

## THE SHEIKH, THE BRIDE AND THE PILGRIM

“Temporary marriages” in Sayyidah Zaynab

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*Harem girl, c. 1890, Francesc Masriera i Manovens (1842-1902)*

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## Introduction

The ten-year conflict in Syria has impacted every aspect of society, from the large-scale destruction of housing and infrastructure to the transformation of local demographics, the large number of displaced people, the substantial reduction of economic networks and productivity, and the break down of the family structure and marriage economy. The heavy toll that the war has taken on the population, especially on men,<sup>1</sup> the general impoverishment of the people,<sup>2</sup> the influx of Iraqi refugees (from 2003) and the substantial investment in manpower by Iran in support of the Assad government (from 2012)<sup>3</sup> have generated new incentives in both the marriage economy and the sex market: some rural areas have seen a substantial increase in polygamous marriages,<sup>4</sup> while some cities have witnessed the development of a religiously sanctioned sex-for-money trade. The latter is the subject of this paper.

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<sup>1</sup> The fog of war makes a reliable estimation of the casualties – let alone one disaggregated by sex and age – a very difficult task (the total estimated numbers range between 250,000 and 600,000). It is, however, very likely that the number of men killed – both combatants and civilians – is substantially higher than the number of women. Reuters, “Factbox: The Cost of Ten Years of Devastating War in Syria,” May 26, 2021, <https://www.reuters.com/world/middle-east/cost-ten-years-devastating-war-syria-2021-05-26/>; Syrian Observatory for Human Rights, June 1, 2021, <https://www.syriahr.com/en/217360/>; Carla Humud and Rhoda Margesson, “Counting Casualties in Syria and Iraq: Process and Challenges,” Congressional Research Service, April 12, 2016, <https://fas.org/sgp/crs/mideast/IN10474.pdf>.

<sup>2</sup> Eighty per cent of Syrians live below the poverty line. Human Rights Watch, “Syria Report 2021,” *World Report 2021*, <https://www.hrw.org/world-report/2021/country-chapters/syria>.

<sup>3</sup> For the last ten years Iran has invested substantial military and civilian resources and manpower in supporting the Syrian government in its fight against the various armed opposition groups. This deployment generated an influx of Shi’a personnel from Iran, Iraq, Lebanon and Afghanistan into the main Syrian urban centres under government control, hosting administrative and strategic infrastructure or providing cultural and recreational activities. By 2017 militias fighting for the government were estimated at between 150,000 and 200,000 fighters. Charles Lister and Dominic Nelson, “All the President’s Militias: Assad’s Militiafication of Syria,” Middle East Institute, December 14, 2018, <https://www.mei.edu/publications/all-presidents-militias-assads-militiafication-syria>. The Syrian Shi’a militias formed by Iran and recruited among the Syrian Shi’a minority represent approximately 5,000-8,000 fighters. Iran has also sponsored the deployment of Iraqi, Afghan (Fatemiyoun Brigade), Pakistani (Zeinabiyoun Brigade) and, via Hezbollah, Lebanese militias. The estimation of their total number varies greatly, between 10,000 and 27,000 fighters. Navvar Saban, “Iranian Influence and Presence in Syria,” Atlantic Council, November 5, 2020, <https://www.atlanticcouncil.org/blogs/menasource/factbox-iranian-influence-and-presence-in-syria/>.

<sup>4</sup> Polygamous marriages were not widespread in Syria before 2011: 9% in urban areas and 16.7% in rural areas. UN Development Fund for Women, “Violence Against Women Study: Syria 2005,” June 8, 2006, [http://www.unifem.org/news\\_events/story\\_detail.php?StoryID=462](http://www.unifem.org/news_events/story_detail.php?StoryID=462).

The sex market includes a wide range of actors (locals, refugees, professional or forced workers, pimps, hotel managers and entrepreneurs) and transactions (constrained, informal, contractual) that vary according to the environment in which it is operating. Within that range, the present article focuses on religious entrepreneurs and contractual “pleasure marriages” (*mut’ah*), with a core sampling undertaken in the city of Sayyidah Zaynab, a now heavily “shiatized”<sup>5</sup> suburb 10 km south of the capital, which hosts the shrine of Zaynab, grand-daughter of the Prophet Muhammad.

In the summer of 2021, Religioscope interviewed several sources<sup>6</sup> in Damascus and Aleppo involved in or knowledgeable of the practices surrounded *mut’ah* contracts in Syria. This article analyses that tradition as an instrument used by freelance Shi’a religious entrepreneurs to both capture market shares and assert a measure of social control within specific urban areas. *Shari’ah*-compliant fixed-term marriage can be understood as a hybrid cultural product that simultaneously fulfils male consumers’ demand for sex and mitigates the reputational cost for female providers: it creates a legal and religious framework that allows participants to bypass the prohibitions and constraints conservative societies impose on sexual intimacy, and lowers the cost for women of entry into the sex-for-money trade.



Illustration from the Five Poems (Ḥamse) of the Ottoman Turkish poet and scholar ‘Aṭā’ullāh bin Yahyā ‘Aṭā’ī (d. 1634 AD) that depicts an adulterous husband and his lover being unexpectedly butted by a ram into a room full of surprised guests.

<sup>5</sup> See Mervin Sabrina, “Sayyida Zaynab, Banlieue de Damas ou nouvelle ville sainte chiite?” *Cahiers d’études sur la Méditerranée orientale et le monde turco-iranien* 22 (1996).

<sup>6</sup> Pseudonyms are used for all our interviewees.

## **Mut'ah: sex without sin**

*We had gone to war. No woman was with us. We asked the Prophet to allow us to castrate ourselves. The Prophet did not permit that, but instructed us to mut'a women for a piece of cloth and a specified period.*

*Hadith attributed to Abdullah ibn-i Mas'ud (c. 594-c. 653)*<sup>7</sup>

Inherited from a pre-Islamic practice of temporary union that was common among Arab populations since at least the 4<sup>th</sup> century AD<sup>8</sup> *sigheh* in Persian (a contraction of *sigheh-i mut'a*),<sup>9</sup> *mut'ah* (“pleasure marriage”), *al-nikah al-munqati'* (“discontinued marriage”) or *al-nikah al-muwaqqat* (“temporary marriage”) is an agreement contracted for a fixed period of time (*mudda*) between a Muslim man and an unmarried Muslim (Christian, Jewish or Zoroastrian) woman<sup>10</sup> that prevents adultery and fornication, and permits a *Shari'ah*-compliant intimacy. *Mut'ah* is not unlike a rental contract between a man purchasing access to sexual enjoyment and a woman receiving a certain amount of money or property in exchange for providing this service. One of the meanings of *mut'ah* is “to have the usufruct of something”,<sup>11</sup> and the word *musta'jara*, i.e. “rented woman”, appears in a number of *hadiths*.<sup>12</sup>

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<sup>7</sup> Cited in Hujjat ul-Islam and S. H. Yusifi Yakki, *Mut'a dar Islam* (Mut'a in Islam), trans. N. A. Nazil (Damascus, 1342/1963), 12. Quoted by Shahla Haeri, “Power of Ambiguity: Cultural Improvisations on the Theme of Temporary Marriage,” *Iranian Studies* 19, no. 2 (1986): 132.

<sup>8</sup> Yehezkel Margalit, “Temporary Marriage: A Comparison of the Jewish and Islamic Conceptions,” *Journal of Law and Religion* 33, no. 1 (2018): 98.

