

LUDWIKA WŁODEK-BIERNAT

Women's Rights in Muslim Countries

Temporary Marriage—how Modernization May Limit Women's Rights

Interview with Homa Hoodfar*

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Ludwika Włodek-Biernat: What is urfi, Egyptian temporary marriage?

Homa Hoodfar: *Urfi* means traditional. But it is misleading. There is nothing like urfi in history. This kind of marriage begun popular in last 10, 15 years. Groom and bride, in secret go to a local religious leader to register their marriage. Generally they have a witness, but it is not necessary. Sometimes the mullah gives to the groom a certificate confirming the marriage.

This is also against tradition. Traditionally the marriage certificate should be given to the bride's family. Today the three copies are made: One for the bride, second for the groom and third is left in the office where the marriage is registered.

What are the other differences between urfi and traditional marriage?

Traditional marriage is an arranged marriage. The decisions are taken by both families. The young couple has very limited influence. They might only be asked whether they agree to marry the other person. Their parents take care about the rest. They set up the date, they invite guests. Before the marriage, bride's mother negotiates with the groom or his family how the couple's future life will look like. Whether the wife will be allowed to go to work, and what will be her household duties. She may even insist that for the first few years of marriage her daughter uses contraception.

The couple doesn't have to respect all the setting till the end of their marriage. The point is that somebody much more experienced—the mother—sets the rules of the game. Besides in some more traditional communities it is unacceptable that a young girl directly negotiates some issues with her boyfriend. In Egypt during first years of marriage people never talk about sex or money.

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And in urfi woman is left alone. If there are problems in her marriage there is nobody to help her.

So why women agree for this kind of marriage?

Urfi is not obligatory. Generally both sides really want this marriage. The most common urfis partners are young, idealistic students. They are afraid that family won't accept the partner they have chosen or they are not ready to make the feeling public. But still they want their relationship to get a kind of religious legitimacy.

Such people do not realize all the challenges of being married. They are in love and think it will always be so.

Do couples have sex after urfi?

Sex is often the main reason for such a marriage. But it not necessarily means that all the couples have sex after urfi. Sometimes the young are so religious that they wouldn't even go out with a person of different gender. Urfi gives the religious legitimacy they need. Thanks to it they feel authorized to hug and spent time together.

Why urfi became so popular?

It is not an easy task to get married in Egypt. The couple has to have a lot of money to buy a house and furnish it. Even renting a flat is expensive because you have to pay a huge deposit. People get engaged and than they keep waiting for many years until they can afford all that. This is only when they get married.

But young people want to be together. They have their sexual needs, they want to enjoy their love. This is pretty understandable.

Could we compare urfi with having a girlfriend or boyfriend in the West?

More or less, but the consequences are much more serious in case of urfi. When people only hang out together and their relationship is over they have no commitments. Although urfi is a marriage, religiously authorized.

Most of women who decide for urfi are relatively independent and consider themselves liberated. However urfi might have very negative consequences for them.

When taking a decision about urfi people generally plan to get married afterwards. I.e. after they graduate. But very often their relationship is over before it. And than women find themselves in a very difficult situation. They can not marry anybody else before they get divorced. And how to get the divorce if the marriage is not registered and it is the man who has the only confirmation of its existence? How to prove that they were married and had no unauthorized sexual relationships?

Why they just don't get married for the second time if no one knows about the urfi taken in confidence?

These are mostly religious women and they don't want to do anything against religion. Islam does not accept polyandry.

Is there any public debate about urfi in Egypt?

In last several years a lot famous, well educated women revealed their urfi marriages in order their urfi husbands recognize children from such relationships. It provoked a huge debate. Lawyer of one of such husbands declared that his client can not be forced to make a DNA test.

After a long campaign launched by women's rights defense organizations the courts accepted to give divorce for women after urfi and facilitated the paternity recognition process

According to some statistics there are more than 50 thousands children from urfi marriages in Egypt. It proves that urfi is much more popular that one could expect.

And what is the attitude of Islamic authorities toward urfi?

Some consider that from the religious point of view everything is legal. Others declare urfi to be against Islam because according to the Koran marriage has to be taken openly. In Islam there is no one centralized religious authority. There is nothing like pope in Catholicism. And in situation when there are a lot of opinions concerning one issue everybody chooses the one which matches his needs. Generally it is the man who decides what is good and gets along with tradition. And urfi is definitely good for men.

How is urfi related to the obligation that woman has to be virgin before getting married?

The obligation of keeping virginity comes not from Islam itself but from tradition. However in Egypt there is an assumption that a woman getting married for the first time is virgin. If a woman had an urfi relationship which is over and she is not virgin anymore she tells about it her future husband. Sometimes woman also inform their family about the fact but it is less common. For husband it is crucial that as few people as possible know that his wife was not virgin before marrying him.

Keeping secret is easy because temporary marriages are very rare in traditional social strata. Generally a woman after urfi, talks to her next boyfriend and only afterwards the couple goes to talk with her parents. If the boy does not accept her not being virgin he just doesn't ask to marry her.

What else has changed in Egyptian marriage customs except urfi?

Before, when a girl was marrying a boy from the same village her parents were sure that they will be well informed about how is her life after marriage. Today a woman after marriage finds herself in a totally new environment. Consequently a fiancé has to buy everything before marriage in order his parents in law may see in what conditions their daughter will live.

This new tradition dates from the 70. This is why men after getting engaged very often leave for Gulf countries to earn money before they get married.

The necessity of mah—money that husband gives to his wife at the moment of marriage—has however its advantages. If mah is big enough woman may use it as a playing card. She may say to her husband: if you give me the divorce (women have no rights to ask for it) I will give you the mah back.

If the law treated women as equal to men a big mah wouldn't be necessary. In urfi there is no mah and it makes men even more untouchable. Women have no means to make pressure on him

In shia Islam there is something similar to urfi, isn't it?

Sigheh—Iranian temporary marriage is a bit different. It is taken for a strictly defined period of time. After let's say six months the marriage is automatically considered over. There is no problem of divorce. Also children from such a relationship are automatically considered legal. In Iran man can not avoid a DNA test when woman declares that the child comes from a temporary marriage. It is not her duty to prove that he is the father, it is him who has to prove that it is not his child.

What are the other differences in marriage customs in both of these countries?

Traditionally Egyptian women have more rights in marriage. I.e. They could decide who to marry. It was particularly so in lower social strata. Higher classes treated marriage as contract and women had little to say.

In Iran women were not allowed to decide who to marry. Today it is not like that anymore.

There were times in Egypt when woman played a much more important role at home and in life of the whole community. I don't find something similar among poor social classes in Iran. In today's Iran woman have more and more rights but it is not connected to the tradition. In Egypt the tendency is opposite. The role of women in local communities diminishes. When a husband used to spend all his time with the community, other women from the community could intimidate him, when he was not good for his wife. They could accuse him that he is not a good husband, that he doesn't care about children, doesn't give money for the household and so on. Nowadays man is not so dependent on the opinion of his neighbors. His place of work, his colleagues are far from the place where he lives. Families are getting more nuclear, the local communities have lost their role. And this modernization, not accompanied by changes in legal system, paradoxically has a negative impact on the situation of women.