p.49, Mousalī, 2015, v.2, p.115, Bahrānī, 1406 AH, v.23, p.250, p. 168, Al-Darāri al-Mudhi’ah, v.1, p.435).

4- The marriage is valid and legal and irrevocable if a boy or a man as well as a girl or a woman hire a lawyer for marriage and have not seen the person they are going to choose as their spouse at all, and they have no right to object, the issue of divorce is something else that comes at a cost. According to the three reasons that have been presented, it is proved that according to jurisprudence, it is permissible for two people to marry each other and become a couple while they have not seen each other before; That is, seeing each other is not a matter of getting married.

2. Seeing or visiting

In Dehkhodā dictionary, "seeing" means: to look, to watch, to glance (Dehkhodā, v.8, p.11365). In addition to visiting, it defines seeing as looking, meeting, viewing observing and beholding (v.8, p.11360). We mean to see here, just to look, and to visit, to meet, and to sit together. In Islamic jurisprudence, in addition to the fact that looking at a girl and a boy or a man and a woman who want to get married is not necessary, it is an optional and religious

act, and the permissible amount is only to see and not to visit.

It is narrated from Jabir bin Abdullah Ansari that the Holy Prophet of Islam said: whenever one of you proposes to a woman and if you are able to look at something at her which persuades you to marry her so look at her. Then Jabir said: I proposed to a woman from the tribe of Bin Salama, I slept on a thick and wide palm branch until I saw a part of her, which made me want to marry her (Sunan Abu Dāwūd, 2082, Musnad Ahmad Ibn Ḥanbal, v.3, p.334-360, Sunan Bayhaqī, v.7, p.84, Kāfī fi Fiqh Imam Ahmad, v.3, p.4, Al-Mahalli, v.9, p.161, Matarzchi, 1434 AH, v.5, p.25).

Accordingly, some writers claim that in the time of the Prophet the face of women in society and the passages in the streets and alleys were visible, they did not cover their faces so that the people who would marry a woman, would look at her without letting her to know (Bultājī, nd, p.301, Ghalechi, 1417 AH, v.29, p.83). What confirms the fact that the faces of women in the age of prophecy were not covered is the narration of Jabir who said: "I lurked and saw the woman who I was going to marry. The jurist believe that it is permissible to see a woman even if she doesn't agree to be seen (Najafī, 1987, v.2, p.268, Hillī, 1421 AH, v.3, p.419, Al-Lum'ah al-Damishqīyah 174, Bahrānī, 1406 AH, v.23, p.42).

some have also interpreted that It is permissible to look at her without asking her permission (Hillī, 1424 AH, v.2, p.10, Al-Kafi fi Fiqh al-Imam Ahmad 3, p.4), some others have interpreted it as "negligent" (Al-Mahalli 9, p.191, Sanānī, 1430 AH, p.698) which means that the woman who is seen is not aware that she is being seen and looked at. Thus, the suitor's look at a proposee just

limits to a glance, which is a "glance on the way" and does not necessarily mean to be seen in the presence of the suitor. Of course, it can also be in this sense, that is, she can be seen by being in the presence of the suitor, because the interpretation of being seen with the "permission" of the woman has been stated in the expression of the jurists (Al-Mabsūṭ fi Fiqh al-Imamiyyah, 4, p.16; Ibn Qudāmeḥ Maqdasī, 1426 AH, v.4, p.3.).

The group of jurists who have used the word "they do not have permission" (Najafī, 1987, v.2, p.268, Taḥrīr al-Aḥkām al-Shari'ah 3, p.419), means that they may have given permission. In al-Maliki jurisprudence, it is abominable to see a woman without her or her the guardian's awareness (Ghuryānī 'Asqalānī, 1426 AH, v.2, p.498, Matarzchi, 1434 AH, v.5, p.26).

It is worth noting that seeing whether is done with the permission or awareness of the woman or not, is nothing more than a glance on the way. Existence of permission and awareness does not change the permissible limit of seeing, and the interpretation used by Martyr Motahhari (Hijab issue = Jafarian, 2007, v.2, p.1221) that is, the suitor's look at the proposee is "independent" and the stranger's look at a woman is "organic" is not compatible with the view of the jurists, which will be discussed

3. Permissible limit of seeing

As mentioned, to see a proposee by the suitor is permissible from the point of view of all Islamic religions, and there is no difference in the principle of permission, but there is a difference about the permissible limits of looking at the proposee. Most of the Islamic religions consider the permissible limits

of looking at the proposee to be limited to the face and hands up to the wrists (Matarzchi, 1434 AH, v.5, p.26, Ghuryānī 'Asqalānī, 1426 AH, v.2, p.498, Sharabīnī Khatīb, nd, v.4, p.318, Faṭḥ Al-Mu'īn, Shattā damyātī Kubrā, 1429 AH, v.3, p.475, Al-Mahalli 9, p.161, Al-Mabsūṭ fi Fiqh al-Imamiyyah 4, p.161, Najafī, 1987, v.2, p.268, Taḥrīr al-Aḥkām al-Shari'ah 3, p.419, al-Lum'ah al-Damascus 174, Hillī, 1424 AH, v.2, p.10, Ansari, 1415 AH, p.40-41).

The second view is that it is permissible to see the feet up to the ankle (Ibn Qudāmeḥ Maqdasī, 1426 AH, v.3, p.10, Sanānī, 1430 AH, p.698), Abu Ḥanīfah also allows looking at the feet. (Marghīyānī, 1429 AH, v.7, p.196).

The third view is to see the whole body of a woman, which has been expressed in various and sometimes fragmented statements and interpretations; Dāwūd Isfahani, the founder of the school of al-Zāhirīyah in jurisprudence, has absolutely said: "Look at all her body" (Sanānī, 1430 AH, p.698), which indicates that it is permissible to see the whole body of a woman naked. Malik ibn Anas has said: "he looks at the proposee and do not pay attention to the beauty of her body and looks at the body of the proposee which is covered. It is permissible to look at the face and hands up to the wrists" (Al-Matarzchi, 1434 AH, v.5, p.26, Tūsī, 2009, v.10, p.152).

Imam Khomeini (RA) has said: "It is cautiously permissible to look at the whole body of a proposee in case of wearing thin clothes except the private parts" (Khomeini, 2005, p.701, Bahrānī, 1406 AH, v.23, p.44, Najafī, 1987, v.29, p.66). There are some other interpretations, that is, the average limit

of seeing is the face hands up to wrists and feet up to the ankles and seeing the whole body (Sanānī, 1430 AH, p.698).

Sheikh Tusi authorizes to look at a woman's merits that is, the beautiful naked parts, in addition to looking at the whole body of a woman, in case of covering by clothes, and the way she walks. (An-Nahāyah fi Mujarrad al-Fiqh wa al-Fatāwā, 484; Muqni Sheikh Mufid wa al-Wasīlah Ibn Hamza Tūsī, Ibn Qudāmeḥ Maqdasī, 1426 AH, v.2, p.82) Mawāzi' al-Laḥim are the same as "Mahāsin al-Mir'ah" which refers to the beauties of a woman's body, which also includes a woman's hair.

4. One-sided seeing

Most jurisprudential religions and jurists and scholars of Islamic religions consider seeing one-sided in marriage; That is, they believe that only the suitor i.e. the boy or the man, is allowed to see, and they either remain silent about the proposee's seeing of the suitor, or the wisdom they express for seeing does not include the proposee's seeing of the suitor or the stipulation is the sanctity of the proposee's look of the suitor.

As Sahib Hadā'iq has said about the look of the suitor at the proposee: "The principle is that, it is prohibited to look at each other" (Sanānī, 1430 AH, p.698). [We will discuss the principle] one cannot abandon the principle of sanctity that is, looking at each other except with a clear reason, and it is not permissible to abandon the principle (Al-Hadaiq al-Nādhirah, v.23, p.46) and based on many narrations that has discussed, he has claimed that the suitor's look has abandoned the principle of the sanctity of look, and he is allowed to look at the whole body of a proposee with thin clothes.(ibid., v.23, p.42-46) The proposee's look at the suitor remains

under the principle of sanctity of non-mahrams' look at each other.