<sup>9</sup> Interestingly, temporary marriage (*kiddushin lezman*) also exists in the Babylonian Talmudic sources, which points to the influence of an ancient Persian-Babylonian tradition. Margalit posits a common Persian origin of both the Babylonian Talmudic marriage and the Shi'a temporary marriage. *Ibid*, 103 ff.

<sup>10</sup> The market for rental boys is widespread in the Middle East and North Africa, but does not benefit from any legal or religious framework. See John R. Bradley, *Behind the Veil of Vice: The Business and Culture of Sex in the Middle East* (St. Martin's Press, 2010).

<sup>11</sup> Haeri, “Power of Ambiguity,” 124.

<sup>12</sup> Muhammad ibn al-Hasan al-Hurr al-'Amili (1033-1104/1624-93), *Wasa'il al-shia* (Teheran, 1385/1965-66, XIV), 446. Quoted by Sachiko Murata, *Muta', Temporary Marriage in Islamic Law* (Ansariyan Publications, 1986), <https://www.al-islam.org/muta-temporary-marriage-islamic-law-sachiko-murata/four-pillars-muta>.

To be licit, contracting *mut'ah* requires from the woman a verbal declaration of intent (*ijab*) to be married for the agreed upon time period and dowry, and from the man a verbal acceptance (*qabul*) of the marriage; a stipulated duration and starting date for the contract (from one hour to 99 years); and a suitable *mahr*, i.e. a form of dowry, usually money, that the woman receives before the pleasures of the flesh can be enjoyed.<sup>13</sup>



Source: <https://www.wikihow.com/Do-Mutah>

In spite of having been still permissible at the time of the Prophet Muhammad<sup>14</sup> and appearing in both the *hadiths*<sup>15</sup> and the jurisprudence (*fiqh*), *mut'ah* has remained formally permitted only by the Ja'fari school of law of the Twelver branch of Shi'ism (which constitutes 85% of the Shi'a population). In Iran, up until 1979 *mut'ah* marriage was not a common occurrence, was neglected by the modernizing policy of the Pahlavi dynasty (1925-79) and was

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<sup>13</sup> Tamilla F. Ghodsi, "Tying a Slipknot: Temporary Marriages in Iran," *Michigan Journal of International Law* 15, no. 2 (1994): 667 ff.

<sup>14</sup> It is traditionally accepted by both Shi'a and Sunni that the Prophet's warriors were allowed to enter into temporary marriages when engaging in jihad away from home.

<sup>15</sup> A *hadith* is a report of what the Prophet Muhammad said, did or silently approved of. Selected by scholars for their reliability and collected together, *hadiths* form the *Sunnah*, a body of customs, practices and beliefs second only to the Quran as a source of law and moral guidance.

generally seen as the province of social deviants.<sup>16</sup> However, the tradition experienced a revival after the Islamic Revolution of 1979 and was promoted by the government through two awareness campaigns in the 1980s and 1990s.

On the contrary, the consensus among the four Sunni schools of jurisprudence (Hanbali, Hanafi, Maliki and Shafi'i) is that the tradition was abrogated by a series of Quranic verses, subsequently banned by the Prophet after the battle of Khaybar in 629, and rendered illicit by the second caliph, Omar ibn al-Khattâb (584-644). Nevertheless, somewhat similar few-strings marriages of convenience do exist in a number of Sunni societies (particularly in the Gulf countries) and are usually referred to as the *zawaj* or *nikah al-misyar* (the "traveller's marriage"). Albeit controversial, a significant number of contemporary Sunni scholars approve of – or at least do not dispute the legality of – the *nikah al-misyar*.<sup>17</sup> Serving the same objectives and based on the same rationale, it is seen by its clerical proponents as a valid marriage contract (i.e. meeting *Shari'ah* requirements), but in which the rights and duties customarily associated with the traditional marriage, such as a wife's maintenance, including housing, clothing, food, medical care, equal time sharing between spouses, etc., can be waived with the consent of the two parties. For instance, on April 10, 2006, the Islamic Jurisprudence Assembly in Mecca issued a legal opinion defending the legality of "traveller's marriage". By removing most of the costly regulatory constraints of marriage, this *fatwa* somewhat liberalized the dating market in the Kingdom of Saudi Arabia and unsurprisingly led to a 50% increase in "temporary marriages",<sup>18</sup> along with the development of online services catering for love birds wishing to cavort legally.<sup>19</sup>

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<sup>16</sup> Shahla Haeri, *Law of Desire: Temporary Marriage in Shi'i Iran* (Syracuse: Syracuse University Press, 1989). Quoted by Roshan Iqbal, *A Thousand and One Wives: Investigation of the Intellectual History of the Exegesis of Verse Q 4:24* (Graduate School of Arts and Sciences, Georgetown University, 2015), 50.

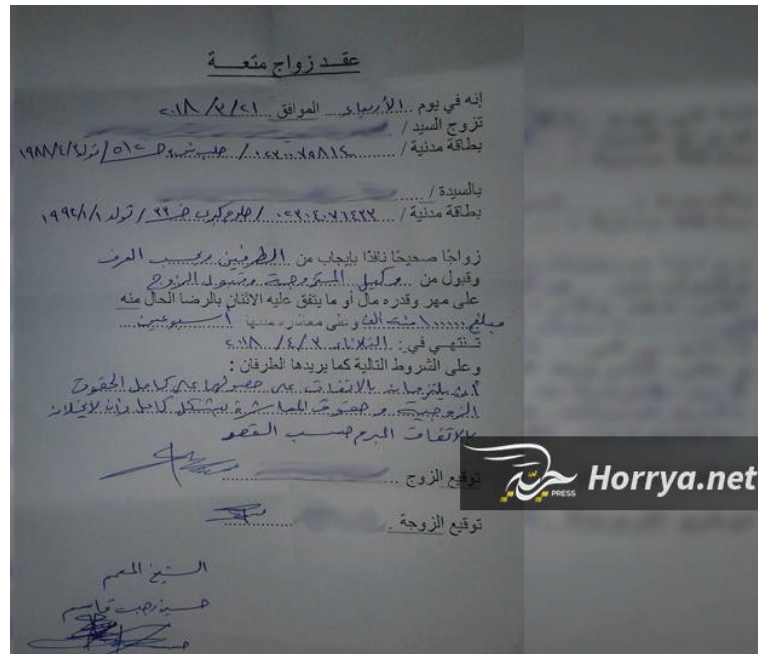
<sup>17</sup> Noor Mohammad Osmani, "Misyar Marriage between Shari'ah texts, Realities and Scholars' Fatawa': An Analysis," *IIUC Studies* 7 (2011): 301-2.

<sup>18</sup> Sammy Badran and Brian Turnbull, "Contemporary Temporary Marriage: A Blog Analysis of First-hand Experiences," *Journal of International Women's Studies* 20, no. 2 (January 2019): 243.

<sup>19</sup> AFP, "In Saudi Arabia, 'No Strings Attached' Misyar Marriages Offer Religious Cover for Sexual Relationships," July 4, 2021, <https://www.firstpost.com/living/in-saudi-arabia-no-strings-attached-misyar-marriages-offer-religious-cover-for-sexual-relationships-9778471.html>.

## “Pleasure marriages” and the Great Game

In July 2018, subsequent to the publication by the Syrian news website Horrya.net of a picture of a *mut’ah* contracted in Aleppo,<sup>20</sup> the French newspaper *Libération* published a short article by the French-Syrian journalist Hala Kodmani<sup>21</sup> linking the spread of this matrimonial tradition to the growing influence of Iran in Syria.



