

Men, women and the links that bind them

Syed Naquib Muslim reviews a work on Muslim marriage and divorce

TWO major religious books, namely, *The Holy Quran* and *The Bible*, confirm that the conjugality of man and woman and the process of human procreation set in following the great union of Adam and Eve. Later, as societies evolved and governments grew, union between man and woman was formalised through laws and social conventions. Most Muslim societies pursue the dictates of the Holy Quran.

Bibaho O Bichhed, which inquires into the sources of Islamic laws on marriage and divorce, is the Bangla version of *Marriage and Divorce* originally written by Nik Noriani Nik Badli Shah, a Malaysian scholar in comparative laws. It exposes the principles of rationalizing man-woman relations through mutual consent and exercise of the natural rights of women. The book cites elaborately as many as 42 legal cases which help us in interpreting the Islamic concepts and laws in their true perspective.

Comprised of six chapters, the book is rich in Quranic references. Chapter I traces briefly the evolution of Islamic laws, Islamic jurisprudence, origin of Shariah, Jihād, Ijma, and seeks to posit that Islamic laws are timeless and therefore require no revision. The author claims that people with little education suffer from confusion which in turn infects common people. The status of women has been first ascribed in the Holy Quran which supercedes all customs and conventions that practically lowered the position of woman. Surah An-Nur declares through Ayat 24, 26:

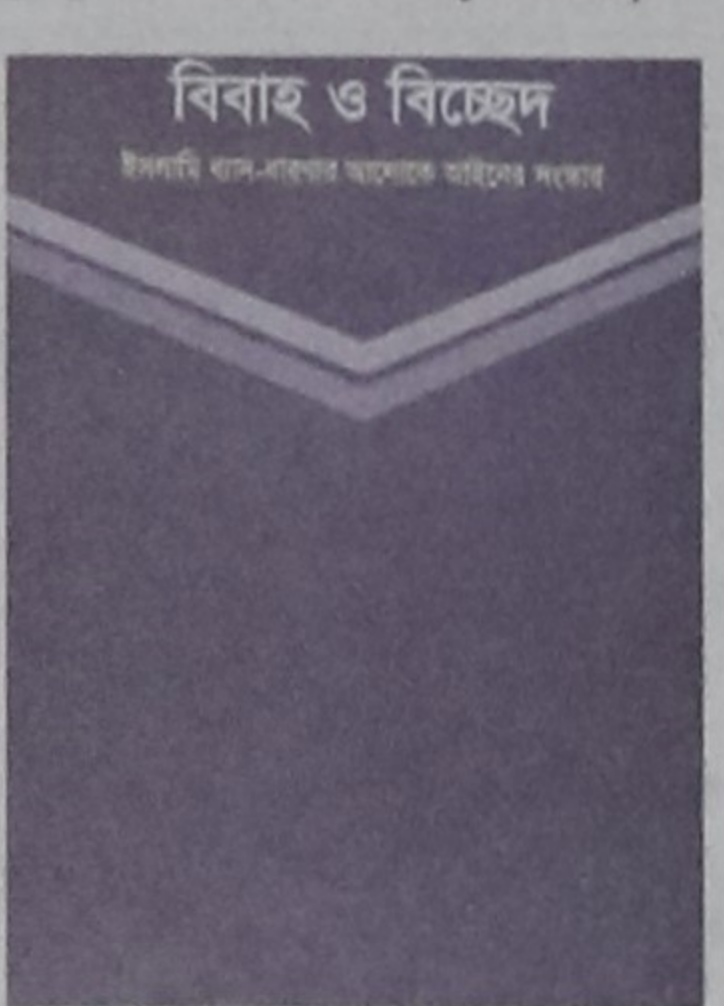
"Bad statements are for bad people (or bad women for bad men) and bad people for bad statements (or bad men for bad women). Good statements or for good peoples (or good women for good men) and Good people for Good statements (or good men for good women)." The author laments that despite all the directives in the Holy Quran, no significant impact is visible as yet in providing due status to Muslim women.