Sahib Jawāhir also believes that the look of the proposee at the suitor cannot be compared to the look of the suitor at the proposee; Because, firstly comparison is religiously prohibited in Imamiyyah religion, and secondly, the philosophy which exists in the suitor's look at the proposee's look is not in the proposee's look at the suitor, [will be discussed].The necessity of sticking to the principle is that the proposee's look at the suitor remains under the sanctity of look, since there are no religious texts on abandoning the principle, the presented rational reasons are not sufficient to express the ability to abandon the principle of sanctity (Najafī, 1987, v.29, p.68).

In addition to the statements of Sahib al-Hadā'iq and Sahib Jawahir, most of the jurists of the religions of Islam have considered the seeing one-sided, which indicates that the proposee's look at the suitor is not permissible (Marghīyānī, 1429 AH, v.7, p.199, Tamtartāshī, 1431 AH, v.9, p.451, v.4, p.58, Mousalī, 2015, v.2, p.387; Kitāb al-Mabsūt,v.10, p.152, v.5, p.2; Matarzchi, 1434 AH, v.2, p.6, p.389;Hujjat Allah al-Bālighah, v.2, p.268, v.4, p.161, Taḥrīr al-Aḥkāḥ al-Shari'ah, v.3, p.419, Al-Lum'ah al-Damishqīyah, p.174, Hillī, 1424 AH, v.2, p.10, Ibn Qudāmeḥ Maqdasī, 1426 AH v.3, p.4, al-Mahalli, v.9, p.161, Shawkān, 1434 AH, p.741, al-Darari al-Mudhi'ah, 449).

Contrary to this view, there are jurists from the Islamic religions and some Imamiyyah jurists who consider the proposee to have the right to see the suitor. (Shattā dāmyātī Kubrā, 1429 AH, v.3, p.474, Sharabīnī Khatīb, nd, v.4, p.319, Ghuryānī 'Asqalānī, 1426 AH, v.2, p.499, Ghalechi, 1417 AH, p.579,

Sanānī, 1430 AH, p.698, Al-Rawḍa Al-Bahīyyah 5, p.97, Sabzevari, 1423 AH, v.2, p.83, Ansari, 1415 AH, p42-43, Golpayeganī, 1985, v.2, p.229).

5. The philosophy of permission in seeing the proposee

Although marriage is based on husband and wife, most jurists have not doubted the permission of the suitor's look at the proposee, but they have strongly rejected the permission of the proposee's look at the suitor; Those who granted the permission considered it so slight, although there may be a jurist who attaches the same importance to the permission of the suitor to see the proposee as to the proposee to see the suitor, but the existence of such a jurist is rare.

It seems that the root of the impermissibility of the proposee's look at the suitor, or disregarding the permission, goes back to the wisdom of the permission. Therefore, it is necessary to discuss the wisdom of the suitor's look at the proposee in order to determine whether that wisdom is specific to the suitor's look or whether that ruling also exists in the proposee's look at the suitor? The wisdom that has been stated in seeing the proposee is divided into two categories: the first category is the wisdom that has been proposed by the jurists, and the second category is the wisdom that has been narrated in the hadiths, which is expressed in order.

1- The wisdoms that the jurists have stated about seeing the looks means the face and the fingers of two hands up to the wrists and they have said: "beauty or ugliness of the proposee are understood by looking at her face and the freshness or lack of freshness of a

woman's body are understood by looking at her hands up to the wrists argued (Sanānī, 1430 AH, p.698, Matarzchi, 1434 AH, v.5, p.26, Ghuryānī 'Asqalānī, 1426 AH, v.2, p.498, Shattā damyātī Kubrā, 1429 AH, v.3, p.475, Ghuryānī 'Asqalānī, 1426 AH, p.579, Golpayeganī, 1985, v.2, p.229).

The wisdom that has been considered in the words of the jurists is masculine and man-oriented, and they have only paid attention to the will and expectation of the man that the woman is captivated to be liked and the man must like her, it is not important for a woman to like a man. Because it is the man who should accept and the man's seeing has been considered more important and they have unanimously allowed a man to see. There are also narrations in which the same wisdom can be seen, as an example, Mughayra ibn Shu'bah proposed to a woman from Medina-Ansār, then he related his proposal to the Prophet (PBUH), the Prophet (PBUH) said to him: "have you seen the proposee? He said: No. The Prophet (PBUH) said to him: "Look at her. It is more likely that it will last between you" (Sunan Tirmidhī, 1087; Sunan Ibn Mājah, Ansari, 1415 AH, p.1865; Tafsīl Wasā'il al-Sihah, v.20, p.90; part 36), which creates intimacy and compatibility between you.

Then Mughayra ibn Shu'bah has said after the Prophet's order (PBUH), I came to the proposee's parents and stated that the Prophet (PBUH) said to see the proposee. The proposee's parents looked at each other and said nothing. I got up and went out. "Hey man," the proposee said to me. I stood in her shadow, then she added: "If the Prophet (PBUH) ordered you to look at

me, then look at me. If he did not say, I will go away. I looked at her, then I married her. Certainly I have not married a woman who is more beloved and more respected and esteemed to me than her, while I have married seventy women (Al-Mu'jam al-Kabir, v.20, p.434, Shattā damyātī Kubrā, 1429 AH, v.3, p.474) (Sanānī, 1430 AH, p.698, Marghīyānī, 1429 AH, v.7, p.199, Al-Darari Al-Mudhi'ah, v.1, p.449).

In a narration, the Prophet (PBUH) said to a man who married a woman from Medina - the Ansār [apparently the meaning is the proposal]: "Have you seen her? He said: "no". The Prophet (PBUH) said: "Go and see her as there is something in her eyes" (Sanānī, 1430 AH, p.698, Al-Darari Al-Mudhi'ah, v.1, p.450). The narration of Jabir bin Abdullah Ansari, which was mentioned in the topic of seeing and meeting, is synonymous with the above narrations.

From these narrations, the wisdom of the proposee's look has been considered, which is finding out the beauty of the proposee which means that the suitor should see the face of the proposee so that he does not feel remorse.

Shah Waliullah Dehlavi, who has a Salafi tendency, quoting the narrations of Jabir and an unknown man who had proposed to a woman from the Ansār, said about the philosophy of looking at the proposee and the wisdom of its recommendation: the reason why looking at the proposee is recommended is that marriage should be done with thought and the marriage done with thought takes time than the marriage that is done in a hurry. If there is no compatibility between them, it leads to regrets which is the result of incompatible marriage, and if marriage with thought leads to dislike and

rejection, its rejection is easier to tolerate, and there is no inconvenience.

Marriage will be joyful and pleased if it is a compatible and desired marriage based on thoughts. (Hujjat Allah al-Bālighah, v.2, p.390).

This philosophy and wisdom-making is not compatible with the narrations that he has quoted. What does looking at the proposee for finding out the beauty or ugliness have to do with a marriage based on thought and wisdom? If the marriage is to be based on thought and wisdom, there must be a relationship between the suitor and the proposee before seeing, so that all aspects of the contract and the union of the two people are examined and evaluated, mere seeing is not enough. Being careful in the prophetic narrations, the wisdom expressed in the narration is consistent with the wisdom said by the jurists, but in the Twelver hadīthī communities there are narrations from infallible leaders (peace be upon them) that are different from what was in the prophetic hadiths, although it is possible to reach the same philosophies in the final analysis.

To fully express the topic, the narrations narrated in the Imāmiyyah hadīthī communities will also be stated and analyzed. Muhammad ibn Muslim has said: "I asked Imam Muhammad Bāqir (AS) should a man, who is going to marry, look at the woman? Imam replied: "Yes, He buys her at the most expensive price" (Tafsīl Wasā'il al-Shi'a, v.20, p.88). Abdullah Ibn Sinan has said: "I asked Imam Sadiq (AS): Does a man who wants to marry a woman look at her hair? Imam said: "Yes, He buys her at the most expensive price" (Ibid., p.89).

Yūnus Ibn Ya'qub has said: "I said to Imam Ṣādiq (AS): Is it permissible for a

man who wants to marry a woman to look at her? Imam said: "Yes, He buys her at the most expensive price" (Ibid: 90).

