ABSTRACT

Disarmament is divorce the first wife caused severe abomination to the couple's second. The wife to the husband pays for her to get rid of the alimony he had redeemed, whether it is more or less of it. Studies that we found, divorce Iranian law is inherently a originally obtained it is even. Unless we have recognized in the jurisprudence and legislation that we subsequently divorce, the wife has obtained (Such as divorce depilatory This article discussed before). However, when the woman's husband is abomination and is willing to give him money to get a divorce, according to the current laws, a husband refuses to divorce, pr as they sided with his wife loves or is he going to harm; So in this case the wife should continue to live that it is disgusting. In those cases where the couple has a great abomination wife because he does not comply, Does not respond to his feelings and thus gradually the dynamism and vitality of families will lose their and ultimately led to the collapse of the parties towards each other will not feel comfortable.

After a while the woman because her husband is abomination and he does not have a sexual relationship, sex is needed, and this feeling may be drawn into sin. And this is not our society is compatible with Islamic law and moral law Statute nor the Islamic Republic of Iran fits well. However, this should not neglect the severe abomination than her husband to court several ways that can help meet this abomination, acquiring not every woman is abomination plea that her husband could easily collapse of marriage, why this is the case if no standard is established, in all cases of unilateral divorce as the absolute difference between the estimated and true man does is wrong and it could also be implemented; manner in which the modern world has raised doubts over the discrimination between the rights of men and women in Islam, particularly, in discussing this question comes to divorce whether a man can have whenever paying dowry to divorce his wife? But their marriage is unhappy that she has no right to be divorced? Surely the answer to this question is a definite and firm, of course, this abomination is that for whatever reason they want to be sharply manner as if the divorce is not done to prove that women are drawn to sin...

As we explained in the previous lines, and these criteria are also different for each person. It seems that what is important is an absolute abomination wife couples.

Keywords: divorce, disarmament, obligatory, abomination.

1. INTRODUCTION

1.1. Implications of divorce

up, free up, leave off, leave, separation, isolation, alienation, separation, destruction, release the shackle, get out, halal, and the Arabic word for marriage break is used. Women also means getting rid of the shackles of marriage, and marriage is getting rid of her. (Mnthyalarb, Mntkhballghat Almsadr Alzyny, contemporary culture, Arabic, Persian, Azartash, Azarnoosh pp. 402, Almjm, Lexicon Koran, dictionary Dehkhoda). shaking!

"And anyway, apparently the word is that divorce means separation (a separation from his wife) of our companions (Imami) means Shryhy it in front of literally that have adopted and are using (Jvahralklam, Najafi, Mohammad, vol 32, Page 1 of 2). The word Persian term falls, and eating and getting close and the customer (the dictionary Dehkhoda); review jurisprudence family law scholar son, Mostafa, PS 379 and PS 380, Mohaghegh, Seyed Mostafa; grace, AR, principles of jurisprudence , pp. 346; Shahalghh word divorce; Mjmalbhryn, vol 3, p 57) concluded that the original meaning of the Divorce release the shackle, but as a metaphor for the release of women from the shackles of marriage is used in the end because of the multitude of applications of truth in this sense is . (Shia Encyclopedia, vol 10, p 507; comparative study, women's rights, Sydskry, Hsynymqdm p. 233).
1.2. Term implications of divorce and divorce terms with Jurist:

What is the definition of a second late martyr brightness of the Quran suggests divorce is: "Hu removal of constraints rather than Bsyghh Alnkah Divorce» Divorce corroding and destroying the shackles of marriage without being a bitch to put in front of it (as opposed to disarmament and essays that accompany divorce has changed) (Alrvzhalbyhh Fi Almqh description Aldmshqyh, martyr Thani, vol 7, p 120). License revocation or defects, are exhausted is no special concubine (Jvahralklam, vol 32, p 2; review of family law jurisprudence, law scholar, Seyed Mostafa, p 380).

