



The Typology of Narratives on "Temporary Marriage" (Mut'ah) and Its Explanation through the Concept of "Necessity"

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(Received: February 2025, Accepted: April 2025)

DOI: 10.22034/hsr.2025.51822.1070

Abstract

The present study analyzes and categorizes the narrations concerning *Mut'ah* (temporary marriage). The central focus is to demonstrate how the rulings on *Mut'ah*—whether permissibility, recommendation, command, or prohibition—are influenced by personal, social, and

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political circumstances as reflected in the language of the narrations. Accordingly, this research employs a library-based method for data collection and an analytical-inferential approach to examine the content of both Shi'a and Sunni narrations. A comprehensive view of these narrations reveals that the ruling on *Mut'ah* is not absolute; rather, it is shaped by varying conditions and necessities. On an individual level, *Mut'ah* is permitted when there is a personal need. The narrations that restrict this practice to cases of necessity imply that the limitation is lifted whenever a person faces a particular need, thereby granting them permission to enter into a temporary marriage. On a social level, *Mut'ah* may serve as a tool to safeguard society—especially in times of crisis, such as war, scarcity of resources, or similar hardships. Thus, narrations that strongly encourage the practice are not merely addressing individual conduct but speak to broader societal imperatives. In these contexts, communal needs take precedence over individual considerations. This may even lead to a situation where social necessity creates an individual necessity, despite the individual not inherently requiring the practice; it is the collective circumstance that generates this need. On a political level, *Mut'ah* has also been viewed as a means to revive an Islamic tradition and to oppose oppressive governments. In this context, the command to engage in *Mut'ah* is, in fact, an effort to promote and normalize the practice in society in response to its prohibition by ruling authorities.

Keywords: *Mut'ah* (Temporary Marriage); Typology of Narrations; Personal Necessity; Political Necessity; Social Necessity.

Introduction

Mut'ah al-Nisā' (temporary marriage) is one of the debated topics in Islamic jurisprudence, with discussions in both Shi'a and Sunni traditions—based on Qur'anic verses and narrations—concerning its permissibility or prohibition. From the Shi'a perspective, the default legal position is that *Mut'ah* is lawful and permissible. However, within Shi'a sources, there is a range of narrations that, on the surface, reflect differing views regarding the manner and conditions of its permissibility. Given these apparent differences, it becomes essential to examine the various dimensions of these narrations from multiple angles to achieve a clearer and more accurate understanding.

A close reading of Shi'a narrations about *Mut'ah al-Nisā'* reveals two distinct categories:

- 1) Narrations that not only affirm the permissibility of *Mut'ah* but also regard it as a recommended and commendable practice, encouraging its observance;
- 2) Narrations that do not deny the legitimacy of *Mut'ah*, yet condition its permissibility upon necessity, warning against its practice outside of situations of genuine need.

Thus, one of the key factors influencing the legal ruling on *Mut'ah* is the notion of necessity—whether personal, social, or political. In many cases, the legal guidance offered by the impeccable Imams (AS) is closely tied to such necessities. Accordingly, the main objective of the present study is to investigate how the concept of necessity functions in narrations that restrict the practice of *Mut'ah al-Nisā'* to

specific, necessary circumstances.

Through a comprehensive examination of authenticated narrations found in Shi'a and Sunni sources up until the fifth century AH, this study identifies twelve narrations explicitly addressing the issue of *Mut'ah*. Analyzing the content of these narrations provides a detailed picture of the historical and jurisprudential evolution of this ruling. Some narrations affirm the legitimacy of *Mut'ah* during the lifetime of the Prophet Muhammad (PBUH), portraying it as part of divine law and a common practice among early Muslims. In contrast, other narrations emphasize a shift in this ruling after the Prophet's death, attributing its prohibition to decisions made by the caliphs. Additionally, certain reports highlight testimonies from companions who initially acknowledged the permissibility of *Mut'ah* but later objected to the changes imposed upon it. Some narrations explicitly cite the prohibition of *Mut'ah* by 'Umar ibn al-Khaṭṭāb, while others, particularly those transmitted by the Ahl al-Bayt (AS), firmly uphold its legitimacy.

The overarching theme of this body of narrations underscores the distinction between divine law and political decrees enacted by certain rulers. It further stresses the need to refer to authentic religious sources in order to grasp the true nature of Islamic legal rulings.

This study seeks to offer a clearer understanding of narrations in the second category—those that condition the permissibility of *Mut'ah al-Nisā'* upon necessity—by examining the various dimensions of necessity as reflected in these narrations. To this end, the research first

narrations, followed by a detailed evaluation of their interconnections and implications.

1. Research Methodology

The present study has used a library-based approach and employed descriptive-analytical methods. In the course of this research, approximately 2,000 narrations related to the topic of *Mut'ah al-Nisā'* were collected and categorized from various hadith sources. During this process, narrations focused solely on outlining legal rulings were excluded from the scope of the study. Instead, the primary focus was placed on narrations that contribute to the typology and conceptual clarification of necessity. Furthermore, the concept of necessity—across personal, social, and political dimensions—was analyzed based on data gathered from diverse sources. Following the typological classification of the narrations, the collected data were then examined in relation to the concept of necessity.

2. Research Background

Numerous studies have been conducted on the subject of *Mut'ah al-Nisā'* (temporary marriage), each approaching the topic from a particular perspective. Across these works, various viewpoints have been put forth within Islamic scholarship, which can generally be categorized into four positions: "Permissibility (*Ibāḥah*), recommendation (*Istiḥbāb*), disapproval (*Karāḥah*), and prohibition (*Tahrīm*)." Additionally, the opinions of Quranic exegetes regarding the verse related to *Mut'ah* have been the focus of a number of

studies, and these interpretations typically fall into three groups: "Permanent legitimacy of Mut‘ah, conditional legitimacy as a temporary practice, and outright rejection of the practice, interpreting the verse without reference to temporary marriage and attributing its legitimacy solely to the Sunnah. "

Notable examples of such studies include:

The article titled "Content Analysis of Mut‘ah Narrations in Shi‘a Hadith Sources" by Zahra Sadat Mousavi, Fathieh Fattahizadeh, and Mohammad ‘Etratdousti, published in *Hadith Understanding Studies* (2022 AD/1401 SH). This study primarily adopts a statistical approach and employs content analysis methodology. It also briefly addresses the authenticity of the narrations under review.

The article "Mut‘ah from the Perspective of the Two Islamic Sects" by Zahra Farzam and Mohammad Reza Zamiri, published in *Religious Studies Journal* (2021 AD/1400 SH), attempts to examine the subject from interpretive and jurisprudential angles. However, it appears that the article does not fully explore the topic and lacks a clear classification of viewpoints.

The article "A Comparative Study of the Verse of *Istimtā‘* in the View of Exegetes from Both Sects" by Maryam Qojaei Khameneh and Sayyid Mahmoud Tayyeb Hosseini, published in *The Biannual Journal of the University of Qom* (2016 AD/1437 SH), offers a well-structured categorization of exegetical opinions from both Shi‘a and Sunni scholars. Nevertheless, it does not address the views of hadith commentators, focusing instead on the opinions of early exegetes, the

148 Companions, and the Followers.

The article "A Critique of Temporary Marriage in Sunni Jurisprudence" by Sayyid Hossein Hashemi (2007 AD/1428 SH) deals exclusively with the Sunni perspective, as indicated by its title. Nonetheless, the author provides a thorough critique of that jurisprudential position. Despite the wealth of academic work on the subject of Mut'ah, none of the existing studies have specifically examined the role of necessity in shaping the legal status of Mut'ah. Therefore, the present research introduces a new approach to this discussion by focusing precisely on this overlooked aspect.¹

3. The Concept of *Mut'ah*

The term Mut'ah is derived from the root letters (Mīm, Tā', 'Ayn) and is based on a central semantic principle that denotes benefit, enjoyment, and duration in the context of goodness and pleasure (Ibn Fāris, 2003 AD/1382 SH: 5, 293). One of the primary usages of this term is in the sense of "Benefiting from something" (*Istamta'tu bil*