In the three narrations that have been narrated, the reason for looking is considered to be buying at the most expensive price, so it is also permissible to look at a woman's hair and body with a thin covering. According to the narration of Ghiyath ibn Ibrahim, Imam Bāqir and Imam Ṣādiq (AS) narrated from Imam Ali (AS): "Does a man who intends to marry a woman look at the merits and beautiful parts of her body? The Imam said: "It is okay, it is perfect, for it is decreed for a matter to be" (Ibid. p.89). Mas'adah ibn Yasa' Bahili has quoted Imam Ṣādiq (AS) as saying: "It is not necessary for a man to look at the merits of a woman before he is married, if an order is decreed, it will be" (Ibid. p.90).

In another narration, Hasan ibn Sari narrated from Imam Ṣādiq (AS) that Imam was asked: "Does a man look at a woman before marrying her?" The Imam said: "Yes, and to what his property will be given?" (Wasā'il al-Shi'ah, Chapter 36, Hadith 1, 7, 11, 8, 12 and 4).

In all three narrations, the suitor is presented as the buyer because the dowry is given to the wife; In the sense that the word "مُستام" is the agent noun of Ifti'āl from the "third" root means to buy, because the suitor makes a purchase so that for not making a loss (Al-Rawḍa al-Bahīyyah, v.5, p.97) he should see the proposee to know the reason he is paying for, or if it is worthy his property? It seems that with the wisdom mentioned in the narrations narrated from the Shiite hadith communities, the philosophy of looking

at the proposee is the same as recognizing the beauty or realizing the lack of beauty. That is, what is important in a woman is the beauty of a woman (Ibn Abdul-Salaam, 1436 AH, v.2, p.251).

As a result, other things that are human perfection are not discussed or should not be sought in women. (Tafsīl Wasā'il al-Shi'ah, v.20, p.24-25, Chapter 4, Sabziwārī, v.7, p.184&252) while it has been said that the motive for marriage should not be the beauty of the spouse, but the motive for marriage should be the religion of the spouse (Tafsīl Wasā'il al-Shi'ah, v.20, p.49, Chapter 14, Hadith 1, 4, 5, 11, 3, 7) which will be discussed. Unlike most jurists of Islamic religions, Sheikh Ansari also gives the right to the proposee to see the suitor, and uses the explanation and expression of the wisdom stated in the narrations, that it is permissible for a man to see a woman because he does not waste his property that he gives to a woman for dowry. It is also necessary for a woman to see the suitor to know to whom she grants her "genitals" and not to spoil her genitals, especially if the man does not find the woman satisfactory, he has a way to get rid of the woman through divorce, but if a woman does not find a man satisfactory, she has no way to get rid of the man.

Therefore, the narrations that imply that a man buys a woman at the most expensive price give him the permission to see the woman, those narrations are used to say that a woman also sells her soul and body, and there is no doubt that the soul and body are the most expensive goods and property. With this explanation, it became clear that some have said: "There is no reason to allow a

woman to look at the suitor, in fact, their theory stems from not paying attention to the provisions of wisdom and reasoning mentioned in the narrations" (Ansari, 1415 AH, p.42-43).

The case that Sheikh Ansari has stated in defense of the proposee's right to see and its reasons has apparently had a history that has been answered by Sahib Jawāhir. It is likely that Sahib Jawāhir was aware of Sheikh Ansari's views and his reasoning. Because sheikh was among scholars and experts at the time of Sahib Jawāhir authority and had a reputation. The phrase of Sahib Jawāhir indicates that he has responded to the theory and argument of Sheikh:

"Sine the woman is the same as the man in the wisdom and reason of seeing, and there is the same reason and wisdom in the woman's look, but the existence of that wisdom and the reason for the woman is more complete, because of the man's right of divorce and the way to get rid of the unsatisfied wife, has joined the woman to the man as to permission, that is, the woman is allowed to see the suitor.

As can be seen, the mentioned topic is a summary of Sheikh Ansari's statement and reasoning. Sahib Jawāhir said in response: "The reason and wisdom mentioned in the narration for the permission of the proposee's look is that the proposee is bought at the most expensive price. Undoubtedly, this reason i.e. the purchase at the most expensive price is not realized in relation to the woman, so it is hard to join the proposee to the suitor for seeing, there is also comparison which is forbidden in our religion (Najafī, 1987, v.29, p.68; Bahrānī, 1406 AH, v.23, p.46).

6. Allowed times to see

Because the discovery of beauty or lack of beauty may not be achieved at once, and although the sanctity of seeing each other before marriage is considered "principle", is it permissible to see once or to visit several times? Some have been silent and have not commented on the number of times they are allowed to see which is once or several times (Musalī, 2015, v.2, p.387-388, Kitāb al-Mabsūṭ, 10, p.155, Tamtartāshī, 1431 AH, v.9, p.451, v.4, p.58, Marghīyānī, 1429 AH, v.7, p.199, Ibn Qudāmeḥ Maqdasī, 1426 AH, v.3, p.4, Al-Mahalli 9, p.161, Hadā'iq Al-Azhar and Sharh An Al-Subul Al-Jarar, 741, Al-Darāri Al-Mudhi'ah, v.1, p.449, Matarzchi, 1434 AH, v.5, p.25-26, Ghuryānī 'Asqalānī, 1426 AH, v.2, p.498, Sanānī, 1430 AH, p.698, Tūsi, 1400 AH, p.484, Jubba'ī Āmilī, nd, p.174, Ibn Qudāmeḥ Maqdasī, 1426 AH, v.2, p.82-83, Hillī, 1424 AH, v.2, p.10).

Apparently, those who have not commented on seeing once or several times, they agree on seeing just once, as some have specified the permission to visit once (Golpayeganī, 1985, v.2, p.229, Sadūl al-Jilbāb fī Wajūb al-Hijab, Jafarian, 2007, v.1, p.103). Some have prescribed seeing several times, but have not specified a limit (Sharabīnī Khaṭīb, nd, v.4, p.318, Shattā dāmīyātī Kubrā, 1429 AH, v.3, p.457, Ibn Muflih Maqdasī, 2004, p.1264, Al-Mabsūṭ fī Fiqh al-Imamiyyah, v.4, p.161, Najafī, 1987, v.2, p.268, Taḥrīr Al-Aḥkām al-Shari'ah, v.3, p.419, Taḥrīr al-Wasā'il, p.701, Najafī, 1987, v.29, p.67)

It seems that the meaning of repeating is that the seeing should not be more than twice, but Khaṭīb al-Sharbīnī, citing a hadith from Aisha (Ṣaḥīḥ Bukhari, p.5125, Ṣaḥīḥ Muslim, v.15, p.202, Musnad Ahmad v.6, p.41 & 128) have given the possibility of seeing

three times, because by seeing three times, cognition often occurs, but he himself has said:

"It is better to determine the number of times as needed "(Mughnī Al-Muhtāj v.4, p.318). However, in I'ānah Al-Tālibīn (v.3, p.475), he considered it permissible to see more than three times if needed and has said: "so that the body and feature of the woman is revealed to the suitor". In fact, the faith of the suitor has been trusted, but Sheikh Yusuf Bahrānī, in response to the words of Shahid Thānī in Masālik who has allowed him to see many times, said:

"In the narrations, it is not mentioned to see once or to see many times. The last thing that can be said is that permission to see is absolute in narrations that is compatible with seeing once and several times" (Bahrānī, 1406 AH, v.23, p.49).

Of course, considering the principle of not allowing to see each other, the claim of seeing many times is not compatible with the principle, and from the narrations, according to Sahib Hadā'iq, a permission is obtained that is, one-time visit, not more than that, visiting for several times is compatible with the mentioned principle of sanctity of seeing. That is, for seeing many times beyond the narrations, there must be a reason and permission should prove to see many times.

7. Why men and women are forbidden to look at each other

All the strictures of the jurists of Islam in permitting men and women to look at each other are rooted in the enjoyment of men and women by looking at each other, as Sharbīnī has said: (Sharabīnī Khatīb, nd, p.319, v.4, Shattā damyātī Kubrā, 1429 AH, p.477, v.3), Balāwī

Bushehri has said: "looking will cause sedition and getting involved in love and affection and entering the forbidden" (Sadūl al-Jalabat = Hijabiya 85).