The late martyr second in his other book Msalkalafham says divorce called Sharia Bhmny destroy the relationship of marriage with divorce as it is (Msalkalafham, martyr Thani, vol 9, p 10), seems I Difference define late martyr second two books The Lord has clearly indicated his understanding. Stated in a recent book, "rather than" express Nfrmvdhand actually sets into the dispossessed and defines the jurists quoted definition does not preclude Aghyar. So we said, summing up the views of jurists divorce is freedom from the bonds of marriage (A Comparative Study of Women's Rights, Sydskry, Hosseini Moghaddam, page 233), the word divorce law, the concept of secular common among Qla’ suggests that holy legislatoris opened or after a given time. (Alkhlaf, C 2, 98; comparative study of women's rights, Sydskry, Hosseini Moghaddam, p 233)

1.3. Meaning of the term divorce lawyers:

which is of course a huge difference not Bhchshm. Some divorce lawyers Ayqay ritual whereby a husband's permission or a court order would leave their wives have defined. (Civil Rights Family Foundation, consistory, N. pp. 219 and 220). This definition can be inferred from the following Khsvsyahay: 1 - Ayqa divorce is similar in the sense that the will of the husband or his agent shall not require the consent of the woman. 4 - Divorce or permission of the court is: what is the real woman to ask for divorce (divorce courts, etc.), what would be the man to ask for a divorce. 5 - divorce by dissolving the marriage is permanent. (Ibid., pp. 220 and 221), some French divorce law professors (divorlee) have defined Divorce Court during the life of the couple's marital ties at the request of one of them or both (Brief Family Law, Hossein Safaei , A. Imam, p 221; tenderloin, education, civil rights), the rights of Iranian divorce court may be without it.punctures or the expiration of the (same).

Article 1139 BC. Bothered about this, "says the divorce is for a permanent contract with expiry Mnqth wife or husband parity afford it gets out of hand. In any case, even when the divorce request or female under deposed or essays done Divorce Ayqa is _ about Ayqa the next sections fully explained _ (ibid., pp. 222) Other scholars of law for divorce to end the marriage by the wife or Husband knows (Civil Rights, Imam, SH, vol 5, p 10) and more Myngard: divorce, the end of marriage permanently by law, provided a divorce with her husband and accuracy consent of the woman or Court or registerNo formality is not necessary but is a ceremonial Ayqa (1860 AH ordered the matter. d.) The divorce must attend at least two just men who will actually hear concubine. (Ibid., pp. 14 to 17).

1.4. Means deference jurisprudence and legal divorce:

As noted, because of the mix of our rights by legal means Jafari jurisprudence jurisprudence divorce means it is very close and perhaps the only way it can be noted that the difference is greater formality it lies in a divorce legal means, ie the presence of two witnesses, just men, it has been stipulated in the law, despite the leave of the court records and official documents can also be added to it. As a result, the difference between divorce and legal jurisprudence in a different way, not us Hui. (Review of family law jurisprudence, law scholar, Seyed Mostafa, p 380)

2. Means necessary:

2.1. Literally obligatory:
The word means necessary, is inevitable and imminent. And also, means the duty, necessity, obligation is, and what action is necessary and required to leave the Beast reward and punishment may well have been. And said it is necessary to leave the current practice is sin and deserves appropriate means well. (Great Dictionary of Modern upholstered translation, volume 2, page 1762; culture of Arabic-Persian University, vol 1, p 911; Dictionary Dehkhoda; Persian culture specific; Amid dictionary)

2.2. Obligatory term of:

In terms of practical jurisprudence is essential, it is necessary to provide for the punishment and leave it there. In fact, whenever a verb, something belonging to the Baath demanding strict and serious legislator, it is obligatory to say. (Education, Law, MH Fallahzadeh, p 22; modern treatise juridical Khomeini, Abdul harmless Shirazi, vol 1, p 73; principles of jurisprudence, grace, AR, pg 272)

2.3. Divorce is defined as obligatory:

by determining the inverse of the divorce is forbidden and detestable Divorce Divorce is returned with a non-contradictory set. So is divided divorce divorced obligatory, recommended, unlawful and detestable. (Shrhlmh, Shhydsany, vol 7, p 120; Jvahralklam, Najafi, Sheikh Hassan, vol 32, p 140)

In fact, when talking about divorce, it is imperative that man is divorcing his wife under circumstances that adheres to the law have been and if you do not do the first sentence of the provisions of this Dylkh holy legislator is not done capital punishment and retribution, and secondly, the judge could force him to do it and then if it did not directly attempt to divorce the wife. (Shrhlmh, martyr Thani, Book Altlaq)