This chapter also refers to the western perception about woman's position in society. It also refers to the Chinese and Hindu conception of women's position as both once used to base their social system on patriarchy. Genesis 3:6 portrayed women as satans in female form whereas the New Testament avers that Adam was not deceived; rather woman was deceived, and later he became a sinner (1 Timothy 2)

Chapter II begins with reference to Ibn Rushd's *Bidayat al-Mujtahid* where he mentions the conflict between Sunnis and Hanafis concerning the guardianship necessary to solemnise wedding between man and woman. This tension arises because, as the author says, neither the Holy Quran nor the Hadith clearly prescribes any principle about the guardianship of someone as a precondition to marriage

This chapter is replete with judicial references which repudiate the due status of women and significance of their consent in formalising matrimony. The author refers to a Nigerian case in which a Muslim girl resorted to judicial action against her father

who had given her in marriage without her consent to one of three selected youths. The court declared the marriage invalid and allowed the girl to marry a man of her choice. The value of the bride's consent has been focused in Ayat no. 2:232 --- "And when you have divorced women and they have fulfilled the terms of their pre-



Bibaho O Bichhed International Law Book Services

scribed period do not prevent them from marrying their (former) husbands, if they mutually agree on reasonable basis."

Chapter III discusses issues regarding polygamy of men. Polygamy is often equated with Islam and disbelievers cite cases of polygamy as examples of male chauvinism in Islam and subordination of females by males. The fact is that Islam has never given

any licence to males to practise polygamy. Indirect restriction to polygamy has been enunciated in Ayat no. 4:3 of Surah Nisa: "And if you fear that you shall not be able to deal justly with the orphan-girls than marry (other) women of your choices, two or three, or four; but if you fear that you shall not be able to deal justly (with them), then only one or (the slaves) that you right hands possess. That is nearer to prevent you from doing injustice". It is practically not possible for men to ensure justice and equality in having several women as wives concurrently. The Prophet spent 25 years of wedded life with Khadija (R.) and married, as the author reports, a few divorced women (except Aisha (R)) on the ground of politics and communal harmony. Many Muslim countries, including Pakistan, Malaysia and Indonesia have either prohibited or controlled the practice of polygamy.

In Chapter IV, the writer discusses the rights of women to divorce men. It clarifies that both men and women have right to divorce their partners when any of the provisions of "Kabinnama" is violated; in other words, violation of the provisions of "Kabinnama" offers sufficient grounds to institute cases of divorce. Surah Al-Maidah (56:1) has hinted at the compulsion of complying in letter and spirit the commitment declared by the wedded partners in the Kabinnama.

Chapter V relates to the financial provisions of post-divorce condition. Surah Al-Baqura Ayat 2:236 and 2:237 and Ayat no 33:47 of Surah Al-Ahjab ensure the

financial security of women and when they will be divorced by their husbands. Laws enacted in Malaysia, Jordan, Syria, Egypt permit women to institute cases against men who divorce their wives unlawfully.

The last chapter unfolds the grounds on the reforms initiated by governments of different Muslim countries in the light of the Holy Quran and the Hadith. It is a recapitulation of what has been discussed in earlier chapters. It asserts that whatever anti women customs or practices have been in vogue in the Eastern and western hemispheres are not due to the Holy Quran and the Sunnah but because of the myths created by men-in-power to serve their own parochial purposes. The Holy Quran will remain as the original and perennial source of guidance to law-makers to rationalise relations between males and females towards building a harmonious society.

The references to judicial and non-judicial cases will act as sources of guidance not only to men and women but also to legal practitioners and opinion leaders. Through this publication, interested readers will obtain list of the statutes and statutory instruments of countries like Malaysia, Algeria, Egypt, India, Indonesia, Iran, Iraq, Jordan, Morocco, Pakistan, Singapore, Syria, Tunisia, The UK, and the US.