### *Mut’ah marriage contract*

On the day of Wednesday, dated 21/03/2018

Married the man: ID card number: 0230075814, born in Aleppo (512) on 03/04/1988

To the woman: ID card number: 02304076433, born in Jalloum Kubra (33) on 01/01/1994

With a correct and active marriage based on: both sides in accordance with customs

And acceptance from: the waqil [representative] of the wife and the consent of the husband

For a mahr [dowry] consisting of money or what both parties agree on consensually in the amount of 100,000 SYP for a period of two weeks

Ends on: Thursday 03/04/2018

And with the following conditions according to the two parties: That they abide by the agreement that they obtain all marital and cohabitation rights in full, and that they do not violate the agreement concluded according to the contract

Signature of the husband: [signature]

Signature of the wife: [signature]

Sheikh Hussein Rajab Qassem [signature]

<sup>20</sup> <https://horrya.net/archives/67754>. Religioscope was able to verify some of the data in this marriage contract, and the document is almost certainly genuine.

<sup>21</sup> “Les «contrats de mariage de plaisir» fleurissent en Syrie,” *Libération*, July 14, 2018, [https://www.liberation.fr/planete/2018/07/14/les-contrats-de-mariage-de-plaisir-fleurissent-en-syrie\\_1666412/](https://www.liberation.fr/planete/2018/07/14/les-contrats-de-mariage-de-plaisir-fleurissent-en-syrie_1666412/).

Quoting Horrya.net, Kodmani explains that several discreet matrimonial agencies providing temporary marriages have been opened in east Aleppo<sup>22</sup> by enterprising Shi'a Lebanese or Iraqis associated with pro-governmental militias. Since at least 2018 the visibility of *mut'ah* has increased in some Syrian urban areas, a supposedly new phenomenon usually attributed to two main factors: the high number of destitute widows and young women looking for an income, and the influx of Shi'a military personnel, militiamen and businessmen. This assessment is shared by an article from the website Al Ayyam Syria<sup>23</sup> (September 14, 2020) entitled "The first stage of the spread of temporary marriage begins in Syria". According to this article, the first (publicly known) *mut'ah* took place in Aleppo in March 2018, followed by one in Deir Ezzor in December of the same year. As the article's title implies, the increase of religious actors and matrimonial offices delivering "pleasure marital contracts" is interpreted as one facet of a broader Iranian strategy of increased cultural influence in Syria.

Indeed, nearly all the sources we interviewed in Damascus, Aleppo and Deir Ezzor shared that perception: Iran's growing influence in Syria is not limited to the deployment of security and (para)military assets,<sup>24</sup> but has been enhanced by broader investments involving Syrian-Iranian business ventures, reconstruction/development projects, and cultural outreach via religious and service infrastructure, and the renovation and expansion of key Shi'a shrines,<sup>25</sup> new seminaries (*hawza ilmiyah*) and congregation halls<sup>26</sup> (*housseiniyeh*).<sup>27</sup> The

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<sup>22</sup> There is indeed such an office in the Hanano neighbourhood (eastern Aleppo). Phone interview with a Shi'a convert in Aleppo, July 2021.

<sup>23</sup> [ayyamsyria.net](http://ayyamsyria.net), [tinyurl.com/jvj2t8m4](https://tinyurl.com/jvj2t8m4).

<sup>24</sup> Islamic Revolutionary Guards Corps, Local Defence Forces, Syrian Shi'a militias, Lebanese Hezbollah, etc.

<sup>25</sup> The main locations are: Sayyeda Ruqayya in Damascus, Al-Nuqtah in Aleppo, Ammar Ibn Yasir and Uwais Al-Qarni in Raqqa, Imam Ali Zain al-Abidin in Hama, and Hujr ibn Adi al-Kindi in Adra, Rif Damascus.

<sup>26</sup> Different from a mosque, a congregation hall is used by Twelver Shi'a Muslims for training in jurisprudence, gatherings of various kinds, and especially commemoration ceremonies, such as the Mourning of Muharram that commemorates the martyrdom of Imam Hussein ibn Ali, a grandson of the Prophet Muhammad.

<sup>27</sup> Oula A. Alrifai, "In the Service of Ideology: Iran's Religious and Socioeconomic Activities in Syria," Washington Institute for Near East Policy, Policy Note no. 100, March 2021.



objective of this strategy is twofold: firstly to leverage Iranian military aid to the Assad government in order to secure Teheran's strategic interests in Syria, and secondly – arguably – to foster a gradual cultural shift towards Shi'a norms and pro-Iranian sentiments among segments of the population (via financial incentives to convert and join Shi'a armed militias, scholarship to study in Iran, free education, youth associations, and so forth).

Closer to our subject of interest, the Al Ayyam article also reveals that an Iranian Shariati Islamic Association, an organization that is supposed to have similar offices in Mashhad, Iran, and Baghdad, Iraq, has begun operating in Syria in 2018, with its headquarters in Damascus attached to the Iranian Cultural Centre. This organization is reported to be divided into two departments, the one drafting *mut'ah* contracts and the other organizing the logistics of the contracts by arranging hotel reservations or flat rentals. Similar offices are said to have been opened in Aleppo and Deir Ezzor. According to Judge Mufsed al-Hafla, a Damascene Sunni imam and judge in the Sharia Court whom Religioscope interviewed in July 2021, Iran opened a branch of the Shariati Islamic Association in Damascus only in September 2020. Headed by Iranians and staffed with Syrian Shi'a, the imam claims that the organization has a pool of 100 to 200 women available for “temporary marriages” in and around Damascus. The money raised through contract fees is said to be reinvested in building and establishing new branches in Aleppo, Deir Ezzor and other urban centres in Syria.

Similarly to the two articles by Horrya.net and Al Ayyam, the judge identified *mut'ah* as a very recent practice in Syria. He explained that the first “temporary marriage” in the country was contracted in January 2018 in Deir Ezzor between a Sunni man from that city and a woman from Aleppo. The ceremony took place in the Shi'a shrine of Ayn Ali in Al-Mayadin, east of Deir Ezzor, in a recent structure built (c. 2018-19) either by the Lebanese development organization Jihad al-Bina or by its Iranian counterpart, Jihad-i

Sazandigi.<sup>28</sup> Between January and February 2018, another “temporary marriage” of six months was celebrated in Al-Sukariah village, west of Iranian-controlled Abu Kamal town on the Syrian-Iraqi border, between Haj Salman, an officer in the Islamic Revolution Guard Corps (IRGC), and a woman whose brothers were militiamen affiliated to the IRGC.

Mufsed al-Hafla – and, indeed, many Syrians observers – have little doubt that the institutionalization of *mut’ah* in Syria is both very recent and a recruitment tool to attract and indoctrinate young Sunni.

