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1. Mut'ah In The Qur'an

Nikah al-Mut'ah, or simply *mut'ah*, is marriage between two consenting adults for a specified period of time. It is a form of marriage, which is why it is called a *nikah*. Since its duration is fixed, it is also often called "temporary marriage". The woman, before the *mut'ah*, must NOT be in a pending marriage with anyone else. Moreover, both parties must be adult believers; and both *must* be chaste. In exceptional, emergency cases, the man is permitted to enter into a temporary marriage with a chaste Jewish or Christian woman.

However, the woman can only marry a chaste Muslim man – whether in *mut'ah* or in a permanent marriage. In addition, both parties must mutually agree on the dowry and the length of the union. In the case of a woman who has never married, the consent of her father is obligatory for the *mut'ah*. Also, the man cannot have sex with her (i.e. the woman who has never married) throughout the agreed duration of their *nikah*. After the expiration of the marriage, the woman enters into a period of *'iddah* in temporary unions that involved intercourse. The children of such a marriage are legitimate, and belong to the husband; and they inherit him.

The spouses in *mut'ah* too may also inherit each other if their marriage contract explicitly provides for it. Meanwhile, unlike in permanent marriages, there is no restriction to the number of temporary marriages a man may contract, simultaneously or consecutively. Also, *mut'ah* is available to single men and woman, as well as to married men, including those who already have four permanent wives.

During the life of Prophet Muhammad, *sallallahu 'alaihi wa alihi*, temporary marriage was legislated and practiced within the *Ummah*. Allah Himself decreed it in His Book, in the Verse of *al-Mut'ah*:

> فما استمتعتم به منهن فآتوهن أجورهن فريضة ولا جناح عليكم فيما تراضيتم به من بعد الفريضة إن الله كان عليما حكيما

Those of them with whom you contract *mut'ah*, give them their prescribed dowries; and there is no blame on you about what you mutually agree after what is prescribed. Verily, Allah is All-Knowing, All-Wise.[1]

This *ayah* was not revealed like this. Rather, its original version included extra phrases that leave no doubt about its import. For instance, Imam al-Hakim (d. 403 H) records:

> أخبرنا أبو زكريا العنبري ثنا محمد بن عبد السلام ثنا إسحاق بن إبراهيم أنبأ النضر بن شميل أنبأ شعبة ثنا أبو سلمة قال : سمعت أبا نضرة يقول قرأت على ابن عباس رضي الله عنهما {فما استمتعتم به منهن فآتوهن أجورهن فريضة} قال ابن عباس: فما استمعتم به منهن إلى أجل مسمى قال أبو نضرة : فقلت ما نقرأها كذلك فقال ابن عباس : والله لأنزلها الله كذلك

Abu Zakariyyah al-'Anbari – Muhammad b. 'Abd al-Salam – Ishaq b. Ibrahim – al-Na□r b. Shumayl – Shu'bah – Abu Salamah – Abu Na□rah:

I read to Ibn 'Abbas: {Those of them with whom you contract *mut'ah,* give them their prescribed dowries} [4:24]. He said: "{**Those of them with whom you contract *mut'ah* for a specified period**}". Abu Na□rah said: I said, "We do not recite it like that!" Ibn 'Abbas replied, "**I swear by Allah, Allah certainly revealed it like that.**"[2]

Al-Hakim comments:

> هذا حديث صحيح على شرط مسلم

This *hadith* is *sahih* upon the standard of (Imam) Muslim.[3]

And Imam al-Dhahabi (d. 748 H) concurs:

> على شرط مسلم

Upon the standard of (Imam) Muslim[4]

Imam Ibn Jarir al-□abari (d. 310 H) also documents:

> حدثنا ابن المثنى، قال: ثنا محمد بن جعفر، قال: ثنا شعبة، عن أبي سلمة، عن أبي نضرة، قال :قرأت هذه الآية على ابن عباس} :فما استمتعتم به منهن {قال ابن عباس} :إلى أجل مسمى}، قال قلت: ما أقرؤها كذلك !قال: والله لأنزلها الله كذلك ثلاث مرات.

