



A Comparative Study on the Understanding of the Hadith: "It Is not Permissible for Anyone to Marry Two of the Children of Fāṭimah (SA) Simultaneously."

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Abstract

Due to the significance of hadith in Islamic sciences such as jurisprudence, exegesis, theology, and history, its understanding requires the application of proper principles of hadith interpretation. This paper aims to provide a methodical understanding of the hadith: "It is not permissible for anyone to marry two of the children of *Fāṭimah* (SA) simultaneously" in light of the Qur'an, with a focus on the perspectives of Shaykh *Yūsuf Baḥrānī*, an *Akḥbārī* scholar, and

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Wahid Behbahani, a *Uṣūlī* scholar. Research indicates that no independent study has yet been conducted on this subject. This hadith forms the basis of the *Akḥbārī* ruling on the prohibition of marrying two women from the descendants of the Prophet simultaneously, while *Uṣūlīs* have deemed such marriage disliked (*Makrūh*). After examining the chain of narration (*Isnād*) and text (*Matn*) of the hadith, and comparing it with the Qur'an using a descriptive-analytical method, it was found that Shaykh *Yūsuf Baḥrānī* considers the *Isnād* authentic and believes that the text, based on its apparent meaning, indicates prohibition. Consequently, marrying two women from the descendants of the Prophet simultaneously is considered haram. On the other hand, Wahid Behbahani maintains that such marriage is not prohibited. By tracing the historical development of the prohibition, beginning with Shaykh *Ja'far Baḥrānī* and later Shaykh *Ḥurr 'Āmilī*, and comparing Shaykh *Yūsuf Baḥrānī*'s view with that of Wahid Behbahani, the author concludes that: "The *Isnād* of the hadith is weak; considering the contextual indicators and the distinction between hardship and harm, the *Matn* does not indicate prohibition." Therefore, it can be argued that Wahid Behbahani's perspective is more consistent with the Qur'an and established scholarly principles.

Keywords: Qur'an, Marriage with Two Fāṭimah's Descendants, Understanding Hadith, Akḥbārīs, Uṣūlīs.

Statement of the Problem

- 4 After the Qur'an, hadith is the second most important source of

knowledge for Muslims. Its position has necessitated the development of disciplines such as *Fiqh al-Ḥadīth*, hadith criticism, and the science of *Rijāl*. Accordingly, the understanding and evaluation of hadith has always been a central concern for both *Uṣūlī* and *Akhhbārī* Shia scholars.

One notable hadith that has attracted the attention of both schools is: "It is not permissible for anyone to marry two of the descendants of *Fāṭimah* (SA) simultaneously."

This hadith forms the basis for rulings by Shia jurists and hadith scholars (Behbahani, n.d.: 168; Baḥrānī, 1943 AD/1363 AH: 23, 109 and 547). Therefore, it is essential to examine different viewpoints on this hadith to provide a systematic understanding if it is accepted.

Since Shaykh *Yūsuf Baḥrānī*,¹ as an *Akhhbārī* scholar, has offered a

1. Shaykh *Yūsuf Baḥrānī*, known as *Ṣāhib al-Ḥadā'iq* (1107–1186 AH), was one of the great scholars and is regarded as a moderate *Akhhbārī*. He was well-versed in jurisprudence and hadith. *Ṣāhib al-Ḥadā'iq* was born in 1107 AH in a village in Bahrain called *Māhūz*. He learned grammar and syntax from his father. After the Khārijites took control of Bahrain, Shaykh *Yūsuf Baḥrānī* migrated with his family to *Qaṭīf*. Around the year 1169 AH, he traveled to Iraq and chose *Karbala* as his place of residence. In *Karbala* he engaged in teaching, writing, and responding to legal questions. He passed away in 1186 AH, and his funeral prayer was led by Wahid Behbahani. He was buried in *Karbala*. Several works remain from him, some of which are as follows:

1. *al-Ḥadā'iq al-Nāḍirah ilā Ahkām al-Itirah al-Ṭāhirah*;
2. *al-Durrar al-Najāfiyyah min al-Multaqaṭāt al-Yūsufiyyah*;
3. *al-Risālah al-Muḥammadīyyah fī Ahkām al-Mirāth al-Abadīyyah*;
4. Treatise on the rituals of Ḥajj;
5. *ʿAqd al-Jawāhir al-Nūrāniyyah fī Ajwibat al-Masā'il al-Baḥrāniyyah*;

different understanding than *Uṣūlī* scholars, this paper first examines his reasoning for the prohibition of marrying two women from the Prophet's descendants. It then presents Wahid Behbahani's¹ *Uṣūlī*

←6. *Risālat al-La'ālī al-Zawāhir fī Tammāt 'Aqd al-Jawāhir*;

7. A marginal commentary on *Madārik al-Aḥkām*;

8. *Risālah Qāṭi'at al-Qawl wa-l-Qīl fī Najāsāt al-Mā' al-Qalīl*;

9. *Risālat al-Kunūz al-Mawdū'ah fī Itmām al-Ṣalāh fī al-Ḥaram al-Arba'ah*;

10. *al-Risālah al-Ṣalawātiyyah*;

11. *Mi'rāj al-Nabīh fī Sharḥ "Man Lā Yaḥduruhu al-Faqīh"*;

12. *Lu'lu'at al-Baḥrayn*.

