

Mut'ah

of the Ithnā' Ashariyyah in light of Qur'ān and Sunnah

by

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Transliteration key

أ- 'ā	ض - ḍ
آ - ā	ط - ṭ
ب - b	ظ - ṣ
ت - t	ع - 'c
ث - th	غ - gh
ج - j	ف - f
ح - ḥ	ق - q
خ - kh	ك - k
د - d	ل - l
ذ - dh	م - m
ر - r	ن - n
ز - z	و - w, ū
س - s	ه - h
ش - sh	ي - y, ī
ص - ṣ	

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A challenge to all Shī'ī Scholars

Those 'ulamā' of the Shī'ah who regard Mut'ah as entirely permissible and a means of reward, should please answer the following:

1. Name any of your twelve A'immah who were born as a result of Mut'ah?
2. Name any of your muḥaddithīn who were born as a result of Mut'ah?
3. Name any of your of your mufassirīn who were born as a result of Mut'ah?
4. Name any individual from amongst your devoted Shī'ī followers, who handed over his daughter to one who was overcome with lust for the purpose of Mut'ah?
5. Name any Shī'ī leader from Isma'īl Safawī until Khomeini and Rafsanjani, who was born as a result of Mut'ah?
6. Name anyone from amongst the Shī'ī authors, who was born as a result of Mut'ah?
7. Name any person from amongst the Shī'ī grammarians and poets, who was born as a result of Mut'ah?
8. Since the Iranian revolution, was there any Ayatollah or Ḥujjat Allāh, who took pride in being the child from Mut'ah?

If you are unable to name any such person from your twelve hundred years of history, then is it not sufficient enough to prove that Mut'ah is not permitted in the dīn of Islam and can never have been condoned under the high standards of Islamic scruples, which Islam encourages.

So let the intelligent one's ponder deeply over these realities.

Foreword

All praise be to Allah and salutations upon his chosen servant

The death of chastity and modesty, which has been caused by the western propagation of the intermingling of sexes, has been aptly described by Allāmah Iqbāl almost a quarter century ago. He said:

Your own moral values will slay you with its own dagger,
The nest made in a weak branch will be unproductive.

Now the Iranians have outdid the dissolute customs of the west by saying that women can indulge in intercourse with those young men or students who remain unmarried for a long time due to their extended period of study, thus matching the free lifestyle of western culture.

If any Shīʿī scholar or Ayatollah had to say the above then one would not be amazed in the least but when I read the following article of Iranian President Rafsanjani in the daily paper Jang, 7 September 1990, then I was thoroughly astounded. The headline read:

In order to save Iranian society Mut'ah will have to be practiced.

Just three days prior to this the same paper printed these statements of Rafsanjani:

Those who are unmarried have been given permission to perform Mut'ah.
Islam permits the practice of Mut'ah

The Iranian president 'Alī Akbar Hāshimī Rafsanjani has advised unmarried men and women to satisfy their lustful desires through the act of Mut'ah. He says that it is incorrect to suppress the natural desires of man. It is for this reason that unmarried people, widowers and widows can perform unorthodox marriages for a short period of time.

Jang London 4 September 1990

In addition, I also read:

Eleven years after the Iranian revolution, President Akbar 'Alī Hāshimī Rafsanjani has adopted a more liberal approach to relationships and interaction. Once again placing emphasis on the custom of Mut'ah, he stated that if the people of Iran do not accept unorthodox marriages for a short period of time in order to fulfil the desires of its masses, then they will have to bear the weight of defeat. In a television interview president Rafsanjani said that he is adopting a serious stance with regards to Mut'ah and he will stick to it. He said that if Mut'ah is not made common and the disrepute associated to it is not eliminated then our society will be crushed and defeated, because in that case we will be unable to fulfil the sexual needs of many Muslims, specifically the youngsters.

Jang London 7 December 1990

In reply to this statement of Iranian President Rafsanjani, we think the following question raised by Shī'ah Doctor Mūsā al-Mūsāwī is sufficient:

I ask those Shī'ī fuqahā' who have issued a ruling of permissibility regarding Mut'ah and hold its practice in high esteem, if they condone this practice for their daughters, sisters and girls of their family or will their faces fall, temperatures rise and anger becoming uncontrollable when hearing such news?

Those who are well-acquainted with the ethical standards of Islam and the status of woman therein will never dare to propagate the disgraceful practice of Mut'ah and selling the favours of women in the mixed western society that we live in.

The Noble Status of Women in Islam

The qualities of honour and chastity are such jewels which have been passed down through the generations and even after years; one would still not be able to fully appreciate it. Its value is so immense that the wealthiest of this world are incapable of purchasing it. Whoever has not safeguarded his honour and chastity

has destroyed the main qualities which make him human. It is for this reason that the Noble Qur’ān and ḥadīth have emphasised on the protection of one’s honour and chastity, and inculcating within oneself the qualities of shame and modesty. In addition any act, saying or movement that opposes one’s honour and chastity has been declared as *ḥarām* (forbidden) in the sharī’ah of Islam.

Honour and Chastity in the Light of the Qur’ān

The importance of honour and chastity can be gauged by the manner in which the Noble Qur’ān describes its importance. If at any time any nabī was falsely accused of any act which might stain his honour or chastity, the Noble Qur’ān addressed the allegation and testified to that nabī’s innocence and purity. The Qur’ān itself testifies to the purity and chastity of Nabī Yūsuf عَلَيْهِ السَّلَام, Nabī Yaḥyā عَلَيْهِ السَّلَام, Sayyidah Maryam رَضِيَ اللَّهُ عَنْهَا and even Sayyidah ‘Ā’ishah رَضِيَ اللَّهُ عَنْهَا.

Honour and Chastity in the Light of Ḥadīth

Honour and chastity had such value in the eyes of Rasūlullāh صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ that he would make every man and woman vow when pledging their allegiance to him that they will not commit *zinā* (fornication and adultery), which would destroy their honour and chastity. There are numerous narrations in the treasury of ḥadīth which contain the instruction and guidance of Rasūlullāh صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ through various methods, to hold fast to the qualities of honour and chastity.

When Heraclius, the emperor of Rome asked Abū Sufyān رَضِيَ اللَّهُ عَنْهُ about the teachings of Rasūlullāh صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ, Abū Sufyān replied:

He orders us to perform Ṣalāh, give *Sadaqah* (charity), to remain chaste and to join family ties.¹

1 *Al-Bukhārī*, v. 2 p. 884

Chastity was mentioned along with ṣalāh and zakāh, which is clear sign of its importance. It is for this reason that Rasūlullāh ﷺ not only closed the doors to all forms of shamelessness and immodesty that were prevalent in the period of ignorance, but Allah stipulated severe punishments for these acts, so that these bestial customs may be removed from society, and the qualities of honour and chastity become prevalent.

However it is extremely disappointing that the one door which the leaders of Iran were still attempting to open was flung open by Rafsanjani.

What is Mut'ah? What are its virtues? What is its price? These details you will discover in the forthcoming pages. At this point I would like you to understand one thing; which is that Mut'ah is the opposite of honour and chastity and the way of destroying shame and modesty. It is impossible to determine how many young girls lost their innocence as a result of the announcement by the Iranian president, how many women destroyed their chastity as result of it, the sense of honour of how many individuals destroyed and how far reaching will be its consequences.

The level to which it has mislead the youngsters of Britain is a separate consequence altogether. To those whose intention is to spread anarchy and shamelessness in the world, we give them the glad tidings of a fearful torment. In our country of Britain, whose atrocious values and ethics are a poison for Muslims, where shayṭān confronts one at every step, where shamelessness and merry-making meets one at every corner, where scenes of immodesty — which make it impossible for our youngsters to control themselves — are widespread, this announcement has caused the youth to take steps in this direction. The announcement was given in the name of the Qur'ān, in the name of Islam, which has led all those youth who love the western culture to fulfil their lustful desires in the name of Islam, thinking that they are following in the footsteps of some Ayatollah.

It is uncertain why the leaders of Iran thought it was necessary for Mut'ah to be

practiced and why was the Sharī'ah of Rasūlullāh ﷺ mocked by encouraging such a practice in the name of Islam. If they desired so keenly to practice upon their famous law then they should have done so in their private capacity and not disgraced the pure and blessed religion of Rasūlullāh ﷺ.

What must the non-Muslims of Britain be saying? Their religion of Christianity has not as yet condoned such behaviour with one's "partner" but the leadership of Iran felt no shame in doing so first.

Terrible indeed is the words that come out of their mouths, they speak but lies.

What effects this announcement of Rafsanjani has had in Iran, only the people of Iran know. However, we have learned that those youngsters who did not adhere to any particular school or tact, nor have they ever adhered to any of the tenets of dīn, are fervently searching for girls with whom they can indulge in Mut'ah. When we try to prevent them from this, they put forward their counter-arguments and send to me letters, books and pamphlets explaining the permissibility of Mut'ah.

I have studied them intensively but it is extremely disappointing that not one proof could be found that reaches Sayyidunā 'Alī رضي الله عنه with an unbroken chain. They disgrace themselves for no apparent reason, topping it all off by saying that Mut'ah is an act of worship, and not merely a permissible act.

To Allah only do we complain.

We are extremely grateful to Allāmah Khālid Maḥmūd who has not only written a comprehensive and inclusive introduction but has also aided me with his sound advice and correction in some instances.

May Allah reward him with the best of rewards.

There is a dire need now for this book to be published in both India and Pakistan, so that these countries can also be saved from this shameless act and reveal the

errors and fabrications of the Shī'ah, so that no youngster will change his school of thought, in his frenzy to fulfil his lustful passions.

O Allah safeguard us from the evils of the children of Mut'ah in all the cities of Islam.

Salām

Muḥammad Iqbāl Rangūnī (May Allah protect him)

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Introduction

by 'Allāmah Khālid Maḥmūd

All praise is to Allah, peace and salutations upon the Rasūl after whom there is no Nabī, his progeny and Ṣaḥābah, who fulfilled his promise.

Majority of people are shocked as to how a shameless and disgusting act such as Mut'ah has found its way into the noble teachings of Islam, which is the best and most elevated way of life, and whose Rasūl ﷺ was sent to complete the best of characters. However, those who have made research into the subject know fully well that when the Persian and Roman empires fell to the Muslims, under the leadership of Amīr al-Mu'minīn 'Umar al-Fārūq رضي الله عنه, the enemies of Islam donned the garments of hypocrisy and cowardly plotted against 'Umar رضي الله عنه and Islam. One of their plots is the act known as Mut'ah.

When the forces of kufr were destroyed and their kingdoms conquered, then there remained only one strategy for the enemies of Islam to adopt and that was to befriend the Muslims, and secretly plot against them by creating differences within Islam, instead of directly opposing it. This strategy of theirs naturally took root in those areas which had been conquered by Sayyidunā 'Umar رضي الله عنه. This strategy of theirs was a decisive plot against the victorious military conquests of Islam. An Iranian poet states it bluntly:

'Umar broke the backs of the lions and skinned and cleaved open the Iranian lions.

The people of Iran do not fight 'Umar رضي الله عنه because he usurped the right of 'Alī رضي الله عنه, instead they have old enmity with the armies of 'Umar رضي الله عنه, because they conquered their lands.¹

1 *Tārīkh Adabiyati Iran*, v. 4 p. 49

The Impartial Opinion of the Famed Orientalist Brown

One reason for the enmity which the non-Arabs have for the khalīfah 'Umar رضي الله عنه from among the al-Khulafā' al-Rāshidīn is that he was the conqueror of their lands. Even though this hatred was displayed in the form of religion, the reality is clearly apparent.¹

These wretched individuals had outwardly embraced Islam but they still remained faithful to their old Zoroastrian ways. Before Iran was conquered by the Muslims, the Sassanid's ruled Iran, who were *Zoroastrians* (fire-worshippers). Those customs and practices which were common among the Sassanid's, were slowly given Islamic names until over a period of time a new sect formed under the guise of Islam, whose sole purpose was to take revenge upon their Muslim conquerors. An entire new religion was formulated, whose fundamental principles are as follows:

1. The Qur'ān has been distorted and altered. This creates doubts about the Qur'ān which inevitably shakes the very foundations of dīn.
2. They bare enmity for all Arabs, specifically for those Ṣaḥābah who aided in the conquest of Iran and made it part of the Islamic empire.
3. Amongst the Muslims, to associate and love only those who are related by blood to the Sassanid dynasty. In other words one may only show affection or associate with the daughter of Yazdegerd III, Sherbanu. In addition they coined the belief that only this family has the divine right to rule and any other that rules has usurped this right.
4. They regard Taqiyyah (dissimulation), Mut'ah, 'Āriyat al-Farj and marriage to one's blood relations as the highest form of ibādah (worship), and thereby destroy the fabric of Islamic morals.

1 Brown v. 1 p. 217

5. They classify all Islamic rulers as usurpers in their special gatherings and continuously seek out methods of hindering their progress. Like Ibn Alchemy and Muḥaqqiq Ṭūsī, they never discontinue trying to overturn the Khilāfah, and just as the Safawid's aided the western powers in overthrowing the Turks, merely because they were Sunni Muslims.

The act of Mut'ah which today's Iranian society refers to as an 'ibādah has been actually taken from the customs of the Sassanid's. According to them marriage was of two types, permanent and temporary. In permanent marriage the husband was called "Shohar" and the wife, "Zan" and in temporary marriage the husband was called "Meergh" and the wife, "Ziyaanagh".¹

In the temporary marriage there was no need for witnesses, nor was it necessary for the woman to inform her family or seek their approval. There was no inheritance involved nor was it necessary to issue ṭalāq (divorce). This wife was not counted within the four wives one is allowed to be married to at one time and the children born from such a union were not regarded as related to their actual father.²

After the conquests of Islam, when there remained no possibility for such desires and satisfying pleasures they changed the name of this custom to the 'ibādah of Mut'ah, and thus satisfy their passions. A woman, with whom Mut'ah is made, is not regarded as a wife; nor will she inherit; nor is there a need for ṭalāq and neither is there a need for a witness or family member to be present. Instead she will be regarded as a woman that has been rented.³

These hypocrites also took the practice of 'Āriyat al-Farj from the old customs of the Zoroastrians and coined for it an Islamic term. Professor Arthur Christian of the Copenhagen University in Denmark writes about the Sassanid culture:

1 *Qanūn Sasānī*, v. 1 p. 36-37

2 *Furū' al-Kāfi*, v. 1 p. 192

3 *Al-Kāfi* vol. 2 pg. 191,193

The husband who was unemployed, had a choice if he so wished to give over one or more of his wives to another man, so that she may aid him in earning. The children born from this temporary marriage were understood to be the children of the first husband.¹

When they intended to introduce this act into Islam, it emerged in the form of this narration:

قال سألت ابا عبد الله (عليه السلام) عن عارية الفرج قال لا بأس به

I asked Imām Ja'far al-Šādiq عليه السلام about 'Āriyat al-Farj and he said there is no problem with it.²

- The social decay of the Sassanid dynasty had reached such a level that they regarded marriage to one's blood relations as permissible in their religion. This form of marriage was referred to as "Khuwez wa Gadas" and in Austa the words "Khu'eit and Wadza" are found for this. In 'Hag Nasak' and 'Darshatma Lasarnasak' great virtue has been mentioned for this sort of marriage, amongst which it is mentioned that the mercy of the Almighty descends upon such a couple and Shayṭān moves far from it.

Amongst the mufassirīn of Austa, Narsi Bazramhar goes to the extent of claiming that by "Khuwez wa Gadas" all major sins are washed away. What the Chinese historian Haywan Saang has written that marriages would take place amongst the Iranians without distinction probably refers to this custom.

Now compare this custom with that which is mentioned in *Furū' al-Kāfī* (vol. 2 pg. 252):

الذى يتزوج المحارم التى ذكر الله عز وجل فى كتابه تحريماً فى القران من الامهات و البنات الى آخر الآيه كل ذلك حلال من جهة التزويج....

1 *Iran bi 'Ahd Sasānī* pg. 437-457

2 *Istibṣār*, vol. 2 pg. 75

The person who marries one of his blood relations, which the Qur'ān has explained to be ḥarām, such as one's mother, sisters, etc., then all this, is ḥalāl as far as marriage is concerned. The prohibition is only because Allah has made it ḥarām.¹

However, in *Dhakhīrat al-Ma'ād* (pg. 95) the compulsory condition of “Laffa Ḥarīr” is present, which means that if one wears silk then she will not be regarded as a blood relation, because the silk has prevented their bodies from touching each other.

Nevertheless the gist of all of the above is that the act which the Iranians of today refer to as Mut'ah, was in actual fact a custom of the Zoroastrians and has no relation whatsoever with the dīn of Islam. This act of Mut'ah was never permitted in the history of Islam and the elevated moral standards of Islam will never permit such a shameless act for even a second.²

One should also understand that the word Mut'ah has a dual meaning, which is also used when referring to *Nikāḥ Muwaqqat* (temporary marriage), which has the same conditions as the conventional nikāḥ, such as the presence of witnesses, public announcement, the right of inheritance if any of the spouses were to pass away during the period of the nikāḥ, etc. The only difference is that in *Nikāḥ Muwaqqat* the time period of the nikāḥ has been stipulated. At other times the word Mut'ah is used when referring to the physical relationship where there is no need for witnesses; public announcement; nor is one allowed to inherit or accepted. In other words this is also called *zinā'* (fornication).

Regarding the first type of Mut'ah (i.e. *Nikāḥ Muwaqqat*) it can be said that this was permissible for a brief period in Islam but to say that the Iranian version of Mut'ah was permissible for even a short while is an indictment on the noble status of Islamic morals.

1 *Al-Kāfi*, vol. 2 pg. 252

2 We learn that the Shī'ī doctrines are based upon the narrations of the Sassanid dynasty.

The level of shame and modesty in Islam is such that Rasūlullāh ﷺ has declared Mut'ah (Nikāh Muwaqqat) to be perpetually ḥarām. 'Alī رضي الله عنه says:

حرم رسول الله (صلى الله عليه و سلم) يوم خيبر الحمر الاهلية و نكاح المتعة

Rasūlullāh ﷺ declared donkey meat and Nikāh al-Mut'ah as ḥarām on the day of Khaybar.¹

When the immoral society of Iran learned that this narration forbids their wicked lifestyle, they washed their hands of the proof and its substantiation by giving it the following interpretation:

إن هذه الرواية وردت موردة التقيية

This narration has been undoubtedly reported as Taqiyyah (dissimulation).²

They tried very hard to use this as a loophole but they did not ponder as to what was the necessity for Rasūlullāh ﷺ to practice Taqiyyah and with whom did he practice it.

If Rasūlullāh ﷺ practiced Taqiyyah then what reliance can there be on the other aspects of dīn, as it will be uncertain whether Rasūlullāh ﷺ said it as Taqiyyah or as the truth. It is highly possible that those who claim this ḥadīth has been reported under the guise of Taqiyyah consume donkey meat as well, since the prohibition of both is mentioned in the same narration. If the narration is regarded as true for not consuming the meat of donkey, then Mut'ah is ḥarām as well, and if the narration is regarded as Taqiyyah for Mut'ah then consuming meat of a donkey is ḥalāl.

This is how they dealt with this proof, and the treachery in their actions is that they regard the Mut'ah mentioned in this ḥadīth to be the same as the Mut'ah that they practice today. Whereas the reality is that the Mut'ah which has been

1 Tahdhīb al-Aḥkām, vol. 2 pg. 186

2 Ibid

prohibited in this ḥadīth is in actual fact Nikāḥ Muwaqqat, which has the same pre-conditions that the conventional nikāḥ has. Sharī'ah did not even condone the one differentiating quality of stipulation of time and regarded it as contradictory to the noble standard of Islamic morals, which resulted in it being declared ḥarām in clear unequivocal words.

Therefore it is incumbent upon those individuals who claim that this was reported under the guise of Taqiyyah to accept that it refers to Nikāḥ Muwaqqat with all its pre-conditions, but it is extremely sad and disappointing that they have taken it to refer to the Mut'ah prevalent in Iranian society, which the common man cannot differentiate from the act of zinā'. Such an act of Mut'ah was never permissible and can never be. It is nothing more than slander, fabrication and deceit to say that this form of zinā' was permitted in the earlier years of Islam but 'Umar رضي الله عنه forbade it.

Islam Prohibited Sin in Stages

Students of Islamic studies know very well that in the beginning Islam accommodated the inherent qualities of each nation and place, and the complete prohibition of sin took place in stages. In Makkah patience and forbearance was taught, with no sign or mention of jihād. During this trying time the mu'minīn had to abandon all that they possessed, such that they had to leave their homes as well. Those that left everything behind (and migrated) were called the Muhājirīn and those who aided (and welcomed) them, are called the Anṣār. The Muhājirīn migrated to Madīnah and it became their base of operations, after which the order for jihād was given. Those who were previously oppressed were now permitted to stand up against their oppressors and in fact they were encouraged to do so.

In a similar light is the order of ḥijāb, which is amongst the decrees of Allah; this too was only revealed later. The manner of Islam during these days was to prohibit sin in stages. The prohibition of wine was not made all at once as well, but was first referred to as disliked income and only later was the label of ḥarām tagged to it.

The Most Detested Sins in Islam

There are six basic sins in Islam which are,

- | | |
|-------------------|--------------------|
| 1- Gambling | 4- False testimony |
| 2- Consuming wine | 5- Stealing |
| 3- Backbiting | 6- Zinā |

All the other sins that may be prevalent in society are all its off-shoots and are all forbidden under the Islamic mode of life. However, the reality is that in the early years of Islam there were prohibitions regarding them. Consuming wine was not regarded as a sin in the period of ignorance but zinā' was regarded as a vice in those days as well. The children born from zinā' were not regarded as equals to those children who were born from a legitimate marriage. Due to this, wine was prohibited in stages but zinā' (which was already frowned upon) was forbidden from the very beginning of Islam.

Now the necessity remained to close all the doors of zinā' and as a result it was decreed that one should not even go near to zinā'. This means that all the avenues that might lead one to committing zinā' were closed off and prohibited in stages, but the actual act of zinā was prohibited immediately. A major reason for the uncontrollability of one's passions could be young men being away from their wives for long periods of time. Battle with the enemy would keep them far away from their homes for extended periods of time. The battle of Khaybar alone kept them away for such a long period.

Even though Nikāḥ Muwaqqat was against the moral standards of Islam, it was not prohibited at once. It went against the noble status of women as well, yet it was not forbidden for some time. There was a clear distinction between Nikāḥ Muwaqqat and zinā' but Islam wanted to elevate the status of man to even greater heights. It permitted Nikāḥ Muwaqqat when one was out on a long journey or out in battle for extended periods of time but was prohibited (in Makkah) when one was at home, engaged in his daily routine. Muslims were advised:

وَالَّذِينَ هُمْ لِأَزْوَاجِهِمْ حَفِظُونَ ﴿٥﴾ إِلَّا عَلَىٰ أَزْوَاجِهِمْ أَوْ مَا مَلَكَتْ أَيْمَانُهُمْ فَإِنَّهُمْ غَيْرُ مَلُومِينَ
 ﴿٦﴾ فَمَنِ ابْتَغَىٰ وَرَاءَ ذَلِكَ فَأُولَٰئِكَ هُمُ الْعُدُونَ ﴿٧﴾

And those who safeguard their private organs (from adultery, fornication and other illicit sexual acts) except when it comes to their spouses and the slave women whom they own. They will surely not be blamed about (cohabiting with) them. Whoever seeks more than this (by fulfilling their sexual desires in a manner which the Sharī'ah forbids), then such persons are transgressors indeed.¹

The general rule of Islam is the above, but in order to safeguard the younger men from committing zinā' it was necessary to permit them to perform Nikāḥ Muwaqqat when they were out on a long journey or in battle for extended periods of time. The permissibility of this would end as soon as they returned from battle, and then they would be permitted to perform Nikāḥ Muwaqqat once again when they were out in battle according to the same principle. This does not mean that the order was abrogated after the first battle, but rather the abrogation was abrogated when going to battle the second time and then again abrogated upon return.

The time for termination of fast is of two types, one is at the end of the day, which signals the end of one fast and the other is on the day of Eid, as mentioned in the following ḥadīth:

صوموا للرؤية الهلال و افطروا للرؤيته

Begin your fast with the sighting of the moon and terminate your fast with the sighting of the moon.

This signals the termination of the days of fast. The same applies to the prohibition of Nikāḥ Muwaqqat that its permissibility for a period, until one returns from battle, does not contradict its continual prohibition.

1 Sūrah al-Mu'minūn: 5-7

In the beginning this form of nikāḥ was permitted under specific conditions; the wife who is involved in it was counted amongst the four wives that one is allowed to marry. Later, after some time, Islam completely prohibited this form of nikāḥ such that it was no longer permissible under those specific conditions as well. The Muslims leaders then stipulated the policy that soldiers should not be kept away from home for longer than four months at a time and should be allowed to return home thereafter.

The purpose of Nikāḥ Muwaqqat was not only for physically benefit from the woman but she would tend to her husband and safeguard his possessions as well as perform other duties of a wife. In this type of marriage there was no shamelessness or immorality whatsoever. It is reported in *Tirmidhī*:

فيتزوج المرأة بقدر ما يرى أنه يقسم فتحفظ له متاعه و تصلح له شيئا

He would marry a woman according to the period he would be residing in that place and she would safeguard his possessions as well as prepare food for him.¹

Since this benefit which he was taking from her was only temporary it was called Mut'ah. It is quite obvious that this Mut'ah has no association whatsoever with the Mut'ah prevalent in Iran, which has existed from the period of the Sassanid's. This was not only restricted to Iran but was prevalent in India as well before the advent of Islam. The Brahmans too would practice an act of this sort to satisfy their passions. It is only Islam which has closed the doors of all illicit acts and once again elevated the status of man.