3. The meaning of disarmament:

Another Bhmany stripped away the meaning of fiqh is like removing someone from their jobs, laid off, pluck, uproot, defrocked. (Academic culture Arabic, Persian, vol 1, p 405; great culture of innovative translation upholstered, vol 1, p 416; Dehkhoda Dictionary, Dictionary Farsi Amid; Tajalrvsya, Mnthyalarb; Lsanarlrb; Aqrbalmvard), in fact, common terminology the word disarmament (the conquest Kha’) to Nr, tin, Banh and have significant removal (Abnmnzvr, vol 8, p 76; Tryhy, C 4, 2, p 222). This word is also mentioned in the Qur'an in the verse 12 of Sura Taha "Fakhl Nlyk" refers to the same meaning. Divorce named disarm the irony of the name of disarmament Bhmny digging or removing clothing. Together as a couple are dress according to the Qur'an (Baqara, 187). As a result, lexical meaning ousted the definition it is incorporated, some jurists it Azlhj shackles of marriage and some jaw contract interpretation have (Epistles, Myzary Qummi, vol 1, p 589; Nzamaltlaq Fi Shryhalaslamyf Alghra’, Sobhani, J., P. 357) So disarmament is one of the types of divorce law has been approved and jurists have performed on its arguments. (Vsylhalnjah (Malhvashy Alamamalkhmyny), Esfahani, MH, p 797)

3.1. Manner and the abomination of wife:

As mentioned in the introduction abomination, wife of the couple is part of achieving disarmament. Some jurists on the abomination that is the condition for the claim of consensus has been stripped of divorce, the deceased owner of the jewelry (RA) said: "Bell Alajma Bqsmyh against, in addition to his Alnsvs Astfazh frequencies fi Da'vat" (Jvahralklam, Najafi, Mohammad, vol 33, p 41).does not. There are abomination disarmament, expositions Comments jurists in this regard is as follows, for example, the late Imam Khomeini (ra) said: The wife should be such that the intensity abomination Nshvz dread and fear he is falling for her sins. (Tahrir Alvasileh, Mvsvykhmyny, Ruh, vol 2, p 252), the late owner of the jewelry as well as the entry says, "enema Alklam Fi Alakta Bmtlq Alkrah, coma and I Almtakhryn Almsnf a ho."

That is certainly the word that it is an absolute abomination is enough to achieve disarmament. As the author (the late owner of the Religious laws) and he Mtakhryn on Nzrand (Jvahralklam, Najafi, Mohammad, vol 33, p 41). And some scholars of contemporary as well with the recent accept the absolute abomination to fulfill disarmament enough to know and not need to be the wife uncertain terms that signify rebellion is the current
language of the (obligatory divorce disarm the man, Sanei, Joseph, page 23). So if the wife is not abomination, to spend the ransom is not to say that disarmament, but the proof of this abomination of justice and psychological analysis in this case the woman is difficult, and usually not a woman of her abomination (Civil Rights Family Foundation, consistory, N, p 274)

3.2. Types of divorce decrees deposed on Khamse Tklyfyh:

Qvadalahkam the divorce decree ousted from the perspective of the task is that time is divided into four categories: forbidden, permissible, recommended, obligatory. (Qvadalahkam, Allameh Helli, vol 3, pp. 146 and 157)

4. Divorce disarmament illegitimate (haram):

Case that couples are living together without any problems and hatred and even his own wife had to afford Nayd. The divorce is actually no consensus on disarmament juridical and financial Bhtb that the couple had been delivered will remain the property of the wife. (Ibid., vol 3, p 156)

Some jurists consider the absurdity of such a divorce and some jurists are also attached to the revolving nature of such a divorce. (Obligatory divorce disarm the man, Sanei, Joseph, p 27)

5. Disarmament divorce permissible:

The place to find all the necessary conditions for the realization of disarmament is if your wife hates the husband and tax relief to him so he can afford to divorce.