(A'īlā Buzurg Ṭihrānī, 2009 AD/1430 AH: 9, 830; Amīn, 1982 AD/1403 AH: 10, 317; Subḥānī, 1997 AD/1418 AH: 12, 437-439)

1. Muhammad Baqer Behbahani, known as Wahid Behbahani (1116–1208 AH), was born in 1116 AH in the city of Isfahan, five years after the death of 'Allāmah Muḥammad Bāqir Majlisī. He lived for a period in the city of Behbahan, and this residence caused him to be known as "Behbahani." Wahid Behbahani is remembered as the reviver of the science of *Uṣūl* in the 13th century AH. After some time, he traveled to *Karbala*. The seminaries of *Karbala* and *Najaf* at that time were dominated by the *Akḥbārīs*. Wahid Behbahani, through teaching and writing, undertook a critique of the *Akḥbārī* School and revived the *Uṣūlī* tradition. He passed away in 1208 AH in *Karbala* and was buried there. Wahid Behbahani left behind 45 written works, some of which are as follows:

1. *al-Mafātīḥ* (in jurisprudence);

2. A marginal commentary on the Book of Purity and Prayer from *Madārik al-Aḥkām*;

3. A commentary on *Rijāl* by *Mirzā Muḥammad Akḥbārī*;

4. *al-Fawā'id al-Ḥā'iriyyah*;

5. A treatise on the permissibility of marrying two women from among the descendants of the Prophet (Sādāt), written as a refutation of the view of Shaykh *Yūsuf al-Bahrānī*;

6. A detailed treatise on the permissibility of marrying two women from among the Sādāt (also a refutation of al-Bahrānī);

7. A shorter treatise on the same issue (again refuting *Bahrānī*);

(Ṣadr, n.d.: 5, 227-228, 230).

perspective, which permits such marriages. Finally, each rationale is evaluated individually.

1. Research Background

The issue of prohibiting marriage with two women from the Prophet's descendants, as mentioned in some hadiths (Ibn Bābawayh, 1965 AD/1385 AH: 2, 590; Ṭūsī, 1986 AD/1407 AH: 7, 462), was not addressed by jurists until the 11th century AH. In other words, no jurist issued a ruling based on it. In the 11th century AH, Shaykh *Ja'far Baḥrānī*, an *Akḥbārī* scholar, addressed this hadith and ruled the marriage impermissible (Baḥrānī, 1943 AD/1363 AH: 23, 109, 547; Agha Bozorg Tehrani, 1982 AD/1403 AH: 15, 93). In the 12th century AH, Allamah *Muhammad Bāqir Majlisī* regarded such marriage as disliked (Majlisī, 1985 AD/1406 AH: 12, 462). Subsequently, other *Akḥbārī* and some *Uṣūlī* scholars supported Shaykh *Ja'far Baḥrānī*'s ruling (Baḥrānī, 1943 AD/1363 AH: 23, 109 and 547; Agha Bozorg Tehrani, 2010 AD/1430 AH: 14, 701; idem, 1982 AD/1403 AH: 17, 99).

Later *Uṣūlī* and contemporary scholars, by declaring such marriages unacceptable, followed Allamah *Majlisī*'s approach (Ṭabāṭabā'ī Yazdī, 1999 AD/1420 AH: 2, 837; Mohseni, 2013 AD/1392 SH: 8, 152). On the other hand, Wahid Behbahani and many *Uṣūlī* scholars assessed the *Akḥbārī* position and ruled the marriage permissible (Wahid Behbahani, n.d.: 168; Khansari, 1969 AD/1390 AH: 2, 95; Ṣadr, n.d.: 5, 456; Agha Bozorg Tehrani, 1982 AD/1403 AH: 15, 93; Najafi, 1988 AD/1367 SH: 29, 392-393; Ḥakīm, 1983

AD/1404 AH: 14, 264; Khu'ī, 1986 AD/1407 AH: 1, 442).

Research shows that this topic appears in later hadith collections like "*Wasā'il al-Shī'a*" and jurisprudential works; however, no book, article, or thesis has been written on it independently. As noted, no comparative study has yet been conducted on this issue, and this paper addresses this gap.

