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# 7. Shi'i Ahadith Misused About Mut'ah

We have seen the Ahl al-Sunnah quoting certain *ahadith* from the Shi'i books in desperate efforts to "prove" *mut'ah* wrong. We will be examining these *riwayat* here, with the Grace and Help of Allah. Meanwhile, we strongly advise our brothers and sisters from the Ahl al-Sunnah wa al-Jama'ah and the Shi'ah Imamiyyah: whenever anyone – whether Sunni, Shi'i or otherwise – claims to you that a certain *hadith* exists in the Shi'i sources, demand adamantly that he must produce (i) its full Arabic text with its chain of narration, (ii) evidence of the reliability of its *sanad*, (iii) its primary source with the full citation, (iv) a declaration that it does not originate from a *da'if* source book, (v) a declaration that it does not contradict the Qur'an as interpreted in authentic Shi'i *ahadith*, and (v) a declaration that it does not contradict superior Shi'i *ahadith*. When you do this, you have already won 2/3 of the battle to defeat deceit and trickery.

## Hadith One

Shaykh al-Tusi (d. 460 H) records:

> فأما ما رواه محمد بن أحمد بن يحيى عن أبي الجوزا عن الحسين بن علوان عن عمرو بن خالد عن زيد بن علي عن آبائه عن علي عليهم السلام قال: حرم رسول الله صلى الله عليه وآله لحوم الحمر الأهلية ونكاح المتعة.

Muhammad b. Ahmad b. Yahya – Abu al-Jawza – **al-Husayn b. 'Alwan** – **'Amr b. Khalid** – Zayd b. 'Ali – his fathers – 'Ali, peace be upon them:

The Messenger of Allah, peace be upon him and his family, forbade the meat of domestic donkey and the marriage of *mut'ah*.[1]

He also documents in his *Tahdhib*:

> واما ما رواه محمد بن يحيى عن أبي جعفر عن أبي الجوزا عن الحسين بن علوان عن عمرو بن خالد عن زيد بن علي عن آبائه عن علي عليهم السلام قال: حرم رسول الله صلى الله عليه وآله يوم خيبر لحوم الحمر الأهلية ونكاح

المتعة.

Muhammad b. Yahya – Abu Ja'far – Abu al-Jawza – **al-Husayn b. 'Alwan** – **'Amr b. Khalid** – Zayd b. 'Ali – his fathers – 'Ali, peace be upon them:

The Messenger of Allah, peace be upon him and his family, forbade the meat of domestic donkey and the marriage of *mut'ah* on the Day of Khaybar.2

Shaykh 'Ali Al Muhsin comments on it:

هذه الرواية ضعيفة السند بعمرو بن خالد الواسطي، فإنه لم يوثَّق في كتب الرجال، واختُلف في مذهبه، فقيل: إنه من أهل السنة .والمشهور أنه من رؤساء الزيدية، وأغلب رواياته يرويها عن زيد بن علي، ومنها هذه الرواية .

ومن جملة رواة هذا الحديث الحسين بن علوان، وهو سُنِّي المذهب، وعبارة النجاشي في ترجمته موهمة تحتمل عود التوثيق فيها إليه أو إلى أخيه الحسن، ولا توثيق آخر له، ولهذا فنحن متوقفون فيه، وإن وثّقه بعض الأعلام، وضعَّفه بعض آخر .

والحاصل أن هذا الحديث اشتمل على راوٍ زيدي، وآخر سُني المذهب، وكلاهما لم يثبت توثيقهما، وما قيل في توثيقهما ليس محلاً للاعتماد والوثوق.

**This report has a ***da'if*** chain**, due to 'Amr b. Khalid al-Wasi, for there is no *tawthiq* (accreditation) for him in the books of *al-rijal*. There is also dispute about his sect. It is said that he was from the Ahl al-Sunnah. However, the widespread opinion is that he was from the leaders of the Zaydiyyah, and he narrated most of his reports from Zayd b. 'Ali, including this report.

One of the narrators of this *hadith* is also al-Hasan b. 'Alwan, and he was a Sunni by sect. As for the statement of al-Najashi in his *tarjamah*, it is inconclusive. It is possible that the *tawthiq* in it refers to him or to his brother, al-Hasan; and there is no other *tawthiq* for him. For this reason, we stop short about him, even those some of the great *'ulama* call him *thiqah* while others declare him *da'if*.

In conclusion, this *hadith* has a Zaydi reporter, and another who belonged to the Sunni sect; and *tawthiq* is not established for both of them. **As for the *tawthiq* that is said for them both, it is neither reliable nor trustworthy**.3

'Allamah al-Majlisi (d. 1111 H) also declares about the *hadith* above:

ضعيف أو موثق

*a'if* or *Muwaththaq*.[4]

Apparently, the best that the chain of the *hadith* can be is *muwaththaq*. However, in line with the Shi'i rijali *manhaj*, if a *muwaththaq*–chained *hadith* contradicts a *sahih*–chained *hadith*, the former becomes *munkar* (rejected) and therefore very *a'if*. Al–usi submits:

> وأما العدالة المراعاة في ترجيح أحد الخبرين على الاخر فهو: أن يكون الراوي معتقدا للحق، مستبصرا ثقة في دينه، متحرجا من الكذب غير متهم فيما يرويه.

> فأما إذا كان مخالفا في الاعتقاد لأصل المذهب وروى مع ذلك عن الأئمة عليهم السلام نظر فيما يرويه. فان كان هناك من طرق الموثوق بهم ما يخالفه وجب اطراح خبره.

As for the *'adalah* that is required in the preference of one of two reports over another, it is: that the narrator should have the true *'aqidah*, enlightened, trustworthy in his religion, who avoids telling lies, not accused in what he narrates.

But, if he deviates in *'aqidah* from the root of the (Shi'i) sect, and narrates nonetheless from the Imams, peace be upon them, what he narrates is looked at. **If there is what contradicts it from the routes of trusted narrators, it becomes obligatory to throw away his report**.[5]

As our esteemed reader can clearly see, the report of al–Husayn b. 'Alwan and 'Amr b. Khalid above contradicts – not one or two, but – several *sahih* Shi'i *ahadith* that explicitly establish the unbroken legitimacy of *mut'ah*! This makes it severely unreliable, *a'if jiddan*. Meanwhile, an additional argument against this *hadith* of al–Husayn and 'Amr is that it further contradicts the Qur'an – specifically, the Verse of *al–Mut'ah* and several dual–purpose *ayahs*, which have declared the purity of temporary marriage till the Last Hour. This makes it *maw u'* (a fabrication) without a doubt. No wonder, after mentioning that the chain of the *riwayah* of Husayn and 'Amr is either "*a'if* or *muwaththaq*", al–Majlisi immediately proceeds to proclaim:

> الأظهر أنه من مفتريات الزيدية، كما يظهر من أكثر أخبارهم

**The most apparent is that it is from the FABRICATIONS of the Zaydiyyah**, as obvious from most of their reports.[6]

So, the *hadith* is *maw u'*.

## Hadith Two

Ahmad b. Muhammad b. ‘Isa al-Ash’ari is also said to have documented:

> قال محمد بن أبي عمير، عن عبد الله بن سنان، قال: سألت أبا عبد الله عليه السلام عن المتعة؟ فقال: لا تدنس نفسك بها

Muhammad b. Abi ‘Umayr – ‘Abd Allah b. Sinan:

I asked Abu ‘Abd Allah, peace be upon him, about *mu’tah*. So, he said, “**Do not desecrate yourself with it**.”[7]

The first problem with this report is that it is from a *da’if* book. While it is true that Ahmad b. Muhammad b. ‘Isa did write a *Nawadir*, it has not reached us through authentic means, and there is not enough evidence to establish that what we have today is a true copy of his original book. Rather, ‘Allamah al-Muhsini declares about *al-Nawadir* as we have it in our hands:

> والحق عدم إعتبار أحاديثها المنقولة في البحار و الوسائل و المستدرك وما يوجد في النسخة المطبوعة منها

**The truth is the UNRELIABILITY of its *ahadith*** which are quoted in *al-Bihar*, *al-Wasail* and *al-Mustadrak*, and whatever is found in the published manuscript from it.[8]

Whoever seeks the detailed arguments about the unreliability of the book’s transmission to al-Majlisi (d. 1111 H), al-Hurr al-‘Amili (d. 1104 H)and to us is strongly referred to the academic research of al-Muhsini on it[9].

Mirza al-Nuri (d. 1320 H) also submits:

> وأما ثالثا: فقوله رحمه الله{ : ولذا لم ينقل عنه الحر في الوسائل {فإن فيه أنه من أين علم أن الكتاب كان عنده ولم يعتمد عليه ولذا لم ينقل عنه؟ بل المعلوم المتيقن أنه كغيره من الكتب المعتبرة لم يكن عنده، ولو كان لنقل عنه قطعا، فإنه ينقل عن كتب هي دونه بمراتب من جهة المؤلف، أو لعدم ثبوت النسبة إليه، أو ضعف الطريق إليه، كفضل الشيعة للصدوق، وتحف العقول، وتفسير فرات، وإرشاد الديلمي، ونوادر أحمد بن محمد بن عيسى، والاختصاص للمفيد.

And thirdly, as for his statement, may Allah be merciful to him {this is why al-Hurr in *al-Wasail* did not quote from it}, what is there is: how did he know that the book was with him and he did not rely upon it and so did not quote from it? Rather, what is undoubtably certain is that it, like other authentic books, was not with him. If it had been, he would certainly have quoted from it, **because he quoted from books that are inferior to it by degrees in terms of (the unreliability of) the author, or due to the**

**unreliability of its (i.e. the book's) attribution to him, or the weakness of the chain (of the book) to him**, like *Fa□l al-Shi'ah* of al-Saduq, *Tuhaf al-'Uqul*, *Tafsir al-Furat*, *Irshad* of al-Daylami, ***Nawadir* of Ahmad b. Muhammad b. 'Isa**, and *al-Ikhtisas* of al-Mufid.[10]

He lists *al-Nawadir* among the □*a'if* books which al-Hurr al-'Amili relies upon in his *Wasail*. So, whatever is quoted from it – in *al-Bihar*, *al-Wasail* or its published editions – is □*a'if* by default.

