

Missionaries to Muslims League.

NEWS AND NOTES, SERIES III, No. 9. January 1915.

A NEW YEAR GREETING.

From the Rev. H. U. Weitbrecht, Ph.D., D.D., Church Missionary Society, London.

I have been asked by the editor (whose temporary withdrawal through ill-health is so greatly regretted by all members of the League) to send a message of greeting to them for the New Year 1915. I do so very heartily, counting it both an honour and a pleasure thus to be brought into touch again with many old friends and to be introduced to new ones.

During the three years that I have spent in starting the work of the Board of Study for Preparation of Missionaries much attention has naturally been devoted to the study of non-Christian religions and how to deal with them practically. In the course of this one has realized how Islam touches almost every Mission Field and dominates not a few. But one has also been forcibly reminded how scanty is the equipment with which most Missionaries are provided in order to deal with this great system. None have lamented this more or been keener to supply their deficiencies than the Missionaries on furlough who took part in our preparation courses. It may well be that this great war will limit some of our activities for the time being. If so, may this not be meant to afford us time for thoughtful reading and preparation which is so hard to compass amid the ordinary demands of our work? The Bibliography for Missionary Students (Oliphant, 1/- net) supplemented by the Bulletin of Studies (published with the Student Movement in October, January and April) will help the reader, and my successor, the Rev. J. Steele, D.Litt (2 Church Crescent, Muswell Hill, N.) will be gladly ready to give advice and information as to lectures for Missionaries on furlough.

The "Mosque Mission" at Woking still attracts occasional attention. I gave an account of it in the *Moslem World* for April last. Attempts made to get hold of children in a "Sunday School" I am told failed. Some outsiders attend Sunday lectures in the little mosque, attracted by curiosity. Two families of uncertain reputation have attached themselves to it. The leaders manage to get favourable notices of their doings inserted in one of the local papers; but this has also given me opportunity for replying to their pretensions in a series of letters. Khwaja Kamal-ud-Din claims some two dozen English converts: some of them ladies married to Moslem husbands. With the exception of the erstwhile Unitarian, Lord Headley, it is difficult to find out exactly who and what these persons are; but it is obvious that, as in the case of Swami Vivekananda and his New Hindu

propaganda, so with the present Ahmadiya Mission, there will be found persons who are on the lookout for some new things and will take up with one that meets their taste. The October number of the *Islamic Review* (the last to hand) contains comparatively little controversial matter; but several articles on the war, written in a tone of fervent loyalty.

Before these lines appear much may have happened in the course of the great world war. The intervention of Turkey, under German pressure, against the Allies who rule five-eighths of all the Moslems of the world¹ must complicate the situation both politically and religiously, though the *Haj*, for one thing, has taught Muslims under which powers they are best governed and protected. The Christian Missionary will need more than ever the gift of heavenly wisdom, of highbred courtesy, and of Christian charity, without any slackening of evangelistic zeal. We have to "buy up the opportunity, because the days are evil."

I offer as a motto to fellow-workers in India, with cordial greeting and earnest prayers, the words Preparation and Perseverance.

THE LEGAL STATUS OF MARRIED CONVERTS FROM ISLAM.²

The question of the legal marriage status of Muslims who embrace Christianity is an exceedingly important one for all Missionaries who work amongst the followers of Muhammad. Cases are constantly arising where the Muslim husband or wife adopts the Christian faith, and, later, seeks to marry into the Christian community. Not infrequently the Muslim husband sues his erstwhile companion in wedlock for restitution of conjugal rights, or in other ways seeks to harass the new convert to Christianity. Sometimes a baptized married convert is advised by well-meaning Missionaries to continue to live with the Muslim husband or wife, as the case may be. It will thus be seen how important it is that the question of the legal status of such converts should be clearly understood; for if the Muslim law, as administered in Indian law-courts, means anything at all it means that a convert, who continues to live with his Muslim wife, would be living in adulterous connection with one with whom no legal marriage bond existed.

The Muhammadan law, as interpreted and administered in India, is to the effect that "A change of religion (on a Muslim's part) is a cancellation of marriage", or, as another ruling describes it, "Apostasy dissolves marriage at once without the interference of the *Kazi*." The current of Indian decisions on the subject has been uniformly to this effect.