2. Polygyny in Islam

According to Islamic teachings, a Muslim man may have more than one wife, provided he observes justice. The Qur'an says:

"And if you fear that you will not deal justly with the orphans, marry women of your choice, two, three, or four. But if you fear that you will not be just, then [marry] only one or those your right hand possesses. That is more suitable to prevent you from injustice." (al-Nisā': 3)

On the other hand, some hadiths prohibit simultaneous marriage with two women from the Prophet's descendants. For instance, Shaykh *Ṣadūq* and Shaykh *Tūsī* report that it is not permissible for a man to marry two women from the descendants of the Prophet simultaneously. The two narrations are as follows:

1) Hadith from *Ibn Bābawayh*: "Ḥammād reports: I heard Imam *Ja'far Ṣādiq* (AS) say: "It is not permissible for anyone to marry two women from the descendants of *Fāṭimah* (SA) simultaneously, because she will be informed and it will cause her distress." I asked: "Will she be informed?" He replied: "By God, she will." (Ibn Bābawayh, 1965 AD/1385 AH: 2, 590)

2) Hadith from Ṭūsī: "Alī bin al-Ḥasan reported from *Sindīyy ibn Rabī'* from *Muḥammad ibn Abī 'Umayr* from a man of our companions that he said: "It is not permissible for anyone to marry two women from the descendants of *Fāṭimah* (SA) simultaneously, because she will be informed and it will distress her." I asked: "Will she be informed?" He said: "By God, she will." (Ṭūsī, 1986 AD/1407 AH: 7, 462)

First, the views of Shi'i scholars regarding the chain of transmission will be presented, and then their views concerning the content and meaning of the hadith will be discussed.

2.1. Evaluation of the Hadith Chain (*Isnād*)

Shia scholars have evaluated the *Isnād* of this hadith according to their respective methodologies.

2.1.1. Weakness of the Hadith Chain

Some past and contemporary scholars consider the *Isnād* weak. For example, Allamah *Muḥammad Bāqir Majlisī* notes that the hadith reported by Shaykh Ṭūsī is weak due to unknown narrators. He comments under the hadith in *Tahdhīb*: "Unknown." (Majlisī, 1985 AD/1406 AH: 12, 462) The phrase "From a man among our companions" indicates the narrator is unknown, and his reliability cannot be confirmed.

Wahid Behbahani considers the chain of narration (*Isnād*) of the hadith reported by Shaykh *Ṣadūq* and Shaykh Ṭūsī to be weak. Regarding the hadith transmitted by Shaykh *Ṣadūq*, he used the term "Narration not authentic." (Wahid Behbahani, n.d.: 176) After

comparing the *Isnād* of the hadith reported by Shaykh Ṭūsī with that of Shaykh Ṣadūq, he considered the former weaker and wrote:

"The Isnād of the hadith reported by Shaykh Ṭūsī is weaker compared to the hadith transmitted by Shaykh Ṣadūq." (ibid.)

Ayatollah Khu'ī, a contemporary jurist, also regarded the *Isnād* of both hadiths (those transmitted by Shaykh Ṣadūq and Shaykh Ṭūsī) as weak. He explained that the hadith reported by Shaykh Ṣadūq is weak due to the unknown narrator "*Muḥammad ibn Alī Mājilūyah*," and the hadith reported by Shaykh Ṭūsī is weak because of the unknown "*Sindīyy ibn Rabī'*." (Khu'ī, 1986 AD/1407 AH: 1, 442)

Shaykh Muḥammad 'Āṣif Muḥsinī, a student of Ayatollah Khu'ī, also considers the *Isnād* of Shaykh Ṣadūq's hadith weak and unreliable due to the presence of *Abu Ahmad al-Ash'ari* in the chain, writing that: "In the *Isnād* of this hadith, *Abū Aḥmad Ash'arī* appears, and it is difficult to trust him." (Muḥsinī, 2013 AD/1392 SH: 8, 152)

2.1.2. Authenticity of the Hadith Chain

Some scholars, however, support the authenticity of the hadith. For example, Allamah Muḥammad Taqī Majlisī considers the *Isnād* of the hadith reported by Shaykh Ṭūsī strong and classifies it as authentic (Majlisī, 1985 AD/1406 AH: 8, 128).

Shaykh Ja'far Baḥrānī (1014–1088 AH)¹ also believed that the

1. Shaykh Ja'far Baḥrānī (1014–1088 AH), the son of *Kamāl al-Dīn*, was born in 1014 AH. He studied the religious sciences for a time in Shiraz and later traveled to Hyderabad, India. He passed away in Hyderabad in 1088 AH (Shaykh Aqa Bozorg Ṭehrani, 2009 AD/1430 AH: 8, 110).

hadith reported by Shaykh Ṣadūq is authentic and consequently serves as a *Mukhaṣṣiṣ* (specific qualifier) of the Qur'an (Agha Bozorg Tehrani, 1982 AD/1403 AH: 15, 93; Baḥrānī, 1943 AD/1363 AH: 23, 109 and 547).

