

Fatima Mernissi, Beyond the Veil: Male-Female Dynamics in a Modern Muslim State. New York: Halstead Press, 1975. \$12.50 (paper \$5.95)

Vanessa Maher, Women and Property in Morocco. New York: Cambridge University Press, 1975. \$14.95

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It is a rare occurrence for the student of Middle Eastern law and politics to discover two books about women, custom, and (occasionally) law in the Arab world, surfacing at the same time. And it is a social scientist's pleasure to find that those volumes complement one another in the sense that they describe and analyze different aspects of male-female socio-political relations for the same restricted geographical space in the Middle East -- Morocco. Fatima Mernissi deals with how Moroccans' notions of male and female sexuality have formed the foundation of certain of the laws and customs that regulate women's lives and still do. Vanessa Maher examines how economic standing and social milieu affect sexual politics--the strategies that men and women use, the decisions that each sex makes, and the leverage that each sex enjoys. Neither book explicitly bills itself as an analysis of law and/or social control, but each in its own way provides data regarding these issues, by outlining the differential freedoms and constraints that Moroccan men and women experience.

From the standpoint of providing fresh insights into Moroccan family law, Mernissi's volume makes the greater, more controversial contribution although, as will later be seen, it falls short in important ways as a political analysis. Its contribution lies in its examination of the foundations of Muslim family law as it deals with male-female relations. Family law continues to be Muslim religious law in Morocco and, unlike Moroccan penal and commercial law, for example, has remained relatively impervious to change. This tendency, it should be noted, is not unique to Morocco; rather it recurs in most Middle Eastern nations. In some areas (e.g., the Persian Gulf) Muslim family law has remained essentially intact; in other regions (e.g., Tunisia, Egypt) reformers have had to resort to legal sleights-of-hand in instituting change. In all cases, reform has met with strong and vocal opposition.

In encountering this Moroccan and greater-than-Moroccan phenomenon, one necessarily asks why such tenacity occurs within that particular legal sphere. Past answers have tended to focus upon the family as a core social institution. Mernissi, however, shifts

focus and looks to the sexual dyad within the family and therein finds an additional, perhaps deeper, reason for maintaining laws and customs that, among other things, permit polygyny, limit the timing of women's remarriage, and give men control over whether their women may work or indeed venture outside of their homes.

Mernissi attributes such laws and customs, which segregate and seclude women, to Moroccans' felt-need to keep males and females apart. Since husbands can legally take as many as four wives simultaneously, she argues (without sufficient evidence, I think, for polygyny is a rare phenomenon in Morocco) that they are less apt to develop strong attachments to any one spouse; since men tend to keep women out of the public workplace, men more nearly preserve their workspace as a male haven. As to ultimate cause, it is religious, much as the historical outlines of Middle Eastern law would lead us to suspect: since sexuality is seen as a disruptive and explosive force, heterosexual unions are felt to threaten religiosity by competing with the man-God relationship.

While Mernissi seeks to explain why the laws and customs that constrain women are tenacious, Maher describes how women deal with and seek to offset constraints. She particularly focuses upon the impact of other-than-legal restrictions. Most Moroccans, for example, consider it immoral for a woman to work outside of the household, and marriage is often an oppressive and unreliable institution in a woman's view. Women thus not only enjoy limited access to the economic resources of the marketplace; they also experience conjugal insecurity. Maher examines the resources that women utilize in attempting to minimize these vulnerabilities, particularly the development of supportive compensatory relationships with female neighbors and kin.

The strength of Maher's volume lies in the fact that while describing Moroccan women's ingenuity in molding their futures, she also describes the vulnerability that necessitates such an effort and the powerlessness that results when resources, such as supportive relationships, are lacking. In particular, one realizes that women's success in overcoming legal disabilities is largely contingent upon factors beyond women's control. This point is substantiated through a comparison of women's sexual politics in urban, semi-urban, and rural settings, although it is not explicitly made. Rural women, for example, are often able to flee to nearby kinfolk should their marriages prove difficult; they often hold inheritance rights in land and so have an excuse for maintaining ongoing relationships with their kin. Urban women, by contrast, are more likely to take their inheritance in the form of marketable capital which their husbands thereafter administer; they may be forced into lives of seclusion or semi-seclusion as a sign of their husbands' status. Through the force of circumstance, their economic viability decreases, and their support networks dwindle. Such data provides indirect insights into Moroccan law as it is practiced in different settings: it helps explain when particular procedures (e.g., divorce) are apt to be utilized, and the reasons why the content of certain legal negotiations (e.g., dowry size in

marital contracts) differs from setting to setting.

In effect, Maher demonstrates an understanding not only of how sexual inequality is counteracted in Morocco but also how it is sustained through the potent combination of law and custom. Mernissi evades this critical problem, and therein lies the weakness of her volume. She assumes that because men avoid women, women hold considerable power over them, whereas the realities of Moroccan heterosexual life are quite the opposite: because Moroccan men fear women's sexuality, they legally restrict women to a narrow, vulnerable, and denigrated sphere.

To varying degrees, directly and indirectly, Mernissi and Maher attempt to define the role of legal and extra-legal mechanisms in maintaining power differences between men and women in a strongly male-dominant society. Having in some sense defined this, both seek to describe the contexts in which those mechanisms are used or not used, bolstered or undermined. What results in both cases is an analysis of the extent and limits of social control in Morocco. As the Middle Easternist quickly realizes, many of their insights help explain the continuance of male-dominant systems within the Arab-Muslim world generally.