The Temporary Practice of the Hindus to Satisfy Their Passions

You would probably be unacquainted with the four Hindu scriptures of *Rag Veed*, *Saam Veed*, *Yajar Veed* and *Athar Veed*. In *Rag Veed* it is mentioned that it is permissible for one to marry or make Mut'ah with a widow. If one is unable to

1 *Tirmidhī*, vol. 1 pg. 133

conceive then they perform the act of “*Nayog*” (which is getting inseminated by a high-caste man with the permission of the impotent husband). If one was unable to find an individual wife then they would perform *Mut’ah*.

Here the word “Individual wife” was used, this is in contrast to a shared wife; a woman was permitted during the Vedic period to be married to many men at one time. At times four brothers would be married to the same wife. The *Shī’ah* have devised their ‘*ibādah*’ of *Mut’ah* from the practices of the Hindus. If the *Mut’ah* that they refer to is the same *Mut’ah* which was permissible in the early years of Islam, during extended periods of battle — as *Nikāḥ Muwaqqat* — then was it ever permitted for one woman to be wedded to many men at one time? Never! So what relation does the *Mut’ah* of Iran and the *Mut’ah* of India have with this *Mut’ah*, which was permissible in the beginning when they went out on expeditions for a long time, and this type of *Mut’ah* was well-known amongst the Arabs as *Nikāḥ Muwaqqat*.

Alf M in his introduction of *Tafsīr al-Furqān* writes under the heading of blood relations:

In the Vedic period multiple spouses were not only permitted but one woman was also permitted to marry a number of men at the same time. Four blood brothers would be married to the same wife. It is said that it is written in the *Rag Veed* that *Mut’ah* is also permissible as well as marriage to a widow.¹

He goes on further and writes:

The Iranian society has greatly surpassed that of India in the sense that in India four brothers could only marry one woman but in Iran this has gone as far as one’s blood relations. One can marry his blood sister, daughter and at times some have married their own mothers. This appalling custom is not frowned upon in Iran and since it is commonly practiced it is not seen as such.²

1 *Muqaddamah Tafsīr al-Furqān*, p. 406

2 *ibid*

The Shī'ah are the inheritors of the religion of Iran and of the Zoroastrians. They may refer to themselves as Muslims but their distinguishing characteristics are all Non-Arab. Mut'ah is also one of those tragedies created by the Shī'ah, which Muslims have to witness.

When they could not satisfy themselves with just Mut'ah, they made it into an 'ibādah and fabricated virtues and merits for it, in order to destroy the morality of man.

One of the sub-sects of the Shī'ah are called 'Samī'iyah' (followers of Samī ibn Muḥammad ibn Bashīr), who believe that it is permissible to perform Mut'ah with other men provided they are not old, in other words it is permitted with young boys who have not reached puberty.

The famous Shī'ī historian of the Ithnā' Ashariyyah Abū Muḥammad Ḥasan ibn Mūsā al-Nowbakhtī, who lived in the third century after hijrah, has written extensively on the various sects of the Shī'ah, and his books have been greatly publicised in Iran. He writes:

وهمبستر شدن بانزد یکان و خویشاں را از زنان و امرואں جائز وانند ودریں باره سخن خداوندرا که فرمودا و یزوجهم ذکرانا و اناثا (پ شوری) تاویل کرده گواه خود آوردند

They regard sexual relations with the wives of your neighbours and close relations as well as their slaves as permissible and present the verse (*He pairs them as male and female*) as proof and use it to substantiate that it is permissible to marry males as well.¹

Since they made this heinous act (anal intercourse) permissible between men it became incumbent upon them to do the same with their wives as well, and once this despicable act has been made permissible for their women as well; what principle or moral standards do they possess that can differentiate them from the nation of Nabī Lūṭ ﷺ.

1 *Firaq al-Shī'ah* (Fārsī), p. 123

It is extremely distressing that they have permitted this vile act for their wives in the name of the Qur'ān. The Qur'ān has clearly stated that women are your tilling fields so approach your 'tilling fields' as you desire, but they took this as open permissibility to do as they please without pondering whether their wives would still remain their 'tilling fields' if they commit such acts or if it is possible to conceive a child from such an act. Nabī Lūṭ عَلَيْهِ السَّلَام turned the attention of those committing such acts to the following:

انَّكُمْ لَتَأْتُونَ الرِّجَالَ وَ تَقْطَعُونَ السَّبِيلَ

Verily you approach men (for sexual pleasure instead of women) and cut off the procreation (of man).

Now let us look at the narration that the Shī'ahs fabricated to legitimise these bestial actions. What is most disgraceful is that they have attributed these narrations to the A'imma of the Ahl al-Bayt, what can be more atrocious than that?

According to them, when Imām Ja'far Ṣādiq رَضِيَ اللهُ عَنْهُ was asked about indulging in sexual relations with one's spouse from behind, he replied:

قال لا بأس قال هذه الآية

The is no problem with it.

Then he recited the following verse:

نِسَاءُكُمْ حَرْثٌ لَكُمْ فَاتُوا حَرْثَكُمْ اِنْى شِئْتُمْ

Women are your tilling fields, so approach your tilling fields as you desire.¹

1 *Tafsīr Nūr al-Thaqalayn*, v. 1 p. 217

The early tafsīr from which this reference was taken is called *Tafsīr al-'Ayyāshī*, what greater example of lewdness is there than those who fail to differentiate between the front and the back.

The Ithnā 'Ashariyyah Shī'ah have added a condition for its permissibility that the woman must permit it first.¹

When Imām Riḍā' was asked this question, he presented a shocking substantiation. He said that when Nabī Lūṭ عَلَيْهِ السَّلَام prohibited his nation from this vile act, he presented his daughters as an alternative and he knew very well that they were not used to indulging in sexual intercourse the natural way so this could only mean that the Nabī of that time permitted such acts with women. We seek Allah's forgiveness and his protection.

سألت ابا الحسن الرضا عن اتیان الرجل المرأة من خلفها فقال احلتها آية من كتاب الله قول لوط (هلؤلاء
بناتی هن اطهر لکم) ولقد علم انهم لا يريدون الفرج

I asked Imām 'Alī al-Riḍā whether one can approach his wife from the rear and he replied: "The following verse has permitted this, it is the saying of Nabī Lūṭ to his people:

These daughters of mine are purer for you...

He knew fully well that they did not desire the front.²

Read this next narration of theirs and see to what lengths they have gone to try and justify this unnatural act:

عن ابي عبد الله (عليه السلام) قال اذا اتى الرجل المرأة فى دبرها فلم ينزل فلا غسل عليهما و ان انزل
فعليه الغسل ولا غسل عليها

1 *Tahdhīb al-Aḥkām*, v. 7 p. 414

2 *Wasā'il al-Shī'ah*, v 4 p 103

Imām Ja‘far al-Ṣādiq عليه السلام said: “If a man indulges in intercourse with a woman from the rear and does not ejaculate then ghusl is not incumbent upon either of them, and if he does ejaculate then ghusl is only incumbent upon him and not upon her.”¹

They publicise such vulgar rubbish in the name of Imām Ja‘far al-Ṣādiq عليه السلام, whereas these illustrious individuals never said such things. The Ithnā ‘Ashariyyah Shī‘ah created a new religion under the name Fiqh al-Ja‘farī. Even if this vile act was permitted with one’s spouse, how is it possible to say that it is permissible with men as well, when one’s spouse is in one’s wedlock and a man is not. In this case, we will not have the right to point fingers at the west who permit same sex marriages. In the daily newspaper *Jang London* it is mentioned in one article:

Fifteen couples of the same sex have gotten married. According to reports these fifteen couples gathered at the Metropolis church where the well-known American priest, Father Brendan Pasanaj and Reverend Jean White conducted the proceedings.

If we point fingers of criticism at them, then they will immediately lift Fiqh al-Ja‘fari and the Ithnā ‘Ashariyyah books of tafsīr, which will force us to lower our fingers.

The Decision of the Danish Government

The daily newspaper *Jang London* reported the following article, which was originally printed in the *London Times*:

The Danish government has announced that it will recognise the rights of gay marriages, which will be effective from the 21 October 1989. Taking advantage of this a couple immediately got married in the registrar’s office, where they were issued with a marriage certificate. Ten other couples followed suit soon after this.

¹ The daily newspaper *Jang* 19 October 1992.

We are not astonished in the least at these disgraceful actions of the Europeans. The constitution which is not based on the laws of Allah, will ultimately nurture the twisted and perverted desires of man. What astonishes me is the brazenness of the Shī'ī scholars who openly permit this vile act with woman, merely because they happen to be in one's wedlock. You have seen for yourself how the Europeans have recognised same-sex marriages and now permit this vile act with men as well. Sad indeed is the depths of moral deprivation to which the Shī'ī scholars have sunk into, which probably only the most fortunate will be able to climb out of.

The Disastrous Results of Such Unnatural Acts

The result of this erroneous ruling of the Shī'ah is that many young men have turned to homosexuality because of the justification of this act being made for both sexes. The only differentiating factor that was made is that if it is done with one's spouse then one is not sinful. In order to eliminate this differentiation, a group amongst them has now started calling for the permissibility of same-sex marriages. This is the path that has been adopted by Muḥammad ibn Nuṣayr al-Namirī, who claimed that 'Alī عليه السلام possessed the power of Allah. The slogan "Yā 'Alī Madad" is the proclamation of this very belief.

Abū 'Amr al-Kashshī writes about Muḥammad ibn Nuṣayr al-Namirī:

قول بإباحة المحارم و يحلل نكاح الرجال بعضهم بعضا فى ادبارهم إنه من الفاعل و المفعول به احد الشهوات الطيبات و ان الله لم يحرم شيئا من ذلك

He says that nikāḥ with one's blood relations and marriage between men is ḥalāl, and also entering each other from the rear is ḥalāl. He says that this is the desire and pleasure of both parties and Allah has not forbidden anything of this sort.¹

One day Muḥammad ibn Nuṣayr was seen taking a young boy to his room, what

1 *Ikhtiyār Ma'ārifat al-Rijāl*, p. 521

was the reason for this? It is mentioned in *Ḥashiyah Niḡār*:

يريد أن الغلام ينكحه

He hoped that the young boy would marry him.¹

When someone rebuked him for this, he replied:

ان هذا من اللذات وهو من التواضع لله و ترك التجبر

There is great pleasure in this act; it is a means of humbling oneself before Allah and abandoning pride.²

How did this shameless and unnatural method of humbling oneself and removing pride, by fulfilling one's desires with a young boy, begin? It all sprouted from the belief of the Ithnā 'Ashariyyah that such acts are permissible with women. When this is allowed with women can it be prevented from happening with men?

Does not the principle on which Rafsanjani encouraged youngsters to indulge in Mut'ah also open the doors for Mut'ah between men? The standards of Islamic morals and the nobility of man is most elevated and he has a most lofty status but when he falls from this mantle then he even condones acts such as homosexuality. We seek Allah's forgiveness.

The Ploy of Permitting Mut'ah in Today's Time

Instead of understanding the harms of Mut'ah that we have mentioned above, the Shī'ah proclaim that this is for the protection of society. Tawfīq Al-Faḡīqī wrote the book *al-Mut'ah wa Atharuhā fī al-Iṣlāḥ al-Ijtīmā'ī*, in reply to the treatise of Mūsā Jār Allāh Turkistan entitled *Ullū Shī'ah*. This book has been printed by Sayyid Murtaḍa Riḍwī in Cairo. In this book the author presents the following

1 ibid

2 ibid

substantiation for its necessity:

ان نفس الانسان امارة بالسوء وخلق الانسان هلوغا في الخير جزوعا في شر لهذا يسر الله و هو اللطيف
الخير لعباده طرق الخيرات و الاعمال الصالحة و لم يعسر عليهم نوال اللذات

The soul relentlessly commands a person to do evil and man has been created such that he is indifferent to good and eager to indulge in evil. This is why Allah has made the path of good and virtuous deeds easy for us, and he has knowledge of the intricacies and is informed about His servants. He has not made indulging one's pleasures a matter of difficulty for them.¹

A famous publication of Pakistan, in the issue on 10 January 1991, printed a comprehensive discussion of the act of Mut'ah, which continued in four issues. In reply 'Alī Akbar Shāh of the Ithnā 'Ashariyyah wrote an unsatisfactory response. In the end of his treatise he quoted the following statements of Mowlānā Mawdūdī:

Ibn 'Abbās and other Ṣaḥābah having similar views to him were of the opinion that it is permissible when one is unable to control oneself.

In the ends he adds that this is also the opinion of the majority of the 'ulamā' of the Shī'ah.

We are not of the opinion that it is permissible when one cannot control himself because those who commit zina' are also not able to control themselves. If it is permitted in this one condition then the doors will be opened for all immoral people.

As far as the statement of Mawdūdī is concerned, firstly why did he say such a thing, and as far as we know this is not the belief of Mawdūdī nor is it his practice. In order to draw the Shī'ī youth closer to him; he made this statement as a political strategy. The 'ulamā' of that era immediately refuted this statement of his, and the 'ulamā' of the Ahl al-Ḥadīth printed the book *Taḥrīk Jamā'at-e Islami awr*

1 Mut'ah wa Atharuhā, p. 119

Maslak Ḥadīth in Karachi. The introduction of this book was written by Mowlānā Muḥammad Ismāʿīl from Gujranwala. On page 61 it is mentioned:

It is uncertain what fascination Mawdūdī has with Mutʿah that has caused him to discard the many years of research made in the science of ijtihād and deliberation. It is separate issue altogether that he has failed in proving its legitimacy in the pure Sharīʿah of Islam.

When the ‘ulamā’ of the truth regarded all the proofs of Mawdūdī as unsatisfactory for the permissibility of Mutʿah, then how does ‘Alī Akbar Shāh quoting Mawdūdī serve as a proof for the permissibility of Mutʿah if one is unable to control oneself.

A Shīʿī author by the name of ‘Abd al-Karīm Mushtāq wrote a book entitled *Ham Mutʿah kyū Karteh Hai* (Why do we perform Mutʿah). We would have not given it any importance, had the president of Iran Rafsanjani not publicly encouraged all youngsters to indulge in Mutʿah. In today’s time lack of self-restraint is increasing and becoming common amongst our youngsters. It is highly possible that this announcement of Rafsanjani may just be the addition of fuel to the already burning fire. To safeguard all youngsters from indulging in Mutʿah as well as general protection from it, the beloved Ḥāfiẓ Muḥammad Iqbāl Rangūnī has written this book, wherein he refutes all the proofs of the Ithnā ‘Ashariyyah. May Allah grant him the best of rewards on our behalf and on behalf of all those who benefit from this book.

This book is not only a reply to ‘Abd al-Karīm Mushtāq but to the proofs of Ayatollah Tawfiq al-Faḥrī and the other Shīʿī mujtahidīn of Lakhnow as well.

We request the ‘ulamā’ of Islam to publicise this book in their circles and distribute it amongst the youth. If there is any such youngster who has been drawn in by the Shīʿah, then he should be given this book immediately so that those Shīʿah who utilise Mutʿah as a ‘bribe’ will be unsuccessful in their endeavour. May Allah grant the Muslims the best understanding of these realities.

Mut'ah

of the Ithnā 'Ashariyyah in light of Qur'ān and Sunnah

What is Mut'ah?

The literal meaning of Mut'ah is to take benefit, and according to the definition of the Ithnā 'Ashariyyah: Mut'ah is when a man has sexual relations with a woman who is not related by blood after stipulating a fixed time and price. There is no need for witnesses, a representative, qāḍī or public announcement of this union. After one has finished (satisfying himself) there is no need to issue a *ṭalāq* (divorce) as well. The woman will become free after the stipulated time has expired even if she might have conceived in this union.

With Which Women is Mut'ah Permissible?

1. Mut'ah can be made with any woman not related by blood, whether she is a woman who is known to commit zinā or from the Hāshimī family, there is no restriction. According to Ayatollah Khomeini one can perform Mut'ah with one who is known to commit zinā as well. He says:

يجوز التمتع بالزانية على كراهته خصوصا لو كانت من العواهر المشهورات بالزنا و ان فعل فليمنعها من
المجور

It is permissible, although disliked, to perform Mut'ah with one who is known to have committed zinā especially if she is a prostitute. If one performs Mut'ah with her (a prostitute) then she should be told to abandon that practice.¹

We learn from this statement of Ayatollah Khomeini that one can perform Mut'ah with a woman who frequently commits zinā as well, and if she is prostitute then too it is permissible but one should tell her to abandon this practice.

1 *Tahrīr al-Waṣīlah*, v. 2 p. 292

It should be explained to him that Mut'ah is sufficient (as an act of zinā) and to differentiate between the two is indeed strange. The very act of Mut'ah is the definition of zinā, so what practice should he tell her to abandon and why should he (when he is doing the very same). Khomeini should rather be banning Mut'ah as this is in itself zinā, which he is advising others to abstain from.

2. According to the Ithnā 'Ashariyyah, Mut'ah can be done with another person's wife as well, provided she is not a Shī'ah but a Sunnī. Similarly they say it is permissible to perform Mut'ah with a Hindu or Zoroastrian. Mowlānā Shāh 'Abd al-Azīz Muḥaddith Dehlwī رَحْمَةُ اللَّهِ quotes the Shī'ī scholars:

According to us (i.e. Ithnā 'Ashariyyah Shī'ah) Mut'ah is permissible with a married woman as well, when that woman is a Sunnī. The reason for this is that the nikāḥ of the Ahl al-Sunnah is not correct according to us, so it is as if these are unmarried women, and it is unanimously agreed that Mut'ah with an unmarried women is permissible. Mut'ah with Hindu and Zoroastrian women is also permissible, provided she recites Lā Ilāha illallāh even though she does not believe it in her heart.¹

If one is not satisfied with this quotation from Shāh Muḥaddith Dehlwī then see what the famous Shaykh al-Ṭā'ifah al-Ṭūsī writes. The narrator Manṣūr Ṣayqal reports that Imām Ja'far al-Ṣādiq رَحْمَةُ اللَّهِ said:

لا بأس بالرجل ان يتمتع بالمجوسية

There is no problem if a man performs Mut'ah with a Zoroastrian woman.²

In the same book it is written that he said:

1 Tuḥfah Ithnā 'Ashariyyah, p. 1779

2 Al-Istibṣār, v. 3 p. 144, Wasā'il al-Shī'ah v. 7 p. 462

لا بأس ان يتمتع الرجل باليهودية و نصيرية

There is no problem if a man performs Mut'ah with a Jew or Christian.¹

Muḥammad ibn Sinān says:

سألته عن نكاح اليهودية و النصرانية فقال لا بأس به فقلت المجوسية فقال لا بأس به يعنى متعة

I asked him whether is nikāḥ permissible with a Jew or Christian, and he said it is no problem. I then asked him about a Zoroastrian and he said there is no problem with it, i.e. Mut'ah.²

Shaykh al-Ṭā'ifah al-Ṭūsī mentions when commenting on these narrations that they explain the permissibility of performing Mut'ah with a Jew, Christian and Zoroastrian but it is still preferable to perform Mut'ah with an innocent believing woman.³

It is for this reason that majority of the time; the youngsters seek out Shī'ah girls to perform Mut'ah with especially if they are from the same sect and are virgin.

In addition we learn that according to the Shī'ah, Mut'ah is permissible with Sunnī women as well because they are unmarried, i.e. according to the Shī'ah the nikāḥ of the Ahl al-Sunnah is incorrect. This makes it clear that according to the Shī'ah, the Ahl al-Sunnah are not Muslims. Nevertheless Mut'ah is also permissible with Hindus and Zoroastrians as well. The only condition is that they must recite the kalimah even if they do not mean it.

Similarly they say Mut'ah is permissible with Jews and Christians as

1 *Wasā'il al-Shī'ah*, v. 7 p. 462

2 *ibid*

3 *Al-Istibṣār*, v. 3 p. 144

well. After seeing the reality of Mut'ah, can any person truly say there is a difference between Mut'ah and zinā? Moreover does anyone have the courage to say that the differences between the Shī'ah and Ahl al-Sunnah are in minor aspects only and that the Shī'ah only differ slightly with the Muslims?

Mut'ah is Permissible with a Hāshimī Girl as Well

According to the Ithnā 'Ashariyyah, Mut'ah is such a beloved and adored act that it is permissible to perform with those women from the Banū Hāshim as well. Thus — according to them — there is no prohibition whatsoever to engage in sexual intercourse with a woman from the Banū Hāshim after stipulating a fixed period and price, in fact they regard it as entirely permissible. The famous Shī'ī mujtahid Shaykh Abū Ja'far Muḥammad ibn Ḥasan al-Ṭūsī says:

لا بأس بالمتعة بهاشمية

There is no problem with performing Mut'ah with a Hāshimī woman.¹

How astonishing it is, the manner in which the honour and chastity of the noble family of Rasūlullāh ﷺ is being put on sale in the marketplace. The Ithnā 'Ashariyyah intently endeavour to ensure that this act of Mut'ah remains beloved, regardless of whether it be performed with a common woman, adulteress or a Sayyid. We seek Allah's protection.

Mut'ah is a Part of the Essentials of Dīn

Just as it is imperative to bring īmān in Allah, His Rasūl ﷺ, the Divine Books, the angels as well as taqdīr and the hereafter, so too is Mut'ah regarded as among the essentials of dīn by the Ithnā 'Ashariyyah Shī'ah. This means that according to the Shī'ah it is imperative to believe that Mut'ah is part of īmān and whoever

1 *Tahdhīb al-Aḥkām*, v. 2 p. 192

denies it is a disbeliever. The well-known imām of the Shī'ah, Mullā Bāqir Majlisī writes under the discussion of those who deny the essentials of dīn:

پس کسی کہ انکار حلال بودن متعه کند چون از ضروری دین شیعه است از دین تشیع بدر میرد لهذا وارد شده
است کہ شیعه ما نیست کسی کہ متعه را حلال نداند

If any person denies the legal status of Mut'ah, then he becomes a disbeliever because Mut'ah is among the essentials of dīn according to the Shī'ah. It is for this reason that they regard such a person as out of the fold of Islam.

It is clear that Mut'ah is among the essentials of dīn according to the Shī'ah and that the differences amongst the Ahl al-Sunnah and Shī'ah are not in trivial matters but in the fundamentals of dīn. In fact Mullah Faṭḥ Allāh al-Kāshānī writes explicitly about those who deny the legal status of Mut'ah:

ومنكر المتعة كافر مرتد

He who denies Mut'ah is a disbeliever and a murtad.¹

The famous Shī'ī mujtahid Shaykh Muḥammad ibn Ḥasan al-Ḥurr al-Āmilī quotes Imām Ja'far al-Ṣādiq رحمة الله saying:

He is not from amongst us who does not regard Mut'ah as Ḥalāl.²

In addition to this he says:

اباحة المتعة من ضرورية مذهب الامامية

The permissibility of Mut'ah is among the essential beliefs of the Imāmiyyah.³

1 *Tafsīr Minhāj al-Ṣādiqīn*, p. 356

2 *Wasā'il al-Shī'ah*, v. 7 p. 438

3 *Ibid*

The Īmān of the One Who Does not Perform Mut'ah is Incomplete

Certain acts and deeds have been described in the Qur'ān and ḥadīth such that the Īmān of the one who does not perform them is incomplete, but wherever this has been mentioned one will notice that a pure and virtuous deed is being encouraged. It is either the fulfilment of the *Ḥuqūq Allāh* (Rights of Allah) or *Ḥuqūq al-'Ibād* (the Rights of Man) that is encouraged or the moral reformation of social etiquettes that is being addressed. However, according to the Shī'ah the Īmān of the one who does not perform Mut'ah is incomplete, i.e. if one fails to carry out an act which is in actual fact zinā — fornication — then his Īmān is incomplete. The renowned Shī'ī faqīh Abū Ja'far Ibn Bābuwayh al-Qummī writes:

ان المؤمن لا يكمل حتى يتمتع

The Īmān of a believer remains incomplete until he performs Mut'ah.¹

In fact a severe admonishment has been reported for the one who does not perform Mut'ah. Mullah Fatḥ Allāh al-Kāshānī writes:

من خرج من الدنيا و لم يتمتع جاء يوم القيامة و هو اجذع

Whoever leaves this world without having performed Mut'ah will rise on the Day of Resurrection such that his mouth, ears and nose will be cut off.²

In a similar manner Shaykh Abū Ja'far Muḥammad ibn Ḥasan al-Ṭūsī has written in his book *Al-Istibṣār* that the Īmān of the one who does not perform Mut'ah is incomplete and he will be resurrected on the Day of Qiyāmah such that his limbs will be cut off.

This means that one must definitely indulge in sexual intercourse with a woman, after stipulating a fixed period and price, because it is among the essentials of

1 ibid

2 *Tafsīr Minhāj al-Ṣādiqīn*, p. 256

dīn. If not then the condition of such a person will be extremely terrifying on the Day of Resurrection and his īmān will be incomplete.

It is worth pondering; the pristine Sharī'ah of Islam has emphasised on abstaining from zinā and in addition has prohibited all those actions which may take one even close to zinā, because by indulging in such an act the īmān of a person hangs in the balance. Yet the Ithnā 'Ashariyyah Shī'ah have made this act so beloved and have given it such importance that they say the īmān of one who does not perform it is incomplete and will rise on the Day of Qiyāmah with his body mutilated. Is this not in actual fact opening the doors for obscenity?

We are amazed that the Shī'ah creed so openly propagates the virtues of performing Mut'ah, yet there is not even a single narration recorded for consenting to perform Mut'ah. When this is the case, then the youth in every home should throw down the literature containing these false narrations and wash your heart and mind of it.

Specifying a Fixed Period in Mut'ah

Nikāḥ has been made perpetual in the Sharī'ah of Islam and not temporary; such that one may perform nikāḥ for a few days or hours only and then separate. This opposes both logic as well as the reported traditions and is in contradiction with one's sense of honour. This increases lewdness and obscenity, and also places doubt on one's genealogy, which will ultimately lead only to chaos and destruction.