Shaykh Yūsuf Baḥrānī, author of *Ḥadā'iq*, similarly held that the *Isnād* of Shaykh Ṣadūq's hadith is authentic (Baḥrānī, 1943 AD/1363 AH: 23, 109 and 545).

2.1.3. Analysis of the Hadith Text

The meaning and content of these two hadiths have been subjects of discussion from past to present. It appears that three distinct interpretations have been proposed regarding these hadiths, outlined below.

2.1.3.1. Prohibition (*Ḥarām*)

As noted earlier, some hadith scholars and jurists have interpreted the two hadiths as indicating prohibition. They argue that "*Lā Yahillu*" (it is not permissible) is a prohibitive expression, which implies a ruling of *haram* (Baḥrānī, 1943 AD/1363 AH: 23, 547). Shaykh Yūsuf Baḥrānī is also a supporter of this prohibitive interpretation (Baḥrānī, 1943 AD/1363 AH: 23, 109, 547). His perspective will be discussed in detail separately.

2.1.3.1.1. Dating the Approach that Prohibits Marriage with Two Women from among the *Sādāt*

Shaykh Ja'far Baḥrānī (1014–1088 AH) appears to be among the first scholars to assert the prohibition of marrying two women from the descendants of the Prophet simultaneously. He considered the hadith

reported by Shaykh *Ṣadūq* authentic and consequently treated it as a *Mukhaṣṣiṣ* of the Qur'anic ruling on marriage (al-Nisā': 3), which generally permits marrying up to four women.

Shaykh *Yūsuf Baḥrānī* (d. 1186 AH), known as *Sahib al-Ḥadā'iq*, cited Shaykh *Ja'far Baḥrānī* in his treatise on the prohibition of marrying two women from the descendants of the Prophet, titled "*al-Ṣawārim al-Qāṣima li Zuhūr al-Jāmi'ayn Bayna Bintayn min Wuldi Fātimah*." He writes that the hadith is authentic, and because there is no contradictory evidence, it serves as a *Mukhaṣṣiṣ* of the general Qur'anic ruling, thus rend marriage to two women from the descendants of the Prophet prohibited (Agha Bozorg Tehrani, 1982 AD/1403 AH: 15, 93).

Shaykh *Yūsuf Baḥrānī* further reports that Shaykh *Ja'far Baḥrānī* considered the hadith transmitted by Shaykh *Ṣadūq* authentic and therefore a *Mukhaṣṣiṣ* of the Qur'an (Baḥrānī, 1943 AD/1363 AH: 23, 109, 547). Two contemporaries of Shaykh *Ja'far Baḥrānī*, namely Shaykh *Nāṣir Jārūdī Qaṭīfī* (12th century AH scholar) and Shaykh *Ḥurr 'Āmilī* (1033–1104 AH), were also supporters of the prohibitive view (Baḥrānī, 1986 AD/1407 AH: 298; Agha Bozorg Tehrani, 1982 AD/1403 AH: 15, 93).

Shaykh *Yūsuf Baḥrānī*, as a supporter of the prohibitive approach, clarifies that until the time of Shaykh *Ḥurr 'Āmilī* (1033–1104 AH), who ruled the marriage impermissible; this issue had not been discussed by previous jurists and hadith scholars. Agha Bozorg Tehrani notes, quoting Shaykh *Yūsuf Baḥrānī*, that no earlier or later

12 scholars expressed an opinion on this issue until Shaykh *Ḥurr 'Āmilī*

issued his ruling (Agha Bozorg Tehrani, 1982 AD/1403 AH: 15, 93).

Shaykh *Yūsuf Baḥrānī*, in his work *al-Ḥadā'iq*, traces the discussion of the prohibition of marrying two women from the descendants of the Prophet to the 11th century AH with Shaykh *Ḥurr 'Āmilī* (1033–1104 AH), author of *Wasā'il al-Shī'a*, and notes that prior scholars had not addressed the issue (Baḥrānī, 1943 AD/1363 AH: 23, 109 and 545). He continues that since Shaykh *Ḥurr 'Āmilī*, the topic has been discussed and has been both accepted and contested in his era (Baḥrānī, 1943 AD/1363 AH: 23, 542-543 and 545).

From Shaykh *Yūsuf Baḥrānī*'s report, it is understood that many contemporary scholars of his time supported the prohibitive approach. It is noteworthy that Shaykh *Ḥurr 'Āmilī* in *Wasā'il al-Shī'a* merely presents the chapter title "Ruling on Marrying Two of the Descendants of *Fāṭimah*" and reports the two hadiths, without providing any indication of prohibition in the text (Ḥurr 'Āmilī, 1999 AD/1420 AH: 14, 387-388).