## Heavenly rewards and earthly bonuses

In Syria, the area most associated with “temporary marriages” is the city of Sayyidah Zaynab, an important place of worship and pilgrimage for Shi’a. Before 2011 the city saw an average of one million visitors a year, mostly Iranian. It also hosts various types of economic, tourist-related and religious infrastructure, such as seminaries (the first, Al-Hawza al-Ilmiyah al-Zaynabiyah, was founded in 1973 by the Iraqi *mujtahid*<sup>29</sup> Sayyid Hasan Sirazi (1934-80)), and hospitals catering to Shi’a students, refugees and travellers.<sup>30</sup>

The convergence between urban pilgrimage sites and *mut’ah* is not a singularity of that suburb of Damascus or even primarily the by-product of a collapsed economy. For instance, journalist Nawal Al-Maghafi reports that in Kadhimiyah, Baghdad, many “marriage offices” performing *mut’ah* are spread out around the Al-Kadhimayn shrine, where lie the seventh and ninth Twelver Shi’a imams (Musa ibn Ja’far and Muhammad ibn Ali). As in Sayyidah Zaynab,

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<sup>28</sup> Sources diverged on this point: Judge Mufsed al-Hafla claimed that the Lebanese Jihad al-Bina development foundation (managed by Hezbollah) undertook the construction work; however, knowledgeable sources interviewed in Deir Ezzor were adamant that Iranians supervised the project. It is also possible that the personnel were provided by local Iranian proxies and the engineering expertise by Jihad al-Bina, hence the contradictory feedback we received. Jihad-i Sazandigi was officially established on June 16, 1979 in order to garner popular support in rural areas by undertaking development projects and by spreading revolutionary and religious values throughout the countryside. See Eric Lob, “Iran and Hizbullah’s Development Organization in Lebanon: The Case of Jihād al-Binā,” *Die Welt des Islams* 59, nos. 3-4 (2019): 411-42.

<sup>29</sup> Legal expert accredited to interpret (*ijtihad*), a point of religious law.

<sup>30</sup> Sabrina, “Sayyida Zaynab.”



Sayyidah Zaynab mosque, May 2009 © [Gerhard Huber](#)

clerics are running the business, even though this type of marriage is illegal in Iraq.<sup>31</sup> Similarly, in the city of Mashhad, resting place of the eighth imam, Ali ibn Musa al-Ridha, religious tourism facilitates matrimonial entertainment, with several websites offering temporary brides and even some hotels managing both reservations and the process of obtaining *sigheh*.<sup>32</sup> The holy cities and pilgrimage sites of Iraq and Iran have been – more or less openly – associated with the practice of *mut'ah* for centuries, combining heavenly rewards with earthly bonuses. At the end of the 19<sup>th</sup> century, intermediaries were introducing

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<sup>31</sup> Nawal Al-Maghafi, “In Iraq, Religious ‘Pleasure Marriages’ Are a Front for Child Prostitution,” *The Guardian*, October 6, 2019, <https://www.theguardian.com/world/2019/oct/06/pleasure-marriages-iraq-baghdad-bbc-investigation-child-prostitution>.

<sup>32</sup> Fariba Parsa, “Temporary Marriage in Iran and Women's Rights,” Middle East Institute, January 13, 2021, <https://www.mei.edu/publications/temporary-marriage-iran-and-womens-rights>; Raz Zimmt, “Mashhad Is the Shi'i Thailand’: Discourse about Sex Tourism on Iranian Networks,” Moshe Dayan Center for Middle Eastern and African Studies, October 4, 2018, <https://dayan.org/content/mashhad-shii-thailand-discourse-about-sex-tourism-iranian-networks>.

the lonely pilgrim – and occasionally the non-Muslim traveller<sup>33</sup> – visiting the shrine of Imam Ali in Najaf, Iraq, to available provisional brides.<sup>34</sup>

*Perhaps the most extraordinary feature of Mashad life ... is the provision that is made for the material solace of the later pilgrims during their stay in the city. In recognition of the long journeys which they have made ... they are permitted, with the connivance of the ecclesiastical law and its officers, to contract temporary marriages during their sojourns in the city. There is a large permanent population of wives suitable for the purpose.*

George Nathaniel Curzon, 1892<sup>35</sup>



*Mosque of Imam Ali ibn Musa al-Ridha in Mashhad, Iran.  
Source: wikipedia*

In July 2021 Religioscope interviewed one of these ephemeral spouses who provide companionship to lonesome travellers. Ameena is an attractive Sunni Syrian widow in her early thirties who has been contracting pleasure marriages in Sayyidah Zaynab as a source of income for the last four years.

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<sup>33</sup> Haeri, “Power of Ambiguity,” 133.

<sup>34</sup> Y. Nakash, *The Shi’is of Iraq* (Princeton University Press, 1994), 166. Quoted by Mervin Sabrina, “Normes religieuses et loi du silence: le mariage temporaire chez les chiïtes du Liban,” in Barbara Drieskens, ed., *Les métamorphoses du mariage au Moyen-Orient*, 2 (IFPO, 2008), 49.

<sup>35</sup> G. N. Curzon, *Persia and the Persian Question* (London: Longman, Green, 1982), Vol. 1: 164-65. Quoted by Haeri, “Power of Ambiguity,” 130.

After the death of her husband in the fighting in eastern Ghouta in 2014, she worked as a cleaning lady until spring 2017, when an Iraqi man offered her a one-month marriage with his brother, a married middle-aged militiaman from Baghdad. This arrangement would allow him to have a religiously sanctioned sex life while deployed away from his wife, the man explained, and her to receive a dowry of 1,000 USD. Ameena defines *mut'ah* as a “*halal* activity to raise money”, constrained by a set of rights and duties that to her mind clearly distinguishes it from “cheap prostitution”. She has no children, but the income generated by these marriages allows her to live more comfortably and to support her mother, with whom she shares a flat.

Her first *mut'ah* was sealed under the guidance of Sheikh Abu Hurriyat, an Iraqi Shi'a living in Sayyidah Zaynab who provides both marriage contracts and accommodation options to his clients. Abu Hurriyat ensured that the contract was valid and that Ameena received the entirety of her dowry at the start of the agreed-upon month. Abu Hurriyat introduced her to the trade. In summer 2017 he invited her to join his pool of “rental brides”, and Ameena has since been able to secure an income way above the current average salary in Damascus.<sup>36</sup>

Abu Hurriyat has developed partnerships with the managers of several hotels in the city who rely on his legal authority and match-making skills to provide religiously sanctioned female companionship to their customers. According to Ameena, the last few years have seen a number of religious entrepreneurs opening new offices in private flats in the Sayyidah Zaynab area. All of them are Iraqi sheikhs, according to Abu Hurriyat, and provide the key legal and religious components of a seemingly growing market demand for *Shari'ah*-compliant escort services. A number of impoverished families, unmarried women and widows are led, by necessity or opportunity, to answer the needs of uprooted Shi'a militiamen, soldiers on leave, and pilgrims and merchants from Iran, Iraq, Afghanistan or Lebanon.

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<sup>36</sup> In 2021 the median salary in Damascus is 152,000 SYP (c. 120 USD); the average is 165,000 SYP. The average monthly salary of government employees is about 80,000 SYP (it can reach a maximum of 120,000 SYP). In the private sector, the salaries range between 120,000 SYP and 150,000 SYP. See <http://www.salaryexplorer.com/salary-survey.php?loc=2323&loctype=3>; <https://english.enabbaladi.net/archives/2020/02/how-do-employees-earn-their-living-in-damascus-these-days-through-legitimate-or-twisted-ways/>.