However, Shī'ah state that it is imperative to specify a fixed period. If a person decides that he only wants to perform Mut'ah for half an hour then too it is permissible but he will have to specify that it is for half an hour only. The author of *al-Kāfi*, Muḥammad ibn Ya'qūb al-Kulaynī reports from Imām Ja'far al-Ṣādiq:

لا تكون متعة الا بامرین اجل مسمى و اجر مسمى

Two things are necessary when performing Mut'ah, specifying time and price.¹

Khomeini also regards the specification of time as necessary. He says:

Mut'ah can be performed for a short period of time but the time period must be specified.

This means that one may perform Mut'ah for one or two days and even for an hour or a portion thereof. It is reported in a tradition:

ان سمي الاجل فهو متعة و ان لم يسم الاجل فهو نكاح بات

If time is stipulated then it is Mut'ah and if it is not then it is nikāḥ.²

This makes it clear then there is a vast difference between Mut'ah and nikāḥ.

Witnesses are Not Necessary in Mut'ah

In the Sharī'ah of Islam it is necessary for two mature sane Muslim men to be witnesses to the nikāḥ, but according to the Shī'ah it is not necessary for the male or female to have witnesses for this contract nor is it necessary to announce it publicly. Thus, there is no need for witnesses, announcement or a qāḍī. The famous Shī'ī mufassir Faḥ Allāh al-Kāshānī writes:

There are five requirements for Mut'ah, a man, a woman, specified price, fixed period, proposal and acceptance.³

1 *Furū' al-Kāfi*, v. 5 p. 455

2 *ibid*

3 *Tahdhīb al-Aḥkām*, v. 2 p. 189

Thus, if a man and a woman stipulate a price and a fixed period, where one proposes and the other accepts, they can perform Mut'ah. There is no need for any witnesses to be present and nor is it necessary to inform ones family or parents.

Shaykh Abū Ja'far Muḥammad ibn Ḥasan al-Ṭūsī writes:

وليس في المتعة اشهاد ولا اعلان

There are no witnesses or any announcement in Mut'ah.¹

In fact, Shaykh al-Ṭūsī dedicated an entire chapter to this discussion, under the heading: The permissibility of performing Mut'ah with a woman without witnesses. He goes to substantiate his view in the following manner: once someone asked Imām Ja'far al-Ṣādiq رحمة الله if Mut'ah is permissible without witnesses, and he said that there is no problem with this and one may perform Mut'ah without witnesses as this act is between him and Allah, whereas in nikāḥ witnesses are necessary because of the children and if they are none then there is no problem.

انما جعل الشهود في تزويج البتة من اجل الولد ولو لا ذلك لم يكن به بأس

Witnesses have been made compulsory in nikāḥ because of the offspring and if there are none then it is no problem.²

Once the fixed period has elapsed then the woman may leave and there is no necessity for ṭalāq. It is mentioned in *al-Kāfi*:

فاذا انقضى الاجل بانت منه بغير طلاق

When the fixed period has elapsed then she will be separated from him without ṭalāq.³

1 ibid

2 ibid

3 ibid

In another narration it is mentioned:

فاذا جاز الاجل كانت فرقة بغير طلاق

When the time has passed then they will be separated without ṭalāq.

What difference is there between Mut'ah and zinā, the same that is done in zinā is performed in Mut'ah. The Sharī'ah has mentioned many prohibitions and warnings for zinā. If there is no difference between the two then what was the reason for the many restrictions for committing zinā. It is clear as day light; Mut'ah is not permitted in the Sharī'ah of Islam under any circumstances. It is zinā and that is why it was made ḥarām.

An Incident Worth Pondering Over

Shī'ī muḥaddithīn report from Imām Ja'far al-Ṣādiq رَحِمَهُ اللهُ that a woman came to 'Umar رَضِيَ اللهُ عَنْهُ and said:

I have committed adultery, please purify me. 'Umar رَضِيَ اللهُ عَنْهُ then ordered for the punishment of *rajam* (stoning) to be carried out. While this was taking place, 'Alī رَضِيَ اللهُ عَنْهُ heard about what had transpired and asked her: "How did you commit adultery?" She replied:

كيف زنيت فقالت مررت بالبادية فاصابني عطش شديد فاستسقيت اعرابيا فابي ان يسقيني الا ان امكنه من نفسي فلما اجهد في العطش و خفت على نفسي سقاني فامكنته من نفسي فقال امير المؤمنين (عليه السلام) تزويج و رب الكعبة

I was walking through the jungle when I was overcome with thirst. I asked a Bedouin for some water but he refused to give me water unless I satisfied him. When the thirst became too intense and I feared for my life, I accepted his condition." Upon hearing this 'Alī رَضِيَ اللهُ عَنْهُ said: "I take an oath by the Rabb of the Ka'bah this is nikāḥ."¹

1 *Furū' al-Kāfi*, v. 5 p. 467

We know full-well that 'Alī رَضِيَ اللهُ عَنْهُ is innocent from this fabricated tale. Is it possible for any person to claim that this is nikāḥ? If this is nikāḥ then what is zinā and if this is zinā — which it is — then what is the difference between zinā and Mut'ah?

It is evident that the aspect of Mut'ah reported in the narrations of the Shī'ah is in actual fact zinā, the punishment of which has been clearly explained in the Noble Qur'ān and aḥādīth.

The Payment for Mut'ah

Just as stipulating a fixed period is necessary in Mut'ah, so too is stipulating the payment also necessary, because the woman is likened to an item on rent for which payment has to be made. According to the Shī'ah, a handful of wheat, barley or dates are sufficient as a payment for Mut'ah. The Shī'ah narrator Aḥwal reports that he asked Imām Ja'far al-Ṣādiq رَضِيَ اللهُ عَنْهُ:

عن ادنى ما تزوج به المتعة قال كف من بر

What is the least amount upon which Mut'ah can be made upon to which he replied: "A handful of wheat."¹

Another Shī'ī narrator Abū Baṣīr reports that when he asked the same question and he replied:

كف من طعام او دقيق او سويق او تمر

A handful of food, flour, barley or dates.²

One learns from the above that it is not necessary to pay maintenance, clothe, feed or provide shelter to the woman with whom one is performing Mut'ah. A mere handful of dates or wheat is sufficient to carry out the act of Mut'ah because this is not a wife but only an item which has been rented in lieu of a handful of food.

1 *Furū' al-Kāfi*, v. 5 p. 457

2 *Tahdhīb al-Aḥkām*, v. 2 p. 189

With How Many Women is One Allowed to Perform Mut'ah

According to the laws of Islam one man is allowed to wed four women at one time, the laws of which have been explained independently.

However, in this beloved act of the Shī'ah there is no limit to the number of women one may perform it with. One may perform Mut'ah with one woman or even a thousand. It is mentioned in the famous Shī'ī book *Tahdhīb al Aḥkām* that Imām Ja'far al-Ṣādiq was asked:

اهي من الاربع فقال تزوج منهن الفا فانهن متآجرات

The woman with whom Mut'ah is performed, is she a part of the four (wives that one is allowed to marry)? To which he replied: "perform it with a thousand of them because they are rented items."¹

It another narration it is reported that he said:

ليس من الاربع انما هي اجارة

They are not of the four but are rented items.²

Bāqir al-Majlisī reports this narration from him:

ليس من الاربع لا لانها لا تطلق ولا ترث وانما هي متآجرة

She is not of the four because she does not need a ṭalāq (to be separated from him) nor does she inherit from him. She is but an item taken on rent.³

It is reported in the chapter of Mut'ah in *al-Kāfi*:

1 *Furū' al-Kāfi*, v. 5 p. 452, *al-Istibṣār*, v. 3 p. 147

2 *Tafsīr Nūr al-Thaḡalayn*, v. 1 p. 461

3 *Furū' al-Kāfi*, v. 5 p. 451, *al-Istibṣār*, v. 3 p. 147

صاحب الاربع النسوة يتزوج منهن ما شاء بغير ولى و لا شهود فاذا انقضى الاجل باتت منه بغير طلاق و يعطيها الشيء اليسير

A husband of four wives may also perform Mut'ah with any woman he desires, without her representative or witnesses. When the stipulated time has elapsed then she will be separated from him without a ṭalāq. The man should give her something in return.¹

Imām Abū al-Ḥasan (al-Riḍā) رَضِيَ اللهُ عَنْهُ was asked:

اهى من الاربع فقال و لا من السبعين انما من مستأجرة

“Are they from the four?” to which he replied: “No, and not even from the seventy, they are but items taken on rent.”²

Ziyād ibn A'yun asked Imām al-Riḍā رَضِيَ اللهُ عَنْهُ, how many women one is allowed to perform Mut'ah with and he replied:

قال كم شئت

As many as you wish.³

One learns from the following narrations of the Shī'ah that even though one may already possess four wives, he is permitted to perform Mut'ah with a thousand additional women as well. There is no restriction in this regard and when the time period has elapsed, she will automatically be separated from him and there is no need to issue a ṭalāq. Furthermore there is no need for witnesses to be present and the women will not be entitled to inherit from him. This act of Mut'ah is not the same as one's female slaves as well (with whom cohabiting is permissible).

1 *Furū' al-Kāfi*, v. 5 p. 451, *Wasā'il al-Shī'ah*, v. 7 p. 447'

2 *Furū' al-Kāfi*, v. 5 p. 451, *al-Istibṣār*, v. 3 p. 147

3 *ibid*

The narration “Not of the seventy” clearly negates this. These narrations clearly state that the woman is an item taken on rent. Just as one would rent a house, by stipulating a price and period of rental so too has the woman been rented in this fashion, by stipulating a price and period of rental; and in this manner one is allowed to perform this act with as many women as he pleases.

One should ponder deeply as to whether there still remains any difference between Mut'ah and zinā. Does not the same agreement take place with a harlot? Does an adulteress possess the same rights as a wife? When one performs zinā is there a need for a representative, witnesses or public announcement? No, most definitely not, and the same goes for Mut'ah as well. So can there now be any difference between Mut'ah and zinā?

Many Men May Perform Mut'ah With the Same Woman

In the pure Sharī'ah of Islam, if an unmarried woman was to indulge in such an immodest act then she would be given one hundred lashes and if a married woman was to do so then she would be stoned to death. Islam does not condone a woman indulging in Mut'ah with a man while married to another, under any circumstances.

However, the Shī'ah see it as no problem even if she were to indulge in Mut'ah with a number of men, nor do they see this as immoral. The only restriction that they do impose is that she must not be menstruating but if it is a woman who does not menstruate, then a number of men may sleep with her. They term this *Mut'ah Dowriyah* (repetitive Mut'ah). The Shī'ī mujtahid Qādī Nūr Allāh al-Shostārī writes:

و اما تاسعا فلان نسبه الى اصحابنا من انهم جوزوا ان يتمتع الرجل ال المتعددون ليلا واحدة من امرة
سواء كانت من ذوات الاقراء ام لا فمماخان في بعض قيوده وذلك ان الاصحاب قد خصوا ذلك بلائسة
لا بغير ذوات الاقراء

Those people who have attributed to our scholars that they regarded it as permissible for many men to indulge in Mut'ah with one woman in

one night whether they be menstruating or not, have omitted a few of its clauses, and that is they have permitted this only with those woman who have stopped menstruating and not with those who still menstruate.¹

This means that al-Shostārī openly admits that the Shī'ah do regard it as permissible for many men to spend the night with one woman. They may do so in turns or two of them may do so simultaneously. The only restriction they will have to bear in mind is that she must not be a menstruating woman, and if she is not then there is absolutely no drawback in performing such an act.

Ponder for a moment, can there be a more shamelessness act than one woman sleeping with a number of different men, one after the other, in one night. Is this not zinā? Only that person can regard this as an act of worship whose heart is dead and whose intellect is lost.

Mut'ah Can be Performed With One Woman a Number of Times

In the pure Sharī'ah of Islam, if a man issues three ṭalāq to his wife then he cannot marry her again and if he continues to remain with her thereafter then this is termed as zinā. He will be worthy of punishment in the hereafter and even in this world the appropriate sentence will be carried out on him.

However, according to the Shī'ah there is no restriction in this regard and Mut'ah is entirely permissible. If a person has performed Mut'ah with a woman and thereafter another performed this act with her, then too it will be permissible for the first person to perform Mut'ah with her again immediately thereafter. The well-known Shī'ī narrator, Zurārah, reports that he asked Imām al-Bāqir رَضِيَ اللهُ عَنْهُ:

الرجل يتزوج المتعة و يتقاضى شرطها ثم يتزوجها رجل آخر حتى بانته منه ثلاثا تزوجت ثلاثة ازواج
يحل للاول ان يتزوجها

One man performs Mut'ah with a woman and then the time period elapses.
Another man then performs Mut'ah with her and when he separates from

1 Maṣā'ib al-Nawāṣib

her, a third performs Mut'ah with her. Like this it has occurred three times and she has performed Mut'ah with three men (at the same time). Is she still Ḥalāl for the first?¹

Zurārah narrates that he replied:

نعم كم شاء هذه ليس مثل الحرة هذه مستأجرة و هي بمنزلة الاماء

Yes, she may do it as many times as she pleases. She is not the same as free women; instead she is like a rented item and the substitute for a female slave.²

Can any person with sound intellect be pleased with such immorality? This is indeed a vile act that one woman is sometimes in bed with one man and sometimes with another. When the stipulated time has elapsed then she is given her money and she leaves to begin her time with another. Will any moral person envisage such acts being performed with his sisters, daughter or other women of the family? I believe with full conviction that no honourable person will condone this. Undoubtedly those who lack shame and modesty will become Shī'ah and indulge in such acts.

إذا فاتك الحياء فاصنع ما شئت

When shame and modesty leave you then do as you please. (ḥadīth)

1 *Furū' al-Kāfi*, v. 5 p. 460

2 *ibid*

Virtues of Mut'ah

The Shī'ah have expounded such abundant virtues and rewards for Mut'ah, which they have not mentioned for any other act, neither ṣalāh, zakāh, fasting or even ḥajj. It is only this one act, after it is performed there is no need for any other virtuous deed. They say perform Mut'ah and reach the status of the Ambiyā'. We seek Allah's protection.

A few virtues of Mut'ah according to the Shī'ah are as follows:

1. Faṭḥ Allāh al-Kāshānī writes:

من تمتع مرة امن سخط الله الجبار ومن تمتع مرتين حشر مع الابرار ومن تمتع ثلاث مرات صاحبنى
فى الجنان

Whoever performs Mut'ah once will be saved from the anger of Allah. Whoever performs it twice will be resurrected with the pious and whoever performs it thrice will be with me in Jannah.¹

This narration guarantees the perpetrator of Mut'ah safety from the anger of Allah, company of the pious in the hereafter and residing with Rasūl of Allah ﷺ in Jannah.

2. Now read how one will be saved from Jahannam:

من تمتع واحدة عتق ثلثه من النار و من تمتع مرتين عتق ثلثاه من النار و من تمتع ثلاث مرات عتق كله من
النار

Whoever performs Mut'ah once, a third of him will be freed from Jahannam. Whoever performs it twice, two thirds will be freed from Jahannam and whoever performs it thrice will be freed entirely from Jahannam.²

1 *Tafsīr Minhāj al-Ṣādiqīn*, p. 356

2 *ibid*

3. Now see the status the perpetrator of Mut'ah will attain:

من تمتع كان درجة كدرجة الحسين (عليه السلام) ومن تمتع مرتين فدرجة كدرجة الحسن (عليه السلام)
من تمتع ثلاث مرات كان درجة كدرجة علي بن ابي طالب (عليه السلام) ومن تمتع اربع مرات فدرجة
كدرجتي

Whoever performs Mut'ah once will attain the status of Ḥusayn. Whoever performs it twice will attain the status of Ḥasan. Whoever performs it thrice will attain the status of 'Alī رَضِيَ اللَّهُ عَنْهُ and whoever will perform it four times will attain my status (i.e. of Rasūlullāh صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ).¹

Among the fundamental beliefs of Islam is that even the greatest saint, 'ālim or friend of Allah cannot attain the status of even the lowest ranking Ṣaḥābī, let alone reaching the status of Rasūlullāh صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ. However, the Shī'ah believe that performing this vile act not only allows one to attain the status of the Ahl-Bayt but also the status of Rasūlullāh صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ. We seek Allah's forgiveness.

نقل كفر، كفر نباشد

Describing the act of kufr is not committing kufr.

4. The Shī'ī mujtahid Abū al-Qāsim, the father of 'Allāmah Sayyid' 'Alī al-Ḥā'irī, says:

قال ابو عبد الله (عليه السلام) ما من رجل تمتع ثم اغتسل الا خلق الله من كل قطرة قطر منه سبعين ملكا
يستغفرون له الى يوم القيامة

Imām Ja'far al-Ṣādiq رَضِيَ اللَّهُ عَنْهُ said: "There is no man who commits Mut'ah and then takes a bath but Allah creates an angel from every drop of water then falls from his body, who will seek forgiveness on his behalf until the Day of Qiyāmah."²

1 ibid

2 *Burhān al-Mut'ah*

After reporting this narration, 'Abbās al-Qummī writes that those angels also:

ولعنت می کند اجتناب کننده ازل را

Invoke the curse of Allah upon the one who abstains from Mut'ah until the Day of Qiyāmah.¹

Muḥammad ibn Ḥasan al-Ḥurr al-Āmilī has reported this entire narration in his book, *Wasā'il al-Shī'ah*.

5. Faṭḥ Allāh al-Kāshānī and Bāqir al-Majlisī while enumerating the various virtues of Mut'ah also mention this 'ḥadīth', we seek Allah's forgiveness:

Jibra'īl عليه السلام came to me with a gift from Allah and that gift was performance of Mut'ah with women. No other Nabī was given this gift before me. So I know well that this act of Mut'ah was decreed specifically for me from all the previous Ambiyā'. Whoever will perform this act of Mut'ah once in his lifetime will be from among the dwellers of paradise. When a man and woman will seclude themselves with the intention to perform Mut'ah then an angel will descend and protect them until they complete the act. Their conversation with each other is like dhikr and tasbīḥ. When they grasp each other's hands then their sins fall from their fingers. When they kiss each other then Allah awards them the reward of an 'umrah and ḥajj on each kiss. When they engage in intercourse with each other then with each delight and excitement they receive rewards equal to the mountains. When they bath, then with each drop that falls from their bodies, they receive ten rewards, ten sins are forgiven and their status is raised tenfold.

The narrator of this ḥadīth adds that when 'Alī رضي الله عنه heard this he said:

O Seal of the Ambiyā', I affirm what you say. What will be the reward for one who exerts himself in performing this act.'

1 *Muntahā al-A'māl*

Rasūlullāh ﷺ replied:

When they take a bath after performing this act then Allah creates an angel from each drop of water that falls from their bodies, who will praise Allah until the Day of Qiyāmah and they will receive the reward.¹

Whoever possesses the slightest iota of īmān, intellect and shame will say that Allah and his Rasūl are free from the faults and defects of this falsehood. This is nothing more than the fabrications of the Shī'ah.

كَبُرَتْ كَلِمَةً تَخْرُجُ مِنْ أَفْوَاهِهِمْ ۗ أَنْ يَقُولُونَ إِلَّا كَذِبًا

Grave is the statement that emerges from their mouths (because it will lead them to Jahannam). They speak only lies (for they ignore reason and wisdom).²

6. Bāqir al-Majlisī also writes in the same book:

Rasūlullāh has said that whoever performs Mut'ah with a believing woman then it is as if he has gazed upon the Ka'bah seventy times.³

This means that when a person performs Mut'ah once then his status is so elevated that it is as if he has gazed upon the Ka'bah seventy times, on condition that the woman is a Shī'ah.

7. There are many other virtues of Mut'ah mentioned in this book, amongst which is:

Whoever will exert himself in this noble act, Allah will elevate his status. They will cross the bridge of Şirāt as quick as lightening. There will be

1 *Tafsīr Minhāj al-Şādiqīn*, p. 356

2 Sūrah al-Kahf: 5

3 *Ajālah Ḥasanah*, p. 16

seventy rows of angels standing alongside them. Onlookers will ask whether these are the angels of the pious or of the Ambiyā'. The angels will reply that these are those people who practiced upon the sunnah of Rasūlullāh ﷺ. They will enter Jannah without reckoning. Those who will strive from the Shī'ah will receive this reward as well.¹

8. It is mentioned in the famous Shī'ī book, *Tuḥfat al-Awām*:

Whoever performs Mut'ah once in his lifetime will be among the dwellers of paradise. In another narration it is mentioned that the men and women who perform Mut'ah will not enter Jahannam.²

This obviously means that there is no necessity to perform ṣalāh, fast, pay zakāh, and perform ḥajj or any other virtuous act. He has to just perform the act of Mut'ah once in his life and he will attain success. This is why profusion is preferred in the performance of Mut'ah and if that is not possible then at the least once in a lifetime, after which one will have no fear from the terrible spectacles of the grave and the hereafter, nor will he fear being thrown into Jahannam. He will go directly to Jannah.

9. 'Abd Allāh ibn Sinān reports that Imām Ja'far al-Ṣādiq said:

ان الله تبارك وتعالى حرم على شيعاتنا السكر من كل شراب و عواضهم من ذلك المتعة

Allah has forbidden all forms of intoxicants on our Shī'ah and in its place has made Mut'ah ḥalāl for us.³

10. Imām Ja'far al-Ṣādiq asked his father, Imām al-Bāqir:

للمتمتع ثواب قال ان كان يريد بذلك وجه الله تعالى و خلافا على من انكرها لم يكلم كلمة الا كتب الله

1 ibid

2 *Tuḥfat al-'Awām*, v. 2 p. 271

3 *Wasā'il al-Shī'ah*, v. 7 p. 438

له بها حسنة و لم يمد يده اليها الا كتب الله له حسنة فاذا دنا منها غفر الله له بذلك ذنبا فاذا اغتسل غفر الله له ما مر من الماء على شعره قلت بعدد شعر فال بعدد الشعر

“Is there any reward for the one performs Mut'ah?” He replied: “If he has done this act purely for Allah's pleasure and in opposition to those who deny it then he will be rewarded. They will receive a reward for each word that they speak to each other. He will receive reward for extending his hand towards her. When she draws closer to him then their sins are forgiven and when they bath then sins are forgiven equivalent to the hairs on their bodies.”¹

An Utterly False Allegation

The chastity and innocence, purity and taqwā as well as the abstinence and piety of Rasūlullāh صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ has been affirmed by the Noble Qur'ān. In fact even the kuffār never accused Rasūlullāh صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ of any act which might cast a shadow on his chastity and honour. They have called Rasūlullāh صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ a liar, soothsayer, magician, poet and even crazy but they never once called him unchaste. The level of abstinence, honour and modesty of Rasūlullāh صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ was such that despite being the father of the ummah, he never touched even the hand of a strange woman, not even when taking the pledge from them.

It is extremely distressing that the Shī'ah have attributed such statements to Rasūlullāh صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ, and then one finds it difficult to even relate them. It is only because it is our duty to inform the ummah of the plots and schemes against Islam that we quote these fabrications. The level of disrespect the Shī'ah possesses has resulted in them including Rasūlullāh صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ also among those who performed Mut'ah. Allah forbid!

The famous Shī'ī faqīh Abū al-Ja'far ibn Bābuwayh al-Qummī says:

انى لاكره للرجل ان يموت و قد بقيت عليه خلة من خلال رسول الله (صلى الله عليه و سلم) لم يأتها

¹ *Man Lā Yaḥḍuruḥu al-Faqīh*, v. 2 p. 129

فقلت فهل تمتع رسول الله (صلى الله عليه وسلم) قال نعم وقرأ هذه الآية وَإِذْ أَسْرَ النَّبِيُّ إِلَىٰ بَعْضِ أَزْوَاجِهِ حَدِيثًا إِلَىٰ قَوْلِهِ تَبَيَّنَ وَأَكْبَارًا¹

Imām Ja'far al-Ṣādiq رَضِيَ اللَّهُ عَنْهُ said that: "I dislike that a person should depart from this world without practicing on a Sunnah from the Sunnah of Rasūlullāh صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ." The narrator asked: "Did Rasūlullāh صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ also perform Mut'ah?" He replied: "Yes!" and then recited the following verse:

*When the Nabī whispered something to one of his wives 'until' previously married women and virgins.*²

Now place your hand on your heart and read on:

وروى الفضل الشيباني باسناده الى الباقر (عليه السلام) ان عبد الله بن عطاء سأله عن قوله تعالى و اذا سر النبي الآية فقال ان رسول الله (صلى الله عليه وسلم) تزوج بالحرّة متعة فاطاع عليه بعض نساته فاتهمه بالفاحشة فقال انه لى خلال انه نكاح بأجل فاكتميه فاطلعت عليه بعض نساته

'Abd Allāh ibn 'Aṭā' al-Makkī asked Imām al-Bāqir رَضِيَ اللَّهُ عَنْهُ about the verse: "When the Nabī صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ whispered something to one of his wives" to which he replied: "Rasūlullāh صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ performed Mut'ah with a free woman, which a few of his wives came to know about. They then accused him of being immoral to which he replied: "This is most certainly ḥalāl for me, it is a temporary marriage. So keep it secret." However the other wives still came to know of it.³

You are indeed pure. This is but a false allegation.

The Shī'ah have even falsely accused the pure and noble person of Rasūlullāh صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ, and in there frenzy to perform Mut'ah have dishonoured the noble house of risālat. We seek Allah's forgiveness.

1 Sūrah al-Taḥrīm: 3-5

2 Man Lā Yaḥḍuruḥu al-Faqīh, v. 2 p. 151, Wasā'il al-Shī'ah, v. 7 p. 442

3 Wasā'il al-Shī'ah, v. 7 p. 440

You have learned the reality of Mut'ah from the traditions of the Shī'ah and you have probably concluded that Mut'ah is indeed a vile act, which cannot be permitted under any circumstances. The ultimate reason being that this will open the doors of shamelessness and immorality, which will lead society down the road of depravity and wickedness. This is the reason why it has been made forbidden both in the Qur'ān and ḥadīth of Rasūlullāh ﷺ.

