The intriguing study of cultural traditions — to discover what is “Romantic” about the nineteenth century, or “Guinea” about Guinea-coast art — is considerably obstructed, as I have already suggested, by Armstrong’s insistent use of metaphor at all levels, a practice that corresponds to his rejection of the analytic importance of symbol. What has happened is that in the process he has arbitrarily objectified art. Much of what he has to say about metaphor has been stated before by others who do use the rubric of symbol and sign. The notion of “universal metaphor” is dangerously close to a reification of imagination. Thus it is not at all clear why drama is art, but social relations or ritual not; or why sculpture (presumably “statues”), but not decorative tools; or dance, but not all intentional kinetic movement. Armstrong’s several original and intriguing ideas are all but neutralized or driven into obscurity by his tendency to invent neologisms and his failure to relate to other writers on the same subject. One would think that particularly an exploratory theoretical work like this should situate itself with respect to such anthropological writers on art and aesthetics as Boas, Schapiro, or Maquet; on symbol systems as Geertz and Fernandez (who have things to say about metaphor); on myth as Lévi-Strauss; on form and metaphor as Barthes.

There may be more to this book than meets the eye. But it is buried deeply beneath such neologisms as “what-ness,” “affecting-presence-in-transaction,” “presence-ness,” “Guineaism,” and the like. This reviewer at least considers such writing unfortunate and indefensible, particularly for an editor!

University of Kansas
Lawrence, U.S.A.

JOHN M. JANZEN


In the first instance the title of this book, Women and Islamic Law in a Non-Muslim State, is misleading. There are a number of non-Islamic states in which Islamic law figures prominently, for example Indonesia, India, Ethiopia might be expected to be considered in this work, but in this case identifying the state is critical to the content of the book. The non-Muslim state is Israel and the women whose relationship to Islamic law is being considered are Palestinian women, although there is no actual reference to the Palestinian nationality in the book. The author was Deputy Adviser on Arab Affairs to the Prime Minister of Israel from 1963–66 and is currently a lecturer at Hebrew University. The fundamental premises of the book are the same as those implemented in official Israeli policy, that traditional Arab society is being transformed for the better by contact with a modern, western society. This book cannot be properly understood outside of the context that Arab women and Islamic law are being studied by one who was close to the inner ruling circles in Israel where some of the most sensitive and explosive relations between people anywhere in the world exist.

Studies of the operation of contemporary Shari’a or Islamic courts are rare. Layish has provided us with a detailed study of the current status of the Shari’a courts in Israel as amended by Israeli Knesset legislation. There are

sections dealing with marriage and divorce, dower, polygamy, custody, guardianship and succession, all of the traditional areas of the Islamic law of personal status. What is not traditional in this situation is the intervention of non-Muslim state officials to reform Islamic law.

After 1948 the Shari'a legal system was integrated into the general judicial system of Israel. The qadis or judges were appointed by the President and had to pledge allegiance to the state and make decisions in accordance with general Israeli law (p. 1). The subordination of the Shari'a to state law, the relegation of Islamic law to one of personal status only, the granting of semi-autonomy to the legal system yet maintaining control over judicial appointments and legal decisions are all characteristic of colonial policy in Africa where British or French rule was imposed on Islamic or customary legal systems. These features are all present in the Israeli case, and the reality we are faced with is a socio-legal relationship typical of colonizer and colonized.

It is not surprising, therefore, to discover frequent areas of resistance on the part of the Shari'a judges and on the part of litigants. For example the qadis were unwilling to recognize the Knesset legislation that provided for the dissolution of a marriage when the bride was under the age of 17 years. They refused because this principle was not recognized in the Islamic body of law (p. 209). Similarly the judges failed to implement the Knesset Succession Law of 1965 which equalized inheritance for women with men under the Women's Equal Rights Law. Arab women responded to this legislation with indifference, if the number of court cases is a measure of interest and concern. Generally speaking the author had to conclude that the qadis were bound more by the traditional Shari'a in their decisions than by the Israeli Knesset reform legislation. So the Israeli efforts to "modernize" Arab society has not been successful on the whole from the point of view of the law of personal status. Women's rights and equal rights emerge from struggle – they cannot be presented as gifts from an "enlightened" colonial power. I might add that similar efforts to reform Islamic and customary law in the former African colonies met with similar lack of success.

What changes has the Israeli Knesset proposed and by what ideas were they motivated. The marriage age was legislated at 17 years for a woman; unilateral divorce by men was made a criminal offence; polygamy was outlawed; there were efforts to limit excessive dower; inheritance was equalized and other reforms were suggested. At the time of the debates in the Knesset regarding these modifications there were protests and Knesset member. E. Habibi, a Christian and a communist, argued that the appropriate place for introducing reforms in the Islamic law was not the Israeli Knesset. The approach was that reform itself is not inappropriate, but it must be discussed and decided within the Islamic community.

During the debates on polygamy in the Knesset, the Prime Minister addressed the assembly with the point of view that, "We regard polygamy as an insult to the human race, an insult to the Muslim woman as a human being" (p. 86). From these words it is apparent that the Israeli state and its legislative apparatus, the Knesset, viewed Arab custom, as reflected in Islamic law, with something less than objectivity. It is ironic since orthodox Jewish law, rooted in similar Semitic history and culture, offers women little more in terms of equal rights.