

20738 - Mut'ah marriage and refutation of those Raafidis who permit it

the question

Could you please tell if there is such a concept as 'temporary marriages'in islam. I would like to know because a friend of mine has read a book by professor Abui Qasim Gourgi and is under the impression that if they are already married it is okay for them to do muta(the name for a temporary marriage according to islamic shariah). His definition for a temporary marriage is that if you like someone it is okay for you to have your nikah read with them for a short period of time. Please could you tell me more about the issue of muta and which schools of thought believe in such an idea (could you support your answer using references from ahadith and quran).

Detailed answer

Praise be to Allaah.

Mut'ah or temporary marriage refers to when a man marries a woman for a specific length of time in return for a particular amount of money.

The basic principle concerning marriage is that it should be ongoing and permanent. Temporary marriage - i.e., mut'ah marriage - was permitted at the beginning of Islam, then it was abrogated and became haraam until the Day of Judgement.

It was narrated from 'Ali (may Allaah be pleased with him) that the Messenger of Allaah (peace and blessings of Allaah be upon him) forbade mut'ah marriage and the meat of domestic donkeys at the time of Khaybar. According to another report, he forbade mut'ah marriage at the time of Khaybar and he forbade the meat of tame donkeys.

Narrated by al-Bukhaari, 3979; Muslim, 1407.

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It was narrated from al-Rabee' ibn Sabrah al-Juhani that his father told him that he was with the Messenger of Allaah (peace and blessings of Allaah be upon him) who said, "O people, I used to allow you to engage in mut'ah marriages, but now Allaah has forbidden that until the Day of Resurrection, so whoever has any wives in a mut'ah marriage, he should let her go and do not take anything of the (money) you have given them."

Narrated by Muslim, 1406.

Allaah has made marriage one of His signs which calls us to think and ponder. He has created love and compassion between the spouses, and has made the wife a source of tranquility for the husband. He encouraged us to have children and decreed that a woman should wait out the 'iddah period and may inherit. None of that exists in this haraam form of marriage.

A woman who is married in a mut'ah marriage, according to the Raafidis - i.e. the Shi'ah, who are the ones who say that this is permissible - is neither a wife nor a concubine. But Allaah says (interpretation of the meaning):

"And those who guard their chastity (i.e. private parts, from illegal sexual acts)

Except from their wives or (the slaves) that their right hands possess, for then, they are free from blame;

But whoever seeks beyond that, then those are the transgressors"

[al-Mu'minoon 23:5-7]

The Raafidis quote invalid evidence to support their argument that mut'ah is permissible. For example:

(a) They quote the verse in which Allaah says (interpretation of the meaning):

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“...so with those of whom you have enjoyed sexual relations, give them their Mahr as prescribed...”

[al-Nisa' 4:24]

They say: this verse indicates that mut'ah is permissible, and the word 'their mahr (ujoorahunna - lit. their dues or their wages)' is evidence that what is meant by the phrase 'you have enjoyed sexual relations' is mut'ah.

The refutation of this is the fact that prior to this Allaah mentions the women whom a man is forbidden to marry, then he mentions what is permissible for him, and He commands the man to give to the woman he marries her mahr.

The joy of marriage is expressed here by the word enjoyment ('of whom you have enjoyed sexual relations'). A similar instance occurs in the Sunnah, in the hadeeth of Abu Hurayrah according to which the Messenger of Allaah (peace and blessings of Allaah be upon him) said: "Woman is like a bent rib, if you try to straighten her you will break her. If you want to enjoy her, then enjoy her while she still has some crookedness in her."

Narrated by al-Bukhaari, 4889; Muslim, 1468.

The mahr is referred to here as ajr (lit. dues or wages), but this does not refer to the money which is paid to the woman with whom he engages in mut'ah in the contract of mut'ah. The mahr is referred to as ajr elsewhere in the Book of Allaah, where Allaah says (interpretation of the meaning):

“O Prophet (Muhammad)! Verily, We have made lawful to you your wives, to whom you have paid their Mahr (bridal-money given by the husband to his wife at the time of marriage)...”

[al-Ahzaab 33:50]

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Thus it becomes clear that there is no evidence in this verse to suggest that mut'ah is permissible.

Even if we were to say for argument's sake that this verse indicates that mut'ah is permitted, we would still say that it is abrogated by the reports in the saheeh Sunnah which prove that mut'ah is forbidden until the Day of Resurrection.

(b) The reports that some of the Sahaabah regarded it as being permissible, especially Ibn 'Abbaas.

The refutation here is the fact that the Raafidis are following their own whims and desires, because they regard the companions of the Prophet (may Allaah be pleased with them) as kaafirs, then you see them quoting their actions as permissible in this instance and in others.

With regard to those who said that it is permissible, they are among those who did not hear that it had been forbidden. The Sahaabah (may Allaah be pleased with them) – including 'Ali ibn Abi Taalib and 'Abd-Allaah ibn al-Zubayr – refuted Ibn 'Abbaas's view that mut'ah was permitted.

It was narrated from 'Ali that he heard Ibn 'Abbaas permitting mut'ah marriage, and he said, "Wait a minute, O Ibn 'Abbaas, for the Messenger of Allaah (peace and blessings of Allaah be upon him) forbade it on the day of Khaybar and (he also forbade) the meat of tame donkeys."

Narrated by Muslim, 1407.

For more information see Questions no. [1373](#), [2377](#), [6595](#).

And Allaah knows best.