Accordingly, the number of mainly widows or divorced women willing to enter the trade has also increased. Ameena knows of dozens of both Sunni and Shi'a "rental brides" in Sayyidah Zaynab alone. A very good-looking woman, with some room for manoeuvre, can negotiate between 1,000 and 2,000 USD per month, depending on the type of client or the time of year, but generally a temporary bride's average monthly stipend tends to be between 300 and 500 USD. According to Ameena, Lebanese and Iraqi temporary husbands make for better grooms than Syrians or Iranians because they pay in US dollars, while spring and summer are the high season for *mut'ah* due to the influx of visitors into the city. Ameena's typical marriage contract includes an average of 1,000 USD for a month, along with items such as female products, underwear and the like. Sheikh Abu Hurriyat asks between 100 and 150 USD to write up a monthly *mut'ah*, in addition to the commission he receives from hotel owners. In the absence of data regarding the total number of brides available in Sayyidah Zaynab (a vague consensus among our sources estimates it at about 50 girls and women), it is difficult to assess if the sheikh's business is actually a success: he supervises one or two *mut'ah* a week, competing with a number of fellow Iraqi religious match-makers, and manages a pool of ten potential Syrian brides to choose from (Ameena among them).



Interestingly, and contrary to the specimen provided by Horrya.net, the only actual "temporary marriage" contract drafted by Abu Hurriyat we had access to did not mention any length of time and falsely claimed that two

witnesses were present (a requirement that does not exist within the Shi'a legal doctrine). Despite claiming that *mut'ah* is "legal",<sup>37</sup> the sheikh is nevertheless using standard Syrian marriage contracts as a baseline, adding orally the requirements of the Shi'a "temporary marriage" during the proceedings. The explanation we received from several interviewees was that, given *mut'ah* is not recognized by Syrian *Shari'ah* courts, which are the only institutions qualified to issue valid marriage contracts among Syrian Muslims<sup>38</sup> (Sunnis, Shi'a and Alawites<sup>39</sup>), the matrimonial agreements have only a symbolic validity provided by Abu Hurriyat's religious status and the tolerance of the Syrian authorities. We do not know if the "temporary marriage" contracts written up by the Iranian Shariati Islamic Association follow the same pattern. However, if the claim that this institution is part of a broader strategy to normalize Shi'a traditions in the country turns out to be accurate, we would probably expect those contracts to meet the *mut'ah* requirements, as illustrated by the specimen published by Horrya.net.

We were not able to estimate the respective average cost of a daily, weekly or monthly temporary marriage. Unfortunately, the context of most of the interviews did not allow for a too-inquisitive approach, and we do not know if

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<sup>37</sup> If *mut'ah* or *sigheh* is part of the Civil Code of the Islamic Republic of Iran, it is not the case in Syria. See The Civil Code of the Islamic Republic of Iran, art. 1075 ff, <https://www.refworld.org/pdfid/49997adb27.pdf>.

<sup>38</sup> Before the civil war, the vast majority of the population (74%) was Sunni Muslim, with 16% of other "Islamic" minorities (including Ismailis, Shi'a, Alawites and Druzes). <http://www.heritageforpeace.org/syria-country-information/geography/>.

In terms of personal status, *madhhabi* courts have jurisdiction over the Druze population, and *mahakem rawhie*, "spiritual courts", over the Christians and Jews. However, inheritance, wills, divorce and marriage are delegated to each denomination: Catholic Personal Status Law (Roman Catholic, Armenian Catholic, Syrian Catholic, Maronites, Chaldeans); Greek Orthodox Personal Status Law, Syrian Orthodox Personal Status and the Armenian Orthodox Personal Status Law; Evangelical Personal Status Law.

<sup>39</sup> Called until the 1920s Nusayri, after Muhammad ibn Nusayr (c. 9<sup>th</sup> century AD) who claimed to be the messenger of the 11<sup>th</sup> imam in Twelver Shi'a Islam, Hasan ibn Ali al-Askari (846-74), Alawism can be defined as a secretive, distant and heterodox offshoot of Shi'ism whose theology contains elements of Gnosticism, Neoplatonism, Christianity, Shi'a Islam and Zoroastrianism. Hafez and Bashar al-Assad have done much to further a process of recognition of Alawites as Shi'a Muslims. This process was initiated by a group of Alawite sheikhs in the 1920s and confirmed by the subsequent *fatwas* of Grand Mufti of Jerusalem Muhammad Amin al-Husayni in 1936, Ayatollah Hasan Mahdi al-Shirazi (1972), and al-Sayyid Musa al-Sadr (1973). See Yvette Talhamy, "The Fatwas and the Nusayri/Alawis of Syria," *Middle Eastern Studies* 46, no. 2 (2010): 175-94.

the apparent monopoly enjoyed by the Iraqi sheikh in Sayyidah Zaynab has led to price fixing. Moreover, many variables impact costs, such as the beauty and age of the bride, the length of the marriage (prices tend to decrease for longer contracts), the currency available (in Aleppo, prostitutes were among the first to switch to US dollars,<sup>40</sup> and it is likely that the *mut'ah* trade followed suit), the type of accommodation, or even the nationality of the client (the daily cost of the hotel room varies between locals and foreigners, and so do the fees of the broker and, to a lesser extent, of the sheikh). A Lebanese temporary husband, for instance, might pay up to 500 USD for a week-long marriage with a beautiful bride and an average of 60 USD a day for the hotel room, while a Syrian might benefit from a generous discount on both counts. Moreover, Abu Gawwad, a broker working with several hotel managers in the city, explained that all-inclusive deals are available that ease the process of acquiring a bride: the package covers the broker's fee, the cost of drafting the contract with a sheikh, the dowry, and accommodation, food and drinks for the duration of the marriage.

Another unknown is the nature of the relationship, if any, between the freelancing Iraqi sheikhs in Sayyidah Zaynab and the Shariati Islamic Association. We can confirm that the organization does indeed have an office on the third floor of the Iranian Cultural Centre in Al Marjeh Square, Damascus, and does provide *mut'ah*. It does not, however, seem to represent any kind of competition to the matrimonial business of the Iraqi sheikhs. With the notable exception of Judge Mufsed al-Hafla, none of our sources knew of the existence of the Shariati office and none was able to point to a single Iranian sheikh or Shi'a Syrian representatives supervising "pleasure marriage" contracts.

Our assumption is that the Iraqi religious entrepreneurs and the employees of the Iranian matrimonial office have no formal relations. The current *Shari'ah*-compliant sex market was first developed by freelancing Iraqis in Sayyidah Zaynab in the wake of the Anglo-American invasion of Iraq in

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<sup>40</sup> Phone interview with an official of a juvenile detention centre, Aleppo, July 2021.



2003,<sup>41</sup> building on a phenomenon that almost certainly pre-existed their arrival, before expanding further in recent years with the renewed influx of Shi'a visitors. The Shariati Islamic Association, on the other hand, might be the by-product of a more recent Iranian cultural policy in Syria, perhaps with the hope of eventually regulating this market in Damascus. We do not know if the Shariati Islamic Association is a private venture benefitting from the support of key members of the Iranian state or a more direct government creation.

In any case, the fact that no one we interviewed in Sayyidah Zaynab knew about the Iranian matrimonial office casts some doubt on the claim that a high number of "rental brides" are managed by Persian government match-makers. It also suggests that the Iranian influence on the development of *mut'ah* in the country is partly a retrospective illusion. True, this matrimonial arrangement is promoted by state ideology in Iran, and there is circumstantial evidence that Teheran is willing to spread and institutionalize the tradition in some parts of Syria. However, *mut'ah* has a long history at Shi'a pilgrimage sites. Sayyidah Zaynab has been a major destination for Iranian pilgrims, especially since the 1980s when Najaf and Karbala were out of reach, but the place has also served as a symbolic location to signal through co-investments, new buildings and renovation work the political and cultural relationships between Damascus and Teheran.<sup>42</sup> *Mut'ah* is not simply a post-2011 state-imported cultural product shipped in diplomatic pouches or military backpacks, nor do Iranian match-makers enjoy a monopoly in the procurement of "pleasure marriages".