In another work, under the title "*Fī Tahṛīm al-Jam'*", Shaykh *Ḥurr 'Āmilī* enumerates cases of prohibited marriages, one of which is marrying two women from the descendants of the Prophet simultaneously (Ḥurr 'Āmilī, 1993 AD/1414 AH: 7, 188).

According to another report by the 13th-century scholar *Muḥammad ibn 'Abd 'Alī Qaṭīfī*, the discussion of prohibiting marriage with two women from the descendants of the Prophet emerged after 1100 AH among scholars (Agha Bozorg Tehrani, 1982 AD/1403 AH: 20, 33; 12, 320).

Akhund Mulla Muhammad Ja'far Isfahani, known as *Karbasi* **13**

(alive until 1150 AH), also held that marrying and contracting marriage with two women from the descendants of the Prophet is haram according to the hadith transmitted by Shaykh Ṣadūq; since the hadith has no contradiction, it cannot be interpreted merely as disliked (Baḥrānī, 1943 AD/1363 AH: 23, 109 and 547).

Shaykh *Khalaf Baḥrānī* (1285–after 1338 AH), a student of Akhund Khorasani, also supports the prohibitive approach. In his treatise "*Qaṣd al-Sabīl fī Ibṭāl Qawl Man Yuḥallil wa Yuḥarrim bilā Dalīl*," he attempts to demonstrate through rational and Shariah-based proofs the prohibition of marrying two women from the descendants of the Prophet (Agha Bozorg Tehrani, 2009 AD/1430 AH: 14, 701; 1982 AD/1403 AH: 17, 99).

2.1.3.2. Dislike (*Makrūh*)

Some scholars and hadith experts have treated the prohibition of marrying two women from the descendants of the Prophet simultaneously with caution, interpreting it as disliked rather than strictly *haram*. For example, Allamah *Muḥammad Bāqir Majlisī*, after considering the *Isnād* of the hadith reported by Shaykh Ṭūsī as weak, wrote: "I have not seen any scholar issue a ruling of prohibition based on this hadith. Now it seems that the prohibition in the hadith should be interpreted as dislike." (Majlisī, 1985 AD/1406 AH: 12, 462)

He also described the hadith transmitted by Shaykh Ṣadūq as rare and recorded it under the section "Rare Prohibitions in Marriage" (*Nawadir al-Manāhī fī al-Nikāḥ*) (Majlisī, 1943 AD/1363 AH: 101,

14 27). However, other scholars have firmly considered marrying two

women from the *Sādāt* simultaneously as dislike. They argue that although the phrase "*Lā Yaḥillu*" (it is not permissible) is a prohibition, the continuation "*Iann Dhālika Yablughuhā fa Yashuququ ‘alayhā*" (this will reach her and cause her hardship) provides context, showing that the prohibition in the hadith should be interpreted as disliked.

The reasoning is that there is a distinction between *Mashaqqat* (hardship) and *Īdhā’* (harm). In religious teachings, causing harm is forbidden, but merely causing hardship is not strictly prohibited, although it is better to avoid it. Therefore, in these two hadiths, it is better not to marry two women from the descendants of the Prophet.

Sayyid Muḥammad Kāẓim Ṭabāṭabā’ī Yazdī, author of *al-‘Urwa al-Wuthqā*, also considers it *Makrūh* (Ṭabāṭabā’ī Yazdī, 1999 AD/1420 AH: 2, 837). Shaykh Muhammad ‘Āṣif Muḥsinī, after distinguishing between *Mashaqqat* and *Īdhā’*, holds the view that causing harm to *Fāṭimah* (SA) is forbidden, but causing her hardship is not, and therefore the hadith should be interpreted as *Makrūh* (Muḥsinī, 2013 AD/1392 SH: 8, 152).

2.1.3.3. Permissibility

Some jurists believe that marrying two women from the *Sādāt* simultaneously is permissible. *Wahid Behbahani* and his son, Agha Muhammad Ali Kermanshahi (1144–1216 AH), defended this position in a treatise titled "*Risālah fī Ḥilliyat al-Jam‘ Bayna Fāṭimiyatayn*." (Khansari, 1969 AD/1390 AH: 2, 95; Ṣadr, n.d.: 5, 456; Agha Bozorg Tehrani, 1982 AD/1403 AH: 15, 93) In this treatise, Wahid Behbahani

presented arguments supporting the authenticity and permissibility of marrying two women from the *Sādāt* simultaneously (Wahid Behbahani, n.d.: 168).

Muhammad Hasan Najafi, known as *Ṣāhib al-Jawāhir*, notes under the hadith reported by Shaykh Ṭūsī that no early or later jurist has described such a marriage as disliked, let alone forbidden. Therefore, the general rules of the Qur'an and Sunnah indicate its permissibility, and this hadith should be considered anomalous (*Shādhah*) and thus disregarded (Najafi, 1988 AD/1367 SH: 29, 392-393). Sayyid Muḥsin Ḥakīm also supports the permissibility (Ḥakīm, 1983 AD/1404 AH: 14, 264).