Allameh Ḥillī has said: "Looking at women suspects sedition and is the object of desire" (Tadhkirah al-Fiqh, v.23, p.87). For this reason, Ibn Qudāmah al-Muqaddasi has said: "And it is not allowed to look at a beautiful boy, because he does not feel safe from temptation by looking at him" (Al Kāfi fi Fiqh Imam Ahmad, v.3, p.7. Ibn Muflih Maqdasī, 2004, pp.1247-1248), and Shukānī has said:

"As for the hadiths that prohibit looking, they are very numerous, and among them is a warning against looking and warning of its bad consequences and the greatness of its evil" (Shawkān, 1434 AH, p.741).

It is understood from the statements of the great jurists that they are cynical of the man and woman's visit. their view is that women are "places of lust" and looking at women may cause sedition, incite lust, cause taking pleasure from women, even looking at a good-looking boy also arouses lust, they are not safe from the danger of being aroused and enjoying good-looking boys, so the narrations that forbid "looking" at women, is to warn of the great corruptions that will arise in looking, which is an unhappy ending, or a disgrace in society, or a painful divine punishment.

Therefore, the best thing to do is to dry up the source, which is the same ruling on "prohibition of looking" and seeing, as Allameh Ḥillī has said (Ḥillī, 1435 AH, v.23, p.87, Sharabīnī Khatīb, nd, v.4, p.319, Ansari, 1415 AH, p.45).

That is, what deserves the beauties of the Shari'ah is to eliminate and dry up

the grounds for sedition and the emergence of sensual arousal, the door of sedition must be closed, as it deserves the beauties of the Shari'a. In general, the door of sedition must be closed and must refrain from expressing the details and examples of sedition and the emergence of sexual arousals, such as being alone with a non-mahram woman.

The jurists of Islam, in order to close the door of sedition and the emergence of lustful incitements, have forbidden looking at non-mahrams, as Ibn Mufleh al-Muqaddasī has stated (Ibn Muflih Maqdasī, 2004, pp.1247-1248) that is, Some jurists have said: "The obligation of hijab is reserved for women, without any disagreement, it is obligatory on women to wear hijab on the face and hands up to the wrists. It is not permissible to open the face and hands up to the wrists for testimony and other matters. It is not permissible for women to expose their body even in cover except in cases where there is a need for it to be appeared.

A group of jurists - and our master has said, according to a narration - that a man's look at a non-mahram woman in relation to the parts that are not considered private in prayer is permissible. But Ḥanbali has established that it is not permissible to look at the part that is not the private parts in the prayer. Abu Ṭālib has quoted: "The woman's nails are the private parts, when a woman leaves the house, nothing should be visible from her, not even her shoes, because the shoe describes the legs. It is more favorable for me that she puts a button on her sleeve so that nothing is revealed." Shams ad-Din Sarakhsī has said about men's looking at non-mahram women: "It is not permissible to look at the place

of adornment that is obvious and places of inner and hidden adornment.

The reason for this is the saying of God Almighty (An-Nūr: 31).

The companions differed in their interpretation of the obvious adornments of women. Ali (AS) and Ibn Abbas said: "The meaning of is the place of the kohl and the ring." Aisha said: "It is one of the two eyes of women", Ibn Mas'ud said: 'It is women's shoes and clothes'. Ibn Mas'ud quoted the Prophet's saying (PBUH): "Women are the rope of the devil, the devil hunts men through women".

The Prophet (PBUH) said: "I didn't leave a more harmful and hurtful sedition than women against men for after me." One day in the gathering of the Prophet (PBUH) there was a discussion about what is best for men from women and what is best for men from women, Imam Ali (AS) went home and told Fatemeh (PBUH) about the Prophet's gathering, Fatimah (AS) said: "What is best for women from men is that women do not see men [never] and what is best for men from women is that men [never] see women." When Imam Ali (AS) informed the Prophet (PBUH) of the words of Fatima (PBUH), the Prophet (PBUH) said: Fatimah is part of my body.

The words of Fatimah (AS) indicate that it is not permissible for men to look at a woman's body. The reason why it is forbidden to look at women is for fear of "sedition", all the beauties of women are in their face. Therefore, the fear of being seduced by looking at a woman's face is more than other female parts of body. Aisha also said "Women have no choice but to go out into the streets, so they have no choice but to cover one eye to see the way.

Therefore, it is permissible for women not to cover one of their eyes, which is why it is not necessary to cover it".

In matters that are permissible due to necessity, the same amount of necessity is sufficient and they do not go beyond the place of necessity. (Al-Mabsūt, v.10, p.152. Jafarian, 2007, v2, p.806 & 826, Risālah Dhiya'iyah, p.428). If these views are strict and we accept views that allow the openness of the face and hands up to the wrists, as Sarakhsī has said: "But do not take it according to Ali [AS] and Ibn Abbas - may God be pleased with them -" (Tūsī, 2009, v.10, p.152).

That is, the commentary of Ali (AS) and Ibn Abbas, including, we accept that what is obvious means the same face and hands from the fingers to the wrists, because the place of the kohl is the face and the place of the ring is the hands. But some religions and jurists do not consider the opening of faces and hands a permission to see them, as Shukānī has said: "Arguing for the exclusion of covering the face and hands with the phrase and the permission to open faces and hands during ihram and prayer.

It is not permissible to look at it, it is not permissible for men to look at it when faces and hands of women are open, but they are obliged to close their eyes to women in all circumstances, just as men are not obliged to cover themselves when they are among women, but it is obligatory for women not to look at them, because they are in charge of closing their own eyes" (Shawkān, 1434 AH, p.741. Najafī, 1987, v.29, p.78-80, Istifta'at, v.3, p.250 & 13).

Considering that it is not permissible for women to open their faces and hands up to the wrists (Sharabīnī Khatīb, nd,

v.4, p.319, Qurrah Al-Ayn Bhammat Al-Din, Shattā damyātī Kubrā, 1429 AH, p.476-479, Sanānī, 1430 AH, p.698, Tadhkirah Al-Fiqh, v.29, p.87, Tahṛīr al-Aḥkām al-Shari'ah, v.3, p.419, Siwarī, 1964, v.2, p.222, Najafī, 1987, v.29, p.78-80, Shawkān, 1434 AH, p.740, I'lām al-Muwaqqa'in, v.2, p.285).

Some do not consider it permissible to look at a non-mahram in case of fear of sedition, that is, inciting lusts and falling into sin and enjoying non-mahrams (Ansari, 1415 AH, p.55; Al-Mabsūt, v.10, p.153, Marghīyānī, 1429 AH, v.7, p.196-197, Mousalī, 2015, v.2, p.386-387, Tamtartāshī, 1431 AH, v.9, p.450-451, Matarzchi, 1434 AH, v.2, p.79 & 53, Khomeini, 2005, p.699, Ansari, 1415 AH, p.53).

Expressing other opinions such as hatred of looking at the face and hands up to the wrists (Al-Mabsūt Fi Fiqh Al-Imāmiyyah, v.4, p.160) or not being allowed to look at the face and hands more than once (Najafī, 1987, v.2, p.269, Jubbaī Āmilī, nd, p.174, Ma'ālim al-Din fi Fiqh of Al-Yasin, v.2, p.10) is not necessary.

What is important is what the jurists of Islam emphasized, that is, women are the place of lust and are not safe from the danger of aggression by men. In order to close the door to corruption and aggression of greedy men they emphasized the need for women's covering, at least covering all body other than faces and hands up to the wrists and avoiding non-mahrams looking at each other, or the door of corruption will be closed if they look at each other in fear of the arousal of lust and the fall into sin.

As some writers have said: "What is the solution and cure that can protect women from the viciousness of men and

save them from suicide?" "Do you know any other way to avoid mixing, that all these pests are behind it, other than the hijab?" (Khomeini, 2005, p.357). If she covers her face in cases of "immorality, corruption and sedition", she should, at her discretion, wear the hijab in the streets, bazaars, allies and in public in order to be protected from corruption; No... (Ibid. 362, Philosophy of Hijab = Jafarian, 2007, v2, p.176).