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<sup>41</sup> In 2010 UNHCR estimated that 18.5% of the Iraqi refugees registered with UNHCR (218,363 individuals) were Shi'a, and the majority had settled in the suburbs of Damascus. [https://web.archive.org/web/20110831211546/http://un.org.sy/forms/publications/files/Winter\\_Update\\_2010.pdf](https://web.archive.org/web/20110831211546/http://un.org.sy/forms/publications/files/Winter_Update_2010.pdf). An interview with a lawyer based in Latakia revealed that *mut'ah* has been discreetly practised among small Shi'a communities in the region since 2003 and has multiplied with the civil war. According to this source, in Latakia "temporary marriages" are concluded in *husseiniyeh* (congregation halls) between Shi'a migrants from 2003 or newcomers, and almost exclusively Sunni women (either IDPs or war widows). Also worth noting is that "temporary marriages" increased in Iraq after the fall of Saddam Hussein's regime, which resulted in the rise to power of Shi'a political forces. See N. Trejos, "Temporary Enjoyment Marriages in Vogue again with some Iraqis," *Washington Post*, January 20, 2007.

<sup>42</sup> Paulo G. Pinto, "Pilgrimage, Commodities, and Religious Objectification: The Making of Transnational Shiism between Iran and Syria," *Comparative Studies of South Asia, Africa and the Middle East* 27, no. 1 (2007): 113 ff.



*Babylonian Marriage Market by Edwin Long, 1875, Royal Holloway College, London*

## Temporary child marriages

Predictably, there is also a more upscale niche market reserved for wealthier and more discerning customers who prefer to wed young virgins. War-torn Syria is no exception in this regard: in Egypt, the *zawaj al-misyar* was officially legalized in 1999 by the Grand Imam of Al-Azhar, Sheikh Mohammed Sayyed Tantawi (1928-2010), a long-time proponent of this tradition.<sup>43</sup> Juvenile sex tourism has been walking hand in hand with *zawag al urfi* (customary) marriages, i.e. an unregistered form of “traveller’s marriage” involving girls sometimes as young as 11 years old rented out to entertain wealthy travellers mainly from the Gulf countries during their summer vacations.<sup>44</sup> In Iraq, the investigations of journalist Nawal Al-Maghafi in Kadhimiyyah, Baghdad, one of Shi’a Islam’s holiest sites, reveals that *mut’ah* with young virgins are available to visitors, with clerics even recommending anal sex to preserve their most

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<sup>43</sup> Osmani, “Misyar Marriage,” 298. Approximately 400,000 “temporary marriages” are registered annually in Egypt. See R. Haykal, *Du monopole de l’État sur le statut des personnes à la reconnaissance mutuelle des normes religieuses en matière de droit civil* (doctoral thesis, University of Paris 2, 2010), notes 165, 104. Quoted by Bouaoun Melynda, “Le mariage mout’a et le droit international,” *Revue internationale de droit comparé* 67, no. 2 (2015): 528.

<sup>44</sup> Cam McGrath, “Underage Girls Are Egypt’s Summer Rentals,” Inter Press Service, August 5, 2013, <https://www.globalissues.org/news/2013/08/05/17201>.

valuable asset – virginity is a major selling point – and to avoid potentially violent retribution from the girls families.<sup>45</sup> Abu Gawwad claims that if indeed demand for child marriages exists in Damascus, there is no evidence of *mut’ah* with girls younger than 13 in Sayyidah Zaynab. We could not verify this claim, and it is possible that the source preferred to conceal a particularly sordid side of his business.

Abu Hurriyat did not develop the jurisprudence or legal status in Syria related to child brides,<sup>46</sup> but explained that Shi’a scholars usually recommend a “timeless marriage” for virgins, and that *mut’ah* should be reserved for widows and divorcées whose age or life experience has rendered them less attractive to the eyes of eligible bachelors. With virginity being a key asset to secure the prospect of a long-term marriage in conservative Islamic societies,<sup>47</sup> Syrian or Iraqi families who resort to renting out their daughters are most likely in a desperate situation.<sup>48</sup> The financial incentive can indeed be difficult to resist in a collapsed economy: in Sayyidah Zaynab, the price for a four-week marriage with a young virgin can climb to 3,000 USD. According to Ameena, these girls tend to remain in the trade after their first *mut’ah*, accumulating daily, weekly or

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<sup>45</sup> Al-Maghafi, “In Iraq.”

<sup>46</sup> *Sigheh* between men/boys aged 15 and older and women/girls aged 13 and older is legal in Iran. For girls, marriage is possible from the age of 9 with the permission of both the court and the parents. In Syria, the minimum marriage age is 18 years for males and 17 for females, with judicial discretion for males of 15 years and females of 13 years. See Kameel Ahmady, “The Nexus between the Temporary Marriage and Early Child Marriages” (2020), <https://kameelahmady.com/the-nexus-between-the-temporary-marriage-and-early-child-marriages/>; Landinfo, *Syria: Marriage Legislation and Traditions* (Norwegian Country of Origin Information Centre, 2018), 11, <https://landinfo.no/wp-content/uploads/2018/10/Report-Syria-Marriage-legislation-and-traditions-22082018.pdf>.

<sup>47</sup> A number of contemporary Shi’a scholars, such as the Lebanese *Marja al-taqlid* (a prestigious authority whom believers are invited to emulate) Muhammad Husayn Fadlallah (1935-2010), have been pleading for the desacralization of virginity, which he saw as a social tradition and not a religious prescription. See Sabrina, “Normes religieuses,” 53 ff.

<sup>48</sup> It worth noting that a seemingly increasing number of young men and women in the Middle East are using the institution of *mut’ah*, *sigheh* or its Sunni equivalent, *nikah al-misyar*, to bypass conservative matrimonial norms. In Iran young men and women also use it for dating, preliminary marriage, or even non-sexual companionship. See Badran and Turnbull, “Contemporary Temporary Marriage,” 243; Ajaz Ashraf, “What Is Mut’a Marriage – and Why It may Be Difficult for India’s Supreme Court to Invalidate It,” Scroll.in, April 13, 2018, <https://scroll.in/article/874702/what-is-muta-marriage-and-why-it-may-be-difficult-for-the-supreme-court-to-invalidate-it>.

monthly marriages in order to provide their family with a regular income.<sup>49</sup> Theoretically, a “marriage of pleasure” must be followed by a waiting period (*idda*) – usually two menstrual cycles (provided the bride is old enough to menstruate, of course)<sup>50</sup> – before she can enter into a new contract or be rented out again by her custodian. It is unlikely that this rule is respected, however.<sup>51</sup>

Interestingly, another side effect of the institution of *mut’ah* has apparently been to start siphoning young girls off from illegal prostitution into the *Shari’ah*-compliant brides market. According to an official of a female juvenile detention in Aleppo,<sup>52</sup> a growing number of female teenagers<sup>53</sup> involved in prostitution have recently been transitioning into “temporary marriages”. This source claims that this trend has been increasing in the city since 2020, which could suggest the growing popularity of the institution of *mut’ah*. The latter not only prevents prosecution, but also provides a framework that is socially less ostracizing. Arguably, the girls transitioning from being prostitutes to “rental brides” also benefit from a modicum of protection against violent abuse, for not only does the process occur within a “legal” framework, but their broker also has a vested interest in keeping his protégées “marriageable”.