1. Zandieh, H; and Dastvandi, A. (2022 AD/1401 SH). "Social Functions of Temporary Marriage during the Qajar Period." *Social and Economic History Research Journal*. Vol. 2, pp. 121-142. Herati, M; Zare'ian, M. (2022 AD/1401 SH). "Temporary Marriage: A Comparative Study in the Zoroastrian Tradition of the Late Sassanid Era and the Twelver Shia." *Religious Studies*. Vol. 20, pp. 35-66. Mousavi, Zahra Sadat, Fattahi Zadeh, Fathieh, and Itrat Doost, Mohammad. (2022 AD/1401 SH). "Content Analysis of Temporary Marriage Narrations in Shia Hadith Sources." *Hadith Interpretation Studies*. Vol. 2, pp. 119-145. Mohammadzadeh, Zeynab, and Nazari Tavakoli, Saeed. (2021 AD/1400 SH). "The Legalization of Temporary Marriage and Its Jurisprudential Challenges." *Jurisprudence and Islamic Law Foundations*. Vol. 1, pp. 167-182. Mazhar Qaramilaki, Ali, and Ghorbani, Ismail. (2020 AD/1399 SH). "Critique of the Narrational Evidence on the Abrogation of the Legality of Temporary Marriage." *Islamic Jurisprudence and Law Studies*. Vol. 23, pp.309-332.

Shay') (Farāhīdī, 1989 AD/1368 SH: 2, 83; Ibn Fāris, 2003 AD/1382 SH: 5, 293; Azharī, 2000 AD/1379 SH: 2, 173; Rāghib, 1992 AD/1371 SH: 757). The expressions "*Matta'a Allāh bih Fulānan Tamtī'an*" and "*Amta'ahu bihi Imtā'an*" imply preserving something so that one may benefit from it in terms of pleasure and gain (Ibn Fāris, 2003 AD/1382 SH: 5, 293; Jawharī, 1989 AD/1368 SH: 3, 122; Ibn Sīdah, 2000 AD/1379 SH: 2, 63; Fayyūmī, 1994 AD/1373 SH: 2, 562). Another derivative of this root is the word "*Matā'*," which refers to items used by human beings to meet their needs, such as household goods and similar necessities (Farāhīdī, 1989 AD/1368 SH: 2, 83; Ibn Fāris, 2003 AD/1382 SH: 5, 293).

Among lexicographers, *Mut'ah* is understood to mean benefiting from or enjoying something over an extended period of time. From their perspective, when the term is used in the context of marriage between a man and a woman, it specifically refers to a temporary marriage (*Nikāh al-Mut'ah*), as it implies mutual benefit within a limited timeframe (Azharī, n.d.: 173; Ibn Fāris, 2003 AD/1382 SH: 5, 293).

Given this, the lexical meaning of *Mut'ah* is broad and encompasses any form of benefit that meets a person's needs. Therefore, it is not restricted solely to a specific type of enjoyment, such as sexual gratification. In Islamic jurisprudence, this very term has been applied to a particular form of marriage (*Nikāh al-Mut'ah*) and has always drawn the attention of jurists across different schools of thought. Their views on this subject differ based on their interpretive principles and the religious evidence they rely upon. Below are some of the definitions and perspectives offered by

150 prominent jurists:

1) *Shaykh Ṭūsī* and 'Allāmah Ḥillī define Mut'ah as a contractual marriage that is non-permanent and established for a specified duration. This contract includes a predetermined dowry and specific conditions; notably, the woman in a Mut'ah marriage is not subject to divorce, and the marriage ends automatically when the agreed-upon period expires. In this type of marriage, the man is not obligated to provide maintenance (*Nafaqah*), and neither party inherits from the other unless explicitly stipulated. Additionally, the woman's waiting period (*Iddah*) after the marriage ends is two menstrual cycles (Ṭūsī, 2008 AD/1387 SH: 5, 192; Ḥillī, 1997 AD/1376 SH: 3, 79; Ḥillī, 1999 AD/1378 SH: 3, 519).

2) *Rāghib Isfahānī* defines *Nikāḥ al-Mut'ah* as a marriage in which the man agrees to pay a specified sum to the woman, and the marriage lasts for a set period. When that period concludes, the marriage terminates without the need for divorce (Rāghib, 1992 AD/1371 SH: 757).

3) *Shaykh Mufīd* similarly describes *Nikāḥ al-Mut'ah* as a marriage contracted for a specified period and with an agreed-upon compensation (Mufīd, 1993 AD/1414 AH: 19).

In another definition, it is stated: "The essence of this marriage, according to the jurisprudence of the Ahl al-Bayt (AS), is that a woman enters into marriage with a man, for whom marriage is legally permissible, by agreeing on a known dowry and a fixed term, without the presence of any legal impediments such as kinship, breastfeeding

relations, waiting period, or marital status; in this marriage, the woman is separated from the man automatically upon the expiry of the term or if the remaining term is waived by the husband." (Mūsawī Ardabīlī, n.d.: 21)

Another definition reads: "This marriage is a specific type of contract that establishes a marital relationship based on a specified dowry and for a determined period. Like a permanent marriage, it requires an offer and acceptance and must fulfill all conditions of a permanent marriage." (Fakkīkī, n.d.: 274)

Sunni scholars have also defined *Nikāḥ al-Mut'ah* as a marriage in which a man marries a woman for a specific amount of money and for a predetermined duration, such that upon the expiration of that period, the marriage ends without the need for divorce. In this type of marriage, the man is not obligated to provide maintenance or accommodation for the woman, and the woman's waiting period is two complete menstrual cycles. Moreover, if either party dies before the term expires, there is no inheritance between them (Ibn Salīm, 2000 AD/1379 SH: 103).

4. The Concept of Necessity

The term necessity is derived from the verbal noun *Iḍṭirār* (meaning compulsion or being forced). For instance, when one says: "*Ḥamaltanī al-ḍarūra 'alā kadha* or *Iḍṭurra Fulān ilā Kadha*," it refers to being driven or obligated by an unavoidable situation (Farāhīdī, 1988 AD/1409 AH: 7, 6; Zabīdī, 1993 AD/1414 AH: 7, 124; Ibn Durayd, 1987: 1, 122). The word

152 necessity is also used to mean need (Zabīdī, 1993 AD/1414 AH: 7, 124).

Accordingly, the core meaning of necessity points to something unavoidable or indispensable—anything a person is compelled to do or cannot do without is considered a necessity.

Human beings, in both their spiritual and physical existence, have essential needs. The needs of the soul and the heart revolve around the recognition and witnessing of Divine Truth and the observation of God's attributes and actions—this spiritual necessity sustains the life and vitality of the soul. On the other hand, the body's necessities include eating, drinking, and other physical requirements that ensure human survival (Homā'ī, J; Kāshānī, 2015 AD/1394 SH, 71.).

The most precise and technical definition of necessity is a philosophical concept, extensively discussed in philosophical discourse. It encompasses the following categories:

- 1) Absolute (Eternal) Necessity: "This refers to a necessity that is eternal and unchanging, applying to matters that are always true under all circumstances. (Ibn Sīnā, 1983 AD/1404 AH: 1, 123)
- 2) Essential Necessity: "This type of necessity stems from the very nature or essence of a thing; it cannot exist apart from the thing itself". (Mullā Ṣadrā, 1963 AD/1383 AH: 2, 456)
- 3) Conditional Necessity: "This applies to a necessity that arises under specific conditions. In other words, it is contingent upon certain circumstances—if those conditions are met, the necessity is realized." (Kant, 2010 AD/1389 SH: 269)
- 4) Contextual Necessity: "This refers to a necessity that applies within a specific time or place." (Aristotle, 1965 AD/1385 AH: 4, 189)

The understanding of necessity intended in this research is

primarily based on the third and fourth categories, which align closely with how necessity is conceptualized in Islamic jurisprudence (Fiqh). In fiqh, necessity refers to situations in which an individual or society faces circumstances that make adherence to primary religious rulings extremely difficult or unbearable. Put differently, necessity is a state in which engaging in something normally prohibited becomes permissible in order to prevent a greater harm or hardship (Ḥillī, 1997 AD/1418 AH: 1, 234).

