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# Virtue and Veiling: Perspectives from Ancient to Abbasid Times

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VIRTUE AND VEILING:  
PERSPECTIVES FROM ANCIENT TO ABBASID TIMES

A Thesis

Presented to

The Faculty of the Department of History

San Jose State University

In Partial Fulfillment

of the Requirements for the Degree

Master of Arts

by

Khairunessa Dossani

August 2013

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VIRTUE AND VEILING:

PERSPECTIVES FROM ANCIENT TO ABBASID TIMES

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## ABSTRACT

### VIRTUE AND VEILING: PERSPECTIVES FROM ANCIENT TO ABBASID TIMES

by Khairunessa Dossani

This thesis establishes a link between conceptions of female virtue and the practice of veiling by women from ancient to medieval times in the Mediterranean region. This is evidenced by the consistent advocacy and prescription of veiling in ancient and medieval theological texts, including Jewish, Christian, Zoroastrian, and Islamic texts. Veiling practices are shown to have a religious foundation, grounded in the ideas of honor and virtue. These notions were reflected in society over time with veiled aristocratic noblewomen and unveiled marginalized classes. While acknowledging class-based theories of female veiling, the thesis concentrates on the religious factors for veiling, particularly for medieval Muslim societies. The argument of this thesis is that while veiling did not originate in Islamic societies, Muslims validated the practice through their own literature and laws. The paper also includes evidence of female seclusion, which co-exists with the spread in the practice of veiling by women.

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## Introduction

The paper will argue that Islam played a defining role in veiling practices by women. Over time, veiling evolved to become an acceptable social custom in the Mediterranean region during the Abbasid era (750-1258AD). Widespread veiling customs in the Abbasid era have been documented in the works of historians on the subject such as Leila Ahmed,<sup>1</sup> Nikki Keddie,<sup>2</sup> Ashraf Zahedi,<sup>3</sup> and Yedida Stillman<sup>4</sup>. These historians and others, such as Jennifer Heath<sup>5</sup> and Fadwa El Guindi<sup>6</sup>, also universally document that the practice of veiling pre-dated Islam and is at least as old as the Assyrian laws on veiling, which date back to 1500 BC. There are, however, differing views on the exact forces that impacted widespread veiling in the medieval Mediterranean region. While all acknowledge that Islam played a role, a varying importance is attributed to non-Islamic factors such as urbanization and social stratification customs as well as existing Jewish, Christian, and Sassanid veiling practices at the time period when Islam made its entry into the region during the seventh century. The rise of patriarchy linked to urbanization during the Abbasid period is also a popular

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<sup>1</sup> Leila Ahmed, *Women and Gender in Islam* (New Haven and London: Yale University Press, 1992), 18.

<sup>2</sup> Nikki Keddie, "The Past and Present Women in the Islamic World," *Journal of World History* Vol. 1 No. 1 (Spring, 1990): 86, accessed June 1, 2013, <http://www.jstor.org.libaccess.sjlibrary.org/stable/20078457>.

<sup>3</sup> Ashraf Zahedi, "Contested Meaning of the Veil and Political Ideologies of Iranian Regimes," *Journal of Middle East Women's Studies*, Vol. 3 No. 3 (Fall 2007): 79, accessed June 1, 2013, <http://www.jstor.org.libaccess.sjlibrary.org/stable/10.2979/MEW.2007.3.3.75>.

<sup>4</sup> Yedida Stillman, "The Importance of the Cairo Geniza Manuscripts for the History of Medieval Female Attire," *International Journal of Middle East Studies*, Vol. 7 No. 4 (Oct., 1976): 582, accessed June 1, 2013, <http://www.jstor.org.libaccess.sjlibrary.org/stable/162511>.

<sup>5</sup> Jennifer Heath, ed., *The Veil: Women Writers on its History, Lore and Politics* (Berkeley: University of California Press, 2008), 1.

<sup>6</sup> Fadwa El Guindi, *Veil: Modesty, Privacy and Resistance* (Oxford: Berg-Oxford International Publishers Ltd., 2003), 11.

argument used to explain widespread female veiling. Leila Ahmed argues that “the growth of complex urban societies entrenched male dominance,” as this facilitated the exclusion of women from most of the professional classes.<sup>7</sup> Fatima Mernissi associates Muslim male misogyny stemming from a firm establishment of patriarchy with a subsequent increase in veiling and seclusion practices.<sup>8</sup> Fadwa El Guindi argues that it is impossible to generalize about the factors behind veiling practices because “veiling was and is a practice that is differentiated and variable, with each variable deeply embedded in the cultural systems.”<sup>9</sup> This paper will concentrate on the variable of religion in veiling practices and will argue that religion played a key role in encouraging veiling and seclusion through its concepts of idealizations of women, definitions of gender, and rituals.

The approach of this paper is chronological. It will explore the time from the Ancient Near East -- prior to the Middle Assyrian laws on veiling, that is, the Old Babylonian period of 1700 BC to the Abbasid period of 13<sup>th</sup> century AD. The dating of the paper for convenience will use the BC/AD system. The findings of the paper suggest that sacred spaces from the Ancient Near East time period required veiling, a finding consistent with Old Babylonian, Middle Assyrian, Hellenistic, Jewish, Christian, Zoroastrian, and Muslim practices. The subtleties, however, of religious dogma influenced, to varying degrees, the practice and type of veiling.

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<sup>7</sup> Ahmed, *Women and Gender in Islam*, 12-13.

<sup>8</sup> Fatima Mernissi, *The Veil and the Male Elite*, trans. Mary Jo Lakeland (New York: Perseus Book Publishing, 1991), 60.

<sup>9</sup> El Guindi, *Veil: Modesty, Privacy and Resistance*, 12.

In addition to evidence of veiling, the paper will include evidence of female seclusion practices. Although female seclusion practices and veiling may be mutually exclusive,<sup>10</sup> there appears at least in medieval Abbasid lands, a correlation between veiling and seclusion practices as evidenced by the rise of harems.<sup>11</sup> Ahmed<sup>12</sup> and Delia Cortese<sup>13</sup>, among others, document this correlation. The reasoning behind seclusion and veiling practices is similar. Both reflect a need for modesty, a desire to inhibit sexual energy, and an interest in regulating sexual interaction. Llewellyn-Jones, who examines Greek female seclusion practices, argues that “a female’s garments became an extension of her living space, a notion compounded in the ideology of a woman’s veil.”<sup>14</sup> The veil shielded women from the male gaze outside harem walls. To get a more complete picture of veiling practices, it is important to include evidence of seclusion practices. The aim of the paper is to demonstrate that Islamic societies adopted veiling practices from pre-existing Jewish and Christian customs. By the Abbasid period of 13<sup>th</sup> century AD, Islamic societies had redefined these traditions within Muslim thought and scripture, contributing to widespread veiling practices in medieval Mediterranean societies.

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<sup>10</sup> Ibid.

<sup>11</sup> Ahmed, *Women and Gender in Islam*, 18.

<sup>12</sup> Ibid., 14.

<sup>13</sup> Delia Cortese and Simonetta Calderini, *Women and the Fatimids in the World of Islam* (Edinburgh: Edinburgh University Press, 2006), 75.

<sup>14</sup> Lloyd Llewellyn-Jones, “House and Veil in ancient Greece,” *British School at Athens Studies*, Vol. 15, BUILDING COMMUNITIES: House, Settlement and Society in the Aegean and Beyond (2007): 251, accessed June 1, 2013, <http://www.jstor.org.libaccess.sjlibrary.org/stable/40960594>.

## *Veiling: Definition and Types*

The term “veil” originates from the Latin *vela* or *velum* which means a covering.<sup>15</sup> The Latin word *velum* literally means “sail,” “curtain,” “covering,” or “cloth”<sup>16</sup> The Akkadian term for “veil” is *pasamu*.<sup>17</sup> Based on the dictionary definition, *pasamu* is defined as “to veil” and “to cover the mouth.”<sup>18</sup> The latter definition denotes facial veiling. For the purposes of this paper two terms will be used -- head-veiling and face-veiling. Head-veiling is defined to occur if the fabric covers the hair fully or partially, and rests on the shoulders. Face-veiling is if part of the face is covered in addition to head-veiling. One of the findings of the paper is that while the practice of head-veiling cuts across all cultures under consideration for the paper, there is greater evidence of facial veiling in Greek<sup>19</sup> and Muslim cultures.<sup>20</sup> Examining the Cairo Geniza manuscripts of tenth-century Cairo, S. D. Gottein surmised that veiling and seclusion practices were stricter for Muslims and that, unlike their Muslim counterparts, Jewish and Christian women did not have to be facially veiled and had greater scope for gender interaction.<sup>21</sup>

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<sup>15</sup> *Random House Dictionary*, accessed March 15, 2013, <http://dictionary.reference.com/browse/veil?s=t/>.

<sup>16</sup> *Oxford World Dictionary*, accessed March 5, 2013, <http://oxforddictionaries.com/us/definition/english/velum?q=velum>.

<sup>17</sup> *Akkadian Dictionary Online*, accessed April 24, 2013, <http://www.premiumwanadoo.com/cuneiform.languages/dictionary/dosearch.php>.

<sup>18</sup> *Ibid.*

<sup>19</sup> Llewellyn-Jones, “House and Veil in ancient Greece,” 251.