Whilst, however, the opinions of eminent juriconsults have been unanimous so far as male apostates are concerned, there is a small body of opinion in favour of restricting the operation of this law in the case of female apostates. This body of opinion, which is represented in India by Mr. Amir Ali, late Judge of the High Court in Calcutta, is based upon certain rulings of Dubasi and Saffai, two eminent jurists of Balkh and

¹ Roughly 122 million out of 201 million; see estimate in *Moslem World*, April 1914, p. 147.

² This article only deals with the Hanafi law as administered in India,

Samarkand. These latter urge that when a Muslim wife abjures Islam for a revealed religion such as Christianity, no cancellation of the marriage takes place, because (1) according to Muhammadan law marriage between a Muslim male and a *Kitabia* female is lawful, and, therefore, transference of belief from one *kitab* to another does not involve any dissolution of the marriage, and (2) that as females do not come under the operation of the Muhammadan law which declares the life of a male pervert from Islam to be *mubah* or free to be taken by anyone who chooses to do so, it should not be held that their apostasy dissolves marriage. It is interesting to note here that the Ahmadiya sect in the Panjab adopts this view, and its leaders have argued at length in their magazine which is published at Qadian to secure the restriction of the operation of this law to male apostates.

The weight of authority, however, in favour of those who would apply the law to male and female apostates alike is so great that the Indian law-courts have invariably followed the latter when such cases have come before them. The authorities chiefly relied upon by the learned judges in coming to their decisions have been Baillie's *Digest of Muhammadan Law* and Wilson's *Anglo-Muhammadan Law* which are based upon standard treatises on Muhammadan law such as the *Hidayah* and the *Fatwa-i-Alamgiri*.

Another standard Indian law-book is one by D. F. Mulla, M.A., Law-lecturer, Bombay, entitled *Principles of Muhammadan Law*. On p. 170 he writes thus:—"Apostasy from the Muhammadan religion of either party to a marriage operates as a complete and immediate dissolution of the marriage. The marriage is, in such a case, dissolved without a divorce."

Some years ago an interesting case occurred in Calcutta of a Muhammadan girl who was married when four years of age. When about ten, she went to her husband's home, but her marriage had not been consummated when her mother and brother became Christians and took her away. Four years later she, also, was baptized. Later on when it was desired to marry her to a Christian, the Missionary concerned approached the Senior Marriage Registrar for an opinion as to whether such a marriage would be legal. The latter consulted the Legal Remembrancer of Bengal, who replied as follows:—

"With reference to your No. 435 of the 4th instant, I have the honour to say that, on further consideration, I am of opinion that under the Mohammedan law a marriage between two Mohammedans would be *ipso facto* cancelled on the conversion of either of them to Christianity. The principle laid down in pages 275-277 *Sharayat Islam* has thus been summarized by the author of the Tagore Law Lectures of 1874 on page 346:—"A change of religion is a cancellation of marriage, not a talaque or divorce." To the same effect see page 344 Tagore Law Lectures:—"If one of two spouses should apostatize from the Muhammadan faith before connubial intercourse has taken place, their marriage is cancelled on the instant, and the right of dower becomes extinct if the apostasy is on the wife's side."

"In the circumstances of the present case, the Bengali girl may marry under Act XV of 1872 with the consent of her mother, who seems to be alive, she being a minor under 21."

The tendency in Indian law-courts is more and more in the direction of following precedent in such matters. It may be well, therefore, before closing this brief article to quote one or two test cases which may be cited in support of the position set out above.

In 1905 a married Muhammadan woman of the Panjab, named Hasan Bibi, embraced the Christian religion and left her Muhammadan husband.

The latter then applied for and obtained a decree for the custody of Hasan Bibi's person, but when he applied for execution of the decree he was met by the objection that as she had embraced Christianity she was no longer the decree-holder's wife. The lower courts sustained the defendant's objection, and the case was carried on appeal to the High Court of the Panjab, which concluded a lengthy ruling as follows:—

“After giving the matter our best consideration we are unable to hold that the view that apostasy causes dissolution of marriage, which is laid down by eminent Muhammadan jurists and in standard works on Muhammadan Law, and is supported by the authority of Abu Hanifa himself, the founder of the school, and his distinguished disciple Abu Yusuf, is an incorrect statement of the law, and that the opinions of Saffai and Dubasi and others is the correct one.