5. Typology of the Concept of "Necessity"

In this section of the study, given the central role of the concept of necessity, it is essential to examine this notion from various perspectives—including individual, social, and political dimensions.

5-1. Personal Necessity

At the individual level, necessity refers to a person's fundamental needs and the essential requirements that are vital for their survival or the realization of their personal goals. These necessities serve as the primary driving force behind human behavior when it comes to addressing physical, psychological, and social needs; as Maslow explains in his theory of the hierarchy of needs, "Physiological needs, safety, love, esteem, and self-actualization, in that order of priority, drive human beings toward specific actions and reactions." (Maslow, 1943: 375)

Personal necessity is a form of necessity that arises exclusively for
154 the individual concerned. For example, in Islamic jurisprudence,

particularly in discussions related to marriage, it is argued that if a person fears falling into sin, marriage becomes a necessity for them (mu'haq.qiq 'hili, 1987 AD/1408 AH: 3, 456). This form of necessity is similarly relevant to the specific subject of this study—temporary marriage (*Mut'at al-Nisā'*). In this context, the individual's personal need alone creates the necessity to engage in such an act; the needs of others have no bearing on this necessity.

To illustrate, consider a person who already has a spouse but, due to particular circumstances in their marital life, finds that temporary marriage becomes a personal necessity. In other words, it is the individual's own condition that establishes the necessity—or even obligation—of this act and it is their specific personal situation that influences whether such a ruling applies (Ṭūsī, 1967 AD/1387 AH: 4, 230; Mufid, 1992 AD/1413 AH: 3, 210).

5-2. Social Necessity

Social necessity refers to circumstances in which collective needs and societal demands give rise to duties and obligations for individuals—even when those obligations may not align with their personal needs or preferences. In other words, social necessity arises when the community, due to specific conditions, expects an individual to take a particular action, even if that individual personally has no need or inclination to do so (Muṭahharī, 1978 AD/1357 SH: 2, 145).

A review of Islamic legal rulings shows that certain obligations, while not required of an individual under normal circumstances, can become necessary due to broader social conditions. For instance, in the case of **155**

temporary marriage (*Mut'ah al-Nisā'*), an individual who already has a spouse may have no personal need to engage in such a union. However, unique social circumstances—such as limited resources, demographic imbalances, or collective needs—may render this practice a social necessity (Ṭabāṭabā'ī, 1974 AD/1353 SH: 4, 234).

This discussion becomes clearer when examined alongside the concept of political obligation in this context, as well as the narrations and sources that have addressed this issue.

5-3. Political Necessity

In the political realm, necessity refers to circumstances and decisions made to maintain power, political stability, secure national interests, and prevent crises. This concept becomes particularly relevant during emergencies or political and economic crises. In such situations, politicians may make decisions that would typically be deemed unacceptable under normal conditions. For instance, in many countries, emergency laws or special powers are considered essential tools for managing crises. Some argue that "Necessity in politics often justifies extraordinary measures that, without it, the stability of the political community would not be possible." (Zībākalām, 1999 AD/1378 SH: 72)

Political obligation, as a specific form of social necessity, refers to situations where an action is required of an individual for the sake of public interests and the needs of society. This concept is also emphasized in Islamic narrations. For example, in a narration from Imam Ali (AS), it is stated: "Indeed, God loves from His servants that they uphold the laws

which benefit the general public." Kulaynī, 1984 AD/1363 SH: 7, 321) This narration demonstrates that the implementation of laws and regulations, even if not personally necessary for an individual, becomes obligatory due to public interests and social necessity.

Public necessity refers to conditions that the entire society faces. For instance, during times of war or famine, the Islamic government might be forced to make decisions that would otherwise be impermissible. Imam Khomeini, in his book *Tahrir al-Wasilah*, writes: "In times of general necessity, the Islamic ruler may take whatever measures are necessary to prevent harm to society." (Khomeini, 2001 AD/1422 AH: 2, 456)

6. Classification of Narrations on Temporary Marriage

The collection of narrations regarding the issue of temporary marriage can be categorized into five types:

- 1) Narrations affirming the permissibility of temporary marriage;
- 2) Narrations highlighting the virtue and recommended nature of temporary marriage;
- 3) Narrations commanding temporary marriage;
- 4) Narrations prohibiting temporary marriage;
- 5) Narrations ruling the abrogation of temporary marriage.

6-1. Narrations Emphasizing the Permissibility of Temporary Marriage

Some narrations regarding temporary marriage emphasize its

permissibility, presenting it as an Islamic tradition. *Abū Maryam* reports from Imam *Ṣādiq* (AS) that he said: "Temporary marriage was revealed in the Qur'an, and the Prophet's (PBUH) practice also affirmed it." (Ṭūsī, 1967 AD/1387 AH: 3, 141) A similar response from Imam *Ṣādiq* (AS) is given to a man who asked whether temporary marriage is permissible today. The Imam replied: "Yes, temporary marriage is lawful for you, because Allah has made it lawful in the Qur'an." (Ṣadūq, 1993 AD/1414 AH: 3, 464) *Zurārah* also reports that *‘Abdullāh ibn ‘Umayr Laythī* came to *Abū Ja‘far* (AS) and asked: "What is your opinion on temporary marriage?" The Imam replied: "Allah has made it lawful in His book and the Prophet (PBUH) also spoke of it; thus, it remains lawful until the Day of Judgment *‘Abdullāh* said: "O! *Abū Ja‘far*, you say this, even though *‘Umar* made it forbidden and prohibited it?" The Imām responded: "Even if he did so!" *‘Abdullāh* replied: "I seek refuge with Allāh that you would make lawful what *‘Umar* has forbidden." *Abū Ja‘far* (AS) said: "You stick to your words, and I will stick to the words of the Messenger of Allāh (PBUH). Let us engage in a mutual cursing (*Mubāhala*), for the words of the Messenger of Allāh are true, and your words are false." *‘Abdullāh ibn ‘Umayr* then asked: "Would you be happy if your women, daughters, sisters, and your cousins' daughters did the same?" Upon hearing this, *Abū Ja‘far* (AS) turned away from him (Kulaynī, 1984 AD/1363 SH: 5, 449). This permissibility was also present during the time of the Prophet (PBUH). Imām *Bāqir* (AS) said: "Jābir ibn *‘Abdullāh* narrated to me from the Messenger of Allāh (PBUH) that they participated in a battle

with him, and the Prophet made temporary marriage lawful for them, and did not forbid it." (Ash'arī, 1987 AD/1408 AH: 81) Most Sunni narrations also support the permissibility of temporary marriage during the time of the Prophet (PBUH), but they mix this permissibility with the ruling of abrogation, which will be discussed under the category of narrations indicating the abrogation of temporary marriage.

The ruling on the permissibility of temporary marriage is not limited to free women; it also includes concubines. Muḥammad ibn Muslim reports: "I asked Imām al-Bāqir (AS): "Can a man marry a concubine temporarily?" The Imām replied: "Yes, unless the concubine is a young girl who can be deceived." I said: "May Allāh reforms you, what is the age at which a girl can no longer be deceived?" The Imām (AS) replied: "Ten years old." (Ṭūsī, 1988 AD/1409 AH: 3, 141)

This ruling makes no distinction whether the woman is Jewish or Christian; even if someone has a free (Muslim) wife, they can marry a concubine temporarily (Ṭūsī, 1988 AD/1409 AH: 3, 141).