8. Conformity of the impermissibility of looking a non-mahram man and a woman at each other with the principle

Some jurists of Islam claimed that there is a "principle" for a non-mahram man and woman to look at each other, and the ruling on the permission or sanctity of their looking at each other is based on the "principle", as stated: "The base is that looking of a stranger is forbidden." (Sanānī, 1430 AH, p.698; Badāyah Al-Mujtahid, v.4, p.13) or it has been said: "As for foreigner, the female foreigner's looking at the male foreigner, and vice versa, is prohibited, and it is not permissible to deviate from it except with clear evidence" (Bahrānī, 1406 AH, v.46, p.23, Jawahir Al-Kalām, v.29, p.68) means: The natural trend of human life is that men and women are far from each other and this distance should be such that they do not even look at each other.

Perhaps the root of this principle lies in this point: "That every human being under the human nature, who is placed in him by his Creator, is doomed to be, by nature, seeing a woman and having sex with him is effective in man and forces him to seek intimacy. This nature is also in women and the power of lust is more in women and the intellect and the power of contemplation and

attention to good and evil are less (Bab al-Khitāb fi Itqān al-Hijab = Jafarian, 2007, v1. Pp.197-198, Ansari, 1415 AH, p.53).

Of course, the behavior that is natural is not optional, it is coercive. General behavior is in the type, not this behavior is dominant, it is not changeable to create incidental behavior that is, for example, not seeing and not having association. Therefore, the natural trend of human life cannot be to distance them from each other.

We may consider the principle of not seeing each other as non-mahram men and women in the sense that the Shari'a has laid down a general rule for not looking at each other in its instructions, and verses (Al-Nūr: 30-31 & 60) and narrations (Tafsīl Wasā'il al-Shi'ah, v.20, p. 200-206 Chapters 109) is the reason for this general rule and general command, as stated in the statements of Shukānī and some jurists who agree with him.

This interpretation of the principle contradicts the jurisprudential theory of the jurists who consider the view of non-mahram men and women to each other as permissible if they are not afraid of doubt and are safe from falling into sin. (Matarzchi, 1434 AH, v.1, p.294, Ghuryānī 'Asqalānī, 1426 AH, v.2, p.79, Al-Mahalli, v.9, p.163, Mousalī, 2015, v.2, p.386, Marghīyānī, 1429 AH, v.7, p.196, Tamtartāshī, 1431 AH, v.9, p.450, Khomeini, 2005, p.699).

That is, some religions and jurists of Islam believe that the sanctity of looking at non-mahram men and women to each other is non-essential and is not based on the principle. Respect arises with the possibility of enjoying the sight and not being safe from falling into sin. Therefore, the "principle" to which some jurists have adhered, considering

the sanctity of the view of non-mahram men and women to each other according to the principle, is a personal opinion and ijthihad view is specific to them, they also have not provided an interpretation of the "principle", and there is also no clear interpretation of the principle.

9. The reason for discussing the permission of the suitor to look at the proposee

The issue must be looked from two angles in the discussion of the permission of the suitor to look at the proposee. The first angle is the view of those who consider any view of a man and a woman to each other as a cause of natural and coercive enjoyment of each other, who have religiously considered pleasure in the gaze as a sin and this pleasure is also present in the view of the suitor and the proposee to each other. Despite the occurrence of pleasure, it is debated that what the religious edicts about the view of the suitor and the proposee to each other is?

The religions or jurists who discussed the issue from this angle disagreed with each other. Some have only decreed that the suitor should be allowed to look, while others have decreed the sanctity that is as follows:

1- Ḥanīfah: From Ḥanīfah's point of view, the suitor's view of the proposee was considered a "necessity". They believe that it is permissible to look, even if he is sure that a lust arises in him and he enjoys it by looking. Because the suitor looks at the proposee for the sake of establishing the tradition of the Prophet (PBUH), as the Prophet PBUH has ordered that the suitor should look at the proposee, so it is obedience to the order of the Prophet (PBUH) and the look of the suitor is not for the purpose

of satisfying lust and pleasure (Al-Mabsūṭ, v.10, p.155. Mousalī, 2015, v.2, p.387, Tamtartāshī, 1431 AH, v.9, p.451).

Accordingly, it will not be permissible if the motive of the suitor is to satisfy lust and pleasure, and there is silence about the permissibility or impermissibility of the suitor's view of proposee. Of course, from the Hanafi point of view, wherever there is a need to look at a non-mahram, such as the view of a judge or witness of a non-mahram, or in the position of trading and buying and selling and such things, there is no obstacle to take pleasure and enjoying a stranger is permissible if it is necessary. (Al-Mabsūṭ, v.10, p.154. Marghīyānī, 1429 AH, v.7, p.198).

2- The Shāfi'ī, like the Hanafi, have the same opinion about the woman who is proposed to, except that they have said: If it falls into the heart of someone to propose to a woman, it is recommended to look, even with the fear of sexual pleasure and looking out of lust. He is not to enjoy, because his intention is not to enjoy, his intention and purpose is marriage (Kifāyah al-Akhyār, v.2, p.29, Sharabīnī Khaṭīb, nd, v.4, p.318, Qurrat al-Ayn, Shattā dāmīyātī Kubrā, 1429 AH, v.3, p.474-475).

3- Mālikīyah and Zāhirīyah: The permission of the suitor to look at the face and hands of the proposee has been considered conditional on not enjoying and being safe from occurrence of corruption (Matarzchī, 1434 AH, v.5, p.26, Ghuryānī 'Asqalānī, 1426 AH, v.2, p.498, Al-Mahalli bil Athar, v.9, p.162).

4- The Twelver Imams, in the issue in question are divided into groups:

A) A group has remained silent about the unintentional occurrence of pleasure and the edict of looking at the proposee (Tūsī, 1400 AH, p.484. *Al-Mabsūṭ fi Fiqh al-Imamiyyah*, v.4, p.161. Najafī, 1987, v.2, p.268, *Taḥrīr al-Aḥkām al-Shari'ah*, v.3, p.419, *Jubbaṭ Āmilī*, nd, p.174, Hillī, 1424 AH, v.2, p.10).

B) A group stipulated that the suitor's look should not be on the basis of doubt and fear of falling into haram and pleasure (*Al-Rawḍa Al-Bahīyyah*, v.5, p.98, Sabzevari, 1423 AH, v.2, p.83, Bahrānī, 1406 AH, v.23, p.48, *Golpayegānī*, 1985, v.2, p.229).

C) The third group has considered the occurrence of pleasure and enjoyment of the suitor to be permissible. Of course, some members of this group have considered the lack of the ban to be conditional on the occurrence of coercion and beyond the control of the suitor. While others, even knowing that pleasure will occur out of the will, still do not forbid it. However, this group believes that the Shari'ah has allowed to see even if pleasure occurs (*Tadhkirah al-Fiqh* 23, p.84, Najafī, 1987, v.29, p.65, Ansari, 1415 AH, p.41, Khomeini, 2005, p.700-701).

The second angle of reason for discussing the permission of the suitor's look is the view of those who have considered the view of a non-mahram man and woman to each other as permissible in the absence of doubt and safety from sin, that is, if the wisdom of the suitor's look is only to discover beauty or lack of beauty, as it has been already argued, and if the look happens without doubt and is safe from falling into sin, beauty and non-beauty are revealed.

So, what is the need to argue about the suitor? Sheikh Yusuf Bahrani from the sects of Shahid Thānī has stated four

differences between the view of a non-mahram man and woman to each other and the view of the suitor to the proposee despite being a non-mahram, then criticizes and rejects the views of the martyr; For example, the permission of the non-mahrams to look at each other is hated, but the look of the suitor is not hated if it is not recommended, and it is not permissible for the suitor to repeat the look at the non-mahrams. (Bahrānī, 1406 AH, v.23, p.47-49).

