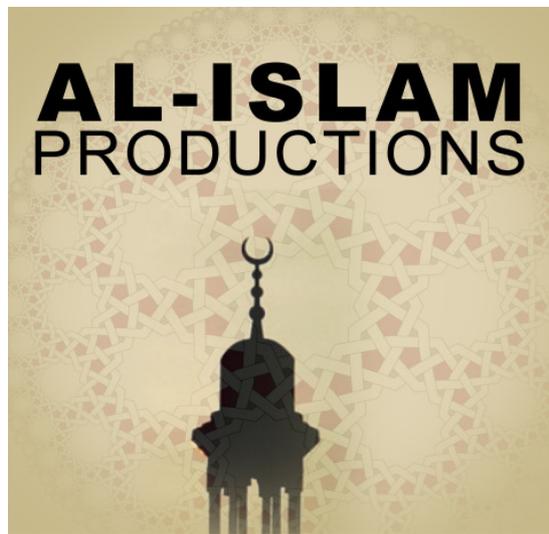


# MARRIAGE

## Shiaism vs Islam

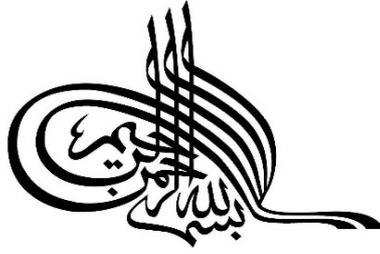
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All praise belongs to Allah, the Creator and Sustainer of the universe. Peace, blessings and salutations be upon the best of Allah's creation, our master and leader, Muhammad ﷺ .

In Islam marriage is a long-term commitment which requires loyalty from both husband and wife. Islam gives women security and encourages life-long marriage relationships. We learn from various narrations that a successful marriage does not end at death, rather, it will continue in *jannah*. Hence, there are numerous virtues of reconciling between husband and wife in the case of a marital dispute, for the sake of saving the marriage and avoiding a break up.

In the Islamic approach to marriage women receive numerous rights. For example, a woman whose husband passes away will inherit a fixed share of his assets. Also, if she has a child to him then the child's parentage is established through the mother and father, making this child part of a wider family unit consisting of maternal and paternal relations, and successful family units form successful nations.

Shiaism, on the other hand, encourages a temporary marriage contract known as *mut'ah*, which is void of the benefits marriage is expected to bring about.

*Mut'ah* literally means 'pleasure' and 'gratification'. In Shiaism terms, *mut'ah* is when a man has the right to sexually gratify himself with a non-*mahram* woman for a period of time, and a price, mutually agreed upon by the two. Shias have no minimum or maximum time limit for *mut'ah*. This means that a *mut'ah* contract may be drawn for a year, month, week, day, hour or even minutes, so long as the time and price is clearly stipulated. The price can be anything as small as a handful of dates or barley. (1)

In Shiaism, neither is consent or knowledge of the women's guardian a requirement for the permissibility of the *mut'ah* contract, nor do they both need witnesses present. Nobody besides the man and woman need to know of the *mut'ah*. When the *mut'ah* contract time expires the woman and man both go their separate ways without the man having to issue a divorce, regardless of whether she may well have conceived an unwanted pregnancy. (2)

Shias believe *mut'ah* can be practiced with all non-*mahram* women, including adulterous women. Furthermore, Shias are permitted to perform *mut'ah* with married Sunni Muslim women, for, Shias do not recognize the marriages of Sunni Muslims, as they believe Sunnis are heretics and out of the fold of Islam. *Mut'ah* can be performed by Shias with Christian, Hindu and Zoroastrian women too, on the condition that they say 'There is no god but Allah' regardless of whether or not they genuinely believe. (3) In *mut'ah*, the man is not obliged to provide provisions and living quarters for the woman.

Now you may decide for yourself whether you see a difference between *mut'ah* and adultery? Doesn't what happens in *mut'ah* happen exactly in adultery too? If this is marriage according to Shias then one wonders how they define adultery?