Some narrations, in addition to confirming the permissibility of temporary marriage, also point to its philosophy and the reasoning behind it. Imām Bāqir (AS), quoting Amīr al-Mu'minīn (AS), said: "If 'Umar ibn al-Khaṭṭāb had not prohibited it before me, no one would have committed fornication except the most wretched of people." (Ash'arī, 1987 AD/1408 AH: 81)

'Abdullāh ibn Sinān attributes the reason for the permissibility of temporary marriage, as narrated by Imām Ṣādiq (AS), to its

replacement of other prohibitions: "Allāh, the Almighty, has forbidden every intoxicating drink for our Shī'ah, and in its place, He has granted them temporary marriage." (Mufīd, 1992 AD/1413 AH: 42)

Faṭḥ ibn Yazīd asked Imām Kāzīm (AS) about temporary marriage. The Imām replied: "It is lawful, permissible, and absolute for anyone whom Allāh has not made self-sufficient through marriage. So, let them maintain chastity through temporary marriage. But if they are self-sufficient through permanent marriage, it is permissible for them when they are distant from their spouse." (Kulaynī, 1984 AD/1363 SH: 5, 452)

ʿAlī ibn Yaḡṡīn reported: "I asked Imām Kāzīm (AS) about temporary marriage." He replied: "What do you have to do with this? Allāh has made you self-sufficient from it." I said: "I only want to know the ruling on it." The Imām said: "The ruling on it is in the book of ʿAlī (AS)." I asked: "Can its duration be extended, and can the dowry be increased?" He replied: "What else would make it more pleasing?" (Kulaynī, 1984 AD/1363 SH: 5, 452) Some narrations condition the permissibility of temporary marriage on specific circumstances. ʿAlī ibn Jaʿfar asked Imām Kāzīm (AS): "Is temporary marriage legally permissible?" The Imām replied: "Yes, but the rights of both parties must be respected, and after the marriage, they must be completely separated." (Kulaynī, 1984 AD/1363 SH: 6, 445)

160 Narrations like these, contrary to some general views, point to the specific conditions and legal restrictions on temporary marriage. In this narration, Imām Kāzīm (AS) confirms the legitimacy of temporary marriage but emphasizes the importance of respecting the

rights of both parties, specifically stressing the necessity of complete separation after the marriage. These conditions show that within the legal framework, temporary marriage is conducted with respect for the rights and freedom of both parties and should not result in a permanent relationship or unnecessary commitments. This perspective specifically emphasizes balance and mutual respect in such a marriage and underscores the need for ethical and legal principles to be followed. It ensures that temporary marriage is used as a temporary solution under special, limited conditions. These narrations clearly indicate that the emphasis on the permissibility of temporary marriage from the Imams (AS) is not absolute, but is conditioned by individual necessities, which will be further discussed in its proper context.

Together, these narrations clearly emphasize the permissibility of temporary marriage, presenting it as a fixed and lawful ruling that is not only affirmed in the Qur'an and the Sunnah of the Prophet (PBUH), but also explicitly confirmed by the Imams (AS) to remain lawful until the Day of Judgment. The opposition that emerged after the Prophet's (PBUH) time stems from governmental ijtihads, and from the perspective of authentic narrations, it does not affect the fundamental permissibility of temporary marriage. Therefore, these narrations reaffirm the legitimacy and continuity of the permissibility of temporary marriage in Islamic jurisprudence and consider any opposition to it as lacking a valid religious basis.

6-2. Narrations on the Virtue and Recommendation of *Mut'ah*

Another category of Mut'ah narrations addresses its reward and virtue, **161**

presenting it as an act with divine recompense and as recommended (*Mustahabb*). A narrator asked Imām Bāqir (AS): "Is there a reward for *Mut'ah*?" The Imām responded: "If his intention is to seek the pleasure of Allah, the Almighty, and to oppose those who deny it, then Allah will not write down any word he speaks except for a good deed (*Hasanah*), and every time he extends his hand to her, Allah will record a good deed for him. When he comes closer to her, Allah will forgive his sins, and when he performs the ritual bath (*Ghusl*), Allah will forgive his sins according to the amount of water that flows from his hair." I asked: "Is it according to the number of hairs?" He replied: "Yes, according to the number of hairs." (Ṣadūq, 1992 AD/1413 AH) In another narration, Hishām reports from Imām Ṣādiq (AS), saying: "I wish that a man would not depart this world without having performed *Mut'ah* at least once and also without having prayed the Friday prayer in congregation." (Ṭūsī, 1990 AD/1411 AH) *Aḥmad ibn Muḥammad* also narrates from Imām Bāqir (AS) that the Messenger of Allah (PBUH): "When I was taken to the heavens (during the Ascension), Jibrīl (AS) joined me and said: "O! Muḥammad (PBUH), Allah, the Almighty, says: "I have forgiven those who benefit from women (perform *Mut'ah*)." (Mufīd, 1992 AD/1413 AH) These narrations not only present *Mut'ah* as a legal ruling but also highlight it as an act accompanied by divine rewards. This perspective reflects the recommendation (*Istihbāb*) of *Mut'ah* in some religious sources, emphasizing the importance of a correct intention in performing it and

162 its positive spiritual effects on an individual's life.

6-3. Narrations on the Obligation to Perform *Mut'ah*

Another group of *Mut'ah* narrations points to the obligation of performing it. *Muhammad ibn Muslim* narrates from Imām Ṣādiq (AS), who asked him: "Have you performed Mut'ah?" I replied: "No." The Imām said: "Do not leave this world until you have revived this tradition." (Mufīd, 1992 AD/1413 AH: 41) *Abū Baṣīr* also reports: "I went to Imām Ṣādiq (AS), who asked: "O! *Abū Muhammad*, since you have been away from your home and family, have you performed Mut'ah?" I replied: "No." He asked: "Why?" I said: "Because of the lack of funds." The Imām gave me a dīnār and said: "I swear to God, do not return home unless you have done it." And I did." (Mufīd, 1992 AD/1413 AH: 42) Beyond the encouragement to perform *Mut'ah*, in some reports, even neglecting it is considered an act of rebellion and disobedience to Allah. *Jamīl ibn Ṣāliḥ* says: "Some of our companions said to Imām Ṣādiq (AS): "I feel uncomfortable with Mut'ah and have sworn never to perform it." The Imām replied: "If you do not obey the command of Allah, you are in disobedience." (Ṣadūq, 1992 AD/1413 AH: 3, 462) Other narrations also report that the Imāms, including Imām Ṣādiq (AS), considered Mut'ah to be obligatory. Imām Ṣādiq (AS) said: "The *Mut'ah* of women is a duty, and there is no time limit for it, just as Allah, the Almighty, has said: "For the wealthy, according to their ability, and for the poor, according to what they can afford." (Ibn Ḥayyūn, 1963 AD/1383 AH: 2, 293) Imām Bāqir (AS) also said: "The *Mut'ah* of women is obligatory, whether or not intercourse has occurred." (Ibn Ḥayyūn, 1963 AD/1383 AH: 2, 293) However, in some narrations, this obligation is specifically mentioned

for divorced women. Imām Bāqir (AS) narrates from Amīr al-Mu'minīn (AS) that he considered *Mut'ah* obligatory for divorced women, saying: "This ruling has been stated in the Book of Allah: "For the wealthy, according to their ability, and for the poor, according to what they can afford." (Ibn Ḥayyūn, 1963 AD/1383 AH: 2, 293)

6-4. Hadiths Prohibiting Temporary Marriage

Some ḥadīths regarding temporary marriage (*Mut'ah*) indicate its prohibition under specific circumstances. *Muḥammad ibn Ḥasan ibn Sham'ūn*, in his account of the prohibition of insisting on temporary marriage, reports that Imām Hādī (AS) wrote to some of his followers, saying: "Do not insist on temporary marriage. It is only upon you to uphold the tradition. Do not engage in temporary marriage with your wives and concubines, for they will become disbelievers, seek to distance themselves from you, and curse and condemn those who give such orders. They will curse and condemn us as well." (Kulaynī, 1984 AD/1363 SH: 5, 452)

Another narration cites the reason for prohibiting temporary marriage as a lack of trust in some women, as well as the cultural and emotional differences of women in the time of Imām Bāqir (AS) compared to the past. *Abū Maryam* narrated that he asked Imām Bāqir (AS) about temporary marriage. The Imām responded: "Temporary marriage today is not like it used to be. In the past, women were trustworthy, but today they are not. So, you should inquire about them." Sometimes, the prohibition of temporary marriage was directed

164 at specific groups of women, such as prohibiting temporary marriage

with immoral women. For example, when Imām Riḍā (AS) was asked about temporary marriage with an immoral, beautiful woman, he replied: "If she is known for committing adultery, do not engage in temporary marriage or marriage with her." (Kulaynī, 1984 AD/1364 SH: 5, 452)

These narrations clearly indicate that some of the emphases from the impeccable Imāms (AS) on the permissibility of temporary marriage are not absolute but are contingent on social necessities, which will be discussed in detail in their respective sections.

