

no difference among the various schools: all share the same conception of marriage. If they differ, it is to the extent to which they translate this conception into legal rules.

In its legal structure, marriage (*nikah*) is a contract of exchange, with fixed terms and uniform legal effects. Its essential components are the offer (*ijab*), which is made by the woman or her guardian (*wali*), the acceptance (*qabul*) by the man, and the payment of dower (*mabr* or *sadaq*), a sum of money or any valuable that the husband pays or undertakes to pay to the bride before or after consummation. With the contract, a wife comes under her husband's *'isma* (dominion and protection), entailing a set of defined rights and obligations for each party—some supported by legal force, others by moral sanction. Those with legal force revolve around the twin themes of sexual access and compensation, embodied in the concepts of *tamkin* (submission) and *nafaqa* (maintenance). *Tamkin*—defined as unhampered sexual access—is the husband's right and thus the wife's duty; whereas *nafaqa*—defined as shelter, food, and clothing—is the wife's right and the husband's duty. A wife is entitled to *nafaqa* only after consummation of the marriage, and she loses her claim if she is in a state of *nushuz* (disobedience).

The contract establishes neither a shared matrimonial regime nor identical rights and obligations between the spouses: The husband is sole provider and owner of matrimonial resources and the wife is possessor of *mabr* and her own wealth. The only shared space is that involving the procreation of children, and even here the wife is not legally compelled to suckle her child unless it is impossible to feed it otherwise. Likewise, only a man can enter more than one marriage at a time (four permanent contracts in Sunni schools of law; and, in Shi'a law, as many temporary ones as he desires or can afford). Only the husband can terminate each contract at will: He needs no grounds and neither the wife's presence nor her consent. Wives can, however, through the insertion of stipulations in the contract, modify some of its terms and acquire, for example, the right to choose the place of residence or to work, or the delegated right to divorce if the husband contracts another marriage.

Muslim jurists claim that this construction of marriage, based on their readings of the sacred texts, is divinely ordained. But marriage as lived and experienced by Muslims involves a host of customary obligations and social relationships that have always gone far beyond juristic constructions. Some of these are rooted in the ideals of the *shari'a* and enjoy its moral support, though they are not reflected in legal rulings. In Muslim societies, marriage in practice not only creates a matrimonial regime but takes a wide range of forms, varying according to customary practices, individual inclinations and characters, the social origins (rural/urban, class) of the partners, and their economic resources. Men's unconditional legal rights to divorce and polygamy are often checked in practice by social mores, the pressures of the extended

family, and the stigma usually attached to both polygamy and divorce.

With the emergence of modern nation-states and the creation of modern legal systems in the early part of the twentieth century, the juristic rules of marriage were selectively reformed, codified, and grafted onto a unified legal system (as in most Middle Eastern and Asian Muslim countries) or were left intact to be applied by Islamic judges (as in most African and Persian Gulf countries). Turkey was the only state in the Muslim world to introduce a Western code to replace juristic rules, though these continued to govern marriages in rural areas and among religious groups. In most Muslim countries during the twentieth century, as women's access to education and work, and consequently their aspirations for equality, increased, so did the gap between juristic and social notions of marriage widen. On the whole, until the rise of political Islam in the 1970s, marriage was acquiring a more egalitarian legal structure in the Muslim world. More recently, the patriarchal juristic model has been widely reasserted. Despite wide-ranging variations and changes in practice, the jurists' notions continue to dominate both the reality of marriage in contemporary Muslim societies and debates about the issue. Not only do most Muslims believe the juristic conception to be divinely ordained, but it informs the legal rules in most Muslim countries.

An image of a young Muslim couple in traditional wedding attire appears in the volume two color insert.

See also **Divorce; Gender; Law; Mahr.**

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MARTYRDOM

The idea of martyrdom in Islam is rooted in the fact that from the beginning of the religion, Muslims died in the struggle to establish and expand the Islamic state, and their deaths in the course of this struggle were remembered and celebrated. The

Qur'an encourages martyrdom by assuring believers that death is illusory: "And say not of those slain in God's way, 'They are dead'; rather they are living, but you are not aware" (2:154).

God also promises ample rewards to those who die *fi sabil Allah*, "in the way of God":

Count not those who were slain in God's way as dead, but rather living with their Lord, by Him provided, rejoicing in the bounty God has given them, because no fear shall be on them, neither shall they sorrow, joyful in blessing and bounty from God, and that God leaves not to waste the wage of the believers. (3:169–171)

Other passages elevate death in the course of struggle for Islam (e.g. 3:157–158, 4:74; 9:20–22; 47:4–6; and 61:11).

