THE PLACE OF WOMAN IN ISLAM.

By The Rev. Samuel M. Zwemer, D.D.

I.

"To regard polygamy as an essential in Islam would be an unpardonable mistake," says the Editor of the Islamic Review. "Islam is a universal religion. With its world-wide mission comes the necessity of providing for the requirements of all ages, countries, and civilizations. Besides, the substantial laws—the Code of Islam, the Holy Koran—provide certain ordinances which are, in effect, remedial laws, deprecating their abuse, and laying proper restrictions on their use."

Such statements not only reveal the psychology of the New Islam, but raise the whole question whether Mohammed improved the position of womanhood and advocated her rights, or whether by his legislation and example he did exactly the opposite. A
recent western writer goes so far as to say: "Mohammed, according to his lights, and with due regard to the needs of his time and country, was probably the most earnest champion of women's rights that the world has ever known. He found women, at least in some tribes, the property of their kinsmen, to be used, sold, or let to hire, like other chattels. He left them possessed of full legal personality, and capable of acquiring property and contracting on their own account. In other words, Mohammed brought about a condition whereby the veiled woman of Islam has ever since the seventh century of the Christian era, possessed and effectively exercised property rights not yet enjoyed by many hundreds of thousands of English-speaking women."*

What are the facts? It is true that the position of women in Arabia among the nomad Arabs was in some respects an inferior one; but in all that makes for life and freedom it was far superior to what became her lot under Islam. There was the cruel and barbaric custom of female infanticide; but this was far from universal. The use of the veil was unknown in Arabia before Islam, nor did the Arabs seclude their women in the days of idolatry. Women had rights, and were respected. In two instances, beside that of Zenobia, the queen of Palmyra, we read of Arabian women ruling over their tribes; and Freytag, in his Arabian Proverbs, gives a list of female judges who exercised their office before Islam. The Nabathean and South Arabian coins and inscriptions prove that women held an independent and honourable position; they built expensive family tombs, owned estates, and were independent traders. Khadijah, Mohammed's first wife, is an example. We find, moreover, a genuine spirit of chivalry in the pre-Islamic poetry of Arabia. A woman was never given away by her father in an unequal match, nor against her consent. Professor G. A. Wilken has conclusively shown that, before Mohammed's time, women had the right, in every case, to choose their own husbands, and cites the case of Khadijah, who offered her hand to Mohammed.† Even captive women were not kept in slavery.

* Pierre Crabites, in The Nineteenth Century and After (1924). The contrary opinion was ably voiced by no less an authority than Martin Hartmann, the great Orientalist, in an address at Berlin in 1913 (see The Moslem World, vol. iv, pp. 258–65), and by Mohammedans themselves, as in Al-Mar'at al-Arabiyat, by Abdallah Afifi. (Cairo, 1921.)

† G. A. Wilken, Het Matriarchaat bij de oude Arabieren (1884), and a supplement to the same, in answer to his critics. (The Hague, 1885.)
Polyandry and polygamy were both practised; the right of divorce belonged to the wife as well as to the husband; temporary marriages were also common. As was natural among a nomad race, the bond was quickly made and easily dissolved. But this was not the case among the Jews and Christians of Yemen and Nejran.*

Two kinds of marriages were in vogue in ancient Arabia. The muta’a was a purely personal contract between a man and a woman; no witnesses were necessary, and the woman did not leave her home or come under the authority of her husband; even the children belonged to the wife. This marriage, so frequently described in Arabic poetry, was not considered illicit, but openly celebrated in verse, and brought no disgrace on the woman. In the other kind of marriage, called nikah, the woman became subject to her husband by capture or purchase; in the latter case, the purchase-money was paid to the bride’s kin.

Robertson Smith sums up the position of women in Arabia before Islam in these words: “It is very remarkable that, in the family and in society, the position of women has steadily declined under Islamic law. In ancient Arabia we find many proofs that women moved more freely and asserted themselves more strongly than in the modern East. The Arabs themselves recognized that the position of woman had fallen, and it continued still to fall under Islam, because the effect of Mohammed’s legislation in favour of women was more than outweighed by the establishment of marriages of dominion as the one legitimate type.”†

The real difference between marriage in Arabia before and after Islam was not in the temporary character of the union, but in the fact that in the one case both spouses had the right of divorce, while in the latter only the husband has it. And so, though Islam softened some of the harshest features of the old law, it yet has set a permanent seal of subjection on the female sex, by stereotyping a system of marriage which at bottom is nothing else than the old marriage of dominion.

* The statement is often made that the position of women with Mohammedans is very much the same as under Judaism. This is not the case, as was shown by P. Nyland in an article on the subject (The Moslem World, vol. vi, p. 291).
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The Koran degraded early Arabian womanhood. The one great classic on the subject by Dr. Perron* is as convincing as it is exhaustive. From the early poets, the musicians of the desert, from a multitude of references in Islamic writers and from the Koran itself, he brings forward evidence that can leave no reader in doubt. Any woman would choose to have lived in pagan Arabia rather than under the system of Islam. Mansour Fahmy, himself a Mohammedan, says:—

"Altogether, in spite of her theoretically inferior station, the woman then lived her own life, in word, thought, and deed. History furnishes us with numerous facts which prove the superiority and activity of the ancient Arab woman; she took part in war; she busied herself in commerce; she had her own individual religious freedom, entirely apart from passively following her husband in matters of conscience; and if one should compare the two roles played by the woman in this ancient society and in the actual society of Islam, one would say with Renan that the Arab woman at the time of Mohammed did not resemble in any way the stupid being who dwells in the harems of the Ottomans.

"The ancient Arab woman was happy in her home. She lived. Soon Islam, with its diverse institutions, its theocratic laws, and the consequences that followed, changed the customs, and the activity of woman was paralyzed."†

II.