Ibn al-Muthanna – Muhammad b. Ja'far – Shu'bah – Abu Salamah – Abu Na□rah:

I read this verse to Ibn 'Abbas: {Those of them with whom you contract *mut'ah*} [4:24]. He said: "**{for a specified period}**". I said, "We do not recite it like that!" He replied, "**I swear by Allah, Allah certainly**

revealed it like that." He said it three times.[5]

Al-Hafi (d. 852 H) says about its first narrator:

> محمد بن المثنى بن عبيد العنزي بفتح النون والزاي أبو موسى البصري ....ثقة ثبت

Muhammad b. al-Muthanna b. 'Ubayd al-'Unaza, Abu Musa al-Basri.... ***Thiqah*** (**trustworthy**), ***thabt*** (**accurate**).[6]

He also states concerning the second narrator:

> محمد بن جعفر الهذلي البصري المعروف بغندر ثقة صحيح الكتاب إلا أن فيه غفلة

Muhammad b. Ja'far al-Hazali al-Basri, better known as Ghandar: ***Thiqah*** (**trustworthy**), *sahih al-kitab* (i.e. *ahadith* from his books are *sahih*) except that there was some negligence in him.[7]

Ghandar's negligence, of course, did not affect his *riwayat* from Shu'bah, as al-Hafi quotes:

> وقال ابن أبي حاتم سألت أبي عن غندر فقال كان صدوقا وكان مؤدبا وفي حديث شعبة ثقة

Ibn Abi Hatim said: "I asked my father about Ghandar and he replied, 'He was *saduq* (very truthful), and was a teacher and **in the *hadith* of Shu'bah, he is *thiqah*** (**trustworthy**).'"[8]

So, apparently, this *sanad* is *sahih* too without any doubt.

Al-abari further records:

> حدثنا أبو كريب قال ، حدثنا يحيى بن عيسى قال ، حدثنا نصير بن أبي الأشعث قال ، حدثني ابن حبيب بن أبي ثابت ، عن أبيه قال : أعطاني ابن عباس مصحفًا فقال : هذا على قراءة أبيّ قال أبو كريب قال يحيى : فرأيت (المصحف عند نصير، فيه : (فما استمتعتم به منهن إلى أجل مسمى .

Abu Kurayb – Yahya b. 'Isa – Nasir b. Abi al-Ash'ath – Ibn Habib b. Abi Thabit – his father:

Ibn 'Abbas gave me a *mushaf*. He said, "This is upon the *qiraat* of Ubayy b. Ka'b".

Abu Kurayb narrated that Yahya said: "**I saw the *mushaf* with Nusayr. In it was** {**Those of them with whom you contract *mut'ah* for a specified period**}.[9]

Commenting upon this same chain with another narration, Prof. Ibn Yasin states:

ورجاله ثقات إلا يحيى بن عيسى صدوق، وابن حبيب هو عبد الله، وسنده حسن.

Its narrators are *thiqah* (trustworthy), except that Yahya b. ‘Isa is *saduq* (very truthful) as well as Ibn Habib – and he was ‘Abd Allah, **and its chain is *hasan***.[10]

Imam ‘Abd al-Razzaq (d. 211 H) too reports:

عبد الرزاق عن ابن جريج قال: أخبرني عطاء أنه سمع ابن عباس يراها الان حلالا، وأخبرني أنه كان يقرأ{ فما استمتعتم] به [منهن إلى أجل فآتوهن أجورهن}

‘Abd al-Razzaq – Ibn Jurayj – ‘A□a:

I heard Ibn ‘Abbas while he saw it as *halal*, and he used to recite {**Those of them with whom you contract *mut’ah* for a period, give them their prescribed dowries**}.[11]

This *sanad* is *sahih*, as we have discussed in the Preface.

Meanwhile, al-Hafi□ Ibn Kathir (d. 774 H) has some more relevant information for us:

وكان ابن عباس ، وأبيّ بن كعب ، وسعيد بن جُبَيْر ، والسُّدِّي يقرءون : "فما استمتعتم به منهن إلى أجل مسمى فآتوهن أجورهن فريضة".