Martyrdom in Early Islam

While the idea of martyrdom is clearly rooted in the Qur'an, the technical terms for martyr, *shahid*, and for martyrdom, *shahada*, arise from a different context. When the term *shahid* appears in the Qur'an, as it does frequently, it never means martyr, but only "witness," in the legal sense or in the ordinary sense of "eyewitness." The extension of the meaning of *shahid* to martyrdom was likely a borrowing from Syrian Christians for whom the connection of martyrdom with an act of witnessing was deep rooted and reflected in linguistic usage. The terms *martyrs* in Greek and *sabda* in Syriac both carried the dual meaning of witness and martyr, and A. J. Wensinck and Ignaz Goldziher plausibly argued that the Arabic *shahid* is borrowed from the Syriac.

This connection between martyrdom and witness made sense to Christians, for the Christian martyrs were those who witnessed by their manner of death to the reality of heaven and the inevitable victory of God. But for Muslims the connection was a stretch for the simple reason that the Qur'anic idea of death in the way of God required no act of witnessing. Muslims were thus left with the uncomfortable problem of discovering a link between the two ideas, and they came up with a variety of creative suggestions: Martyrs are called "witnesses" because their souls witness Paradise, their deaths are witnessed by angels, they will serve as witnesses against those who rejected God's prophets, Muhammad will be a witness on their behalf at the Day of Judgment, or their wounds will testify to their exalted status in the afterlife. The awkwardness of these suggestions, as Keith Lewinstein points out, suggests that later Muslims had no idea why the two ideas came together and that the connection had to be invented to explain linguistic usage.

Early Islamic martyrdom, then, was an inevitable corollary not of witnessing to the truth but of struggling on its behalf. Thus jihad, or struggle, provides the chief context for

the earliest ideas of martyrdom in Islam. Accounts of the earliest Muslim martyrs reflect this context. The martyrs most celebrated in biographies of the Prophet are those who threw themselves into battle with courage and abandon. Ibn Ishaq's account of the Muslim victory at Badr (623/624 C.E.), for example, is peppered with accounts of martyrdom. In one account, 'Umayr was eating some dates when he heard the Prophet promise Paradise to any who died in battle. At this he immediately flung the dates aside and threw himself into the battle exclaiming, "Is there nothing between me and entering Paradise save to be killed by these men?" Another Muslim, 'Asim, asked Muhammad, "What makes the Lord laugh with joy at His servant?" Muhammad answered, "When he plunges into the midst of the enemy without mail." At this 'Asim threw off his mail coat, plunged into the battle and was killed.

Incentives for this kind of battlefield martyrdom are colorfully elaborated in the tradition literature. Martyrs are first of all spared from the normal pain of death. They then proceed directly to the highest station in Paradise, without waiting for the Day of Judgment, and without enduring interrogation in the grave by the angels Munkar and Nakir. Once in Paradise they share the place closest to the throne of God with the prophets, wear jeweled crowns, and are each given seventy *houris* (virgins of paradise). Martyrs are purified of sin and do not require the Prophet's intercession—indeed, according to some traditions, martyrs are themselves second only to the prophets as intercessors.

While fighting unbelievers on the battlefield has remained a basic and consistent emphasis in Muslim understandings of martyrdom, conflicts within the Muslim community took the idea in new directions. Martyrdom was an especially potent ideal among some Kharijite Muslims who called themselves *shurat*, or vendors, in reference to Qur'anic praise for those who sell their earthly lives in exchange for Paradise (4:74; 9:112). The idea of deliberately seeking martyrdom (*talab al-shahadat*) by "selling" one's life came to be especially associated with Kharijites. One Kharijite ideologue, for instance, exhorts his followers to strive against "the unjust leaders of error, and to go out (*kburyu*) from the Abode of Transience to the Abode of Eternity and join our believing, convinced brothers who have sold (*ba'u*) this world for the next, and spent their wealth in quest of God's good pleasure in the final reckoning" (Lewinstein, 2002, p. 85). As this exhortation makes clear, the conflicts that provided the Kharijites with opportunities for martyrdom were not struggles against unbelievers, but struggles for justice and purity in the Muslim community. More importantly, martyrdom was not merely an inconvenient by-product of struggle for which the martyr needs to be compensated, but a goal worth pursuing in its own right.

