Analysis of the pros and cons of Shiite and Sunni on the effects of temporary marriage

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ARTICLE INFO
Article history:
R Received 25 April 2014
Accepted 20 July 2014
Available online 18 August 2014

Keywords:
Misyar marriage, marriage concubine, Shia, Sunni, abrogation, custom.

ABSTRACT
One of the types of marriages under Islamic law, marriage is a concubine so that its legitimacy is accepted by all Muslims in Islam, but after a temporary marriage sanctioned second Caliph of the Muslims were divided into two groups. One group believed the manuscript and the sanctity of marriage as the concubine and the other believes it as on the Prescriptions and licenses. The second group, the Shiites believes that it is a divine decree abrogated by any other person, and the only prophet can abrogate the divine decree. As a result, the second Caliph was not authorized to perform this action. On the other hand, there is no legal justification based on the sanctity of marriage concubine reply, there are legitimate and verifiable sources infer from the provisions of the Quran, tradition, reason and consensus. Thus, they believe that temporary marriage in order to help people to resume today and respond to the arguments in detail Sunnis in his place. Since Sunni Temporary Marriage is not legitimate, so to answer the needs of our young men and women, who have proposed marriage "Misyar". Misyar marriage that has become increasingly popular in recent years in some Islamic countries and it is welcomed by Arab men and women and it is approved by Shia and Sunni scholars. Based on these assumptions, the temporary marriage contract Misyar same as the others, it is an alternative to temporary marriage and that marriage is temporary and Misyar more instinctual gratification (sexual) of the solvent and they have a purpose. Eventually we came to the conclusion that marriage is Misyar a permanent contract, but it is quite similar in purpose and result of temporary marriage.

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INTRODUCTION

In this case, it seems to be the main rules and legal ordinances and general context and most of the differences in the details of the provisions. For example, in the works of other provisions, such as charity, Ayla, Zhar and Laan and some of the cases that have not been mentioned, more attention is one thing; Signs of Shia and Sunni distinguished jurists its citation, the citation is to the (marriage) or refers them to the precepts and writings. This revelation is equal, but his analysis of some of the words in the above verses of and it has led to controversy. In evaluating these comments, one thing that comes to mind is that there are general rules and signs citation equal conflicts rules in subtle cases.

Analysis of the comments opposing Sunni:

Sunnis and judgments about the effects of temporary marriage what this article should be addressed is divided into two parts. One part is related to the time of Prophet (PBUH) that there was a division in the name of the Shiite and Sunni sects and all the provisions of the rules were directly or indirectly Prophet (PBUH), and there was no difference. Differences and opposing opinions emerged after the death of the prophet, especially after Imam Sadiq (AS) and divided into Shia and Sunni Muslims what the Shia and the Sunni that at this point in time, in the tradition of temporary marriage was completely unacceptable and wrong sentence after the second Caliph as we have seen, it created a controversy in the second caliph ruling this judgment was based on the judgment of the Messenger of Allah (PBUH) and some other factors have also been but what is certain is that the general provisions of temporary marriage and the provisions of the and that there is no dispute about whether it was lawful for all Muslims in the same time, there is no problem. But at present, it considered Sunni forbidden
temporary marriage in general. Abdullah Ibn Umar held that the traditions of the Prophet (PBUH) are preceded by forbidding father [7].

An overview of the reasons for agreement or disagreement about the legitimacy of the marriage concubine

Reasons to support or oppose the Shia:

Temporary marriage can be a particular kind of marriage with the conditions and characteristics that it has a range of functions. In this discussion, we pointed out some of the important functions and wisdom of agreement or disagreement concubine:

MATERIALS AND METHODS

Reasons for favoring the temporary marriage:

Permanent marriage restrictions:

The temporary marriage, which is one of the most important facts, is that married couples have more freedom than ever. In this type of marriage, in addition to the contract, couples can have terms that it may not be a permanent marriage. Concubine's rules have led to that the parties can freely determine their relationships. In terms of legal permanent marriage, couples can be prevented to go out of the house wife or if the law has predicted, his wife is banned from professional or industrial be exercised contrary interests or reputation of his or her family, also in permanent marriage, the wife is obliged to obey the man, he is obligated to accept the invitation of men in sexual intercourse. Temporary marriage is also legal in the shade on the sides, but in the marriage, the parties have more freedom conditions in coagulation. Rights of the parties are often not necessary, but are more dependent on mutual agreement.