Martyr Motahhari said about expressing the difference between the view of the non-mahrams towards each other and the suitor: "The look of the suitor has" independence "and is usually not devoid of pleasure. Therefore," jurists "say: [*Tadhkirah al-Fiqh*, v.23, p.84] there is nothing wrong with the suitor's looking even if it is accompanied with pleasure. Of course, his goal should be research, not lust. If the non-suitor does not look for the purpose of lust, his looking will be "organic" and not "independent". A person who does not intend to propose should not stare at a woman and look her over, and It does not contradict that it is permissible to look at a woman's face "organically", that is, to the extent that it is necessary for the addressee [conversation] (Jafarian, 2007, p.1221).

Although the statements of Martyr Motahhari are not much different in content from what the third group of Imāmī jurists think, in fact, the edict is not to prevent the suitor from enjoying the proposee, not an accurate and acceptable justification for the difference between the view of non-mahrams and the suitor; Because, as it was stated, those who considered the look of non-mahrams at each other absolutely forbidden, believed that looking at each creates pleasure

naturally, forcibly and involuntarily. It may have been with this in mind that Khuwayz Mandad one of Maliki scholars said: "A beautiful woman should cover herself because there is a fear of sedition and it is permissible for women who are bedridden, old and ugly not to cover their faces and hands." (Al-Jami 'al-Ahkām al-Qur'an, v.12, p.229).

10. Analysis and critique of the jurisprudential point of view about proposal

The issue of the look of the suitor at the proposee or their look at each other and the issue of whether or not it is permissible is one of the sub-issues of the issue of the look of non-mahram man and woman at each other, which is judged with a "strict" view, and that is: Woman has been created for the pleasure of man." (Al-Hikmah Al-Muta'aliyah Fi Al-Asfār Al-Arba'ah, v.7, p.184 & 452).

The devil sits on the head and the back of a woman, if the woman turns her face to someone or turns her back on him, wears makeup and beautifies herself for him; and the look is one of the arrows of the devil (Al-Jami' al-Ahkām al-Qur'an, v.12, p.227). To enjoy a woman, marriage has been legislated. Because in the Shari'ah marriage was legislated for "intercourse" (Iḍāḥ Al-Fawā'id, v.2, p.3, Siwarī, 1964, v.2, p.133).

Abd al-Rahman Jazīrī has said:

«عقد النكاح وضعه الشارع ليرتب علىه انتفاع الزوج
بضع الزوجة و سائر بدنها من حيث التلذذ، فالزوج يملك
بعقد النكاح هذا الانتفاع و يختص به ولا يملك المنفعة»

(The Book of Fiqh on the Four Schools, v.4, p.2. Shattā damyātī Kubrā, 1429 AH, v.4, p.470-471, Matarzchi, 1434 AH, v.5, p.21). According to the jurisprudential religions' definition of

marriage, which is also the consensus of the jurisprudential religions, marriage is considered as a mere contract for gratification. (Fiqh al-Sunnah, v.6, p.4 = "Malik), Abu Ḥanīfah and al-Shāfi'ī said:

إنَّ عقدَ الزَّواجِ أنما اقتضى الإستمْتاعَ، لا الاستِخدامَ، و
بذلِ المنافعِ.»

(Abu Zuhreh, 2005, p.165). They consider pleasure or gratification either "specific" to the man, that is, the work and action of the woman is to please the husband and the man, as is clear from the definitions of marriage, or that the man has priority in pleasure; this means that the pleasure of a woman is subordinate. Because marriage is for the husband to enjoy the wife, it is therefore appropriate for the suitor to see and "look over" a woman who intends to marry in order to find out her desirability, as stated in the wisdom of the suitor's look at the proposee.

The question that can be asked about the jurisprudential approach is what the religious document of this approach and attitude is? Why should marriage be considered a gratifying contract and a "euphoric contract"? From which verse and narration is such an interpretation of marriage obtained? Although one of the relationships between men and women is to take pleasure from each other, but setting it as a final purpose and goal is thought-provoking.

That is, all the efficiencies and benefits of marriage were considered subordinate and collateral, and taking pleasure and enjoying a woman was the intrinsic purpose of marriage (Uṣūl al-Fiqh al-Muqarin fi Ma la Nassa fih, p.97-98, Masadir al-Fiqh al-Islāmī wa Manabi'ah, p.212-213).

With this approach, any position is taken towards women and their presence

in society, occupations, worship and other acts (Hillī, 1414 AH, p.563, Mukhtalif al-Shi'ah, 2, p.139, Marghiyānī, 1429 AH, v.2, p.226, Tanwir al-Absar, Durr al-Mukhtar wa Radd al-Muhtar, v.3, p.488-489, Ibn Muflih Maqdasī, 2004, p.756, I'lām al-Mu'awqa'in, v.2, p.285, Hujjat Allah al-Bālighah, v.2, p.392, al-Mahalli, v.5, p.81-83) and an edict is issued on the prohibition or permission; That is, women are exposed to the gratification and pleasure of men.

They are prohibited from employment and many other acts, and enjoying women is limited to marriage, and marriage is for men to enjoy women, so before marriage, men must choose women for pleasure and enjoyment. And they choose on the basis of seeing the proposee before the marriage to find out whether she is desired or not. If he does not find her desirable, he refuses to marry her. But if the other purposes and ends of marriage are considered in the nature and truth of marriage, and those purposes, goals and benefits of marriage like "sexual gratification" are considered subordinate, the social impact of marriage and its constructive role changes and transcends.

Therefore, Muhammad Abu Zuhra, one of the Egyptian scholars, did not consider the supreme benefit and purpose of marriage as gratification and said: "The summary of the jurists' definitions of marriage is that marriage for the owner and possessor is enjoying and exploiting religiously and legally. The purpose of marriage in the custom of people and Shari'ah is that exploitation and enjoyment become religiously permissible.

Undoubtedly, one of the clearest purposes of marriage in the eyes of the

general public is to religiously enjoy and exploit, but not all the purposes and benefits of marriage are in the eyes of the Islamic Shari'ah, but the highest purpose of marriage is to preserve the survival of the lineage and to preserve the human race and to give birth. And each of the couples should have a spiritual bond with their partner, which the Almighty God has created a spiritual bond between them, and with the bond and intimacy between a husband and a wife, the troubles and difficulties of life will turn into ease, as God Almighty said "One of His signs is that He created for you wives of yourselves so that you may rest with them and establish friendship and kindness between you" (Al-Rūm: 21).

Shams Uddin Sarakhsī has also said: "The purpose of marriage is not to satisfy sexual desire, the exclusive purpose of marriage is religious and worldly expediencies, such as protecting women and supporting them [managing them] and paying their expenses, protecting themselves from adultery, the increase of the servants of God Almighty and the followers of the Holy Prophet (PBUH), the realization of the prides of the Holy Prophet (PBUH) to the abundance of the followers, as he said:

"Marry, give birth, breed, indeed on the Day of Judgment we will be proud of the abundance of you rather than other nations." The reason for boasting is the permanence of the followers as much as possible until the Day of Judgment, because God Almighty has commanded the permanence of the universe until the moment and hour of the Day of Judgment, this permanence will be achieved by the birth, but God Almighty has made the fulfillment of these mentioned expediencies subject to

sexual gratification so that the obedient and the disobedient tend to get married. The obedient and the compliant marry for religious purposes, the disobedient and the sinners get married to satisfy sexual desire.

Marriage is like the monarchy, the monarchy satisfies the lust for position and status. People who are seeking status and position in order to satisfy the lust of position and status, are more interested in monarchy than marriage to the extent that lives are sacrificed for it, military is launched, but the purpose of monarchy is not to satisfy the lust of ambition, but to express truth and justice, but God Almighty has made the expression of truth and justice concurrent with the gratification of lust, so that the obedient and the sinners may desire it... "(Al-Mabsūṭ, v.4, p.192-194, Ghirnāṭī Mālikī, 1425 AH, p.457).

Ibn Fahd Hillī also considered the benefit of marriage in producing children, eliminating the outburst of sexual desire, managing the house, abundance of relatives, fighting with oneself for the administration and protection of the tribe and relatives, and peace of mind (Ibn Fahd Hillī, 1411 AH, v.3, p.158-174).