The Prohibition of Mut'ah in Light of the Noble Qur'an

The era before the risālat of Rasūlullāh ﷺ — commonly referred to as the period of ignorance — was an era without morality and shame. The primary purpose of marriage was completely forgotten. Shame and modesty had left the people. The moral degradation had fallen to such a level that one would not regard sharing his wife with another man as wrong and a wife would not feel ashamed of abandoning her husband to engage in relations with another man. The Noble Qur'an put an end to these deplorable and appalling social norms once and for all.

1. It is mentioned in the Noble Qur'an,

وَلَا تَقْرُبُوا الزُّنَىٰ إِنَّهُ كَانَ فَاحِشَةً ۖ وَسَاءَ سَبِيلًا

And do not even draw (go) near to fornication (do not indulge in anything that may lead to it). It is truly an indecent (shameless) act and the worst of ways (because it leads to immorality and illegitimate children in society and also leads one to Jahannam)¹

In this verse it has been warned that committing fornication is far from permissible, one is even not allowed to go near to it. Any deed, word or even action that might lead one close to zinā is abhorred and disliked in light of the Qur'an. It is for this reason that one is encouraged to safeguard himself from all of its avenues. While enumerating the harms of zinā, Imām Fakhr al-Dīn al-Rāzī رحمه الله writes:

- * One genealogy is cast into doubt. One will be unable to say with certainty who the father of the illegitimate child really is. The ultimate result of this will be that no man will take responsibility for the upbringing of that child. (The child will be left impoverished or the mother will eventually

1 Sūrah Banī Isrā'īl: 32

kill or abandon her child. The consequences thereafter are only disastrous and catastrophic). This will lead to the termination of procreation and the destruction of man.

- * No one will have a right over the woman because nikāḥ had not taken place with her. The result of this will be that every man will try to claim rights to that woman, and it will be impossible to give preference to either one over the other. The grievous and dreadful consequences that arise in such instances can be studied in the history of lovers and the unscrupulous.
- * A woman who indulges in zinā becomes accustomed to the act, and men who have pure personalities will be disgusted by such woman. The result of this will be that no man will even be willing to marry such a woman, let alone love her. This is the reason why people generally display their hatred to a woman who is known to commit zinā, and she is regarded among the detested and dejected ones in society.
- * Once the doors of zinā are opened then no law and principle will remain. A man will no longer have attraction to one specific woman only. Instead wherever one finds the opportunity to indulge himself, he will do so. This is the practice of animals, thus there will remain no difference between humans and animals.
- * The purpose of marriage is not only satisfying one's passions but to join together in matrimony and become a partner and companion to each other. This applies to the housework, preparation of meals, upbringing of children as well as other necessities of life. To be companions to each other in times of sadness and happiness, in poverty and in wealth. This is only possible when a woman will remain with one man in a permissible manner. The manner of achieving this is to decree zinā as completely ḥarām and restrict the relations between men and women under the laws of nikāḥ only.
- * The aspect of sexual intercourse is something that is clandestine. It is for this reason that it is discussed in an ambiguous and vague manner, and

performed when concealed from others. Thus, it is obvious that it should be done in the least possible manner, which is only possible when a man remains attached to one woman only in a permissible manner. If not then this will be impossible to achieve.

These six harms of zinā are those which are apparent, whereas there are many more harms as well.¹

This research and explanation of Imām al-Rāzī teaches us that the harms and evils of zinā are so manifest that it is impossible for any person to deny.

Now worth pondering over is that encouraging the performance of Mut'ah and passing a legislation in this regard is in actual fact opening the doors of zinā because there is no difference between Mut'ah and zinā. You have also read what are the harms and evils of zinā. This verse strictly prohibits the performance of Mut'ah, making it clear that there is no room for such practices in Islam, even if the president of Iran declares that this is a divine decree and encourages the youth to indulge in it.

2. Allah says in the Noble Qur'an:

وَالَّذِينَ هُمْ يُفْرُوهُمْ حَفُظُونَ ﴿٥﴾ إِلَّا عَلَىٰ أَزْوَاجِهِمْ أَوْ مَا مَلَكَتْ أَيْمَانُهُمْ فَإِنَّهُمْ غَيْرُ مَلُومِينَ
﴿٦﴾ فَمَنْ ابْتَغَىٰ وَرَاءَ ذَلِكَ فَأُولَٰئِكَ هُمُ الْعُدُونَ

And those who safeguard their private organs (from adultery, fornication and other illicit acts) except from their spouses and the slave women whom they own. They will surely not be blamed about (cohabiting with) them. Whoever seeks more than this, then such persons are transgressors indeed.²

These verses describe the success of the Mu'minīn who possesses these qualities.

1 Tafsīr al-Kabīr, v. 5 p. 394

2 Sūrah al-Mu'minūn: 5-7

One of which is that he safeguards his chastity. One is not permitted to have any relation with any woman besides his wife or female slave, and if he has any relation with a strange woman then this falls under zinā and makes one deserving of punishment. This makes it clear that Mut'ah is not permitted in the sharīḥ of Islam. If it was permitted then it would have been mentioned with the spouses and female slaves that were excluded from its prohibition. However, this verse does not mention the permissibility of a third avenue. In fact, it has been refuted and such people have been referred to as those who exceed the limits, which clearly illustrate the prohibition of Mut'ah.

3. Allah says:

وَلَيْسَتَعْنِفِ الَّذِينَ لَا يَجِدُونَ نِكَاحًا حَتَّى يُعْنِيَهُمُ اللَّهُ مِنْ فَضْلِهِ

Those who are unable (who have no means) to marry (despite their desire and efforts) should preserve their chastity until Allah grants them both independence through His grace (and they are able to marry).¹

This verse informs us that when one is unable to marry, due to financial restraints then he should control himself and preserve his chastity and when he is financially stable and able to marry then he should do so. In both these instances emphasis has been placed on preserving his chastity. Rasūlullāh ﷺ has advised people, who are in such a position to fast because this will subdue his passions and desires, which is what ultimately pushes one into taking a step in the wrong direction.

There are many such incidents reported in ḥadīth where the Ṣaḥābah رَضِيَ اللَّهُ عَنْهُمْ due to financial difficulty were unable to marry even though they longed to. Instead of advising them to adopt another path, Rasūlullāh ﷺ instructed them to fast so that they would be able to control their passions. These Ṣaḥābah acted in accordance and saved themselves from indulging in sin. Rasūlullāh's ﷺ instruction in this regard is as follows:

1 Sūrah al-Nūr: 33

يا معشر الشباب من استطاع منكم الباءة فليتزوج فإنه أغض للبصر و احصن للفرج من لم يستطع فعليه فعلية بالصوم فإنه له وجاء

O group of young men, those of you who have the means should marry, as this is best to lower one's gaze and safeguard one's chastity. Those who do not possess the means should fast as this will subdue his passions.¹

Rasūlullāh ﷺ advised the youth to marry as this preserves one's chastity and is a means of safeguarding one's gaze. If due to certain reasons he is unable to marry, and is unable to control his passions, then he has been ordered to fast as this will restrain his passions, thus preserving his honour and chastity.

It is obvious that if Mut'ah had the slightest hint of permissibility then Rasūlullāh ﷺ would have mentioned it here by saying that if one is unable to marry then he should perform Mut'ah. However, Rasūlullāh ﷺ did not say this and instead instructed such a person to fast continuously.² Thus, there is no mention of the permissibility of Mut'ah in the Qur'an and ḥadīth, instead its clear refutation can be found.

4. After mentioning those women whom one is forbidden to marry, Allah says:

1 *Mishkāt* p. 267, *Ṣaḥīḥ Bukhārī*, v. 2 p. 758

2 Mowlānā Ashraf 'Alī Thanwi رَحِمَهُ اللهُ says regarding the ḥadīth:

“Those who do not possess the means should fast as this will subdue his passions”: only continuous or incessant fasting will benefit one in such situation and not just one or two fasts kept randomly. The word “عليه” suggests necessity, which is of two types, 1- *I'tiqādī* (status) 2- *'Amalī* (practice). In this case *I'tiqādī* (status) is not implied as this fast is not *farḍ* (compulsory) but *'Amalī* is implied here. This is only possible by repetition and by making it a necessity, in the sense that it becomes a habit. I have said that there is clear support to this; one fasts continuously for one month in Ramaḍān. It is commonly experienced that in the beginning ones passions are not subdued but rather due to the excess waste being excreted by the body one's passions and excitement is heightened. As time goes by his strength diminishes and it is only at the end of the month, when his strength is thoroughly drained, that his passions are completely subdued because only then has he kept incessant fasts. (*al-Ifāḍāh*, v. 9 p. 192)

وَالْمُحْصَنَاتُ مِنَ النِّسَاءِ إِلَّا مَا مَلَكَتْ أَيْمَانُكُمْ ۚ كَتَبَ اللَّهُ عَلَيْكُمْ ۖ وَإِجْلَ لَكُمْ مَا وَرَاءَ ذَلِكَ ۖ أَنْ تَبْتَغُوا بِأَمْوَالِكُمْ مُحْصِنِينَ غَيْرَ مُسْفِحِينَ ۗ فَمَا اسْتَمْتَعْتُمْ بِهِ مِنْهُنَّ فَآتُوهُنَّ أُجُورَهُنَّ فَرِيضَةً ۗ وَلَا جُنَاحَ عَلَيْكُمْ فِيهَا تَرَاضَيْتُمْ بِهِ مِنْ بَعْدِ الْفَرِيضَةِ ۗ إِنَّ اللَّهَ كَانَ عَلِيمًا حَكِيمًا

Besides these (women mentioned above), all other women are lawful for you (to marry), (provided) that you seek (their hands in marriage) with your wealth (by paying the dowry) as properly married men (with the intention of preserving your chastity) and not as fornicators (not merely to gratify your desires). So for whatever you enjoy [of marriage] from them, give them their due compensation as an obligation. And there is no blame upon you for what you mutually agree to beyond the obligation. Indeed, Allah is ever Knowing and Wise.¹

This verse clearly explains that those women one is allowed to marry can be wedded under certain conditions. That is to say that marriage is permissible with them on these conditions, especially “As properly married men and not as fornicators”, which clearly highlights the prohibition of Mut'ah.

“As properly married men”

Marriage to these women should not be temporary or momentary but rather permanent. It must not be that one marries her for just a few days of pleasure and then divorces her, such an approach is completely wrong. When you marry a woman then it should be with the intention to remain with her forever. It is a separate issue altogether if due to incompatibility they are unable to live in harmony with each other and are forced to separate. Initially the intention must be that they wish to remain with each other forever.

“Not as fornicators”

Your purpose of this marriage should not be to merely satisfy your passions and lust, as is the case in zinā.

1 Sūrah al-Nisā': 24

Thereafter “Give the specified dowry to those from whom you derive benefit” was said, which means that you should give the dowry that was previously agreed upon to those women from whom you have derived benefit (with whom you have had intercourse), after marrying them on these conditions. One will have to issue her *mahr* (dowry) to her. If a *ṭalāq* is issued before having intercourse then he will have to pay her half of the *mahr* and if they were in seclusion then the entire *mahr* will have to be given. There is no leeway in this regard. One will not be sinful if the couple gladly reduces or increases upon the specified *mahr*; that is if the wife out of her own free will reduces the *mahr* or the husband out of his own will increases it, then neither will be sinful.

This verse has absolutely nothing to do with Mut'ah, but the Shī'ah seeing the letters “ت”, “م” and “ع” in this verse use it to substantiate its permissibility and issue a fatwā of permissibility for their technical term of Mut'ah. However, those who study the preceding and following verses to it will never use this as a proof for the permissibility of Mut'ah. The reason being; the preceding verse discusses those women who are forbidden and this verse discusses those who are permissible. Forbiddance and permissibility are two uniform opposites. On other words, in the same manner that it is forbidden in the previous verse, it is permissible in the same manner here. Allāmah Zamakhsharī writes:

That interpretation or commentary which weakens the miraculous eloquence of the Qur'an is not permissible.

Now what form of forbiddance (*ḥurmat*) was intended in the preceding verse? Was it temporary forbiddance or permanent? In order to determine this, let us look at the verse:

حُرِّمَتْ عَلَيْكُمْ أُمَّهَاتُكُمْ وَبَنَاتُكُمْ وَأَخَوَاتُكُمْ وَعَمَّاتُكُمْ...الآية

Forbidden for you are (it is *ḥarām* for you to marry) your mothers (and your grandmothers), your daughters (and granddaughters), your sisters...¹

1 Sūrah al-Nisā': 23

It is obvious that this prohibition is permanent and the permissibility that is mentioned in the next verse will also be permanent, so that the eloquence of the Qur'ān will not be tainted.

The Shī'ah are so adamant on legitimising the performance of Mut'ah that in order to make the permissibility of this verse temporary they have said that the prohibition of marrying these women is also temporary and only until one does not have a silk cloth with him. We know full-well that the practice of donning a silk cloth, in order to refute the permanent prohibition of this verse, is not the practice of all the Shī'ī sects. This is why those who do not believe in the practice of donning a silk cloth (when engaging in Mut'ah with one's blood relatives) have added the words “الي اجل مسمي” which means “until a stipulated time”, claiming that these words were removed from the Qur'ān.

We say that the need to add these words is sufficient proof that the Shī'ah also understand this verse to mean permanent permissibility (which is called nikāḥ). If not then what is the need to add these words to the verse.

The words “As properly married men not as fornicators” in this verse removes all possibility for the performance of Mut'ah. The reason for this is that in Mut'ah a woman does not achieve the permanent status as a wife. This pleasure is temporary and momentary. In the same manner no one refers to a woman with whom Mut'ah is made as a wife and neither is issuing of maintenance, clothing and shelter considered to be a duty to her. The only purpose of this is to satisfy one's passions, which the words “not as fornicators” completely refutes and does not condone under any circumstances.

The Prohibition of Mut'ah in the Light of Ḥadīth

1. Saburah رَضِيَ اللَّهُ عَنْهُ narrates:

انه كان مع رسول الله (صلى الله عليه و سلم) فقال يا ايها الناس انى قد كنت اذنت لكم فى الاستمتاع من النساء و ان الله حرم ذلك الى يوم القيامة

He was in the company of Rasūlullāh ﷺ when he said: “O people! I had previously given you permission to perform Mut'ah with woman and now undoubtedly Allah has prohibited it until the Day of Qiyāmah.”¹

This narration informs us that the Mut'ah which was permissible in that time, the details of which will be explained later, was prohibited by Rasūlullāh ﷺ under the orders of Allah. The words “Undoubtedly Allah has prohibited” clearly indicate that Allah himself decreed it unlawful until the Day of Qiyāmah. Now for one to say that it is still ḥalāl is a terrible fabrication in Islam and the perpetrator of such an act a heinous sinner in the eyes of Allah.

2. 'Alī رَضِيَ اللَّهُ عَنْهُ narrates:

ان رسول الله (صلى الله عليه و سلم) نهى عن متعة النساء يوم الخيبر الحديث

Rasūlullāh ﷺ prohibited the practice of Mut'ah on the day of Khaybar.²

This narration of 'Alī رَضِيَ اللَّهُ عَنْهُ also contains the prohibition of Mut'ah. Now for one to announce that Mut'ah is ḥalāl and the A'immaḥ of the Ahl al-Bayt practiced it can only be outright deceit and nothing else.

We learned from some Shī'ī orators, while discussing this aspect with them, that they were not satisfied with this narration from *Ṣaḥīḥ Bukhārī* and using various

1 *Ṣaḥīḥ Muslim*, v. 1 p. 451

2 *Ṣaḥīḥ Bukhārī*, v. 2 p. 606

tactics they tried to refute this narration. However, this will be an erroneous move on their behalf, as this narration of 'Alī رَضِيَ اللَّهُ عَنْهُ can be found in the Shī'ī books as well. Shaykh al-Ṭūsī reports:

عن زيد بن علي عن آبائه عن علي (عليهم السلام) قال حرم رسول الله (صلى الله عليه و سلم) لحوم
الحمر الاهلية و نكاح المتعة

'Alī رَضِيَ اللَّهُ عَنْهُ said that Rasūlullāh صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ prohibited the meat of donkeys and Mut'ah on the day of Khaybar.¹

Another Shī'ī muḥaqqiq Muḥammad ibn Ḥasan al-Ḥurr al-'Āmilī has reported this narration in his book, *Wasā'il al-Shī'ah ilā Taḥṣīl Masā'il al-Sharī'ah* volume 7 page 441.

The Shī'ī mujtahidīn and the lovers of Mut'ah are extremely distressed with this narration present in their own books. This makes it impossible for them to deny this narration, as their seniors approved of this narration. In order to downgrade the importance of this narration and to render it inadequate, they began saying that 'Alī رَضِيَ اللَّهُ عَنْهُ was practicing *Taqiyyah* (dissimulation) in this narration. In other words, 'Alī رَضِيَ اللَّهُ عَنْهُ was forced under the circumstances to speak a lie. Allah forbid!

Shaykh al-Ṭūsī provides the interpretation of *Taqiyyah* in the following manner:

الوجه في هذه الرواية ان نحملها على التقية لانها موافقة لمذاهب العامة الاخبار الادلة موافقة لظاهر
الكتاب و اجماع الفرقة المحقة على موجه فيجب ان يكون العمل بها دون الرواية الشاذة

Shaykh Muḥammad ibn Ḥasan al-Hurr al-'Āmilī also writes:²

اقول حملة الشيخ و غيره على التقية يعنى فى الرواية لان اباحة المتعة من ضروريات مذهب الامامية

The just of these interpretations is that those narrations reported by 'Alī رَضِيَ اللَّهُ عَنْهُ containing the prohibition of Mut'ah has been regarded as *Taqiyyah*, because the

1 *Al-Istibṣār*, v. 3 p. 142

2 *Wasā'il al-Shī'ah*, v. 7 p. 441

permissibility of Mut'ah has been proven from other 'reliable' Shī'ah narrations. The permissibility of Mut'ah is among the fundamentals of dīn according to the Shī'ah. There for it is incorrect to take proof from the narrations of prohibition and one will practice upon those narrations regarding which there is consensus of the Shī'ah.

What is Taqiyyah? Time is not sufficient to delve into its details nor is it the place. However, one should understand that the concept of Taqiyyah is a tool of the Shī'ah, which they use whenever and wherever they wish to deviate from the truth and counter those narrations of the A'imma, that oppose their beliefs.

3. Salamah ibn Akwa رضي الله عنه narrates:

رخص رسول الله (صلى الله عليه و سلم) غام او طاس في المتعة ثلاثا ثم نهى عنها

Rasūlullāh صلى الله عليه وسلم permitted Mut'ah for three days in the year of the Battle of Awṭās and then forbade it.¹

This does not refer to the Mut'ah of the Shī'ah, as it was never permitted nor will it ever be. The Mut'ah referred to in this narration is Nikāḥ Muwaqqat (temporary marriage), the details of which will be explained later.

After this clarification, to insist on permitting it in current conditions and to claim that it is the decree of Allah is an outright innovation. In other words, for one to claim to have the same authority as Nabī صلى الله عليه وسلم and to claim that we too can permit it just as Rasūlullāh صلى الله عليه وسلم once permitted it, and in so doing announce its permissibility while concealing its abrogation, is clear kufr.

1 *Ṣaḥīḥ Muslim*, v. 1 p. 451

4. 'Abd Allāh ibn 'Abbās رضي الله عنه narrates:

انما كانت المتعة في اول الاسلام كان الرجل يقدم البلدة ليس له بها معرفة فيتزوج المرأة بقدر ما يرى انه يقيم فتحفظ له متاعه و تصلح له شئيه حتى اذا نزلت الآية

إِلَّا عَلَىٰ أَزْوَاجِهِمْ أَوْ مَا مَلَكَتْ أَيْمَانُهُمْ

قال ابن عباس فكل فرج سواهما فهو حرام

Mut'ah was permissible in the earlier years of Islam. Whenever a man would go to a town where he had no acquaintances, he would marry a woman for the period he thought he would be residing in that town. She would safeguard his belongings and prepare meals for him. Later when the verses:

Except from their spouses and those female slaves that you own.

were revealed, all others were made ḥarām except for these two.¹

This narration of 'Abd Allāh ibn 'Abbās رضي الله عنه makes it clear that even the form of Mut'ah that was permissible in the early years of Islam was prohibited under the principle of the verse: "Except from their spouses and those females slaves that you own" and its forbiddance was clearly expounded in the Noble Qur'ān. Rasūlullāh صلی الله علیه و سلم forbade this form of Mut'ah because of this directive of Allah, and even 'Abd Allāh ibn 'Abbās رضي الله عنه is of the opinion that all other women are forbidden, except one's spouse or female slave.

The Mut'ah that is referred to here and which is being prohibited is actually Nikāḥ Muwaqqat. How temporary? There was no specified time. All that was said was that I marry you until I remain in this town. It is obvious that the specific hour when one will leave is impossible to determine.

This form of marriage was not as disgraceful as the Mut'ah of the Shī'ah, where they both become strangers once again on the exact second after the specified time elapses.

¹ Tirmidhī, v. 1 p. 133

In addition this narration mentions the duties that the wife of such a marriage would perform. She would safeguard his belongings, prepare meals for him and on the whole assist him in all aspects of life, whereas in the Mut'ah of the Shī'ah the woman has no such duties. Mut'ah is only made with her for the purpose of satisfying one's passions.

It is evident that there was no real shamelessness or immorality in Nikāḥ Muwaqqat, whereas differentiating between zinā and the Shī'ī Mut'ah is impossible for even the most competent of the Shī'ī scholars.

One Misconception

In some narrations it becomes known that 'Abd Allāh ibn 'Abbās رضي الله عنه held the view that Mut'ah is permissible.

Answer It has been reported in the previous narration that Ibn 'Abbās رضي الله عنه clearly stated that it is ḥarām and in support of this ruling recited the verse of the Noble Qur'ān. Is it still possible for any person to have the courage to say that Ibn 'Abbās رضي الله عنه held the view that Mut'ah is permissible, after he clearly stated that it is ḥarām.?

'Abd Allāh ibn 'Abbās رضي الله عنه at first held the opinion that it is permissible but 'Alī رضي الله عنه informed him that Rasūlullāh صلى الله عليه وسلم had announced its prohibition. After hearing this Ibn 'Abbās رضي الله عنه withdrew his previous opinion and repented for it.

Muḥammad ibn 'Alī رضي الله عنه, better known as Muḥammad ibn al-Ḥanafīyyah, has reported:

ان عليا قال الابن عباس ان النبي (صلى الله عليه وسلم) نهى عن متعة و عن لحوم الحمير الاهلية زمن خيبر

'Alī رضي الله عنه informed Ibn 'Abbās رضي الله عنه that Rasūlullāh صلى الله عليه وسلم prohibited Mut'ah and the meat of donkeys during the expedition of Khaybar.¹

1 *Ṣaḥīḥ Bukhārī*, v. 2 p. 767, *Ṣaḥīḥ Muslim*, v. 1 p. 452

This narration mentions the announcement on the day of Khaybar and not that its prohibition was revealed on that day. Laws are usually enforced at the most appropriate time.

A discussion also ensued between 'Alī and Ibn 'Abbās رضي الله عنه, and when 'Alī رضي الله عنه presented the proofs for the prohibition of Mut'ah, Ibn 'Abbās رضي الله عنه remained silent. This was Ibn 'Abbās رضي الله عنه acknowledging its prohibition.

Abū Ja'far Aḥmad ibn Muḥammad Naḥwī Miṣrī writes:

ان ابن عباس لما خاطبه على بهذا لم يحاجه فصار تحريم الامتعة اجماعا لان الذين يحلون لها اعتمادهم على ابن عباس

'Alī رضي الله عنه discussed this (Mut'ah) with Ibn 'Abbās رضي الله عنه and he did not oppose him. Thus consensus was established on the prohibition of Mut'ah because those who regard Mut'ah as permissible base their view on the opinion of 'Abd Allāh ibn 'Abbās.¹

This makes it known that Ibn 'Abbās رضي الله عنه had no proof for the permissibility of Mut'ah and he simply accepted the proofs of 'Alī رضي الله عنه. Thus the initial permission that existed for the practicing of Mut'ah has also been prohibited.

Similarly Muḥammad ibn al-Ḥanafīyyah رحمه الله reports:

ان عليا قيل له ان ابن عباس لا يرى لمتعة النساء بأسا فقال ان رسول الله (صلى الله عليه وسلم) نهى عنها يوم خيبر ومن لحوم الحمير الانسية

'Alī رضي الله عنه was informed that Ibn 'Abbās رضي الله عنه does not regard the performance of Mut'ah with women as a problem. 'Alī رضي الله عنه replied that Rasūlullāh صلى الله عليه وسلم forbade it on the day of Khaybar and he forbade the meat of donkeys.²

Once 'Alī رضي الله عنه said to Ibn 'Abbās رضي الله عنه:

1 *Tafsīr Nuḥās*, p. 106

2 *Ṣaḥīḥ Bukhārī*, v. 2 p. 1029, *Ṣaḥīḥ Muslim*, v. 1 p. 452

انك رجل تائه نهى رسول الله (صلى الله عليه و سلم)

You are a mistaken person; Rasūlullāh ﷺ has certainly forbidden it.¹

On one occasion Muḥammad ibn 'Alī رَضِيَ اللهُ عَنْهُ heard that 'Abd Allāh ibn 'Abbās رَضِيَ اللهُ عَنْهُ held lenient views towards Nikāḥ Muwaqqat, on which he instructed:

Ibn 'Abbās abandon this opinion as Rasūlullāh ﷺ has prohibited it.²

In another narration it is reported that Ibn Jubayr رَضِيَ اللهُ عَنْهُ said to Ibn 'Abbās رَضِيَ اللهُ عَنْهُ:

This opinion of yours that Mut'ah is permissible has been circulated amongst the people everywhere and poets are reciting renditions about it throughout the country.