Facilitate marriage:

Given that temporary marriage has its own characteristics, it may be able to substitute for them a permanent marriage and it solves sexual problems of men. In addition, for those who have lost hope of permanent marriage, temporary marriage seems to be a viable solution. As noted in the relevant provisions of the rule, since in this type of marriage, providing food and clothing and shelter to the woman is the man; among the people who have problems and can not marry permanently and to assume the responsibilities of a family; they resort to some form of temporary marriage easier.

Elimination of corruption and prostitution through proper sexual gratification:

Some people are having difficulty in satisfying sexual and they can not respond to this instinct in a permanent marriage and family. Some of these people are young people who are unable to marry, widows and divorced women as well as men who might even have a wife but you should think about alternative sexual rebellion against illness due to being away from his wife or wives, and others. If the thought of choice for these patients usually, these people resort to sexual corruption and they satisfy their sexual instinct through illegal. Islam has put a temporary marriage to solve the problems of the people and to prevent the spread of prostitution and corruption. Contrary to the impression given to people who are believed to cause the spread of open-ended temporary marriage and prostitution are prevalent, and the fragility of families and as can be seen in action, monopoly of legitimate marriage, permanent marriage and having regard to the needs of individual and social problems, in all societies with little or no difference than there is with the adverse effects of free sexual relationship and those who criticize this type of marriage, and they actually enforced it otherwise.

Reasons for temporary marriage opponents:

Loose Foundation of Families:

One of the possible consequences of temporary marriage that has been objected that by promoting temporary marriage, men go home every day and will be out of context with a woman. This variety seeking loving men eventually will lead to the disintegration of families. In other words, this type of marriage may lead to high rates of divorce, broken families, and cracking caused by the husband's family. Opposition to the temporary marriage married women in the context of the loosening of family focus. The pros respond to the criticisms against temporary marriage also we refer to one of the following: Legal provisions may be exploited either in law or in legal systems. They say that temporary marriage undermines the family foundation, is it true that the abuse of divorce and family disintegration.

Temporary Marriage in the way of a family:

A criticism that has entered into temporary marriage is that with the popularity of temporary marriage in society, there is a possibility that you may have married young soldiers permanently and because of the greater convenience of this type of marriage, youth, especially boys, do not go to the family. Given that the temporary
marriage is where the man of the alimony, the need to provide housing and living expenses, there is more freedom in this type of marriage, this type of marriage may become a substitute for permanent marriage and it will lead to problems for the community. Sadri Gholam Hossein Zarei, alluding to the form of temporary marriage, other states such consequences the relative decline in marriage motivated young men to obtain decent jobs and permanent, reduced load dependent, refusing percent of girls are seriously in need of a lot of girls to vocational training, reduced reproduction and reduce those who experience intimacy through marriage. These are the other consequences of temporary marriages, which in fact are discounting the impact on young people in permanent marriage.

Development of male sensuality of temporary marriage:
Some believe that this will allow temporary marriages to men, who can deal with sensuality and every few days to be with a woman, or it's a great time to have a woman as a temporary marriage, this is actually a kind of harem-building. As mentioned in the provisions of temporary marriage, some traditions confirm limitless number of married couples in the interim and there are some traditions that temporary marriage is permissible to consider are required only for those who need it. Morteza Motahari, said in answer to this objection: If there's anything questionable, no doubt in that heavenly air rebellion have mainly against sensuality and worship, one of the principles of Islam is clear and indisputable air combat racism. The Quran is placed in row air worship idols. Colorful Man in Islam (i.e. one whose goal is to save women a variety of palates and “sip” offers), he introduced the Damned some experts consider this objection to be entered. They point out that this is one of the possible misuses of temporary marriage law and temporary marriage law should be abrogated because of the abuse.

Humiliation of women characters in temporary marriage:
Some critics believe that temporary marriage is a personal humiliation for women, it will trampling female character. She will be such a comfort in this type of marriage where the man is the amount of money or goods, so the woman will be less damaging to his character. Women are believed to humiliation and trampling of your character in this type of marriage is strongly opposed to it. Some experts have the answer to this objection is that, first: Do force her to do this or that people will be satisfied with this? Does anyone have such a good guy or give him his independence plans in this? In the first, the marriage will not take place because Islam considers the parties consent. If the latter is true, then women will like the product. Secondly: Is it better to marry a woman with a man about to be honored under certain or give him tons of adultery and every day, every hour and it is looking for? Some temporary marriage opponents and critics have raised the same objection as she rented. Ismail Hadi pointed out that the objection against in some traditions has been interpreted to Alhn temporary occupant of women. Late martyr Morteza Motahari has also refused to rent to a woman in temporary marriage says: Firstly, temporary marriage has nothing to do with specs that are listed on the lease and the rent for and the restrictions on marriage would be leaving the marriage takes place in Rent?