<sup>20</sup> Facial veiling is advocated in the Shafi and Hanbali schools of law. The information is culled from Maulana Wahiduddin Khan, *Woman in Islamic Shariah*, (New Delhi: The Islamic Centre, 1995), 148

<sup>21</sup> S. D. Gottein, *A Mediterranean Society: An Abridgement in one Volume*, ed. Jacob Lassner (Berkeley: University of California Press, 2006), 458

Cloaks and mantles are typically employed for head-veiling. The Greek language employs many terms for varying cloaks and mantles. An *epiblema* is a large cloak or mantle. Similarly, other words for cloak are *himation* and *peplos*.<sup>22</sup> The Arabic term for cloak or mantle is the *jalabihina*, quoted from the Quran (33:59:11).<sup>23</sup> The Arabic word *hijab* literally means “curtain” but may also be applied to a cloak or mantle. The Persian language uses the word *hijab* most commonly for cloak or mantle. *Rada*, *khurfe*, and *chador* are also used.<sup>24</sup>

There are multiple terms for garments that are used for facial veiling. The Greek language uses the words *kalputra*, *kredemnon*,<sup>25</sup> and *tegidion*.<sup>26</sup> The *tegidion* is a face-veil composed of eye holes into a singular rectangular cloth, edged with a delicate fringe.<sup>27</sup> Both Arabic and Persian use the word *niqaab* and *khamar* for facial veiling. The word *niqab* in Persian is translated as a mask or a black veil and may be used as a verb -- *niqab zadan* -- which literally means to wear a mask.<sup>28</sup> Arabic also uses the word *burqa*<sup>29</sup>, while the corresponding Persian word is *pardeh*, which on a literal level means “curtain”, “screen,” or a “mantle”, but on a practical level involves face-covering.<sup>30</sup> A *burqa* covers the full body, with the exception of the eyes. Strictly speaking, the *burqa* is

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<sup>22</sup> Clothing and dress for women in ancient Greece. A Glossary of Clothing terms, accessed June 1, 2013, <http://www.fjkluth.com/cloth.html#Glos>.

<sup>23</sup> The Language Research Group, University of Leeds *The Quran, Word by Word*, accessed April 24, 13, <http://corpus.quran.com/wordbyword.jsp?chapter=33&verse=59>.

<sup>24</sup> S Haim, *English-Persian Dictionary* (New York: Hippocrene Books, 2002), 72.

<sup>25</sup> A glossary of Clothing terms in Greek, accessed May, 5, 2013, <http://www.fjkluth.com/cloth.html#Glos>.

<sup>26</sup> Llewellyn-Jones, “House and veil in ancient Greece”, 252.

<sup>27</sup> Ibid.

<sup>28</sup> S. Haim, *Persian-English Dictionary* (New York: Hippocrene Books, 2002), 684.

<sup>29</sup> N.S. Doniach, ed., *Concise Oxford English-Arabic Dictionary*(Oxford: Oxford University Press, 1982) 433.

<sup>30</sup> S. Haim, *Persian-English Dictionary*, 112

a body covering while the *niqab* is the face-veil, but the *burqa* has come to mean a full covering, including facial covering. It is loose fitting and may be made from a variety of materials.<sup>31</sup>

According to the Jewish Virtual Library, the Old and New Testaments contain several words that are translated as “veil.” They are *tsa’if*, *tzamah*, *redid*, *ulot*, *ra’lah*, and *masveh*.<sup>32</sup> Of these, the latter two -- *ra’lah* and *masveh* -- are face veils. *Ra’alah* is cited in Isaiah 3:19 with reference to face veils for women, while *masveh* is cited in reference to Moses coming down from Mount Sinai. The Talmud has no Hebrew word for “veil,” but the Aramaic term is *bicah*, and a Persian-Arabic term in the Talmud is *parmi* or *padomi*.<sup>33</sup> The Zoroastrian terms are *padan*, *paiti-dana*, and *panum*.<sup>34</sup> Zoroastrian uses a dialect of Persian known as *Dari*. Another term is *cador*,<sup>35</sup> closely related to the Persian *chador*. One of the definitions of the term “veil” from the *Oxford World Dictionary* is that it is fabric that may conceal or protect the woman’s face and/or may be likened to a nun’s headdress, where only the head and shoulders are covered.<sup>36</sup> Other definitions found in the dictionary are general terms for concealment, disguise, and obscurity.

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<sup>31</sup> Akansa Nikolai, “What is a burqa,” accessed May 5, 13, [http://www.ehow.com/about\\_5044116\\_burqa.html](http://www.ehow.com/about_5044116_burqa.html).

<sup>32</sup> “Jewish Virtual Library,” A Division of the American-Israeli Cooperative Enterprise, accessed May 3, 2103, [http://www.jewishvirtuallibrary.org/jsource/judaica/ejud\\_0002\\_0020\\_0\\_20348.html](http://www.jewishvirtuallibrary.org/jsource/judaica/ejud_0002_0020_0_20348.html).

<sup>33</sup> Ibid.

<sup>34</sup> Heath, *The Veil: Women Writers on Its History, Lore and Politics*, 107.

<sup>35</sup> *Encyclopedia Iranica*, “Cador”, accessed 3/7/13, <http://www.iranicaonline.org/articles/cador-a-loose-female-garment-covering-the-body-sometimes-also-the-face>.

<sup>36</sup> *Oxford World Dictionary*, accessed March 5, 2013, <http://oxforddictionaries.com/us/definition/english/veil?q=veil>.

Throughout history, veiling has come to stand for social and marital status, but also as a means of gender segregation and protection from gender interaction.<sup>37</sup> For these reasons legal and theological texts have prescribed female veiling. At the same time, however, veils contributed to fashion. As Ashraf Zahedi points out in her work, veils, while partially concealing hair, could also, depending on color and fashion, enhance attractiveness.<sup>38</sup>

The Abbasid era witnessed widespread forms of head-covering. Shirley Guthrie, in her research on medieval Muslim women, documents the different types of veils, mantles, and wraps that women wore. The forms of veils varied with the regions they originated from. A woman could sport a Baghdadi *mizna* or an Egyptian *qina*, which was longer than the *mizna* but less wide. The *niqaab*, in Abbasid times, could extend as high as the circuit of the eye. The *burqa* had a black net covering the whole face, but with eye holes. The *mi'jar* was a black muslin veil perfumed with hyacinth, typically forming part of the bride's trousseau. Ulayya, the Abbasid caliph Harun al Rashid's half-sister, is credited with starting the fashion of *isaba* -- a close fitting cap with a border that was embellished with jewels. This cap varied in fashion and, in Persian lands, was known as *isaba mai'la*. A special market for headgear in Mamluk Egypt was the *Suq-al-bakhaniqiyin*.<sup>39</sup> The evidence of different names and types of veils was further testimony of a range of veiling practices. It was also an attempt by society to aesthetically enhance prescribed legal and theological apparel requirements.

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<sup>37</sup> Keddie, "The Past and Present of Women in the Islamic World," 80.

<sup>38</sup> Zahedi, "Contested Meaning of the Veil and Political Ideologies of Iranian Regimes," 77.

<sup>39</sup> Shirley Guthrie, *Arab Women in the Middle Ages* (London: Saqi books, 2001), 124-5.

### *Overview of the Chapters*

The chapters are arranged chronologically. The first chapter examines cultures during the period 1500 BC to the first century AD. These include Old Babylonian, New Assyrian, Greek, and Temple-era Jewish cultures. The second chapter examines the period between the first and sixth centuries AD, and includes Roman, post-Temple Jewish, Christian, and Zoroastrian veiling concepts and practices. The third chapter examines the sixth and seventh centuries AD, examining the Babylonian Talmud, pre-Islamic Arabian, and Quranic references on veiling. The final chapter examines the *Hadith*, the *Shariah*, the Cairo Geniza manuscripts, and Abbasid literary *Adab* on veiling between the eighth and twelfth centuries AD.

The first chapter, among other time periods, analyzes both Old Babylonian laws pertaining to women,<sup>40</sup> and Middle Assyrian laws on veiling.<sup>41</sup> Old Babylonian laws show a strong concern for female chastity, underpinned by clauses enhancing patriarchy. Article 143 of the Old Babylonian laws, from the code of Hammurapi, for example, states that if a woman “is not discreet, has gone out, ruined her house and belittled her

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<sup>40</sup> C H W Johns, *Babylonian and Assyrian Laws, Contracts and Letters*, accessed March 6, 2013, <http://www.commonlaw.com/Hammurabi.html>

<sup>41</sup> G R Driver, J. C. Miles and Theophile Meeks, translators. *Middle Assyrian Laws Tablet A*, accessed March 6, 2013, <http://jewishchristianlit.com/Texts/ANELaws/midAssyrLaws.html>.



husband,” she may be drowned.<sup>42</sup> A man, on the other hand, was allowed to have sexual relations with slaves and concubines. While veiling is hinted at in the Old Babylonian laws, laws concerning it are clearly spelled out in the Assyrian laws.<sup>43</sup> The chapter questions the general consensus of scholars that veiling socially demarcated classes, with veiling primarily reserved for the upper classes.<sup>44</sup> A closer analysis suggests that veiling was linked to the virtue and honor of the woman, in addition to class, but also regardless of it. References to veiling in the Torah from the book of Genesis<sup>45</sup> are also analyzed showing the link between virtue and veiling, and, conversely, shame with unveiling. Veiling in sacred spaces, such as temples, has also been highlighted in ancient laws and books. In addition, Greek archaeological and literary references clearly show evidence of both face veiling and seclusion practices. Plutarch’s advocacy of veiling in religious spaces in *Moralia* shows an established philosophy behind veiling practices.<sup>46</sup>

The second chapter covers Roman, Christian, Talmudic, and Zoroastrian concepts of veiling practices between the first and sixth centuries AD. There is greater evidence of unveiled Roman women sporting elaborate hairstyles at the beginning of the first century.<sup>47</sup> The city of Corinth where such hairstyles were discovered was also where St. Paul delivered a sermon which advocated veiling practices in 51AD. The chapter will

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<sup>42</sup> C H W Johns, *Babylonian and Assyrian Laws, Contracts and Letters*, accessed March 6, 2013, <http://www.commonlaw.com/Hammurabi.html>.