What place then does woman occupy in the Koran—the bible of Islam? It has often been stated, though erroneously, that Mohammed taught that "women have no souls."‡ So far from this being true, the Koran addresses itself to women as well as men, and contains much on the subject of women as believers in

† La Condition de la Femme dans La Tradition et l'Evolution de l'Islamisme, pp. 6, 7. (Paris, 1913.)
‡ P. de Lacy Johnstone, in his book, Muhammad (Appendix B), says:—

"The not uncommon belief that Muslims hold that women either have no souls, or that their souls perish at the death of the body, is no groundless calumny of the Christian. If Hood sang of—

'the barbarous Turk

Where woman has never a soul to save,'

the Prophet himself said that 'Hell was for the most part peopled with
God and in Mohammed's message. It mentions with high honour not only Mary, the Mother of Jesus Christ, but other women who are saints in the Moslem calendar. Reward is promised to good women as well as to good men (33:35). Modest behaviour is the chief virtue of a woman, and the veil is enjoined (33:59); a severe penalty is laid down for those who defame virtuous women (4:39). Daughters, as well as sons, are a gift of God, and Mohammed reproves his people for lamenting the birth of female children, and is especially indignant with the old custom among the pagan Arabs of burying some of their infant daughters alive. Daughters, however, are not equal to sons, but have only a half-portion of the inheritance (4:12).

The Koran requires the testimony of two women in a law court to rebut the testimony of one man. Yet it teaches reverence for motherhood, although sometimes only indirectly (4:1; 17:24; 46:14). "We have enjoined on man the doing of good to his parents; with trouble did his mother bear him, and with trouble did she bring him forth." The most prominent element in Koranic teaching regarding women is in relation to marriage, divorce, and domestic slavery. The word for marriage in the Koran is nikah, a crude expression no longer used in polite society, because it has reference solely to the physical aspect of marriage. The Koran teaches that marriage is for the begetting of children... and the multiplication of the race (42:9). The wife is to be treated with love and tenderness (30:20). Marriage with a Jewess or a Christian woman is lawful, but not marriage with idolatresses (5:7; 2:20). A list of prohibited degrees is given (4:27), in which the father's wife (4:26) is especially forbidden, but the wife of an adopted son allowed (3:4).

Polygamy undoubtedly has the sanction of the Koran, for this world and the next (4:3). "But if ye cannot do justice between orphans, then marry what seems good to you of women, by two's, or three's, or four's; and if ye fear that ye cannot be equitable, then only one, or what your right hand possesses" (i.e. female women); and there is remarkable recent evidence that the belief that women do not live after death is held by educated Muslims." Again, Sir Edward Malet, in his charming book of recollections, Shifting Scenes, records a conversation he had with the late Khedive of Egypt (Taufiq), Tewfik Pasha, for whom Sir Edward had high regard. There was fear that the rebels would storm the palace and murder the Khedive and all his family, and Tewfik explained the abject terror of his wives by saying, "For them, you know, existence ends absolutely with death." If the Khedive of Egypt held such a belief, it is probably common among his co-religionists.
Although Mohammed by this legislation regulated and limited polygamy, yet, in the history of Islam this restraint, which can be read into the text, was of little effect in view of Mohammed's own example, and that of his immediate followers. In addition to four wives, a Moslem is allowed slave girls at his discretion (70:30; 23:4; 4:29). Wives are to be treated with strict impartiality, and the marriage of orphan girls is to be carefully arranged (4:26). Widows must not remarry till they have waited four months and ten days. At the time of marriage the wife receives a dowry from her husband, which becomes her property, unless, on her own account, she releases the claim, when wanting a divorce.

On this subject there are many detailed and unsavoury regulations, which can be summarized as follows:—Four months' interval are required between separation and final divorce (2:26). A divorced wife cannot be taken back by the husband after the triple divorce until she has consummated marriage with another husband.*

"But when ye divorce women, and the time for their sending-away is come, either retain them with generosity, or put them away with generosity; but retain them not by constraint so as to be unjust toward them. He who doth so, doth in fact injure himself."

"And make not the signs of God a jest; but remember God's favour toward you, and the Book and the Wisdom which He hath sent down to you for your warning; and fear God, and know that God's knowledge embraceth everything."

"And when ye divorce your wives, and they have waited the prescribed time, hinder them not from marrying husbands when they have agreed among themselves in an honourable way. This warning is for him among you who believeth in God and in the last day. This is most pure for you and most decent."

"Mothers, when divorced, shall give suck to their children two full years, if the father desires that the suckling be completed; and such maintenance and clothing as is fair for them shall devolve on the father. No person shall be charged beyond his

* We quote this passage as typical of the general teaching: "But if the husband give sentence of divorce to her a third time, it is not lawful for him to take her again until she shall have married another husband, and if he also divorce her, then shall no blame be attached to them if they return to each other, thinking that they can keep within the bounds fixed by God. He maketh this clear to those who have knowledge" (2:229).
means. A mother shall not be pressed unfairly for her child, nor a father for his child; and the same with the father's heir. But if they choose to wean the child by consent and by bargain, it shall be no fault in them. And if ye choose to have a nurse for your children, it shall be no fault in you, in case ye pay what ye promised her, according to that which is fair.”

Such is the teaching regarding divorce laid down as eternal law by the Arabian Prophet. The Koran itself is witness to the fact that Mohammed found himself fettered by his legislation in the matter of marriage. His domestic affairs are laid bare to public gaze.

Mohammed's wives are said to be "mothers of the faithful" (3:36), and therefore none of them was allowed to marry after his decease. They were all to veil themselves carefully from the public, and to be an example of modesty, for God is ever watchful over all (24:31).

"O ye who believe! do not enter the houses of the Prophet unless leave be given you, for a meal—not watching till it is cooked! But when ye are invited, then enter; and when ye have fed, disperse, not engaging in familiar discourse. Verily that would annoy the Prophet, and he would be ashamed for your sake (he would be reluctantly obliged to ask you to leave), but God is not ashamed of the truth (24:27).

"And when ye ask them (the Prophet's wives) for an article, ask them from behind a curtain: that is purer for your hearts and for theirs. It is not for you to annoy the Prophet of God, nor to wed his wives after him, ever; verily that is with God a serious thing.

"There is no crime against them (the Prophet's wives) if they speak unveiled to their fathers, or their sons, or their brothers, or their brothers' sons, or their sisters' sons, or their women, or what their right hands possess; but let them fear God—verily God is witness over all."