On hearing this Ibn 'Abbās رَضِيَ اللهُ عَنْهُ replied:

Subhān Allāh! I never issued any ruling to that effect. My opinion regarding Mut'ah is the same as my opinion regarding carrion, blood and swine.

In another narration it is reported that Ibn 'Abbās رَضِيَ اللهُ عَنْهُ said:

To Allah do we belong and unto him shall we return! I never issued any ruling to that effect nor was it my intention to do so. I have not issued such a ruling for one who is compelled to do so or anyone else.³

'Alī رَضِيَ اللهُ عَنْهُ also warned and cautioned Ibn 'Abbās رَضِيَ اللهُ عَنْهُ that if he ever issued any ruling similar to this he would be punished. Ibn 'Abbās رَضِيَ اللهُ عَنْهُ withdrew his opinion and adopted the view that Mut'ah is perpetually forbidden.

Qāḍī 'Abd al-Jabbār al-Mu'tazilī also agrees with this view:

1 *Ṣaḥīḥ Muslim*, v. 1 p. 452

2 *Ṣaḥīḥ Muslim*, v. 1 p. 452, *Tafsīr Mazḥarī*, v. 3 p. 33, *Fath al-Bārī*, v. 19

3 *Tafsīr Mazḥarī*, v. 3 p. 34, *Rūḥ al-Ma'ānī*, v. 5 p. 6

و انكر ذلك على (رضى الله عنه) لما بلغه اباحة ابن عباس (رضى الله عنه) انكر ظاهر او قد حكى عنه
رضى الله عنه الرجوع عن ذلك فصار حظره اجماعا من كل صحابة

When 'Alī رضي الله عنه learnt about the opinion of Ibn 'Abbās رضي الله عنه, he severely refuted it. It has been reported that Ibn 'Abbās رضي الله عنه withdrew his opinion and all Ṣaḥābah now unanimously agreed on its prohibition.¹

Imām Tirmidhī رحمه الله also writes:

و انما روى عن ابن عباس شئ من الرخصة في المتعة ثم رجع عن قوله حيث اخبره عن النبي (صلى الله
عليه و سلم) و امر اكثر اهل العلم على تحريم المتعة

It has been reported that Ibn 'Abbās رضي الله عنه regarded Mut'ah as permissible but he later retracted this opinion when he learnt of the prohibition of Rasūlullāh صلى الله عليه وسلم and that the majority of the Ṣaḥābah regarded it as ḥarām.²

Imām al-Bayhaqī رحمه الله has reported from Imām Zuhrī رحمه الله that:

ما مات ابن عباس حتى رجع عن فتواه بحل المتعة و كذا ذكره ابو عوانه في صحيحه

Ibn 'Abbās رضي الله عنه retracted his opinion that Mut'ah is permissible before he passed away. Abū Awānah also reported this narration in his Ṣaḥīḥ.³

Imām Abū Bakr Aḥmad ibn 'Alī al-Rāzī al-Jaṣṣāṣ رحمه الله also writes:

و لا نعلم احدا من الصحابة روى عنه تجريد القول في اباحة المتعة غير ابن عباس و قد رجع عنه حين
استقر عنده تحريمها بتواتر الاخبار من جهة الصحابة

We do not know of any of the Ṣaḥābah رضي الله عنهم ever ruling on the permissibility of Mut'ah, except for Ibn 'Abbās رضي الله عنه but he too retracted this opinion when he learnt of the abundant proofs of its prohibition from the Ṣaḥābah رضي الله عنهم.⁴

1 *Tafsīr Tanzīh al-Qur'ān*, p. 84

2 *Tirmidhī*, v. 1 p. 133

3 *Tafsīr Mazhābī*, v. 3 p. 33

4 *Aḥkām al-Qur'ān*, v. 2 p. 152

Imām al-Nawāwī رَحِمَهُ اللهُ also writes:

و وقع الاجماع بعد ذلك على تحريمها من جميع العلماء الا الروافض و كان ابن عباس يقول باباحتها و
روى عنه انه رجع عنه

There is complete consensus of the 'ulamā' on the prohibition of Mut'ah, except for the Shī'ah. Ibn 'Abbās رَحِمَهُ اللهُ held the opinion that it was permissible but it has been reported that he retracted from this view.¹

Ḥāfiẓ Ibn al-Humām رَحِمَهُ اللهُ writes:

و ابن عباس (رضى الله عنه) صح رجوعه بعد ما اشتهرت عنه من اباحتها

The narration of Ibn 'Abbās رَحِمَهُ اللهُ retracting his opinion of the permissibility of Mut'ah is authentically established, after it had become from him that he permits it.²

In another place he writes:

ابن عباس (رضى الله عنه) صح رجوعه الى قولهم

The retraction of Ibn 'Abbās from his opinion to that of the Ṣaḥābah is correct.³

The author of *Baḥr al-Rā'iq*, Allāmah Zayn al-'Ābidīn ibn Nujaym writes:

و اما ما نقل عن ابن عباس من اباحتها فقد صح رجوعه

Whatever has been reported from Ibn 'Abbās on the permissibility of Mut'ah, his retraction from it is authentically reported.⁴

1 *Sharḥ Ṣaḥīḥ Muslim*, v. 1 p. 450

2 *Fatḥ al-Qadīr*

3 *ibid*

4 *Baḥr al-Rā'iq*, v. 2 p. 108

Ibn 'Abbās's رضي الله عنه seeking forgiveness from his previous opinion has also been reported in *Tafsīr al-Kabīr*:

اللهم انى اتوب اليك من قولى فى المتعة

O Allah! I seek your forgiveness for my (previous) opinion regarding Mut'ah.¹

My intention is not to report all narrations of the righteous scholars nor is it necessary as it is apparent from these aḥādīth and narrations that Ibn 'Abbās رضي الله عنه at first regarded Mut'ah as permissible but when he discussed the matter with 'Alī رضي الله عنه and learnt about its prohibition from the other Ṣaḥābah رضي الله عنهم he changed his view and made it known to the people.

One should keep in mind that the Mut'ah which Ibn 'Abbās رضي الله عنه regarded as permissible is not the Mut'ah found in the Shī'ī books. Instead this was a form of Nikāḥ Muwaqqat which he regarded as permissible and later retracted from, ruling it to be ḥarām as well.

Who will now claim that Ibn 'Abbās رضي الله عنه regarded Mut'ah as permissible and include his name among those who condone it, thus laying a false allegation against him?

1 *Tafsīr al-Kabīr*, v. 3 p. 200

The Prohibition of Mut'ah in Light of the Rulings of the 'Ulamā' of Ahl al-Bayt

1. 'Alī رَضِيَ اللَّهُ عَنْهُ narrates:

قال حرم رسول الله (صلى الله عليه و سلم) لحوم الحمر الالهية و نكاح المتعة

Rasūlullāh صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ forbade the meat of donkeys and Nikāḥ al-Mut'ah.¹

This narration makes it clear that Mut'ah is not permitted in Islam. This narration has been reported by 'Alī رَضِيَ اللَّهُ عَنْهُ and it has been reported in the most recognised of the Shī'ī books.

The famous Shī'ī Doctor Mūsā al-Mūsawī writes:

'Alī رَضِيَ اللَّهُ عَنْهُ continued to regard it as prohibited during his khilāfah and did not declare it permissible. According to the tradition of the Shī'ah and the opinion of Shī'ī scholars, the actions of an Imām is legitimate proof, especially when the Imām has choice, freedom to express his opinion and is able to expound on the instructions and prohibitions of Allah. 'Alī رَضِيَ اللَّهُ عَنْهُ adhering to the prohibition of Mut'ah in such circumstances can only mean that it was prohibited in the era of Rasūlullāh صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ. If it was not prohibited that it was incumbent upon him to oppose its prohibition and relay the correct decree of Allah. The actions of an Imām is binding to follow according to the Shī'ah, I cannot understand how our Shī'ī fuqahā' have the nerve to abandon this principle.²

2. Mufaḍḍal narrates:

سمعت ابا عبد الله (عليه السلام) يقول في المتعة دعوه اما يستحيى احدكم ان يرى في موضع العورة فيحمل ذلك على صالحى اخوانه و اصحابه

1 *Al-Istibṣār*, v. 3 p. 144

2 *Iṣlāḥ Shī'ah*, v. 192

I heard Imām Ja'far al-Ṣādiq saying regarding Mut'ah: "Abandon Mut'ah! Do you not feel ashamed to see the private parts of a woman and then discuss it with your righteous brothers and friends."¹

This narration proves that Imām Ja'far al-Ṣādiq رحمته الله also regarded the practice of Mut'ah in a bad light and therefore encouraged people to abandon this practice as it spreads shamelessness and immorality. How is it then possible that Imām Ja'far رحمته الله could have permitted such an act, which the Qur'ān itself branded as immoral and prohibited? An act which Rasūlullāh صلى الله عليه وسلم and 'Alī رحمته الله as well decreed to be ḥarām.

3. Shaykh al-Ṭūsī says that when 'Abd Allāh ibn 'Umair asked Imām al-Bāqir رحمته الله if his wives, daughters and paternal cousins perform Mut'ah:

فاعرض ابو جعفر حين ذكر نساءه و بنات عمه

Imām al-Bāqir رحمته الله turned away when his wives, daughters and cousins were mentioned.²

One meaning of this could be that they performed such acts and when he heard about it from others he turned his face away in shame. Another meaning — which is more fitting with the character of the Imām — is that Imām al-Bāqir رحمته الله was angered at such a suggestion. It is uncertain why the Shī'ah prefer the first meaning so much.

One learns from this narration that Imām al-Bāqir رحمته الله regarded Mut'ah as a shameful and disgraceful act. How is it possible for a noble and illustrious personality such as Imām al-Bāqir رحمته الله to encourage people to perform Mut'ah with the wives, daughters and cousins of others but when the women of his household are asked about, he turns his face away in anger and makes his disapproval known. Our opinion is that Imām al-Bāqir رحمته الله is amongst the most

1 *Furū' al-Kāfi*, v. 5 p. 453

2 *Tahdhīb al-Aḥkām*, v. 2 p. 186

pure and chaste individuals of this ummah and one having such a status will never permit such shameless and vile behaviour, neither for himself nor for others.

4. 'Ammār narrates:

قال ابو عبد الله لى و لسليمان بن خالد قد حرمت عليكم المتعة من قبلى ما دمتما بالمدينة لانكما تكثرا ان الدخول علي و اخاف قد اخذا فيقال هؤلاء اصحاب جعفر

Imām Ja'far said to Sulaymān ibn Khālid and I: I have made Mut'ah ḥarām on you before as long as you are in Madīnah. The reason being that you remain in my company frequently and I fear that you will be caught, and people will say that you are the friends of Ja'far.¹

One learns from this narration as well that Imām Ja'far رحمته الله regarded Mut'ah as a shameless act and would make its prohibition known to others. In addition he would not tolerate others having even the slightest suspicion of him committing such an act. One should ponder deeply that if Mut'ah was permitted in the Qur'ān and ḥadīth then why did he prohibit them from performing it?

Instead he would have publicly encouraged others to perform it. Why would he be afraid of acting upon the Qur'ān and ḥadīth? Why would he be ashamed? The narration on the other hand clearly indicates that this act was reviled and abhorred by Imām Ja'far al-Ṣādiq رحمته الله as well.

The aforementioned narrations of the Shī'ah clearly prove that the A'imma of the Ahl al-Bayt also regarded Mut'ah as a shameless and vile act. They would turn their faces away in disgust at the mere mention of Mut'ah. They never indulged in this atrocious act because it is Ḥarām (forbidden) and it has been proven without any doubt that it will remain forbidden until the Day of Qiyāmah.

Understand and ponder deeply O intelligent ones.

1 *Furū' al-Kāfi*, v. 5 p. 467, *Wasā'il al-Shī'ah*, v. 7 p. 450

The Reality of Mut'ah in the Early Years of Islam

The form of Mut'ah that was permitted in the earlier years of Islam is in no way the same as the Mut'ah described in the books of the Shī'ah. The Mut'ah practiced by the Shī'ah is zinā and has never been permitted for any individual in this ummah. Zinā is a vile and immoral act, which is detested in the sharī'ah of Islam. In fact, the sharī'ah has stipulated severe punishments for the perpetrators of zinā, in order to safeguard one's honour and chastity, and put an end to this illicit practice.

Mowlānā Muḥammad Idrīs Khandhlawī رحمته الله writes:

The Mut'ah that was permissible, i.e. not prohibited, in the early years of Islam was actually Nikāḥ Muwaqqat. Nikāḥ Muwaqqat is when a person marries a woman for a fixed period, in the presence of witnesses and with the permission of the representative of the bride. When the stipulated period expires then she was separated from him without ṭalāq but it was incumbent upon her to observe a period of waiting of one menstrual cycle, in order to confirm that no child was conceived from this marriage. This form of nikāḥ had a doubtful status, between that of an orthodox marriage and zinā.

In Nikāḥ Muwaqqat it was essential for it to be performed before witnesses and with the permission of the representative of the bride. If another person wished to marry her thereafter then he would have to wait until the period of waiting of one menstrual cycle was completed, and marriage before that was not permissible.¹

This makes it clear that the Mut'ah which was permitted in the early period of Islam is not the same as the Mut'ah propagated by the Shī'ah. They are entirely different and in fact contradict each other. This was in actual fact Nikāḥ Muwaqqat and not the Shī'ah Mut'ah. The words of nikāḥ and marriage are clearly mentioned in narrations.

1 *Ma'ārif al-Qur'ān*, v. 2 p. 51

1. 'Abd Allāh ibn Mas'ūd رَضِيَ اللهُ عَنْهُ says:

فرخص لنا ذلك ان نتزوج المرأة

We were permitted to perform nikāḥ (Mut'ah) with a woman.¹

In another narration it is mentioned:

نهى عن نكاح متعة

Nikāḥ al-Mut'ah was prohibited.²

Imām al-Bukhārī رَضِيَ اللهُ عَنْهُ, Imām Muslim رَضِيَ اللهُ عَنْهُ, Imām al-Tirmidhī رَضِيَ اللهُ عَنْهُ and other Muḥaddithīn have all dedicated separate chapters to the topic of Nikāḥ al-Mut'ah, where they prove that it was a formal nikāḥ. The words of marriage mentioned in these narrations prove beyond doubt that this Mut'ah is not the same as the Mut'ah of the Shī'ah, and in fact this was Nikāḥ Muwaqqat.

المتعة المذكورة هي نكاح الموقت

The Mut'ah mentioned (in these narrations) is actually Nikāḥ Muwaqqat.³

Mowlānā Shabbīr Aḥmad 'Uthmānī رَضِيَ اللهُ عَنْهُ writes:

ان المتعة التي ياترها من الصحابة انما كانت لبي اجل اعنى النكاح الموقت و هكذا وقع في حديث بسرة عند ابن جرير بلفظ تزوجتها كان هو النكاح الموقت

The Mut'ah which the Ṣaḥābah رَضِيَ اللهُ عَنْهُ mention is in actual fact Nikāḥ Muwaqqat. The narration of Busrah رَضِيَ اللهُ عَنْهُ, reported by Ibn Jarīr رَضِيَ اللهُ عَنْهُ, which contains the words *tazwīj* (to wed) proves that this was Nikāḥ Muwaqqat.⁴

1 Ṣaḥīḥ Bukhārī, v. 2 p. 664

2 Ṣaḥīḥ Muslim, v. 1 p. 452

3 Muntaqā Sharḥ Muwaḥḩa', v. 3 p. 33

4 Faṭḩ al-Mulḩim, v. 2 p. 441

One can easily conclude that the Mut'ah which was permitted in the early years of Islam was in actual fact Nikāḥ Muwaqqat. According to the elucidation of the 'ulamā' of Ahl al-Sunnah in this form of nikāḥ it was incumbent upon the husband to provide maintenance and shelter to the wife as opposed to the Mut'ah which the Shī'ah describe. Once again one should bear in mind that this very Nikāḥ Muwaqqat was also prohibited by Rasūlullāh ﷺ through divine decree, yet the Shī'ī Mut'ah continues to remain permissible.

إِنَّا لِلّٰهِ وَإِنَّا إِلَيْهِ رَاجِعُونَ

To Allah do we belong and unto him shall we return.

2. In addition, Nikāḥ Muwaqqat was not permitted for a long period. Instead it was permitted for only three days under extreme circumstances. Allāmah al-Qurṭubī رَحِمَهُ اللهُ writes:

الروايات كلها متفقہ على ان زمن اباحه المتعة لم يبطل

All the narrations are agreed on one point that the period when Mut'ah was permitted was extremely short.¹

This means that all the aḥādīth support the fact that Nikāḥ Muwaqqat was permitted only for a few days. Some narrations mention that it was permitted for three days only, after which it was announced that it has been forbidden perpetually. After Rasūlullāh ﷺ has decreed its prohibition then no person has the authority to issue a ruling of its permissibility.

Whichever person or group issues a ruling of its permissibility will in other words be claiming to have the right of nubuwwah and will be defying the dīn of Islam, after which it is impossible to include such a person in the fold of Islam.

1 *Fath al-Bārī*, v. 19 p. 208

3. Nikāḥ Muwaqqat would take place in the presence of witnesses and with the permission of the representative of the bride. This did not take place in secret and was not a covert affair. Instead it was public and made known to all that a certain woman had entered into Nikāḥ Muwaqqat with a certain man.

On the contrary those who perform Mut'ah do not have the courage to make such a public announcement nor will they ever have because they are committing zinā and fornicators lack such ability. Mowlānā Shabbīr Aḥmad ṢUthmānī رَحِمَهُ اللهُ writes:

كان هو النكاح الموقت بحضور الشهود كما يدل عليه حديث سليمان بن يسار عن ام عبد الله بنت ابلا
خيشمة عن رجل من اصحاب النبي (صلى الله عليه و سلم) في قصة عند ابن جرير و فيه فشارطها و
اشهدوا على ذلك عدولا

This was Nikāḥ Muwaqqat which took place before witnesses, just as the narration of Sulaymān ibn Yasār, reported by Umm 'Abd Allāh, the daughter of Abū Khaythamah, from a Ṣaḥābī of Rasūlullāh ﷺ and which Ibn Jarīr referred to, proves that this condition was made with a woman and two reliable individuals witnessed this.¹

Mowlānā Muḥammad Idrīs Khandhlawī رَحِمَهُ اللهُ writes:

In this form of Nikāḥ al-Mut'ah was necessary for the proposal and acceptance as well as the permission of the representative to occur before witnesses.²

Ibn 'Aṭiyāh رَحِمَهُ اللهُ writes:

و كانت المتعة ان يتزوج الرجل بشاهدين و اذن الولى الى اجل مسمى

Mut'ah was when a man married a woman before two witnesses and the permission of the bride's representative until a stipulate time.³

1 *Fath al-Mulhim*, v. 3 p. 44

2 *Ma'ārif al-Qur'ān*, v. 2 p. 51

3 *Tafsīr al-Qurtubī*, v. 5 p. 132

When differentiating between Nikāḥ Muwaqqat and Mut'ah, the fuqahā' write:

وعدم اشتراطها للشهود فى المتعة و فى الموقت الشهود

Mut'ah (of the Shī'ah) witnesses are not required and in Nikāḥ Muwaqqat they are.¹

Mowlānā Muḥammad Ḥasan Samalī رَحِمَهُ اللهُ writes:

ان حضور الشهود غير مشروط فى المتعة و امدنما هى فى الموقت و هذا هو الفرق بينهما

Witnesses are not a condition (for it to be valid) in Mut'ah whereas it is a condition in Nikāḥ Muwaqqat, and this is the difference between the two.²

It is evident from these references that in Nikāḥ Muwaqqat, which was permitted in the early years of Islam, witnesses, permission of the bride and public announcement were all essential whereas it is not required in the Shī'ī Mut'ah. Ponder deeply over the differences between the two.

If you are unsatisfied with the statements of the 'Ulamā' Ahl al-Sunnah then listen to the Shī'ī scholar Shaykh al-Ṭūsī, who affirms our substantiation. Mu'allā ibn Khunays says that he asked Imām Ja'far al-Ṣādiق رَحِمَهُ اللهُ:

و جعلت فداك كان المسلمون على عهد النبى (صلى الله عليه و سلم و آله) يتزوجون بغير بغية؟ قال لا

May I be sacrificed for you! Did the Muslims marry without witnesses during the time of Rasūlullāh ﷺ? Imām Ja'far al-Ṣādiq replied: "No!"³

Shaykh al-Ṭūsī writes:

انهم ما تزوجوا الا ببينة و ذلك هو افضل

Verily they would not marry without witnesses and this is best.⁴

1 *Fath al-Qadīr*, v. 2 p. 33

2 *Ḥāshiyah Musnad al-Islam*, p. 336

3 *Al-Istibṣār*, v. 3 p. 148

4 *ibid*

We learn from this that the Nikāḥ Muwaqqat that was permitted in the early period of Islam would occur in the presence of two witnesses and they never performed a nikāḥ without witnesses being present. However, despite them adhering to this, Rasūlullāh ﷺ still announced its prohibition. Where is Mut'ah from Nikāḥ Muwaqqat? Mut'ah was never permitted before or after and nor can it be ever permitted.

4. The permission that was granted for Nikāḥ Muwaqqat was given in extreme circumstances and not permitted for every single individual. 'Abd Allāh ibn 'Abbās رَضِيَ اللهُ عَنْهُ, whom the Shī'ah cite as proof the most, explained the circumstances in which it was permitted and the level of its permissibility, when the ruling of its permissibility was attributed to him. He said:

والله ما بهذا افتيت ولا اردت ولا احللت منها الا ما احل الله من الميتة و الدم و لحم الخنزير

I take an oath by Allah, I never issued any such ruling nor have I intended to do so. I have not permitted anything from it except to the extent of what Allah has made permissible from carrion, blood and the meat of pigs.

It is narrated that his servant once asked him regarding this, that if it was only permitted in extreme conditions and he replied that it was.¹

Ibn Abī 'Amrah رَضِيَ اللهُ عَنْهُ also says:

انها كانت رخصة في اول الاسلام لمن اضطر اليها كالميتة و الدم و لحم الخنزير ثم لحكم الله الدين و نهى عنه

Nikāḥ Muwaqqat was permitted in the early years of Islam for those in extreme circumstances, just as carrion, blood and meat of pigs (is permitted in extreme circumstances), then Allah established the laws of dīn and forbade it.²

One learns from this that Ibn 'Abbās رَضِيَ اللهُ عَنْهُ denied the outright permissibility of

1 *Ṣaḥīḥ Bukhārī*, v. 2 p. 767

2 *Ṣaḥīḥ Muslim*, v. 1 p. 452

Nikāḥ Muwaqqat and that it was never his intention to rule on its permissibility. Instead he only regarded it as permissible in extreme circumstances, just as it is permissible for a person to consume carrion, blood or swine in extremes circumstances, and there will be no admonishment for doing so.

However, not one single person claims that they are ḥalāl in all circumstances. These laws pertain to extreme circumstances and not in normal conditions and Ibn 'Abbās رضي الله عنه even went as far as displaying his abhorrence to its permissibility by including it with the likes of carrion, blood and swine.

Nevertheless, one should keep in mind that when Ibn 'Abbās رضي الله عنه heard the proofs and substantiations of 'Alī رضي الله عنه and the other Ṣaḥābah رضي الله عنهم he withdrew his previous opinion and ruled that it is forbidden in all circumstances. In doing so he removed any chance of its permissibility.

5. This permissibility of Nikāḥ Muwaqqat was only allowed when on journey and was not permitted for those residing in the town. Imām Ṭaḥāwī رحمته الله writes:

كل هؤلاء الذين رووا عن النبي (صلى الله عليه وسلم) اطلاقها اجزوا انها كانت في سفر و ان النهي لحقها في ذلك فممنع منها و ليس احد منهم يجز انها كانت في حضر و كذلك روى عن ابن مسعود

All those who narrated that Rasūlullāh صلى الله عليه وسلم had permitted Mut'ah, narrate that it was permissible on journey and it was prohibited in that very same journey. Not one single narrator reported that this permissibility was when residing at home, as is apparent from the narration of Ibn Mas'ūd رضي الله عنه that this applies only while on journey.¹

Imām Ḥāzimī رحمته الله says:

و انما كان ذلك في اسفارهم و لم يبلغنا ان النبي (صلى الله عليه وسلم) اباحه لهم على بيوتهم

This permissibility was only while on journey and not one single narration

1 *Tafsīr al-Qurtubī*, v. 5 p. 131

has reached us that Rasūlullāh ﷺ permit it for them while residing in their homes.¹

One learns from the narrations of ḥadīth that its prohibition was revealed whilst on that very journey and Rasūlullāh ﷺ ordered the Ṣaḥābah to separate from those women. This makes it clear that

- This was restricted to that journey and was not permitted while at home.
- Its prohibition was announced in this very journey.

Since Rasūlullāh ﷺ announced its prohibition until the Day of Qiyāmah in accordance to Allah's decree, whether on journey or at home it is forbidden in all circumstances.

The Iranian president Rafsanjani, abandons all these proofs and permits it entirely, saying that one can perform Mut'ah wherever one pleases. Whereas this permission was only granted for a short period of time whilst on a journey and thereafter prohibited. The level to which the Iranian president has stooped to defame the noble teachings of Rasūlullāh ﷺ is indeed disgusting.