In other words, religious entrepreneurs are not only starting to capture market shares from the traditional prostitution business, but are also

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<sup>49</sup> The same trend is observed in poor rural communities in Egypt: Max Fisher, “Some Girls Have Been Married 60 Times by the Time They Turn 18,” *Washington Post*, August 6, 2013, <https://www.washingtonpost.com/news/worldviews/wp/2013/08/06/some-girls-have-been-married-60-times-by-the-time-they-turn-18/>.

<sup>50</sup> Murata, *Muta’*; Iqbal, *A Thousand and One Wives*, 20 ff.

<sup>51</sup> Hanin Ghaddar reports that a *fatwa* was issued (before 2016) in Lebanon by a Shi’a legal authority (unidentified in the article) allowing women to practise *mut’ah* without a waiting period between contracts. See “Hezbollah’s Women Aren’t Happy”, *Tablet*, October 13, 2016, <https://www.tabletmag.com/sections/israel-middle-east/articles/hezbollah-women>.

<sup>52</sup> Phone interview, July 2021.

<sup>53</sup> The large majority of them are between 15 and 18 years of age, poorly educated (ranging from illiterate to elementary school), with a high rate of recidivism.

normalizing it within a Shi'a legal and religious framework.<sup>54</sup> Given these incentives, one would assume that the same trend is happening in Damascus. As Ameena's distinction between "temporary marriage" and prostitution suggests, the religious legitimacy of *mut'ah* somewhat lowers the cost of entering the sex-for-money trade.



## ***Halal* sex certification services**

When asked about the religious justification for this peculiar tradition, Sheikh Abu Hurriyat explained that "Prophet Mohammad allowed *mut'ah* marriage for Muslims, but Caliph Omar banned it, believing it was in contradiction with the Holy Quran and the Sunnah." However, banning the

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<sup>54</sup> One type of *mut'ah* introduced by the Islamic government in Iran in the 1980s was called the "penance *sigheh*", a sort of purification process through a temporary marriage with a revolutionary guard or a soldier returning from the Iran-Iraq war (1980-88) that was available to (or forced on) prostitutes in detention as a way of atoning for their past transgressions. See Haeri, *Law of Desire*, 50, quoted by Iqbal, *A Thousand and One Wives*, 54. The parallel is a bit far-fetched, but it is conceivable that some religious actors might use such a narrative to encourage the transition from a sinful activity into a *Shari'ah*-compliant trade.

“*mut’ah* of marriage” and the “*mut’ah* of Hajj”<sup>55</sup> was a mistake, for not only does the *Surah an-Nisa* (Quran, 4:24)<sup>56</sup> show that such “temporary marriages” are licit, but also even authoritative Sunni texts such as the *Sahih Muslim* (one of the most respected collections of *hadiths* in Sunni Islam, assembled by Muslim ibn al-Hajjaj in the 9<sup>th</sup> century) or *Tafsir al-Qurtubi* (13<sup>th</sup> century) declared the practice legitimate. The Shi’a interpretation, Abu Hurriyat explains, is in line with this pre-caliphal tradition, as developed in *The Elucidation of the Exegesis of The Qur’an* by Grand Ayatollah Sayyid Abu al-Qasim al-Khoei (1899-1992) or *The Book of Marriage* by Sayyed Mohammad Taqi al-Hakim (1923-2002).

The sheikh highlighted that a *mut’ah* is a serious matter that comes with constraints and conditions. The bride must receive the totality of her dowry before the deed is done, and the time frame is strictly binding. Even if the rented bride does not receive any inheritance from her temporary husband – a common argument among Sunni critics of the Shi’a interpretation of *mut’ah* – a child who might (accidentally, one would assume) result from the union is nevertheless legally entitled to his/her father’s name and inheritance, as long as the latter recognizes the paternity.<sup>57</sup> Another positive aspect of this tradition, according to Abu Hurriyat, is that *mut’ah* prevents adultery and other forms of religiously illicit sexual activity among Muslims: a “temporary marriage” allows for the lonely militiaman missing his wife, the economically and/or sexually deprived widow, or the penniless student who is financially unable to secure a “timeless marriage” to enjoy the pleasures of the flesh within the boundaries of an Islamically correct tradition.

What is implicit in Abu Hurriyat’s description is the notion that *mut’ah* is a way to reconcile human nature – or perhaps, more appropriately, men’s urges – and religious law, an argument that is frequently put forward by Iranian clergy.

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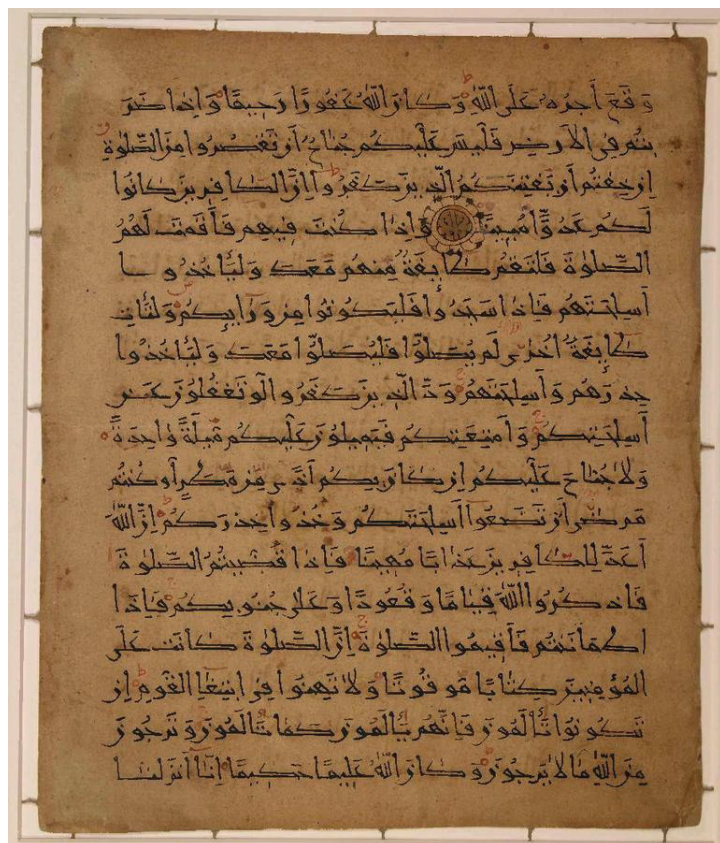
<sup>55</sup> The relaxation of the set of duties and prohibitions associated with the “sacred state” (*irham*) in which a Muslim must enter in order to perform both the major and minor pilgrimages (*Hajj* and *‘Umrah*).

<sup>56</sup> “And [also prohibited to you are all] married women except those your right hands possess. [This is] the decree of Allah upon you. And lawful to you are [all others] beyond these, [provided] that you seek them [in marriage] with [gifts from] your property, desiring chastity, not unlawful sexual intercourse. So for whatever you enjoy [of marriage] from them, give them their due compensation as an obligation. And there is no blame upon you for what you mutually agree to beyond the obligation. Indeed, Allah is ever Knowing and Wise.” <https://legacy.quran.com/4/24>.