Temporary marriage is patriarchal:
Some critics also argue that temporary marriage act is designed to benefit men and women will not be considered. In this type of marriage, the freedom given to men who are married to multiple women on a temporary basis and they are free from the shackles meet the requirements for permanent marriage or provide for women and children. GH Siddiqi Arouee knows the culture and acceptable only within marriage it permanent by the discussion and reading gratification of brutal sexual instincts temporarily. He notes that his discussion if the "legitimate way sex and sexual satisfaction” is commonly accepted and no financial commitments, will release the shackle and other men, women are not looking for work and job training on the other hand, women are forced to work and vocational training. His argument is that the men probably suffer in present circumstances forced women because they have no way and because of their sexual needs, they can provide all the financial needs of women, children and families. He argues that "in terms of exclusive sovereignty in permanent marriage, young boys are deprived of marriage and are often trying to find respectable and lucrative jobs to achieve the capability and ability to woo and marry. If they can get to be a good marriage and enjoy sex without paying job and financial obligations, they reduced the financial incentive to work and earn money. We're not here trying to defend the temporary marriage, but it should be noted that if they have paid attention to the cultural criteria (ie, community and religion), temporary marriage, which is aimed at the temporary gratification of sexual instinct and it will not be the same and that our marriage has permanently linked to the sexual needs first, why is it so offensive that we say all men are obliged to protect and provide for the needs of women in economic and financial terms. This is an insult to the dignity of women and male characters. Second: If it is true that men and women are protected due to their sexual needs of men, the spread of prostitution can also lead to the disintegration of families. Note that temporary marriage is a legitimate way to satisfy sexual instincts it is designed for people who have difficulty in this area for men and women it is not
clear considering the interests of a particular sex. Temporary marriage is not patriarchal and if there is, it is less beneficial for men than for women's rights and observes the permanent marriage.

**Possible children of temporary marriage:**

Possible children of temporary marriage are of topics that lead critics to disagree with this entity. Some critics believe that temporary marriage leads to a steep rise in population and some children do not understand the assignment. With the development of the children, a significant number of single parent families are finding that one of them lives (the mother) with her children and will develop requirements for the maintenance of the children of the orphanage. The father did not see his age in terms of their psychological problems. Temporary marriage proponents cite the temporary marriage, likely reduced the occurrence of unwanted children because there is more freedom for the parties to avoid getting pregnant and if the child is born, there is a need for his administration of the child's life and upbringing. Same temporary marriage with prostitution some critics condemn the temporary marriage, while comparing it to prostitution and illicit relations in the Arab and adultery. They claim that it will lead to the spreading popularity of temporary marriage.

**Evidence licensed concubine of view Imami:**

Generally, there are two kinds of wisdom concubine "Raw Wisdom", which is the philosophy of legislation concubine, and “secondary wisdom” that it is heretical disposal and reclamation of abandoned tradition has carried the original Islam and its principles. Motahari said first and second concubine of wisdom: In my opinion, the fact that the Imams have banned the men from the women of this work, the first is to validate the wisdom of the law; they were going to say that this post is for those who do not require legislation. However, what is certain is that this was never the purpose of the legislature and Imams they provide a means of worship for the bestial sensuality air or by taking advantage of the desperation of some women and children as orphans. Usually the reason in relation to jurisprudence, it is book and the Sunnah. However, reason and consensus are considered as a source of inference rules. Also, in the absence of the above reasons can be cited to religious principles such as the presumption of innocence genuineness, Takheer authenticity, Astshab and caution. Evidence from the Shia concubine licenses are divided into two parts: theoretical and practical reasons

**RESULTS AND DISCUSSION**

**Theoretical arguments:**

*Book:*

The verse indicates the permissibility of temporary marriage and the Shiites and even some Sunnis agree verse 24 of Sura An-Nisa is as follows: So what we enjoy because of time, pay and reward them for their dowry, that it is obligatory upon you. Almost Shia and Sunni commentators agree on the fact that the revelation of these verses about the concubine. In interpretation of Almizan is this verse: the marriage or temporary marriage has been common among Muslims that point in time and there is no doubt it is news, and consensus on certain of it. However, the legislation that Islam is what it is, whether it be founded in the founder of Islam, but that was before Islam so there is no doubt that such marriage at the time of the Prophet (PBUH) in the eyes and ears and no doubt this is the name of this type of marriage in those days and were interpreted only as a concubine.