Two of the Prophet’s wives were rebuked, and threatened with dismissal (66:3). The wives of Noah and Lot are held up as a warning to such disobedient women (66:10). The special privileges granted Mohammed in the choice of his wives, and their number, are recorded (Chap. 33, from 48-58):

"O thou Prophet! verily, we make lawful for thee thy wives to whom thou hast given their hire (dowry), and what thy right hand possesses out of the booty that God has granted thee, and
the daughters of thy paternal uncle and the daughters of thy paternal aunts, and the daughters of thy maternal aunts, provided they have fled with thee, and thy believing woman if she give herself to the Prophet, if the Prophet desire to marry her; a special privilege this for thee, above the other believers. We knew that we ordained for them concerning their wives and what their right hands possess, that there should be no hindrance to thee; and God is forgiving, merciful.

"Put off whomsoever thou wilt of them and take to thyself whomsoever thou wilt, or whomsoever thou cravest of those whom thou hast deposed (divorced), and it shall be no crime against thee. That is nigher to cheering their eyes and that they should not grieve, and should be satisfied with that thou doest bring them all; but God knows best what is in their hearts; and God is knowing, clement.

"It is not lawful to thee to take women after this, not to change them for other wives, even though their beauty please thee."

In such a polygamous household peace was not always present, and we are not surprised therefore that Mohammed sought a remedy and put it into the hands of his followers: "Chide those wives for whose refractoriness ye have cause to fear; remove them into sleeping-chambers in part, and scourge them, but if they are obedient to you, then seek not occasion against them; verily God is high, great!" (4: 38).

III.

What the actual conditions were is revealed in that marvellous collection of authentic sayings and doings called Hadith, or Tradition. This is the Talmud of Islam, and is as authoritative to the followers of the Prophet as the Koran itself. In these books of Hadith, we have the fireside literature of the Moslem home everywhere.

It is recorded in them that the Prophet said: "I have not taken any wife, nor given away any daughter to any one, without Gabriel having first brought me an order from my Lord: and I only acted according to that order." Biographers record that he had twelve married wives with whom he consummated marriage. They all agreed respecting eleven of them; but in regard to the twelfth, their opinion differs as to whether she was a married wife or a slave concubine.*

* Cf. W. W. Koelle, Mohammed and Mohammedism, pp. 487–209. He gives a short biographical sketch of each of the wives of the Prophet.
It is recorded that Ayesha stated:

"When the Apostle of God married me, I was in my sixth year, and was still playing with other little girls. These girls would run away when that prince came near me, being ashamed; but he would go after them and bring them back to continue the play.

"One day he visited me, when I had been playing with my dolls, which I had laid on a cushion, and drawn a curtain over them. After a while the wind blew the curtain aside, and the Prophet seeing them, asked: 'What is that?' I answered, 'These are my dolls.' Then seeing something like a horse with wings on both sides, he inquired again: 'And what is that other thing I see amongst them?' I replied, 'A horse.' 'And what is that on both sides?' 'Those are its wings.' 'Have horses wings?' 'Hast thou not heard that Solomon had winged horses?' Upon this his Excellency laughed so heartily that the whole row of his teeth was seen.'"

Here are other authentic traditions regarding women and marriage:—

It is related from Abdullah bin Omar that the Apostle of God said: "The whole world is valuable; but the most valuable thing in the world is a good woman." (Muslim.)

It is related from Umamah bin Zaid that the Apostle of God said: "I have not left after me any calamity more distressing to man than woman." (Muslim, Al Bukhari.)

It is related from Abu Umama that the Prophet said: "A believer has not benefited more, after the fear of God, than by a virtuous wife who, if he commands her, obeys him; and if he looks at her, pleases him; and if he swears by her, justifies him; and if he goes away from her, acts sincerely in respect to herself and his property." (Ibn Majah.)

It is related from Anas that the Apostle of God said: "When a servant of God marries, he has perfected half of religion; then let him fear God for the remaining half."

It is related from Ayesha that the Prophet married her when she was a girl of seven years. And she was taken to her husband's house when a girl of nine years; and her playthings accompanied her. And the Prophet died, and left her when she was a girl of eighteen. (Muslim.)

It is related from Omar bin u'l-Khattib and Anas bin Malak that the Apostle of God said: "It is written in the Old Testament that he whose daughter reaches twelve years of age, and he has
not given her in marriage, and she falls into sin, he is responsible for that sin.” (Al Baihaqi.)

It is related from Ayesha that when the Apostle of God wished to go on a journey, he used to cast lots among his wives, and would depart taking her with him whose name came out. (Muslim, Al Bukhari.)

It is related from Abu Hurairah that the Prophet said: “When a man has two wives, and does not treat them impartially, he will come on the day of resurrection with half his body fallen off.” (Al Tirmidhi, Abu Daud, An Nasai, Ibn Majah.)

It is related from Abu Hurairah that the Apostle of God said: “If I had ordered anyone to prostrate to another, I would certainly have ordered a woman to prostrate before her husband.” (Al Tirmidhi.)

There are traditions not only in favour of, but also against, divorce:—

Thus Abd’ Allah b. Mas’ud reports that the Apostle cursed the second husband who made her again lawful for the first and cursed the first husband for whom she was thus made lawful. Other Hadith which remind one of Christ’s interpretation of the Mosaic law are: “Of the things which are lawful the most hateful thing to God is divorce.”

The following Hadith claims to give Mohammed’s view on the question of the custody of the child: “A woman came to the Apostle and said: ‘With my body I carried, nourished and cradled this son of mine, and now his father has divorced me and wants to snatch him from me.’ The Apostle answered: ‘You are the most worthy of him so long as you remain unmarried.’”*

The Hadith in this, as in so many other matters, reflects the thoughts of the best and the worst minds of Mohammed’s companions. For instance, Mohammed, as reported by Abd Allah ibn ‘Umar, tells us: “The world all of it is property, and the best property in the world is a virtuous woman.” And again, as reported by Abu Hurairah: “A woman may be married for four things: her money, her birth, her beauty, and her religion. Get thou a religious woman, otherwise thy hands be rubbed in dirt!”

On the other hand, Usama ibn Zaid would have us know that the Apostle said: “I have not left behind me a source of discord

* The Traditions of Islam, by Alfred Guillaume, p. 103.
more injurious to men than women." And Ibn Umar: "A woman, a house, and a horse are bad omens."