Meanwhile, the *hadith* is equally *maw□u'* on account of its opposition to the Verse of *al-Mut'ah* and several *sahih ahadith*.

## Hadith Three

Ahmad b. Muhammad b. 'Isa al-Ash'ari is further said to have recorded:

> ابن أبي عمير، عن هشام بن الحكم، عن أبي عبد الله عليه السلام، قال: ما تفعلها عندنا إلا الفواجر

Ibn Abi 'Umayr – Hisham b. al-Hakam – Abu 'Abd Allah, peace be upon him:

None does it, in our view, except the unchaste.[11]

It comes from a □*a'if* book. Therefore, it is □*a'if*. But then, it is also obscure. What exactly is it that is done by the unchaste? It is not mentioned. So, it is not known. However, if it is were a reference to *mut'ah*, then the *hadith* would become *maw□u'* due to its contradiction with the Verse of *al-Mut'ah* and numerous *sahih ahadith*.

## Hadith Four

Shaykh al-Kulayni (d. 329 H) records:

> عدة من أصحابنا، عن سهل بن زياد، عن علي بن أسباط، ومحمد بن الحسين جميعا، عن الحكم بن مسكين، عن عمار قال: قال أبو عبد الله عليه السلام لي ولسليمان بن خالد: قد حرمت عليكما المتعة من قبلي ما دمتما بالمدينة لأنكما تكثران الدخول علي فأخاف أن تؤخذا، فيقال: هؤلاء أصحاب جعفر.

A number of our companions – **Sahl b. Ziyad** – 'Ali b. Asba□ AND Muhammad b. al-Husayn – **al-Hakam b. Miskin** – 'Ammar:

Abu 'Abd Allah, peace be upon him, said to me and Sulayman bl Khalid, "**I have made *mut'ah* (temporary marriage) *haram* upon you both as long as you are in al-Madinah**, because you frequently visit me and **I fear that you might be arrested**, and it would be said, 'These are companions of Ja'far.'"[12]

‘Allamah al-Majlisi comments:

ضعيف على المشهور

*ḍa’if* upon the mainstream (standards).[13]

Al-Jawahiri also states about one of its narrators:

سهل بن زياد: أبو سعيد الآدمي، الرازي ... ضعيف جزما أو لم تثبت وثاقته

Sahl b. Ziyad, Abu Sa’id al-Adami al-Razi ...: **decidedly *ḍa’if* or his trustworthiness is not established**.[14]

About another narrator, he further declares:

الحكم بن مسكين الثقفي : ... مجهول

Al-Hakam b. Miskin al-Thaqafi ...: ***Majhul***.[15]

So, it is genuinely *ḍa’if*.

Those who quote it seek to prove that *mut’ah* is *haram* through it. However, it actually establishes the opposite of that! According to the *ḍa’if hadith*, both ‘Ammar and Sulayman were forbidden to do temporary marriage in Madinah but free to practise it elsewhere. Moreover, the prohibition covered only both of them, and did not extend generally to all Shi’is. Besides, it was done to protect both ‘Ammar and Sulayman from arrest and possible persecution or even execution. The Ahl al-Sunnah had declared *mut’ah* a form of *zina*. Therefore, the Sunni government in al-Madinah could arrest the two Shi’is and accuse them of fornication or adultery. They both could be stoned to death, or lashed, depending on their marital status, as a result of their *mut’ah*; and that could soil the name of Imam Ja’far – with whom they were known – among the general Sunni public. From the look of it, in line with the *ḍa’if* report, the Madinah governorate was stricter against temporary marriage than other Sunni provinces.

In any case, the *hadith* is *ḍa’if*. Therefore, it is of no probative value.

## Hadith Five

Al-Kulayni documents:

علي بن محمد، عن صالح بن أبي حماد، عن ابن سنان، عن المفضل بن عمر قال: سمعت أبا عبد الله عليه السلام

يقول في المتعة: دعوها أما يستحيي أحدكم أن يرى في موضع العورة فيحمل ذلك على صالحي إخوانه وأصحابه.

‘Ali b. Muhammad – Salih b. Abi Hammad – Ibn Sinan – al-Mufa□□al b. ‘Umar:

I heard Abu ‘Abd Allah, peace be upon him, saying about *mut’ah*: “Abandon it. Would any of you be ashamed to be seen at the place of blemish, and that is placed upon his righteous brothers and companions?”[16]

Al-Majlisi says:

ضعيف

□*a’if*.[17]

Then, he adds:

قوله عليه‌السلام : ) أن يرى في موضع العورة ( أي يراه الناس في موضع يعيب من يجدونه فيه ، لكراهتهم للمتعة فيصير ذلك سببا للضرر عليه وعلى إخوانه

His statement, peace be upon him (to be seen at the place of blemish) meaning, the people see him at a place where whosoever they find there is condemned, due to their abhorrence of *mut’ah*, hence that becomes a cause of harm to him and to his brothers.[18]

This seems to be a conditional ban imposed to curb the harm which accrues to righteous Shi’is from ignorant Sunnis. Wherever the practice of *mut’ah* would not put the Shee’ah in danger, then the prohibition would not apply. In any case, the *hadith* is □*a’if*. Meanwhile, *if* its texts does question the legitimacy of *mut’ah*, then it is in contradiction to the Verse of *al-Mut’ah*, and therefore *maw□u’*.

## Hadith Six

Al-Kulayni reports:

علي بن إبراهيم، عن أبيه، عن ابن أبي عمير، عن بعض أصحابنا، عن زرارة، عن أبي جعفر عليه السلام قال: قلت له: جعلت فداك الرجل يتزوج المتعة وينقضي شرطها ثم يتزوجها رجل آخر حتى بانت منه ثم يتزوجها الأول حتى بانت منه ثلاثا وتزوجت ثلاثة أزواج يحل للأول أن يتزوجها؟ قال: نعم كم شاء ليس هذه مثل الحرة هذه مستأجرة وهي بمنزلة الإماء.

‘Ali b. Ibrahim – his father – Ibn Abi ‘Umayr – **one of our companions** – Zurarah:

I said to Abu Ja'far, peace be upon him, "May I be sacrificed for you. The man marries in *mut'ah* and its term expires. Then, another man marries her until she separates from him. Then, the first (man) re-marries her until she separates from him three times; and she married three husbands. Is it permissible for the first (man) to re-marry her (again)?" He said, "Yes, any number of times he wishes. **This one is not like the free woman. This one is rented, and she is of the status of the slave woman.**"[19]

Al-Majlisi declares:

> حسن وعليه الأصحاب

*Hasan*, and upon it are the companions (i.e. the scholars).[20]

However, it is actually *mursal* and therefore ḍ*a'if*. Al-Majlisi grades it *hasan*, apparently because he belongs to the camp of Shi'i scholars who accept the *marasil* of Ibn Abi 'Umayr – as in this case. Our great leader, 'Allamah al-Khui (d. 1411 H), traces the origin of this practice:

> أقول: الأصل في هذه الدعوى هو الشيخ ـ قدس سره ـ، فقد قال في أواخر بحثه عن خبر الواحد في كتاب العدة (... : ولأجل ذلك سوت الطائفة بين ما يرويه محمد بن أبي عمير، وصفوان بن يحيى، وأحمد بن محمد بن أبي نصر، وغيرهم من الثقات الذين عرفوا بأنهم لا يروون ولا يرسلون إلا عمن يوثق به، وبين ما أسنده غيرهم...)

I say: The root of this claim was Shaykh, may Allah sanctify his secret, for he had said at the end of his research concerning the solitary report in *Kitab al-'Uddah*:

"... It is for this reason that the ṭ*aifah* have equated the reports of Muhammad b. Abi 'Umayr, Safwan b. Yahya, and other *thiqah* narrators – whom they know that they did not narrate or do *irsal* except from those that were trusted – with what others narrated in *musnad* (fully connected) manners...."[21]

Then, he adds:

> فمن المطمأن به أن منشأ هذا الدعوى هو دعوى الكشي الاجماع على تصحيح ما يصح عن هؤلاء. وقد زعم الشيخ أن منشأ الاجماع هو أن هؤلاء لا يروون إلا عن ثقة، وقد مر قريبا بطلان ذلك.

