

inclusion of direct quotes from the students, parents, and teachers invested in this matter – a valuable resource for anyone wishing to know more about certain Muslims' attitudes toward music.

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Marriage, Money, and Divorce in Medieval Islamic Society

Yossef Rapoport

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Through a very meticulous reading in numerous Arabic sources, Yossef Rapoport, author of *Marriage, Money, and Divorce in Medieval Islamic Society*, challenges the commonplace assumption that women in medieval Arabic society were subordinated to male domination. Drawing from the rich Arabic literature written during the Mamluk period (1250-1517), he not only skillfully depicts marital life in Cairo, Damascus, and Jerusalem, but also reveals novel facts that might undermine common stereotypes of women in medieval Islamic society. For example, not only was there a high rate (about 30 percent) of divorce in these three Mamluk urban societies, but women were also single-handedly capable of providing for themselves and their children. Elite women were economically independent, thanks to the generous dowries they received upon marriage, while lower-class women worked for their living, particularly in the textile industry. True, “repudiation” (*ṭalaq*) was a unilateral privilege reserved for the husband only; however, there were many cases of consensual separation (*khul'*).

The women in this book do not appear as passive and submissive at all. Quite the contrary, some put a price on various aspects of their relationships with their husbands, including a “bed-fee” (*haqq al-firashah*), while others appeared before the court to complain about their husbands' misbehavior. More often than not, the court sided with them by ordering the husbands to be flogged or thrown into jail. All of these facts, carefully supported by dozens of textual proofs and cautiously analyzed and contextualized, enable the reader to catch a glimpse of the intimate lives of medieval Muslim families, a glimpse that is free of prejudice and self-righteousness.

The author provides a very useful survey of Mamluk-period authors (pp. 8-11), with a special focus on the fifteenth-century Cairene historian Muhammad ibn `Abd al-Rahman al-Sakhawi (d. 1497), whose centennial

biographical dictionary contains over 1,000 entries for contemporary women (pp. 82-88). Rapoport also bases his research on legal sources (manuals and *fatawa, responsa*) and documents from the only extant Mamluk-period court archive: the fourteenth-century archive from the Haram al-Sharif in Jerusalem.

The book comprises five chapters. Chapter 1 deals with the importance of dowries in all echelons of Mamluk society, but especially in the upper class. Although Islamic law does not obligate the bride's natal family to provide her with a dowry, it is evident that dowries were a common practice. Far more substantial than the "marriage gift" (*sadaq*) a groom is obliged to give his bride according to Islamic law, dowries were perceived as a pre-mortem inheritance given to the daughter and remained her exclusive property throughout her marriage. Women were also engaged in such financial activities as loaning money. A striking example of female financial enterprise appears in a case brought to a Cairene jurist in which women of means established a communal fund that lent money to each of its members in turn (p. 25).

Chapter 2 provides a unique description of lower-class working women. Some occupations, such as midwives and hairdressers, were profitable; others, such as spinners and embroiderers, were less so. However, these occupations enabled women to remain single for long periods of time. Rapoport deals with the lodging conditions of single women, whether divorced, widowed, or simply expelled from their homes, through a fascinating description of the Sufi lodges (*ribat*), widespread throughout Mamluk cities, as havens for women in need.

Chapter 3 unfolds the complexity of marital relationships while focusing on the monetary aspects of marriage. The author cites Ibn Qayyim al-Jawziyyah (d. 1350), a prolific Damascene scholar, in a passage that might be interpreted as a sharp criticism of contemporary wives, who used to attach a cash value to various services they provided to their husbands: "The wife is her husband's prisoner, a prisoner akin to a slave. The Prophet directed men to support their wives ... he said the same about maintaining a slave" (p. 52). Abundant in anecdotes, some of which are rather amusing, chapter 3 unfolds the manipulative business relationships between husbands and wives. The chapter's core is the story of the three marriages of Zumurud (lit. "emerald"), a manumitted slave-girl, as revealed through a scrutiny of the Haram al-Sharif archive (pp. 64-68).

The unequal marital position of women is elucidated in the fourth chapter, which deals with the mechanism of divorce oaths, the husband's exclusive prerogative. All the same, women who wanted to obtain a divorce

sought refuge in constant trials to provoke their husbands to grant them a divorce (pp. 73-74). Courts used to grant a judicial divorce (*faskh*) to a grass-widow, defined in Mamluk legal texts as an abandoned wife whose husband has been absent for at least six months, leaving her with neither property nor financial support. The important discovery that Rapoport makes concerns the intervention of courts headed by government officials, not a *qadi*, in family matters.

The fifth chapter deals with the patriarchal symbol of oaths taken on pain of divorce and the legal complications arising for husbands who later regretted taking that oath. Divorce oaths, such as “May my wife be repudiated if I enter this house” (p. 89), were taken as formal obligations and thus were widely implemented and coerced by courts as a means against debtors and even criminals. A wife repudiated three times, either actually being divorced three times or in case the husband used the triple divorce oath of “May my wife be repudiated three times,” was forbidden to her husband until she had consummated a new marriage with a new husband (*tahlil* [making lawful]). This practice was at a center of a dispute between the unconventional and prolific Damascene thinker Ibn Taymiyyah (d. 1328) and the religious establishment of his times. Rapoport’s discussion on *tahlil* fails to contextualize this phenomenon in the wide field of Islamic jurisprudence. *Tahlil* was also used in many areas that were allegedly forbidden in the eyes of Islamic law, such as gambling and betting on races. Its moral implications are hardly touched upon, and so the reader who wants to know why it eventually died out remains puzzled and unsatisfied.

In comparison with other recent studies of marriage and divorce during the Ottoman period, such as Judith Tucker’s *In the House of the Law* (Berkeley: University of California Press, 1998), there is a lacuna in researching these topics during the Mamluk period. Thus, Rapoport’s important book certainly fills a necessary gap. Although the book raises many questions that the author has chosen not to answer, such as the extent of polygamy and concubinage and their role as causes of divorce, *Marriage, Money, and Divorce in Medieval Islamic Society* is undoubtedly necessary reading not only for those interested in Mamluk studies, but also for readers interested in the history of gender relations in Islamic society.

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