The prohibition of temporary marriage in Sunnī narrations is sometimes reported in an absolute manner, attributed to the Prophet Muḥammad (PBUH). *ʿAbdullāh ibn Muḥammad* reports that the Prophet (PBUH) prohibited temporary marriage (Ṭaḥāwī, 1993 AD/1414 AH: 3, 26; Abū ʿAwānah, 2008 AD/1429 AH: 3, 25; Nisāʾī, 1992 AD/1413 AH: 327; Ṭabarānī, n.d.: 7, 111; Ibn Abī ʿĀṣim, 1990 AD/1411 AH: 5, 29; Ibn Shāhīn, 1991 AD/1412 AH: 220). However, this prohibition is sometimes included in narrations common to both Shīʿī and Sunnī sources: "The Prophet (PBUH) prohibited the meat of domesticated donkeys and temporary marriage." (Ṭūsī, 1986 AD/1365 SH: 3, 142; Nisāʾī, n.d.: 355; Ibn Ḥibbān, 1993 AD/1414 AH: 9, 453; Ibn Jarūd, 2014 AD/1435 AH: 317; Mālik ibn Anas, 1993 AD/1414 AH: 183; Bayhaqī, 1991 AD/1412 AH: 10, 174; Nisāʾī, n.d.: 355)

6-5. Hadiths Regarding the Abrogation of Temporary Marriage

Some Sunni narrations concerning temporary marriage (*Mut'ah*) suggest that this religious ruling was practiced at the beginning of

Islam but gradually faded away over time. These narrations are widely found in Sunni sources. For example, it is reported from *Jābir ibn ‘Abdullāh* that during the time of the Prophet (PBUH), the era of *Abū Bakr*, and part of the era of *‘Umar*, temporary marriage was practiced with women. However, after that, Umar said: "We used to practice temporary marriage and fulfill our obligations, but you engage in it and do not fulfill your commitments. So, marry and do not practice temporary marriage." (Ya'qubi, n.d.: 2, 717; Bayhaqī, 1992 AD/1413 AH: 7, 388; Bayhaqī, 1992 AD/1413 AH: 10, 216; Muslim ibn Ḥajjāj, 2001 AD/1380 SH: 4, 68; Muslim ibn Ḥajjāj, 2001 AD/1380 SH: 4, 131)

Another narration in Sunni reports points to the change in the ruling of temporary marriage after the conquest of Mecca. Rabi' ibn Sabr reports from his father that the Prophet (PBUH) prohibited temporary marriage in the year of the conquest of Mecca (Bayhaqī, 1992 AD/1413 AH: 7, 332; Ṭahāwī, 1994 AD/1415 AH: 3, 26; Muslim ibn Ḥajjāj, 2001 AD/1380 SH: 2, 1025; Ruwayānī 1996 AD/1417 AH: 2, 259; Ibn Ḥibbān, 1994 AD/1414 AH: 9, 453).

Some narrations also refer to the existence of disagreement regarding the ruling of temporary marriage after the Prophet (PBUH). *‘Abdullāh ibn Shaqīq*, when he saw that *‘Uthmān* prohibited temporary marriage while Ali (AS) permitted it, asked Imam Ali (AS) about the reason for this discrepancy. The Imam (AS) responded: "There is no disagreement between us, but the best of us are those who follow this religion." (Abū ‘Awāna, 2008 AD/1429 AH: 2, 337) Although this narration does not indicate the abrogation of the ruling,

166 it is reported among the abrogated rulings in Sunni sources (Abū

‘Ubayd, 1997 AD/1418 AH: 182).

From the above, it is clear that the totality of Shi‘a narrations unambiguously supports the permissibility of temporary marriage and presents it as a permanent and legitimate ruling, confirmed by the Quran and the Sunnah of the Prophet (PBUH), and explicitly stated by the Imams (AS) to continue until the Day of Judgment. According to these narrations, while temporary marriage is permissible at all times, it is not an unrestricted or absolute matter but is subject to specific conditions and restrictions within the framework of Sharia. In certain situations, its practice may even be impermissible. Shi‘a scholars also agree on this point (Tūsī, 1967 AD/1387 AH: 2, 61 Ibn Barrāj, 1986 AD/1406 AH: 2, 239; ‘Āmilī, n.d.: 438; Motahhari, 1977 AD/1357 SH: 50; Ḥillī, n.d.: 2, 98; Muḥaqqiq Ḥillī, 1987 AD/1408 AH: 2, 75). In line with this belief, according to them, apparent contradictions between the narrations on the permissibility and prohibition of temporary marriage can be reconciled through methods such as interpreting them in light of Taqiya (precautionary concealment), giving preference to one opinion over others, or attributing the command or prohibition to necessity, etc. (Tūsī, 1984 AD/1363 SH: 3, 141).

In Sunni sources, the permissibility of temporary marriage during part of the Prophet's (PBUH) lifetime is universally agreed upon, and most Sunni scholars hold the view that its ruling was abrogated during the time of ‘Umar, in light of social changes and developments (Ibn Ḥajar al-‘Asqalānī, 1985 AD/1406 AH: 4, 131). This clearly shows that both Shi‘a and Sunni scholars agree that the original ruling of temporary marriage was permissible, but it was subject to individual,

political, and social necessities. The difference lies in that Shi'a scholars do not impose a time limit on these changes and do not consider the ruling as abrogated, whereas Sunni scholars regard it as abrogated by the decree of the second caliph or even by the Prophet (PBUH) himself, and they do not apply it to later periods.

7. Analysis of Temporary Marriage in Light of Individual, Social, and Political Necessities

An examination of the threefold necessity—individual, social, and political—concerning temporary marriage reveals how this ruling can serve as a legitimate and reasonable solution in various circumstances.

A crucial point that requires heightened attention in all aspects of necessity is that each dimension encompasses multiple facets. When necessity is discussed in relation to temporary marriage, the first aspect that comes to mind on an individual level is typically sexual or emotional needs, while in social and political contexts; the immediate concern is often the protection of individuals and society from moral corruption. However, the discussion of necessity in the realm of temporary marriage extends far beyond these initial considerations, encompassing a broad range of factors across individual, social, and political domains.

For instance, within the scope of individual necessities, temporary marriage can address a variety of human needs, including emotional and sexual fulfillment, financial support and security, and the preservation of mental and physical well-being. From a social perspective, temporary marriage can play a role in reducing moral

corruption and social instability by supporting women without financial guardians, helping to regulate divorce rates, and more.

In the political sphere, temporary marriage can have far-reaching effects beyond individuals and society, influencing macro-level policymaking in areas such as population control, crisis management, legal legitimacy, soft power, and cultural diplomacy. It can also alleviate societal pressures on both men and women.

Therefore, it is essential to recognize that temporary marriage is not merely about fulfilling sexual needs or preventing moral decay. Rather, it encompasses a wide range of individual, social, and political dimensions, from economic support to broader influences on social and cultural policies.