From what is certain is that the origin of this claim (of Shaykh al-ṭusi) was the claim of al-Kashi that there was *ijma'* (consensus) upon the authentication of whatsoever is authentically transmitted from these people. The Shaykh had claimed that the origin of the *ijma'* was that these people did not narrate except from *thiqah* narrators, and the fallacy of that has just been mentioned.[22]

So, there was a claim of *ijma'* by al-Kashi upon the acceptance of whatsoever Ibn Abi 'Umayr and a few other people narrated. From this claim of al-Kashi, al-ṭusi concluded that Ibn Abi 'Umayr never narrated

except from *thiqah* narrators. His conclusion became accepted among many *'ulama*; and, as such, they accepted all his *ahadith* indiscriminately, including even where he has not given the name of his source. However, as al-Khui demonstrates, both the *'ijma* itself and the conclusion from it were made in error. He first declares:

ولكن هذه الدعوى باطلة

But, this claim (i.e. that they narrated from *thiqah* narrators only) is fallacious.[23]

Then, with specific reference to Ibn Abi 'Umayr, he debunks the myth surrounding him:

وهذا ابن أبي عمير، روى عن علي بن أبي حمزة البطائني كتابه، ذكره النجاشي والشيخ، وروى محمد بن يعقوب بسند صحيح عن ابن أبي عمير عن علي بن أبي حمزة وروى بسند صحيح عن ابن أبي عمير عن الحسين بن أحمد المنقري، والحسين بن أحمد المنقري، ضعفه النجاشي والشيخ. وروى الشيخ بسند صحيح عن ابن أبي عمير، عن علي بن حديد وعلي ابن حديد ضعفه الشيخ في موارد من كتابيه وبالغ في تضعيفه. وتقدمت روايته عن يونس بن ظبيان آنفا. وأما روايته عن المجاهيل غير المذكورين في الرجال فكثيرة

:And this is Ibn Abi 'Umayr. He narrated from 'Ali b. Abi Hamzah al-Ba□aini his book. Al-Najashi and Shaykh mentioned it. Muhammad b. Ya'qub also narrated with a *sahih* chain from Ibn Abi 'Umayr from 'Ali b. Abi Hamzah; and he also narrated with a *sahih* chain from Ibn Abi 'Umayr from al-Husayn b. Ahmad al-Munqiri, and al-Husayn b. Ahmad al-Munqiri was declared □*a'if* by al-Najashi and Shaykh. Shaykh too narrated with a *sahih* chain from Ibn Abi 'Umayr from 'Ali b. Hadid, and 'Ali b. Hadid was declared □*a'if* by Shaykh at many places in his two books, and he was extremely emphatic in declaring him □*a'if*. His report from Yunus b. □abyan has been previously mentioned. As for his reports from *majhul* narrators who are not mentioned in the *rijal* books, then they are several.[24]

Basically, Ibn Abi 'Umayr used to narrate from □*a'if* narrators, and even from al-Ba□aini who was a liar! There are *sahih* chains reaching up to him confirming these crucial facts. As such, the basis for accepting his narrations without question, including his *marasil*, is defeated by this reality. Worse still, Ibn Abi 'Umayr himself never claimed that he narrated from reliable narrators only. It was just some *'ulama* who made the apparently erronoeous claim about him. Writing about Ibn Abi 'Umayr and his colleagues, and the claim that they never narrated except from *thiqah* narrators, al-Khui further states:

ومن الظاهر أنه لم ينسب إلى أحد هؤلاء إخباره وتصريحه بذلك، وليس لنا طريق آخر لكشفه

.

From what is apparent is that it is not attributed to any of these people his information or declaration of that, and there is no other way for us to discover it.[25]

The bottomline then is that the *marasil* of Ibn Abi 'Umayr are *da'if* like the other *marasil*. This is what al-Khui concludes as well:

> تقدم عن النجاشي في أن الأصحاب سكنوا إلى مراسيل ابن أبي عمير، وذكر مثل ذلك الشيخ في كتاب العدة، ولكنا قد تعرضنا في المقدمة، إلى أن هذا الكلام لا أساس له، وأنه لا فرق بين مراسيله ومراسيل غيره من الثقات.

We have earlier quoted al-Najashi saying that the companions (i.e. scholars) relied upon the *marasil* of Ibn Abi 'Umayr, and Shaykh mentioned the like of that in *Kitab al-'Uddah*. **However, we have indicated in the Introduction that this statement has no basis, and that there is no difference between his *marasil* and the *marasil* of other *thiqah* narrators**.[26]

Therefore, the *hadith* of Zurarah above is *da'if*, as it is a *mursal* report of Ibn Abi 'Umayr. Those who quote it seek to prove:

(i) the *mut'ah* wife is "rented" for sex in the marriage; and

(ii) she is like a slave woman.

Well, the comparison of the temporary wife to the slave woman is strictly relative:

(a) a man may have as many slave women with whom he enjoys sexual relations as he wants;

(b) in the same manner, the husband may have *mut'ah* relationships with as many women as he wants at the same time;

(c) the master of a slave woman needs no *wali* or witnesses in order to enjoy a concubinage with her;

(d) the husband of a temporary wife needs no *wali* (except in the case of a virgin) and no witnesses (except where he voluntarily chooses to have them) in order to formalize the *mut'ah* with her;

(e) the slave woman exits the concubinage without divorce;

(f) the temporary wife separates from the husband without a divorce.

These are the only areas of similarity between the *mut'ah* wife and the slave concubine. In everything else, they are different. This *hasan* or *sahih hadith* of al-Kulayni, which we have already quoted in full in this book, testifies to this:

> ليس فيها وقت ولا عدد إنما هي بمنزلة الإماء يتزوج منهن كم شاء وصاحب الأربع نسوة يتزوج منهن ما شاء بغير

ولي ولا شهود فإذا انقضى الاجل بانت منه بغير طلاق ويعطيها الشئ اليسير

There is no specific length or any (maximum) number (of the wives) in it. They are only of the status of slave women: he marries any number of them as he wishes, and the husband of four women (also) marries from them whatever he wishes, with no *wali* or witnesses. When the (agreed) term expires, she separates from him without divorce, and he gives her the small thing.

As for the claim that she is "rented" for sex in the *mut'ah*, we will have more to say about this. But, first, let us examine the other *ahadith* which also described her as "rented". Al-Kulayni gives us the second report, as well:

محمد بن يحيى، عن أحمد بن محمد بن عيسى، عن الحسين بن سعيد، ومحمد بن خالد البرقي، عن القاسم بن عروة، عن عبد الحميد، عن محمد بن مسلم، عن أبي جعفر عليه السلام في المتعة قال: ليست من الأربع لأنها لا تطلق ولا ترث وإنما هي مستأجرة.

Muhammad b. Yahya – Ahmad b. Muhammad b. 'Isa – al-Husayn b. Sa'id AND Muhammad b. Khalid al-Barqi – **al-Qasim b. 'Urwah** – 'Abd al-Hamid – Muhammad b. Muslim:

Abu Ja'far, peace be upon him, said concerning *mut'ah*: "She is not from the four (permanent wives), because she is not divorced and she does not inherit. She is only a rented woman."[27]

Al-Majlisi states:

مجهول

*Majhul*.[28]

And al-Jawahiri declares concerning one of its narrators:

القاسم بن عروة: أبو محمد مولى أبي أيوب الخوزي ـ مجهول

Al-Qasim b. 'Urwah, Abu Muhammad, freed slave of Abu Ayyub al-Khawzi: ***Majhul***.[29]

Meanwhile, al-Barqi is equally said to have documented this *hadith*:

وعنه، عن العباس بن معروف، عن القاسم بن عروة: عن عبد الحميد الطائي، عن محمد بن مسلم، قال: قلت لأبي جعفر عليه السلام : لم لا تورث المرأة عمن يتمتع بها؟ ـ قال: لأنها مستأجرة، وعدتها خمسة وأربعون يوما

And from him – al-‘Abbas b. Ma’ruf – **al-Qasim b. ‘Urwah** – ‘Abd al-Hamid al-ai – Muhammad b. Muslim:

I said to Abu Ja’far, peace be upon him, “Why does the woman not inherit the one who does *mut’ah* with her?” He said, “It is because she is a rented woman, and her *‘iddah* is forty-five days.”[30]

This is from al-Qasim b. ‘Urwah, the same *majhul* narrator, and it is therefore also *a’if*. Besides, *Kitab al-Mahasin* is also a *a’if* book, as it has not reached us through authentic means.[31] That compounds the unreliability of the *hadith*.

And, here is al-Kulayni with the final *hadith* on this matter:

الحسين بن محمد، عن أحمد بن إسحاق، عن سعدان بن مسلم، عن عبيد بن زرارة، عن أبيه، عن أبي عبد الله عليه السلام قال: ذكرت له المتعة أهي من الأربع؟ فقال: تزوج منهن ألفا فإنهن مستأجرات.

Al-Husayn b. Muhammad – Ahmad b. Ishaq – Sa’dan b. Muslim – ‘Ubayd b. Zurarah – his father:

I mentioned *mut’ah* to him, “Is she from the four?” So, he said, “Marry a thousand of them, for they are rented women.”[32]

And, al-Majlisi submits:

مجهول

*Majhul*.[33]

This basically establishes that there is NO authentic basis for referring to *mut’ah* wives as rented women.

But then, let us assume, for the sake of argument, that she *is* rented. Is it really for sex? There are two possibilities here:

(i) The woman is rented for sex in *mut’ah*. Therefore, there can be no *mut’ah* without intercourse.

(ii) The woman is not rented for sex in *mut’ah*. As such, there can be *mut’ah* without intercourse.

There is no third way to this. If *mut’ah* is only a “rental” of the woman for sex, then any *mut’ah* without sex is no *mut’ah*. However, as al-Kulayni has reported, *mut’ah* can be without sex, and still be *mut’ah*:

محمد بن يحيى، عن أحمد وعبد الله ابني محمد بن عيسى، عن علي بن الحكم، عن زياد بن أبي الحلال قال: سمعت أبا عبد الله عليه السلام يقول: لا بأس بأن يتمتع بالبكر ما لم يفض إليها مخافة كراهية العيب على أهلها.

Muhammad b. Yahya – Ahmad and ‘Abd Allah, sons of Muhammad b. ‘Isa – ‘Ali b. al-Hakam – Ziyad b. Abi al-Hilal:

I heard Abu ‘Abd Allah, peace be upon him, saying: “**There is no problem in doing *mut’ah* with the virgin as long as he does not have sex with her**, for fear of the disgust of the blemish upon her family.”[34]

Al-Majlisi declares:

> صحيح

*Sahih*.[35]

Even the locus classicus in this matter, the *mursal hadith* of Ibn Abi ‘Umayr, affirms the same truth. Al-Tusi documents:

> روى محمد بن يعقوب عن علي بن إبراهيم عن أبيه عن ابن أبي عمير عن بعض أصحابنا عن زرارة عن أبي جعفر عليه السلام قال: قلت له: جعلت فداك تتزوج المتعة وينقضي شرطها ثم يتزوجها رجل آخر حين بانت منه ثم يتزوجها الرجل الأول حين بانت منه ثلاثا وتزوجت ثلاثة أزواج يحل للأول ان يتزوجها؟ قال: نعم كم شاء ليس هذه مثل الحرة هذه مستأجرة وهي بمنزلة الإماء. ومتى تزوج الرجل امرأة متعة وشرطت عليه ان لا يطأها في فرجها فليس له إلا ما اشترطت.