6. Divorce disarmament Lending:

Arises where a woman tells her husband if you do not divorce me instead belong to a man I hated him near you and I slept, or words to tell if you do not divorce, I married a man who hated him. Qaylyn Abnadrys promise to be fulfilled. (Alyr, Abnadrys, vol 2, p 724; Shrayalaslam, vol 3, p 40; Qvadalahkam, Allameh Helli, vol 3, p 157; Msalkafahm, martyr Thani, vol 9, p 411; Ayzahalfvayd, Fkhralmhqqyn Ibn Allamh, vol 3, p 377; Kshfalrmvz, Faslalaby, vol 2, p 236)

7. Divorce disarmament obligation:

This is about the same as the previous one, but there are some jurists, such as al Sheikh, Salahuddin Khan, Abnhmz-h, Abnz-hrh, Abnalbraj and others ruled it as a necessity. [To view the comments refer to this class of jurists Jvahralklam, vol 33, p 3, p 45, 46]

These jurists say that if a woman than a man to divorce her commit such abomination sin as it is obligatory upon the husband to divorce her.

8. Place of conflict:

Due to this we did First, Allama (rah), by entering this division were lawful. Consider them to be lawful to divorce were not divided and I swear it had to replace the detestable Secondly, what should this be so in this study we examined attendance is necessary, divorce disarmament a recent episode of the necessity of dividing but here we want to talk about it with a discussion of how we were raised abomination is mixed; This explains the appearance of a hated wife to be your wife divorce does not dethrone the necessary and obligatory divorce decree deposing the criteria that have this hatred must be likely sin woman in relation to her husband, to be
followed be coordinated. Disarmament obligation in divorce distinguish abomination, the other problem is not because the arguments we will correct arguments. Therefore, our main assumption here is disputed, Afford to spend the money on behalf of his wife and the couple's an absolute abomination of a man bound to a divorce or not? And the necessity of justice require it, such as divorce, divorce, divorce and consequently the rules governing this be? Obviously, if we can prove this requirement A legal solution in order to adjust the rights of men and women in divorce achieved Discrimination between men and women in divorce and doubts about the legal status will be lost. It paid dowries as a man can divorce his wife whenever he wanted, She could also be having any kind of abomination from her husband, and to afford the dowry or any money, the man who wants to divorce her.

9. Appreciation jurists about the necessity or non-necessity of disarmament divorce:

Disarmament two promises about divorce among Imami jurists are: Obligatory and non-obligatory disarmament divorce. It is necessary to mention Imami jurists who accepted the promise of disarmament obligation and argue that they divorce. Are dealing with The wife of the couple are abomination that leads to sin, but as we've discussed We prove it is optimal in an absolute abomination. But because of the reasons you want to use them To prove his assumption of the views and arguments on both sides, and will hold its responses We leave it to your judgment.

9.1. Adherents reasons not to divorce disarmament obligation:

Adherents to quote famous Shia scholars constitute proof to cite the following reasons: Practical principles to the current. The first reason Qaylyn no obligation to disarm divorce is in two parts. A man is presumed innocent Zmhy divorce decree disarmament obligation also does not agree that the principle of absence because of a book, or even wisdom traditions Brvjvb disarmament divorce.

Answer First: she Albrayh is a variant of Practical Principles The practical task requiring full attendance in cases where the search warrant was conducted to obtain evidence And something is not indicated, Statistics also do not Bhqvl Asvlyha: (Fried principle, Ansari, Sheikh Murtaza, vol 2, pp. 9 and 10). With this explanation, the more the theory's proponents to consider the necessity of We see that they have solid reasons for your claim and other times Similarly Practical principle of presumption of innocence is not here.

2 - The second reason Qaylyn not necessary to dismantle the divorce, because they are the first or the last parts of the story opened their first back and say: Nsy the Book and the Sunnah upon the necessity of disarmament divorce from the man does not have God's Holy verse 229 Sura Al-Baqara says, "Mrtan Altlaq Famsk Bmrvf sh Accelerated Bahsan and having it assigned Lkm Layhl Takhzva Mma Tytmvhn having it assigned a new core Ykhafa Ella Ella Yqyma Khftm van Yqyma about God, about God Flajnah Lyhma solicitorship Afdt the" commentators of the Qur'an said about the last sentence of the Referring to permit divorce disarmament rather than its necessity (balance, Tabatabai, Mohammad, vol 2, p 7243), and also added that the narrative incurred in divorce cases disposed and Mbart "solve crush we get minus" indicating Hlyt and permit divorce disarmament and is the inference is not necessary. (Vsyalashiyh, Sheikh Horr Ameli, C 22, and Almbarah Alkhl book, chapter 1, page 279)