Sheikh Mohammad Abu Zohra, after the desert of the intentions and purposes of marriage and has said: "The definitions of marriage by the jurists do not express and reveal the intended purpose of this contract by the Islamic Shari'ah. It is necessary to define the marriage contract with a definition that reveals the truth of this contract and discloses the purpose of the marriage contract for the wise Shari'ah. Perhaps the definition that clarifies and expresses this goal is that to say:

«أنه عقد يفيد حلّ العشرة بين الرجل والمرأة، و
تعاونها و يحدّد مالكيهما من حقوق و ماعليه من
واجبات.»

(Al-Aḥwāl al-Shakhsiyah, p.19) It means that marriage is a contract which is useful for legalizing the relationship between husband and wife and for helping each other, and determines what rights each of them have and what their duty is? The definition given by Sheikh Abu Zohra may be criticized and a more complete and accurate definition may be provided, but it is a constructive and useful action and indicates that it is possible to look at marriage differently. Marriage should not be seen one-dimensional and only from the point of view of satisfaction of lust.

11. Compatibility of Abu Zohra's definition of marriage with family formation

It seems that Sheikh Abu Zohra's definition of marriage is preferable to other jurists' definitions of marriage, because other jurists' definition of marriage is only considered as a contract of love and desire. No importance is given to co-existence of a husband and wife in their definition, rather no attention has been paid to the co-existence of them at all. While it is important how a couple lives during the period of marriage. There is too much content in jurisprudence about gratifying and taking pleasure from a woman by a man, the beauty of a woman was considered to be the "great intentions" of marriage (Ibn Abdul-Salaam, 1436 AH, v.2, p.251), instead enjoying a woman was discussed (ibid., p.250), but it was not said that a woman, as a human being, has feelings, emotions, consciousness, thoughts and so on. It is important for her how she is

treated after getting married. How will you interact with her? Why things such as how to live, how to treat each other, how to value each other, how much to pay attention to the thoughts and ideas are not the "great goals"? Some behaviors may hurt feelings and emotions, mock the woman's mind and common sense, do not see the woman next to him, do not care about her thoughts and wisdom, in such cases, how can a woman be calm with a man, have comfort, happiness and compatibility?

Which verse or narration is mentioned indicating that the main purposes of marriage is beauty of a woman? Therefore, what is stated in Abu Zohra's definition of marriage seems more correct and is more consistent with the great purpose of marriage, which is "community" and being together, having a moral human life, valuing and caring for each other. As Fāḍil Miqdād said:

"A very beautiful and precious point that many have neglected and it is necessary to pay attention to it, is that, for the Almighty God," community "is pleasant and desirable, so God Almighty has invited people to gather in worship so that It is possible for them to achieve the possible perfection by performing the worship of God Almighty.

Possible perfection is the very departure from "ability" to "action" and the actualization of talents. As a result, the survival of individuals requires that effective community in actualizing the talents, because the permanence and survival of the human race is the survival of individuals, and the survival of human beings cannot be achieved except through marriage, through love and friendship between husband and wife. God Almighty has made their

friendship with each other from His "verses", as He said: "وجعل بينكم مودةً ورحمةً" (Al-Rūm: 21) And love and affection for each other can only be achieved by getting acquainted with each other and being together, as a result of, it is desirable for God Almighty to be attached to each other, and to be together.

Then, they have discussed the effect of blood relative in the formation of society and the lack of legislation on marriage in relatives and the explanation of marriage to strangers for the formation of society. (Siwārī, 1964, v.2, p.188-189). Shams al-Din Sarakhsī has also said: "Divorce is the dissolution and destruction of the contract and marriage, which is done in the form of" scraps ", i.e. abortion. So divorce is permissible in essence and in case of divorce, there is also the aspect of ingratitude of blessings... Because in divorce, there is the meaning of ingratitude of blessings. Divorce is hated.

In gratitude of blessings occurs only when the temper of the couple is compatible. When the morals of a husband and wife are not compatible with each other and the continuation of the marriage causes the conflicts to be prolonged, so divorce is permissible in case of moral incompatibility and as a result one is freed from the obligations and commitments of marriage" (Tūsī, 2009, v.3, p.6).

12. The need to meet and talk before marriage

Due to the necessity of socializing and togetherness for a couple and the necessity of their moral compatibility and gaining perfection and activating talents in married life, it is necessary for people who want to get married to have a meeting before concluding a marriage

contract. Get to know each other's thoughts, get to know each other's emotions, talk about how to treat each other. (Ibn Muflih Maqdasī, 2004, pp.95-102)

«أنَّ العادة جرت بأنَّ الإنسان لا يساوم في النكاح، وإنما يتروى و يتفكر و يتدبر، ثمَّ يخطب: انَّ النكاح لا يقع في الغالب إلَّا بعد فكرٍ و رويَّة و سؤالٍ كلِّ واحدٍ من الزوجين عن صاحبه و معرفته بحاله تذكُّر الفقهها»

(Tadhkirah al-Fiqh, v.23, p.180, Ibn Abdul-Salaam, 1436 AH, v.2, p.254). They must have no formality with each other and be open and transparent in raising life issues, honestly state everything that is effective in life and the strength of family relationships. Of course, they need to be committed to the healthy behavior of the Shari'ah and to talk to each other in accordance with the Shari'ah's instructions. If those who intend to build a life based on the Shari'ah must be bound by the rules and regulations of the Shari'ah before joining, if they abandon the adherence to the Shari'ah, it turns out that they do not intend to build a life based on piety and health of life from the beginning. A life that is not built on piety and purity, is not durable.

Shari'ah marriage is based on a pure and healthy life, so it is necessary to achieve a pure and Shari'ah life by observing healthy and correct preconditions. Adherence to the Shari'ah and commitment to piety and purity do not prevent pre-marital dialogue and negotiation. It seems that in the current situation of society, where girls and boys have certain ideas, thoughts, plans and principles for life, it is necessary to reach an agreement through dialogue and negotiation, and to conclude a marriage contract by agreeing and accepting each other. Of

course, for the present generation and the current society, the frequent pre-marriage encounters of pious and virtuous girls and boys have been of religious concerns and issues. Although this may not have been the case in the past for most people who wanted to get married and the marriage took place with the intervention of older family members, in today's society the situation has changed and the systematization of future life is often a problem for young people.

At the same time religious people are motivated to talk and negotiate before getting married, thus several inquiries were made in the presence of Imam Khomeini. Even Imam (RA) replied that there is no problem with observing the duties of Shari'ah and the absence of a corruption, even if it is without the awareness of the families (Istifta'at, v.3, p.82).

It is recommended that conversations and meetings be managed and informed by the family, especially the advice is more intense for girls; because just as dishonesty in sales and transactions is common, there is a lot of fraud in society, and abuse and deception are common in this case. There are many girls or boys who just mean to abuse. In order not to get trapped it is necessary for those around them, especially parents, to be aware of what is happening and identify the proposers. The point is not to enter into life with another person without studying, evaluating and identifying; not to be trapped under the pretext of studying. Nowadays, they have to study and evaluate all aspects of building a valuable and sacred structure, to enter a life that is more stable than a mountain, it should not be able to shake normally,

to build a life with a serious and firm decision and with agreement.

13. Lack of Shar'ī prohibition of dialogue between non-mahram men and women

The conversation and speech of non-mahram men and women during the time of the Prophet (PBUH) and the companions of the Prophet (PBUH) has been common in the religious community until now. As there was a conversation with the Prophet (PBUH) himself (Golpayegani, 1985, v.3, p.13, Tafsīl Wasā'il al-Shi'ah, v.20, p.156, chapter 78, Nūrī Tabrisī, 1407 AH, v.14, p.236, Chapter 59, Asad al-Ghābah, v.7 p.17, Durr al-Mir'ah al-Siyāsi, p.219, Kitāb al-Taratib al-Idariyah, v.2, p.151) and the Prophet (PBUH) proposed in the presence of people (Tafsīl Wasā'il al-Shi'ah, v.20, p.262).