*Tradition:*

Another reason for the strong legitimacy in Imami temporary marriage, it is the narratives that indicate the licensed concubine. According to Shia, those are traditions in our news via bits (AS) in Shi'ite sources and it is indicative of the legitimacy of the marriage. Traditions that exist in Shi'ite sources from the Ahl al-Bayt (AS) about the legality of temporary marriage, it is in the frequency thus, the legitimacy of the marriage is considered essential Shiism and Shiite scholars have consensus (Shiite) are not guilty of it. There are many traditions about the temporary marriage of books and issues including ush, more than 200 Hadith the book with enough minutiae Mustadrakat Alvsayel, each about 90 stories in Bharalanvar, altogether nearly 100 stories and 82 stories refinement Ahkam they all legitimacy, as it is indicated explicitly emphasized the infallible Imams (as) to do a certain Tradition of Islam in society here are some of the traditions that are mentioned:

1) Imam Sadiq (AS) was asked about temporary marriage. Imam (AS) said: It is lawful.
2) The Messenger of Allah (PBUH) said solvent concubine and did not sanction it until the day he died.
3) Imam Sadiq (AS) was asked about a virgin concubine who lives with parents. He said there is no fear.

*Intellect:*

Among the tools of inference rules, reason is the great gift of God to humanity as the man to bring happiness in the light of revelation and showers Transportation; it can be considered as a tool for discovery rulings materials. On the other hand, God has ordered man to contemplate and understand even in the realm of
religion therefore, it is an undeniable bond Intellect and religion in the sense that its introduction will lead to a distortion of religion regardless Intellect in contrast, the benefit of Intellect will not go anywhere without taking possession of the judge. Input field to prove the necessity and Intellect of marriage concubine, with a logical argument consisting of two premises, one rational and one religion, we can clearly proved that concubine and secret marriage legal provisions that will be the accepted Intellect. In other words, as a result of both legal reasons we lost due to this reason.

Consensus:

A fourth reason to prove the legality of temporary marriage in view of Imami, it is a consensus so that none of the Shia scholars have issued a fatwa against it throughout history. Shia jurisprudence consensus on the legitimacy of temporary marriage to the extent that its license is considered essential in Shiism without a doubt, the Shi'a jurisprudence consensus arises from the consensus of Ahl al-Bayt (AS) as they believe that temporary marriage is legitimate revival of Tradition the Prophet (PBUH) and emphasized the promotion of conservation and sustainability to appeal the legality of temporary marriage has announced the date and hour range. If we refer to the sources, interpretation, validity and Shiite jurisprudence, it will be fairly obvious that Shia jurist’s consensus on the legitimacy of temporary marriage, it has to obey and follow the consensus of the Ahl al-Bayt (AS). Late Shahid Thani (RA) says in this regard: There is no difference between Shiite scholars of Shari'ah since the beginning of the legitimacy of the marriage issue temporary and what the difference is, it's concubine after its termination and identified the need concubine marriage, it is of paramount religion of Ali (AS) and his descendants, as it is considered lawful sanctions and denied it forever.

Practical Principles:

It may be mentioned that the duty to clarify the principles and criteria in cases of doubt, in determining the proper sentence as a result of allowing Shiite jurisprudence fifth concubine of legitimacy. In this regard, there are four principles of contemporary theological tenets of the Shiite include the presumption of innocence, Isteshab, employment and Takheer, principle of Bahe or Helyat. Shahid Sayyid Muhammad Baqir al-Sadr in the definition Principle Abahh says: Abahe, the open square in front of the obligation, to take what is available. Therefore, the obligation freely reflects current job or leave. He also desirable and permissible sentence of this article were extracted and believes Abahe two things: one specific meaning, as it is the duty of the fifth sentences that interpreted the equality act and omission in terms of mole. Another is common sense as far as it is sometimes called the discharge the virtue and sanctity. Abahe include desirable and detestable addition to boasting a special meaning, because they all have in common is not required. About something that was imported after the ban or prohibits the illusion scholar Zia Aldin Iraqi it says: the fact is that there is no sense in doing the act or Abahh the public which is integrated in the proper sense of obligation and recommendation and Abahe.