“We further hold that there is nothing to show that the latter is accepted as law by Hanifite Muhammadans in India as a body; that British courts cannot undertake to pronounce what should be the law in accordance with the spirit of the Koran and other sources from which Muhammadan law has been derived, but must administer what is accepted and acted on as law in the community in British India, and that we are unable therefore to depart from the doctrine followed in the precedent cited.

“The result is that the appeal fails, and is accordingly dismissed with costs.”

Another case which attracted a great deal of attention in India, and is bound to be cited in all future analogous cases, is that of a married Muslim woman named Mussamat Saman who renounced Muhammadanism in favour of Christianity, and left her Muhammadan husband in consequence. The latter, Amin Beg, then sued her for restitution of conjugal rights. Both the lower courts dismissed the suit as unobtainable, and the plaintiff then appealed to the Allahabad High Court. The learned Judges of the High Court in the course of their judgment quoted a number of authorities to the effect that conversion of either a Muslim husband or wife to Christianity effected a dissolution of the marriage. They therefore ruled that no suit for restitution of conjugal rights could stand. The judgment concluded thus:—

“We find ourselves unable to disregard the authorities in support of the view taken by the courts below and depart from the course of decisions hitherto prevailing.”

The appeal was dismissed with costs.

Numerous interesting and important points emerge from this Muhammadan law, not the least important of which is the question of dower. The *Hidayah* (Hamilton's translation, Vol. I, p. 182) decrees that “If the apostasy is on the part of the husband, his wife is entitled to her whole dower, when he has had carnal connection with her, or to half her dower in defect of this. And where the apostasy is on the part of the wife, she is in like manner entitled to her whole dower if her husband has had carnal connection with her, but if not, she has no claim whatever either to dower or alimony, because the separation is, in this case, a consequence of her own act.”

The same authority, in the same chapter, lays it down that if the husband and wife apostatize together the marriage tie is not dissolved so that in the case of a return together to Islam no new marriage ceremony would be necessary. Sir Roland Wilson, however, in his work on *Anglo-Muhammadan Law*, p. 156, says that, “It seems that the effect of either of

both of the parties to a Muhammadan marriage renouncing the Muhammadan religion is to dissolve the marriage *ipso facto*, so far as the British courts are concerned, leaving it open to the parties to solemnize a fresh marriage under the Christian Marriage Act XV of 1872, according to circumstances." If this expression of opinion be correct, then it would seem that when a Muslim husband and wife embrace Christianity together they should be at once remarried according to Christian rites.

Enough has been written to show the importance of the whole subject, but space will not allow of a fuller treatment here. For the convenience of Missionary readers we give below a number of references to High Court rulings in India which will be found of great value in any analogous case with which they may be connected.

- Musammât Khan Bibi *v.* Pir Shah : 134 Punjab Record, 1884.
 Allah Bakhsh *v.* Mussammât Amir Begum : 61 Panjab Record, 1899.
 Nowroz Ali *v.* Mussammât Aziz Bibi : 124 Panjab Record, 1876.
 Imam Din *v.* Hasan Bibi and others : 41 Panjab Record, 1906.
 Amin Beg *v.* Mussammât Saman : 33 Allahabad, 1910.
 Zuburdust Khan *v.* His wife : 2 N.-W. Province H.C. Report, p. 370.

W. GOLDSACK.

"WHY DIDN'T SHE THROW IT IN THE WATER?"

(The "Holy" Koran.)

It was at the baptism of a young Muslim woman. The Padre announced that on the previous evening the convert had given her Koran into his hands and said she never wished to keep it again.

Two (unbaptized) Muslim girls were present in the church. The sacred rite made no impression whatsoever on them though they have been living as boarders in Christian schools for over two years. But they were *horrified* at the act of the girl in putting her Koran into a Christian Padre's hands. "What dishonour!" "What a desecration of the Sacred Book!" "Why did she not throw it in the water if she must give it away?" "Oh! how could she ever give up her Holy Koran?" Now out of this arises a serious question: should the giving up of the Koran be made an emphasized ceremony before either baptism or the admission to the Catechumenate? One very experienced lady-worker among Muslim women folk strongly urges that it should. It is the most definite outward renunciation of Islam which a Muslim can make. Is it right to forego such a real confession as this simple act conveys? Should we make renunciation (or delivering up) of the Koran and perhaps acceptance of the Holy Injil in its place, a public act before receiving Holy Baptism? Belief in the Koran being what it is, I believe we would be wise to do so.

