

Marriage contract

In the Sept. 24 issue of *The Gateway*, Mr. John Savard made the following remarks: "Thus, while the Islamic countries seem very backwards in their treatment of women, as they rely upon the direct strategy whereby (women could be drafted "into marriage, say while they were 12-year-old girls with no opportunity to withhold consent) unlike squeamish Anglo-Saxon, under Islam women have long enjoyed the right to own property and run businesses, rights which are only decades old in our part of the world." While this last statement is correct and universally accepted today, the former statement concerning compulsion to early marriage of minors is incorrect because of the following reasons: 1) In terms of the marriage of minors, given the racial plurality of Muslim society, the need for social integration, and the high value of sexual purity and virginity, it may become understandable why Islam set no age limits on marriage. Preliminary arrangements of marriage may have been made at an early age, but consummation of marriage usually took place when the parties were fit for marital life, usually at the age of puberty. However, the lawfulness of such marriages does not necessarily mean that they were predominant. Nor were they peculiar to any society, region, or generation. In any case, Islamic law prescribes that all marriage arrangements must be made in the best interest of the minors involved. Islamic law made this possible by (1) Designating a guardian, usually the father; (2) The father is chosen as the guardian not only because of the parenthood, but also because of a good sense of judgement and conscientiousness; (3) Minors were given the so-called "option of majority" i.e., a minor who has reached the age of puberty is free either to uphold or annul a marriage contract that was concluded on his or her behalf while in minority. Taken together, these measures seem to suggest that, in the final analysis, the minor's interest and welfare are the focal point of Islamic law.

As regards compulsion in marriage, certain writers tend to simplify or polarize the problem of consent, a problem both complex and multifaceted. Social reality is probably never so simple or dichotomous as these writers indicate. From an Islamic standpoint, compulsion in marriage is probably more imaginary than real, even in the case of the minor. In the light of the Traditions of the Prophet, according to the companions of the Prophet, according to many Muslim jurists, and in the spirit of Islamic law and common interest, the girl's consent is a necessary condition for the validity of her marriage. This is not to say that there are no other jurists of a different view. However, these jurists do not represent the majority view of Islamic jurisprudence. In any case all jurists agree that it is at least commendable, though some hold it necessary, for the father to seek the consent of his maiden daughter before he gives her in marriage. This is what the Prophet said and did with his own daughters. Islamic history is full of narrations where Muslim women refused to marry even Califs. the most famous case is that of a daughter of Abu Bakr, the first Muslim Calif (d 634) who refused to marry Umar (d 643) because he was leading a life of austerity and was strict with women. The only case when the legal right of compulsion can and ought to be fully exercised is in the case of fear that a woman will engage in sexual misbehaviour. Here public morality and the individual's own integrity take priority over personal freedom when they come into conflict.

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Case of Christianity

There seems to be a popular notion around which I think needs to be challenged. I am about to state my views on religious toleration. I write as an evangelical Christian. (Notice I didn't say I am a fundamentalist Christian. There are more right wing than I. I will include the fundamentalists under the term evangelical just for convenience.)

Recently, I have seen several instances where evangelical Christianity is called intolerant. A letter appeared in *The Journal* on Sept. 21 from a member of the Ahmadiyya Muslim Association commending the Archbishop of Canterbury for admitting that other religions, aside from Christianity, contain religious truth. He said that "Krishna, Zoroaster, Moses and Jesus and many others were true prophets of God." Because evangelical Christians cannot accept this, they are intolerant.

Another example appeared in *The Gateway* last week, when minister Michael O'Kelly stated that, rather than think about all the information in today's world, fundamentalist Christians become dogmatic. Such dogmatism insulated them from ever having to consider other religious views.

Ron Gitter's Commission on Tolerance and Understanding enforces my point. After scouring the province's school systems for any sign of prejudice or intolerance, they came to the conclusion that intolerance is concentrated in Christian schools. The examples could go on and on. The point is, however, that because evangelical Christians take a certain stance, they are labelled intolerant.

I will admit that there are multitudes of cases throughout history of bigotry and prejudice being practised in the name of Christianity. But Christians don't have a corner on intolerance. The Ahmadiyya movement is a despised heresy in the eyes of an orthodox Muslim. The Baha'i too, are under persecution from Islam. (Just ask Mona.) Liberal Christianity has little time or patience, and I might even add understanding, for men like Jerry Falwell. But enough digression.

Right wing Christianity is labelled intolerant because it claims to have the truth. Such Christians do not hold that the truth is determined by majority opinion, nor do they hold that a statement and its negation (A and nonA) can both be true. I'm sure that many Christians would love to be democratic and say that sincerity is really needed.

Christianity — at least my Christianity — is based on the incarnation of God himself as a man, and his dying as my substitute. He took my deserved punishment, and the punishment for the sins of the whole world. After three days he rose from the dead as a public demonstration that his death was sufficient payment.

I have discussed Jesus' death with a member of the Ahmadiyya Muslim Assoc. He told me that Jesus never really died when he was on the cross, but escaped to Arabia, got married, raised a family and died at a ripe old age. Toleration or no toleration, we cannot both be right. One of the contributors to the Bible faced arguments such as this. Paul's reply was that if Christ didn't rise from the dead, "our faith is futile; we are still in our sins... we are to be pitied more than all men." (I Corinthians 15:17-19). All of the Christian's eggs are in one basket. If Christ's resurrection isn't the truth, Christianity is up the creek.

The key question is this: Is the story of Jesus really the truth?

This question needs to be examined. Is the Bible a reliable historical document? Are there any contemporary writings which compare to it? Why are there not conflicting accounts? Surely Jesus has enough enemies that they would have disproved the story if they could have. Did anyone have the ability or the motives to come up with an ingenious plot that has deceived millions for almost two millenia? The questions can go on. From the research I have done, the evidence falls on the side of evangelical Christianity.

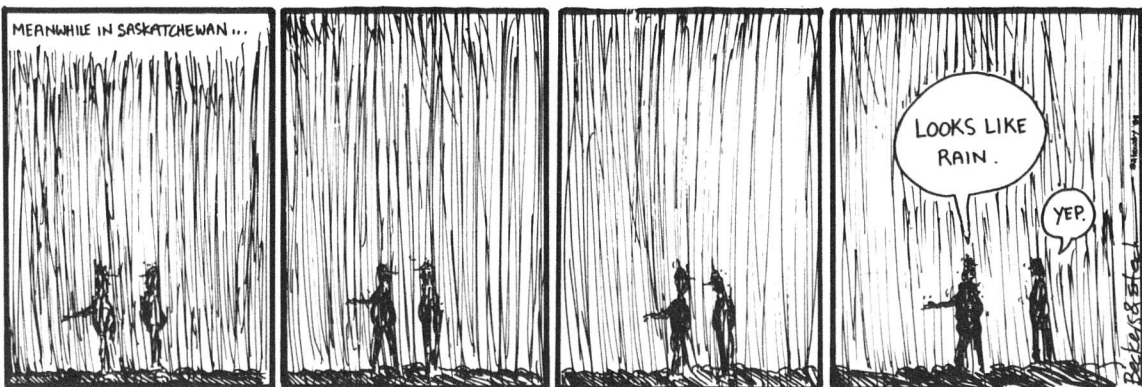
When one checks out the facts, he has to make a choice. Making a rational decision based on the evidence is not being intolerant, it is being intelligent. When one makes up his mind and they refuse to examine or to try to understand opposing views, he is being intolerant. Evangelical Christianity has done the former, not the latter. Now what about the rest of you?

Jon Arnold
Education II

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