<sup>43</sup> G R Driver, J. C. Miles and Theophile Meeks, translators. *Middle Assyrian Laws Tablet A*, accessed March 6, 2013, <http://jewishchristianlit.com/Texts/ANELaws/midAssyrLaws.html>.

<sup>44</sup> El Guindi, *Veil: Modesty, Privacy and Resistance*, 11.

<sup>45</sup> *The Book of Genesis*, accessed March 6, 2013, [http://www.vatican.va/archive/bible/genesis/documents/bible\\_genesis\\_en.html](http://www.vatican.va/archive/bible/genesis/documents/bible_genesis_en.html).

<sup>46</sup> Plutarch, *Moralia, Twenty Questions*, accessed March 6, 2013, [http://penelope.uchicago.edu/Thayer/E/Roman/Texts/Plutarch/Moralia/Roman\\_Questions\\*/A.html](http://penelope.uchicago.edu/Thayer/E/Roman/Texts/Plutarch/Moralia/Roman_Questions*/A.html).

<sup>47</sup> Cindy Thompson, “Hairstyles, Head-Coverings and St. Paul: Portraits of Roman Corinth,” *The Biblical Archaeologist*, Vol. 51, No. 2 (Jun., 1988): 99, accessed June 2, 2013, <http://www.jstor.org.libaccess.sjlibrary.org/stable/3210030>.

analyze St. Paul's passages on veiling -- 1 Corinthians 11:3<sup>48</sup> -- and show that they later influenced the arguably misogynistic Tertullian's treatise, *The Veiling of Virgins*,<sup>49</sup> in the third century AD, which then proceeded to influence Augustine's views in the fourth century AD. Augustine believed that women needed to veil as a mark of subordination to men.<sup>50</sup> In addition, this chapter will look at references to veiling in the *Mishna*, where married women were prescribed the veil.<sup>51</sup> It will also discuss Zoroastrian references, where there is evidence of seclusion, upper class veiling, and veiling in sacred spaces and practices.<sup>52</sup>

The third chapter gathers evidence from the sixth and seventh centuries AD, and includes analysis on references to veiling in the Babylonian Talmud,<sup>53</sup> the Quran,<sup>54</sup> and pre-Islamic and Umayyad literary sources. The Talmud commenting on previous *Mishna*, clearly advocates veiling for women, although head-veiling is more probable.<sup>55</sup> The Quran is much more ambiguous. There are four verses analyzed in the Quran. They may be interpreted as the need to simply appear modest or require full facial veiling. Pre-Islamic and Umayyad poetry document both veiled and unveiled women.

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<sup>48</sup> "Bible suite," Biblo, accessed June 2, 2103, [http://bible.cc/1\\_corinthians/11-3.htm](http://bible.cc/1_corinthians/11-3.htm). The site has multiple versions of the Bible including the Aramaic bible.

<sup>49</sup> "Christian Classics Electronic Library," last modified August 8, 2003 for The Tertullian Project, accessed March 7, 2013, <http://www.tertullian.org/anf/anf04/anf04-09.htm>.

<sup>50</sup> Kim Power, *Veiled Desire: Augustine on Women* (New York: The Continuum Publishing Company 1996), 152.

<sup>51</sup> Jacob Neusner, trans., *The Mishna* (New Haven and London: Yale University Press, 1988), 380.

<sup>52</sup> Ahmed, *Women and Gender in Islam*, 19

<sup>53</sup> *Babylonian Talmud*, "Tractate Ketuboth," accessed March 7, 2103, [http://www.come-and-hear.com/kethuboth/kethuboth\\_15.html#chapter\\_ii](http://www.come-and-hear.com/kethuboth/kethuboth_15.html#chapter_ii).

<sup>54</sup> M. A. S. Abdel Haleem, trans., *The Quran* (Oxford: Oxford University Press, 2010)

<sup>55</sup> *Babylonian Talmud*. "Tractate Ketuboth," accessed March 7, 2013, [http://www.come-and-hear.com/kethuboth/kethuboth\\_15.html#chapter\\_ii](http://www.come-and-hear.com/kethuboth/kethuboth_15.html#chapter_ii).

The final chapter examines the *Hadith*,<sup>56</sup> the *Shariah*,<sup>57</sup> the Cairo Geniza manuscripts,<sup>58</sup> and *Abbasid* literary sources. Given that the *Hadith* has strong evidence for Islamic validation of veiling, the historicity of the *Hadith* is examined prior to the analysis of the references. Evidence is drawn from al-Bukhari's *Hadith*. There is some evidence of facial veiling in the *Hadith*.<sup>59</sup> This paper also suggests that the *Shariah* aided and abetted veiling and seclusion practices by creating a firm foundation for patriarchy. Evidence from the Cairo Geniza manuscripts and Abbasid literary *Adab* is used to show the widespread practice of veiling during the tenth and twelfth centuries AD.

### *Sources Used*

The paper draws from a large body of both primary and secondary sources. Primary sources include the Quran,<sup>60</sup> al-Bukhari's *Hadith*,<sup>61</sup> the Book of Genesis,<sup>62</sup> the New Testament,<sup>63</sup> the *Mishna*,<sup>64</sup> the Babylonian Talmud,<sup>65</sup> Old Babylonian laws,<sup>66</sup>

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<sup>56</sup> "Hadith Online," Sahih Bukhari translation, accessed March 7, 2013, [http://www.searchtruth.com/searchHadith.php?keyword=veil&book=&translator=1&search=1&search\\_word=all&start=10&records\\_display=10](http://www.searchtruth.com/searchHadith.php?keyword=veil&book=&translator=1&search=1&search_word=all&start=10&records_display=10)

<sup>57</sup> "Shaffiyah," accessed February 18, 2013, <http://www.philtar.ac.uk/encyclopedia/islam/sunni/shaf.html>. This site is very good to get a sense of an overview of the different schools of the *Shariah*

<sup>58</sup> S.D. Gottein, *A Mediterranean Society: An Abridgement on One Volume*, ed. Jacob Lassner (Berkeley: University of California Press, 1999).

<sup>59</sup> "Hadith Online," Book 59 Hadith 462, accessed March 7, 2013, [http://www.searchtruth.com/searchHadith.php?keyword=veil&book=&translator=1&search=1&search\\_word=all&start=10&records\\_display=10](http://www.searchtruth.com/searchHadith.php?keyword=veil&book=&translator=1&search=1&search_word=all&start=10&records_display=10).

<sup>60</sup> M.A.S. Haleem, trans. *The Quran*.

<sup>61</sup> "Hadith Online," Sahih Bukhari translation, accessed March 7, 2013, [http://www.searchtruth.com/searchHadith.php?keyword=veil&book=&translator=1&search=1&search\\_word=all&start=10&records\\_display=10](http://www.searchtruth.com/searchHadith.php?keyword=veil&book=&translator=1&search=1&search_word=all&start=10&records_display=10)

<sup>62</sup> *The Book of Genesis*, accessed March 6, 2013, [http://www.vatican.va/archive/bible/genesis/documents/bible\\_genesis\\_en.html](http://www.vatican.va/archive/bible/genesis/documents/bible_genesis_en.html).

<sup>63</sup> "Bible Suite," Biblos, accessed March 7, 2013, [http://bible.cc/1\\_corinthians/11-3.htm](http://bible.cc/1_corinthians/11-3.htm). The site has multiple versions of the Bible including the Aramaic bible.

<sup>64</sup> Jacob Neusner, trans. *The Mishna*.

Middle Assyrian legislation,<sup>67</sup> and literary references, particularly Muslim *Adab*.

References have been culled from secondary sources and cross-checked with primary sources. The paper has also examined artifacts taken from pictorials.

### *Limitations of Sources*

Although necessary for historical purposes, the exclusive literal interpretations of scripture from all the Abrahamic traditions -- Jewish, Christian, and Muslim -- may have margins of error, given that scripture is interpreted metaphorically for religious and philosophical reasons. Metaphorical interpretations are not the focus of the paper, and their analyses are absent. A second limitation is the relative absence of women's voices in the primary source material, a common lament by all scholars on the subject.

According to Elizabeth Castelli, a researcher on medieval women, to ask questions of women's history is to embark on a "treacherous and often disappointing search for buried treasure."<sup>68</sup> Primary material for the subject has been almost exclusively authored by men. This may in itself be a testimony of female seclusion practices, but that would be considered speculation since there is evidence of the existence of many educated women during the time-period under consideration.

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<sup>65</sup> *Babylonian Talmud*, "Tractate Ketuboth," accessed March 7, 2013, [http://www.come-and-hear.com/kethuboth/kethuboth\\_15.html#chapter\\_ii](http://www.come-and-hear.com/kethuboth/kethuboth_15.html#chapter_ii).