There is also a tradition which, says Professor Guillaume, "must either be officially repudiated or for ever condemn the system which enshrines it: "Whenever a woman vexes her husband in this world, his wife among the huris of Paradise says: 'Do not vex him (may God slay thee!) for he is only a guest with thee. He will soon leave thee and come to us.'"

It is a logical inference from the Koran itself that men in Paradise are to be gratified by the possession of huris, but there will be no special place for the wives they had in this world.*

Political power may sometimes be held by women, but the prophetic verdict on women in high places is recorded by Bukhari thus: "When the Apostle of God was informed that the Persians had made Kisra's daughter their sovereign, he exclaimed, 'A people that entrusts its affairs to a woman will never prosper.'"

The subordinate position of women in the religious life is likewise fixed by another of the Prophet's utterances. He went out on the day of the victims and Bairam to the place of prayer, and passing some women he said: "O company of women, give alms, for I have seen that most of you will be inhabitants of hell." "Why?" said they. Replied he: "Because you curse much, and deny the kindness of husbands."

IV.

Turning now from Mohammedan Tradition to the law of marriage as found in their codes of jurisprudence, we will next consider the legal position of women in Islam. According to Mansour Fahmy,* Islamic literature and Islamic law degraded woman more and more in the course of the centuries. The example of Mohammed and his immediate followers proved far more potent than the limitations of any definite precept. The increase of female captives from Mohammedan conquests was another contributing factor in the downward trend.†

* Compare article by E. E. Calverley in Moslem World, vol. viii, pp. 61 ff.
† The Traditions of Islam, by Alfred Guillaume.
‡ La Femme, pp. 160-1.
In Al-Ghazali’s great work, the *Ihya*, an encyclopaedia of religious thought, a special chapter is devoted to the subject of marriage. He entitles it, “The Ethics of Marriage,” and divides the subject as follows: “Marriage is praiseworthy” (citing the passage from the Koran and Traditions); “the benefits of marriage are five-fold: children, enjoyment of life, the establishment of home, social privileges and the training of the mind by administering the home.” He then describes the ideal wife according to Mohammedan standards: “She must possess religion, a good temper, beauty, small dowry, be a virgin, become a mother, belong to a good family, and not be too closely related.” The rights of a husband and wife are then detailed. Marriage is defined as “a kind of slavery.” No one reading this chapter in Al-Ghazali would imagine that Mohammed had ever said, as he is reported to have said, “Verily Paradise lies at the feet of mothers.”

A contemporary of Al-Ghazali, the celebrated Al Nawawi, wrote a famous compendium of Islamic law called *Minhaj et Talibin*, which is still used throughout the world of Islam, and has been recently translated into English and French. The following paragraphs deal with marriage and divorce:—

“A father can dispose as he pleases of the hand of his daughter, without asking her consent, whatever her age may be, provided she is still a virgin. It is, however, always commendable to consult her as to her future husband, and her formal consent to the marriage is necessary if she has already lost her virginity (p. 284).

“A slave cannot have more than two wives at a time, and a free man not more than four. A marriage concluded by a free man with five wives at once is null as regards all of them, but if he marries them one after the other, only the fifth one is void. Consequently the sister of the fifth wife can become the wife of the person in question, unless he must abstain from her on other grounds. Moreover, one has the right to take a fifth wife after repudiating irrevocably one of the four, even while the repudiated wife is still in her period of legal retreat; but this cannot be done if the repudiation is revocable (p. 292).
"A free man can repudiate his wife twice, and a slave his once, in a revocable way; but after this triple or double revocation, she cannot be taken back again until she has been the legitimate wife of another man.

"A wife who abjures Islam loses at the same time all right to maintenance, even though she returns to the faith before the expiry of her period of retirement; but a wife whose husband becomes an apostate continues to be maintainable by him during the whole time of her retirement.*

"At the first indication of disobedience to marital authority a wife should be exhorted by her husband without his immediately breaking off relations with her. When she manifests her disobedience by an act, which, though isolated, leaves no doubt as to her intentions, he should repeat his exhortations, and confine her to her chamber, but without striking her. He may not have recourse to blows, even where disobedience is manifested by an isolate act. Only where there are repeated acts of disobedience may a husband inflict corporal chastisement (p. 318).

"In order that a repudiation should be valid, the law requires that the husband should be a sane adult Moslem. A repudiation may be pronounced in a state of drunkenness. A repudiation is valid, even where pronounced unintentionally, if the husband uses explicit terms; but if he uses implicit, he must really intend to repudiate his wife (p. 327).

"Where a husband and wife eat together some dates and mix the seeds, and the husband says to the wife 'If you don't separate your seeds from mine you are repudiated,' and the wife puts each seed aside, the condition of repudiation is not fulfilled, and the marriage remains intact, unless the husband wishes her to indicate which seeds were hers. When a woman has a date in her mouth, and the husband repudiates her on condition that she swallows it, and then changes his mind and makes it depend on her spitting it out, and then changes his mind again and makes the repudiation depend on her taking the date in the hollow of the hand, and the woman on hearing these words quickly swallows half the date and spits out the other half, the condition is not considered to be fulfilled (p. 343.)

"A wife must have the enjoyment of the premises she occupies, but her husband need not transfer the ownership to her. On the

other hand, what she receives for her maintenance becomes her own, in the case of things that are consumed by use, like provisions. She may also dispose of them as she pleases; only if she imposes upon herself privations that affect her health, in order to make a profit out of what her husband gives her, he has the right to object. As to things that deteriorate but are not consumed by usage, such as clothes, household utensils, or a comb, these things also become the wife's property; though some authorities maintain that the husband is merely bound to procure her the enjoyment of them. A wife may insist upon her husband's giving her new clothes twice a year, i.e. at the beginning of winter and the beginning of summer, and where it is admitted that she becomes the owner of the things the husband is not bound to replace them in case of accidental loss" (p. 385).