The Shi'a and Martyrdom

Internal struggles within the *umma* also shaped the construction of martyrdom among Shi'ite Muslims, for whom the

death of the Prophet's grandson Husayn became the defining event of their history as a community. Husayn was martyred in 680 at Karbala in Iraq when his small band, accompanied by women and children, was attacked and massacred by the army of the Umayyad ruler, Yazid. Shi'ite interpretations of Karbala took Muslim ideas of martyrdom in completely new directions. Husayn's suffering and death came to be seen not just as an individual contribution to the struggle against injustice, meriting individual reward, but as a deliberate redemptive act of cosmic significance. By choosing martyrdom Husayn ensured the ultimate victory of his community and earned the place of mediator for his people. Martyrdom became such a central value for the Shi'a that all the Shi'ite imams were held to have been martyrs, and the major ritual and devotional expressions of Shi'ism are celebrations of martyrdom.

Types of Martyrdom

To celebrate martyrdom is not the same as to seek it, however. Shi'ite scholars were happy to revere Husayn but they resisted the impulse to emulate him. In this they were part of a broader scholarly tendency to dilute the value of martyrdom. In the hands of mainstream scholars, both Sunni and Shi'ite, the category of martyr was enlarged to include many kinds of death, including drowning, pleurisy, plague, or diarrhea. According to other traditions martyrs also include those who die in childbirth, those who die defending their property, those who are eaten by lions, and those who die of seasickness. A special category of martyr is made up of those who suffer the pangs of unexpressed and unrequited love, patiently keeping their passions concealed to death. The trend culminated in the transference of the value of martyrdom to other pious acts, so that death was no longer the most important prerequisite. The band of martyrs came to include anyone who conscientiously fulfills his or her religious obligations, those who engage in the "greater jihad" against their own evil tendencies, and, significantly, scholars who engage in the "jihad of the pen." According to one well-known hadith, the ink of the scholars will outweigh the blood of the martyrs.

The incongruity of equating battlefield martyrs with victims of unrequited love or those who died quietly in bed did not go unnoticed by legal scholars. Thus battlefield martyrs are put in a special category as "martyrs in this world and the next" and are honored with special burial rites. The martyr's body, in most circumstances, is not washed; he is to be buried in the clothes in which he was killed. Some hold that no prayers over the martyr are necessary since he is automatically purified from sin. The lesser categories of martyrs are "martyrs of the next world" meaning, chiefly, that they are not eligible for special burial rites but must be satisfied with divine approbation and the rewards of Paradise.

Even if battlefield martyrs retained a special status, however, the trend in medieval Muslim treatments of the subject

was to render the major benefits of martyrdom common currency, readily available to any pious believer. Several characteristics of medieval Islam contributed to the trend: the pervasive influence of Sufism with its characteristic focus on the spiritual value of an act rather than its externals, scholarly quietism in reaction to the militancy of the Kharijites and other Islamic rebels, and the simple fact that opportunities for martyrdom in the struggle against unbelievers were severely diminished after the initial century of conquest.

Outside the definitions of martyrdom discussed in the legal literature, an independent tradition of martyrdom was kept alive among Sufis. The paradigmatic Sufi martyr was Ibn Mansur al-Hallaj (d. 922), who was crucified by Muslim authorities in Baghdad on the charge of blasphemy. Al-Hallaj, along with other Sufi martyr heroes like Suhrawardi (d. 1168), 'Ayn al-Qudat (d. 1131), and Ibn Sab'in (d. 1269), died the victim of his own inordinate love for the Divine, thus exemplifying the Sufi ideal of extinction in the Divine and acting out the tragedy of the mystic lover, caught between the conflicting demands of love and law. This style of martyrdom belonged to the spiritual virtuosi, however. For the ordinary Muslim, the benefits of martyrdom are only experienced secondhand, by visiting a martyr's shrine, or *mashhad*, or for Shi'a, by reenacting the passion of Husayn in *ta'ziya* celebrations during the month of Muharram.