7-1. The Impact of Individual Necessities on the Ruling of Temporary Marriage

Individual necessity in the context of temporary marriage refers to circumstances in which a person, for personal reasons, requires this form of marriage. Such necessity may arise from natural and biological needs, including sexual needs, or specific life conditions such as financial difficulties and the need for emotional or material support. From a jurisprudential perspective, when an individual is physically, emotionally, or financially unable to enter into a permanent marriage, temporary marriage can serve as a legitimate solution to address their personal needs (Ṭūsī, 1967 AD/1387 AH: 3, 152). The psychological and physical pressures caused by the inability to fulfill natural needs—particularly when economic, social or familial

constraints prevent permanent marriage—can establish the legitimacy of temporary marriage (Mufid, 1989 AD/1410 AH: 512).

Narrations that fall into the first category (emphasizing the permissibility of temporary marriage) partially clarify the role of this ruling in addressing individual necessities. One of the fundamental points raised in these narrations is that temporary marriage serves as a lawful alternative to illicit relationships, such that, if practiced consistently, it can reduce the prevalence of fornication (Ash‘arī, 1987 AD/1408 AH: 81). Additionally, some narrations highlight that within the legislative framework, temporary marriage has been designated as a substitute for certain other prohibitions, reflecting its role in regulating human needs within the boundaries of religious law (Mufid, 1992 AD/1413 AH: 42).

Moreover, these narrations introduce temporary marriage as a solution for those unable to enter into permanent marriage, while at the same time considering it impermissible for individuals who do not have such a necessity. Thus, temporary marriage plays a role in preserving chastity and fulfilling natural individual needs, making it contingent on personal circumstances (Kulaynī, 1984 AD/1363 SH: 5, 452). This emphasis indicates that the legitimacy of temporary marriage does not imply a universal obligation to practice it; rather, the degree of individual necessity determines its advisability.

Furthermore, certain narrations address the legal and ethical dimensions of temporary marriage, underscoring the importance of observing the rights and limitations of both parties. Within this
170 framework, considerations such as fulfilling responsibilities arising

from the contract, maintaining mutual respect, and ensuring a complete separation upon its expiration are highlighted as essential aspects (Kulaynī, 1984 AD/1363 SH: 5, 455).

In sum, while temporary marriage is recognized as a valid religious ruling, its practical implementation is closely tied to individual circumstances and necessities.

7-2. The Impact of Social Necessities on the Ruling of *Mut'ah*

Mut'ah, in certain circumstances, can serve as a tool for regulating social relationships and mitigating social harm. In societies where the number of unmarried individuals is rising due to various factors or where economic and cultural barriers prevent permanent marriage, *Mut'ah* may be considered a viable alternative (Anṣārī, 1990 AD/1411 AH: 2, 78). From the perspective of religious sociology, *Mut'ah* can effectively reduce the social damages caused by informal and illegitimate relationships. Many societies face challenges such as the increase in unofficial relationships and their consequences. As a legitimate institution, *Mut'ah* can function as a mechanism for maintaining social balance. Some narrations refer to this practice as a divine tradition, emphasizing its role in preventing cultural deviations in specific social contexts.

One of the significant social factors influencing the ruling on *Mut'ah* is the impact of war. War has been a persistent phenomenon in human history, bringing widespread social, economic, and cultural consequences. One of its effects is the disruption of gender balance in society, as wars often increase the number of widows while reducing the number of men of marriageable age. Due to such demographic

shifts, social needs, and cultural transformations, war can be considered a social necessity that sustains the ruling of *Mut'ah*. In these circumstances, new social demands emerge that drive religious rulings toward addressing contemporary needs. Accordingly, war, by altering demographic ratios, increasing emotional and familial needs, and creating ethical imperatives, can directly reinforce the necessity of *Mut'ah*.

Following the early Islamic wars, the number of unmarried women increased, leading to the promotion of facilitating rulings on temporary marriages (Ṭabāṭabā'ī, n.d.: 30). Additionally, given the hardships of the post-war period, women often require emotional and financial support; making *Mut'ah* a potential religious mechanism for addressing these needs (Ṭūsī, 1986 AD/1407 AH: 4, 245). Furthermore, one of the post-war challenges in societies is the increased likelihood of moral corruption. Some jurists have regarded *Mut'ah* as a means of controlling social deviance (Mufīd, 1989 AD/1410 AH: 278). This argument has been particularly relevant in societies where war has disrupted the natural equilibrium between men and women. The examination of the legal legitimacy of *Mut'ah* in wartime conditions indicates that this ruling is supported by both Qur'ānic and ḥadīth-based sources, which become even more relevant in contexts such as war. The Qur'ān, in Surah *al-Nisā'*, verse 24, states: "So for whatever you enjoy [of marriage] from them, give them their due compensation as an obligation." (Ṭabāṭabā'ī, 1932 AD/1353 AH: 4, 274) When war leads to an increase in the number of

172 unmarried women, such references can reinforce the jurisprudential

basis for Mut'ah in these contexts.

Moreover, Imāmī jurists have not only considered *Mut'ah* lawful but have even deemed it recommended in specific situations like wartime. Shaykh Ṭūsī writes: "When women increase after war and men decrease, temporary marriage is permissible to prevent hardship." (Ṭūsī, 1967 AD/1387 AH: 5, 158) This perspective underscores the role of social conditions in shaping the necessity of religious rulings, transforming Mut'ah from an individual ruling into a social imperative.

However, the influence of social necessities on the ruling of *Mut'ah* is not limited to encouraging its practice; rather, social factors have also led to restrictions on *Mut'ah*. The narrations that mention the Prophet's (PBUH) prohibition of *Mut'ah* highlight key implications regarding the evolving social and religious circumstances, wherein *Mut'ah* was no longer regarded as a legitimate solution for social and sexual relations. These prohibitions were often aimed at preserving the social and religious well-being of the community, clearly demonstrating that legal rulings can be subject to reassessment and modification in response to changing conditions. The examination of narrations discouraging *Mut'ah* reveals that, in certain circumstances, restrictions were imposed due to the social necessities of the time of the Imams (AS). For instance, it has been reported that Imām Hādī (AS) emphasized the importance of not insisting on *Mut'ah* and linked its practice to broader social considerations. He warned that excessive engagement in Mut'ah could provoke negative reactions from wives and concubines, potentially

leading them to curse and even denounce the Ahl al-Bayt (AS) (Kulaynī, 1984 AD/1363 SH: 5, 452). This narration highlights two points: first, excessive recourse to *Mut‘ah* could result in familial and social discontent; second, the Imāms (AS) took into account the societal consequences of religious rulings.

Similarly, Imām Bāqir (AS) addressed the changing social and cultural conditions of his time. He noted that in the past, women were trustworthy, but in his era, such trust no longer existed (Kulaynī, 1984 AD/1363 SH: 5, 452). This argument illustrates that the Imāms (AS), when evaluating legal rulings, considered cultural and social variables and, in cases where these variables shifted, provided different recommendations. The ruling on *Mut‘ah* is even subject to ethical and social considerations regarding individuals. Imām Riḍā (AS) ruled that *Mut‘ah* and even marriage with an immoral woman were not permissible, highlighting a social approach to religious rulings (Kulaynī, 1984 AD/1363 SH: 5, 452). This ruling underscores that the legislation of *Mut‘ah* was tied to moral principles, and its practice without ethical considerations was not endorsed by the Imams (AS).

Collectively, these narrations indicate that while *Mut‘ah* is fundamentally recognized as a legitimate religious practice, its practical application has been subject to social conditions and necessities. The Imams (AS), in response to evolving cultural, social, and moral contexts, sometimes advised against its use. Therefore, contrary to the view that *Mut‘ah* is an absolute and unconditional right, these narrations demonstrate that while affirming its legitimacy, the Imams (AS) also accounted for social and cultural considerations,

sometimes issuing temporary or conditional prohibitions based on prevailing circumstances.