Muhammad b. Ya’qub – ‘Ali b. Ibrahim – his father – Ibn Abi ‘Umayr – **one of our companions** – Zurarah:

I said to Abu Ja’far, peace be upon him, “May I be sacrificed for you. *Mut’ah* was contracted and its term expires. Then, another man marries her when she separates from him. Then, the first man re-marries her when she separates from him, three times; and she married three husbands. Is it permissible for the first (man) to re-marry her (again)?” He said, “Yes, any number of times he wishes. This one is not like the free woman. This one is rented, and she is of the status of the slave woman. **And when the man marries a woman in *mut’ah*, and she imposes a condition upon him that he shall not have sexual intercourse with her, then there is nothing for him except whatever is stipulated as a condition**.”[36]

So, then, how exactly is *mut’ah* a “rental” of the woman *for sex*?

## Hadith Seven

Shaykh al-Tusi records:

واما ما رواه أحمد بن محمد عن أبي الحسن عن بعض أصحابنا يرفعه إلى أبي عبد الله عليه السلام قال: لا تتمتع بالمؤمنة فتذلها.

Ahmad b. Muhammad – Abu al-Hasan – **one of our companions** – Abu ‘Abd Allah, peace be upon him:

Do not do *mut’ah* with a *muminah* (believing woman), thereby humiliating her.37

Then, al-Tusi himself declares:

فهذا الخبر مقطوع الاسناد مرسل

This report has a disconnected chain, *mursal*.38

So, it is *da’if*; and that basically deals with it.

## Hadith Eight

Al-Tusi reports:

روى محمد بن أحمد بن يحيى عن أحمد بن محمد عن علي ابن حديد عن جميل عن زرارة قال: سأل عمار وانا عنده عن الرجل يتزوج الفاجرة متعة قال: لا بأس وإن كان التزويج الآخر فليحصن بابه.

Muhammad b. Ahmad b. Yahya – Ahmad b. Muhammad – **‘Ali b. Hadid** – Jamil – Zurarah:

‘Ammar asked, while I was with him, about the man who marries the prostitute in *mut’ah*. He said, “There is no problem. But, if it were the other marriage, then he must fortify his door.”39

And, in his *Istibsar*, he proclaims:

وأما خبر زرارة فالطريق إليه علي بن حديد وهو ضعيف جدا لا يعول على ما ينفرد بنقله

As for the report of Zurarah, **the route to him is ‘Ali b. Hadid and he is *da’if jiddan***. Whatever he alone narrates is not relied upon.40

Therefore, the report is *da’if jiddan* in its *sanad*.

Al-Majlisi too says about the *hadith*:

ضعيف

*a'if*.[41]

Meanwhile, it also directly contradicts this *ayah* of the Qur'an:

الزاني لا ينكح إلا زانية أو مشركة والزانية لا ينكحها إلا زان أو مشرك وحرم ذلك على المؤمنين

The fornicator shall not marry any but a fornicatress or an idolatress; **and the fornicatress, none shall marry her but a fornicator or an idolater: and that is made *haram* for the believers.**[42]

On this account alone, the *hadith* is *maw u'*.

## Hadith Nine

Al-usi documents:

عنه عن سعدان عن علي بن يقطين قال: قلت لأبي الحسن عليه السلام: نساء أهل المدينة قال: فواسق قلت: فأتزوج منهن؟ قال: نعم. ومتى أراد الرجل تزويج المتعة فليس عليه التفتيش عنها بل يصدقها في قولها.

From him (i.e. Muhammad b. Ahmad b. Yahya) – Sa'dan – 'Ali b. Yaqin:

I said to Abu al-Hasan, peace be upon him, "The women of al-Madinah." He said, "Unchaste." I said, "So, can I marry from them?" He said, "Yes. And when the man intends to contract *mut'ah*, he does not have to do investigation about her. Rather, he should trust her in her statement."[43]

Al-Majlisi says:

مجهول

*Majhul*.[44]

As such, this *hadith* of 'Ali b. Yaqin is *a'if*. It also contradicts the Book of Allah, and that makes it *maw u'*.

## Hadith Ten

Al-usi records:

روى محمد بن أحمد بن يحيى عن علي بن السندي عن عثمان بن عيسى عن إسحاق بن عمار عن فضل مولى محمد بن راشد عن أبي عبد الله عليه السلام قال: قلت اني تزوجت امرأة متعة فوقع في نفسي أن لها زوجا ففتشت عن ذلك فوجدت لها زوجا قال: ولم فتشت؟!

Muhammad b. Ahmad b. Yahya – **'Ali b. al-Sindi** – 'Uthman b. 'Isa – Ishaq b. 'Ammar – **Fa□l, freed slave of Muhammad b. Rashid**:

I said, "I married a woman in *mut'ah*. But, it occurred in my mind that she had a husband. So, I investigated that and discovered that she had a husband." Abu 'Abd Allah, peace be upon him, said, "Why did you investigate?!"[45]

Al-Jawahiri says about one of the narrators:

علي بن السندي: روى ٨٤ رواية، وروى بعنوان علي بن السندي القمي ـ لم تثبت وثاقته

'Ali b. al-Sindi: he narrated 84 reports, and he also narrated under the name 'Ali b. al-Sanadi al-Qummi: **his trustworthiness is NOT established**.[46]

This makes him *majhul* and □*a'if*. Al-Jawahiri also states about another narrator:

الفضل مولى محمد بن راشد :مجهول

Al-Fa□l, freed slave of Muhammad b. Rashid: ***Majhul***.[47]

Apparently, the report has a □*a'if* chain. It also contradicts this authentic *hadith* of al-Kulayni:

محمد بن يحيى، عن أحمد بن محمد، عن ابن محبوب، عن أبان، عن أبي مريم، عن أبي جعفر عليه السلام أنه سئل عن المتعة فقال: إن المتعة اليوم ليس كما كانت قبل اليوم إنهن كن يومئذ يؤمن واليوم لا يؤمن فاسألوا عنهن.

Muhammad b. Yahya – Ahmad b. Muhammad – Ibn Mahbub – Aban – Abu Maryam:

Abu Ja'far, peace be upon him, was asked about *mut'ah*. So, he said, "Verily, *mut'ah* today is not as it used to be in the past. They (i.e. the women) used to be faithful. But, today, they are not faithful. **Therefore, investigate about them (i.e. the women)**.[48]

Al-Majlisi says:

موثق كالصحيح

*Muwaththaq ka al-Sahih*[49]

Therefore, the man must thoroughly investigate about the woman – including concerning her marital status – before contracting *mut'ah* with her. Besides, even during their marriage, he must still carry out fresh investigations if he has any suspicions. The Imam, *'alaihi al-salam*, has not placed any time limitations on the obligation to investigate.

## Hadith Eleven

Al-Tusi reports:

> وعنه عن أيوب بن نوح عن مهران بن محمد عن بعض أصحابنا عن أبي عبد الله عليه السلام قال: قيل له ان فلانا تزوج امرأة متعة فقيل له ان لها زوجا فسألها فقال أبو عبد الله عليه السلام: ولم سألها؟

And from him (Muhammad b. Ahmad b. Yahya) – Ayyub b. Nuh – **Mihran b. Muhammad** – **one of our companions**:

It was said to Abu 'Abd Allah, peace be upon him, "So-and-so married a woman in *mut'ah*. Then, he was informed that she had a husband. Therefore, he asked her." So, Abu 'Abd Allah, peace be upon him, said, "And why did he ask her?"[50]

Al-Jawahiri says about one of the narrators:

> مهران بن محمد: مجهول

Mihran b. Muhammad: ***Majhul***.[51]

As such, the *hadith* is *da'if*. But, it is also *mursal*, as our esteemed reader can see. Al-Majlisi too confirms this when he declares concerning it:

> مرسل

*Mursal*.[52]

Therefore, its suffers from compounded unreliability.

## Hadith Twelve

Al-Tusi documents:

وعنه عن الهيثم بن أبي مسروق النهدي عن أحمد بن محمد بن أبي نصر ومحمد بن الحسن الأشعري عن محمد بن عبد الله الأشعري قال: قلت للرضا عليه السلام: الرجل يتزوج بالمرأة فيقع في قلبه أن لها زوجا قال: ما عليه أرأيت لو سألها البينة كان يجد من يشهد ان ليس لها زوج

And from him (i.e. Muhammad b. Ahmad b. Yahya) – al-Haytham b. Abi Masruq al-Hindi – Ahmad b. Muhammad b. Abi Nasr AND Muhammad b. al-Hasan al-Ash'ari – **Muhammad b. 'Abd Allah al-Ash'ari**:

I said to al-Ri□a, peace be upon him, "The man marries the woman. Then, it occurs in his mind that she has a husband." He said, "It is not upon him. Have you seen: if he asks her for proof, there will be someone who will testify that she has no husband?"[53]

Al-Majlisi states about the *hadith*:

مجهول

*Majhul*.[54]

Al-Jawahiri also submits about one of the narrators:

محمد بن عبد الله الأشعري: مجهول

Muhammad b. 'Abd Allah al-Ash'ari: ***Majhul***.[55]

Therefore, the *hadith* is □*a'if*.

## Hadith Thirteen

Al-□usi records:

محمد بن أحمد بن يحيى عن العباس بن معروف عن سعدان بن مسلم عن رجل عن أبي عبد الله عليه السلام قال: لا بأس بتزويج البكر إذا رضيت من غير اذن أبويها.