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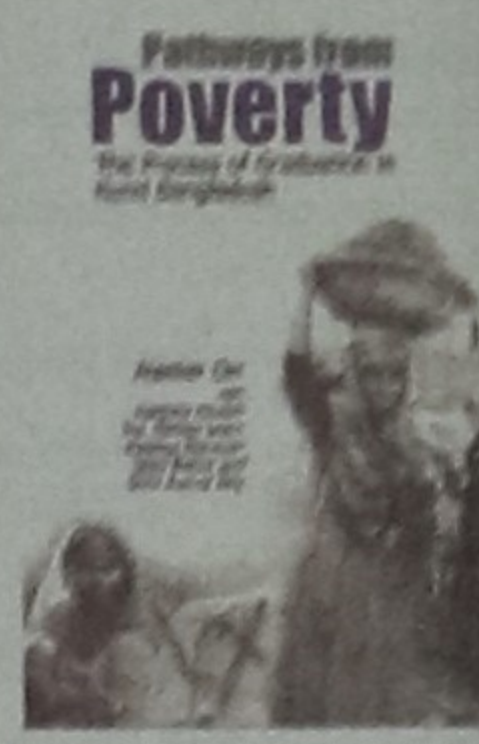
AT A GLANCE



Amar Shaat Doshok
Shilpopoti Anwar Hossain-er Attojiboni
Ed. Sayem Solaiman
Academic Press and Publishers Library

This is an insight into the life and thoughts of an industrialist. The work is rather unique in that not many in Bangladesh's business community have come forth with their memoirs. From that point of view, the book promises to track the course that Anwar Hossain has followed in the seven decades of his life.

Pathways from Poverty
The Process of Graduation in Rural Bangladesh
Alastair Orr, with others
The University Press Limited



This happens to be a work that teaches individuals to lift themselves out of poverty. How does a landless labourer become a small farmer or the owner of three rickshaws? That is one of the questions raised about the book. Obviously there are others. More important is the intriguing way in which poverty just might be handled. Read the book.

RAYMOND WILLIAMS
MARXISM
AND LITERATURE

Marxism and Literature
Raymond Williams
Oxford University Press



Really an old book that may well have gone out of print, this work is a journey back into an era when serious questions of literature and ideology were debated around the globe. And it is all very serious writing, of the kind that demands absolute scholarly attention. Go through it, if you can, and see how much you miss bygone times.

The Reader and the Writer
Essays Sketches Memories
Christa Wolf



International Publishers, New York

Another old work, but one that captivates you with its sheer intellectuality. It is a German writer who deals here with a variety of thoughts --- from Vietnam to Brecht to the extra-terrestrial and a number of other things. It will hold you spell-bound as you go back to times that will never be again.

