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**NIKAH MUT'AH DALAM PANDANGAN SYI'AH\*)  
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**Abstract**

In this paper Abul Qasim Gourji highlights several verses or hadith which become the theological base for the legitimacy of *mut'ah* marriage. As a follower of the Syi'ah School, the writer wishes to clarify the validity of *mut'ah* marriage. In his opinion, there is not one verse in the al-Qur'an or the the hadith that expresses, either directly or implicitly, a prohibition of *mut'ah* marriage. By quoting several stories found in the books of Tafsir and laws of the books of Hadith and Tarikh, which all originate from the Sunni school, the writer emphasises that the prohibition on *mut'ah* marriage was not made by the Prophet, but rather by Umar bin Khattab. And this prohibition, he feels, clearly contradicts the al-Qur'an and the hadith. Moreover, up til now still no agreement has been reached about this prohibition on *mut'ah* marriage, which was even practiced by several of the Prophet's companions.

**NIKAH MUT'AH: KAJIAN ATAS ARGUMENTASI SYI'AH  
MACHISIN  
Guru Besar Sejarah Kebudayaan Islam pada Fakultas Adab IAIN  
Sunan Kalijaga Yogyakarta**

**Abstract**

Temporary marriage or *nikah mut'ah* is a phenomenon that occurs within Islam. Nevertheless the ulama differ in their opinions of its validity. The majority of Sunni Muslims believe that this type of marriage was originally permitted but later forbidden. Whereas the Shi'ah group believe that contract marriage is permitted, and some of them even recommend it. Yet, it seems that the arguments they propose all have their weaknesses because temporary can still be disputed. Because of these problems, we should bring the issue of contact marriage back to the principles of Islamic teachings which hold human dignity in high esteem, value the ability of people to find the truth, and provide guidance to channel biological desires responsibly. As long as temporary marriage does not contradict these values the validity is maintained, but if it opposes these values then the prohibition cannot be denied.

**NIKAH MUT'AH DALAM KITAB TAFSIR AL-QUR'AN  
MUHAMMAD**

**Staf Pengajar pada Jurusan Tafsir Hadis Fakultas Ushuluddin IAIN  
Sunan Kalijaga Yogyakarta**

**Abstract**

*Mut'ah* marriage, as a temporary married, was once permitted by the Prophet in the context of war. In the latter period of his apostolacy, the Prophet Muhammad prohibited it. Both the permission and prohibition of this *mut'ah* marriage are to be found within the realm of the hadiths, and differences of opinion about their validity may arise. Meanwhile there is no verse in the al-Qur'an that specifically refers to this concept of *mut'ah* marriage. Nevertheless in the majority of commentators touch on the issue of *mut'ah* marriage when faced with QS. Al-Nisa (4): 24. Through this paper, the Prophet attempts to expose the opinions of a number of commentators on these verses concerning *mut'ah* marriage. Most commentators view it as something forbidden, in accordance with the prohibition made by the Prophet late in his life.

**NIKAH MUT'AH DALAM LITERATUR KITAB HADIS  
EMA MARHUMAH**

**Staf Pengajar pada Fakultas Tarbiyah IAIN Sunan Kalijaga  
Yogyakarta**

**Abstract**

There are two hadith that discuss the issue of *mut'ah* marriage, one of them permits *mut'ah* marriage, while the other hadith forbids its existence. In terms of the legitimacy of hadith (*takhrij* hadith), both hadith demonstrate their validity, meaning that both hadith can serve as evidence in making laws. In the view of the writer, these two hadith cannot be separated. In the writer's analysis, they are related and in fact strengthen each other, in the way that eventually *mut'ah* marriage was prohibited. Hence the two hadith are not contradictory. What occurred was a nullification of the law of *mut'ah* marriage which was previously allowed, then was later forbidden. One law was repealed and replaced by a new one, making the old law legally null and void.

**NIKAH MUT'AH DALAM FIQH DAN PERUNDANG-UNDANGAN  
INDONESIA**

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**Staf Pengajar pada Fakultas Syari'ah IAIN Sunan Kalijaga Yogyakarta**

**Abstract**

There are differences of opinion among Muslims about the validity of *mut'ah* marriage (temporary marriage). Some permit it and others do not. The Syi'ah Imamiyyah allows it, whereas the majority of Muslims (Sunni, Syi'ah Zaidiyyah and Syi'ah Isma'iliyyah) do not. This paper studies the views of these two groups, as well as the argumentation they use, and also looks at which view is closer in spirit to the marriage law in Indonesia. After analysing the two arguments, can be concluded that the stronger argument is that of the majority of ulama who do not allow *mut'ah* marriage. Meanwhile in terms of Indonesian marriage law, *mut'ah* marriage is not in accordance with the goals and idealism of the family as a body and soul bond to create a household that is *sakinah, mawaddah* and *rahmah*.