6. It was incumbent in Nikāḥ Muwaqqat that when the couple separates, the woman should observe a period of waiting equivalent to one menstrual cycle. She should not marry any other during this period of waiting so that there will be no doubt to the parentage of the child had she conceived. 'Ammār says that he asked 'Abd Allāh ibn 'Abbās رَضِيَ اللَّهُ عَنْهُ:

هل عليها عدة قال نعم حيضة

Does she have to observe a period of waiting and he replied: "Yes, one menstrual cycle."²

1 *Kitāb al-I'tibār*, p. 178

2 *Tafsīr al-Qurtubī*, v. 5 p. 132

This implies that if she did conceive then the child will be named after his father. This is the reason why witnesses and the representative of the bride were necessary, so that they will be able to bear witness that it is his child.

However, according to the Shī'ah definition of Mut'ah there is neither need for witnesses, representative of the bride nor any need for public announcement. This would imply that if the woman does conceive then the child will have no father. It is uncertain with how many men she might have performed Mut'ah with, in nine months. Will any person be willing to take responsibility in such a case?

Even the initial condition of Nikāḥ Muwaqqat has been abrogated and its prohibition announced until the Day of Qiyāmah. Now if any person were to rule on its permissibility then it will be direct contradiction with the law of sharī'ah, which will open the doors of sin, shamelessness and immorality, which Islam strictly opposes.

In essence the narration of 'Abd Allāh ibn 'Abbās رضي الله عنه permitting Mut'ah should be read with the explanations mentioned above and then one should decide whether Ibn 'Abbās رضي الله عنه actually regarded it as permissible or not. The truth of the matter is that he did not, especially after hearing the proofs from 'Alī رضي الله عنه, Muḥammad ibn Ḥanafīyyah رحمته الله as well as the other Ṣaḥābah. He then withdrew his previous opinion regarding Mut'ah and announced his repentance from his previous opinion.

Now for anyone to claim that Ibn 'Abbās رضي الله عنه regarded it as opinion is a great injustice and a complete fabrication.

Proof of the Shī'ah for the Permissibility of Mut'ah

The First Proof of the Shī'ah

The Shī'ah have presented a few proofs from which they substantiate that the performance of Mut'ah is ḥalāl and merits great reward. We will now examine their proof.

The Shī'ah claim that Mut'ah was always ḥalāl and was never declared ḥarām. To substantiate this claim they put forward the following verses of the Noble Qur'ān:

فَمَا اسْتَمْتَعْتُمْ بِهِ مِنْهُنَّ فَآتُوهُنَّ أُجُورَهُنَّ فَرِيضَةً ۗ وَلَا جُنَاحَ عَلَيْكُمْ فِيمَا تَرَضَيْتُمْ بِهِ مِنْ بَعْدِ
الْفَرِيضَةِ ۗ إِنَّ اللَّهَ كَانَ عَلِيمًا حَكِيمًا

So for whatever you enjoy [of marriage] from them, give them their due compensation as an obligation. And there is no blame upon you for what you mutually agree to beyond the obligation. Indeed, Allah is ever Knowing and Wise.¹

All the scholars of the Shī'ah from their leading muḥaddithīn and Fuqahā' to their lesser mujtahidīn all rely heavily on this one verse and base their ruling of permissibility upon it.

Answer

The readers would have already come across the explanation of this verse in the previous pages where it was clearly proven that this verse has no relation whatsoever to the Mut'ah of the Shī'ah. This verse encourages one to marry ḥalāl women and after deriving physical benefit from them, one should ensure that the dowry is immediately handed over to her, and no delay should be made in

1 Sūrah al-Nisā': 24

this matter. When the preceding and following verses of this verse are studied in conjunction with it then it becomes clear that this verse does not mention the Shī'ah definition of Mut'ah nor is there the possibility of it being implied.

In fact this verse is rather a proof for the prohibition of Mut'ah. The reason for this is that the words "As properly married men and not as fornicators" negates the permissibility of Mut'ah because this makes it clear that the purpose of nikāḥ is not merely to satisfy one's lust but to marry in a proper manner perpetually. Now in the Mut'ah of the Shī'ah neither is the woman recognised as a wife and nor does she possess the rights of a wife. Its purpose is only for satiation of one's lust.

One should contemplate deeply as to whether this verse proves the permissibility of Mut'ah or its prohibition. (it is obvious that it proves its prohibition.) If this verse is accepted to refer to the Shī'ī Mut'ah, then the sequence of the entire verse will be ruined, and it will be in contradiction with the preceding and following verses because the first part of the verse makes mention of the incumbency of nikāḥ and adhering to the conditions of nikāḥ, whereas the latter part of the verse permits taking benefit from a woman without adhering to the conditions of nikāḥ.

- Besides what has been mentioned above, other verses of the Qur'ān clearly explicate that it is impermissible to have such relations with any woman except for those whom one has married or those female slaves that one owns.

- The greatest error of the Shī'ī 'ulamā' is that they took this verse to refer to Mut'ah merely because of the letters 'ت', 'م', and 'ع' appear, followed by "their due compensation". This led them on insisting that this proves the permissibility of Mut'ah, and to justify their claim and their fabricated narrations which mention its virtues and rewards from Rasūlullāh ﷺ and the scholars of the Ahl al-Bayt.

It is extremely sad that they did not consider that how would Rasūlullāh ﷺ and the A'imma of the Ahl al-Bayt — whose morality and sense of honour is

unparalleled — ever condone such acts which even the average Muslim cannot approve of.

Nevertheless this verse has no relation in the least to the technical definition of Mut'ah by the Shī'ah and instead this verse proves the prohibition of Mut'ah.

The Second Proof of the Shī'ah

The Shī'ah claim that this verse was revealed in the following manner:

فَمَا اسْتَمْتَعْتُمْ بِهِ مِنْهُنَّ إِلَىٰ أَجَلٍ مُّسَمًّى

For the benefit that you derive from them “until the stipulated period”.

This permits Mut'ah for a short period. They say that this narration is also mentioned in the books of the Ahl al-Sunnah wa al-Jamā'ah which makes it known that Mut'ah is permissible.

Answer

1. The Noble Qur'ān is present in the houses of the Ahl al-Sunnah and Shī'ah, is it possible for any person to show us the following verse with the words “Until the stipulated period”?
2. As far as the Shī'ī Qur'ān is concerned, we will accept their claim and ask them to please produce the authentic Qur'ān, which is missing with their absent Imām in his cave, and show us the relevant verse, as the current Qur'ān that is present in every one's home does not contain the words “Until the stipulated period”.
3. Even if this narration is found in the books of the Ahl al-Sunnah then it is defined as Qirā'ah Shādhah (uncommon recitation). To prove the permissibility of Mut'ah from such narrations is unacceptable and including the commentary of a verse as part of the actual verse even more so.

Allāmah Māẓharī says that the recitation of “Until the stipulate period” is an uncommon narration and should not be taken as part of the Qur'ān.

هذه شاذة لا يحتج بها قرأنا ولا خبرا ولا يلزم العمل بها

This is uncommon and should not be regarded as the Qur'ān nor as a narration and should not be practiced upon.¹

Allāmah Shihāb al-Dīn Sayyid Maḥmūd al-Ālūsī رَحِمَهُ اللهُ mentions while enumerating the proofs for the prohibition of Mut'ah:

والقراءة التي ينقلونها عن تقدم من الصحابة شاذة

The narration that has been reported from the Ṣaḥābah is uncommon (and not part of the Qur'ān).²

Allāmah Qāḍī Muḥammad ibn 'Alī al-Shawkānī رَحِمَهُ اللهُ explains:

و اما قراءة ابن عباس و ابن مسعود و ابى ابن كعب و سعيد ابن جبیر (رضى الله عنهم) فَمَا اسْتَمَعْتُمْ بِهِ مِنْهُنَّ إِلَى أَجَلٍ مُّسَمًّى فليست بقرآن عند مشترطى التواتر ولا سنة لادل روايتها قرآن فيكون قبيل تفسير الآية وليس ذلك لحجة

As far as the recitation reported from Ibn 'Abbās, Ibn Mas'ūd, Ubay ibn Ka'b, and Sa'īd ibn Jubayr رَحِمَهُ اللهُ of “For the benefit you have derived until a stipulated period” is concerned, then this is not a part of the Qur'ān as the condition of tawātur³ is not found in it. This is also not a ḥadīth because it has been said to be Qur'ān, therefore it is rather the tafsīr of the verse and that is not a valid proof.⁴

1 Nawāwī, v. 1 p. 450

2 Rūḥ al-Ma'ānī, v. 5 p. 7

3 Tawātur: Reported by such a large number of people that it is inconceivable for them to have all agreed upon a lie.

4 Nayl al-Awḥār, v. 6 p. 148

It became known from this that the narration of “until a stipulated period” which has been reported from some Ṣaḥābah is not part of the Qur’ān nor is it found in the Qur’ān. The most that can be said about it is that it is *Qirā’ah Shādḥah* (uncommon recitation) which has been abrogated or it may be a part of the tafsīr of the verse.

4. Even if it is the tafsīr of this verse then its meaning will not be that which the Shī’ī scholars take it to mean, because this will remove the difference between temporary and perpetual marriage. Instead of perpetual prohibition how is it possible to take it to mean temporary permissibility? Mowlānā Muḥammad Idrīs Khandhlawī رَضِيَ اللهُ عَنْهُ writes:

“Until a stipulated period” is the extremity of “For the benefit you derive”. The word ‘اجل’ (period) is nakirah (indefinite noun) which includes both lengthy and brief, i.e. a lengthy period of time or a brief period could both be referred to by the word ‘اجل’. Now the word “أَسْتَمْتَأُ” means to derive benefit, which would make the meaning of the verse: “After a legitimate nikāḥ, regardless of the period that you derive benefit, the entire mahr will be incumbent upon you.” Just as the entire mahr is incumbent upon that person who after marrying a woman takes benefit from her for a lengthy and extended period of time, so too is the entire mahr incumbent upon that person who after marrying a woman took benefit from her for a short period of time. That is to say the entire mahr will still be incumbent upon him even if he only took benefit from her for a brief period of seclusion (known as Khalwah Ṣaḥīḥah).¹

It is apparent from this explanation that even if the words “Until a stipulated period” were to be accepted as the tafsīr of this verse then too it would not refer to the technical definition of Mut’ah by the Shī’ah. The reason for this is that the wording of the Qur’ān does not permit it. In this verse the mahr is being discussed and not the payment for Mut’ah. Even the preceding and following verses indicate that after

1 *Ma’ārif al-Qur’ān* v. 2 p. 49

marrying a woman in the appropriate manner and then deriving benefit from her, whether it is for a lengthy period or for a brief encounter, in all instances the entire mahr will be *wājib* (obligatory).

It is indeed distressing that the Shī‘ah scholars did not understand the extremity and boundary of deriving benefit. Instead they took it to refer to their own version of Mut‘ah and their conceived interpretations for the Qur‘ān.

Nevertheless to award the words “until the stipulated period” the rank of the Qur‘ān or ḥadīth is not correct in any instance. Mowlānā Shah ‘Abd al-‘Azīz Muḥaddith Dehlwi رحمته الله writes:

We say that they have brought such a word into the Qur‘ān about which there is unanimity that it is not from the Qur‘ān. For the Qur‘ān to be narrated by *tawātur* is a condition of both the Ahl al-Sunnah and Shī‘ah. This is also not a ḥadīth of Rasūlullāh صلى الله عليه وسلم, so how then can it be regarded as a certificate of approval. The reality is that some narrations are *shādh* (uncommon) or abrogated. To use that narration against that which is continuous and explicit in the Noble Qur‘ān, and discard those clear explicit verses of the Qur‘ān for that *shādh* narration — which has never been reported from one reliable chain of narration — can never be justified. It is a common principle of both Shī‘ah and the Ahl Sunnah that when two proofs — both equal in strength and reliability — contradict each other in *ḥalāl* and *ḥarām* then the proof of prohibition will be favoured. In this instance the proofs of the Shī‘ah are nothing but fabrications. To date no one has ever heard this recitation nor has it been seen in the Qur‘ān present with the Arabs and non-Arabs alike.¹

Allāmah Jār Allāh writes:

In my personal opinion the grammar and prose of this verse all negate that

1 *Tuḥfah Ithnā‘Ashariyyah*, p. 630

this noble verse was revealed regarding Mut'ah. If we accept this verse to permit Mut'ah then the entire sentence construction of this verse will be ruined, which would leave this verse critically flawed.¹

Even if the recitation of “Until a stipulated period” is accepted then it is possible that it refers to the handing over of the mahr and not to nikāḥ. If this is the case then it is not impossible to say that this refers to the period of nikāḥ. Ḥāfiẓ Abū Bakr Aḥmad ibn 'Alī al-Jaṣṣāṣ al-Rāzī رَحْمَةُ اللَّهِ عَلَيْهِ writes:

ولو كان فيه ذكر الاجل لما دل ايضا على متعة النساء لان الاجل يجوز ان يكون داخلا على المهر فيكون تقديره فما دخلتم به منهن بمهر الى اجل مسمى فاتوهن مهورهن عند حلول الاجل

Even if the words ‘Until a stipulated period’ was mentioned in this verse then too Mut'ah would not be proven because it is possible that the period mentioned here refers to the mahr. In this case the verse would mean that when you go to your wives, with the entire mahr that you had promised to hand over to her on a stipulated time, then you should hand over that mahr as soon as that time arrives.²

The Third Proof of the Shī'ah

According to the Shī'ah the third proof for the permissibility of Mut'ah is the verse:

مَا يَفْتَحِ اللَّهُ لِلنَّاسِ مِنْ رَحْمَةٍ فَلَا مُمْسِكَ لَهَا

There is none to withhold the mercy that which Allah opens to His people.³

The Shī'ī mufassir 'Alī ibn Ibrāhīm al-Qummī reports that a certain individual of Kūfah asked Imām Ja'far al-Ṣādiq رَحْمَةُ اللَّهِ عَلَيْهِ regarding this verse, to which he replied:

1 *Ullū Shī'ah*, p. 175

2 *Aḥkām al-Qur'ān*, v. 2 p. 148

3 *Sūrah al-Fāṭir*: 2

و المتعة من ذلك

And Mut'ah is amongst them.¹

The Shī'ī mufassir Maqbūl Aḥmad Dehlwi also writes:

This is a part of that mercy.²

Answer

1. To present this verse for the permissibility of Mut'ah is a deceiving ploy. If one has to study the verses that precede it then one will discover that this has no relation to Mut'ah whatsoever. In the preceding verse the majesty and might of Allah is discussed, and this verse too refers to the same emphatically stating that none can challenge the might of Allah. If He so wishes then he may cause it to rain and for crops to sprout and rizq (sustenance) to be distributed. Similarly if he wishes to bestow His spiritual favours by sending Ambiyā' and revealing Divine Books there is none to challenge Him. If Allah wishes to open the doors of His mercy then none has the ability to close it. No person has the ability to prevent the rain from falling or stop the sustenance from being distributed amongst the entire creation. He is the Mighty, the Wise.

In addition to this if one were to study the verses that follow it then too one will discover that it discusses the immense power and might of Allah. It is once again disappointing that here too the Shī'ah have fabricated narrations in the names of the scholars of the Ahl al-Bayt, and taken mercy to refer to Mut'ah.

2. It is astonishing that they do not study the entire verse; instead they only look at one part of the verse and attempt to justify their own invented

1 *Tarjumah Maqbūl*, p. 867

2 *ibid*

laws. The entire verse is as follows:

مَا يَفْتَحُ اللَّهُ لِلنَّاسِ مِنْ رَحْمَةٍ فَلَا مُمْسِكَ لَهَا، وَمَا يُمْسِكُ فَلَا مُرْسِلَ لَهُ مِنْ بَعْدِهِ، وَهُوَ الْعَزِيزُ الْحَكِيمُ

There is none to withhold the mercy Allah opens to His people (such as rain, sustenance, spiritual upliftment) and there is none to release the mercy that He withholds. He is the Mighty, the Wise.¹

Also see the translation that the Shī'ī scholar Farmān 'Alī makes:

When he opens the doors of His mercy for the people there is none who can close it and when he withholds something then there is none who can release it. He has power over everything and the Wise.²

If the Shī'ī mujtahidīn remain adamant on their claim then we say to them that they should read the entire verse. If the beginning of the verse permits the performance of Mut'ah, as you claim, then the concluding portion of this verse will prohibit it. The words of the Shī'ī translator: "When he withholds something then there is none who can release it" is a clear proof for the prohibition of Mut'ah.

Can any person even imagine that Allah will permit Mut'ah in the beginning of a verse and then prohibit it when concluding the verse? Is it possible to imagine that Allah can contradict Himself in this manner? Allah forbid!

We seek Allah's protection from these fabrications and distortions

The reality of the matter is that this verse has no relation to Mut'ah at all and it is impossible for any person to use this as a proof for the permissibility of Mut'ah.

1 Sūrah al-Fāṭir: 2

2 *Tarjumat al-Qur'ān*, by Farmān 'Alī

The Fourth Proof of the Shī'ah

In trying to substantiate their claim that Mut'ah is permissible they take proof from the statements of some Ṣaḥābah. In the books of the Shī'ah and the daily newspaper 'Jang' it has been reported on the authority of Jābir ibn 'Abd Allāh رضي الله عنه that Mut'ah is ḥalāl.

Answer

1. It has already been explained in the previous pages that the Nikāḥ Muwaqqat which was permitted for a short while was not the concocted Mut'ah of the Shī'ah. Even though the words Mut'ah were used when referring to it, since witnesses were essential for it, it is not the same Iranian Mut'ah practiced today. In addition, Rasūlullāh صلى الله عليه وسلم prohibited this form of Mut'ah until the Day of Qiyāmah. Now Nikāḥ Muwaqqat is not permissible, whether it be called nikāḥ or Mut'ah.
2. Since Jābir رضي الله عنه did not participate with Rasūlullāh صلى الله عليه وسلم in the Battle of Khaybar, it is possible that he did not learn about the prohibition of Nikāḥ Muwaqqat immediately and continued to assume that Nikāḥ Muwaqqat is still permissible until 'Umar رضي الله عنه clarified the matter.
3. Abū Naḍarah narrates that he was sitting with Jābir رضي الله عنه when a person came to him and informed him that Ibn 'Abbās and 'Abd Allāh ibn Zubayr رضي الله عنه have disagreed regarding both the Mut'ah's (i.e. Nikāḥ al-Mut'ah and Ḥajj al-Tamattu'). Jābir رضي الله عنه then said: "We performed this in the time of Rasūlullāh صلى الله عليه وسلم when we accompanied him on a journey, then Umar رضي الله عنه prohibited it. So we left them both."¹
4. One learns from this narration that Jābir is referring to the time that they accompanied Rasūlullāh صلى الله عليه وسلم on a journey and he wishes to inform the questioner that it was not prohibited at that time. 'Umar رضي الله عنه then later

1 Ṣaḥīḥ Muslim, v. 1 p. 451

publicly announced the prohibition of Rasūlullāh ﷺ, so that if any person did not know of its prohibition he will become aware that Nikāḥ Muwaqqat has now been prohibited. This makes it clear that Jābir رضي الله عنه was not of the opinion that the Iranian version of Mut'ah is permissible. Instead he is only mentioning the time when it was not ḥarām.

5. A lengthy ḥadīth has been narrated from Jābir رضي الله عنه, which has been reported from Imām Ḥāzīmī رحمه الله. It is also mentioned in this narration that:

نهى عن المتعة فتوادعنا يومئذ النساء ولم نعد ولا نعود اليها ابدا

Mut'ah was prohibited and on that very day we separated from the woman.

We did not return to them thereafter nor will we ever do so.¹

This narration also makes it clear that according to Jābir رضي الله عنه Mut'ah (i.e. Nikāḥ Muwaqqat) did not remain permissible because Rasūlullāh ﷺ prohibited it.

6. In addition to this there is a narration of prohibition reported from Jābir رضي الله عنه as well. Mowlānā Shabbīr Aḥmad 'Uthmānī رحمه الله states:

والا جابر جملة من روى في تحريمها و حديثه حسن يحتج به

There is a narration reported from Jābir رضي الله عنه concerning the prohibition of Mut'ah. This narration is both authentic and reliable, and can be cited as proof.²

To still include Jābir رضي الله عنه among those who claim Mut'ah is permissible, after the above mentioned clarifications, is a grave injustice.

1 *Fatḥ al Mulhim*, v. 3 p. 444, *Tafsīr Mazḥarī*

2 *Fatḥ al Mulhim*, v. 3 p. 442

The Fifth Proof of the Shī'ah

The most renowned of the Shī'ī mujtahidīn, 'Abd al-Karīm Mushtāq, reports a narration from Asmā' رضي الله عنها:

روا النساء و الطحاوی عن اسماء بنت ابی بكر (رضی الله عنهما) قالت عملناها على عهد رسول الله
(صلی الله علیه و سلم)

We practiced it during the lifetime of Rasūlullāh صلى الله عليه وسلم.¹

Answer

1. Mowlānā Qāḍī Thanā' Allāh Pānipatī رحمته الله has reported this narration on the authority of Imām Ṭaḥāwī and Imām Nasā'ī. It should be borne in mind that this narration from Asmā' رضي الله عنها cannot be found in *Sunan Nasā'ī*, so the status of its chain of narration could not be ascertained. It is possible that Qāḍī Thanā' Allāh took this narration from Imām Nasā'ī's *Sunan al-Kubrā*. If that is the case then to the status of its chain of narration will have to be ascertained.
2. As far as the narration in Ṭaḥāwī is concerned, then there are two narrations of Asmā' رضي الله عنها in this book. One concerns Mut'ah in Ḥajj (Ḥajj Tamattu') and another regarding Mut'ah with women. In her narration regarding Mut'ah with women these words are not mentioned, which makes it apparent that this was said with regards to ḥajj and not about Mut'ah. (This view has also been accepted by the Shī'ī historian Mas'ūdī.)
3. Bear in mind "We practiced it" refers to Mut'ah in ḥajj (Ḥajj Tamattu') but even if it is taken to mean Mut'ah or Nikāḥ Muwaqqat then it is quite obvious that Asmā' رضي الله عنها is not describing her own practice but it is a manner of relating one's history. She would then in actual fact be discussing Nikāḥ Muwaqqat that was permitted in the early years of Islam, mentioning how it used to occur in that era. The purpose of her

1 *Tafsīr Mazharī, Ham Mut'ah kyū Karteh Hai*

explanation was not to declare that it is still permissible or Allah forbids, that she still practiced it.

Asmā' رَضِيَ اللَّهُ عَنْهَا reported an incident that has occurred, in accordance with the manner of Arabs, and was not describing her own practice or view. We will illustrate this with another example, to put any doubts at rest. Imām Bukhārī reports in his *Ṣaḥīḥ*:

عن اسماء قال قالت نحرنا فرسا على عهد رسول الله (صلى الله عليه و سلم) فاكلناه

We slaughtered a horse during the lifetime of Rasūlullāh صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ and we consumed it.¹

Ibn Ḥajar al-'Asqalānī رَضِيَ اللَّهُ عَنْهُ has also reported this with the words 'ذبحنا' instead of 'نحرنا'.²

The Shī'ī mujtahidīn would probably assume that Asmā' رَضِيَ اللَّهُ عَنْهَا consumed the entire horse herself, after which they will have memorial for the horse every year, wherein they will weep for it and wonder why she consumed it.

Bear in mind that she used the words 'We slaughtered', whereas in that era it was not common for women to slaughter animals. The men would undertake the responsibility of slaughtering the animals. Asmā' رَضِيَ اللَّهُ عَنْهَا is describing the events that occurred in that era, that they would slaughter horses during the lifetime of Rasūlullāh صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ. The purpose of her statement is not to make it known that she would slaughter the animals in that era.

This explanation makes it known that 'We practiced it' means that during the lifetime of Rasūlullāh صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ, for a short period of time, Nikāḥ Muwaqqat or Mut'ah was permitted and not prohibited and thus practiced by the people.

1 *Ṣaḥīḥ Bukhārī*, v. 2 p. 829

2 *Fath al-Bārī*, v. 21 p. 53

If the Shī‘ī mujtahidīn are not satisfied with this explanation then they will have to explain the meaning of the following statement of ‘Alī رضي الله عنه:

لقد كنا مع رسول الله (صلى الله عليه و آله) نقتل اباونا و ابناونا و اخواننا و اعمامنا

Undoubtedly we would kill our fathers, sons, brothers and uncles with Rasūlullāh صلى الله عليه وسلم.¹

They should please prove that ‘Alī رضي الله عنه killed his father — Abū Ṭālib — his brothers and uncles with Rasūlullāh صلى الله عليه وسلم. Both Shī‘ah and Ahl al-Sunnah know full-well that ‘Alī رضي الله عنه did not kill them, which would mean that ‘Alī رضي الله عنه is describing the conditions of that era, that for the sake of one’s dīn one did not take into account whether those who opposed Islam were one’s fathers, brothers or sons. This is in no way a description of his own actions.

This will prevent any person with knowledge from laying such false allegations against Asmā’ رضي الله عنها and slandering her pure personality for the purpose of fulfilling one’s own lustful desires.

A Reply to the Substantiation from *Murūj al-Dhahab*

Shī‘ī mujtahidīn say that it is recorded in *Tārīkh Mas‘ūdī* that ‘Abd Allāh ibn ‘Abbās رضي الله عنه asked ‘Abd Allāh ibn Zubayr رضي الله عنه as to why he conceals the issue of Mut‘ah. He said to him:

سل امك تخبرك فان اول متعة سطح مجمرها بين امك و ابيك

Ask your mother, she will tell you. The first stove of Mut‘ah that was heated was heated by your father and mother.²

One learns from this that the daughter of Abū Bakr رضي الله عنه performed Mut‘ah.

1 *Nahj al-Balāghah*, v. 1 p. 120

2 *Murūj al-Dhahab*, v. 3 p. 90

Answer

The Shī'ī mujtahidīn have been deceptive in the manner that they relate this narration from *Tārīkh Mas'ūdī*. This incident relates to Mut'ah in Ḥajj (known as Ḥajj Tamattu') and not Mut'ah with women. It is mentioned just after this narration,

يريد متعة الحج

This refers to Mut'ah of Ḥajj.