7-3. The Influence of Political Necessities on the Ruling of *Mut'ah*

Another crucial aspect of *Mut'ah* is its role in specific political contexts. Throughout Islamic history, *Mut'ah* has sometimes been employed as a means of preserving religious values in the face of oppressive regimes and policies that opposed Islamic law. At various times, rulers sought to eliminate certain Islamic traditions by imposing religious restrictions. *Mut'ah* was among these traditions. Consequently, the Imams (AS) encouraged its practice not only as a religious ruling but also as a tool for resisting unlawful governmental actions and upholding religious principles (Muṭahharī, 2000 AD/1379 SH: 68). From this perspective, *Mut'ah* can be seen as a form of political resistance against unjust laws. In periods when rulers enforced stringent policies that curtailed religious and personal freedoms, reviving *Mut'ah* could serve as a legitimate means of opposing such policies. Some scholars have acknowledged that the legitimacy of *Mut'ah* in certain historical periods extended beyond personal and social justifications to include political dimensions, functioning as a method for maintaining religious independence against the imposition of secular laws (Ṭabāṭabā'ī, 1932 AD/1353 AH: 6, 321).

The individual, social, and political necessities related to the legitimacy of *Mut'ah* are independent yet interconnected dimensions. On an individual level, *Mut'ah* serves as a means to fulfill personal

needs and alleviate psychological and physical pressures. Socially, it can help regulate relationships and prevent cultural disorder. Politically, *Mut'ah* can act as a safeguard for religious values against policies that contradict Islamic teachings. Overall, *Mut'ah* is not merely a personal solution but a socio-political institution that, under specific circumstances, can function as a legitimate tool for preserving religious principles, regulating social relations, and even resisting oppression.

The translation has been completed with high accuracy, ensuring that cultural nuances, tone, and depth of meaning are preserved in natural and idiomatic American English. Let me know if you need any refinements!

Conclusion

The findings of this study indicate that narrations regarding *Mut'ah* (temporary marriage) can be categorized into five types:

1. Narrations affirming the permissibility of *Mut'ah*.
2. Narrations highlighting its virtue and recommended status.
3. Narrations commanding its practice.
4. Narrations prohibiting it.
5. Narrations declaring its abrogation.

A holistic examination of these narrations suggests that *Mut'ah*, as a distinct ruling in Shi'a jurisprudence, can be considered recommended, permissible, or even necessary, depending on individual, social, and political circumstances. Each context requires a specific interpretation

On an individual level, numerous narrations from the Imams (AS) indicate that *Mut'ah* is permissible when there is a personal need. From narrations that appear to limit this practice to cases of necessity, one can infer that its restriction is lifted when an individual faces personal circumstances that warrant its legitimacy.

On a societal level, *Mut'ah* can serve as a mechanism to preserve the stability of the community, particularly in crises such as war or resource scarcity. Narrations that emphasize the practice of *Mut'ah* do not merely address personal concerns but rather underscore collective necessities, where the needs of the society take precedence over individual preferences. In such cases, social imperatives may create personal obligations, even for individuals who otherwise have no intrinsic need for it. Narrations that encourage *Mut'ah* in specific social contexts reflect this jurisprudential perspective.

On a political level, *Mut'ah* has also been regarded as a means to revive an Islamic tradition and resist oppressive governments. The command to engage in *Mut'ah* in this context was primarily aimed at promoting its practice within society as an act of defiance against ruling authorities that had prohibited it.

Ultimately, *Mut'ah*—as a legal ruling—is subject to interpretation and application within the framework of individual, social, and political necessities. This jurisprudential approach not only highlights the flexibility of Shi'a fiqh in addressing complex social and political issues but also underscores the importance of considering historical contexts and circumstantial evidence when interpreting Islamic legal rulings.

Sources

Holy Quran

Books

Abū 'Ubayd, Q. (1998 AD/1419 AH). *al-Nāsikh wa al-Mansūkh*. (Māḍī' far, M. Ed). Riyadh: Maktabat al-Rushd.

Abū 'Awānah, Y. (2008 AD/1429 AH). *Musnad Abī 'Awānah*. (Dimashqī, A. Ed). Beirut: Dār al-Ma'rifah.

Aristotle. (2006 AD/1385 SH). *Metaphysics*. (Loṭfī, M. Trans). Tehran: Khwārizmī Publications.

Anṣārī, M. (1991 AD/1370 SH). *al-Makāsib*. Qom: Dār al-Dhakha'ir.

Ash'arī Qummī, A. (1988 AD/1408 AH). *al-Nawādir*. (Muwaḥḥid Abṭahī, M. Ed). Qom: Madrasat al-Imām al-Mahdī.

Azharī, M. (2001 AD/1422 AH). *Tahdhīb al-Lughah*. (Aṣḫān, F. et al. Eds). Beirut: Dār Iḥyā' al-Turāth al-'Arabī.

Bayhaqī, A. (1992 AD/1413 AH). *Ma'rifat al-Sunan wa al-Āthār*. (Qal'ajī, A. Ed). Karachi: Dār al-Aqṣā.

Farāhīdī, K. (1989 AD/1410 AH). *al-'Ayn*. (Makhzūmī, M. et al. Eds). Qom: Dār al-Hijrah Institute.

Fakkīkī, T. (n.d.). *al-Mut'ah wa Āthāruhā fī al-Iṣlāḥ al-Ijtimā'ī*. Cairo: al-Maṭba'ah al-'Arabiyyah.

Fayyūmī, A. (1994 AD/1415 AH). *al-Miṣbāḥ al-Munīr fī Gharīb al-Sharḥ al-Kabīr lil-Rāfi'ī*. Qom: Dār al-Hijrah Institute.

Ḥurr 'Āmilī, M. (n.d.). *Wasā'il al-Shī'a ilā Taḥṣīl Masā'il al-Sharī'a*. Beirut: Dār Iḥyā' al-Turāth al-'Arabī.

178 Ḥillī, H. (1998 AD/1419 AH). *Qawā'id al-Aḥkām fī Ma'rifat al-Ḥalāl*

- wa al-Ḥarām*. Qom: Publications of the Society of Seminary Teachers.
- Ḥillī, H. (1999 AD/1378 SH). *Tahrīr al-Aḥkām*. Qom: Imām al-Ṣādiq Institute.
- Humāyī, J; Kāshānī, E. (2015 AD/1394 SH). *Miṣbāḥ al-Hidāyah wa Miftāḥ al-Kifāyah*. Tehran: Sukhan.
- Hāshimī, S. (2007 AD/1386 SH). "A Critique of Temporary Marriage in Sunni Jurisprudence." *Strategic Women's Studies*. Vol. 35, pp. 100–120.
- Ḥillī, H. (n.d.). *Tadhkirat al-Fuqahā'*. Tehran: Murtadawiyah Library.
- Ibn Abī 'Āṣim, A. (1991 AD/1411 AH). *al-Aḥād wa al-Mathānī*. (Jawābirah, B. Ed). Riyadh: Dār al-Rayyāh.
- Ibn Ḥibbān, M. (1994 AD/1414 AH). *Ṣaḥīḥ Ibn Ḥibbān*. (Fārsī, A; Arna'ūt, S. Eds). Beirut: Mu'assasat al-Risālah.
- Ibn Ḥayyūn, N. (1964 AD/1384 AH). *Da'ā'im al-Islām*. (Fayḍī, A. Ed). Qom: Mu'assasat Āl al-Bayt.
- Ibn Barrāj, A. (1986 AD/1406 AH). *al-Muhadhdhab*. Qom: Islamic Publications Office.
- Ibn Jārūd, A. (2014 AD/1435 AH). *al-Muntaqā li Ibn al-Jārūd*. Cairo: Dār al-Tas'īl.
- Ibn Durayd, M. (1987 AD/1407 AH). *Jamharat al-Lughah*. (Ba'labakkī, R. Ed). Beirut: Dār al-'Ilm lil-Malāyīn.
- Ibn Sīdah, A. (2001 AD/1422 AH). *al-Muḥkam wa al-Muḥīt al-A'zam*. (Hindāwī, A. Ed). Beirut: Dār al-Kutub al-'Ilmiyyah.

