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This is a comparative anthropological study of the problems facing women in the family law courts of Morocco and Iran. Unlike most recent studies of Muslim family law, Mir-Hosseini focuses on the conflicts of real people, not on texts. The book's greatest strength lies in its dramatic and moving vignettes of women struggling to cope with a legal system that severely restricts their rights—especially with respect to divorce.

Marriage on Trial is apparently a revised version of the author's Cambridge Ph.D. dissertation. Mir-Hosseini did her fieldwork in Tehran between 1985 and 1988, each year for a total of three months, and in Morocco for a total of 11 months between September 1988 and December 1989 (p. 17). She spent most of her time listening to trials, examining court records, and interviewing lawyers, notaries, judges, and the women whose cases she was following.

Mir-Hosseini is Iranian and a Sayyid (a descendant of the Prophet Muhammad). This helped her in both Iran and Morocco. She notes that:



Being a woman not only eased any political tension (women are not taken that seriously) but allowed me easy contact with women litigants, seeing the law from their viewpoint. Undoubtedly, all these factors, as well as my own experiences of two divorces under Islamic law, have tinted my perception (pp. 17-18).

Mir-Hosseini clearly knows the world she studied in a way that no English or American anthropologist could. She does not discuss her own divorces, but one would guess that they led her to choose the subject of her dissertation research.

Mir-Hosseini notes that in Morocco, where men can divorce their wives without going to court, they are outraged when forced to appear before a judge.

A man will stand in front of the judge with his head up and argue his case, expressing fury at his wife's impertinence for petitioning against him. Women, despite comprising the bulk of petitioners, seem lost and hesitant; sometimes a woman will hand in a petition without a signature, written by a public scribe (p. 29).

In Iran, where both men and women need a court's permission to register a divorce, behavior in the courtroom is different.

Women appear confident and outspoken. Some of them do not hesitate to articulate their views on the injustice of a law by which, they are treated as second-class citizens. This is largely the legacy of the pre-revolutionary reforms...(p. 30).

In both Iran and Morocco, most litigants in cases involving family law are poor and illiterate. This is especially true in Morocco (p. 30).

Mir-Hosseini contrasts two remarkable cases involving middle-class Iranians. In the first case, a young woman requested a divorce on the grounds that her husband, a journalist, beat her regularly. Several times, she had to spend the night in the parking lot behind their apartment building because he locked her out and she could not go anywhere without "her veil," that is, without the various forms of clothing the Islamic Republic considers proper Islamic dress. Women who show any of their hair or who are in any way improperly dressed can be whipped 74 times. (For some reason, Mir-Hosseini fails to mention this crucial fact.)



The first time the young woman in question took her husband to court in March 1985, the husband promised not to beat her again. However, he continued to hit her and she went back to court. This time, the judge asked her to substantiate her claim that her husband beat her by means of witnesses or medical records. She could not do so. Since her husband insisted he did not want a divorce, the judge would not grant her one.

On March 17, 1987, after two years of litigation, the judge denied the woman's request for a divorce on the grounds that she had provided insufficient proof of mistreatment. She appealed the case and provided a medical report attesting that her hearing had been impaired because her husband had struck her ear. Two of her maternal uncles testified that they had seen her bruises after she had left her husband to return to her parents' home. On July 19, 1988, after more than three years of litigation, an appeals court ruled that the woman had still not provided sufficient evidence of mistreatment and denied her request for a divorce (pp. 67-70).

A very different case concerned another middle-class Iranian woman, an architect, who requested a divorce on the grounds that her husband had made her work in his restaurant when they lived in the United States. She said this was "incompatible with her family standing and education" (p. 70). She got her divorce.

Thus the woman who was regularly beaten by her husband could not obtain a divorce. But the woman whose husband shamed her by making her work in a restaurant "in the land of the infidels" obtained a divorce with relative ease (pp. 70-71).

Mir-Hosseini notes that it is hard for an Iranian woman to prove that she has been harmed by her husband. Men do not usually beat their wives in front of witnesses.

While Mir-Hosseini's stories are wonderful, some of her generalizations do raise a few questions. On p. 115, she states that in both Morocco and Iran, men can divorce their wives without providing any grounds for the divorces they seek. Yet on the following page, she presents a table entitled "Iran: Stated Reasons for Seeking a Court Divorce." According to this table, 82 percent of Iranian men (54 out of 66) seeking divorces in Tehran in 1987 gave "disobedience and lack of cooperation" as their "stated reason for seeking a court divorce." If men do not have to provide grounds for divorce, where does this information come from? Moreover, it is only by comparing Table 4.1 on p. 116 with Table 2.1 on p. 59 that we know that Mir-Hosseini is referring to "marital dispute cases" in Tehran in 1987. This kind of information should be included in her tables. Another



confusing error occurs on p. 59, where Mir-Hosseini writes that “92 per cent of men gave their wives’ ‘lack of obedience’ (‘adam-i tamkin) as reasons for seeking divorce.” We learn from the table on p. 116 that the correct figure is 82 rather than 92 percent. This is a minor error, but one that should have been caught by a copy editor.

On p. 117, Mir-Hosseini presents a table entitled “Morocco: States Reasons for Divorce,” according to which 79 percent of Moroccan men (38 out of 49) gave “disobedience and bad behavior/temper” as their state reasons for divorce. Again, if men do not have to provide grounds for divorce, how is it that these numbers exist? Mir-Hosseini says in her Introduction that her data from Morocco refers to “closed cases of the year 1987” (p. 17). This information should be indicated on the table on p. 117. Readers cannot be expected to have remembered this.

Mir-Hosseini asserts several times that the divorce rate in Morocco is higher than that of Iran (pp. 16, 160). But this reviewer could not find any data on divorce rates in either country. The index does not include “divorce, rates of” or “rates of divorce.” The book also lacks a list of tables even though there are twenty-four of them.

Such problems notwithstanding, however, Mir-Hosseini has written a valuable book. The stories of Iranian and Moroccan women trying to obtain divorce, custody, and in some cases “real” marriages, are unforgettable. *Marriage on Trial* should be read by everyone interested in Islamic family law and the status of women in the Islamic world.