These laws of marriage seem hopelessly mediæval, but they have never been abrogated. A judge of the High Court, Madras, has written a standard work on Mohammedan law for use in British India. He sums up the law of divorce as follows:—

"Marriage may be dissolved in the lifetime of the husband and wife in any of the following ways: (1) By a talaq: Baillie calls a separation caused by the husband pronouncing certain appropriate words a 'repudiation' and all other separations for causes originating from the husband 'divorces' (Baillie 1.204)." The term "divorce" or talaq is used by the present author to refer to what Baillie calls repudiation or divorce pronounced by the husband or by some person duly authorized by him in that behalf. "(2) By ila, i.e. the husband abstaining from connubial intercourse in accordance with an oath to that effect. (3) By zihar, i.e. the husband comparing the wife to a person within the prohibited degrees, on which the marriage may be dissolved by the Court on the application of the wife. (4) By lian, i.e. by the husband solemnly accusing his wife of adultery, and on the wife denying the accusation and each respectively imprecating the curse of God, on the husband for falsely accusing, and on the wife for falsely denying the accusation; on which marriage may be dissolved by the Court. (5) By khul or mubarat, i.e. a mutual agreement between the husband and the wife to dissolve the marriage (for some consideration from the wife to the husband). (6) By the cancellation of marriage on account of physical defects in the husband or the wife. (7) By Court separating the parties whose marriage is irregular, or has been avoided by a minor on
attaining puberty, or a person of unsound mind on recovering reason.

"The second and the third and sixth forms are by the act of the husband, the third and fourth partly by the act of husband and wife and partly by operation of law, the fifth by agreement, the seventh by the Court."*

V.

Regarding the law of marriage, which is a contract rather than a sacrament, the legal authorities are agreed as follows:—

"After a man has made the choice of a female for marriage, the law allows him to see her first. He, accompanied by some friends, goes to the house of the agent, and there settles the amount of the dowry which is paid at an early day. This is called the 'writing of the contract.' The Moslem law appoints no religious ceremony or rites to be observed on the occasion of marriage. Mutual consent in the presence of witnesses is sufficient to make marriage valid. On the day appointed for the marriage the bridegroom, accompanied by some friends, goes to the place agreed upon. They are received by the guardian, or agent and some friends. Two trustworthy witnesses must be present. All persons then recite the Fatiha, i.e. the first chapter of the Koran, and the bridegroom delivers the dowry. The bridegroom and the agent of the bride sit upon the ground face to face and grasp each other's right hand, raising the thumbs and pressing them against each other. Having passed a handkerchief over their hands, the Judge or Kadi generally pronounces a kind of Khutba or sermon, consisting of a few words of exhortation and prayer with quotations from the Koran and Tradition, on the excellence and advantages of marriage. He then requests the guardian or agent of the bride to say: 'I marry to thee my daughter for a dowry of such and such an amount.' The bridegroom thereon says, 'I accept from thee her marriage with myself and take her under my care and engage myself to afford her protection, and ye who are present, bear witness to this.'"

What such protection is worth can be judged by the fact that the hero of Islam in the marrying and divorcing line was Mohammed's own grandson Hassan, the son of Ali. "During his father's lifetime he successively married ninety or one hundred

* Principles of Mohammedan Law, by F. B. Tyabji, pp. 131 ff. (Bombay, 1924.)
ladies, and notwithstanding his extreme good nature, divorced again, for a trifling reason, every one he had taken.”*

Here we close the evidence from the Koran, the Hadith, and books on jurisprudence. Much more might be given. Yet in spite of all these facts modern apologists for Islam, such as Seyyid Ameer Ali, claim that "the Prophet Mohammed secured to women in his system rights which they had not before possessed; he allowed them privileges the value of which will be more fully appreciated as time advances. He placed them on a footing of perfect equality with men in the exercise of all legal powers and functions. He restrained polygamy by limiting the maximum number of contemporaneous marriages, and by making absolute equity towards all obligatory on the man." It is worthy of note that the clause in the Koran which contains the permission to contract four contemporaneous marriages, is immediately followed by a sentence which cuts down the significance of the preceding passage to its normal and legitimate dimensions. The passage runs thus: "You marry two, three or four wives, but no more." The subsequent lines declare "but if you cannot deal equitably and justly with all, you shall marry only one." The extreme importance of this proviso, bearing especially in mind the meaning which is attached to the word "equity" (aadl) in the Koranic teachings has not been lost sight of by the great thinkers of the Moslem world. 'Adl signifies not merely equality of treatment in the matter of lodgment, clothing and other domestic requisites, but also complete equity in love, affection and esteem. As absolute justice in matters of feeling is impossible the Koranic prescription amounted in reality to a prohibition. This view was propounded as early as the third century of the Hegira. In the reign of al-Mamun, the first Mu'tazalite doctors taught that the developed Koranic laws inculcated monogamy. And though the cruel persecutions of the mad bigot, Mutawakil, prevented the general diffusion of their teachings, "the conviction is gradually forcing itself on all sides, in all advanced Moslem communities, that polygamy is as much opposed to the teachings of Mohammed as it is to the general progress of civilization and true culture."†

* Mira‘t-ul-Ka‘inat, vol. i, p. 607. This statement from a Persian book is corroborated by other accounts of Hassan’s life. His sobriquet was "The Divorcer."
† Ameer Ali, The Spirit of Islam, p. 188.
We heartily endorse the sentiment expressed by Siyyid Ameer Ali in concluding his discussion. His apology, however, for the plural marriages of the Prophet of Arabia is utterly unconvincing. He says: "It was to provide helpless or widowed women with subsistence in the lack of all other means. By taking them into his family, Mohammed provided for them in the only way which the circumstances of the age and the people rendered possible."

VI.

The place given woman in Mohammedan literature is in accord with that to which she is assigned in the Koran and Tradition. As far as the unexpurgated Arabian Nights are from King Arthur’s Knights of the Round Table, so far is the conception of womanhood in Islam from that even of medieval womanhood in Western lands. No higher authority on this subject could be quoted than the Dutch Orientalist, Dr. Snouck Hurgronje: "Moslem literature," he says, "it is true, exhibits isolated glimpses of a worthier estimation of woman, but the later view, which comes more and more into prevalence, is the only one which finds its expression in the sacred traditions, which represent hell as full of women, and refuse to acknowledge in the woman, apart from rare exceptions, either reason or religion; in poems, which refer all the evil in the world to the woman as its root; in proverbs, which represent a careful education of girls as mere wastefulness. Ultimately, therefore, there is only conceded to the woman the fascinating charm with which Allah has endowed her, in order to afford the man, now and then in his earthly existence, the prelibation of the pleasures of Paradise, and to bear him children."