Muhammad b. Ahmad b. Yahya – al-'Abbas b. Ma'ruf – Sa'dan b. Muslim – a man – Abu 'Abd Allah, peace be upon him:

There is no problem in marrying the virgin when she consents, without the consent of her parents.[56]

Al-Majlisi declares:

مجهول مرسل

*Majhul Mursal*.[57]

Thus, it is very weak. It equally contradicts this authentic *hadith* of the same al-Ṭusi:

فاما رواه أحمد بن محمد عن محمد بن إسماعيل عن أبى الحسن ظريف عن ابان عن أبي مريم عن أبي عبد الله عليه السلام قال: العذراء التي لها أب لا تتزوج متعة إلا باذن أبيها.

Ahmad b. Muhammad – Muhammad b. Isma'il – Abu al-Hasan Zarif – Aban – Abu Maryam – Abu 'Abd Allah, peace be upon him:

The virgin who has a father cannot be married in *mut'ah* except with the permission of her father.[58]

Al-Majlisi comments:

موثق كالصحيح

*Muwaththaq ka al-Sahih*[59]

Al-Ruhani also states:

صحيح

*Sahih*[60]

That then delivers the fatal blow to it.

## Hadith Fourteen

Al-Ṭusi says:

وعنه عن موسى بن عمر بن يزيد عن محمد بن سنان عن أبي سعيد القماط عمن رواه قال: قلت لأبي عبد الله عليه السلام: جارية بكر بين أبويها تدعوني إلى نفسها سرا من أبويها أفأفعل ذلك؟ قال: نعم واتق موضع الفرج قال: قلت فان رضيت بذلك؟ قال: وان رضيت بذلك فإنه عار على الابكار.

And from him from **Musa b. 'Umar b. Yazid** – **Muhammad b. Sinan** – Abu Sa'id al-Qimaṭ – **from the one who narrated it**:

I said to Abu ‘Abd Allah, peace be upon him: “A virgin girl who is still with her parents invites me to herself secretly without the knowledge of her parents. Should I do that?” He said, “Yes, and avoid the place of the vulva.” I said, “So, if she consents to that?” He said, “Even if she consents to that, for it is a shame upon the virgins.”[61]

Al-Majlisi comments:

ضعيف على المشهور

*Da’if ‘ala al-Mashhur*.[62]

Al-Jawahiri too states about one of the narrators:

موسى بن عمر بن يزيد بن ذبيان: الصيقل ـ مجهول

Musa b. ‘Umar b. Yazid Dhibyan al-Sayqal: ***Majhul***.[63]

And, about another narrator, Shaykh al-Najashi (d. 450 H) submits:

محمد بن سنان ... هو رجل ضعيف جدا لا يعول عليه ولا يلتفت إلى ما تفرد به

Muhammad b. Sinan ... **he is a man who is *Da’if jiddan* (very weak)**. He is not relied upon, and no attention is paid to whatever he narrated without corroboration.[64]

As such, the *hadith* is *Da’if jiddan*. Worse still, it is equally *mursal*, as its main narrator is unknown.

With that same *Da’if jiddan* chain, al-Tusi proceeds with this further *riwayah*:

وبهذا الاسناد عن أبي سعيد قال: سئل أبو عبد الله عليه السلام عن التمتع من الابكار اللواتي بين الأبوين فقال: لا بأس ولا أقول كما يقول هؤلاء الأقشاب

And with this chain from Abu Sa’id:

Abu ‘Abd Allah, peace be upon him, was asked about *mut’ah* with virgins who are still with their parents. So, he said, “There is no problem (with it), and I do not say as these scoundrels say.”[65]

Al-Majlisi says:

ضعيف

*da’if*.[66]

We already know of the severe weakness of the *sanad*, anyway.

Then, al-Tusi proceeds to narrate one more *hadith* through that same chain:

> أبو سعيد عن الحلبي قال: سألته عن التمتع من البكر إذا كانت بين أبويها بلا اذن أبويها قال: لا بأس ما لم يقتض ما هناك لتعف بذلك.

Abu Sa’id from al-Halabi:

I asked him about *mut’ah* with the virgin who is still with her parents without the consent of her parents. He said, “There is no problem as long as one does not consummate what is there, so that she could be chaste by that.”[67]

Al-Majlisi declares:

> ضعيف على المشهور

*da’if ‘ala al-Mashhur*.[68]

And it is actually *da’if jiddan* due to Muhammad b. Sinan. Of course, it equally contradicts the *sahih hadith* of Abu Maryam, quoted above – a fact that makes its case even more hopeless.

## Hadith Fifteen

Al-Tusi records:

> الحسن بن محبوب عن إسحاق بن جرير قال: قلت لأبي عبد الله عليه السلام ان عندنا بالكوفة امرأة معروفة بالفجور أيحل ان أتزوجها متعة؟ قال فقال :رفعت راية؟ قلت: لا لو رفعت راية اخذها السلطان قال فقال: نعم تزوجها متعة قال: ثم إنه اصغي إلى بعض مواليه فاسر إليه شيئا، قال: فدخل قلبي من ذلك شئ قال: فلقيت مولاه فقلت له: اي شئ قال لك أبو عبد الله عليه السلام؟ قال: فقال لي: ليس هو شئ تكرهه فقلت: فأخبرني به قال فقال: إنما قال لي: ولو رفعت راية ما كان عليه في تزويجها شئ إنما يخرجها من حرام إلى حلال.

Al-Hasan b. Mahbub – Ishaq b. Jarir:

I said to Abu ‘Abd Allah, peace be upon him, “**With us in Kufah, there is a woman who is famous for prostitution. Is it *halal* to marry her in *mut’ah*?**” He said, “Did she raise a flag (i.e. openly practises prostitution)?” I said, “No. If she raised a flag, the ruler would arrest her.” So, he said, “**Yes. Marry her in *mut’ah***.” Then, he listened to one of his slaves and confided something to him. As a result, something

entered my heart concerning that. Therefore, I met his slave and said to him, “What did Abu ‘Abd Allah, peace be upon him, say to you?” So, he said to me, “It is not something you dislike.” Then I said, “In that case, inform me of it.” Then he said, “He only said to me: even if she raised a flag, there would not be anything against his marriage of her. He only takes her out of a *haram* to a *halal*.”[69]

Al-Majlisi says:

> موثق

*Muwaththaq*.[70]

Al-Ruhani agrees:

> موثق

*Muwaththaq*.[71]

The last part of the *hadith* is *mursal* and therefore *da’if*, as it is narrated to Ishaq by an unnamed, unknown slave. As for the first part, it is *muwaththaq*.

A *muwaththaq hadith* is only conditionally authentic, and is inferior to a *sahih hadith*. This is why, in the case of a conflict between a *muwaththaq hadith* and a *sahih hadith*, the former becomes *shadh* and *da’if*. Meanwhile, al-Tusi himself gives some further information on the *muwaththaq hadith*:

> وأما العدالة المراعاة في ترجيح أحد الخبرين على الاخر فهو: أن يكون الراوي معتقدا للحق، مستبصرا ثقة في دينه، متحرجا من الكذب غير متهم فيما يرويه.

> فأما إذا كان مخالفا في الاعتقاد لأصل المذهب وروى مع ذلك عن الأئمة عليهم السلام نظر فيما يرويه. فان كان هناك من طرق الموثوق بهم ما يخالفه وجب اطراح خبره. وان لم يكن هناك ما يوجب اطراح خبره ويكون هناك ما يوافقه وجب العمل به.

> وان لم يكن من الفرقة المحقة خبر يوافق ذلك ولا يخالفه، ولا يعرف لهم قول فيه، وجب أيضا العمل به

As for the *‘adalah* that is required in the preference of one of two reports over another, it is: that the narrator should have the true *‘aqidah*, enlightened, trustworthy in his religion, who avoids telling lies, not accused in what he narrates.

But, if he deviates in *'aqidah* from the root of the (Shi'i) sect, and narrates nonetheless from the Imams, peace be upon them, what he narrates is looked at. **If there is what contradicts it from the routes of trusted narrators, it becomes obligatory to throw away his report**. However, if there is nothing that necessitates throwing away his report, and there is what agrees with it, it becomes obligatory to follow it.

Meanwhile, if there is no report from the saved sect (i.e. Shi'is) which agrees with that, and no report which contradicts it, and no opinion is known from them concerning it, it is equally obligatory to follow it.[72]

In other words, a *muwaththaq hadith* – which is what a non-Imami Muslim narrates from the Ahl al-Bayt – is authentic only if there is nothing *sahih* that contradicts it. Al-Tusi also adds:

> وان كان ما رووه ليس هناك ما يخالفه ولا يعرف من الطائفة العمل بخلافه، وجب أيضا العمل به إذا كان متحرجا في روايته موثوقا في أمانته، وان كان مخطئا في أصل الاعتقاد.

And if there is nothing that contradicts what he narrated, and the *Taifah* (i.e. Shi'is) are not known to have acted contrary to it, it is obligatory to follow it as well, if he is restrained (from telling lies) in his report, trustworthy in his honesty, even if he deviates in the root of *'aqidah*.[73]

So, what saves a *muwaththaq hadith* is the complete absence of any *sahih* Shi'i *hadith* that contradicts it. If there is, the *muwaththaq hadith* becomes *matruk* (rejected) and thrown away.

With that in mind, we ask: is there any *sahih* Shi'i *hadith* which contradicts the *muwaththaq hadith* of Ishaq b. Jarir above?

First, it directly opposes this *ayah* of Allah:

> الزاني لا ينكح إلا زانية أو مشركة والزانية لا ينكحها إلا زان أو مشرك وحرم ذلك على المؤمنين

The fornicator shall not marry any but a fornicatress or an idolatress; **and the fornicatress, none shall marry her but a fornicator or an idolater: and that is made *HARAM* for the believers**.[74]

This explicitly forbids marriage with fornicators and fornicatresses. The instruction is also general, and the Ahl al-Bayt have applied the verse to both permanent marriage and *mut'ah*.