Ibn ‘Abbas, Ubayy b. Ka’b, Sa’id b. Jubayr and al-Suddi used to recite: {Those of them with whom you contract *mut’ah* **for a specified period**, give them their prescribed dowries}.[12]

So, apparently, that extra phrase makes it impossible to apply to the verse to the permanent marriage as lots of the Ahl al-Sunnah do. The permanent marriage is never contracted “for a specified period”. As such, the verse is explicit in its legislation of temporary marriage.

Ibn ‘Abbas, *ra□iyallahu ‘anhu*, also made this clear. Al-□abari says:

حدثنا حميد بن مسعدة، قال :ثنا بشر بن المفضل، قال :ثنا داود، عن أبي نضرة، قال :سألت ابن عباس عن متعة النساء، قال :أما تقرأ سورة النساء؟ قال :قلت بلى. قال: فما تقرأ فيها :فما استمتعتم به منهن إلى أجل مسمى؟ قلت :لا، لو قرأتها هكذا ما سألتك !قال :فإنها كذا.

Hamid b. Mas’adah – Bashar b. al-Mufa□□al – Dawud – Abu Nadrah:

I asked Ibn ‘Abbas concerning *mut’ah* with women. He replied, “Do you not read *Surah al-Nisa*?” I said, “I do.” He said, “So, do you not read in it {**Those of them with whom you contract *mut’ah* for a**

specified period} [4:24]?" I said, "No. If I had recite it like that, I would not have asked you!" He said, "**Verily, it is like that.**"[13]

About the first narrator, al-Hafi comments:

حميد بن مسعدة بن المبارك السامي بالمهملة أو الباهلي بصري صدوق

Hamid b. Mas'adah b. al-Mubarak al-Sami or al-Bahili, Basri: ***Saduq*** (**very truthful**).[14]

What of the second narrator? He has an even better verdict:

بشر بن المفضل بن لاحق الرقاشي بقاف ومعجمة أبو إسماعيل البصري ثقة ثبت عابد

Bashar b. al-Mufaal b. Lahik al-Raqashi, Abu Isma'il al-Basri: ***Thiqah*** (**trustworthy**), ***thabt*** (**accurate**), a devout worshipper of Allah.[15]

And al-Hafi states about the third narrator:

داود بن أبي هند القشيري مولاهم أبو بكر أو أبو محمد البصري ثقة متقن كان يهم بأخرة

Dawud b. Abi Hind al-Qushayri, their freed slave, Abu Bakr or Abu Muhammad al-Basri: ***Thiqah*** (**trustworthy**), **extremely precise**. He used to hallucinate during the last part of his life.[16]

Thus, this chain too is *hasan*. Hamid b. Mas'adah was *saduq* (very truthful), and Dawud's late-life hallucinations were not serious. Note, in the *riwayah*, how Ibn 'Abbas quoted the *ayah* as evidence of *mut'ah*.

So, what is that extra phrase "for a specified period"? Was it an interpolation by Ubayy, Ibn 'Abbas and others like them? Or, is it only a case of *tahrif*, in which some parts of the *Kitab* have been expunged? To us, the best explanation of the status of the extra phrase is in this verse:

واذكروا نعمت الله عليكم وما أنزل عليكم من الكتاب والحكمة يعظكم به

And remember the Favours of Allah upon you, **and that which He has sent down to you of the Book AND the *Hikmah***, whereby He instructs you.[17]

This *ayah* informs us that Allah has sent down two things to this *Ummah*: the Qur'an and the *Hikmah*. The same thing is repeated elsewhere:

وأنزل الله عليك الكتاب والحكمة

And Allah sent down to you (O Muhammad) the Book **and the *Hikmah***.[18]

It is often claimed that the "Hikmah" is the *Sunnah* of the Prophet. However, it is apparently more than that. The *Hikmah* too used to be "recited" like the Qur'an:

واذكرن ما يتلى في بيوتكن من آيات الله والحكمة إن الله كان لطيفا خبيرا

And remember that which is **recited** in your houses of the Verses of Allah **and the *Hikmah***. Verily, Allah is Subtle, Aware.[19]

So, we know that "for a specified period" was revealed by Allah too within the Verse of *al-Mut'ah*, as testified by Ibn 'Abbas. We also know that some of the Sahabah and Tabi'in used to "recite" it. However, we know as well that it is not part of the Qur'an nonetheless. Therefore, that phrase naturally falls under the *Hikmah* category. Allah revealed it to explain the *ayah*. It may be recited with the verse, and it may be excluded from it. Some of the *Salaf* – such as Ibn 'Abbas, Ubayy b. Ka'b, Sa'id b. Jubayr and al-Suddi – chose to recite it with the *ayah*.

In the Shi'i books, the Verse of *al-Mut'ah* is also cited as evidence of its divine legislation. Shaykh al-Kulayni (d. 329 H), for instance, documents:

عدة من أصحابنا، عن سهل بن زياد، وعلي بن إبراهيم، عن أبيه جميعا، عن ابن أبي نجران، عن عاصم بن حميد، عن أبي بصير قال: سألت أبا جعفر عليه السلام عن المتعة، فقال: نزلت في القرآن { فما استمتعتم به منهن فآتوهن أجورهن فريضة فلا جناح عليكم فيما تراضيتم به من بعد الفريضة }

A number of our companions – Sahl b. Ziyad AND 'Ali b. Ibrahim – his father – Ibn Abi Najran – 'Asim b. Humayd – Abu Basir:

I asked Abu Ja'far, peace be upon him, concerning *mut'ah*. So, he replied, "It is revealed in the Qur'an {Those of them with whom you contract *mut'ah*, give them their prescribed dowries; and there is no blame on you about what you mutually agree after what is prescribed}.[20]

'Allamah al-Majlisi (d. 1111 H) says about this *hadith*:

حسن كالصحيح

Hasan ka al-Sahih.[21]

So, this is a *hasan hadith* which is equal to a *sahih hadith*.

Al-Kulayni again records:

> علي بن إبراهيم، عن أبيه، عن ابن أبي عمير، عن علي بن الحسن بن رباط، عن حريز، عن عبد الرحمن بن أبي عبد الله قال: سمعت أبا حنيفة يسأل أبا عبد الله عليه السلام عن المتعة فقال: أي المتعتين تسأل؟ قال: سألتك عن متعة الحج فأنبئني عن متعة النساء أحق هي؟ فقال: سبحان الله أما قرأت كتاب الله عز وجل { فما استمتعتم به منهن فآتوهن أجورهن فريضة } ؟ فقال أبو حنيفة: والله فكأنها آية لم أقرأها قط.

'Ali b. Ibrahim – his father – Ibn Abi 'Umayr – 'Ali b. al-Hasan b. Raba – Hariz – 'Abd al-Rahman b. Abi 'Abd Allah:

I heard Abu Hanifah asking Abu 'Abd Allah, peace be upon him, about *mut'ah*. So, he (Abu 'Abd Allah) said, "Which of the two *mut'ahs* are you asking about?" He (Abu Hanifah) replied, "I (already) asked you about *mut'ah* of *Hajj*. So, inform me about *mut'ah* with women. Is it correct?" He (Abu 'Abd Allah) said, "*Subhan Allah*! Do you not read the Book of Allah {Those of them with whom you contract *mut'ah*, give them their prescribed dowries}?" Then, Abu Hanifah said, "I swear by Allah, it is as though it is a verse I have never read".[22]

Al-Majlisi comments:

> حسن

Hasan.[23]