Second answer: because it is the fail."Ella having it assigned Ykhafa Ella Yqym of God" unless the enmity and hatred of the other suspects have strong that some of the commandments of God do not behave, So this verse is merely a license to get mine suggests (Mjmalbyan, Sanctuary, vol 2, p 104) . As well as knowledge of scholars argue Mstsnymnh exception should be compatible, whether the individual is Mstsnymmn, Sanet, Joseph, pp. 24 and 35).Ho-Ho and absolute nature of the topic is given to us, that the license be changed. (Ibid., pp. 35 and 36) Second answer: because it is the fail. Because the first verse and the hadith that has been Hlyt and licensed because the license is not redeemed by the couple's divorce disarmament. Late Sanctuary in the following verse says: "And Layhl Lkm” It is not lawful for the husband during divorce what women have to force them to fall back God's decree in the divorce case of dowry and ousted the exception of the fire and says: "Ella having it assigned Ykhafa Ella Yqym of God" unless the enmity and hatred of the other suspects have strong that some of the commandments of God do not behave, So this verse is merely a license to get mine suggests (Mjmalbyan, Sanctuary, Volume 2, page 104). The further explain that this verse only official licensed speech is redeemed, it must be said: The purpose of this part of the verse which says: "Ella having it assigned Ykhafa having it
assigned Layqyma about God," with the exception of the previous sentence, Because scholars say otherwise exempted as well as scientific principles should be compatible with Mstsnymnh whether the individual is Mstsnymnh. If the same version of the story, which is overseeing the Qur'an Hlyt obtaining the license and property Akhtyara woman pays husband Divorce does not dethrone him as the express permission or obligation on men (Obligatory divorce disarm the man, Sanei, Joseph, pp. 24 and 35). Because even if the judgment be granted on the subject This sentence can be changed with the provisions of optional or hardship Here's the opening sentence on the absolute nature is No absolute paranormal with all its complications and Tvary; In other words divorce decree deposing the absolute nature of the topic is given us, ho ho, This permit is subject to change. (Ibid., pp. 35 and 36)

3 - contradict the necessity of disarmament divorced divorced from a man with a narrative necessity Bhdm disarmament advocates say The story of a man implies divorce And a decree of divorce disarmament obligation on the part of man's conflict. (Ibid, p 47) Answer third reason: the narrative of conflict has two aspects to investigate and document the implications of narrative and narrative document: This hadith has been narrated only by Sunnis This hadith has been narrated through a Shiite. And in the Sunni hadith has been narrated through these two The series is narrated both by the weakness of the evidence. The question now is The Lord make his Mvlylyh divorce? It is here that the Prophet said, were divorced man Thus the siege of additional arrests in this story is not true siege. In fact, according to the first story about the difference between slave and master in the case of divorce, Even divorced couples are asked to limit the siege is not true He can only couple to divorce. Additional control of the narrative of the siege, because the narrative is the difference between slave and master As expressed in the couple's divorce was not exclusive story. Moreover, even if we accept the story of the siege, the siege is real. Forcing a man to divorce not a contradiction because we hypothesized Collected as disarmament conditions in which the male is obligatory Now, if a man divorces his wife divorce like other Hrjy distress and is forced to warrant If not possible, permission wife, judge, judicial divorce is granted. Again, if we accept the story of the siege siege is real Version of the document fails because the rule is not necessary to dismantle the divorce is a divorce in the narrative, But we talk about the lack of disarmament that even some of the words that they believe in divorce.(Analytical necessity or lack of necessity, disarmament divorce from wife, Ayzdyfr, AA and quarterly Khanavadhpzhvhy, Year VIII, No. 30, Summer 2012, pp. 243)

9.2. Unsubstantiated Qaylyn divorce disarmament obligation:

Sheikh Tusi (ra) is the first person Talk about the necessity of divorce has been deposed and that is fatwas obligation; Alnhayh his book says: Surely divorce is compulsory disarmament When a woman says to her husband: So I do not follow your orders, I washed Jnabt And if you do not divorce me, I slept with someone else, In which case it is obligatory for men to divorce her ouster. (Alnhayhalahkam, Sheikh Tusi, page 529; Jvahralklam, Najafi, Mohammad, vol 32, p 3)