A Persian author, Ibn Moqaffa’a, who embraced Islam in the second century after Mohammed, and is considered among the best writers of his day, recommends men to watch very carefully and preserve their friendships; for, he says: "Friends are not like women whom we can repudiate if and when we choose." This author lived in an area remarkable for its frequent practice of divorce. His book otherwise abounds in broad-minded opinions and liberal views, but the scorn of womankind dominates it like a dogma. "Nothing," so he says, "is more disastrous for

* Ameer Ali, The Spirit of Islam, p. 188.
religion, for the body, for well-being, for intelligence, and nothing wreaks ruin upon the mind so much as the love of women does."*

There are, however, gleams of light in these dark shadows of Mohammedan literature. Exceptions which prove the rule. We have, for example, the life of that saintly woman, Rabia, daughter of Ishmael of Basrah, who lived a century after Mohammed, and who was celebrated as one of the earliest mystics. Once she was asked whether she ever thought of marrying. She answered, "The marriage contract can be entered into by those who have possession of their free-will. As for me, I have no will to dispose of; I belong to the Lord, and I rest in the shadow of His commandments, counting myself as nothing."

"But," said Hassan, "how have you arrived at such a degree of piety?" "By annihilating myself completely." Being asked on another occasion why she did not marry, she answered, "There are three things which cause me anxiety." "And what are they?" "One is to know whether at the moment of death I shall be able to take my faith with me intact. The second is whether in the Day of Resurrection the register of my actions will be placed in my right hand or not. The third is to know, when some are led to Paradise and some to hell, in which direction I shall be led." "But," they cried, "none of us know any of these things." "What!" she answered, "when I have such objects to preoccupy my mind, should I think of a husband?"†

One of the great mystics in Egypt was Abd-ul-Wahhab Al-Sha’arani. He died at Cairo in 1565, and his grave is still a place of pilgrimage. He advocated monogamy, and his writings are marked by a moral purity, which is exceptional. He was not afraid to point out the blot on Mohammedan society, saying:—

"We Sufis have entered into an engagement to espouse only one wife, and not to associate others with her. The man who has only one wife is happy; his means are sufficient to support his home; but as soon as he takes a second wife, the prosperity of his house decreases, and when he opens his money-box he finds it empty. A pure-hearted wife is a great happiness in the house. Oh, how often while I was weaving have I stolen a glance at my wife, the mother of my son Abdurahman, sewing garments for the poor. I understood then that I had happiness in my house. Often she opened her larder which sufficed us for whole

* La Femme, by Mansour Fahmy, p. 154.
† Mystics and Saints of Islam, by Claude Field, (London, 1910.)
months, and distributed the contents to the poor, who quickly emptied it. May God be merciful to her.”*

As early as the third century of Islam the classical author Jahiz, head of a philosophical sect, ventured to speak favourably of woman. Although he professes to agree entirely with the Koran, saying that man’s superiority over woman is evident in everything, he nevertheless tries to persuade men to respect woman’s rights, for, so he says: “He who pays reverence to the right of the father must not forget the right of the mother.” He is very far, however, from the tendency of the present time, in which woman is made man’s equal in all actions of life, for he holds that the woman must not turn away from those things that include her proper function. Her mission is to be a mother and a wife. And Jahiz sharply criticizes the man who either from a kind of affectation or pedantry delivers himself to occupations which are the exclusive realm for women such as music, for instance.†

VII.

One may well say that century after century Islam regulated and regarded the life of woman more and more solely as centred in man’s convenience and pleasure.

Al-Ghazali in the fifth century has interesting things to say on the subject. This great mystic had enormous influence on the intellectual life of Islam. He teaches that woman must in no way be independent; she is indeed unfit to earn her own living because of her social condition. He looked upon life as being so serious that woman was a costly burden which had better not be attached as a weight to one’s feet (Ghazali, Ihya, vol. ii, p. 22). After giving this opinion about woman, Ghazali prescribes how she is to behave and to regulate her life according to the ancient moralists. “She must,” he said, “lock herself up in her house and she is not to leave the place; she must not go too often to the top of her house, nor should she be seen; she must not talk too frequently to her neighbours nor go to call there; she has to look after her husband whether he be present or absent; she is to try to please him in all her doings, she must not cheat him either personally or in his property; she may only leave the house with his permission, and once outside, she must behave in such a

* Mystics and Saints of Islam, by Claude Field (already quoted).
† La Femme, by Mansour Fahmy, p. 155.
way that she be covered if met unexpectedly; she has to use only the least frequented roads, must avoid those streets crowded by foot-passengers, and she has to take great care not to be recognized" (Id., p. 28).

Whether one reads Arabic and Persian poetry, Turkish fairy tales, Morocco folk-lore, or the adventures of the heroes of the Arabian Nights, the portraiture of woman is never pure and noble, and seldom heroic. The whole tendency of polygamy, slavery and concubinage with unlimited divorce was to create an unhealthy and degrading atmosphere, a sex-obsession with which all Moslem literature is besmirched. One of the most popular tales of the Arabian collection tells of various escapades and crimes by princes, and ends with the typical climax:

"Women are very devils, made to work us dole and death;
Refuge I seek with God Most High from all their craft and skaith.
Prime source are they of all the ills that fall upon mankind,
Both in the fortunes of this world and matters of the faith."

"It is incredible," writes Canon W. H. T. Gairdner, "were it not a fact, how the typical erotic literature of Islam—sensual to the verge of pornography—begins as a matter of course with the time-honoured invocation of Allah and prayers upon the Apostle of Allah; an Ovid's Ars Amoris with a pious preface and conclusion! Not that way, God knows, lies the solution of the sex-problem. Is it wonderful, then, that Lane and many others have remarked how religiosity and immorality can co-exist, often without exciting the slightest remark or the least sense of incongruity?"

