Marriage, Money and Divorce in Medieval Islamic Society

High rates of divorce, often taken to be a modern and western phenomenon, were also typical of medieval Islamic societies. By pitting these high rates of divorce against the Islamic ideal of marriage, Yossef Rapoport radically challenges the usual assumptions about the legal inferiority of Muslim women and their economic dependence on men. He argues that marriages in late medieval Cairo, Damascus and Jerusalem had little in common with the patriarchal models advocated by jurists and moralists. The transmission of dowries, women's access to waged labour, and the strict separation of property between spouses made divorce easy and normative, initiated by wives as often as by their husbands. This carefully researched work of social history is interwoven with intimate accounts of individual medieval lives, making for a truly compelling read. It will be of interest to scholars of all disciplines concerned with the history of women and gender in Islam.

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Marriage, Money and Divorce in Medieval Islamic Society

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To my parents, with love
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Glossary

awlād al-nās
collective term for the children of the mamlūk military elite.

faskh
judicial divorce, or annulment of marriage, by an Islamic court.

fatwā, pl. fatāwā
legal opinion issued by a muftī, often as a result of a petition or enquiry.

hīl bi l-tālāq
oath on pain of repudiation; divorce oath.

iqāţ
a right to land revenue held in return for military service.

jihāz
dowry or trousseau, the property brought by the bride into a marriage.

khānqāh
a Sufi lodge, often associated with prayers for the dead.

khul
consensual separation, in which a husband grants a divorce in return for monetary compensation.

mamlūk
a slave, member of the military elite.

muftī
a jurisconsult, a learned man who delivers legal responsa (fatāwā).

mut'a
compensation sometimes paid to a divorcée following unilateral repudiation.

nuzūl
the practice of handing down an office or position, usually from father to son.

qūdī
a judge in an Islamic court.

qasāma
a sworn undertaking registered in court at the instigation of the authorities.

ribāţ
a Sufi lodge, often reserved for female mystics.

ṣadiq
dower; the groom’s marriage gift, usually divided into advance and deferred payments. Also called mahr.

taḥlīl
making permissible; marriage with the intention of permitting the bride to a husband from a previous marriage.

tālāq
divorce achieved through unilateral repudiation by the husband.

ta'wīd
compensation for a widow in lieu of a deferred marriage gift.

zāwiya
a Sufi lodge, often associated with male followers of a mystical order.

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Abbreviations

AI  Annales Islamologiques
BSOAS  Bulletin of the School of Oriental and African Studies
IJMES  International Journal of Middle Eastern Studies
ILS  Islamic Law and Society
JAOS  Journal of the American Oriental Society
JESHO  Journal of the Economic and Social History of the Orient
MSR  Mamluk Studies Review
SI  Studia Islamica