<sup>57</sup> Ghodsi, “Tying a Slipknot,” 671.

After the Islamic Revolution of 1979, the new regime initiated a campaign to reintroduce the “temporary marriage”, redefined as responding to the male appetite for sex and multiple partners, and as a tool to promote public health. As Ayatollah Morteza Mutahhari (1919-79) argued, abstaining from “instinctive sexual intercourse” could result in “dreadful and dangerous psychological penalties”.<sup>58</sup> This narrative was rekindled in the 1990s and promoted in the media, in high-school textbooks, in sermons in mosques and at religious gatherings. Young men in economic difficulties and unable to afford a traditional marriage were even encouraged by the then-Iranian president, Hashemi Rafsanjani, to contract *mut’ah* as a legitimate way to fulfil their sexual needs.<sup>59</sup> In 2014 the Islamic Parliament Research Centre published a study suggesting that early temporary marriage would solve the sexual crisis in Iran of premarital sexual relations among young Iranians and provide financial protection to disadvantaged women.<sup>60</sup>

There is nothing particularly “Iranian” or even Shi’a to the arguments based on “healthy sexuality” or economic circumstances; it has been and still is part of the usual set of justifications supporting “pleasure marriages” among both Shi’a and Sunni proponents of the tradition.



Fragment of Qur'anic verses 94–100 of the fourth Surah al-Nisa' (The Women), 12<sup>th</sup> century.

Source: <https://www.wdl.org/fr/item/6795/>

<sup>58</sup> Haeri, *Law of Desire*, quoted by Iqbal, *A Thousand and One Wives*, 51.

<sup>59</sup> *Ibid.*

<sup>60</sup> Ladan Rahbari, “Temporary Marriages, *Mahramiyat*, and the Rights of the Child in Shi’i Adoption,” *Hawwa: Journal of Women of the Middle East and the Islamic World* (2020): 108.

Judge Mufsed al-Hafla begs to differ. *Mut'ah* is not licit in Islam since Caliph Omar ibn al-Khattâb banned it in the early 7<sup>th</sup> century, he explained. Its existence during the time of the Prophet was conditioned to special circumstances, namely fighters waging war for months away from their wives and in need of sex. For Al-Hafla, *mut'ah* is basically adultery under a veneer of religious legitimacy: “contrary to the traditional marriage which requires a high level of respect for the woman, involves witnesses, the family approval, a public ceremony, the right of inheritance for the woman and the legal recognition of the children, *mut'ah* is a short and discreet affair with no way to deal with children rights.”

The position of Shi'a religious authorities on the matter also comes with some degree of hypocrisy, he contends, for while most Shi'a scholars might agree to legitimize “temporary marriages” for either themselves, their sons or their flock, they would never allow their daughters or sisters to enter such an arrangement. “No member of the Damascene Shi'a community would ever accept that a female member of their family could contract such a short-term marriage”, the judge claimed.

Indeed, *mut'ah* does not escape social class. Social disapproval and reputational damage (should the deed be uncovered) prevent a girl or a woman from a family of a certain standing to enter such an agreement. With the cost for men being only financial and not reputational, male consumers come from all walks of life. Inversely, the vast majority of the women are likely to be from vulnerable populations and lower middle-class backgrounds (although a decade of conflict might have somewhat loosened both class distinctions and social pressure to conform).

The Shi'a scholars defending *mut'ah* might be guilty of double standards, but, as the chairman of the International Union of (Sunni) Muslim Scholars, Yusuf al-Qaradawi, puts it, being socially acceptable and being Islamically valid are different things. The validity of a marriage contract depends on a clear set of legal requirements, not on local customs or social preferences: “an offer and acceptance from both parties; a specified dowry, according to the Qur'anic verse: ‘And give unto the women (whom ye marry) free gift of their marriage portions’ (*An-Nisa'*: 4); and that the contract wins the consent of the guardian.



There is no doubt that such [traveller's] marriage may be somehow socially unacceptable, but there is a big difference between what is Islamically valid and what is socially acceptable.”<sup>61</sup>

## Conclusion

There is a good deal of negotiation of the norms, legal ambiguities, class and generational differences, and degrees of public acceptance surrounding the “temporary marriage” as a social phenomenon among both Sunni and Shi’a societies. The practice is theoretically framed by strict religious parameters, but *mut’ah* or *nikah al-misyar* remain crucibles “in which the relationship between the sexes, marriage, sexuality, morality, religious rules, secular laws, and cultural practices converge”.<sup>62</sup>

Both its Sunni and Shi’a versions represent a modern answer to two complementary incentives: conservative norms and the costs of marriage. Condemnation of sexual intimacy outside the strict boundaries of the traditional marriage encourages religious scholars to support or revive a legal framework maintaining a degree of social control over “unregulated” sexuality. Similarly, religious entrepreneurs are incentivised to set up shop where demand for short-term female companionship is highest. The prohibitive cost of traditional marriages on young people, either in societies with a high standard of living<sup>63</sup> or in economic crisis, motivate them to find ways around regulations or simply to engage in unlawful relationships. From an economic point of view, the perennial nature of this tradition and its modern revivals are not difficult to grasp: market demand for sex is a constant in human history, and answering this need will always be financially rewarding.

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<sup>61</sup> [https://www.islamawareness.net/Marriage/Misyar/fatwa\\_01.html](https://www.islamawareness.net/Marriage/Misyar/fatwa_01.html).

<sup>62</sup> Haeri, “Power of Ambiguity,” 125.

<sup>63</sup> In Dubai, the average cost of a wedding ranges from 80,000 to 135,000 USD, while the cost of a Saudi wedding ranges from 185,000 to 2 million USD. See Mona S. Al-Munajjed, “Counting the Cost of Romance in the Gulf Region,” *Arabian Business*, March 10, 2019, <https://www.arabianbusiness.com/culture-society/415079-counting-the-cost-of-romance-in-the-gulf-region>.

The modern institution of *mut'ah* caters to the needs of young men and women hoping to escape the constraints imposed by conservative societies upon both sexuality and non-familial interactions between the sexes (the contract can actually be non-sexual<sup>64</sup>). “Temporary marriages” also provide an income to a vast range of actors, ranging from destitute widows and poor families to pimps, hotel managers and clerics. Furthermore, *mut'ah* supplies religious establishments with a tool to reward loyalty and sacrifice, along with the added values of raising money and contributing to contain potentially disruptive demands for more freedom under the legitimizing umbrella of religious institutions. Wrapping all kind of pre- or para-marital sex in a clerical garb might therefore be a smart policy. Incidentally, some Shi'a scholars in Iran and Lebanon have argued that “temporary marriages” can be part of a modernization process, a religious tool freeing young people from the stifling constraints of social traditions while retaining the day-to-day relevance of Islamic law.

These different social dimensions of *mut'ah* tend to be lost in a Syrian context so tragically brutalized by a conflict with strong sectarian undertones. For many, the institution of “temporary marriages” is unavoidably loaded with heavy political and ideological significance, i.e. an Iranian import having nothing to do with local customs, and part of a larger agenda to strengthen Teheran's influence in the country. While historically *mut'ah* is not a new phenomenon, its growing visibility in Syria, however, is.

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<sup>64</sup> Known as *sigheh mahramivvat* among Iranians, it can be roughly translated as “permissible familiarity”, i.e. creating a fictive affinal kinship and enabling a woman to interact more freely with a group of related males. Haeri, “Power of Ambiguity,” 137-38.