Salahuddin Khan (RA) also says about this: If an ordinary woman to divorce her husband And ask him to leave before taking his own; It is not obligatory for the husband to accept, However, women tend to be severe separation Therefore, he commits sin if I do not divorce And I'll betray another man is not permitted Kept him there, and you get a lot of money that could be yours to divorce him. (Alkafy Fyalfqh, tin, Abvslah, tin, p 307)

As we said, there are other scholars who believe this theory as Abnzh-hrh, Abnbraj researcher Qummi and learned Hindi, and review comments Qaylyn Bhvjlvb Bthllyl are discussed:

1 - First: the necessity of denying sins: When his wife in marriage is abomination, It is likely Which is contaminated by sin and evil, So in order to eliminate this evil is necessary to couple To divorce his wife. It is worth noting that the first time raised Allama because it refuted And scholars after them, and also because the forms are cited, And that is also expressible Fqhayy none of which are attributed to the necessity of disarmament divorce It's because his books have not (Obligatory divorce disarm the man, Sanei, Joseph, page 36). This argument is brought to bear on the problems Bdyshhr:

1. Dispute first answer: it forms the Mkhtlfalshy Allama which says that disarmament is divorced woman is not only denied the Bhmrvf and Nhyaz Bhmrvf the assumption that the ordinary divorce is done (Mkhtlfalshy, Allameh Helli, vol 7, p 39). Divorce without getting yours to keep jealousy man is better (Msalkalafham, martyr Thani, vol 9, p 411) as well as the principle of "Alaysr Falaysr" in discharging duty denying sins, adoption, divorce disarmament, contrary to the principle of selecting the strongest way (ibid).

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Answer Error: This argument is not correct, because if a man only by forcefully taking property that is Zyjhsh she wants to divorce him, this man disadvantage and oppression against him. Because in addition to the stress that comes with such a man as he enters the common detriment. Nevertheless, to prevent cruelty to man should be stripped of divorce is the only solution. (Obligatory divorce disarm the man, Sanei, Joseph, p 37)

2. Controversial second answer: When can we deny the fact that denying the injunction will happen in the outside world and in Manhnhfyh not happened yet, and the only word that has been denied. So in fact this did not occur and Salbh the profit issue. (Ibid, p 38)

Answer Error: repelling issue it is necessary to resolve such disputes. Philosophy denies injunction to prevent corruption and to reform society and the disposal denies the Legislator demands because there are resolve disputes as to the dates of disposal. If you say no Pyshgyranhay this action should not be taken by individuals, But wait nahi occurrence is denied Then be required to dispose of their disputes. Disposed to deny that it is a sin to prevent The higher value is to resolve disputes. (Ibid, p 39)

3. Conflict third answer: the shapes of the late owner of the jewelry (RA) have suggested he states: the necessity of denying sins when they involve the loss of the right Nahi be banned has been (Jvahralklam, Najafi, Mohammad, vol 33, p 45). In other words, even if the wife committed the unlawful act is A person can not be forced to divorce disarmament; This is necessary because of marriage, divorce makes men right away. (Ibid, p 45)

Answer Error: This is acceptable Prevent deterioration of the sins of others should not make the right to nahi The judge also ruled that the intellect and will, but it is our opinion That require disarm a man to divorce his right is not exhausted, Because the dowry was paid back the money he receives; Fyalzmh owner and his downfall is his commitment in this regard; The following may be forms disappears marriage is the right man to continue And it is right that the property is rateable. These forms can also be damaging; The ordinary man will leave his wife for a divorce because the woman's marital life is exhausted, The result, none of the couple's divorce rights, fast Each partner has been changed because of what had become the owner. (Analytical necessity or lack of necessity of disarmament by the couple's divorce, Ayzdyfr, Ali, ..., Quarterly Khanvadhpzhvhy, No. 30, Summer 2012, pp. 246)

2 - The second reason: Artkaz Qla’ contracts: Artkaz Qla’ contracts is that you need to marry the parties and if necessary, it is permissible to marry, may permit the parties to it, is it necessary to marry from one side and from the Other permissible, unlike Artkaz Qla’ because Qla’ fee for admissibility prefer to disturb the conclusion of the contract by one party without the other party of any such rights would have preferred to see it Blamrjh know about Manhn fihi also accept that male Qla’Divorce is certainly disarmament. (Ibid., pp. 246, 247)