A hadith strengthens claims that Shia *mut'ah* is just another name for adultery. The Messenger ﷺ has said: "There will be among my ummah people who will strive to permit illegal sexual activity (*zinaa*), silk, alcohol and musical instruments." (Sahih Al-Bukhari)

It is shocking to learn from authentic Shia sources that this type of *mut'ah* is one of the fundamentals of Shiaism. Ithna Ashariyyah Shias (Twelver Shias) believe one who does not believe in *mut'ah* is a disbeliever and the faith of one who does not practice *mut'ah* is incomplete, and that he will come on the Day of Judgment with his mouth, nose and ears mutilated. (4)

Does Shia *mut'ah* not pave the way for immorality? Can such a practice be part of a religion like Islam which advocates morality, decency and security for women? Are women so cheap for men to be allowed to just abandon them after having used them for sexual gratification?

Dr. Donna M. Hughes writes:

“According to an official source in Tehran, there has been a 635 percent increase in the number of teenage girls in prostitution, or rather, *Mutah*. The magnitude of this statistic conveys how rapidly this form of abuse has grown. In Tehran, there are an estimated 84,000 women and girls in prostitution, many of them are on the streets, others are in the 250 brothels that reportedly operate in the city. The trade is also international: thousands of Iranian women and girls have been “contracted in *Mutah*” to foreigners abroad.

The head of Iran’s Interpol bureau believes that the *Mutah* trade is one of the most profitable activities in Iran today. The *Mutah* “pimps” take advantage of any opportunity in which women and children are vulnerable. For example, following the recent earthquake in Bam, orphaned girls have been contracted out in Tehran where Iranian and foreign traders meet.

Police have uncovered a number of *Mutah* rings operating from Tehran that have sold girls to France, Britain, Turkey, as well. One network based in Turkey bought smuggled Iranian women and girls, gave them fake passports, and transported them to European and Persian Gulf countries. In one case, a 16-year-old girl was smuggled to Turkey, and then sold in *Mutah* to a 58-year-old European national for \$20,000.”

(Adapted from an article written by Dr. Donna M. Hughes who is a Professor and holds the Carlson Endowed Chair in Women’s Studies at the University of Rhode Island)

Printed and online Shia material in English usually does a good job of *taqiyyah* (lying) and *kitman* (hiding the truth) about *mut'ah* by downplaying it because it gives Shias a bad image in front of English-speaking westerners. However, the Shia websites and printed material in the Arabic and Farsi languages do not have to take the same precautions and can instead be more open and frank about the Shia belief of *mut'ah*.

### **Why then do Shias make it out as if *mut'ah* is a part of Islam?**

With regards to *mut'ah* Shias have gone wrong in two major ways:

1. By misinterpreting the word *mut'ah* mentioned in authentic books of *hadith*.
2. By refusing to accept that *mut'ah* was only made permissible during travels for a short period of time. It was later abrogated (made *haram* forever).

The *mut'ah* permitted in the early days of Islam was nothing like the *mut'ah* of Shiaism. The *mut'ah* of Shiaism is clearly another word for adultery, whereas, the *mut'ah* which was permissible in the early days of Islam was merely *nikah muwaqqat*.

In other words, it was a *nikah* in the presence of witnesses and with the consent of the woman's guardian for a fixed period of time. After the passing of this period the woman would have to observe an *iddat* (waiting period) lasting one menstrual cycle to remain safe from his semen mixing with another man's semen inside her reproductive organs.

(Adapted from Mawlana Idris Kandehlwai's Ma'ariful Quran V.2 Pg.51)

Even reliable Shia sources (Al-Istibsar V.3 Pg.148) state that the Noble Companions رضي الله عنهم never practiced the *mut'ah nikah* without witnesses.

What was referred to as *mut'ah* in the early days of Islam was actually a form of *nikah*. This can be understood from the fact that the Noble Companions رضي الله عنهم would draw the contract using the word '*nikah*'.