A. J. P. F.

NOTES FOR PRAISE AND PRAYER.

"I am come that they might have life, and might have it more abundantly."

Pathankote: Rev. J. H. Stewart of Pathankote has been astonished at the number of Muhammadans who have recently told him they believed that Jesus is the Son of God. At least a half dozen different ones have done so. Very few now in his district controvert on this point. Many seem very near the Kingdom. *Pray* that they may be fully persuaded that Jesus is the true Saviour and confess Him. In Gharota Village many Turks—who spin kemp and weave tat—listen well to the Gospel. *Pray* that they may be speedily won for Christ.

We have an interesting girls' school in Sujampur town with over 30 Muhammadan girls. Seven of them are reading the Scripture History and all are learning the Bible. A blind girl attends who learns very quickly to recite the Catechism and sing Psalms. *Pray* that all these dear girls may speedily have a saving knowledge of Christ.

C. & R. WILSON.

Laheria Serai: I am sorry to have to tell you that the small school for Muslim girls, about which I wrote in December, 1913, had to be closed in June, on account of the unsuitableness of the teacher. Since then we have about 10 children taught weekly in two houses, and I hope soon to be able to get a teacher who can go twice a week to them. Besides these we have 17 other women and children reading weekly—one of whom is interested in the Acts of the Apostles and helps two women relatives who are at present in her house. There is much bigotry amongst these people, so we are glad of every opening and opportunity to reach any of them with the Gospel.

Please *pray* for this dark place.

E. CATT.

Rangoon: Thus far the war is not interesting with our mission work in Burma. In some ways it has made the people more approachable. There is much distress among the people on account of depression in the rice business, but this gives us further opportunity to demonstrate our sympathy and power to help. We are sorry for the Continental Mission of India, and are glad to render what assistance we can.

J. F. S.

A Secret Enquirer in Malda: We print the following extract of a letter received from Rev. J. A. Joyce of the London Mission, Jiaganj, as it is possible that some of our members may have means of direct contact with this enquirer, or may be able to assist him indirectly through correspondence, or further supplies of literature.

"I have had a postcard in Bengali from—

Moulvi Abdul Kasem M.H.,
Basudpore P.O., Malda,

stating he is a secret disciple and often in controversy with other Moulvis on religious points. He is not in our District nor can we come in touch with him. He asks for a supply of books opening out the Christian religion for use in such controversy. I only know of

Mizan-ul-Haq in *Bengali* which is now out of print. I have sent him Mr. Goldsack's few tracts.

"He says he knows Urdu and Arabic, and I believe theological and controversial material is abundant in Urdu."

Lord Headley: The spectacular conversion of Lord Headley to Islam has, we know, constituted a serious hindrance to missionary work among Muslims in many quarters. The hand of the Lord is not shortened that it cannot save. Let all the members of the League unite in prayer continuously that the Holy Spirit may lead to a saving knowledge of Christ this erstwhile Unitarian who has been so grievously led astray.

Lahore: In a recent series of student evangelistic meetings in the Lahore Y.M.C.A. the large proportion of Muhammadan students in attendance was noticeable. In the Forman College Bible classes the Muhammadan students seem particularly serious and interested this year. Pray for two Muhammadan Medical students in the Y.M.C.A. Hostel, two students of Islamia College and ten Muhammadan students of Forman Christian College who seem specially near to the Kingdom.

TEXT-BOOKS FOR COURSE OF STUDY AND EXAMINATION IN CONNECTION WITH THE M.M. LEAGUE.

The following books have been selected by the Examination Committee for an examination to be held in July, 1915. Those desiring any further information on the subject are invited to communicate with the undersigned.

THE QURAN:

Sale's Preliminary Discourse
(Prefixed to Sale's Quran. Any bookseller, Re. 1-8,
in Chandos Classics series).

Sell's "Historical Development of the Quran"
(S.P.C.K., Madras. Rs. 2).

(Recommended for study: Rodwell's translation of the Quran).

BIOGRAPHY:

Sell's "The Life of Muhammad"
(C.L.S., Madras. Re. 1-4).

THEOLOGY:

Sell's "Faith of Islam"
(S.P.C.K., Madras. Rs. 5).