Militancy and Martyrdom

The sublimation of the martyr ideal in pious devotion has continued in Muslim societies, but the modern experience has also given some Muslims abundant reason to revive more militant ideas of martyrdom. Modern Muslim treatments of martyrdom have been intertwined with changing attitudes toward jihad, and are shaped by reaction against the quietism of the medieval tradition. Whereas for medieval jurists both jihad and martyrdom were spiritualized and internalized, the colonial experience suddenly gave the idea of militant struggle new relevance. Thus a common early response to colonialism was the emergence of anticolonial jihad movements like that of Sayyid Ahmad in India. Nineteenth-century Muslim apologists and modernists like Sayyid Ahmad Khan (1817–1898), Chiragh 'Ali (1844–1895), and Muhammad 'Abduh (1849–1905) departed from the medieval tradition in a different way by reinterpreting jihad to accord with Western preconceptions. Jihad, the modernists argued, amounts to no more than the right of a state to defend itself against attack. The effect was to encourage a secularization of martyrdom whereby any soldier who died for his country could be counted a martyr.

Against both the quietism of medieval scholars and the apologetics of modernists, revivalists have called for a return to militant jihad and a revival of the ideals of physical martyrdom. Hasan al-Banna (1906–1949), founder of the Muslim Brotherhood and a celebrated martyr in his own right, offers a stirring invitation to martyrdom:

Brothers! God gives the *umma* that is skilled in the practice of death and that knows how to die a noble death an exalted life in this world and eternal felicity in the next. What is the fantasy that has reduced us to loving this world and hating death? If you gird yourselves for a lofty deed and yearn for death, life shall be given to you . . . Know, then, that death is inevitable, and that it can only happen once. If you suffer in the way of God, it will profit you in this world and bring you reward in the next. (Hasan al-Banna, 1978, p.156).

For al-Banna and other revivalists, waging jihad is held to be an individual duty (*fard 'ayn*) of all Muslims. It is thus incumbent on every Muslim to prepare him- or herself for martyrdom, and it is on the basis of this duty that al-Banna calls on Muslims to become skilled at dying and to master “the art of death” (*fann al-mawt*). Since all must die, the wise will learn how to get the most benefit out of the exchange (Q. 4:74). Such advocacy of martyrdom echoes the ideology of the Kharijites and comes close to encouraging the seeking out of martyrdom, *talab al-shabada*, a practice condemned in classical scholarship. The recent pattern of suicide bombings sponsored by militant Islamic movements, many of them offshoots of the Muslim Brotherhood, fits comfortably into the framework of the call of Hasan al-Banna to be “skilled in the practice of death.”

Modern Shi'ite treatments of martyrdom have tended to run along parallel lines, emphasizing the ideological value of martyrdom. When an individual gives his or her life for a cause, according to 'Ali Shari'ati (1933–1977), this life becomes valuable in proportion to the value of the cause for which it is spent. A martyr expends his or her whole existence for an ideal, and that ideal is given life through martyrdom. Martyrs thus exchange their lives for something greater and more lasting, leaving behind a permanent and valuable legacy. Similarly, Ayatollah Taliqani (1910–1979) invokes the Sufi poet Jalaluddin Rumi (1207–1273) to argue that martyrdom is part of a chain of sacrifice whereby the imperfect is perfected. Just as vegetation is eaten by a lamb and becomes flesh and blood, so a martyr loses his existence to partake in a higher cause.

These justifications for martyrdom are clearly modern in their emphasis on the ideological value of martyrdom. Such ideas have more than theoretical relevance. Modern conflicts in Palestine, Afghanistan, Kashmir, Chechnya, Iraq, and Iran have produced a large crop of martyrs, along with a huge volume of popular literature celebrating their deeds. Consequently, activist and militant forms of martyrdom tend to be the most visible and dramatic expressions of the idea in the modern Islamic world. The prominence of such militant forms should not, however, be allowed to obscure the continued importance of other enduring expressions of martyrdom in popular devotion and especially in Shi'ite ritual.

See also **Banna, Hasan al-; Expansion; Husayn; 'Ibadat; Imamate; Jihad; Kharijites, Khawarij; Ta'ziya.**

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MARWA, MUHAMMAD (D. 1980)

Muhammad Marwa (Maitatsine) was a Qur'anic teacher from Cameroon in West Africa who followed *shari'a* (Islamic law). After he moved to Nigeria, his teachings inspired a religious, millennial revolt against the government in the northern province of Kano in 1980. A mystic, he resembled the Mahdi of Sudan in that he claimed revelatory knowledge, which supplemented, and even superseded, the teachings of the prophet Muhammad. In 1979, he apparently declared himself