Even women in the time of the Prophet (PBUH) participated in battles and military (jihad in the presence of the Prophet (PBUH) and in the absence of the Prophet) (Al-Isabah, v.4, p.398 No. 415, Durr al-Mir'ah al-Siyāsi, p.223-271), the Prophet (PBUH) used the services of foreign women in his house (Kitāb al-Taratib al-Idariyah, v.1, p.155), women who did therapy in the time of the Prophet (PBUH) (Al-Isabah, v.4, p.401, No.424, v.4, p.525, No.929, v.4, p.398, No.415, Kitāb Al-Taratib al-Idariyah, v.1, p.656, v.2, p.143-148)

other occupations of women such as hairdressing (Kitāb al-Taratib al-Idariyah, v.2, p.140-142), trade (ibid., p.1148-149), obstetrics (ibid., p.149-150), weaving (ibid. p.151-153), breastfeeding and circumcision of children (ibid., p.150) and common occupations in the prophetic society indicate that women were not isolated and confined to homes.

In the days of services and occupations, they would face non-mahram men, talk to non-mahram men, their faces were open and they would recognize them, and they knew non-mahram men, but they would speak among non-mahram men in the presence of the Prophet (PBUH). After the speech of Asma, the daughter of Yazid ibn Sakun Ansari, the Prophet (PBUH) said: "Have you ever heard a woman ask a question about her religious issues more beautifully than this woman?" (Kitāb al-Taratib al-Idariyah, v.2, p.151, Durr al-Mir'ah al-Siyāsi, p.219).

In other words, the presence of women in street traffic, attendance at mosques for congregational prayers, shopping centers, and other crowds has been common. It was not unusual, exceptional and necessary, so Ibn Fahad Hill's inference from the narration of Sahl Ibn Sa'd Sa'di that it is permissible for women to be present in the presence of men when there is a need (Al-Muhadhdhab al-Bari', p.1977) was in contrast with what was customary in the prophetic society.

Because women were present in common communities and their presence in ordinary communities was common. Although observing the shari'ah covering and keeping physical distances to prevent touching and physical contact were done excellently, seeing and talking to each other has been commonplace as the diverse occupations of women illustrate this point.

14. Conversation for marriage is like any other conversation

Considering the various occupations of women and their presence in all arenas and fields- even in the field of jihad - and not forbidding the services of non-

mahram women with non-mahram men and allowing them to talk to each other, it is inferred that the dialogue between women and men who intend to marry each other has no sharia prohibitions. If a boy or a man likes a girl or a woman through looking, he can express his heartfelt desire to the girl or woman he loves without any religious prohibition, then they can talk to each other and inform each other about their personal characteristics, how they behave and act.

Investigate future living conditions to determine if they can reach an agreement or not. This conversation is like any other conversation. If a woman is a doctor or a nurse, or a businesswoman, or the owner of any occupations, art, or other professions, dialogue in the field of her profession, occupation, and art is unimpeded. The use of her job, art and profession is unrestricted and allowed, marriage is like all other needs. Reaching an agreement in marriage is like reaching an agreement in all other contracts.

They can talk to each other wisely by observing religious restrictions and observing the Shari'ah rules and adhering to the divine commands and prohibitions, and avoiding corrupting behaviors, and decide that if they can live together despite having differences and contrasts in personal behavior and characteristics, they will reach an agreement and marry each other, and if they do not reach a conclusion, they will give up their decision and willingness forever. This method is in accordance with reason and wisdom.

The reason that is forbidden by the Shari'ah has not been obtained from narration and wisdom. Considering the general practice of Shari'ah, which has

allowed women to work and be active in various professions, the presence of women in various fields is unimpeded, and the life conduct of Shari'ah followers has been the presence of women in society since the age of the Prophet (PBUH). By not excluding the presence of women in society, it is essential that all non-mahram men and women speak to each other and look at each other, except that fact that pious men and women must abide by the rules of Shari'ah and avoid destructive and corrupting behavior according to the rules of Shari'ah.

It was concluded that the Shari'ah has permitted the meeting and negotiating for marriage just like all the needs of men and women, and the meeting and talking of those who intend to marry each other is like all the issues and affairs of human life; That is, just as a woman has a religious issue, she can even discuss it with the Prophet (PBUH), and ask it from him; If she wants to marry even the Prophet (PBUH), she can discuss it with him and there is no prohibition that the Prophet (PBUH) refuse her request.

So there is no prohibition if a boy or a girl's request for marriage is opposed and the proposee rejects the request of the suitor. If they are hesitant, they can reach a positive or negative result through dialogue. Meeting and dialogue and reaching a positive or negative result have no religious impediments. The custom of the pious is also based on the practice of meeting and talking to each other about marriage candidates in the present age, and this practice is favored by the Shari'ah. Incompatibility with customary practice under the pretext of religious orders is prejudice

and strictness; Shari'ah is compatible with common customary practice.

CONCLUSION

Reflecting on the rational and narrative arguments and opinions of Islamic jurists, no specific and clear edict on permission or sanctity has been obtained regarding the meeting of marriage candidates with each other and discussing and deciding whether to agree or reject the marriage. Although it is recommended for the man who is going to marry to see the woman, but there is no explicit edict to meet and talk.

The jurists believe that any seeing and looking at a man and a woman, unconsciously and forcibly, stimulates a man's lust and makes him enjoy the woman. A woman may also be aroused and enjoy in case of looking at a man. According to this view and attitude, some have absolutely forbidden the view of men and women to each other, while others have conditioned the impermissibility of non-mahram men and women looking at each other subject to the existence of "fear and doubt" and the fear of falling into sin of non-religious pleasure.

They have agreed that it is permissible to look at the face and hands up to the wrists if there is certainty about not committing the sin of gratification. On this basis, most jurists believe that looking at the suitor in case of knowledge or the possibility of enjoying the proposee has been allowed by the Shari'ah and it is not considered a sin and they consider the suitor's look permissible. Some, however, have considered the woman's look at the suitor forbidden and haram, whereas others have considered it permissible.

Due to the differences between the jurists, it has been concluded that the edict on the absolute or conditional permission or sanctity of marriage candidates to each other is an ijtihad and inferential edict and is not an explicit and prescribed edict of Shari'ah.

On the other hand, all interactions between men and women that are limited to gratifying and enjoying are far from human behavior. It is not that every look and encounter between men and women, unintentionally and by force, leads to taking pleasure and enjoying. Humans can have all kinds of legal, cultural, scientific, religious, social, political, and similar relationships and interactions with each other, and this relationship cannot be established between people of the same sex in all circumstances; a woman may need to see a man for religious, legal, medical, commercial, and other matters.

By behaving wisely in such needs and communications, how can human beings turn it into an animal behavior which is just enjoying? Marriage is also a wise and prudent decision and action in the destiny of wise people. Marriage is the foundation of a momentous living in a lifetime for both parties. Why build a momentous foundation for life, in which prestige, mental health, economic status of life, socio-scientific status and so on are effected, with the lowest and most ridiculous look and behavior? Why should marriage be limited to hedonistic behavior?

Therefore, because all aspects of human activity such as religious, social, professional, spiritual, prestige and such things are affected in some way by marriage, and in the Shari'ah, the religion of Islam, there is no special view of marriage, that is, it is not said that marriage is a "hedonistic contract"

and the enjoyment of a couple from each other; Rather it is possible to achieve human perfection through marriage, and Islam has also considered the sublime aspects of marriage, and did not prohibit marriage candidates from meeting each other to make decisions.

The fatwas issued to ban them from visiting were not based on the nature of marriage, but on the possible side-effects of communication. Although those side-effects have been magnified. Considering the nature of marriage and giving importance and issuing rulings based on the nature of marriage and its moral, human and religious effects, is preferable to considering its possible side-effects. Therefore, the result of the study and research is that not only there is not any ban for marriage candidates to meet each other, considering the nature of marriage and its moral, human, social and religious effects, but also it is recommended to avoid emotional marriage and momentary susceptibility and to think about marriage wisely, consciously, thoughtfully and philosophically, to talk to each other and consult with those wise around them.

To decide to marry each other or to give up getting married wisely so that there would no personality, religious, social, economic, spiritual or similar costs for them. The advice to a wise marriage is to express all the issues of life, that is, to exercise the rights of marriage, to live morally with each other, to forgive and ignore each other's mistakes.

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