<sup>66</sup> C H W Johns, *Babylonian and Assyrian Laws, Contracts and Letters*, accessed March 6, 2013, <http://www.commonlaw.com/Hammurabi.html>.

<sup>67</sup> G R Driver, J. C. Miles and Theopile Meeks, translators. *Middle Assyrian Laws Tablet A*, accessed March 6, 2013, <http://jewishchristianlit.com/Texts/ANELaws/midAssyrLaws.html>.

<sup>68</sup> Elizabeth Castelli, "Virginity and its Meanings for Women's Sexuality in Early Christianity," *Journal of Feminist Studies in Religion*, Vol. 2, No. 1 (Spring 1968): 61, accessed June 3, 2013, <http://www.jstor.org.libaccess.sjlibrary.org/stable/25002030>.

The third limitation is reliance on translated primary material. Given that translations are the gateway for interpretations, a reliance on them may affect overall meaning. Differing translations add to the difficulty. There is a wealth of Hebrew, Aramaic, Greek and Latin material, as well as a large corpus of Arabic and Persian literary *Adab*, that have not been translated into English, which could contribute significantly to the field of study.

A fourth limitation is restriction of evidence to urban societies. A general presumption of scholars is that rural women did not veil.<sup>69</sup> This is challenged by one author, Shirley Guthrie, who claims that in medieval Muslim societies, all women – rural and urban -- veiled.<sup>70</sup> There is not enough research done conclusively to prove or disprove Guthrie's thesis.

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<sup>69</sup> Keddie, "The Past and Present of Women in the Islamic World," 80.

<sup>70</sup> Shirley Guthrie, *Arab Women in the Middle Ages* (London: Saqi Books, 2001), 114.

## Chapter 1

### Assyrian, Babylonian, Hellenistic, and Jewish references to Veiling, 1700BC – 1st Century AD

Inanna, the Sumerian goddess, has been depicted receiving offerings on an Uruk vase as far back as 4,000 BC.<sup>71</sup> There is head covering but no facial covering of Inanna as well as her women attendants. The men who are making the offerings are nude. Nudity obviously was not a taboo subject. In the Sumerian myth of Inanna and the seven veils, conceived anytime between 3500—1900 BC, the goddess Inanna descends to the underworld to visit her sister Ereshkigal and at each level has to remove one layer of clothing till she reaches her sister naked.<sup>72</sup> While a mystical analysis of the myth is beyond the scope of the paper, just a cursory look at the myth indicates that it involves the concepts of covering and shame.

The first clear evidence of seclusion is in the Old Babylonian period -- in temples and in the harems of kings. Sumerian texts show the existence of harems at the houses of Baranamtara, the wife of Lugalanda, Shagshag, the queen of Uruinimgina, and other royal ladies.<sup>73</sup> D. D. Luckenbill, in his research on Mesopotamian women, has culled evidence from the city of Mari in Syria, and shows an increase in the number of women from forty-four in the harem of King Yasmah-Addu (1791-1776 BC) to 232 women

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<sup>71</sup> Marcelo Guimares Lima, "The Warka Vase," accessed October 12, 2012, <http://arthistorypart1.blogspot.com/2011/01/sumerian-art-warka-vase.html>. This website shows a vase that was recently stolen from the Iraq museum during the American occupation of Iraq in April 2003 and returned in June 2003.

<sup>72</sup>Library of Halexandria, "Interpretation of Inanna's Descent Myth," accessed October 13, 2012. <http://www.halexandria.org/dward387.html>. This website gives a detailed account of the myth along with multiple variations.

<sup>73</sup> D.D. Luckenbill, "The Temple Women of the Code of Hammurabi," *Journal of Semitic Languages and Literatures*, Vol 34, No. 1 (Oct., 1917): 10, accessed June 3, 2012, <http://www.jstor.org.libaccess.sjlibrary.org/stable/52851>.

under his successor, Zimri Lim (1776-1761 BC). In Mari, the king took over the harem of the predecessor, which possibly accounts for the increase. We also know that the Mari harem was guarded and isolated.<sup>74</sup>

The virtue of the woman and ideas of seclusion and protection first emerge in the Hammurapi Law codes of 1772 BC. The Hammurapi Law codes do not explicitly mention veiling but they imply that women were less involved in society and that some classes were cloistered or secluded. In a Middle Assyrian literary text, approximately 1600-1000 BC, there is an incantation comparing childbirth to a warrior in battle. It contains a telling line, which translates as: “She wears no veil and has no shame.”<sup>75</sup> This is a clear reference that veiling is linked to a woman’s virtue. It is, however, a poem, and the veil could perhaps be a metaphor for something else. The poem serves as evidence that the word “veil” existed over a thousand years BC. The Akkadian term for “veil” is *passamu*.<sup>76</sup> Alongside veiling, there appears to be evidence of female seclusion, the impulse being to protect women, and, thereby, simultaneously preserve their husbands’ honor. This, in turn, also gave way to stronger patriarchal societies. The evidence from ancient artifacts and texts from the Mediterranean region testify to the presence of both veiled and unveiled women from the period of approximately 2000 BC onwards. The issue of veiling mentioned in an Assyrian code of laws dating back to

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<sup>74</sup> Ibid.

<sup>75</sup> M. Stol, “Women in Mesopotamia,” *Journal of the Economic and Social History of the Orient*, Vol.38, No. 2 Women’s History (1995): 124, accessed June 3, 2013, <http://www.jstor.org.libaccess.sjlibrary.org/stable/3632512>

<sup>76</sup> *Akkadian Dictionary*, accessed May 6, 2013, <http://www.premiumwanadoo.com/cuneiform.languages/dictionary/dosearch.php> (

1500-1000BC<sup>77</sup> -- analyzed later in the paper -- describes in some detail which classes of women were allowed to veil, and outlines punishments for those who transgressed the laws. This is possibly the earliest legal reference to veiling.

What emerges from ancient texts is the preoccupation of the male with female virtue. For instance, detailed laws on adultery are prescribed, highlighting the importance of fidelity and monogamy, particularly, for the woman. Veiling is also evident in sacred spaces and temples. Goddesses are sometimes depicted veiled.

It may be concluded that men in the Ancient Near East were concerned with their own honor through the visible honor of their wives and grown-up daughters. The findings of the paper suggest, in addition to the issue of class, that there is a link between a woman's virtue and, its converse, shame, with requirements for veiling in the ancient Near Eastern regions. Ancient veiling and seclusion laws and prescriptions, along with religious validation, allowed men control of female spaces and defined their status and respectability.

#### *Women Affected by the Hammurabi Law Code (1770 - 1750 BC)*

Hammurabi Law Codes date back to approximately 1772 BC.<sup>78</sup> The dynasty was established in 1790 BC. According to I. Mendelsohn, the Ancient Near Eastern family

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<sup>77</sup> The dating of the Assyrian laws is analyzed in a subsequent section. In one of the sources, the laws date back to the reign of Tiglath Pileser I (1114-1076 BC). The laws may have been edited in the reign of Tiglath Pileser III (745-727BC).

<sup>78</sup> "The Code of Hammurabi," accessed March 2, 2013, <http://www.constitution.org/ime/hammurabi.html>, While the exact dates of the Hammurabi codes are disputed, it is generally believed to be between 1772-1680 BC. Two sources are used for this paper. The first is from the above link. The second source is from C H. W. John, *Babylonian and Assyrian Laws: Contracts and Letters*, New York: The Legal Classics Library, 1987, accessed March 2, 2103 <http://www.commonlaw.com/Hammurabi.html>.



was patriarchal in character. The father of the household was known as *Baal*, or the Babylonian word – *Bel* – literally meaning “owner”, who could treat and dispose of his wife and children as he saw fit.<sup>79</sup> Ruby Rohrlich in her work on Mesopotamian women corroborates this view, and argues that, during the Old Babylonian period (approximately 1790 BC to 1750 BC), women were excluded from education in the Sumer region, and over time, the professions of priest, scribe or merchant became predominantly male. Women were legally and economically dependent on men.<sup>80</sup> Dependence, in itself, is evidence of patriarchy and restriction, but not female seclusion, and certainly their findings detail no evidence of veiling. There are, however, a couple of veiling references in the clay tablets of the Old Babylonian period discovered by other scholars. M. Stohl in her analysis of Mesopotamian women cites one reference of veiling during the time of a wedding ceremony. Analyzing old Babylonian literary texts, Stohl mentions that the girl’s hair was anointed with oil, and she was covered with a veil by her father, to be later unveiled by her husband.<sup>81</sup> Her findings also show that jewelry was worn by women -- large nose rings, golden earrings, and silver rings on the arms and feet along with eye make-up, which may imply an absence of facial veiling.<sup>82</sup> While the presence of make-up does not preclude the presence of veils, the evidence of nose-rings may suggest an absence of facial veiling.

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<sup>79</sup> I Mendelsohn, “The Family in the Ancient Near East,” *The Biblical Archaeologist*, Vol. 11, No. 2 (May, 1948): 24., accessed June 3, 2013, <http://www.jstor.org.libaccess.sjlibrary.org/stable/3209201>.

<sup>80</sup> Ruby Rohrlich, “State Formation in Sumer and the Subjugation of Women,” *Feminist Studies*, Vol. 6, No. 1 (Spring 1980): 91, accessed June 3, 2013, <http://www.jstor.org.libaccess.sjlibrary.org/stable/3177651>

<sup>81</sup> Stol, “Women in Mesopotamia,” 128.