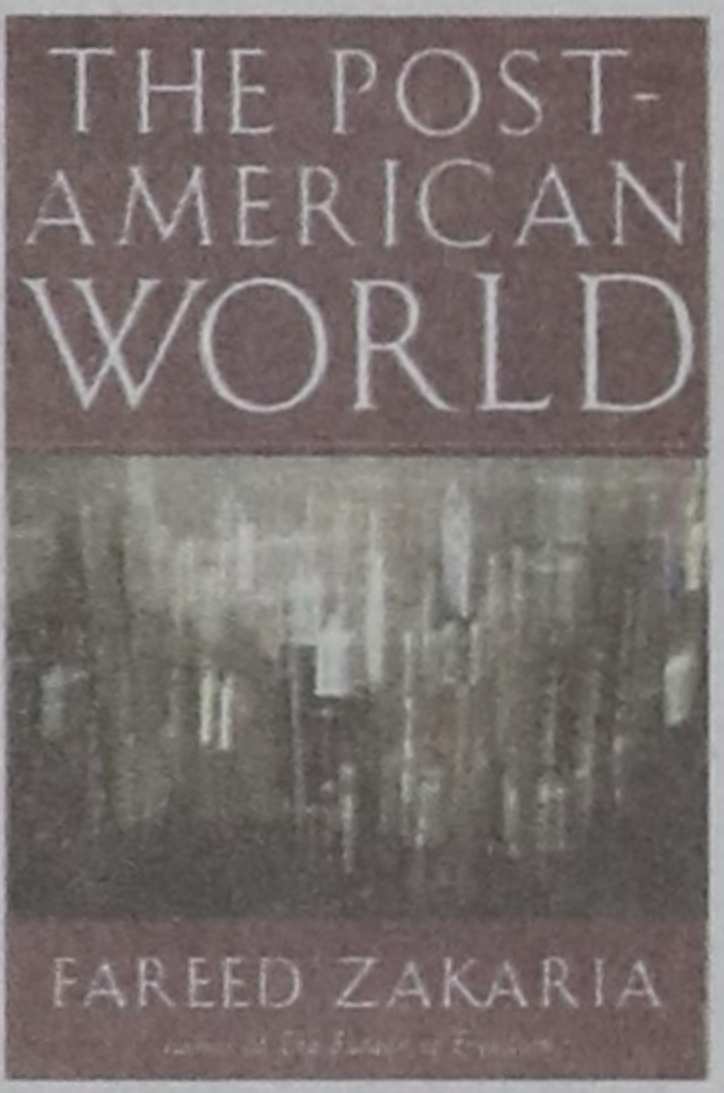
That large American shadow all over

Debnath Sajit Chandra finds a lot of sense in a work on the superpower

FAREED Zakaria's work is a masterpiece with great insights into the ever-changing 21st century world. This book is particularly significant when the US is suffering from multiple problems from anti-Americanism to unpopular wars in Iraq and Afghanistan, from disappearing dollars to the most-recent hit of subprime disaster and when the rest of the world is emerging with much more economic capability than the military capability which America enjoyed throughout the 20th century. Economic challenges have never been felt so harshly in world history as they are being felt in this 21st century. Zakaria's brilliance is that he did not simply prescribe the fall or decline of the United States. He has rather pointed out the phenomenon of the 'rise of the rest' and how this phenomenon is reshaping the 21st century world. He has argued how China and India can potentially become game changers in the economic gravity of the world. After World War II, Germany and Japan had shown even faster economic growth. However, like the US, both countries later suffered the bubble burst of price boom which halted the horrors of 20th century economic totalitarianism, centered into specific geographical location. But this time, as he argues, the scenario is different

because of the size of the economies of India and China, with a market of more than 2 billion people enjoying more than 7% GDP growth on an average since the 1990s. American output would still be about one-quarter of the world total as it has been for the past 125 years. Militarily the United States will remain one of the top players in the world as it has one of the most modern and highly equipped armed forces with a spending of almost as much as the rest of the world combined, with powerful allies in almost every corner of the world. So, Zakaria argues on the human capital development, indicating the fact that China and India produce 600,000 and 350,000 engineers a year to only 70,000 in the United States. However, if we subtract the 'auto mechanics and industrial repairmen' from the China-India total, the US still tops in training the most engineers per capita in the world. On top of that, many brilliant engineers produced in China and India find their fortunes in America. The most important point may be the quality of higher education in the US, a capacity that absolutely dominates higher education in the world with more than 50 percent of the world's top universities making the US the first choice for the most brilliant brains in the world.

America's brilliant multi-cultural society prioritizes skills, openness, innovation, opportunity and competition that basically give every individual the chance to flourish at his/her best. The best example may be Barack Obama's emergence as the first African American president. The same goes for Zakaria himself, a Bombay-born immigrant who got training in Yale and Harvard. It



The Post-American World
Fareed Zakaria
W.W. Norton & Company

indicates the unique and enduring strengths of a faltering America. So, immigrants, the ultimate secret American weapon, will keep the US ever young, giving the country an edge with youth energy compared to aging societies like Japan, China and Europe --- unless, of course, China or India becomes home to hungry masses yearning to be free to make their fortunes. That seems unimaginable at least in the 21st century. The US will remain the superpower in the coming years as it has shown superior capability to manage the 'rise of the rest' economically than it did against terrorism, which intensified anti-American sentiment. If the US can rebuild its good image throughout the world under an Obama presidency, it can potentially become a super-popular country while being the superpower both economically and militarily. Zakaria suggests what the US must do to retain its significance from choosing priorities for regaining confidence in the very things it has long celebrated --- free market, world-wide trade, immigration, and technological change --- to working closely with allies and agreeing on international rules of interaction to increase its legitimacy to the levels it enjoyed during the Clinton era. The US has to

change its last eight years' behaviour to become more of a 'global broker' than 'global police', as he argues, for involving itself in more consultation, cooperation, and even compromise. In this sense, the book can serve as a note to the incoming Obama administration. One can argue that the New York Times columnist Thomas L. Friedman made a similar argument much earlier in his book, *The World is Flat*. However, Zakaria's use of a wide range of areas such as economics, politics, foreign policy and culture provides a simple but complete portrait of a globalizing world rather than dealing with only technology change, as did Friedman. Naming the book *The Post-American World* may initially look sensible as we have experienced scholarly conflict naming this era the inter-war period, wartime, the post-cold war world. However, in his book, Zakaria argues not about the decline of the US but rather of the rise of others. The book is notable for its clear and simple logical analysis of many complex issues involved in a globalizing world where America will still play the role of a major superpower in the coming decades.