3 - The third reason: wisdom: wisdom necessary to comply fully with the dismissal of the divorce, He denounced the wisdom to say that whenever he wanted Even if she is not satisfied Can pay a dowry for his wife divorce But she can not Even with payment and forgiveness that it Mhrhay Bhtlaq obligation to him, in such cases of injustice on a woman's right to reasonable offers. Because the mind does not discriminate between men and women in a divorce, And the holy legislator wants to prevent rational judgment and rational Artkazat be necessary texts explicitly rejected this Artkazat rational and error to express it. It is clear that the narrative of the text alone Manhnhfh a lot of texts and traditions, there is no finally and fully adhere to what can be defined as "getting my Willow Balsaq ’, is Which is also proved that the implication and the document is not reliable. Hence the necessity of such a promising component Khly divorce due to bad wisdom permits and It is no good reason to warrant the need and necessity. (Obligatory divorce disarm the man, Sanei, Joseph, pp. 45 and 46)

4 - The fourth reason: to maintain social interest: certainly no good separation of the parties assume socialize better To the family of the woman in the family-oriented emotions and feelings And a source of resentment because of its consistency and away from her husband collapse Adverse consequences for the family and the community, thereby missing when his wife hates Life is difficult, not only for their own Mshqtab But also to their children in such families are suffering, Children raised in such a family is certainly not true This training will also result in incorrect society is in trouble. That is why the civil legislation, Article 1103 and Article 1104 BC. M. In this situation has And the couple obliged to associate with each other in good child training and assistance will motivate, socialize and assistance if the good life is not possible, To avoid adverse consequences of social Like her husband's infidelity and extramarital relations, domestic violence, Hmsrskhy, suicide, depression and ... Disarmament obligation on the part of the couple's divorce is the best solution. (Obligatory or non-obligatory divorce analytical disarmament On behalf of the wife, Ayzdyfr, Ali, ..., Quarterly Khanvadhpzhvhy, No. 30, Summer 2012, pp. 247 and 248)
5 - The fifth reason: denial of hardship in a speech before a judicial divorce is completed and talked about the hardship and here we are following the prorogation speech, but Gftarman raised a question regarding this issue and we will answer it and that: it is abomination life where his wife, for he was not considered a hardship?is assumed to be the abomination wife also believed to be the couple is forced to divorce her husband. Especially in a divorce court a man must pay his wife's financial rights in a divorce while the disarmament of the exemption. (Ibid., pp. 248 and 249)

Ytalzmy late Seyyed Mohammad Kazem Yazdi (ra) in Rvh Accessories says: "There is no divorce and maintaining the parity of each result Being a woman in sin and committing unlawful act is enforced or voluntary, It is necessary to keep him and avoid the occurrence of sin, Decree of divorce granted." (Accessories Alrvhalvsqy, Yazdi, Seyed Mohammad Kazem, vol.1, pp. 75 and 76)

10. CONCLUSION

Imami scholars believe that disarmament is not obligatory celebrity divorce and distinguished fellow of the obligation are conditional on disarmament divorce. Provided that it is necessary to know the extreme abomination And Bhvq sin be drawn Contemporaries of jurists and others believe The absolute abomination for divorce disarmament obligation is sufficient. However, those jurists who believe they have no obligation to dismantle divorce If severe abomination wife and emphatic possibility of sin is recommended The couple will divorce her. (Jvahralklam, Najafi, Mohammad, vol 33, p 3) So it seems that for those who believe in the absolute necessity of divorce are stripped Comes complete, because due to the lack of strong And validity of the Book and the Sunnah, which implies the necessity to prohibit the dismissal of the man is divorced Misconduct and also denied an injunction necessary, Artkaz Qla' contracts, wisdom, observance of social interest Hardship rule and reject the other hand, we conclude Absolute abomination of men and women who sacrifice to afford to divorce the man and the man is necessary To divorce his wife if she refuses to leave and the judge on behalf of the couple's divorce is impossible. The act also as mentioned, The hardness of the instances can be severe abomination wife amendment 1850 BC. M. is And referring to the latter part of this Act if it is proved to the court Durability is the parity for Hrjy wife, The couple will be forced to divorce. However, with the completion of legislation in this area and can jurisprudence citing the original sources, there is weakness in the law Rumor destroyed and abolished unequal rights of men and women in divorce.

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