Sayyid Abul Qāsim Khu'ī, a contemporary jurist, after considering the *Isnād* of the hadiths transmitted by Shaykh Ṣadūq and Shaykh Ṭūsī as weak, also supports the permissibility, stating: "These two reports do not qualify as evidence for makruh, let alone haram." (Khu'ī, 1986 AD/1407 AH: 1, 442)

2.1.4. Shaykh Yūsuf Baḥrānī's Approach to the Hadith on Prohibition of Marrying Two Women from the *Sādāt*

Shaykh Yūsuf Baḥrānī, author of *al-Ḥadā'iq al-Nādirah* and known as *Ṣāhib al-Ḥadā'iq*, was an *Akhbārī* scholar and a supporter of the prohibition of marrying two women from the *Sādāt*. He considers Shaykh Ḥurr 'Āmilī and Shaykh Ja'far Baḥrānī as supporters of the prohibitive view. In explaining his reasoning, he writes: "The apparent meaning (*Mutabādir*) of "*Lā Yaḥillu*" is prohibition, therefore
16 marrying two women from the *Sādāt* is haram." (Baḥrānī, 1943

AD/1363 AH: 23, 547) In other words, he relies on the direct implication of *haram* from the expression of prohibition (*Lā Yaḥillu*).

2.1.5. Wahid Behbahani's Approach to the Hadith on Prohibition of Marrying Two Women from the *Sādāt*

Wahid Behbahani, a contemporary of Shaykh *Yūsuf Baḥrānī* and residing with him in Karbala, rejected Shaykh *Yūsuf Baḥrānī*'s view that marrying two women from the *Sādāt* is forbidden. He believed that such a marriage is permissible and valid. He offered several reasons for his position:

A) Consensus of Jurists (*Ijmā'*)

He writes: "My brother, know that marrying two women from the *Sādāt* is undoubtedly valid and agreed upon by Shi'a scholars. The evidence for permissibility is that jurists have not classified this marriage among disliked marriages, and all Muslims throughout history have practiced such marriages." (Wahid Behbahani, n.d.: 168)

B) Principle of Original Innocence (*Aṣḥat al-Barā'ah*)¹

This principle indicates that in cases of doubtful prohibition,² if there is

1. Whenever there is doubt about the real religious duty, whether something is prohibited (*Ḥarām*) or obligatory (*Wājib*), the basic principle is that the legally responsible person is judged to be free of obligation. This principle is called the Principle of Exemption (*Aṣl al-Barā'ah*). In other words, when a person doubts whether something is obligatory or forbidden, the rule is that no duty is binding upon them. This rule is known as the Principle of Exemption (*Muḥaqqiq Dāmād*, 1999 AD/1378 SH: 3, 67; Meshkini, 2000 AD/1379 SH: 46).
2. A prohibitive doubt is when a legally responsible person is unsure whether something is prohibited or not, for example, when one is unsure whether smoking is forbidden, disliked, permissible, or recommended (*Subḥānī*, 1997 AD/1376 SH: 2, 112; *Muḥaqqiq Dāmād*, 1999 AD/1378 SH: 3, 68; Meshkini, 2000 AD/1379 SH: 47).

no proof of prohibition, the default ruling is permissibility (ibid.).

C) Principle of Continuity (*Aṣl al-Istiṣhāb*)¹

This principle supports the permissibility of marrying two women from the Sādāt. Wahid Behbahani writes: "We are certain that at the beginning of Islam, marrying two women from the Sādāt was not forbidden. Now there is doubt whether it has been prohibited or not. The principle of continuity maintains the previous certainty and disregards later doubts." (ibid.)

D) The General Wording of Qur'anic verses such as:

"If you fear that you will not deal justly with the orphans, then marry those women who seem good to you, two, three, or four; but if you fear that you will not be just, then marry only one, or those whom your right hands possess. That is more suitable so that you do not commit injustice," (al-Nisā': 3) and "Marry off the single among you and the righteous among your male and female servants. If they are poor, God will enrich them from His bounty; and God is All-Encompassing, All-Knowing," (al-Nūr: 32) indicate the permissibility of polygyny without restriction, whether those women are from the descendants of the Prophet (*Sādāt*) or not (Wahid Behbahani, n.d.: 168).