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REREADINGS

The age of decline may have arrived

Ditio Syed-Haq gets fresh insight into some old ideas

I couldn't believe it. Never in my wildest dreams had I imagined something like this would happen to me. Frustrated, anxious, irritable, I paced to-and-fro from shelf to shelf within the confines of our living room like a hungry tiger. Taking the narrow steps of our staircase two at a time, I proceeded to feverishly examine the contents of the collection in the upstairs den only to return crestfallen once again. The horrible reality of it all began to sink in. I had run out of books to read.

It was in a dark, dark mood that I perched myself on the barstool in our kitchen, mulling over this very fact while munching on a biscuit and nursing a cup of lukewarm tea. It was then that a little flutter out of the corner of my eye caught my attention. It turned out to be none other than Mrs Syed-Haq, her outstretched hand tentatively proffering to me what appeared to be a colourful little paperback.

Travel writing! The cynical side of me cocked an eyebrow while my curious side became, understandably, a little curious. Gingerly reaching out to take the volume in my hand, I turned it over to read the blur on the back cover, all the while trying to contain my horror.

It still had no books to read. "It's by a Scotsman writing about his travels in India" offered the missus somewhat timidly. Backpacker, I thought, my mind filled with images of straggly-haired hippies guzzling beer on a Goan beach and chomping on

ecstasy pills like they were going out of fashion as they shuffled to the beat of the latest Bollywood rave.

"I have a feeling you might even like it," she said hopefully, dragging me out of my reverie and causing me to return my gaze to the colourful item in hand.

I didn't have much by way of choice. I could either see what this Dalrymple fellow had to say or I could choose to starve -- in a literary sense, that is. I chose the former. And looking back, I'm grateful that I did because it opened my eyes to a whole new genre of writing -- an entire realm of undiscovered prose that I would have been oblivious to had Mrs Syed-Haq not the innate courage to approach a grumpy tiger.

My voyeuristic side demanded that I look up this author on the internet before I committed myself, a tendency I'm prone to whenever I come across someone previously unknown and I was pleasantly surprised to find myself landing on Dalrymple's personal site straight away. It appeared that almost everything this man turned his hand towards had won a prize. Moreover, he had written his first book at the mere age of twenty-two. Not a backpacker then, I mused as I settled down to read.

Two things about the book became apparent before I even reached the end of the first chapter. Firstly, that this author was every bit as good as people claimed he was. Secondly, that

this was not so much Travel Writing as Investigative Journalism with a twist. But whereas the latter is a genre that can lend itself to being clinical and dry, this book was anything but.

The Age of Kali, explains Dalrymple, is a concept from Indian cosmology which divides time into four epochs based on a traditional game of dice, each Age representing an increasing period of moral and social degradation for mankind. This Age, or Kali Yuga, represents the lowest throw of the dice, the lowest to which we can



The Age of Kali:
Indian Travels and Encounters
William Dalrymple
Fleming

descend. India is in the grip of this Age, he argues, and sets out to demonstrate this through a series of informative and thought-provoking essays that are the culmination of a decade of travels in the subcontinent. In his words, it is "an epoch of strife, corruption, darkness and disintegration".

What follows is a rollercoaster ride through the culture, customs and history of this magical land as Dalrymple snakes a trail from the north to Bombay via the deserts of Rajasthan, down to the south coast and Sri Lanka before ending all the way back up in Pakistan. He displays a power of observation that is not so much acute as razor-sharp and he puts across these observations with a satirical humour and wit that will leave you turning the pages long past bedtime.