Professor D. B. Macdonald sums up the whole discussion regarding the position of women in Islam when he says: "I do not think that there can be any question that the position of women in Islam is practically due to the attitude of Mohammed himself. This is pretty well admitted in the attempts which have been made—and this is the common explanation and defense of the present day—to show that Mohammed's position was peculiar; that he did these things bearing upon women as a Prophet; as a politician; as a political leader; for one reason or another. But to put the case in a word, I cannot conceive of

* The Rebu of Islam, p. 165.
anything that would have made such an enormous difference in the position of woman in Islam as if Mohammed, after the death of his first wife, had remained a monogamist, for one point; and, if, for another point, he had encouraged his wife to go with unveiled face, as was the custom, and is the custom to this day, for that matter, for the free women of the desert. That would have been enough; the woman question in Islam would hardly now exist. Every Moslem would have followed in that, as in everything else, the example of his Prophet. Monogamy would be the rule in Islam, while the veil would never have existed except for the insane jealousy of Mohammed.”*

DISCUSSION.

The CHAIRMAN proposed a vote of thanks to Dr. Zwemer for his paper, and included in the vote the name of Colonel Hope Biddulph, who had kindly read the lecture. Proceeding, he said:—

The subject is not a very savoury one, and it would not be of much real service to any to go very deeply into the problems discussed. Addressing ourselves to the earlier sections into which the paper is divided, we note in Section I that among the early nomads in Arabia the condition of women was very much better than that which followed upon Mohammed’s appearing in their midst. After twenty-one years of prophethood, there remained a condition very different from, and much worse than, that which prevailed at the first. The evil practices established by Mohammed were all given forth as coming from heaven, having been received from the angel Gabriel; and at length the women of Arabia, who had been comparatively free, were brought down into slavery—and slavery of the worst kind—to serve as playthings for men. The sanctions of the Prophet are hateful in their incidence, and may be left as explained in the paper.

Section III shows that, since the Prophet came, in the seventh century after Christ, his religion, partly based on Judaism, and partly composed of things picked up from the religions of other nations, had had a baleful effect upon family life. Women have known no privileges of faith, and now, after thirteen hundred years,

* Aspects of Islam, p. 104.
they are beginning to rebel. In many quarters they have thrown aside the veil, and are moving about without the distinctive covering which the Prophet ordained. In a word, they are asserting their liberty and authority, and that is in the right direction.

One thing that surely shocks us more than anything else is that anything in the nature of a future life is, to all intents and purposes, denied to women; in fact, as we have heard, hell is full of them, while heaven is for the men, who are to find there also in another life nymphs, and many of them, provided for their eternal gratification. Should we not pray that, in the mercy of God, there may be spread among these people, who for many centuries have been debased and oppressed, a knowledge of Christ which will bring a moral and spiritual uplift to those who for many centuries have been under the heel of Islam?

The vote of thanks was carried with acclamation, and discussion proceeded.

Miss Hamilton Law, having worked among Mohammedan men, said she had always found them singularly courteous. Still, it is the custom of the fathers to force marriages on their daughters. She recently heard of a girl, in a village community, who ran away because she did not like the man who had been chosen for her. In the mercy of God the girl found her way to Mrs. Liggins, of the Egypt General Mission, and when at length her father heard that she was safe, he was overjoyed, and promised that she should not be compelled to marry a man she did not like. It is to be hoped (the speaker added) that the freeing of Mohammedan women will not be too rapid, as at present they are without training as to personal behaviour. Endeavour should be made to raise the men, in the hope that they will influence the women. Native soldiers in Egypt, taught smartness and punctuality by English officers, are often very particular in the choice of a wife.

Mr. Avarry H. Forbes said: The quotation on p. 191, to the effect that Mohammed "was probably the most earnest champion of women's rights that the world has ever known," is characteristic of modern journalism. Hyperbolical—or, rather, vulgar—exaggerations of that kind are the academic way of calling one's opponent a
“liar.” Dr. Zwemer’s paper proves the assertion to be a falsehood. In reading Mohammed’s life, I have found it difficult to ascertain how many wives he had, as he seemed to capture for his harem every attractive woman that came into his power. His “legislation” on marriage and divorce shows how little regard he had for Scripture, in the inspiration of which he professed to believe. Evolution teaches that the human race is going—morally as well as intellectually—from bad to good, to better, to best. History teaches the opposite. Women in Homer’s time had a more honourable position than the women of later Greece. In Rome the purity of the family life was scrupulously guarded by the worship of Vesta and the sacrifice at the hearth—in which no “outsider” dared to join. Under the later Republic, and under the Empire, when divorce became easy and frequent, Rome gradually degenerated and went to pieces. The picture Tacitus gives of the conjugal laws of the pagan Germans compares very favourably with what we see to-day in Christian Europe and America. Dr. Zwemer shows that the same holds good of ancient as compared with modern Arabia.

It is noteworthy that great men who have set the world a bad example by divorcing their wives without good cause have usually failed in their progeny schemes. With all Solomon’s wives, we read only of one son that he left. Caesar divorced his wife and married again, and he left no children. Charlemagne had, I believe, nine wives, and left only one son, who, although morally a far better man than his father, was utterly unfit to be a king, and had tragical trouble all through his reign. Mohammed himself had eleven wives, and left no sons, and only one daughter. Henry VIII had two divorces and six wives, and left only two daughters and a consumptive son, none of whom left any survivors. Napoleon wantonly divorced his wife, married again, and left only a sickly boy, who died young, and with him the whole posterity ended.

According to Koranic law, every Moslem can have four wives, and as many “slave wives” as he can obtain. What is the result? Look at all the Moslem countries of to-day—Persia, Arabia, Turkey, Egypt, Afghanistan, Morocco, the Sudan, etc.—all backward, ignorant, degraded countries. The Moslems have a saying which well illustrates the way in which Mohammed was the “most earnest champion of women’s rights that the world has ever known.”
It is this: “If you want counsel about any project you are contemplating, go and ask advice of ten of your friends. If you have only five friends, go and ask each of them twice. If you have only one, go and ask him ten times. If you have no friends at all, go and ask your wife, and then do the opposite of what she advises you!”