Now the complete translation:

Ask your mother, she will tell you because the first stove of Mut'ah became apparent from the stove that belonged to your mother and father. This refers to Mut'ah of Ḥajj.¹

The claim of the Shī'ī mujtahidīn that 'Abd Allāh ibn Zubayr رضي الله عنه was the issue from Mut'ah is ridiculous because the nikāḥ of Asmā' رضي الله عنها and Zubayr رضي الله عنه was such an open and well-known matter that almost all historians have mentioned it. Even Mas'ūdī has accepted that Asmā' رضي الله عنها and Zubayr رضي الله عنه performed an orthodox nikāḥ and Asmā' رضي الله عنها was a virgin at that time.

لان الزبير تزوج اسماء بكر افي الاسلام و زوجه ابوا بكر معلنا فكيف تكون متعة النساء

Zubayr رضي الله عنه married Asmā' رضي الله عنها while she was still a virgin and Abū Bakr رضي الله عنه performed their nikāḥ publicly. So how can this be Mut'ah?²

This makes it clear that Zubayr رضي الله عنه and Asmā' رضي الله عنها were properly married to each other and did not perform Mut'ah.

1 Ibid v. 3 p. 112

2 *Murūj al-Dhahab*, v. 3 p. 82

A Reply to the Substantiation from *Muḥāḍarat al-Rāghib*

The Shī'ī mujtahidīn again accuse Asmā' رضي الله عنها of performing Mut'ah based on the narration in *Muḥāḍarāt al-Rāghib*. The Shī'ī mujtahid Athīr Jārawī writes:

Read the third volume of *Muḥāḍarāt al-Rāghib*, pg. 94, and you will find that not only did the illustrious Ṣaḥābī, Zubayr ibn 'Awwām رضي الله عنه and Asmā' رضي الله عنها — the sister of Umm al-Mu'minīn 'Ā'ishah رضي الله عنها — oppose 'Umar رضي الله عنه verbally, they also performed Mut'ah to contradict him and as a result a distinguished individual like 'Abd Allāh ibn Zubayr رضي الله عنه was born.¹

Answer

To claim the 'Abd Allāh ibn Zubayr was the issue from the act of Mut'ah is a blatant lie of the Shī'ah. They have no clear narration in this regard. They tried to seek refuge behind the profile of Mas'ūdī but Mas'ūdī (who is also a Shī'ah) did not aid them in the least. Now they lay the same accusation on the authority of *Muḥāḍarāt al-Rāghib Isfāhānī*, to which we firstly say:

لعنة الله على الكاذبين

May Allah's curse be upon the liars.

And then we demand that they present its chain of narration.

As far as the belief of Rāghib Isfāhānī is concerned, remember he is among the eminent scholars of the Shī'ah. Shaykh Ḥasan ibn 'Alī al-Ṭabarsī clearly states in the end of his book, *Kitāb al-Isrār al-Imāmāh*:

انه اى الراغب كان من حكماء الشيعة الامامية له مصنفات نائقة مثل المفردات فى غريب القرآن و افانين
البلاغة و المحاضرة

Rāghib Isfāhānī was among the eminent scholars of the Shī'ī Imāmiyyah.

1 *Jawāz Mut'ah*, p. 68

Among his renowned works are *al-Mufradāt fi Gharīb al-Qur'ān*, *Afānīn al-Balāghah* and *Muḥāḍarāt*.¹

It is evident that Rāghib Isfahānī was from the Shī'ī Ithnā 'Ashariyyah. Thus his opinion might be regarded as binding by the Shī'ah but has no importance among the Ahl al-Sunnah. When one does a little more research then it becomes clear that all these narrations are regarding Ḥajj Tamattu'.

The Sixth Proof of the Shī'ah

Shī'ī scholars claim that the famous Ṣaḥābī, 'Imrān ibn Ḥuṣayn رضي الله عنه has stated that Rasūlullāh صلى الله عليه وسلم never prohibited Mut'ah and that absolutely no ruling was revealed regarding Mut'ah.²

Answer

This proof of the Shī'ah is once again the result of misunderstanding and confusion on their part. Simply seeing the words Mut'ah and coming to the conclusion that this refers to Mut'ah with women is a baseless and feeble claim. The narration of 'Imrān ibn Ḥuṣayn concerns Mut'ah in ḥajj (Ḥajj Tamattu') and not Mut'ah with women. Imām al-Bukhārī رحمه الله has reported this statement of 'Imrān ibn Ḥuṣayn رضي الله عنه in *Kitāb al-Ḥajj*, under the chapter.

The chapter of (Ḥajj) Tamattu' during the era of Rasūlullāh صلى الله عليه وسلم.³

Imām Muslim also reported this statement under the appropriate heading in his book of ḥadīth.⁴

This makes it clear that this statement of 'Imrān ibn Ḥuṣayn رضي الله عنه concerns Ḥajj Tamattu' and not Mut'ah with women. 'Imrān ibn Ḥuṣayn رضي الله عنه himself clarifies

1 *Al-Kunā wa l-Alqāb*, v. 2 p. 268, *A'yān al-Shī'ah*, v. 6 p. 120, *al-Dharī'ah fi Taṣnīf al-Shī'ah*, v. 5 p. 45

2 *Ham Mut'ah Kyū Karteh Hai*, p. 11

3 *Ṣaḥīḥ Bukhārī*, v. 1 p. 213

4 *Ṣaḥīḥ Muslim*, v. 1 p. 402

that it concerns Ḥajj Tamattu'. Abū al-Rajā' reports that 'Imrān ibn Ḥuṣayn رَضِيَ اللَّهُ عَنْهُ said regarding Mut'ah in Ḥajj:

قال قال عمران ابن حصين نزلت آية المتعة في كتاب الله يعني متعو الحج و امرنا بها رسول الله (صلى الله عليه وسلم) حتى مات

The verses of Mut'ah were revealed in the Qur'ān, i.e. Mut'ah in Ḥajj, and Rasūlullāh صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ordered us to adhere to it until he left this world.¹

Imām al-Nawawī رَضِيَ اللَّهُ عَنْهُ writes about all these narrations that they all establish that 'Imrān ibn Ḥuṣayn رَضِيَ اللَّهُ عَنْهُ was referring to Ḥajj Tamattu'.²

و هذه الروايات كلها متفقة على ان مراد عمران التمتع بالعمرة ال الحج جائز و كذلك القران

The Shī'ī mujtahidīn only report half of 'Imrān ibn Ḥuṣayn's رَضِيَ اللَّهُ عَنْهُ narration. The other half is very conveniently omitted, as it opposes their view. How can narrating only half of a narration to prove your definition of Mut'ah be just?

The Seventh Proof of the Shī'ah

The Shī'ī scholars and mujtahidīn say that an eminent Ḥanafī Imām, the author of *al-Hidāyah*, has stated that Imām Mālik رَضِيَ اللَّهُ عَنْهُ regarded Mut'ah as permissible and it is entirely lawful.

Answer

The opinion attributed to Imām Mālik رَضِيَ اللَّهُ عَنْهُ by the author of *al-Hidāyah* is not the correct view of Imām Mālik رَضِيَ اللَّهُ عَنْهُ because he too is of the opinion that Mut'ah is ḥarām. Imām Mālik رَضِيَ اللَّهُ عَنْهُ narrates:

مالك عن ابن شهاب عن عبد الله والحسن ابن محمد بن علي عن ابيهما عن علي ابن ابي طالب ان رسول الله (صلى الله عليه وسلم) نهى عن متعة النساء يوم خيبر و عن اكل لحوم الحمرة الانسية

1 ibid

2 ibid

Imām Mālik reports... from 'Alī ibn Abī Ṭālib رضي الله عنه that Rasūlullāh صلى الله عليه وسلم prohibited Mut'ah with women as well as consuming the meat of donkeys on the day of Khaybar.¹

This narration from Muwaṭṭa' Imām Mālik clearly proves that Imām Mālik رحمته الله was of the opinion that Mut'ah is ḥarām, therefore the opinion attributed to Imām Mālik رحمته الله is actually the opinion of one of his students. The Shī'ah also attended the gatherings of Imām Mālik رحمته الله and they were the ones who asked about Mut'ah. The author of *al-Hidāyah* thought this to be the opinion of the students of Imām Mālik. Now if the words 'Students of' were to be omitted from the text, is it not the fault of the scribe. It is absolutely incorrect to believe that Imām Mālik رحمته الله regarded Mut'ah as permissible.

Allāmah Abū 'Amr Yūsuf ibn 'Abd al-Barr al-Mālikī رحمته الله writes:

و على تحريم المتعة مالك و اهل المدينة و ابو حنيفة في اهل الكوفة و الاوزاعي في الشام و الليث في اهل
المصر و الشافعي و سائر اصحاب الأثر

Imām Mālik and the people of Madinah, Imām Abū Ḥanīfah and the people of Kūfah, Imām Awzā'ī in Syria, Imām Layth ibn Sa'd in Egypt, as well as Imām Shāfi'ī and all the Muḥaddithīn unanimously agree that Mut'ah is ḥarām.²

One learns from this that just as all the Fuqahā' and Muḥaddithīn agree that Mut'ah is ḥarām, so too does Imām Mālik regard it as prohibited. 'Qāḍī 'Ayyāḍ al-Mālikī رحمته الله unambiguously writes:

وقع الاجماع من جميع العلماء على تحريمها الا الروافض

There is consensus of all the 'ulamā' that Mut'ah is ḥarām, with the exception of the Rawāfiḍ, (who claim that is permissible).³

1 *Muwaṭṭa' Imām Mālik*, p. 206

2 *Awjaz al-Masālik Sharḥ Muwaṭṭa' Imām Mālik*, v. 4 p. 304

3 *Fath al-Bārī*, v. 19 p. 208

The Eighth, Ninth and Tenth Proof of the Shī'ah

Some of the Shī'ī scholars and mujtahidīn take proof for the permissibility of Mut'ah from the statements of the students of Ibn 'Abbās رضي الله عنه, and that too chiefly from Ibn Jurayj رحمته الله and Ibn Ḥazm رحمته الله, claiming that they regard it as permissible.

Answer

1. This claim of the Shī'ah is inaccurate. It has already been explained in the preceding pages that 'Abd Allāh ibn 'Abbās رضي الله عنه regarded Nikāḥ Muwaqqat as permissible on a few conditions but he then withdrew this opinion. If any of his students continued to regard it as permissible that is no fault of Ibn 'Abbās رضي الله عنه. He retracted his previous opinion and adopted the opinion that all the 'ulamā' of truth are agreed upon. The Qur'ān and ḥadīth also inform us of the same, that Nikāḥ Muwaqqat is not permissible under any circumstances. Abū 'Amr Yūsuf ibn 'Abd al-Barr al-Mālikī رحمته الله writes:

اصحاب ابن عباس من مكة واليمن على ابحاثها ثم اتفق فقهاء الامصار على تحريمها

The students of Ibn 'Abbās رضي الله عنه from Makkah and Yemen first regarded it as permissible then later consensus was made on its prohibition (when the aḥādīth of its prohibition became known and the retraction of Ibn 'Abbās رضي الله عنه made public).¹

Now to include the students of Ibn 'Abbās رضي الله عنه amongst those who regarded Mut'ah as permissible is a fallacious lie.

2. In the same manner Ibn Jurayj first had the opinion that it was permissible then when the proofs of its prohibition became clear, he withdrew this opinion. Ibn Ḥajar 'Asqalānī رحمته الله writes:

1 ibid

و قد نقل ابو عوانه في صحيحه عن ابن جريج انه رجع عنها

Imām Abū Uwānah has reported in his *Ṣaḥīḥ* that Ibn Jurayj retracted this opinion (of the permissibility of Mut'ah).¹

3. As far as Imām Ibn Ḥazm is concerned, it is also proven that he withdrew this opinion. Ibn Ḥajar رحمه الله writes:

و قد اعترف ابن حزم مع ذلك بتحريمها لثبوت قوله (عليه السلام) انها حرام الى يوم القيامة

Ibn Ḥazm accepted that Mut'ah is ḥarām because of the decree of Rasūlullāh صلی الله علیه و سلم that it is forbidden until the Day of Qiyāmah.²

Now consider if the students of Ibn 'Abbās رضي الله عنه, Ibn Jurayj and Ibn Ḥazm regard Mut'ah as permissible or ḥarām? If one insists on being stubborn and shouting one slogan then there is no cure for stubbornness.

The reality is that these pioneers in 'ilm also regarded Mut'ah as ḥarām, the same as the rest of the believers of Islam.

The Eleventh Proof of the Shī'ah

The famous Shī'ī scholar 'Abd al-Karīm Mushtāq writes in his book, *Ham Mut'ah Kyū Karteh Hai*, pg. 12, that Rasūlullāh صلی الله علیه و سلم also performed Mut'ah which he substantiates from the narration of Ibn 'Abbās رضي الله عنه where he says that Rasūlullāh صلی الله علیه و سلم performed Mut'ah. (*Musnad Aḥmad* volume 1 page 337)

Answer

العیاذ باللہ لا حول و لا قوۃ الا باللہ سبحانک هذا بهتان عظیم

Allah forbid! There is no power and no might except from Allah! Indeed Allah is pure and this is a false allegation!

1 *Fatḥ al-Bārī*, v. 19 p. 208

2 *ibid*

This is a very severe and demeaning allegation against Rasūlullāh ﷺ which only a non-Muslim could possibly lay against Rasūlullāh ﷺ. Those people, who have made the object of their lives the fulfilment of their lustful desires and passions, do not pay heed to whom they lay such false accusations. Only those who are ignorant of the purity, honour and status of the ambiyā' can levy such accusations, merely to propagate their false beliefs. The readers have already come across their claim in the preceding pages that Rasūlullāh ﷺ, Allah forbid, performed Mut'ah.

In reply to this claim we would firstly like to say that it is an atrocious lie, an utter fabrication and sheer falsehood. If the Shī'ī 'ulamā' have any sense of self-respect then they should report this narration in full and severely deal with 'Abd al-Karīm Mushtāq.

Musnad Ahmad is present before me at this very moment and I have read through all the narrations reported by 'Abd Allāh ibn 'Abbās رَضِيَ اللهُ عَنْهُ and I have not found a single narration of his that can prove this claim. Wherever the word Mut'ah has appeared it does not refer to Mut'ah with women but to Ḥajj Tamattu', in other words that Rasūlullāh ﷺ performed Ḥajj Tamattu'. I did not find one single narration that indicates that the word Tamattu' refers to Mut'ah with women. If the author, 'Abd al-Karīm Mushtāq, desires complete satisfaction then he should please send the page number and chapter where this narration can be found and I will provide him with a reply. If his purpose is only to publicise his Shī'ī beliefs and lay false allegations against the pure and noble personality of Rasūlullāh ﷺ, then we — the Ahl al-Sunnah — will never excuse such actions.

The Twelfth Proof of the Shī'ah

The Shī'ah quote a few reports from the Tafsīr of Ibn Jarīr al-Ṭabrizي رَضِيَ اللهُ عَنْهُ, from which they substantiate that Mut'ah is permissible.

Answer

Ibn Jarīr al-Ṭabrī رَحِمَهُ اللهُ has indeed mentioned the opinions of a few individuals who regarded Mut'ah as permissible but to conclude from it that Mut'ah with women is permissible and that the respected author also regarded it as ḥalāl is great error indeed. It has already been mentioned before that a few of the Ṣaḥābah did regard Mut'ah (i.e. Nikāḥ Muwaqqat) as permissible before they learnt of its prohibition. Once they learnt of its prohibition they retracted their previous opinion.

Ibn Jarīr al-Ṭabrī رَحِمَهُ اللهُ did not report their opinions in order to try and establish the permissibility of Mut'ah but rather to explain the reality of the matter during the time of the Ṣaḥābah. Therefore it is incorrect for the Shī'ah to substantiate from these statements. As far as the personal opinion of Ibn Jarīr al-Ṭabrī رَحِمَهُ اللهُ is concerned then one should know that he regarded it as impermissible. After reporting the opinion pertaining to its permissibility and prohibition he writes:

و اولى التأولين عن ذلك الصواب تاويل من تاوله فما نكحتموا منهن فجامعتموهن فاتوهن اجورهن لقيام
 الحجة بتحريم الله تعالى متعة النساء على غير زوجه النكاح الصحيح او الملك على لسان رسول الله
 (صلى الله عليه و سلم)

The best explanation of the verse, (give them their due compensation as an obligation) is that one should hand over the specified mehr to those women that you marry and consumated, because besides one's legitimate spouse and female slave, its prohibition has been proven from Rasūlullāh صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ, and proof has been established in this regard.¹

The Thirteenth Proof of the Shī'ah

The Shī'ī mujtahidīn say that the prohibition of Mut'ah is the ruling of 'Umar رَضِيَ اللهُ عَنْهُ and how is it permissible for a common member of the ummah to abrogate the decree of Rasūlullāh صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ? If the order of Rasūlullāh صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ was unknown to

1 *Tafsīr Ibn Jarīr*, v. 5 p. 13

him, who gave him the permission to forbid Mut'ah? This is the personal opinion of 'Umar and not the opinion of Rasūlullāh ﷺ. 'Abd al-Karīm Mushtāq writes:

'Umar رضي الله عنه forbade it, even though this prohibition was unlawful because no member of the ummah has the permission to issue any ruling contrary to the Qur'ān and Sunnah.¹

It is extremely sad that Doctor Kalīm Şiddīqī also says:

Its prohibition began with 'Umar رضي الله عنه. 'Umar was not a nabī such that his opinion is binding. This was his personal opinion.²

Answer

1. This claim of the Shī'ī scholars and mujtahidīn is utterly baseless. The prohibition of Mut'ah was clearly declared in the Qur'ān and ḥadīth of Rasūlullāh ﷺ. The prohibition of Rasūlullāh ﷺ is clear and explicit. For one to say that 'Umar رضي الله عنه was the only one that prohibited Mut'ah is a major inaccuracy, when the Rasūl of Allah declared it ḥarām.
2. Even if we accept — hypothetically — that 'Umar رضي الله عنه did announce it as ḥarām and prohibited during his khilāfah then too it does not mean that Rasūlullāh ﷺ did not prohibit it before him. Even if 'Umar رضي الله عنه was the one who prohibited it, then too one should not assume that his prohibition is not incumbent to follow as both the Ahl al-Sunnah and Shī'ah accept that Rasūlullāh ﷺ said regarding the al-Khulafā' al-Rāshidīn:

فعلبيكم بسنتي و سنة الخلفاء الراشدين المهديين

My sunnah and the sunnah of my al-Khulafā' al-Rāshidīn is incumbent upon you all.³

1 Ham Mut'ah Kyū Karteh Hai, p. 17

2 The weekly paper Roz Zindaḡī, 8 June 1991

3 Tirmidhī, v. 2 p. 92

Just as Rasūlullāh ﷺ instructed the Ṣaḥābah to adhere strictly to his sunnah, he instructed them to hold fast onto the Sunnah of the al-Khulafā' al-Rāshidīn as well.

The Shī'ī scholars also agree with this. Shaykh Abū al-Ḥasan al-Daylamī reports:

فعلیکم بما عرفتم من سنتی بعدی و سنة الخلفاء الراشدين

It is incumbent that you follow what you recognise of my Sunnah after me and the Sunnah of the al-Khulafā' al-Rāshidīn.¹

The author of *Kashf al-Gham*, 'Alī ibn 'Īsā al-Ardabīlī also writes that Ḥasan ﷺ signed a peace treaty with Mu'āwiyah ﷺ on the following conditions:

على ان يعمل فيهم بكتاب الله تعالى و سنة رسول الله (صلى الله عليه و سلم) و سيرة اخلفاء الراشدين

Mu'āwiyah ﷺ will rule over them in accordance with the Qur'ān and in accordance with the sunnah of Rasūlullāh ﷺ and the al-Khulafā' al-Rāshidīn.²

For example, during the khilāfah of 'Umar ﷺ a person who consumed wine was meted with the punishment of eighty lashes, whereas during the khilāfah of Abū Bakr ﷺ the punishment was only forty lashes. In support and collaboration with this 'Alī ﷺ states:

جلد النبي (صلى الله عليه و سلم) اربعين و ابو بكر اربعين و عمر ثمانين و كل سنة

Rasūlullāh ﷺ lashed (the one who consumed wine) forty times, Abū Bakr ﷺ also lashed forty times and 'Umar ﷺ eighty times, and all are Sunnah.³

1 *Irshād al-Qulūb*, v. 1 p. 37

2 *Kashf al-Gham*, v. 1 p. 570

3 *Ṣaḥīḥ Muslim*, v. 3 p. 72, *Muwaṭṭa' Imām Mālik* p. 357, *Muṣannaf 'Abd al-Razzāq*, v. 7 p. 379, *Musnad Aḥmad*, v. 1 p. 82, *Kitāb al-Khīrāj*, p. 165, *Ibn Mājah*, p. 185.

If this action of 'Umar رضي الله عنه was against the Qur'ān and Sunnah, the question will arise as to why 'Alī رضي الله عنه is supporting his action and includes it also as the sunnah. One may also ask as to why 'Alī رضي الله عنه acted in accordance with his decree. If one doubts this then refer to the Shī'ī book, *Furū' al-Kāfi*, under the heading of the punishment for the one who consumes wine. You will find it written there:

ان في كتاب علي (صلوة الله عليه) يضرب شارب الخمر ثمانين

It is in the book of 'Alī رضي الله عنه that the one who consumes wine should be lashed eighty times.¹

This explanation makes it clear that even if 'Umar رضي الله عنه had decreed it as ḥarām, or after hearing the prohibition of Rasūlullāh صلى الله عليه وسلم announced it publicly, then according to the direction of ḥadīth his actions will also be regarded as sunnah and incumbent to follow. An illustrious and distinguished Ṣaḥābī like 'Alī رضي الله عنه made this his practice as well.

3. It is worth pondering over whether 'Umar رضي الله عنه made this decree based upon his own deliberation or after hearing the prohibition of Rasūlullāh صلى الله عليه وسلم. The narrations bear witness that 'Umar also narrated the decree of Rasūlullāh صلى الله عليه وسلم when announcing its prohibition. 'Abd Allāh ibn 'Umar رضي الله عنهما narrates that when 'Umar became khalīfah, he delivered a sermon in which he said:

فقال رسول الله (صلى الله عليه و سلم) اذن لنا المتعة ثلاثة ايام ثم حرمها

Rasūlullāh صلى الله عليه وسلم said that we were permitted to perform Mut'ah (Nikāḥ Muwaqqat) for three days then it was prohibited.²

This makes it clear that his decision was not based upon his own

1 *Furū' al-Kāfi*, v. 3 p. 117

2 *Sunan Ibn Mājah*, p. 141

understanding but on the ḥadīth of Rasūlullāh ﷺ, which he would in turn relate to the people.

Imām al-Bayhaqī رَحِمَهُ اللهُ reports:

صعد عمر المنبر فحمد الله و اثنى عليه ثم قال ما بال رجل ينكحون هذه المتعة بعد نهى رسول الله (صلى الله عليه و سلم عنها)

‘Umar رَضِيَ اللهُ عَنْهُ ascended the mimbar, he then praised Allah and lauded Him, after which he said: “What has happened with some people that they continue to perform Nikāḥ al-Mut’ah, even though Rasūlullāh ﷺ had prohibited it.”¹

Imām al-Ṭaḥāwī رَحِمَهُ اللهُ says:

خطب عمر فنهى عن المتعة و نقل ذلك عن النبي (صلى الله عليه و سلم) فلم ينكر عليه ذلك منكرا و فى هذا دليل على متابعتهم له على ما نهى عنه

‘Umar رَضِيَ اللهُ عَنْهُ delivered a sermon and he prohibited Mut’ah, which he narrated from Rasūlullāh ﷺ. None contradicted him on this matter, which is a proof of their agreement on this prohibition.²

Ibn Ḥajar رَحِمَهُ اللهُ writes:

ان عمر لم ينه عنها اجتهادا و انما نهى عنها مستندا الى نهى رسول الله (صلى الله عليه و سلم)

‘Umar رَضِيَ اللهُ عَنْهُ did not prohibit it of his own accord but he narrated the decree of Rasūlullāh ﷺ, wherein he prohibited Mut’ah.³

In light of the above explanations, it becomes plainly visible that the announcement of the prohibition of Mut’ah made by ‘Umar رَضِيَ اللهُ عَنْهُ during his khilāfah was not his

1 *Fath al Bārī*, v. 19 p. 207

2 *ibid*

3 *ibid*

own personal opinion but was based upon the order issued by Rasūlullāh ﷺ. It was in light of this ḥadīth of Rasūlullāh ﷺ that he publicly announced its prohibition. To construe that 'Umar رَضِيَ اللَّهُ عَنْهُ acted on his own judgement in prohibiting Mut'ah is incorrect because Rasūlullāh ﷺ himself had declared it as ḥarām much prior to that.

The Last Arrow in the Insolence of the Shī'ah

In support of the permissibility of Mut'ah, the Shī'ī scholars say that the narrations which mention the prohibition of Mut'ah do not corroborate each other. Whatever narrations have been reported in this regard, differ from each other. At times a narrator mentions that it was prohibited on a certain date, while another says that it happened on another date. They say that further proof is required for the prohibition of Mut'ah because its prohibition is unclear.

Answer

The prohibition of Mut'ah in the books of ḥadīth as well as other books of the Ahl al-Sunnah wa l-Jamā'ah has been explained in a very explicit manner. The words 'Until the Day of Qiyāmah' is also clearly mentioned in these narrations. To turn away from such narrations only displays the stubbornness of the Shī'ah. When and where it was prohibited, in this there is a difference of opinion. However, there is unanimity in all the narrations that it was prohibited.

1. Some of the 'ulamā' are of the opinion that it was prohibited during the Battle of Khaybar. It was permitted for three days and was then prohibited perpetually.
2. According to some scholars it was prohibited in the same year as conquest of Makkah.