1. Qur'an 4:24
2. Abu 'Abd Allah Muhammad b. 'Abd Allah al-Hakim al-Naysaburi, al-Mustadrak 'ala al-ahihayn (Beirut: Dar al-Kutub al-'Ilmiyyah; 1st edition, 1411 H) [annotator: Mutafa 'Abd al-Qadir 'Aa], vol. 2, p. 334, # 3192
3. Ibid
4. Ibid
5. Abu Ja'far Muhammad b. Jarir b. Yazid b. Kathir b. Ghalib al-Amuli al-abari, Jami al-Bayan fi Tawil al-Qur'an (Dar al-Fikr; 1415 H) [annotator: idqi Jamil al-'Aar], vol. 5, p. 19
6. Ahmad b. 'Ali b. Hajar al-'Asqalani, Taqrib al-Tahdhib (Beirut: Dar al-Maktabah al-'Ilmiyyah; 2nd edition, 1415 H) [annotator: Mutafa 'Abd al-Qadir 'Aa], vol. 2, p. 129, # 6283
7. Ibid, vol. 2, p. 63, # 5805
8. Shihab al-Din Ahmad b. 'Ali b. Hajar al-'Asqalani, Tahdhib al-Tahdhib (Dar al-Fikr; 1st edition, 1404 H), vol. 9, p. 85, # 129
9. Abu Ja'far Muhammad b. Jarir b. Yazid b. Kathir b. Ghalib al-Amuli al-abari, Jami al-Bayan fi Tawil al-Qur'an (Dar al-Fikr; 1415 H) [annotator: idqi Jamil al-'Aar], vol. 5, p. 18
10. Prof. Dr. Hikmat b. Bashir b. Yasin, Mawsu'at al-ahih al-Masbur min al-Tafsir bi al-Mathur (Madinah: Dar al-Mathar li al-Nashr wa al-Tawzi' wa al-aba'at; 1st edition, 1420 H), vol. 3, p. 239
11. Abu Bakr 'Abd al-Razzaq b. Hamam al-a'nani, al-Muannaf [annotator: Habib al-Rahman al-A'ami], vol. 7, p. 498, # 14022

12. Abu al-Fida Isma'il b. 'Umar b. Kathir al-Qurshi al-Dimashqi, Tafsir al-Qur'an al-'A□im (Dar al-□aybah li al-Nashr wa al-Tawzi'; 2nd edition, 1420 H) [annotator: Sami b. Muhammad Salamah], vol. 2, p. 259
13. Abu Ja'far Muhammad b. Jarir b. Yazid b. Kathir b. Ghalib al-Amuli al-□abari, Jami al-Bayan fi Tawil al-Qur'an (Dar al-Fikr; 1415 H) [annotator: □idqi Jamil al-'A□□ar], vol. 5, p. 18
14. Ahmad b. 'Ali b. Hajar al-'Asqalani, Taqrib al-Tahdhib (Beirut: Dar al-Maktabah al-'Ilmiyyah; 2nd edition, 1415 H) [annotator: Mu□tafa 'Abd al-Qadir 'A□a], vol. 1, p. 246, # 1564
15. Ibid, vol. 1, p. 130, # 705
16. Ibid, vol. 1, p. 283, # 1822
17. Qur'an 2:231
18. Qur'an 4:113
19. Qur'an 33:34
20. Abu Ja'far Muhammad b. Ya'qub b. Ishaq al-Kulayni al-Razi, al-Furu' min al-Kafi (Tehran: Dar al-Kutub al-Islamiyyah) [annotator: 'Ali Akbar al-Ghiffari], vol. 5, p. 448, # 1
21. Muhammad Baqir al-Majlisi, Mir-at al-'Uqul fi Sharh Akhbar Al al-Rasul (Tehran: Dar al-Kutub al-Islamiyyah) [annotator: Sayyid Muhsin al-Husayni al-Amini], vol. 20, p. 226
22. Abu Ja'far Muhammad b. Ya'qub b. Ishaq al-Kulayni al-Razi, al-Furu' min al-Kafi (Tehran: Dar al-Kutub al-Islamiyyah) [annotator: 'Ali Akbar al-Ghiffari], vol. 5, pp. 449-450, # 6
23. Muhammad Baqir al-Majlisi, Mir-at al-'Uqul fi Sharh Akhbar Al al-Rasul (Tehran: Dar al-Kutub al-Islamiyyah) [annotator: Sayyid Muhsin al-Husayni al-Amini], vol. 20, p. 230

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