The Rev. A. H. Finn said: Col. Lawrence’s experience was, I believe, chiefly among the desert Arabs—Bedaween—whose Mohammedanism, I imagine, does not go very deep. It is likely therefore that their women would be freer and better treated than among stricter Moslems (though even they are in some degree kept secluded). In Palestine the bulk of the inhabitants—Fellahin, ploughmen, peasantry—called Arabs, though not of true Arab descent, are nominally Moslem, but their adherence to Islam is little more than a veneer over practical Paganism. Their women, too, have a considerable amount of freedom, and usually go about unveiled. But in the towns, among the old Arab families, the “hareem,” plurality of wives, strict seclusion, veiled faces and shrouded figures in the streets, and facilities of divorce, still prevail.

It may not be generally realized that in India the Zenana system among the Hindus was entirely borrowed from their Mohammedan conquerors, and that largely as a measure of self-protection from the wantonness of the Mogul soldiery. In Burma the women enjoy a large amount of freedom socially and politically, mingling freely with the men, and always unveiled, yet religiously are treated as inferiors. According to Buddhist teaching, no woman can attain direct to Nirvana, and Burmese women are taught to utter aspirations that, in their next re-incarnation, they may be reborn as boys so as to be capable of reaching Nirvana.

The large order of yellow-robed monks—“Phoongyees,” sometimes called Buddhist priests, but inaccurately, for they have no kind of priestly office—are treated with great respect, addressed and spoken of in specially honorific language, and reverently saluted in the streets. The companion order of nuns, said to have been founded by the Buddha at the entreaty of his mother and sister, meets with no such consideration, and is practically disregarded.

I have no right to speak authoritatively, but it seems to me that in no non-Christian religion are women treated as spiritually on an
equality with men. Even in the synagogue the Jewess is kept apart in a special gallery, and it is said that the Jewish man is taught to bless God that he was not created a woman! One of the notable instances of the indirect influence of Christianity has been in the remarkable uplift of woman toward her rightful position as the "help-meet for man."

Lieut.-Col. H. Biddulph said: This paper represents woman in a state of degradation and general inferiority; but is there not a danger at the present time of her going to the other extreme? The cry for "sex-equality" is a foolish one, and issues from those who fail to perceive Divine Order in creation. There can be no comparison as regards equality between creations so essentially different as the sexes. One is the complement of the other. As well compare the "eye" and the "ear," or "salt" and "sugar"; each has its own separate degree of excellence quite irrespective of the other. Christianity is the only system which gives to woman her due and proper place. Moving in her divinely appointed orbit, she possesses the dignity intended for her, and as man's counterpart and partner shares with him his life. Thus the mutual need of each for the other is experienced, and no question of comparison arises. The beautiful type, set forth by marriage, of Christ and the Church is broken by the modern woman's claim, and the only result is confusion and disorder.

Mr. W. C. Edwards said: I have in my journeyings had a few opportunities of speaking on delicate subjects with Mohammedans, and occasionally rather intimately. One of the many things which I have against Mohammed is the bad example which he set in marrying a girl (Ayesha) of six, which marriage was consummated when she was only three or four years older. I was once talking with a Mohammedan, and I asked him, "Suleiman, are you married?" "No," he said, "not yet." "I will give you good advice; mind that you do not marry anyone under sixteen years of age." "That is too old," he replied. "You must marry them young, and make them obedient and humble. If they are too old they are likely to become too cheeky. No; I must marry a young girl, and train her up to my ways and likings." Who can tell the mental and moral
sufferings which these child marriages entail? The physical results I leave to others. A medical man might, in scientific language, be able to hint at, or partly describe, the wailings of injured and outraged childhood; I cannot. Every daughter of Eve has an inward feeling that God's way and plan is one man one wife, and not one man and many wives.

Another thing which I have against Mohammed is the dreadful invention of the purdah. In India and the East—in the lands of glorious sunshine undreamt of by us in England—women often suffer from diseases which are the direct results of being shut up in dark and sunless holes behind the purdah. Is it not strange that all these heresies, or Satanic and demoniacal religions, are closely connected with uncleanness, incest, libertinism, etc., which we label and throw on the dunghill as pornography?

WRITTEN COMMUNICATIONS.

Lieut.-Colonel Mackinlay wrote: The paper gives a good insight into the position of woman among Mohammedans, both in times past and at present. It is a humiliating statement of the wrongs which women suffer consequent upon Moslem selfishness, and the attitude sanctioned by the example of Mohammed. The inferiority of woman compared with man is consistently taught in the Koran.

Ease of marriage and divorce leads to immorality, and the effects of this are manifested upon the Moslem nations of the world. We of the West have reason to rejoice in our lot. Though not in every case models of moral perfection, we at least hold in special regard those among us who practise self-denial, truthfulness, and honour. How different are the Christian standards, set before us in the New Testament, when contrasted with the religion of Mohammed, who himself set an example of self-indulgence—an example which his co-religionists have been sadly keen to follow.

Mr. George B. Michell, O.B.E., wrote: May I add one note to Dr. Zwemer's valuable paper, a note which I think should not be overlooked? Mohammed professed to be an envoy from God; his book professes to express the mind of God, his religion professes to be divine. The comparison of details, therefore, is not relative, but
absolute; it should not bring an improvement on the bad ways of men, but the absolute perfection of what they ought to be.

According to this, the position of women in Islam ought to be ideally perfect. Is it so? Nay, in what respects is it now, after 1,300 years of the absolute sway of Islam in many countries, better than that of women in other religions? It certainly is much inferior, in every way, to that of Christian and Jewish women.

I travelled extensively for two years in Central Africa, in the meeting-place of Islam and blank savagery, and I say, without hesitation, that the position of savage, heathen women there is superior in every way to that of Mohammedan women.

Again, if Islam brought in the divine idea of the position of woman, why should it be necessary for Turkey, Iraq, and Egypt to modify the Islamic law with regard to marriage and divorce?

Finally, has the legislation of Mohammed with regard to the position of woman practically succeeded in abolishing the social evil? There is, alas! good reason to believe this to be worse in Moslem lands than in any other. And this is directly due to the Moslem law on polygamy, slavery, marriage, and divorce.

**Remarks by the Lecturer.**

I am pleased with the comments made on a paper that was necessarily too brief to deal with all aspects of the problem. It is well to remember that important and wide-reaching reform movements are at present in progress. May we not hope that such ethical reforms will lead to the turning of many to Jesus Christ and His teaching? He alone can emancipate and redeem Moslem womanhood.