But it is not all pleasant reading. Dalrymple covers sobering topics such as the practice of Sati along with the tenuous lifestyles of people for whom poverty, violence and war have become a reality of everyday life and he does this with an enthusiasm and gusto that is at once fearless as it is brave. Picture yourself taking notes and chatting away happily with a bunch of armed thugs and drug-addicts in the backstreets of Kawran Bazaar and you begin to get the picture. One cannot help thinking upon finishing this book that the Kali Yugi is indeed upon us.

Discover an entire city filled with widows, remote tribal villages where guns and ammunition are

on display in shops alongside jars of sweets and biscuits, ancient temples where the concept of blood sacrifice is kept alive and revel in the diversity of a land as diverse as Dalrymple's writing itself. I have assurance from reliable sources that travel writing on India is generally either gushing in praise or overly critical. This book I found to be neither and this was even more apparent in the sections where the author tackles issues such as the caste system without condescension or judgement and speaks of the horrors of partition without taking sides. It is apparent too in his reportage on the Tamil Tigers, an undertaking where he literally risks life and limb to provide the world with an insight into a secretive organisation never before witnessed by the world outside. Good thing he's a likeable chap or this book may well never have materialised.

Add to that some brilliant ethnic artwork by his wife, the artist Olivia Fraser and you just can't go wrong. All in all, an outstanding read. My only gripe -- the fact that he went into so much intricate detail on India and Sri Lanka, devoted a good few sections to the Bhutto regime and even Imran Khan while completely glossing over the wonders of our own Golden Bengal. Oh dear... here we go again.

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Puzzles and mysteries

Tulip Chowdhury likes a tale of twists and turns

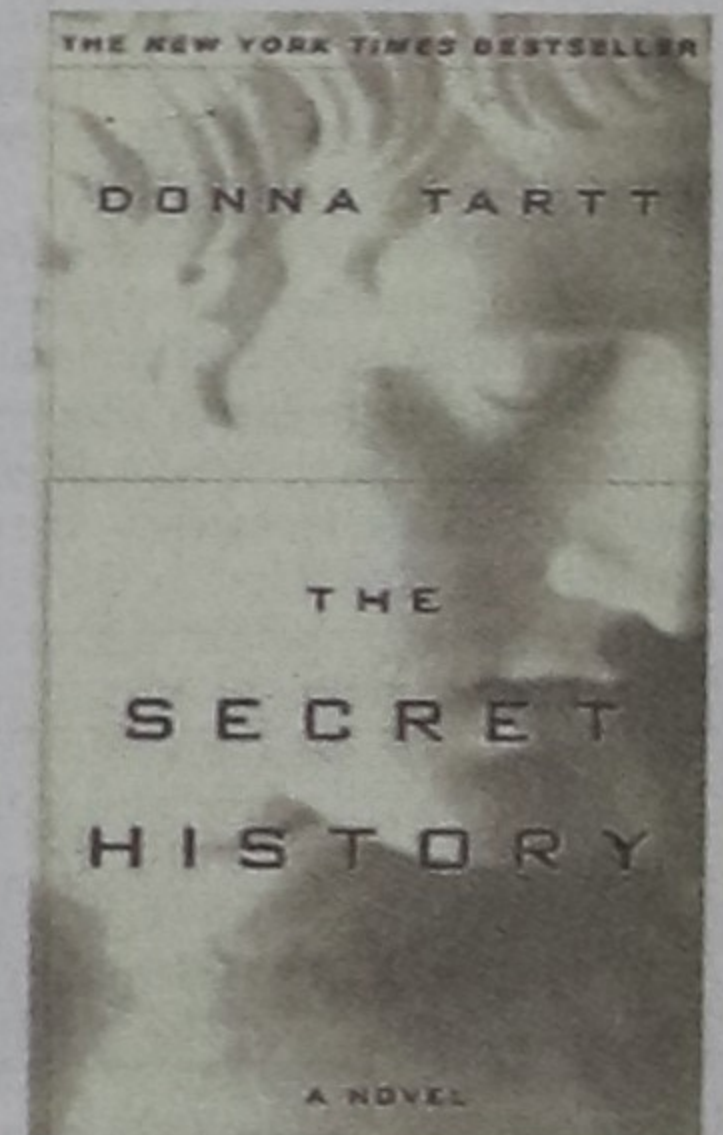
ANYONE who likes thrill and mystery blended into a well told story is certain to be completely immersed in this work by Donna Tartt. The book holds the reader in suspense with its saga of some students of Greek language, their involvement in some ancient rites, a secret society and a mystery topped with a murder. Richard Papan, a student in his twenties, finds himself full of insecurities and anxiety as he tries to settle down in Hampden College, Vermont. Coming from California, from a peaceful but hard up family, Richard finds many activities of his friends inexplicable. The twins Charlie and Camilla, Francis, Bunny and Henry, are the friends he has in Hampden. All of them attend the same Greek language classes. The friends are kind and are good to him. But he feels as if there is a veil hiding many of their doings. By accident he stumbles upon some secret ancient rites in which Henry, Francis, Charlie and Camilla are involved. On the same night of the ancient rites the murder of an innocent farmer is committed. Francis and Henry are ready to take Richard into confidence and come out with their secret. However, Bunny, the talkative one, the outrageous one suspects them of wrong doings. Bunny is the type who blurts out deep secrets when his temper flares up. Now Richard too feels as if he is a member of the secret. They have to hide the secret from Bunny, a secret that is hidden from the rest of the world. Any leaks and they might end up behind the bars. Richard used to think that life could be simple if one wanted it that way. But now Richard wonders aloud, "Does such a thing as 'the fatal flow', that showy dark crack running down the middle of life exist outside literature? I used to think it didn't. But now I think it does."

