

# **Comparative Analysis of th Nature, Conditions and Consequences of muatat Marrige and Concubinage Contract in France**

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**Abstract** Today, signing contracts is carried out in different ways, in other words, this theory has been accepted in Iranian law that utterance is a way of the composition but it is not subjected. Muatat theory with the its rightness of contract composition with active presenting and accepting in Jurisprudence and Iranian law has also been accepted as a general theory, but in case of marriage contract because of its special importance has been rejected that it must be thought about and it is tried to analyze it in this thesis. By considering that the origin of Iranian civil law is Jurisprudence, analysis of ideas of Shiite jurists and then addressing legal opinions and attitudes of jurists toward Muatat and Muatat marriage is different and those considered in this thesis is written marriage contract without verbal offer and acceptance. Overall, the evidences presented to the most of jurists to reject Muatat marriage can be consensus, tradition, Sire (rational and juristic) and narrations and in contrast also the theory of jurists' minority about the accuracy of Muatat marriage has tended us to accept the decree accuracy of Muatat marriage and finally, according to the law of non-marital cohabitation agreements in France (Concubinage) has discussed with a comparative look at the two institutions and has analyzed their similar and different aspects.

**Keywords :** Keywords: Jurisprudence\_ Civil Law\_ Marriage \_ Muatat Marriage\_ France Concubinage Contract\_ White Marriage in Iran

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