It also contradicts this *ayah*:

> اليوم أحل لكم الطيبات وطعام الذين أوتوا الكتاب حل لكم وطعامكم حل لهم والمحصنات من المؤمنات والمحصنات من الذين أوتوا الكتاب من قبلكم إذا آتيتموهن أجورهن محصنين غير مسافحين ولا متخذي أخدان

Today, the good things are made *halal* to you; and the food of those who were given the Book is *halal* for you, and your food is *halal* for them; **and also (*halal* to you are) the CHASTE ONES from the believing women and the CHASTE ONES from those who were given the Book before you**, when you have given them their dowries, taking (them) in marriage, not fornicating (with them), nor taking them as girlfriends.[75]

Only chaste Muslim and Kitabi women are *halal* for marriage. All others are therefore *haram*. Of course, there is absolutely no doubt that fornicatresses and prostitutes are NOT chaste women. As such, *mut'ah* with any unchaste woman – in particular, with a fornicatress or prostitute – is *haram* in Islam, according to the Book of our Lord.

The third *ayah* which the *muwaththaq hadith* of Ishaq b. Jarir contradicts is this:

> ومن لم يستطع منكم طولا أن ينكح المحصنات المؤمنات فمن ما ملكت أيمانكم من فتياتكم المؤمنات والله أعلم بإيمانكم بعضكم من بعض فانكحوهن بإذن أهلهن وآتوهن أجورهن بالمعروف محصنات غير مسافحات ولا متخذات أخدان

And whoever of you is not able to afford to marry free believing women, let him marry from the believing girls from among those whom your right hands possess, and Allah has full knowledge about your faith. You are one from another. **Marry them with the consent of their masters and give them their dowries justly: they being CHASTE, not fornicating, nor taking boyfriends**.[76]

So, even a slave girl must be chaste before she can qualify for marriage – whether permanently or in *mut'ah*. *Alhamdulillah*, there are hardly any slaves in the world today. Meanwhile, the significance of this verse to our research is in the fact that Allah generally sets lower standards for slaves and higher for free believers[77]. Since chastity is strictly required from slave girls before they can qualify for *nikah*, then the standard is even higher for free Muslimahs! Apparently, the average Muslim woman must indeed be *very* chaste in order to be suitable for *mut'ah*.

Thus, what happens to the *muwaththaq hadith* of Ishaq b. Jarir which opposes these verses? Al-Khui has a clear answer for this:

> وقد دلت الأخبار المتواترة على وجوب عرض الروايات على الكتاب والسنة وأن ما خالف الكتاب منها يجب طرحه، وضربه على الجدار.

The ***mutawatir* reports** have proved that it is obligatory to compare reports with the Book and the *Sunnah*, and that **whatsoever contradicts the Book from them must be thrown away and discarded**.[78]

Shaykh al-Saduq (d. 381 H) too declares:

وكل حديث لا يوافق كتاب الله فهو باطل

Every *hadith* that does not agree with the Book of Allah is a fabrication.79

Therefore, the *hadith* of Ishaq b. Jarir is *maw*ؤ*u'*, a fabrication.

Then, al-Saduq has this *hadith* too:

روى داود بن سرحان، عن زرارة عن أبي عبد الله عليه السلام قال: سألته عن قول الله عز وجل: الزاني لا ينكح إلا زانية أو مشركة والزانية لا ينكحها إلا زان أو مشرك " قال: هن نساء مشهورات بالزنا، ورجال مشهورون بالزنا، شهروا بالزنا وعرفوا به، والناس اليوم بتلك المنزلة من أقيم عليه حد الزنا أو شهر بالزنا لم ينبغ لاحد أن يناكحه حتى يعرف منه توبة

Dawud b. Sarhan – Zurarah:

I asked Abu 'Abd Allah, peace be upon him, about the Statement of Allah, the Almighty {**The fornicator shall not marry any but a fornicatress or an idolatress; and the fornicatress, none shall marry her but a fornicator or an idolater**}. He said, "They are women who are famous for *zina*, and men who are famous for *zina*. They became famous for *zina* and became known with it; and the people today are of that status. **Whoever is judicially punished for *zina* or is famous for it, it is NOT appropriate for anyone to marry them until repentance is known from them.**"80

The annotator, Prof. 'Ali Akbar al-Ghiffari, comments:

الطريق صحيح

The chain is *sahih*.81

Al-Ruhani agrees with him:

صحيح

*Sahih*.82

Al-ؤusi also reports this:

أحمد بن محمد بن عيسى عن أبي المعزا عن الحلبي قال قال: أبو عبد الله عليه السلام لا تتزوج المرأة المعلنة بالزنا ولا تزوج الرجل المعلن بالزنا إلا أن يعرف منهما التوبة.

Ahmad b. Muhammad b. ‘Isa – Abu al-Mua’za – al-Halabi – Abu ‘Abd Allah, peace be upon him:

“Do NOT marry the woman who overtly commits *zina*, and do NOT marry the man who overtly commits *zina*, **EXCEPT when repentance is known from them both**.”[83]

Al-Ruhani comments:

> صحيح

*Sahih*.[84]

Al-Kulayni is not left out either:

> علي بن إبراهيم، عن محمد بن عيسى، عن يونس، عن محمد بن الفضيل قال:سألت أبا الحسن عليه السلام عن المرأة الحسناء الفاجرة هل يجوز للرجل أن يتمتع منها يوما أو أكثر؟ فقال: إذا كانت مشهورة بالزنا فلا يتمتع منها ولا ينكحها.

‘Ali b. Ibrahim – Muhammad b. ‘Isa – Yunus – Muhammad b. al-Fu□ayl:

I asked Abu al-Hasan, peace be upon him, about the beautiful woman who is a prostitute: is it permissible for the man to do *mut’ah* with her for a day or more?” He said: “**If she is famous for *zina*, then he must NOT do *mut’ah* with her and also must NOT marry her (permanently)**.”[85]

Al-Majlisi comments:

> موثق

*Muwaththaq* (Reliable)[86]

Al-Ruhani says:

> صحيح

*Sahih*.[87]

Then, al-Kulayni reports this too:

> حميد بن زياد، عن الحسن بن محمد بن سماعة، عن أحمد بن الحسن الميثمي، عن أبان، عن حكم بن حكيم، عن أبي عبد الله عليه السلام في قوله عز وجل: والزانية لا ينكحها إلا زان أو مشرك قال: إنما ذلك في الجهر ثم قال: لو

أن إنسانا زنى ثم تاب تزوج حيث شاء.

Humayd b. Ziyad – al-Hasan b. Muhammad b. Sama'ah – Ahmad b. al-Hasan al-Maythami – Aban – Hakam b. Hakim – Abu 'Abd Allah, peace be upon him, concerning His Statement, the Almighty {**and the fornicatress, none shall marry her but a fornicator or an idolater**}:

"That is only in the publicity (of the fornication)". Then, he (Abu 'Abd Allah) said, "**If a person commits *zina*, and then repents, they can marry wherever they wish (in the *halal* categories)**."[88]

Al-Majlisi comments:

موثق

*Muwaththaq*.[89]

And, of course, we must not forget this *hadith* of al-Ri□usi:

أحمد بن محمد بن عيسى عن محمد بن إسماعيل بن بزيع قال: سأل رجل الرضا عليه السلام وانا اسمع عن الرجل يتزوج المرأة متعة ويشترط عليها ان لا يطلب ولدها فتأتي بعد ذلك بولد فينكر الولد فشدد في ذلك وقال يجحد؟ وكيف يجحد اعظاما لذلك؟ قال الرجل فان اتهمها قال: لا ينبغي لك ان تتزوج إلا مأمونة ان الله يقول: الزاني لا ينكح إلا زانية أو مشركة والزانية لا ينكحها إلا زان أو مشرك وحرم ذلك على المؤمنين

Ahmad b. Muhammad b. 'Isa – Muhammad b. Isma'il b. Bazi':

A man asked al-Ri□a, peace be upon him, while I was listening, about **the man who marries the woman in *mut'ah*** and he imposes a condition upon her that he will not seek her child. But, she later comes with a child and he severely denies the child. So, he (al-Ri□a) said, "Does he deny? How can he deny primarily because of that?" Then, the man said, "What if he accuses her (of fornication)?" **He (al-Ri□a) said, "It is not appropriate for you to marry except a faithful woman**. Verily, Allah the Almighty says: {The fornicator shall not marry any but a fornicatress or an idolatress; **and the fornicatress, none shall marry her but a fornicator or an idolater**: and that is made *haram* for the believers}.[90]

Al-Majlisi states:

صحيح

*Sahih*.[91]

Al-Ruhani concurs:

صحيح

*Sahih*.[92]

Meanwhile, al-Kulayni still has more:

علي بن إبراهيم، عن أبيه، عن حماد بن عيسى، عن حريز بن عبد الله، عن محمد ابن مسلم، عن أبي جعفر عليه السلام قال: سألته عن الخبيثة أتزوجها؟ قال: لا.

'Ali b. Ibrahim – his father – Hammad b. 'Isa – Hariz b. 'Abd Allah – Muhammad b. Muslim:

I asked Abu Ja'far, peace be upon him, about the fornicatress, "**Can I marry her?**" He said, "**No**."[93]

Al-Majlisi declares:

حسن

*Hasan*.[94]

Let us then cap everything with this additional *hadith* of al-Kulayni:

محمد بن يحيى، عن أحمد بن محمد، عن علي بن الحكم، عن العلاء بن رزين، عن محمد بن مسلم قال: سألت أبا جعفر عليه السلام عن الخبيثة يتزوجها الرجل، قال: لا، وقال: إن كان له أمة وطئها ولا يتخذها أم ولده.

Muhammad b. Yahya – Ahmad b. Muhammad – 'Ali b. al-Hakam – al-'Ala b. Zarin – Muhammad b. Muslim:

I asked Abu Ja'far about the fornicatress, "**Can the man marry her?**" He said, "**No.**" And he (further) said, "If he has a slave woman, he should have intercourse with her (instead), and he should not take her as the mother of his child."[95]

And, al-Majlisi states:

صحيح

*Sahih*.[96]

The bottom-line of all this is that the *hadith* of Ishaq b. Jarir fails the full conditions of authenticity. It contradicts the Book of Allah as well as several *sahih*, *muwaththaq* and *hasan ahadith*. As a result, it is

*mawḍu’*, thrown out and discarded.