Richard finds life at Hampden perplexing. While Richard soaks into the life at Hampden he tries to hide the financial insecurities of his family. In winter when the dorm closes and his friends leave Richard finds himself in extreme hardships. His parents fail to send him any money. Depended on his scholarship he finds it hard to pay for his food and accommodation. He nearly faces death while living in an unheated room in the coldest month of Vermont. He gets bed ridden with pneumonia. His landlord, a hippie is well aware of the inhuman condition in which Richard lives but the total lack of sympathy of this man puzzles him. How can a human being remain so immune to sufferings right under the same roof? However the sudden arrival of Henry saves him just when he is fighting with death. Their teacher Julian also seems to

have some link with the hush, hush secret of Richard's friends. Richard finds himself mistrusting the teachers also.

The puzzling friends, the mysterious happenings and other secrets keep Richard's feelings, their involvement in some ancient rites, a secret society and a mystery topped with a murder. Richard Papan, a student in his twenties, finds himself full of insecurities and anxiety as he tries to settle down in Hampden College, Vermont. Coming from California, from a peaceful but hard up family, Richard finds many activities of his friends inexplicable. The twins Charlie and Camilla, Francis, Bunny and Henry, are the friends he has in Hampden. All of them attend the same Greek language classes. The friends are kind and are good to him. But he feels as if there is a veil hiding many of their doings. By accident he stumbles upon some secret ancient rites in which Henry, Francis, Charlie and Camilla are involved. On the same night of the ancient rites the murder of an innocent farmer is committed. Francis and Henry are ready to take Richard into confidence and come out with their secret. However, Bunny, the talkative one, the outrageous one suspects them of wrong doings. Bunny is the type who blurts out deep secrets when his temper flares up. Now Richard too feels as if he is a member of the secret. They have to hide the secret from Bunny, a secret that is hidden from the rest of the world. Any leaks and they might end up behind the bars. Richard used to think that life could be simple if one wanted it that way. But now Richard wonders aloud, "Does such a thing as 'the fatal flow', that showy dark crack running down the middle of life exist outside literature? I used to think it didn't. But now I think it does."

The Secret History is a psychological thriller that keeps the reader turning the page. As the rituals of the ancient rites surface



The Secret History
Donna Tartt
Ivy Books

there comes a touch of surrealism in the story. However the book contains some Greek sentences which throw the reader into some confusion if he or she does not know the language. The character of Bunny, abusive and untrustworthy makes the reader wonder why he was accepted as a friend in the circle of these scholars. Even the protagonist Richard too seems to hold a character that is too simple for his roles. He seldom has any opinion of his own but seems to dance to the tunes set for him. Maybe the protagonist is supposed to have the coming of age roles. Still there is a feeling that a more commanding role from the protagonist might have given the story more sparks.

Tulip Chowdhury is a poet and teacher.