

WOMAN'S PLACE IN ISLAM AND BRITISH LAW

MOSLEM propaganda in England has shown considerable activity during the past four or five years: but since the outbreak of war the activity has become more marked. Influenced by the attractive guise in which it is presented by clever educated Indians, not a few English women of intelligence have declared themselves to be devoted followers of the teaching of Mohammed the prophet of Islam. The Indian teachers who are working strenuously in London and its neighbourhood are members of an idealistic and heretical sect of Moslems known as the Ahmadiya movement; while there are also members of an Indian Sufi order.

If the misguided English women who are attracted by the teaching of these men could realise the degraded condition of the women of Moslem lands, they would surely question the declaration that "Islam exalts womanhood and teaches its devotees to reverence women."

A recent attempt to obtain legal sanction in England for the Moslem laws of divorce is very significant and should put thoughtful people on their guard. This attempt took the form of an appeal in the Divisional Court on the part of an Indian Moslem who had practised as a barrister in London against the refusal of the registrar of marriages in Hammersmith to grant a license enabling the applicant to marry a second wife on the ground that he had divorced his first wife—an English lady—according to Moslem law. The applicant, who conducted his own case, argued that, although his first marriage was carried out in accordance with the English law, the divorce according to Moslem law dissolved it, leaving him free to marry again under English law. The registrar had refused to grant the license on the ground that the Moslem law of divorce was not legal in England.

The Solicitor General pointed out what was involved if the claim of the applicant were allowed. He would be

able to contract a whole series of marriages with English girls. He could marry a girl one day and divorce her the next, and continue the practise without infringing the law. The same law allowed him four wives, so that, if one point were allowed, the whole law would have to be recognised, and he could go to the registrar and demand the issue of four licenses which would enable him to contract four marriages with English ladies at once. Mr. Justice Darling said that the Moslem wife was in every respect the same as a slave.

The applicant pointed out that a woman who married a Moslem became subject to the Moslem law. But the judges argued that the woman, having been married according to English law, could not be recognised by that law as having been divorced by Moslem law. The law of England could not recognise the validity of Moslem law which enabled a man to divorce his wife without previously informing her of his intention. A Moslem woman can be divorced at the will of her husband—she has no right of dispute or legal redress.

The applicant made an eloquent appeal for judgment, pleading that his inability to obtain divorce under English law impelled him to take advantage of Moslem law. He suggested that the court was prejudiced because of his colour; but he was rebuked by the judge who said that it was not a question of colour; but of law.

The judges decided to consider the case and give judgment at a later date.

For many years it has been the British policy to curry favour with Moslems by granting them many privileges which in the case of some colonies have been denied to Christians. The favour of Islam has been cultivated at the cost of a loss of dignity and even prestige. For native races are very apt to attribute a policy of toleration to weakness. We are now suffering for the evil. And this attempt to obtain the sanction of English law for Moslem customs is one of *many* which our legislators will have to face in the future. An adverse decision at a time like this, when India is playing a great part in the war with us, may aggravate the restless spirit of Islam in the land,

so that the judges no doubt will find the matter a delicate one to deal with.

Quite recently a letter came into my hands written by a young girl of good family and education, in London, in which she says she has been much attracted by the religion of Islam through a talk she has had with two Indian Moslem missionaries. She is only seventeen, yet these two gentlemen apparently have spared no time and effort to influence her. She speaks of the reverence and esteem that Islam teaches for woman, and mentions Mohammed's statement that, "Paradise lies at the feet of the mother." This is the kind of work Moslems are doing and by personal work amongst young women and girls are gaining an influence which threatens the happiness of those who yield to its attractiveness. A brief consideration of what Islam really teaches regarding woman may perhaps help to counteract what cannot but be regarded as an evil.

Syed Ameer Ali, a modern champion of Islam, admits that there is much that is deplorable in the religion of Islam concerning woman. And I have seen religious manuals containing traditionary sayings of Mohammed which were uttered for the guidance of Moslems in their relationship with women, which are undeniably filthy.

An old Sheikh, a friend of mine and Imam of a mosque, had divorced four wives and came one day to tell me he was marrying another—a girl of thirteen, he himself being over fifty-five. This girl went to his house, lived with him over three weeks, and was sent back to her father as being of no further use to the Sheikh. This the law of Islam allows him to do. If he finds her unsuitable and returns her within a month she has no claim upon him, and he can still claim to be the holy man, according to Islam, that he is thought to be.

Children of eleven are married to full grown men, which results in unspeakable suffering on the part of these little ones, who will be divorced, because they are ruined beyond the power of childbearing.

If a man divorces his wife in anger—and then regrets the utterance of the fateful words he has uttered, he can-

not claim his wife again until she has been wedded to another man at least one day. A definition accepted by Moslem jurists bears out Mr. Justice Darling's statement that the wife of a Moslem is merely a slave; it declares that "Marriage is a contract by which the husband obtains possession of the wife, and is allowed to enjoy her if there be no legal impediment preventing the same."

Three forms of marriage are tolerated:

1. The legal permanent marriage.
2. Temporary marriage (repudiated by the Sunni Sect).
3. Marriage to a slave.

A man may possess legally four permanent wives and may marry as many slave wives as he can support.

Al-Ghazali, one of the greatest and most learned of the Sufis says: "Marriage is a kind of slavery; for the wife becomes the slave of her husband, and it is her duty absolutely to obey him in everything he requires of her, except in what is contrary to the laws of Islam."

The Koran directly teaches: "If the wife be disobedient and obstinate, the husband has the right to punish her, and to force her to obey him, but he must proceed gradually; exhort, admonish, threaten, abstain from intercourse with her for three days, beat her so as to let her feel its pain, but be careful not to wound her in the face, or make the blood flow abundantly, or break a bone."

The hospitals of Egypt have sheltered many a Moslem woman who has suffered even unto death because of the brutality sanctioned by such teaching. The Moslem missionaries in London claim, too, that Islam provides for the spiritual needs of the woman. This is not so in Egypt, Arabia or the Ottoman Empire. The women are not expected to go to the mosques. The only religious care they receive is through the Christian missionary.

"Paradise lies at the feet of the mother"—what a mockery this beautiful idea becomes when read in the light of Paradise as interpreted in the Koran—a place of gross sensuality and unbridled licence!

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At the front in France.