



Shahla Haeri. *Law of Desire: Temporary Marriage in Shi'i Iran*. Syracuse, N.Y.: Syracuse University Press, 1989. xiii+256 s. ISBN:978-0815624837

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Law of Desire: Temporary Marriage in Shi'i Iran written by Shahla Haeri is a valuable academic contribution about Iran's ethnography in general, temporary marriage in particular. The book examines the institution of the Shī'i form of temporary marriage (*mut'ah*) known as *sigheh* amongst Iranians. The central focus of this study is to discover the underlying logic of the marriage contract and its implications for gender relations in society that offers models for male-female interpersonal relationships and the form of gender's dialectical worldview toward themselves and others (p.x). Shahla Haeri gives the legal interpretations of *mut'ah* made by religious authorities as an introduction to the topic in order to explain how the concept of temporary marriage differs from permanent (*nikāh*) marriage and modern forms of prostitution. The author, through the book, strongly condemns the male manipulation of the institution of temporary marriage under the justification of personal wishes and desires that disregards the woman's social dilemmas and individual rights. The initial ignorance of *sigheh* women about the reciprocal rights and obligations of the spouses within *mut'ah* marriages is highlighted as an important reason that induces women to engage in this misunderstood marriage type with the assumption of a similarity between permanent and temporary marriage. The author successfully manages the interviews by showing in-depth integration with male and female participants in order to gain their individual experiences and commentaries about the *mut'ah* marriage. This theoretical and practical aspect of the book makes it a significant element amongst the Iranian marriage literature. Even if the book offers ethnographic information for Iranian marriage institution, the time period of area studies (1978-1981) overlapping with revolutionary days makes the book old dated and raises suspicion on the readers' mind about today's implementation (p.11).

The first chapter of the book, 'Law as Imposed', concentrates on the concept of marriage contracts, describing and discussing its Shī'ī variations in specific details in order to analyse the rationale behind temporary marriage (p.23). By highlighting men's sexuality and women's financial dependence, the writer conceptualises the institution of both permanent and temporary marriage as a social and religious contract that demonstrates a patriarchal attitude of laws and interpretations (p.26). Haeri's main argument in this chapter is to classify *nikāḥ* as a type of sale, (*bay'*) which results in the transfer of an absolute proprietary while categorizing *mut'ah* under the head of hire or lease, (*ijārah*) as being the transfer of the uses only for a limited period from one hour to ninety-nine years (pp.30-32). She writes:

Ideologically, the Shī'ī doctrine distinguishes temporary marriage from permanent marriage in that the objective of *mut'ah* is sexual enjoyment whereas that of *nikāḥ* is procreation. This fundamental, conceptual, and legal distinction is embedded in Shī'ī assumptions concerning the natural differences between men and women (p.50).

Taking into consideration the essential components of a marriage involving the legitimization of sexual relations, both types are considered valid marriage contracts according to the Shī'ī interpretation of the institution. Under this categorization, the author emphasises the negative aspects of *mut'ah* marriages with the absence of male responsibility, lack of women's religious rights, and ambiguity for the custody of children. She goes one more step by analysing the theme of temporary marriages depending on their social, economic, and moral implications, so she divides the *mut'ah* institution into two categories: one having a close relationship with prostitution and the other demonstrating similarity with permanent marriage. However, Haeri does not develop any epistemological and ethnographical criteria to determine whether the marriage is closer to permanent marriage or prostitution, which makes her analysis weak. By emphasising a social rejection against *sigheh* women, the author aims to show the negative portrayal of *mut'ah* marriage because of its bad reputation and links to prostitution. The author highlights that the unilateral decision of repudiation made by the husband without reason or mutual consent provides a basis for the increase of similarities with prostitution (p.42). She also claims that the Shī'ī religious leaders have reconstructed the concept of *mut'ah*, its legal boundaries and procedure regards of a contract of lease, and this attempt damages the idea of it having divine origin.

The second chapter of the book, 'Law as Local Knowledge', is devoted to analysing social, moral, and economic complexities of *sigheh* women with

the influence of ambiguity or deprivation of necessary rules. Haeri criticises the women's status or misinterpretation of their position by articulating: "...while men derive their authority from a divinely inspired legal and political system that locates them at the apex of socio-political hierarchy, women as projected by the dominant male value system, derive their power from within themselves" (p.70). Whereas *sigheh* women's situation is constricted between religious identity, social stigma, cultural pressure, and individual requirements, men's position having temporary marriages is not affected such a negative way regardless of cultural inclinations, religious manipulations, and masculine society. In addition, she examines the factors and circumstances of *sigheh* both men and women by supporting them with *sigheh* experiences of informants. While men contract a temporary marriage due to sexual desires, women usually engage in *sigheh* because of financial, personal, and social reasons rather than religious ideology. She clarifies that outside the limited circle of consanguineal *mahram* relationships, the only legitimate medium for establishing cross-sex relationship is marriage because of the gender segregation system. When she explains each type of *sigheh* in detail particularly nonsexual ones such as convenience of association, sharing spaces in travel or cooperation, it can be seen that the marriage contract is used as a religious mask to establish a *mahram* bridge rather than the protection from the sin (p.93). In other words, alteration of the main character and principle of marriage from divinely to worldly as a mutual arrangement to obtain reciprocal advantage between participants make these types of non-sexual *sigheh* covenants contain logical problems as a means of circumventing social segregation. However, this manipulation involving lack of logical and rational explanation damages the divine origin of the law and respectability of family institution in the long term.

The last chapter, 'Law as Perceived', presents the men's and women's life stories which underline the social stigmatisation and ambiguity of temporary marriage. There are various kinds of Shī'ī Islamic doctrine capitalizing on the inherent ambiguities of the law that could be applied to justify, rationalise, and moralise the often confusing practices, belief, and interpretations of temporary marriage (p.101). Since women are largely disenfranchised and lived under the authority of men: fathers, uncles, brothers, husband, or adult sons, the circumstance of the divorced and the widow is exited as a problem for society. Consequently, immoral men often take advantage of this reality to satisfy their eagerness because the social situation of married women even in temporary marriage is assumed higher than the divorced or the widow in Iran. However, having a secret nature and a bad repudiation overshadows the main purpose of temporary marriage, namely combatting moral corruption and decadence. One informant's quotation

stresses the moral and social dilemma because she experiences: “Even if a man has ten wives, it is still better to be married (to him, and permanently) than to be a *sigheh*” (p.139). As with Yamani’s perspective, Haeri blames government strategies and religious authorities as the main ones responsible for the *mut’ah* marriage. Although she claims that the registration of *mut’ah* marriages after the revolution of 1979 was increased due to new marriage legislations encouraging temporary marriage, the book does not support this argument because most of the informants’ data belong to Pahlavi periods.

The author also does not offer sufficient statistics in order to support this thesis. Instead of addressing every problem to religious leaders and political authorities, she may criticise the ethical corruption of the Iranian community and their understanding of religious principles. On the other hand, people usually travel in order to engage in *sigheh* through pilgrimage centres that replace the reason with results because in the *mut’ah ḥadīth*, permission for temporary marriage was solution rather than main reason of the journey.

In sum, Haeri contributes to the academic studies of the marriage institution in Iran by offering real life stories and cultural acceptances of that period. The book can be recommended for religious, cultural, and ethnographic researchers who seek to obtain deeper knowledge about Shīī marriage interpretation.