

The Standard and New Emerging Families in Iran and USA Legal Systems

*Faezeh Azimzadehardebili*¹
Fatemeh Mashayekhi²
Narges Izadi³

Abstract

The family has a unique meaning at different times, which has sometimes changed and evolved over time. Therefore, explaining the structure and concept of standard family and new emerging families, as well as families that deviate from the standard, is very important. The emergence of families with different structures such as cohabitation, same-sex family, self-marriage, object marriage, animal marriage, as well as single-parent families, which referred to as new emerging and unusual families, is one of the family challenges in today's world. The studies show that there is no comprehensive definition, which explains the desired Iranian Islamic family in the Iranian legal system and this vacancy has been led to the confiscation of this structure for the intended purposes. The present article intends to examine the structure and concept of standard family with a statistical approach in Iran and the United States of America legal systems, to explain the structure, concept and examples of new emerging families, especially in the United States. This research is library-documentary in terms of method and fundamental-applied in terms of purpose. The findings of this study showed that there is a serious gap in explaining the standard family in Iranian law. In the discussions of Islamic jurisprudence and significant guidelines of Supreme Leader, many components have been introduced for the standard family in terms of the principles governing the family, but these components have no place in the upstream documents and Iran executive laws. On the other hand, although all American family laws, both at the federal and state levels, have a high volume in terms of quantity, but in terms of content, they are with a humanistic approach and without considering human values. The same-sex family and other new emerging families are recognized in the laws of many US states and their members have legal rights.

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1. Assistant Professor, Department of Islamic Jurisprudence, Imam Sadiq university, Tehran, Iran
azimzadeh@isu.ac.ir
2. MA student of Family Law in Imam Sadiq University, Tehran, Iran
fmashayekhi97@gmail.com
3. Assistant Professor Imam Sadiq university, Tehran, Iran
izadi.narges@isu.ac.ir