- Ibn Sīnā, H. (1984 AD/1363 SH). *al-Shifā'*. Qom: Islamic Propagation Office.
- Ibn Shāhīn, O. (1992 AD/1413 AH). *al-Nāsikh wa al-Mansūkh li Ibn Shāhīn*. (Mu'awwad, A; 'Abd al-Mawjūd, A. Eds). Beirut: Dār al-Kutub al-'Ilmiyyah.
- Ibn Qudāmah, A. (1997 AD/1418 AH). *al-Mughnī*. (Ḥalw, A; Turkī, A. Eds). Riyadh: Dār 'Ālam al-Kutub.
- Ibn Ḥajar 'Asqalānī, A. (1986 AD/1365 SH). *Fath al-Bārī*. Beirut: Dār al-Ma'rifah.
- Kant, I. (2010 AD/1389 SH). *Critique of Pure Reason*. (Nazari, B. Trans). Kirmānshāh, Iran: Bāgh-i Ney.
- Kulaynī, M. (1984 AD/1363 SH). *al-Kāfī*. Tehran: Dār al-Kutub al-Islāmiyyah.
- Khomeinī, R. (2001 AD/1422 AH). *Tahrīr al-Wasīlah*. Qom: Imām Khomeinī Institute.
- Mālik ibn Anas. (1994 AD/1373 SH). *al-Muwatta'* (Narration of al-Shaybānī). ('Abd al-Laṭīf, A. Ed). Cairo: Ministry of Awqāf.
- Muḥaqqiq Ḥillī, J. (1988 AD/1367 SH). *Sharā'i' al-Islām*. Qom: Imām al-Ṣādiq Institute.
- Muslim ibn Ḥajjāj. (2001 AD/1380 SH). *Ṣaḥīḥ Muslim*. Beirut: Dār al-Kutub al-'Ilmiyyah.
- Mufīd, M. (1414 AH/1993 AD). *Khulāṣat al-Ijāz fī al-Mut'ah*. (Zamani Nejad, A; Muḥaqqiq Kārakī, A. Eds). Qom: World Conference on the Millennium of al-Shaykh al-Mufīd.
- Muṭahharī, M. (1978 AD/1357 SH). *Philosophy of Ethics*. Tehran: Ṣadrā Publications.

- Muṭahharī, M. (2000 AD/1379 SH). *The System of Women's Rights in Islam*. Tehran: Ṣadrā Publications.
- Mullā Ṣadrā, S. (1964 AD/1343 SH). *al-Ḥikmah al-Muta'āliyah fī al-Asfār al-'Aqliyyah al-Arba'ah*. Tehran: Ṣadrā Islamic Philosophy Foundation.
- Mūsawī Ardabīlī, M. (n.d.). *al-Mut'ah: al-Nikāḥ al-Munqati'*. Qom: Dār al-Aḍwā' Publications. [No date].
- Muḥaqqiq Ḥillī, J. (1988 AD/1367 SH). *Sharā'i' al-Islām fī Masā'il al-Ḥalāl wa al-Ḥarām*. (Baḡal, A. Ed). Qom: Ismā'īliyyān.
- Mufīd, M. (1990 AD/1410 AH). *al-Muqni'ah*. Qom: Islamic Publishing Foundation.
- Nasā'ī, A. (n.d.). *Sunan al-Nasā'ī*. Riyadh: Bayt al-Afkār al-Duwaliyyah. Nasā'ī, A. (1991 AD/1370 SH). *al-Sunan al-Kubrā lil-Nasā'ī*. (Bundārī, A. et al. Ed). Beirut: Dār al-Kutub al-'Ilmiyyah.
- Rāghib Iṣfahānī, H. (1992 AD/1413 AH). *Mufradāt Alfāz al-Qur'ān*. (Dāwūdī, S. Ed). Beirut: Dār al-Shāmiyyah.
- Ruwayānī, M. (1996 AD/1417 AH). *Musnad al-Ruwayānī*. (Abū Yamānī, A. Ed). N.p.: Mu'assasat Qurtubah.
- Ṣadūq, M. (1993 AD/1414 AH). *Man Lā Yaḥḍuruhu al-Faqīh*. Qom: Islamic Publications Office.
- Ṭabāṭabā'ī, M. (n.d.). *Narrations Concerning Temporary Marriage*. N.p.: N.n.
- Ṭabāṭabā'ī, M. (1974 AD/1353 SH). *al-Mīzān fī Tafṣīr al-Qur'ān*. (Mūsavī Ḥamadānī, M. Trans). Qom: Society of Seminary Teachers Publications.
- Ṭabarānī, S. (n.d.). *al-Mu'jam al-Kabīr*. (Ḥamdī, A. et al. Eds). Cairo:

Maktabat Ibn Taymiyyah.

Ṭahāwī, A. (1994 AD/1415 AH). *Sharḥ Maʿānī al-Āthār*. (Najjār, M. et al. Eds). Beirut: ʿĀlam al-Kutub.

Ṭūsī, M. (1968 AD/1347 SH). *al-Mabsūṭ fī Fiqh al-Imāmiyyah*. (Bihūdī, M; Kāshfī, M. Eds). Tehran: Murtadawiyyah Library.

Ṭūsī, M. (1987 AD/1407 AH). *Tahdhīb al-Aḥkām*. Tehran: Dār al-Kutub al-Islāmiyyah.

Ṭūsī, M. (1984 AD/1363 SH). *al-Istibṣār fīmā ikhtalafa min al-akhbār*. (Khurasan, H. et al. Ed). Tehran: Dār al-Kutub al-Islāmiyya.

Ṭūsī, M. (1990 AD/1411 AH). *Miṣbāḥ al-Mutahajjid*. (Bīdār, A; Marwārīd, A. Ed). Beirut: Muʿassasat Fiqh al-Shīʿa.

Yaʿqūbī, A. (n.d.) *Tārīkh al-Yaʿqūbī*. Beirut: Dār Ṣādir.

Zabīdī, M. (1994 AD/1415 AH). *Tāj al-ʿArūs min Jawāhir al-Qāmūs*. (Shiri, A. Ed). Beirut: Dār al-Fikr.

Zibakalam, S. (1999 AD/1378 SH). *Theoretical Foundations of Politics*. Tehran: University of Tehran Press.

Articles

Herati, M; Zareʿian, M. (2022 AD/1401 SH). "Temporary Marriage: A Comparative Study in the Zoroastrian Tradition of the Late Sassanid Era and the Twelver Shia." *Religious Studies*. No. 20, pp. 35–66.

Maslow, A. H. (1943). *A Theory of Human Motivation*. *Psychological Review*. Vol. 50, no. 4, pp. 370–396.

Mazhar Qaramilaki, A; Ghorbani, I. (2020 AD/1399 SH). "Critique of the Narrational Evidence on the Abrogation of the Legality of Temporary Marriage." *Islamic Jurisprudence and Law Studies*. No.

Mohammadzadeh, Z; Nazari Tavakoli, S. (2021 AD/1400 SH). "The Legalization of Temporary Marriage and Its Jurisprudential Challenges." *Jurisprudence and Islamic Law Foundations*. No. 1, pp. 167–182.

Mousavi, Z; Fattahi Zadeh, F; Itrat Doost, M. (2022 AD/1401 SH). "Content Analysis of Temporary Marriage Narrations in Shia Hadith Sources." *Hadith Interpretation Studies*. No. 2, pp. 119–145.

Zandieh, H; Dastvandi, A. (2022 AD/1401 SH). "Social Functions of Temporary Marriage during the Qajar Period." *Social and Economic History Research Journal*. No. 2, pp. 121–142.