<sup>82</sup> *Ibid.*, 124.

A second direct reference of head-veiling is found in Martha Roth's work on Old Babylonian laws in which she examines a property document judgment case in Nippur, where two women are found guilty of bearing false witness. As punishment, they must strip off their head coverings.<sup>83</sup> Both these references show that veiling, at least head-veiling, was practiced in ancient Mesopotamia.

Evidence of women who were cloistered or secluded has been discovered in temples and, from Akkadian references, there were multiple classes of women, some of whom lived a more ascetic existence than others. They were known as the "sacred" women of Babylonia. Some, such as the *Sal-Me*, were allowed to marry and bear children while the *Nin-an* or *entum* lived convent-style in the temple chambers. In addition, there were the *qaditsu*<sup>84</sup> who were temple prostitutes. The Old Babylonian code outlined the rights and privileges of these temple women, particularly their right to seek justice if falsely accused of an illicit relationship.<sup>85</sup>

Obviously, laws were subject to interpretation. There are some interesting clauses, particularly on the sexual code of married women, which could imply some level of seclusion practices. For instance, article 141 of the code says that "If a man's wife living in her husband's house has persisted in going out, has acted the fool, has wasted

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<sup>83</sup> Martha Roth, "Reading Mesopotamian Law cases PBS5 100: A Question of Filiation," *Journal of the Economic and Social History of the Orient*, Vol.44, No.3 (2001): 247, accessed June 3, 2013, <http://www.jstor.org.libaccess.sjlibrary.org/stable/3632353>

<sup>84</sup> Some scholars say that the *qaditsu* were allowed to marry and have children and others who maintain they were allowed to marry but not have children.

<sup>85</sup> "The Avalon Project, Article 127," Lilian Goldman Law Library, accessed October 11, 2012. <http://avalon.law.yale.edu/ancient/hamframe.asp>

her house, has belittled her husband, he shall prosecute her.”<sup>86</sup> Article 143 again mentions the idea of punishment if the wife has gone out. Punishment could be anything from drowning her to making her a slave in her home. It depends, of course, on how literally one takes the concept of “going out.” Since these are translations of the code, the wording tends to differ, and hence the entire sense can get affected. What is clear, however, across translations, is that the sexual violation of a woman was a serious issue, and penalties were levied with the full letter of the law. A woman could seek redress if the accusations were false, but could pay with her own life if they were found true. There is, however, no mention of veiling in the laws. The Assyrian Law codes, which are dated approximately two hundred years later, would prescribe veiling for women as a mark of their honor.

*Interpretation of Assyrian Law Codes (1100 - 700 BC)*

G C Miles, J R Driver, and Theophile Meek, who examined the Assyrian Law Codes, particularly in regard to women, have dated the codes to Tiglath Pileser I (1114-1076 BC) in the 12<sup>th</sup> Century BC.<sup>87</sup> The Codes may have been edited during the reign of Tiglath Pileser III (725-747 BC). In addition, defined women’s quarters during the neo-Assyrian period between 900-600 BC have been discovered through excavations in the

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<sup>86</sup> C. H. W. Johns, *Babylonian and Assyrian Laws, Contracts and Letters*, “Code of Hammurabi,” accessed October 11, 2012, <http://www.commonlaw.com/Hammurabi.html>.

<sup>87</sup> G R Driver, J. C Miles and Theophile Meek . “A Comparison of Translations of the Middle Assyrian Laws, accessed May 6, 2013, <http://jewishchristianlit.com/Texts/ANELaws/midAssyrLaws.html>.

cities of Nimrud, Nineveh, Kalizi, Tarbisu, Khorshabad, Assur, Ekkallate, among other cities.<sup>88</sup> Both veiling and seclusion practices existed during this period.

Article 40 of the Assyrian Law Code spells out clearly who should and should not veil:

Married women, widows and Assyrian women must not have their heads uncovered when they go out into the street. Daughters of status must be veiled, whether by a veil, a robe or a [mantle]; they must not have their heads uncovered. When ... they go into the street [alone] they are to be veiled. A concubine on the street with her mistress is to be veiled. A hierodule who has gotten married must be veiled on the street, but a single hierodule must have her head uncovered; she may not be veiled. A harlot is not to be veiled; her head must be uncovered. Any man who sees a veiled harlot is to apprehend her, produce witnesses and bring her to the palace entrance. Although her jewelry may not be taken, the one who apprehended her may take her clothing. She will be caned (fifty stripes) and have pitch poured on her head. If a man sees a veiled harlot and lets her go rather than bringing her to the palace entrance, he will himself be caned (50 stripes). The one who turned her in may take his clothing. His ears will be pierced threaded with a cord tied behind him, and he will be sentenced to a full month's hard labor for the king.

Slave girls are not to be veiled either. Any man who sees a veiled slave girl is to apprehend her and bring her to the palace entrance. Her ears will be cut off, and the man who apprehended her may take her clothes. If a man sees a veiled slave-girl and lets her go rather than bringing her to the palace entrance, and he has been charged and convicted, he is to be caned (50 stripes). His ears will be pierced, threaded with a cord tied behind him, and he will be sentenced to a full month's hard labor for the king.<sup>89</sup>

One interesting aspect of the above law is that it gives a sense of the social classes of women at the time. Those who are to be veiled are married women, widows, Assyrian women, daughters of high status families, concubines who accompany their mistresses,

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<sup>88</sup> Sarah C Melville, "Neo-Assyrian Royal Women and Male Identity: Status as a Social Tool," *Journal of the American Oriental Society*, Vol. 124 No. 1 (Jan.-Mar 2004): 37, accessed June 3, 2013, <http://www.jstor.org.libaccess.sjlibrary.org/stable/4132152>.

<sup>89</sup> G R Driver and J C Miles, "Middle Assyrian Law Codes," accessed October 11, 2012. <http://jewishchristianlit.com/Texts/ANELaws/midAssyrLaws.html>

and married hierodules (these are the equivalents of *qaditsu*). Those who were not allowed to be veiled were single hierodules, harlots, and slaves. The punishment was quite severe, even for those who saw illegal veiling and did not bring the unfortunate women to justice. An illegally veiled harlot could be stripped of her clothes, although she could retain her jewelry. Presumably the jewelry was her wealth, and this was about humiliating her rather than taking her wealth. She would also be subject to fifty lashes, and “pitch” (melted tar) would be poured on her head. Public shaming was at the “entrance of the Palace gates.” The shaming was for all classes to witness as that was a popular public arena. While the punishment is defined for those who illegally veil, there is interestingly no punishment assigned for illegally unveiled women. Was veiling that common?

The interpretation of the law by scholars, such as Ashraf Zahedi and Nikki Keddie,<sup>90</sup> is that elite women were more likely to be veiled and that the veil was “a mark of prestige and status symbol.”<sup>91</sup> However, if one examines the law more closely, it cites three types of women who could belong to any class -- married women, widows, and Assyrian women. Given that a girl married between fourteen and twenty years of age, there must have been a large number of veiled women on the streets. Also, unless one actually knew beforehand the class of woman who went out into the streets, ordinary passers-by would have found it impossible to tell the difference between the legally and the illegally veiled. There is no documentation discovered that attests to whether there

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<sup>90</sup> Keddie, “The Past and Present of Women in the Islamic World,” 79.

<sup>91</sup> Zahedi, “Contested Meaning of the Veil and Political Ideologies of Iranian Regimes,” 77.

were infractions of the law. This calls to question on how effective the law was, and the degree to which society actually veiled.

Nevertheless, it may be argued that there was a school of thought that involved a reasoning behind veiling. Morris Jastrow, in his paper “An Assyrian Law Code,” interprets the law to mean that wives and daughters had to be veiled “to mark them as the property of the husband or father, and as a warning to others to keep their hands off.”<sup>92</sup> This interpretation then is related more to honor than class. Married women represented the honor of their husbands, and, hence, had to appear as belonging to them and no one else.

Marriage provided respectability to a woman. Given that the laws are particular that married women veil -- notice that married hierodules could veil, while the unmarried could not -- the law could be interpreted as a marker of woman’s virtue rather than necessarily her class or caste. Article 9 of the code says that if a man so much as lays a hand on a married woman, “treating her like a little child”, his fingers could be cut off. If he kissed her, his lower lip would be cut.<sup>93</sup>

The other reference to veiling in the Assyrian Law Code is Article 41 wherein, if a man wishes to make his concubine his wife, he must assemble five to six witnesses, “veil her in front of them and say ‘She is my wife.’ In this way she becomes his wife.”<sup>94</sup> An additional clause adds that, if the veiling does not occur, the marriage is not legal.

Veiling then, is ceremoniously associated with marriage and respectability for the

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<sup>92</sup> Morris Jastrow Jr., “An Assyrian Law Code,” *Journal of the American Oriental Society*, Vol. 41 (1921): 11, accessed June 3, 2013, <http://www.jstor.org.libaccess.sjlibrary.org/stable/593702>.

<sup>93</sup> G R Driver et al, trans. “Middle Assyrian Law Code Tablet A,” accessed October 12, 2012, <http://jewishchristianlit.com/Texts/ANELaws/midAssyrLaws.html>

<sup>94</sup> Ibid.

woman. No mention is made of the class of the woman in the article, which would imply that not-so-rich married women also veiled. One notices, however, that in these articles that the type of veiling is not described. Was it head veiling or full facial veiling?