## Hadith Sixteen

Shaykh al-Mufid (d. 413 H) records:

> وعن الحسن بن جرير قال: سألت أبا عبد الله عليه السلام في المرأة تزني عليها أيتمتع بها؟ قال: أرأيت ذلك؟ قلت: لا، ولكنها ترمى به قال: نعم يتمتع بها على أنك تغادر وتغلق بابك.

Narrated al-Hasan b. Jarir:

I asked Abu ‘Abd Allah, peace be upon him, about the woman upon whom *zina* is committed. Can I do *mut’ah* with her?” He said, “Did you see that?” I said, “No. But, she is accused of it.” He said, “Yes. Do *mut’ah* with her, upon (the condition) that you leave and lock your door.”[97]

This one is *mursal* and therefore *ḍa’if*, as it has no chain of narration. Moreover, its only narrator, al-Hasan b. Jarir, is *muhmal* (untraceable). Therefore, the *hadith* is very weak.

## Hadith Seventeen

Al-Himyari (d. 300 H), in the book attributed to him, has this *hadith*:

> قال علي بن رئاب: سألت أبا عبد الله عليه السلام عن المرأة الفاجرة يتزوجها الرجل المسلم؟ قال: نعم، وما يمنعه؟ إذا فعل فليحصن بابه مخافة الولد

‘Ali b. Riab said:

I asked Abu ‘Abd Allah, peace be upon him, concerning with the prostitute: “Does the Muslim man marry her?” He said, “Yes. And what prevents him? If he does, he must fortify his door, for fear of the child.”[98]

Ayatullah al-Muhsini declares it *ḍa’if*.[99] In particular, it is from *Qurb al-Isnad*, a *ḍa’if* book[100], which has not reached us through any reliable means; and there is also dispute over its exact authorship.

Moreover, the *hadith* is not about *mut’ah* specifically. Rather, it addresses marriage generally. Meanwhile, despite that it is intrinsically *ḍa’if*, it nonetheless also contradicts *sahih* and *muwaththaq* reports. This significantly worsens its unreliability. Most importantly, it opposes the Book of Allah, and that makes it *mawḍu’*.

1. Abu Ja’far Muhammad b. al-Hasan al-Ṭusi, al-Istibṣar (Tehran: Dar al-Kutub al-Islamiyyah) [annotator: Sayyid Hasan al-Musawi al-Khurasan], vol. 3, p. 142, Ch. 92, # 5 (511)
2. Abu Ja’far Muhammad b. al-Hasan al-Ṭusi, Tahdhib al-Ahkam (Tehran: Dar al-Kutub al-Islamiyyah) [annotator: Sayyid

Hasan al-Musawi al-Khurasan], vol. 7, p. 251, Ch. 24, # 10 (1085)

3. ‘Ali Al Muhsin, Lillah wa li al-Haqiqah (2nd edition, 1425 H), vol. 1, p. 209

4. Muhammad Baqir al-Majlisi, Maladh al-Akhyar fi Fahm Tahdhib al-Akhbar (Qum: Maktabah Ayatullah al-Mar’ashi; 1407 H), vol. 12, p. 32, # 10

5. Abu Ja’far Muhammad b. al-Hasan al-ūsi, al-‘Uddah fi Uūl al-Fiqh (Qum: Muasassat al-Ba’thah; 1st edition, 1417 H) [annotator: Muhammad Riūa al-Anūari al-Qummi], vol. 1, pp. 148-149

6. Muhammad Baqir al-Majlisi, Maladh al-Akhyar fi Fahm Tahdhib al-Akhbar (Qum: Maktabah Ayatullah al-Mar’ashi; 1407 H), vol. 12, p. 32, # 10

7. Abu Ja’far Ahmad b. Muhammad b. ‘Isa al-Ash’ari al-Qummi, Kitab al-Nawadir (Qum: Muasassat al-Imam al-Mahdi; 1st edition, 1408 H), p. 87, # 198

8. Muhammad Aūif al-Muhsini, Buhuth fi ‘Ilm al-Rijal (Markaz al-Muūtafa al-‘Alami li Tarjamah wa al-Nashr), p. 422, # 3

9. Ibid, pp. 421-424, # 3

10. Mirza Husayn b. Muhammad Taqi al-Nuri al-ūabarsi, Khatimah Mustadrak al-Wasail (Qum: Muasassat Al al-Bayt ‘Alaihim al-Salam li Ihya al-Turath; 1st edition, 1415 H), vol. 1, pp. 30-31

11. Abu Ja’far Ahmad b. Muhammad b. ‘Isa al-Ash’ari al-Qummi, Kitab al-Nawadir (Qum: Muasassat al-Imam al-Mahdi; 1st edition, 1408 H), p. 87, # 200

12. 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. 467, # 10

13. 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

14. Muhammad al-Jawahiri, al-Mufid min Mu’jam al-Rijal al-Hadith (Qum: Manshurat Maktabah al-Mahalati; 2nd edition, 1424 H), p. 273, # 5630

15. Ibid, p. 191, # 3879

16. 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. 453, # 4

17. 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. 234

18. Ibid

19. 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. 460, # 1

20. 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. 247

21. Abu al-Qasim al-Musawi al-Khui, Mu’jam Rijal al-Hadith wa Tafūil ūabaqat al-Ruwat (5th edition, 1413 H), vol. 1, p. 61

22. Ibid

23. Ibid

24. Ibid, vol. 1, p. 64

25. Ibid, vol. 1, p. 63

26. Ibid, vol. 15, p. 297, # 10043

27. 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. 451, # 5

28. 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. 232

29. Muhammad al-Jawahiri, al-Mufid min Mu’jam al-Rijal al-Hadith (Qum: Manshurat Maktabah al-Mahalati; 2nd edition, 1424 H), p. 464, # 9521

30. Abu Ja’far Ahmad b. Muhammad b. Khalid al-Barqi, Kitab al-Mahasin (Tehran: Dar al-Kutub al-Islamiyyah; 1st edition), vol. 2, p. 330, # 90

31. See Muhammad Aūif al-Muhsini, Buhuth fi ‘Ilm al-Rijal (Markaz al-Muūtafa al-‘Alami li Tarjamah wa al-Nashr), pp. 424-425, # 4; Muhammad Aūif al-Muhsini, Mashra’ah Bihar al-Anwar (Beirut: Muasassat al-‘Arif li al-Maūbu’at; 2nd

edition, 1426 H), vol. 1, p. 14

32. 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. 452, # 7

33. 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. 233

34. 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. 462, # 2

35. 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. 251

36. Abu Ja'far Muhammad b. al-Hasan al-□usi, Tahdhib al-Ahkam (Tehran: Dar al-Kutub al-Islamiyyah) [annotator: Sayyid Hasan al-Musawi al-Khurasan], vol. 7, p. 270, Ch. 24, # 84 (1159)

37. Abu Ja'far Muhammad b. al-Hasan al-□usi, al-Istib□ar (Tehran: Dar al-Kutub al-Islamiyyah) [annotator: Sayyid Hasan al-Musawi al-Khurasan], vol. 3, p. 143, Ch. 93, # 4 (515)

38. Ibid

39. Abu Ja'far Muhammad b. al-Hasan al-□usi, Tahdhib al-Ahkam (Tehran: Dar al-Kutub al-Islamiyyah) [annotator: Sayyid Hasan al-Musawi al-Khurasan], vol. 7, p. 253, Ch. 24, # 15 (1090)

40. Abu Ja'far Muhammad b. al-Hasan al-□usi, al-Istib□ar (Tehran: Dar al-Kutub al-Islamiyyah) [annotator: Sayyid Hasan al-Musawi al-Khurasan], vol. 3, p. 95, Ch. 62, # 9 (325)

41. Muhammad Baqir al-Majlisi, Maladh al-Akhyar fi Fahm Tahdhib al-Akhbar (Qum: Maktabah Ayatullah al-Mar'ashi; 1407 H), vol. 12, p. 35, # 15

42. Qur'an 24:3

43. Abu Ja'far Muhammad b. al-Hasan al-□usi, Tahdhib al-Ahkam (Tehran: Dar al-Kutub al-Islamiyyah) [annotator: Sayyid Hasan al-Musawi al-Khurasan], vol. 7, p. 253, Ch. 24, # 16 (1091)

44. Muhammad Baqir al-Majlisi, Maladh al-Akhyar fi Fahm Tahdhib al-Akhbar (Qum: Maktabah Ayatullah al-Mar'ashi; 1407 H), vol. 12, p. 36, # 16

45. Abu Ja'far Muhammad b. al-Hasan al-□usi, Tahdhib al-Ahkam (Tehran: Dar al-Kutub al-Islamiyyah) [annotator: Sayyid Hasan al-Musawi al-Khurasan], vol. 7, p. 253, Ch. 24, # 17 (1092)

46. Muhammad al-Jawahiri, al-Mufid min Mu'jam al-Rijal al-Hadith (Qum: Manshurat Maktabah al-Mahalati; 2nd edition, 1424 H), p. 398, # 8183

47. Ibid, p. 458, # 9403

48. 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. 453, # 1

49. 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. 235

50. Abu Ja'far Muhammad b. al-Hasan al-□usi, Tahdhib al-Ahkam (Tehran: Dar al-Kutub al-Islamiyyah) [annotator: Sayyid Hasan al-Musawi al-Khurasan], vol. 7, p. 253, Ch. 24, # 18 (1093)

51. Muhammad al-Jawahiri, al-Mufid min Mu'jam al-Rijal al-Hadith (Qum: Manshurat Maktabah al-Mahalati; 2nd edition, 1424 H), p. 632, # 12903