Another point to note here is that in the early days of Islam such a *nikah* would render it necessary on the man to provide provisions and living quarters for the woman, unlike Shia *mut'ah*.

Later, the Noble Prophet صلى الله عليه وسلم made this type of *nikah* haram till the Day of Judgement. (5) Such a *mut'ah* nikah was only permitted for a short period of time. Some narrations state it was permitted for only three days during an expedition and later made *haram* forever. (6) No Muslim is allowed to practice *mut'ah* as its lawfulness has been abrogated just like alcohol, which was allowed until the Muslims migrated to Madina Munawwarah. It was declared *haram* in the year 3AH.

Just as one who considers alcohol to be still *halal* cannot be a Muslim, similarly, one who considers *mut'ah* to be *halal* cannot be a Muslim.

It is also important to understand that the *mut'ah* nikah in early Islam was permitted under exceptional circumstances only. Not everyone was permitted to practice *mut'ah*, and nor did they.

This point is substantiated by the statement of Sayyiduna Ibn Abbas رضي الله عنه: "I have not said *mut'ah* to be *halal* any differently to how Allah made the carcass, pig meat and blood *halal* (to consume when one fears hunger may kill him)." (7)

Sayyiduna Ibn Abi 'Amrah رضي الله عنه states: "It was permitted in the early days of Islam for one who was compelled to it; like eating a carcass, pig meat and drink blood (when compelled by hunger). Subsequently, Allah perfected the *deen* and forbade it." (8)

Further, temporary marriage was only permitted during travels. It was never permitted at home. (9)

*Mut'ah* has been made *haram* through several narrations narrated by the great personalities who Shias consider to be their infallible Imams. Of such great personalities are the great Sayyiduna Ali رضي الله عنه and Imam Ja'far Sadiq رضي الله عنه whose narrations can be found in prominent Shia books. (10)

In short, *mut'ah* in early Islam was exactly like a normal *nikah*. Witnesses would be present and an announcement would be made. Provisions and living quarters were provided by the man for his wife. After the expiry of the contract *iddat* was observed by the woman. The only difference was that they would agree on an expiry date for the *nikah* contract. Such a *mut'ah* was made haram by the Messenger صلى الله عليه وسلم. No Muslim has the authority to oppose the teachings of Allah's Messenger صلى الله عليه وسلم.

On the contrary, in Shiaism, no witnesses, announcements and *iddat* are required in *mut'ah*. It is merely a meeting of a man and woman for sexual gratification.

Many efforts are being made by Shias and non-Muslim agencies to promote *mut'ah* and depict it as a forgotten Islamic practice to Muslim students at universities and colleges.

After this short read you are humbly requested to educate other Muslim brothers and sisters in this regard in order to protect them from the sin of adultery.

May Allah protect the entire Muslim world from all evil plots.

Ameen.

Mawlana Usman Iqbal

## References

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V. 3 Pg 148, V. 5 Pg 458
3. Tahrir al-wasilah V.2 Pg 292 by Ayatollah Khomeini, Tuhfa ithna ashariyya Pg 779 [Urdu]
4. Al-Istibsar V.3 Pg 144, Haqq al-Yaqeen Pg 328/ Tafsir Manhaj al-Sadiqin Pg 351 & 256/ Wasa'il al-Shi'ah V.7 Pgs 438 & 441 & 442.
5. Sahih Bukhari V.2 Pg.664, Sahih Muslim V.1 Pg.452, Fathul mulhim V.2 Pg.441, Tafseer Al-Qurtubi V.5 Pg.132
6. Fathul bari V.19 Pg.208, Fathul mulhim V.3 Pg.44
7. (Majma al-zawaaid 4/268)
8. Sahih Muslim V.2 Pg.452
9. Tafseer al-Qurtubi V.5 Pg.131
10. Al-Istibsar V.3 Pg.144, Furu' al-Kafi V.5 Pg.453

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Jazakallah