Assyrian sculptures do not depict facial veiling.<sup>95</sup> The earliest facial veiling evidence, drawn from relief and sculpture, is from the Greek era, and represents goddesses or upper class Athenian women. Assyrian sculptural references are typically captives who appear sometimes with or without a head covering.<sup>96</sup> In the palace of the Assyrian king Sennacherib (705-681 BC), there were pictures of men carrying images of goddesses with covered heads.<sup>97</sup> One of the most influential goddesses of the region is Inanna (Ishtar in Akkadian, the language of Northern Mesopotamia), and she is frequently depicted with a head covering.

Of interest is another Assyrian relief, from the monument of the king Sennacherib (705-681BC). In this, captive Jewish women wear Greek-style himation, which are draped over their heads and extend to their feet. Again, there is no facial veiling, but strong evidence that Jewish women practiced head veiling.<sup>98</sup> The references in the Torah, however, imply that there might have been some facial veiling depending on the interpretations of the stories.

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<sup>95</sup> Beatrice Brooks A, "Some Observations concerning Ancient Mesopotamian Women," *The American Journal of Semitic Languages and Literatures*, Vol. 39, No. 3 (April 1923): 188, accessed June 3, 2103, <http://www.jstor.org.libaccess.sjlibrary.org/stable/528637>.

<sup>96</sup> Ibid.

<sup>97</sup> Ibid., 189.

<sup>98</sup> James B Hurley, *Man and Women in Biblical Perspectives*, "Veiling Customs in the Greco-Roman and Jewish Worlds" accessed October 13, 2012, <http://www.keithhunt.com/Veiling.html>.

### *Veiling References in the Torah (500 - 400 BC)*

The Torah, or the Old Testament, consists of five books -- Genesis, Exodus, Leviticus, Numbers, and Deuteronomy. The Torah, as published scripture, would have emerged sometime during the Second Temple period, which the Jewish Virtual Library cites as 538 BC to 70 AD.<sup>99</sup> The time that the Torah gained recognition as written scripture is cited by the library as 450 BC.<sup>100</sup>

There is no legislation requiring women to veil in the Old Testament.<sup>101</sup> However, in the book of Genesis, there are three stories that attest to the custom of veiling. A fourth story from the book of Numbers associates unveiling of the hair with an adulteress. Before analyzing these, one of the most famous quotes outlining the male-female equation is from the book of Genesis. In Genesis 2:22, the woman, vis-à-vis the man, is defined as “helper for him: and that she was created from “one of his ribs.” Consider the following line: “And the Lord God built the rib that He had taken from the man into a woman, and he brought her to the man” (Genesis 2:22).<sup>102</sup> While some recorded interpretations will be analyzed later on the *Mishna*, which is after 200 AD, it is impossible to speculate how those particular lines may have been interpreted at the time. However, it appears that the woman was made as a “helper” for man, and hence someone

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<sup>99</sup> “Jewish Virtual Library,” A Division of the American-Israeli Cooperative Enterprise, accessed March 10, 2013, <http://www.jewishvirtuallibrary.org/jsource/History/exile2.html>.

<sup>100</sup> Ibid.

<sup>101</sup> James B Hurley, *Man and Women in Biblical Perspectives*, accessed March 10, 2013, <http://www.keithhunt.com/Veiling.html>.

<sup>102</sup> *The Book of Genesis*, accessed October 14, 2012, [http://www.vatican.va/archive/bible/genesis/documents/bible\\_genesis\\_en.html#Chapter\\_2](http://www.vatican.va/archive/bible/genesis/documents/bible_genesis_en.html#Chapter_2).



who served him. Beyond an implication of a domestic equation, there is little to speculate. While domesticity cannot be equated with veiling, it may imply some level of seclusion, although that still cannot be considered conclusive evidence for the practice.

Veiling would have been part of the modest woman's attire, the opposite being the loose-haired adulteress. However, as mentioned earlier, there are no spelled-out requirements for veiling, head-veiling or otherwise. Two stories, however, suggest that facial veiling may have occurred. In both cases, the men do not recognize the woman they have made love to because of the presence of a veil. Consider the following verses from Genesis chapter 38:13-19:

When Tamar was told, "Your father-in-law is going up to Timnah to shear his sheep," she put off her widow's garments, put on a veil, wrapped herself up, and sat down at the entrance to Enaim, which is on the road to Timnah. She saw that Shelah was grown up, yet she had not been given to him in marriage. When Judah saw her, he thought her to be a prostitute, for she had covered her face. He went over to her at the road side, and said, "Come, let me come in to you," for he did not know that she was his daughter-in-law. She said, "What will you give me, that you may come in to me?" He answered, "I will send you a kid from the flock." And she said, "Only if you give me a pledge, until you send it." He said, "What pledge shall I give you?" She replied, "Your signet and your cord, and the staff that is in your hand." So he gave them to her, and went in to her, and she conceived by him. Then she got up and went away, and taking off her veil, she put on the garments of her widowhood.<sup>103</sup>

In the book of Genesis Chapter 38, Tamar, who is the widowed daughter-in-law of Judah, "put off her widow's garments, put on a veil, wrapped herself up" (Genesis 38:14) and solicited Judah who did not recognize her for she "had covered her face" (Genesis 38:15). While she was awaiting Judah, and prior to her sexual encounter with him, she saw "that Shelah was grown up and yet she had not been given to him in

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<sup>103</sup> Ibid.

marriage” (Genesis 38:14). These two verses are interesting for a number of reasons. First, there is clear evidence of facial veiling. Two people do not recognize her -- the first is Judah who actually makes love to her -- and the second is Shelah, her brother-in-law, who, by Jewish custom, should have been given to her in marriage. She sees him but he does not see her. The second interesting point to note is that a widow’s garments did not involve facial veiling. Lastly, she disguises herself as a prostitute, and gets away with it because she is veiled. Several questions are raised by this. Did prostitutes facially veil? Were the older Assyrian laws banning prostitutes from veiling enacted precisely because prostitutes veiled and men did not want to be in the same shoes as Judah? Or, did she disguise herself as the class of heirodules who could veil because they were married heirodules? Did prostitutes veil out of a sense of shame?

A second case of mistaken identity is when Jacob is tricked into marrying Leah instead of her younger sister Rachel. Leah was presented to him veiled on his wedding night (Genesis 29:23-25). He discovered the mistake only in the morning. A third reference of veiling is the case of Jacob’s mother Rebekah. When she sees Isaac, and is told that he is her fiancé, “she took her veil and covered herself” (Genesis 24:65). These references pertain more to weddings or associations of marriage with veiling. If one looks closely at the last reference, Rebekah dons the veil instantly when told this news. She is actually riding a camel when Isaac sees her and is told by the servant who he is. She slips off the camel and dons the veil. This means that she had a wrap or a mantle on her person when she veiled. Either the wrap was on her head and she was facially veiled, or it was about her shoulders and she was head or facially veiled. That she was carrying

a veil about her shows that marriageable girls most likely had an option to veil. Adam Clarke's commentary on the verse argues that this is the first reference of the word "veil" -- *hatstsaif* -- in the Torah, and that the veil was most likely a mantle or cloak used by girls in the East as a sign of modesty, chastity and subjection.<sup>104</sup>

The ceremony to try a woman as an adulteress involved the woman standing before the priest with her head uncovered (Numbers 5:18).<sup>105</sup> To be tested as an adulteress, a woman had to drink bitter water. If that water did not cause swelling or bodily deterioration, she was cleared.<sup>106</sup> This was obviously an exercise in humiliation rather than punishment. The focus was most likely the public display of a woman with her head uncovered. Unveiling, then, was associated with shame.

The question is whether women were forced to veil -- and during 500-400 BC, there is no evidence that veiling was compulsory. There is, however, a possibility that social custom deemed veiling, and that they possessed a choice. From the story of Rebekah who carried the veil and only donned it when she saw her fiancé, one may speculate on how prevalent the practice was. If a woman has an instant veil or mantle about her person, one can presume that a significant percentage of women exercised the option. Rebekah, herself, may have done so on other occasions not recorded in the Torah. One must examine some actual evidence from a time period through representations of women either through art or writing from women themselves.

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<sup>104</sup> "Bible Hub," *Biblos*, "Genesis 24:65," accessed May 6, 2013, <http://bible.cc/genesis/24-65.htm> accessed 5/6/13

<sup>105</sup> "Book of Numbers," *The Bible, Old Testament*, accessed October 15, 2012, <http://www.readbookonline.net/read/8847/21354/>

<sup>106</sup> James Hurley, *Man and Woman in Biblical Perspective*, accessed October 15, 2012, [www.keithhunt.com/Veiling.html](http://www.keithhunt.com/Veiling.html).

However, for this particular time period, there is a paucity of evidence. It is impossible, hence, to determine the degree of veiling practices at this time. Archaeological evidence from the later Hellenistic period is much richer, and testifies clearly to the presence of both veiling and seclusion practices for women.

*Archaeological Evidence of Veiling in the Greek Classical (5<sup>th</sup> - 4<sup>th</sup> Century BC) and Hellenistic Periods (323 - 146 BC)*

There is strong evidence of both head and facial veiling from the Greek Classical (5<sup>th</sup> - 4<sup>th</sup> Century BC) and Hellenistic period (4<sup>th</sup> - 2<sup>nd</sup> Century BC) drawn from terracotta and vase paintings. At the same time, there is also nude art from the same period.