Despite this difference of opinion both groups are unanimous that it was prohibited until the Day of Qiyāmah. To regard it as permissible now, will be acting in contradiction with the Sharī'ah. To regard Mut'ah as permissible merely

because there is a difference of opinion with regards to the date that it was prohibited is a feeble substantiation.

There is a much difference of opinion regarding the exact date that Rasūlullāh ﷺ was born. Some narrations mention a specific date while others something totally different. Would it be correct to then conclude that Rasūlullāh ﷺ was not born? If the Shī'ah can come to this conclusion then there is no cure for such ignorance.

There are difference of opinions with regards to the exact date that *Mī'rāj* (Ascension) took place, so will you now conclude that *Mī'rāj* never occurred?

A few points should be borne in mind regarding the differences of opinion about the date that Mut'ah was prohibited:

1. Those scholars who are of the opinion that it was prohibited during the Battle of Khaybar mean that Rasūlullāh ﷺ announced its prohibition in the Battle of Khaybar and then later permitted it for three days on the occasion of the conquest of Makkah. The reason for this is that those laws which are associated with the occasion of battle apply at that time only. Since the conquest of Makkah took place without any battle being fought, its permissibility was abolished forever and it was decreed as ḥarām until the end of time.

Imām al-Shāfi'ī رحمه الله, Imām al-Nawawī رحمه الله, Imām al-Bukhārī رحمه الله and other scholars as well, are all of this opinion that it was permitted twice and then finally prohibited for all eternity. Imām al-Shāfi'ī رحمه الله goes to the extent of saying that besides Mut'ah (Nikāḥ Muwaqqat) he does not know of any other thing that was first made ḥarām, then permitted and then again made ḥarām till the end of time.

According to these scholars it was prohibited in Khaybar, and then permitted for three days and finally prohibited for once and for all.

2. Those scholars who are of the opinion that Mut'ah was prohibited on the occasion of the conquest of Makkah say that it was not prohibited during the Battle of Khaybar. The reason for their opinion is that in the light of other aḥādīth one will have to say that Mut'ah was not specifically prohibited on the Battle of Khaybar. Although the meat of donkeys was prohibited in Khaybar, Mut'ah was prohibited in another occasion, which was the conquest of Makkah. Imām Sufyān ibn 'Uyaynah رحمته الله, Abū Uwānah رحمته الله, Imām Suhayl رحمته الله, Ibn 'Abd al-Barr رحمته الله and Ibn Qayyim رحمته الله, are all of the opinion that Mut'ah was not prohibited twice but on one occasion only, and that was in the year that the conquest of Makkah took place. If the narrator mentions both these dates as the dates of its prohibition then it can be regarded as an error by the narrator.

There are a few objections on this last opinion, which are essential to resolve.

- a. The first objection is that the Battle of Awṭās took place after the conquest of Makkah, wherein Mut'ah was permitted for three days, so how is it possible to say that it was prohibited forever in the conquest of Makkah?

Answer

The Battle of Awṭās took place in Shawwāl, immediately after the conquest of Makkah (which occurred in Ramaḍān) and since these two battles took place very close to each other, those narrations that mention its prohibition in the year of Awṭās actually mean the conquest of Makkah. Since the time period between the two events was very close, it is also referred to as the year of Awṭās, whereas in reality its prohibition took place during the conquest of Makkah. This opinion is not only ours but that of the senior Muḥaddithīn as well. Ibn Qayyim رحمته الله writes:

و عام اوطاس هو عام الفتح لان غزوه اوطاس متسلة بفتح مكة

The year of Awṭās is the same as the year of the conquest of Makkah,

because the Battle of Awtās took place immediately after the conquest of Makkah.¹

Ibn Hajar al-‘Asqalānī رحمه الله writes:

يحتمل ان يكون اطلق على عام الفتح عام او طاس تقاربها

It is possible that the year of the conquest of Makkah is meant by the year of the Battle of Awtās, because of their closeness to each other.²

Imām al-Nawawī رحمه الله writes:

يوم فتح مكة هو يوم او طاس شئ واحد

The day of the conquest of Makkah and the day of Awtās imply the same thing.³

One learns from this that wherever the year of Awtās is mentioned, it refers to the conquest of Makkah because of these two events transpiring so close to each other.

- b. In the narration of Saburah رضي الله عنه which has the words “The year of Awtās”, he himself clarifies that it refers to the conquest of Makkah.

غزا مع رسول الله (صلى الله عليه وسلم) فتح مكة..... ثم استمتعت منها فلم اخرج حتى حرمها رسول الله (صلى الله عليه وسلم)

We went to battle alongside Rasūlullāh صلى الله عليه وسلم in the conquest of Makkah... then we performed Mut'ah (Nikāḥ Muwaqqat) and did not leave (Makkah) until it was prohibited by Rasūlullāh صلى الله عليه وسلم.⁴

1 *Zād al-Ma'ād*, v. 2 p. 184

2 *Fath al-Bārī*, v. 19 p. 203

3 *Sharḥ Muslim* of Imām al-Nawāwī, v. 1 p. 451

4 *Ṣaḥīḥ Muslim*, v. 1 p. 451

It has also been reported from him:

امرنا رسول الله (صلى الله عليه و سلم) بالمتعة عام الفتح حين دخلنا مكة ثم لم نخرج منها حتى نهانا عنها

Rasūlullāh ﷺ permitted us to perform Mut'ah in the year of the conquest of Makkah, when we entered Makkah, and we did not leave (Makkah) until it was prohibited by Rasūlullāh ﷺ.¹

Saburah رَضِيَ اللَّهُ عَنْهُ narrates that Rasūlullāh ﷺ said:

نهى عنه المتعة و قال الا انها حرام من يومكم هذا الى يوم القيامة

Prohibited Mut'ah and said, 'Undoubtedly it is Ḥarām upon you from this day until the day of Qiyāmah.'²

He also narrates that Rasūlullāh ﷺ said:

و ان الله حرم ذلك الى يوم القيامة

Allah has prohibited it until the day of Qiyāmah.³

Saburah رَضِيَ اللَّهُ عَنْهُ even goes to the extent of saying:

رأيت رسول الله (صلى الله عليه و سلم) قائما بين الركن و هو يقول

I saw Rasūlullāh ﷺ standing between the al-Rukn al-Yemenī and the al-Ḥajr al-Aswad when he said... (the prohibition of Mut'ah)."⁴

These narrations make it clear that according to Saburah رَضِيَ اللَّهُ عَنْهُ the year of Awṭās and the year of the conquest of Makkah are the same. Mut'ah (Nikāḥ Muwaqqat) was permitted only for three days prior to the conquest of

1 ibid

2 ibid

3 ibid

4 ibid

Makkah, then Rasūlullāh ﷺ announced the decree of Allah and prohibited it until the Day of Qiyāmah, while standing between the al-Rukn al-Yemenī and al-Ḥajr al-Aswad. It is for this reason that the year of Awṭās and the conquest of Makkah refer to the same time.

- c. If the year of Awṭās is considered as different to the conquest of Makkah, and one insists that it was permitted and then abrogated then we will be forced to say that this used to occur during battles, which is incorrect as it will not be possible to corroborate this answer with ḥadīth. How is it possible to say that Rasūlullāh ﷺ prohibited the act of Mut'ah until the Day of Qiyāmah after the conquest of Makkah, which was in Ramaḍān and then again permitted it in the battle of Awṭās, which took place in Shawwāl (a month later)? Such an action is far-fetched from the noble rank of Risālah, that a perpetual prohibition is abrogated for a few days only. Ibn Ḥajar al-'Asqalānī رَحِمَهُ اللهُ also writes:

ويعبدان يقع الاذن في غزوة او طاس بعد ان يقع التصريح قبلها في غزوة الفتح بانها حرمت الى يوم القيامة

It is far-fetched to believe that Mut'ah was permitted in the Battle of Awṭās, after it was explicitly stated in the conquest of Makkah that it has been prohibited until the Day of Qiyāmah.¹

If one was to object to this and say that in those aḥādīth relating to the Battle of Khaybar one learns that Mut'ah was prohibited during the Battle of Khaybar, thus permission was granted for it, even though it was prohibited?

We would reply that the meat of donkeys was prohibited in the Battle of Khaybar and not Mut'ah with women. Regarding the narration reported from 'Alī رَضِيَ اللهُ عَنْهُ where it was mentioned that Mut'ah was prohibited in the battle of Khaybar, one should bear in mind that just as 'Abd Allāh ibn 'Abbās رَضِيَ اللهُ عَنْهُ regarded Mut'ah (Nikāḥ Muwaqqat) as permissible, he also

1 *Fath al-Bārī*, v. 19 p. 203

regarded the meat of donkeys as ḥalāl. Ibn Ḥajar al-'Asqalānī رَحِمَهُ اللهُ writes:

ان ابن عباس كان يرخص في الامرين معا

Ibn 'Abbās رَحِمَهُ اللهُ considered both of them to be permissible (i.e. Mut'ah and the meat of donkeys).¹

When 'Alī رَحِمَهُ اللهُ learnt about the stance of Ibn 'Abbās رَحِمَهُ اللهُ regarding these matters then he specifically refuted these acts and clarified its prohibition by saying that just as Rasūlullāh صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ prohibited consuming donkey meat so too did he prohibit the performance of Mut'ah with women, even though the prohibition occurred in the conquest of Makkah. 'Alī رَحِمَهُ اللهُ only intended to refute the ruling of Ibn 'Abbās رَحِمَهُ اللهُ that is why he mentioned both Mut'ah and donkey meat together. Ibn Qayyim رَحِمَهُ اللهُ writes:

هذا الحديث رواه علي ابن ابي طالب محتجا به على ابن عمه عبد الله بن عباس في مسألتين فانه كان يبيح المتعة و لحوم الحمر فناظره علي ابن ابي طالب في مسألتين و روى له تحريمين

'Alī رَحِمَهُ اللهُ reported this narration in order to refute two rulings of his cousin 'Abd Allāh ibn 'Abbās رَحِمَهُ اللهُ, as he regarded the performance of Mut'ah as well as the consumption of donkey meat as ḥalāl. This is why 'Alī رَحِمَهُ اللهُ debated with him regarding both these rulings and narrated the prohibition of both.²

و اطلق تحريم المتعة و لم يقيد به بزمان كما جاء ذلك في مسند امام احمد باسناد صحيح ان رسول الله (صلى الله عليه و سلم) حرم لحوم الحمر الاهلية يوم خيبر و حرم متعة النساء و في لفظ حرم متعة النساء و حرم لحوم الحمر الاهلية يوم خيبر هكذا رواه سفيان بن عيينة مفصلا مميزا

The prohibition was mentioned in general and not fixed to a specific date, as it is reported in Musnad Aḥmad with an authentic chain of narration that Rasūlullāh صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ prohibited the meat of donkeys on the Day of Khaybar, and he also prohibited the performance of Mut'ah. In another narration

1 ibid

2 Zād al-Ma'ād, v. 2 p. 184

it is reported in the following manner that Rasūlullāh ﷺ prohibited Mut'ah and also prohibited the meat of donkeys on the Day of Khaybar. Sufyān ibn 'Uyaynah has reported the narration in this manner.¹

This elucidation makes it clear that each of them were prohibited at different times and 'Alī ﷺ only mentioned them together because he was refuting both these rulings. Ibn Ḥajar al-'Asqalānī رحمه الله writes:

و الحكمة فى جمع علي بين النهى عن الحمر و المتعة ان ابن عباس كان يرخص فى الامرين معا

The wisdom behind joining the prohibition of Mut'ah and meat of donkeys is that Ibn 'Abbās ﷺ regarded both of them as permissible, so 'Alī ﷺ refuted both of them simultaneously.²

The summary of the above is that 'Alī's ﷺ intention was to refute both these rulings of Ibn 'Abbās ﷺ at the same time, (and not to point out that they were prohibited together). If the Shī'ah refuse to accept this explanation regarding the exact date it was prohibited then let us illustrate this from the books of the Shī'ah themselves. 'Alī ﷺ has said:

حرم رسول الله (صلى الله عليه و سلم) لحوم الحمر الاهلية و نكاح المتعة

Rasūlullāh ﷺ prohibited the meat of donkeys and Nikāḥ al-Mut'ah.³

This narration does not mention the date of its prohibition to be Khaybar nor the conquest of Makkah, but explicitly states that it has been prohibited. Even though the senior scholars of the Ahl al-Sunnah wa l-Jamā'ah differ with regards to the date that it was prohibited, they all unanimously agree that it was indeed prohibited. Wherever it has been reported that a senior scholar has issued a ruling regarding its permissibility, it is also proven

1 ibid

2 *Fatḥ al-Bārī*, v. 19 p. 204

3 *Al-Istibṣār*, v. 3 p. 142

that the very same scholar later retracted that ruling. The foundations, on which the Shī'ah have based their ruling on the permissibility of Mut'ah, have been utterly obliterated by our elucidations. In addition, it has been proven without an essence of doubt that the proofs cited by 'Abd al-Karīm Mushtāq have no credibility whatsoever.

We beseech Allah to safeguard all our Muslim brothers from this vile act of Mut'ah and bestow the Shī'ī scholars with the understanding to abstain from it. *Āmīn*

May the Iranian president Rafsanjani retract his statement, encouraging others to perform Mut'ah, without this retraction it is impossible for any Muslim to come to any understanding with them.

و صلى الله على خير خلقه سيد الانبياء والمرسلين سيدنا و مولانا محمد و آله و اصحابه و سلم

Appendix

The Bestial Actions of Two Ayatollahs from Algeria who Murdered Two Sisters for Denying Mut'ah

The daily newspaper *Jang London* in its issue on 9 November 1994 published this article from Tunisia:

An Islamic extremist group from Algeria have killed two sisters in southern Algeria for refusing to perform Mut'ah. According to official statements the sisters aged 21 and 26 respectively were abducted from their parent's home when they refused to perform Mut'ah with the extremist group. Their throats were slit and their bodies dumped in the neighbouring town of Ḥalbidah. According to reports the practice of Mut'ah has become common among certain extremist groups. Admiration is in order for these two women whose firmness of īmān allowed them to lay down their lives but not give in to performing this shameless act of Mut'ah; and condemnation on those two Ayatollahs whose religious beliefs regarding the shameless act of Mut'ah led them to condone the murder of these two innocent women.

Dedication:

This is a special dedication to the two innocent women from Algeria, who sacrificed their lives to safeguard themselves from the evils of Mut'ah and did not allow any Ayatollah to lay a finger on them.

Mut'ah

In the eyes of the civilised Iranian Society

Can there be a more depraved society than that of Iran? Why not? Besides the *Ambiyā'* and *Ṣaḥābah*, good and bad can be found in every class and group of people in society. The most senior in rank among the Ayatollahs only condone the performance of Mut'ah because poverty-stricken women generally seek aid from them. To refer to them as official conveyances is a little too degrading so I will refrain from doing so. We do not deny that these women consider it as a means of great spiritual blessing to have such illicit relations with these Ayatollahs, from which they derive spiritual contentment. It is for this reason that those people who have regarded the Iranian society's performance of Mut'ah as shameless and immoral have been labelled as irreligious and secular by every single one of these Ayatollahs. Before the Khomeini revolution the civilised society of Iran tried to ban this immoral practice but the Ayatollahs strictly opposed this.

Who is not acquainted with the personality of 'Allāmah al-Ḥā'irī? His niece, Shahla Haeri, who was a research associate in Harvard University America in 1988, wrote a book entitled "*Law of Desire*", wherein she states:

Before the 1979 Iranian revolution, the secular classes regarded Mut'ah as a form of prostitution and sought to ban it, while other religious bodies sanctioned it. This public announcement became widely accepted in Iran and thus a religious stamp of approval was placed on prostitution. In justification of this form of 'Temporary Marriage', the religious groups claim that this is a favour of the All-Mighty upon us and is necessary for the personal well-being of every individual. In fact, they state that its performance is imperative for the psychological and emotional security of society.¹

One learns from this that there are civilised individuals present within Iranian Society. The Ayatollahs of Iran have branded them as secular. It is impossible to deny that the Khomeini revolution has once again opened the doors of Mut'ah for

¹ *Madhmūn Shahlā al-Ḥā'irī*, p. 18, extracted from *Qowmī Digest* march 1993.

the nation and president Rafsanjanī appealing to the youth to indulge in this act is the direct result of this.

The Practice of Mut'ah Amongst Religious Groups in Iran.

Shahla Haeri writes:

- * These forms of 'Temporary Marriage' generally occur in the shrines of religious leaders." (page 20)
- * There is a considerable similarity between 'Temporary Marriage' and prostitution. (Page 24)
- * There is no clear distinction between Mut'ah and prostitution. (Page 25)
- * All people in Iran know that if you wish to perform Mut'ah then you should go to Mashhad or Qum. (Page 28)

According to the research of Shahla, Mut'ah is an ancient Iranian custom prevalent from before the advent of Islam. A western researcher Eustache de Lorey in 1907 wrote a book entitled *Queer things about Persia*. Shahla Haeri quotes from page 129 of this book:

In his book *Queer things about Persia*, De Lorey attempts to link temporary marriage with a pre-Islamic Iranian custom: "The temporary marriage is a time-honoured Persian Institution, if one can judge by legend, which says that Restum, the Hercules of Persia, contracted such a union during a hunting excursion Tamineh, the daughter of the King of Samangam, of which a son, the celebrated Zohrab, was born.¹

The western writer Benjamin (1887) is also of this opinion. Shahla Haeri writes:

On the basis of the fact that Shī'ī Muslims are permitted to make contracts of temporary marriage with the "Magians," Benjamin declares, "this is conclusive evidence of the Zoroastrian origin of this form of marriage."²

1 *Qowmī Digest* p. 37

2 *Ibid*

Mashhad and Qum

In India and Pakistan the shrines of saints have become attractions for both the learned and common people. People frequent these shrines to invoke blessings upon these saints, but in Iran these shrines are not only visited because of the deceased but for the living as well. They regard the glances that are exchanged between men and women as a means of deriving blessing. Shahla Haeri writes regarding Mashhad, where the eighth Imām, Imām al-Riḍā, is buried:

The history of Mashhad, which very little is known about, is that when people frequent them they derive social pleasures during their stay.¹

This is the condition of Mashhad one hundred years ago, now read what the present day condition of the Mashhad is:

The city of Mashhad still enjoys the same reputation it had a century ago, if more discreetly and secretly, and much to the dislike of some high-ranking religious leaders. "In the old days in Mashhad," said Amin Aqa (a rawzih khun, a religious preacher) to me in 1981, "there was an old man, a shaikh, who had a worn-out scrap notebook in which he would record names and addresses of women interested in becoming a sigheh²." Male pilgrims, or even some inhabitants of the city, would go to the old shaikh in the hope of finding a temporary mate during their sojourn in the city. By helping them, he would gain some *sawab* (religious merit) for himself as well as for the pilgrims. Amin Aqa said that he himself vaguely remembered the shaikh, for he was just a little boy then. He assured me, however, that he did not know whether another person had continued the shaikh's vocation after his death.

A little further on she adds:

Although many mullas in Mashhad and Qom are reluctant to admit that

1 *ibid*

2 One with whom Mut'ah is performed.

such semiorganized networks of matchmakers exist, they do not hesitate to emphasize the religious merit of sigheh (Mut'ah) and the fact that many people do indeed approach them to be introduced to a possible sigheh mate. Mulla Hashim, another religious preacher from Mashhad, told me that not only was he frequently propositioned by women pilgrims but he was also approached by men who would seek his mediating capacity to find them a sigheh. For the past twenty-five years he himself had contracted a sigheh every other week, he said, all unknown to his wife.¹

Taking a Vow to Perform Mut'ah, in Order to Please the Almighty

Taking a vow to perform Mut'ah is known as sigheh nazri in Iran. Shahla Haeri writes:

Sigheh nazri seems to occur primarily around the shrines of religious leaders. Believing that sigheh incurs religious merit, a woman may make a vow, either for herself or on behalf of her daughter, that should her wish come true she would then contract a sigheh, often with a sayyid (many mullas are sayyids) who is held in great esteem. Usually a woman approaches a mulla directly and conveys her message to him. Mullas, it is believed, are generally more approachable and agreeable than others. For instance, Mulla Hashim, a religious preacher from Mashhad, claimed to have been propositioned by a woman who made a vow to sigheh a sayyid and to pay him one hundred *tuman* (some twelve dollars). Mulla Hashim said, "I refused her she wasn't my type. She was old."²

One learns from this that the Iranian Ayatollahs only desire to perform Mut'ah with young girls and are reluctant to do so with older women.

1 Qowmī Digest p. 86

2 Ibid p. 82

The Custom of Having a Companion with you on a Journey for the Purpose of Mut'ah

It is an incorrect assumption that the Shī'ah only perform Mut'ah when far away from home. If this was the case then they would not have had the custom of taking women with them on a journey for the purposes of Mut'ah. In ancient Iran, a host would hand over his wife to his guests, (in order to perform Mut'ah), as a sign of hospitality. In the Islamic period of Iran it was the Qajar who encouraged this practice based upon a ruling from the Ayatollahs. Shahla Haeri writes:

A traveller may take a sigheh to accompany him on his trip(s). The Qajar royal family often set the trend for their subjects. When on short trips, Nasr al-Din Shah (1831-96) would leave their own wives behind in the harem but would take along one or more sigheh wives. Citing Aqa 'Ali Amin Huzur, I'timad al-Saltanih (the Shah's official translator and minister of communication) writes, "Today I (Aqa 'Ali) told the Shah, it was customary for your father and your grandfather to give their servants one of their wives. What harm would come of it if you gave me one of your old sigheh(s) who would accompany your harem during the day, and would come to my tent at night?" (quoted in "Fath 'Ali Shah" 1968, 122). Like his grandson, Fath 'Ali Shah's lust for female companions would even prompt them to "kidnap" them! "One night sneaking into the house of Muhammad Khan-i Davvalu," writes Pizhman Bakhtiari, "the Shah kidnapped his daughter by hiding her under his long robe, 'aba. He immediately sighehed her, and then sent a message to her father that 'according to our custom I have stolen your daughter. Why don't you do likewise by stealing, *sirqat*, one of my daughters for yourself or one of your sons?'"¹

You would have probably read many tales of abduction but you would probably never have come across a people with such a depleted sense of honour that they actually invite people to abduct their own daughters. Why has the human sense of honour fallen to such a degrading level? This is the result of the propagation of the

1 *Qowmī Digest* p. 83

Ayatollahs of Iran who announce that there is great reward for the performance of Mut'ah, such that when one takes a bath after performing this act, an angel is created from every drop that falls from his body, who will remain in 'ibādah until the Day of Qiyāmah and the reward will go to the one who performed Mut'ah. Allah forbid!

Any person with a sense of human decency will bow his head in shame, but if this vile and sinful act is performed with the intention for the pleasure of Allah then one's īmān, beliefs, scruples and morality will be malformed and the true dīn will become an object of play and amusement.

Agents of Mut'ah in Iran

Iranian female author, Shahla Haeri, writes:

Among the many service agencies that sprang up during the last few years of the Pahlavi regime was the so-called Maid Agency, *azhans-i mustakhdim*. The agency is still functioning under the Islamic regime, though it has fewer international maids. Nowadays it is run by a certain *hajji*, and provides household services by maids of all types. Ranging from daily to monthly to live-in maids. One particular middle-aged maid was asked why many of the would-be maids were the hajji's sigheh. She responded, "Because it is more respectable to be a sigheh than just a maid.... Not all sighehs between masters and maids are done with the consent of the wife and the acquiescence of the maid. A man may deceive his maid(s) with a promise of marriage of either form without attempting to fulfil his promise later on."¹

Various Forms of Mut'ah Performed in Iran

The practice, method and status of Mut'ah is all the same but the purposes for which they are performed vary. This is why their various forms of Mut'ah found in Iran. It is impossible to delve into the details of each in this concise treatise but

¹ ibid

we will inform the readers of those forms that were mentioned by Shahla Haeri:

1. *Sigheh Aqa'i* (Mut'ah between minors)
2. *Sigheh Towlīd* (Mut'ah for procreation)
3. *Sigheh Maḥramiyyat* (non-sexual lawful association)
4. *Sigheh Shirkah fī Ikhrājāt* (to aid in business or household expenses)
5. *Sigheh Ma'āwin* (To assist another)
6. *Sigheh Madhabī* (religious purposes)
7. *Sigheh Ma'āsh* (as a forms of livelihood)
8. *Sigheh Mel Mīlāp* (to establish friendly relations)
9. *Sigheh* to ease arbitration
10. *Sigheh* performed at a religious shrine (to seek blessings)

There are a total of twelve forms of Mut'ah, the eleventh being *Group Mut'ah* (where a number of men will jointly perform Mut'ah with one woman) and the twelfth is Mut'ah with kuffār. Since there is difference of opinion among the Shī'ī scholars regarding these last two forms I did not mention them with the rest.

Shahla Haeri then mentioned the biographies of eight women who habitually perform the act of Mut'ah:

1. Mahwash Khānim
2. Ma'sūmah
3. Farkh Khānim
4. Fatā Khānim
5. Shāhīn
6. Nānihiyyah
7. Malūbā
8. Iran

The dark pages of these women's history cannot be included in this brief treatise. Whoever wishes to further his reading on this subject, should refer to the march issue 1993 of *Qowmī Digest*. After mentioning the biographies of these women, Shahla Haeri has given details of her interview with Ayatollah Najafi Mar'āshi and Sharī'atmadārī, which she took in 1987. This interview was just before the Iranian revolution. The Shī'ī scholars who were interviewed by Shahla Haeri after the Iranian revolution and under the Khomeini rule are as follows:

1. Hujjat al-Islam Buzrugī
2. Mullah Pāk
3. Mullah Muḥsin
4. Hujjat al-Islam Anwarī
5. Mullah Afshighār