Likewise, the verses that enumerate the categories of prohibited

1. Whenever a ruling, subject, or attribute was known with certainty in the past and later becomes doubtful, the judgment is that it continues as before; this is called continuity (*Istiṣhāb*). For example, if we are certain that person A owed a debt to person B, and now the debtor claims to have repaid it, we do not abandon the earlier certainty. Instead, we judge that the debt still remains (Muḥaqqiq Dāmād,

marriages, such as: "Forbidden to you are your mothers, daughters, sisters, paternal aunts, maternal aunts, daughters of your brother, daughters of your sister, your foster mothers who nursed you, your foster sisters, the mothers of your wives, your stepdaughters under your guardianship from wives you have consummated marriage with... and that you marry two sisters simultaneously, except what has already passed; surely God is Forgiving, Merciful," (Qur'an 4:23) also imply the permissibility of marrying two women from the *Sādāt*. In particular, the phrase "That you marry two sisters together" suggests that marriage to two women from the descendants of the Prophet is allowed; for if such a marriage were forbidden, why would the Qur'an restrict the prohibition specifically to two sisters? (Wahid Behbahani, n.d.: 169).

E) *Mutawātir* (widely transmitted) hadiths also indicate the permissibility and validity of marrying two women from the *Sādāt*. Wahid Behbahani writes that in the *Mutawātir* narrations concerning prohibited and disliked marriages, there is no reference to the prohibition or dislike of marrying two women from the *Sādāt* (ibid: 169).

F) If such a marriage were forbidden, prominent Imami Shi'a figures, such as *Alī ibn Ja'far*, the son of Imam *Ja'far Ṣādiq*, who was highly esteemed, would not have engaged in it; yet it is reported that he had two wives from the *Sādāt* (ibid: 174).

G) Prohibition in transactions does not necessarily imply invalidity. Wahid Behbahani argues that even if the hadith is accepted, since the prohibition relates to a transactional matter (marriage contract), it does not prove the invalidity of a marriage with two women from the *Sādāt* (ibid: 221).

3. Evaluation of the Two Views

Before evaluating the positions of Shaykh *Yūsuf Baḥrānī* and Wahid Behbahani regarding the permissibility or impermissibility of marrying two women from the *Sādāt*, it is necessary to explain the process of understanding hadith texts.

3.1. The Process of Textual Understanding and the Need for Contextual Indicators

Since a speaker may not always intend the literal meaning, the textual meaning (intended usage)¹ and the speaker's real intent do not always coincide. Therefore, when encountering a text, the audience sometimes sees these two as aligned and sometimes not. In the latter case, discovering the speaker's true intent depends on contextual indicators. In other words, what is understood from the text is not necessarily the speaker's final intention; uncovering that intention requires reliance on contextual evidence (Kāẓimī, 1978 AD/1409 AH: 4, 716-717; 'Irāqī, 1951 AD/1371 AH: 183-184; Khu'ī, 1979 AD/1410 AH: 1, 446; Ḥakīm, 1995 AD/1416 AH: 4, 209; Meshkini, 2000 AD/1379 SH: 30; Subḥānī, 2014 AD/1393 SH: 53; Jadidinejad, 2006 AD/1385 SH: 213, 230; Hasan Beigi, 2018 AD/1397 SH: 27).

3.2. Contextual Indicator

Linguistically, indicator means accompaniment or the bringing

1. Operational intent refers to the use of words to bring the meanings of those words into the mind of the listener, whether the speaker is serious in conveying the statement or speaking jokingly, whether speaking with equivocation or intending to express the real meaning. In other words, operational intent is the act of presenting a meaning in the listener's mind through the use of words.

together of two things (Zabīdī, n.d.: 9, 308; Ibn Fāris, n.d.: 852). Its technical meaning refers to something that accompanies speech and indicates the intended meaning of the statement (Sharīf Jurjānī, n.d.: 146; Ma'lūf, 1983 AD/1362 SH: 1, 625; Badī' Ya'qūb, 2000 AD/1379 SH: 522).

It should be noted that one author writes: "I did not find a technical definition for the term contextual indicator (Babaei, 2015 AD/1394 SH: 121). However, as observed, the authors of *"Mu'jam al-Ta'rīfāt, al-Munjid, and Mawsū'at al-Naḥw wa al-Ṣarf"* have indeed provided technical definitions of indicator. Nevertheless, the various types of indicator must be derived from works on literature and the principles of jurisprudence (Hasan Beigi, 1988 AD/1367 SH: 55).

3.3. Conceptualizing Context

Context refers to the specific position of a word or sentence created by its association with surrounding words or sentences. In other words, it is the broader environment that surrounds speech, including preceding and following language as well as the situational circumstances (Hasan Beigi, 1988 AD/1367 SH: 117-118).