Caroline Galt, based on a study of archaeological evidence of veiled or mantle-dancing women, argues that facial veiling, along the lines of “oriental” style -- presumably she means the Middle East -- was “the prevailing custom in Athens and possibly throughout Greece.”<sup>107</sup> Galt’s thesis is based on a selection of fifty illustrations, dating from the fifth to fourth century BC, of facially veiled women in what appear to be dance poses. Some of them represent Greek mythological goddesses, such as Aphrodite and Hera, and others are simply assumed to be ordinary married women. That the women’s statues are facially veiled cannot be disputed. Her article uses many illustrations. The assumption that women -- and here Galt includes *hetaerae* (the next section deals with *hetaerae*) and married women -- are performing a dance can be subject to some quibbling, although none of the scholars appear to have contested this point. Dance can be both modest and

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<sup>107</sup> Caroline M. Galt, “Veiled Ladies,” *American Journal of Archaeology*, Vol. 35, No. 4 (Oct—Dec, 1931):374, accessed June 3, 2013, <http://www.jstor.org.libaccess.sjlibrary.org/stable/498098>.

immodest depending on the type and the company among whom women have been dancing. If dancing occurred entirely in female company, then there would not have been a need to veil. If they danced in mixed company where men and women danced together, then it is plausible that they might have veiled. We can only speculate on this since the illustrations are exclusively of females. If they danced for men, then the purpose of the veil would have been to entice rather than to appear modest. Greek theater, it should be noted, included a circular space especially designed for dance.<sup>108</sup>

Galt looks at two types of artifacts -- the bronze or marble reliefs and the terracotta statue. Bronze and marble reliefs were expensive, and were used to represent goddesses and wealthy Athenian women. Terracotta statues were inexpensive and affordable. In the terracotta statues, there are some veiled women, but a large number are unveiled. There are some with head veiling only. This brings up again the question of class. What is interesting also is that examples of veiled women occur more frequently in the earlier time period. By the time of the fourth and fifth centuries AD, there are fewer examples of veiling.<sup>109</sup> Similarly, the representation of Aphrodite is represented veiled and also in the nude. In the fourth century BC, she appears chaste and veiled; a hundred years later, she is represented nude.<sup>110</sup> There was certainly a time in Greek history when women veiled; it appears that it occurred in the classical Greek period. Estimating the time period accurately is a challenge. There is division among scholars as to the degree of female seclusion for women. The mantle dancing women that some scholars such as

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<sup>108</sup> O. A. W. Dilkes, "The Greek Theater Cavea," *The Annual of the British School at Athens*, Vol. 43 (1948): 127, accessed June 3, 2013, <http://www.jstor.org.libaccess.sjlibrary.org/stable/30104428>.

<sup>109</sup> Galt, "Veiled Ladies," 388.

<sup>110</sup> *Ibid.*, 377.

Galt would assume are respectable married women is dismissed by others who argue that because seclusion was so severe or strict, and that respectable women did not go out, the women depicted on the vases must be slaves or courtesans.<sup>111</sup> There is a considerable body of literary evidence that women had their own quarters within a household, and the home was a sanctuary -- an attack on the house, was according to a study of women's seclusion in ancient Greece by David Cohen, "an attack on the honor of its men and the chastity of its women, even if the intruder be a thief."<sup>112</sup> Cohen's work also shows considerable evidence that women participated in a large number of activities including working in the fields, as nurses, and as midwives which prove an absence of seclusion practices. At the same time there is also concrete archaeological evidence for women's seclusion.<sup>113</sup> A study by Samantha Burke titled "Delos: Investigating the notion of privacy within the ancient Greek house" which is drawn from excavations in Delos, Greece, supports the literary evidence. She argues that within ancient Greek homes there was a possibility of separate domestic space for women, although "sustained spatial separation between women of the household and male non-kinsmen would have been impossible."<sup>114</sup>

Burke also argues that there is "conclusive archaeological evidence for the multiple occupancy of single residences."<sup>115</sup> Using data from excavations and with the

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<sup>111</sup> David Cohen, "Seclusion, Separation and the Status of Women in Classical Athens," *Greece and Rome* Second Series, Vol. 36 No. 1 (Apr., 1989): 6, accessed June 3, 2013, <http://www.jstor.org.libaccess.sjlibrary.org/stable/643180>.

<sup>112</sup> Ibid.

<sup>113</sup> Ibid., 7-8.

<sup>114</sup> Samantha Burke, "Delos: Investigating the notion of privacy within the ancient Greek house," (Phd diss., University of Leicester, 2000): 44, accessed June 3, 2013, <https://lra.le.ac.uk/handle/2381/8947>.

<sup>115</sup> Ibid., 33.

help of CAD (Computer Aided Design), she partially reconstructed the ancient Greek home. Her findings attest to a division of space and independent occupation of the upper floors with separate external stairs. The women were most likely housed in the upper quarters. Her findings also show a single courtyard where there would have been a likelihood of male-female interaction -- although she suggests that women, if in the courtyard, would most likely have been veiled. Burke's hypothesis that ancient Greek homes would have the possibility of gender interaction is corroborated by another archaeological study by Carla Antonaccio, whose thesis is that space was negotiated rather than assigned for the sexes.<sup>116</sup> Although there were defined areas for men and women -- *Andronitis* (a specific or separate male area) and *gynaikonitis* (a specific or separate female area) -- a man invited to dinner would pass areas or passages of the *gynaikonitis* to reach the dining hall. In addition, balconies were social spaces where women came out to chat with other women in adjacent or opposite houses in possible view of men. Unless these women were veiled, which is impossible to prove, there is strong evidence of gender interaction.

At the same time, amongst the veiled terracotta statuettes, around the third century BC, there are also nude Aphrodites and other nude art. The presence of nude art implies a complexity in Greek society, given that Aphrodite was also a religious figure. It is difficult to speculate on the coexistence of nude Greek goddesses and veiled ordinary women, which again brings in more questions than answers. Were there certain cities

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<sup>116</sup> Carla Antonaccio, "Architecture and Behavior: Building Gender in the Greek world," *The Classical World*, Vole 93 No. 5 *The Organization of Space in Antiquity* (May-June 2000): 530, accessed June 3, 2013, <http://www.jstor.org.libaccess.sjlibrary.org/stable/4352443>.

where veiling was more common than others? Did Greek society have separate rules for mortals and immortals? Was religion interpreted with complex lenses? One has to turn to Greek literary references as another source for Athenian female veiling and seclusion.

### *Greek Literary References to Veiling and Seclusion*

Marilyn Katz in “The Status of Women in Ancient Greece” refers to the work of scholars who believe that “restriction to home life was a matter of custom rather than law.”<sup>117</sup> She examines the role of the *hetaerae* in the Greek period of the fourth century BC and, from a historiographical lens, cites scholarly arguments that there was institutional education of women, that they were free to travel unaccompanied, and engage in social intercourse with men. The *hetaerae* were well-born educated women who studied philosophy and enjoyed a certain status in society. They defied the neat categories of wife, concubine, slave, and courtesan. They could have veiled, but that did not prevent social participation.

Katz’s investigation into the historiography of Athenian women’s seclusion questions full-scale seclusion practices even for the upper class. Eighteenth century French intellectuals such as Rousseau romanticized the “retired lives” of Athenian women. Women were “respected” and thus protected from men with private apartments and domestic worlds.<sup>118</sup> However, as Katz implies, was Rousseau simply expounding the ideal patriarchal society? She questions whether material drawn from Roman patriarchs

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<sup>117</sup> Marilyn Katz, “Ideology and ‘The Status of Women in Ancient Greece’,” *History and Theory* Vol. 34, Beihrft 31: *History and Feminist Theory* (Dec., 1992), 74, accessed June 3, 2013, <http://www.jstor.org.libaccess.sjlibrary.org/stable/2505416>.

<sup>118</sup> *Ibid.*, 84.



had become common currency for the subject without enough investigation. Closer literary analysis reveals that seclusion practices were not universally adopted, just as modern excavations of the *gynakonitis* reveal the strong possibility of gender interaction.

The source for gender-assigned architectural spaces is from Vitruvius (born 80-70 BC –15AD). He was a Roman architect and engineer, and published a work running into ten volumes called *De Architectura*, written around 15BC. According to Vitruvius, a typical Greek house had a single street door with a vestibule hallway leading to a courtyard around which were rooms facing inward. The arrangements were laid out in an almost symmetrical fashion with distinct suites for men and women, entirely on the ground floor. In the case of two-storied homes, the upper floor was reserved for women.<sup>119</sup> Wealthier homes had a double-courtyard. The front courtyard was surrounded by men's apartments, and was used for receiving guests, and the back courtyard was assigned as the women's quarters -- the *gynakonitis*. Many scholars have speculated on the association of the double-courtyard home with women's seclusion practices. Llewellyn-Jones, in his study on the subject, believes that domestic activity could have been conducted entirely within the family space -- the *gynakonitis*. This would have occurred without intruding into the guest areas. He suggests that women living in such homes were "even more restricted in this new type of house than they were in the one-courtyard model."<sup>120</sup>

Llewellyn-Jones ties in this information with two words that appear in the Greek vocabulary in the fourth century BC: the *gynaikonomoi* (controllers of women) and the

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<sup>119</sup> Burke, "Delos: Investigating the notion of privacy within the ancient Greek house," 20.