The principle of abrogation:

Imams of Ahlul Bayt (AS) who were aware of all the mysteries of revelation, strictly interprets the verse is quoted to have said to the meaning and traditions in this field, including Imam Baqir (AS) said to Abu Basir question about the concubine: "The Holy Quran has spoken about it. Shia believes that nobody has the right to abrogate the provisions except the Prophet (PBUH), and only he can abrogate some of the provisions of the ordinance of God; and the overall abrogation will be blocked after the death of the Prophet (PBUH), otherwise, anyone could be a part of the divine laws to abrogate its discretion and other things will not remain the law of immortality and eternal and the principle of Ijtihad in the words of the Prophet (PBUH). Ijtihad is the text that it lacks any credibility. However, what has led to differences in Principle expression of both Shiite and Sunni is the issue of prescription or non-prescription concubine. Although concubine opponents acknowledge the legitimacy of the prophet (PBUH) and Abu Bakr various methods have been recorded to admit some of their leaders not to terminate such verse concubine Zamakhshari but still there is a Tradition in manuscript or book and took it. This difference of opinion is the best proof of the invalidity of the fatwa against the sanctions at this time if someone claims the abrogation of temporary marriage; he should prove a definite cause.

Practical Reasons:

Practice of the Companions and followers although we've seen evidence of legitimacy of marriage licenses concubine of a unique view of Shia Imami trusted four proofs, however, the practice of the Companions can be regarded as one reason or corroborated. Because of the sanctions, concubine of the second Caliph, he urged the judge to enforce the judgment of the beginning of the faced stiff opposition companions of Prophet (PBUH). Many of them have not been submitted to the caliph, and still believe that the prohibition of temporary marriage licenses and Helyat. As the legend goes Omran Ibn Hasin and Jaber Ibn Abdollah plural pronouns for the agent to utilize concubine marriage and taught that no one has done this procedure is typically done, but the
Companions of the Prophet's marriage concubine. Here we refer to some of the news to act as note some of the Companions:

1) Ayyob says: Orveh Ibn Zubayr Ibn Abbas said: Do you not fear God, who gives to the licensee being in a concubine? Ibn Abbas said: Hey Orveh goes ask your mother now etc (that means you, as your brother because your mother is pregnant concubine).

2) Muslim Quran says: We went to Asma daughter of Abu Bakr and asked the female concubine. He replied: We did this to be the prophet of Islam. The result of the above discussion, it is assumed that not only theoretically, there is evidence that the licensed concubine of Islam; but in terms of practicality, many Companions of the Prophet acted on the license and this fact is conspicuously action.

In other words, it came to be among the companions of the Prophet Moteshareh some were followers of Abdullah bin Zubayr, and outcome of this type of marriage as Ibn Zubayr.

**Attitudes toward marriage ceremony concubine:**

A significant issue that has been controversial Shiite and Sunni scholars and the case is controversial in scientific circles, it is a matter of temporary marriage, why is the marriage of two completely contradictory ruling Shiite and Sunni Muslims. What comes to the Shia school of jurisprudence as famous fatwa, but the consensus of jurists, it is a “license” in this marriage so it was a reference to a temporary marriage as an institution acceptable all of Shiite religious books talk of marriage. Some of these books have been discussed in detail on the legal entity and some other books that have discussed it briefly and brief. The concubine's history and its evidence were clear that, there is no legitimate complaints and Helyat in the evening and long after the demise of the Holy Prophet. Issue is the difference between Shiite and Sunni "Verse concubine and not terminate it". It is not necessary to try to prove his claim, that claim must be terminated and they need to provide proof will be solely responsible for critics to prove the legality and permissibility of Helyat concubine. So, here we briefly mentioned licenses accepted the documents and evidences.

**Conclusion:**

The Sunnis feel the need of a temporary conjugal (concubine), which has led to the establishment of marriage Misyar although they are quite different in terms of structure, but can be seen in action and conditions which can be exchanged; it is like a temporary contract. The condition of not having children, the condition of inheritance, housing, maintenance, parts, etc. Although these terms are in dispute between the Shia and Sunni scholars, these conditions must be provided as a result of acts or conditions. However, a temporary marriage with its own structure and due to a series of rulings that have been presented to the public to facilitate and satisfy the sexual urge religious marriage for both women and for men and prevent the spread of prostitution, and refuses to take offense at the time of the Messenger of Allah (PBUH) and it is approved by all the saints (AS). According to the definition of the nature and structure of this type of marriage, it follows that this type of marriage is not simply to satisfy the sexual urge through legitimate. Once established, these types of marriages in this time and temporary marriage in the past, not only is it an injustice to women and also shrink and humiliation of women, but if we look at the next man and woman walking toward sin. Earthly and heavenly bliss for men and women, it will work properly.

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