CONTROVERSY:

Pfander's "Mizan-al-Haqq." (Revised Edition, R.T.S.)
(Recommended for study: Tisdall's "Muhammadan Objections
to Christianity.")

WILLIAM GOLDSACK,

(Convener, Examination Committee).

Jessore, Bengal.

OUR FILE.

Magazines for Muslims: Now that it has been decided to postpone for the present the publication of a magazine by the League for Muslim enquirers, such as was projected, it may well be asked whether we are making as good use as possible of those already in existence. In Urdu the pioneer periodical of this nature, *Nur Afshan*, is still very much alive and circulates widely. It was founded forty-two years ago by its present editor, Dr. E. M. Wherry of Ludhiana, for the express purpose of meeting Muslim attacks on Christianity and of presenting Christ to Muslims. Sample copies can be obtained by writing to Dr. Wherry at Ludhiana, Punjab. For English-speaking Muslims there is the very ably edited *Epiphany* which circulates widely among educated Muslims as has been shown by such controversies over correspondence in its columns as have occurred at different times in *The Review of Religions*. The Hindu side naturally predominates, but if the circulation of the paper among Muslims were to be pushed, letters from Muslims and articles for them would multiply and the usefulness of this periodical for our purposes would rapidly increase. If any of our members do not know this paper they should write to the Oxford Mission, Calcutta, for a sample copy, or, better, send four annas for a year's subscription. After thoroughly testing these and perhaps other papers now in existence, we shall be in a better position to know how great is the need for a paper of our own when the present difficulties are past. Certainly the response to Mr. French's suggestion was most encouraging.

Our member in Scotland: Miss Sutherland, a B. & M. Missionary in Kasur, Punjab, now on furlough in Scotland, writes: "The terrible war is so apt to absorb everything in these days that more than ever one wants the monthly notes to keep one from getting slack in prayer for Muhammadans and specially for one's own friends among them, but some of these one *cannot* forget, however absorbing other topics may be. I have found the daily texts in the Prayer Cycle extremely helpful."

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Annual Subscription to the League is Rs. 2 (2s. 8d.). Members are requested to send news and requests for prayer to

Y.M.C.A., Lahore, India.

H. A. WALTER,
Hon. Sec. M.M. League.

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Bihar and Orissa	6
Central Provinces	4
Nizam's Dominions	3
Bombay	3

Rajputana	1	
Gujrat	1	
Malabar	1	
Coimbatore	1	
Gwalior	1	
Patiala	4	
Kashmir	1	
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Burma		3
Ceylon		1
Arabia and Persian Gulf		10
China—		
Kansuh	3	
Shensi	1	
Honan	1	
Shantung	1	
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	<hr/>	7
Fiji		2
Egypt		2
England		1
America		2
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Baptist—		
B. M. S.	17	
Can. B. M. S.	1	
Amer. B. F. M. S.	7	
Austr. B. M. S.	15	
N. Z. B. M. S.	7	
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C. M. S.	15	
S. P. G.	4	
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Oxford	1	
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Presbyterian—		
American Pres.	11	
Amer. United Pres.	8	
Amer. Ref. Pres.	1	
English Pres.	2	
Church of Scotland	1	
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	<hr/>	30
Methodist—		
Amer. M. E.	7	
Wesleyan	1	
	<hr/>	8
Congregational—		
Amer. B. C. F. M.	2	
L. M. S.	1	
	<hr/>	3

Amer. Churches of God	5
Amer. Ev. Lutheran	...	...	...	1
Amer. Evang	...	...	...	1
Danish	...	...	...	6
Swedish	...	...	...	2
Z. B. and M. M.	...	...	...	7
W. U. M. S. of America	...	...	...	4
Central Asian Mission	...	...	...	4
Ceylon and India General Mission	...	...	...	1
Basel Mission	...	...	...	1
Salvation Army	...	...	...	1
National Missionary Society	...	...	...	1
India S. S. Union	...	...	...	1
Y. M. C. A.	...	...	...	10
China—				
China Inland Mission	...	...	6	
Amer. M. E.	...	...	1	
			—	7
Arabia and Persian Gulf—				
American Mission	1	
Y. M. C. A.	9	
			—	10
Fiji—				
S. P. G.	1	
Wesleyan	1	
			—	2
Egypt—				
Amer. U. P.	1	
Independent	1	
			—	2
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