4. Evaluating the Views of Shaykh Yūsuf Baḥrānī and Wahid Behbahani

It was mentioned that Shaykh Yūsuf Baḥrānī considers the hadith concerning marriage with two women from among the descendants of the Prophet to indicate prohibition. He believes that, first, the chain of transmission of the hadith on this issue is sound; second, the

denotation of the hadith fully establishes the prohibition of marrying two women from among the descendants of the Prophet. This is because the immediate meaning understood from "*Lā Yaḥillu*" in the hadith, "It is not permissible for anyone to combine two women from the descendants of *Fāṭimah* (SA). Indeed, such a thing reaches her and causes her distress." I said: "It reaches her?" He replied: "By God, yes," (Ṭūsī, 1986 AD/1407 AH: 7, 462) is prohibition (Baḥrānī, 1943 AD/1363 AH: 23, 109, 545).

The explanation is that although "*Lā Yaḥillu*" is formally a declarative (informative) sentence, it functions here as a performativity expression (that is, in the position of issuing a ruling). Scholars of *Uṣūl al-Fiqh* state that a declarative sentence used in the position of performativity instruction (particularly prohibition) carries even stronger force (Muḥaffar, n.d.: 1, 67). Therefore, the expression "*Lā Yaḥillu*" is a prohibition, and what first comes to mind from a prohibition is forbiddingness. Scholars of *Uṣūl* have explicitly said that the spontaneous meaning that comes to mind is a sign of literal meaning (ibid: 24). In other words, interpreting the prohibition in "*Lā Yaḥillu*" as dislikedness would be figurative, and as long as there is no contextual indicator in the wording, the statement, drawing on the spontaneous meaning that comes to mind, is carried according to its literal sense.

It should be recalled that the method for discovering the speaker's true intent depends on contextual indicators. In other words, the only tool for grasping the intended meaning of the speaker is the presence

of an indicator, and indicator has various types. On the other hand, it is correct that without a contextual indicator one cannot interpret a text figuratively; however, one must pay attention that if a statement is accompanied by a connected contextual indicator, then one must abandon the literal meaning and, following the indicator, attempt to uncover the speaker's intended meaning.

It appears that in the hadith under discussion, given the contextual indicator found in the phrasing "Indeed, such a thing reaches her and causes her distress," (*Inna Dhālika Yablughuhā fa Yashuququ 'Alayhā*), and considering the difference between the concepts of distress and harm, this hadith does not signify the prohibition of marrying two women from among the *Sādāt*.

Therefore, it seems that the view of those scholars who hold that such a marriage is not forbidden is more acceptable, for the reasons that follow.

A) The two hadiths used to support prohibition are weak; even *Majlisī* considered the report transmitted by Shaykh *Ṭūsī* weak.

B) The apparent meaning of these two hadiths, which seem to indicate the prohibition of marrying two women from among the *Sādāt*, conflicts with the apparent meaning of the Qur'an, which allows men, provided that justice is observed, to marry more than one woman, whether they are from the *Sādāt* or not. Therefore, considering the contextual indicator and the distinction between distress and harm, the hadith does not indicate the prohibition of marrying two women from the *Sādāt*.

In other words, even assuming that the chains of transmission of these two hadiths are valid, the contextual indicator and the distinction between distress and harm show that "*Lā Yaḥillu*" is not being used in its literal sense of issuing a prohibition, but rather in its figurative sense, indicating dislikedness, which is the speaker's, intended meaning.

Given these two considerations, Wahid Bihbahani's view, permitting marriage with two women from among the *Sādāt*, is defensible, since his view is consistent with Qur'anic verses, widely transmitted hadiths, and the practical legal principles such as the Principle of Exemption and the Principle of Continuity.

Conclusion

This study examined the hadith: "It is not permissible for anyone to marry two women from the descendants of *Fāṭimah* simultaneously." First, the chain of transmission and then the content of the hadith were analyzed based on scholarly views. The historical analysis shows that the prohibitive approach gained supporters only from the eleventh and twelfth centuries AH, following the rise of the *Akhbārī* School.

Three views exist regarding marrying two women from the *Sādāt*: Prohibition, dislike and permissibility.

Among these, the view of dislike has many supporters among *Uṣūlī* scholars, who argue that although the prohibition wording suggests *haram*, contextual evidence and the distinction between harm and hardship lead to interpreting it as dislike. Shaykh *Yūsuf Baḥrānī*

24 supports prohibition, relying on the apparent meaning of "*Lā Yaḥillu*"

Wahid Behbahani, *Ṣāhib al-Jawāhir*, *Ḥakīm*, and *Khu'ī* support permissibility due to the weakness of the hadith's chain and the Qur'an's general permission for marriage.

The analysis shows that the first view suffers from the weakness of the chain and neglect of contextual evidence and the distinction between hardship and harm, preventing "*Lā Yaḥillu*" from clearly indicating prohibition. The second view overlooks the hadith's weakness but rules dislike. The third view, citing both the hadith's weakness and its conflict with Qur'anic general principles, ultimately concludes that marrying two women from the descendants of *Fāṭimah* is permissible.

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