52. Muhammad Baqir al-Majlisi, Maladh al-Akhyar fi Fahm Tahdhib al-Akhbar (Qum: Maktabah Ayatullah al-Mar'ashi; 1407 H), vol. 12, p. 36, # 18

53. Abu Ja'far Muhammad b. al-Hasan al-□usi, Tahdhib al-Ahkam (Tehran: Dar al-Kutub al-Islamiyyah) [annotator: Sayyid Hasan al-Musawi al-Khurasan], vol. 7, pp. 253-254, Ch. 24, # 19 (1094)

54. Muhammad Baqir al-Majlisi, Maladh al-Akhyar fi Fahm Tahdhib al-Akhbar (Qum: Maktabah Ayatullah al-Mar'ashi; 1407 H), vol. 12, p. 37, # 19

55. Muhammad al-Jawahiri, al-Mufid min Mu'jam al-Rijal al-Hadith (Qum: Manshurat Maktabah al-Mahalati; 2nd edition, 1424 H), p. 543, # 11077

56. Abu Ja'far Muhammad b. al-Hasan al-□usi, Tahdhib al-Ahkam (Tehran: Dar al-Kutub al-Islamiyyah) [annotator: Sayyid Hasan al-Musawi al-Khurasan], vol. 7, p. 254, Ch.24, # 20 (1095)

57. Muhammad Baqir al-Majlisi, Maladh al-Akhyar fi Fahm Tahdhib al-Akhbar (Qum: Maktabah Ayatullah al-Mar'ashi; 1407 H), vol. 12, p. 37, # 20

58. Abu Ja'far Muhammad b. al-Hasan al-Tusi, Tahdhib al-Ahkam (Tehran: Dar al-Kutub al-Islamiyyah) [annotator: Sayyid Hasan al-Musawi al-Khurasan], vol. 7, p. 254-255, Ch. 24, # 24 (1099)

59. Muhammad Baqir al-Majlisi, Maladh al-Akhyar fi Fahm Tahdhib al-Akhbar (Qum: Maktabah Ayatullah al-Mar'ashi; 1407 H), vol. 12, p. 39, # 24

60. Muhammad Sadiq al-Husayni al-Ruhani, Fiqh al-Sadiq (Qum: Muasassat Dar al-Kitab; 3rd edition, 1414 H), vol. 21, p. 155

61. Abu Ja'far Muhammad b. al-Hasan al-Tusi, Tahdhib al-Ahkam (Tehran: Dar al-Kutub al-Islamiyyah) [annotator: Sayyid Hasan al-Musawi al-Khurasan], vol. 7, p. 254, Ch. 24, # 21 (1096)

62. Muhammad Baqir al-Majlisi, Maladh al-Akhyar fi Fahm Tahdhib al-Akhbar (Qum: Maktabah Ayatullah al-Mar'ashi; 1407 H), vol. 12, p. 38, # 21

63. Muhammad al-Jawahiri, al-Mufid min Mu'jam al-Rijal al-Hadith (Qum: Manshurat Maktabah al-Mahalati; 2nd edition, 1424 H), p. 628, # 12817

64. Abu al-'Abbas Ahmad b. 'Ali b. Ahmad b. al-'Abbas al-Najashi al-Asadi al-Kufi, Fihrist Asma Musannafay al-Shi'ah (Qum: Muasassat al-Nashr al-Islami; 5th edition, 1416 H) [annotator: Sayyid Musa al-Shubayri al-Zanjani], p. 328, # 888

65. Abu Ja'far Muhammad b. al-Hasan al-Tusi, Tahdhib al-Ahkam (Tehran: Dar al-Kutub al-Islamiyyah) [annotator: Sayyid Hasan al-Musawi al-Khurasan], vol. 7, p. 254, Ch. 24, # 22 (1097)

66. Muhammad Baqir al-Majlisi, Maladh al-Akhyar fi Fahm Tahdhib al-Akhbar (Qum: Maktabah Ayatullah al-Mar'ashi; 1407 H), vol. 12, p. 39, # 22

67. Abu Ja'far Muhammad b. al-Hasan al-Tusi, Tahdhib al-Ahkam (Tehran: Dar al-Kutub al-Islamiyyah) [annotator: Sayyid Hasan al-Musawi al-Khurasan], vol. 7, p. 254, Ch. 24, # 23 (1098)

68. Muhammad Baqir al-Majlisi, Maladh al-Akhyar fi Fahm Tahdhib al-Akhbar (Qum: Maktabah Ayatullah al-Mar'ashi; 1407 H), vol. 12, p. 39, # 23

69. Abu Ja'far Muhammad b. al-Hasan al-Tusi, Tahdhib al-Ahkam (Tehran: Dar al-Kutub al-Islamiyyah) [annotator: Sayyid Hasan al-Musawi al-Khurasan], vol. 7, p. 485, Ch. 41, # 157 (1949)

70. Muhammad Baqir al-Majlisi, Maladh al-Akhyar fi Fahm Tahdhib al-Akhbar (Qum: Maktabah Ayatullah al-Mar'ashi; 1407 H), vol. 12, p. 507, # 155

71. Muhammad Sadiq al-Husayni al-Ruhani, Fiqh al-Sadiq (Qum: Muasassat Dar al-Kitab; 3rd edition, 1414 H), vol. 21, p. 320

72. Abu Ja'far Muhammad b. al-Hasan al-Tusi, al-'Uddah fi Usul al-Fiqh (Qum: Muasassat al-Ba'thah; 1st edition, 1417 H) [annotator: Muhammad Risa al-Ansari al-Qummi], vol. 1, pp. 148-149

73. Ibid, vol. 1, p. 150

74. Qur'an 24:3

75. Qur'an 5:5

76. Qur'an 4:25

77. See for instance Qur'an 4:25, 2:178 and 16:75.

78. Abu al-Qasim al-Musawi al-Khui, al-Bayan fi Tafsir al-Qur'an (Beirut: Dar al-Zahra li al-Saba'ah wa al-Nashr wa al-Tawzi'; 4th edition, 1395 H), p. 231

79. Abu Ja'far Muhammad b. 'Ali b. Husayn b. Babuyah al-Qummi, al-I'tiqadat (Dar al-Mufid; 2nd edition, 1414 H) [annotator: 'Isam 'Abd al-Sayyid], Ch. 1, p. 22

80. Abu Ja'far Muhammad b. 'Ali b. al-Husayn b. Babuyah al-Qummi, Man La Yahduruh al-Faqih (Qum: Manshurat Jama'ah al-Mudarisin fi al-Hawzah al-'Ilmiyyah; 2nd edition, 1404 H) [annotator: 'Ali Akbar al-Ghiffari], vol. 3, pp. 405-406, # 4417

81. Ibid, vol. 3, p. 406, # 4417, footnote # 1

82. Muhammad Sadiq al-Husayni al-Ruhani, Fiqh al-Sadiq (Qum: Muasassat Dar al-Kitab; 3rd edition, 1414 H), vol. 21, p. 319

83. Abu Ja'far Muhammad b. al-Hasan al-Tusi, al-Istibsar (Tehran: Dar al-Kutub al-Islamiyyah) [annotator: Sayyid Hasan

al-Musawi al-Khurasan], vol. 3, p. 168, Ch. 109, # 1 (613)

84. Muhammad ṣadiq al-Husayni al-Ruhani, Fiqh al-ṣadiq (Qum: Muasassat Dar al-Kitab; 3rd edition, 1414 H), vol. 21, p. 319

85. 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. 454, # 6

86. 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. 237

87. Muhammad ṣadiq al-Husayni al-Ruhani, Fiqh al-ṣadiq (Qum: Muasassat Dar al-Kitab; 3rd edition, 1414 H), vol. 21, p. 320

88. 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. 355, # 6

89. 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. 62

90. Abu Ja'far Muhammad b. al-Hasan al-ṣusi, Tahdhib al-Ahkam (Tehran: Dar al-Kutub al-Islamiyyah) [annotator: Sayyid Hasan al-Musawi al-Khurasan], vol. 7, p. 269, Ch. 24, # 82 (1157)

91. Muhammad Baqir al-Majlisi, Maladh al-Akhyar fi Fahm Tahdhib al-Akhbar (Qum: Maktabah Ayatullah al-Mar'ashi; 1407 H), vol. 12, p. 69, # 81

92. Muhammad ṣadiq al-Husayni al-Ruhani, Fiqh al-ṣadiq (Qum: Muasassat Dar al-Kitab; 3rd edition, 1414 H), vol. 22, p. 43

93. 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. 353, # 1

94. 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. 56

95. 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. 353, # 4

96. 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. 57

97. Abu 'Abd Allah Muhammad b. Muhammad b. al-Nu'man al-Ukbari al-Baghdadi, Risalah al-Mut'ah (Beirut: Dar al-Mufid li al-ṭaba'ah wa al-Nashr wa al-Tawzi'; 2nd edition, 1414 H), p. 12, # 29

98. Abu al-'Abbas 'Abd Allah b. Ja'far al-Himyari, Qurb al-Isnad (Qum: Muasassat Al al-Bayt 'Alaihim al-Salam li Ihya al-Turath; 1st edition, 1413 H), p. 166, # 609

99. Muhammad Aṭif al-Muhsini, Mashra'ah Bihar al-Anwar (Beirut: Muasassat al-'Arif li al-Maṭbu'at; 2nd edition, 1426 H), vol. 2, p. 487

100. See Muhammad Aṭif al-Muhsini, Buhuth fi 'Ilm al-Rijal (Markaz al-Muṭtafa al-'Alami li Tarjamah wa al-Nashr), pp. 427-428, # 6; Muhammad Aṭif al-Muhsini, Mashra'ah Bihar al-Anwar (Beirut: Muasassat al-'Arif li al-Maṭbu'at; 2nd edition, 1426 H), vol. 1, p. 14 and 405

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