<sup>120</sup> Llewellyn-Jones, "House and Veil in ancient Greece," 257.

*tegidion* (face-veil). The *gynaikonomoi* was a civic body which policed women's public appearances to make sure that their clothing was sober, modest and concealing.<sup>121</sup> He also argues that although the *tegidion* may appear as another device to restrict women, it could also "have allowed women more freedom to participate in public society."<sup>122</sup>

While Llewellyn-Jones makes a convincing case that Greek society desired a separation of the sexes, there is some doubt whether the *tegidion* actually enhanced women's participation in society. This argument is used frequently with the *hijab* currently in Muslim societies -- that the covering allows women the freedom to participate. However, there is a great difference between a *hijab* which covers the hair and head, and a face-veil which covers a woman's mouth and affects her speech. One could concede that there might have been greater visibility of women on the streets with their face-veils, but it is questionable that it would have led to greater participation in the form of professions in society.

There is no evidence that the *tegidion* was a social requirement. From statuettes and literary sources, it appears that it was a choice exercised by upper-class women. There were also multiple styles of face-veils. One style was similar to a scarf with slits for eyes that could rest snugly on the head. It could be worn pulled up from the face, and dropped down whenever the need arose. Another, taken from a terracotta statue, shows a woman with a mantle drawn diagonally across the mouth and then over the head.<sup>123</sup> The

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<sup>121</sup> Ibid.

<sup>122</sup> Ibid.

<sup>123</sup> Ibid., 253. This reference shows drawings of the *tegidion* in both the styles mentioned in the paper. The drawings are reconstructed from the statues.

fact that there were multiple styles shows that the practice might have occurred over a significant period of time. It became part of a woman's fashion statement.

Another significant literary source that serves as evidence for women's seclusion is an essay titled "On Being a Busybody" by the Greek writer Plutarch in his *Moralia* (published around 100 AD). He advises men to avoid peeping into houses to avoid the temptation of women.<sup>124</sup> He uses the term "we" to refer to men, saying that, unlike Alexander the Great, who could resist the queen of Persia, "we... cannot forbear prying into sedans and coaches or gazing at the windows or peeping under the balconies where women are."<sup>125</sup> Plutarch implies that women are blocked from the male view, and men make a surreptitious effort to see them. They also risk sullyng their souls in order to do so. In another essay titled "Roman Questions" also in *Moralia*, Plutarch makes a direct reference to head veiling in religious spaces. When asked why it is necessary to cover one's head in the presence of the gods, Plutarch responds that it is a form of humility before them and, referencing Pythagorean doctrine, says that "the Spirit within us entreats and supplicates the gods without, and thus he symbolizes by the covering of the head the covering and concealment of the soul by the body."<sup>126</sup> It is important to note that there is a distinct philosophical rationale behind the act of veiling, and in sacred areas both men and women were required to head-veil. In the same essay, he is asked why men veil in funerals and women go with "uncovered heads." Plutarch says that he is not sure and

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<sup>124</sup> Plutarch's *Moralia*, Agatha Associates, accessed October 23, 2013, <http://www.bostonleadershipbuilders.com/plutarch/moralia/curiosity.htm>

<sup>125</sup> Ibid.

<sup>126</sup> Plutarch, *Moralia*, Vol IV of the Loeb Classical Library Edition, 1936, accessed October 23, 2012, [http://penelope.uchicago.edu/Thayer/E/Roman/Texts/Plutarch/Moralia/Roman\\_Questions\\*/C.html](http://penelope.uchicago.edu/Thayer/E/Roman/Texts/Plutarch/Moralia/Roman_Questions*/C.html)

asks whether this unusual situation was proper for mourning.<sup>127</sup> He says that “it is more usual for women to go forth in public with their heads covered and men with their heads uncovered.”<sup>128</sup> He then goes on to cite examples of men who divorced their wives because they left their hair uncovered.

Some Greek mythical figures defied conventional society. The Amazons, for instance, the daughters of Ares, the Greek god of war, were women warriors who challenged a woman’s function as wife and mother. They brought up girls and mutilated the boys.<sup>129</sup> Some Amazon figures are depicted with the right breast cut off.<sup>130</sup> Literary and mythical references cast more questions than answers. Were there emancipated women in Greek society? Did more “emancipated” women -- here defined as those who did not veil and were not secluded -- walk alongside their veiled sisters?

### *Overall Remarks on Ancient Veiling*

There is strong evidence of veiling and seclusion practices from two thousand years to the first century AD. Scholars are divided as to the degree of ancient veiling. The more recent scholarship questions earlier hypotheses of strict veiling and seclusion

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<sup>127</sup> Ibid.

<sup>128</sup> Ibid.

<sup>129</sup> P Walcot, “Greek Attitudes Towards Women: The Mythological Evidence,” *Greece & Rome*, Second Series, Vol. 31, No. 1 Apr., 1984): 42, accessed June 3, 2013, <http://www.jstor.org.libaccess.sjlibrary.org/stable/642368>.

<sup>130</sup> Joshua S Goldstein, “How War and Gender shapes the War System and vice versa” accessed October 23, 2012, <http://www.warandgender.com/wgamazon.html>.

practices in the Hellenistic era. Archaeological excavations do not fully validate literary references of seclusion practices.

The presence of veiled, unveiled, and nude women figures in ancient art suggests that veiling was not universal. Although most of the references – in terms of laws enacted, artifacts and literary sources – show the wealthier class veiled, the presence of religious references suggest that a wider cross section of society veiled, particularly married women. Prostitutes and slaves were most likely unveiled.

The findings also suggest that across time and cultures, there was a male obsession with female virtue and honor with possible exceptions. Any sexual relationships outside the legal boundaries reflected on both male and female honor. Veiling and seclusion practices were created to ensure that women remained within the boundaries set by men. Areas were defined for women. There were both legal and spiritual ramifications if women did not conform to the practices. Men made an issue of the practices, which could imply that some sections of female society resisted them.

## **Chapter 2**

### **Roman, the Mishna, and Christian Veiling Concepts and Practices between the First and Sixth centuries AD.**

Beginning in the first century AD, there is less evidence of veiled women, particularly during the Roman era where there was a plethora of elaborate hair styles. Head coverings were associated with distinction, and were for the rich and influential. However, there is some evidence, although scant, drawn from literary sources of facial veiling in Roman times. Christianity during the third and fourth centuries established philosophies of asceticism which enforced veiling in the church, particularly for women. Due to Augustinian views of gender inequality, female veiling during the fourth century of the Christian era -- particularly in religious spaces -- became associated with subordination to the spiritually superior male. Evidence of veiling is also found in upper class women during this time across the region, including Arabia, but it also appears religiously inspired. This counteracts blanket suppositions that only the upper class veiled. In short, Jewish and Christian women across classes might have veiled. Religious influences are powerful because churches and synagogues would have been the source of regular social interaction. On the whole, the first century AD saw a relaxation of veiling and seclusion practices, but the impulse stemming from influential Jewish and Christian figures impacted these practices in both religious and non-religious spheres, so that a cross section of female society was most likely veiled.

### *Roman Hairstyles in the First Century*

According to Elizabeth Bartman, there are no archaeological remains of actual hair, so that much of the information on hairstyles has been drawn from sculptures of the Roman elite of the earlier era dating from the second and third century onwards.<sup>131</sup> Her study is restricted to hair from the Roman era. Archaeologists, however, have found hair in Egyptian mummies.<sup>132</sup> In the Roman era, references to hair emerge from literary sources. Bartman's study suggests that hair was a gender marker and that, as a rule, Roman women had longer hair than men.<sup>133</sup> The most common hairstyle for women was long hair divided by a center part, a style not seen in men's sculptures. Hairstyles evolved over centuries and while women sported dramatic curls in the Flavian period of the late first century, men trimmed their hair short. A hundred or so years later, during the Severan dynasty, men sported elaborate coiffures and longer beards, while women chose to dress their long hair more simply. There is also evidence of hair pins, nets, and snoods including costly ornaments of gold and ivory. This suggests that upper class women liked to show off their hair and the head-veil -- if they chose to wear them -- enhanced rather than covered their looks. This is a dramatic departure from the facially veiled Athenian era. The case of Rome in the context of current theories of veiling is

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<sup>131</sup> Elizabeth Bartman, "Hair and the Artifice of Roman Female Adornment," *American Journal of Archaeology*, Vol. 105, Nov. 1 (Jan., 2001): 1, accessed June 6, 2013, <http://www.jstor.org.libaccess.sjlibrary.org/stable/507324>.

<sup>132</sup> G. Elliot Smith, "Egyptian Mummies," *The Journal of Egyptian Archaeology*, Vol. 1 No. 3 (July 1914), 189, accessed June 6, 2013, <http://www.jstor.org.libaccess.sjlibrary.org/stable/3853641>.

<sup>133</sup> Bartman, "Hair and the artifice of Roman Female Adornment," 3.

interesting. Evidence, at least in the form of visible hairstyles, suggests a reduction of veiling practices. At the same time, however, there was a decline in the agrarian economy and urbanization increased. Rome and Constantinople came to hold populations of several hundred thousand, equaling similarly sized European cities of the nineteenth century.<sup>134</sup> In this case, there does not appear a correlation between urbanization and veiling, theories expounded by Ahmed and other writers.

Another study on the same subject by Cynthia Thompson, who examined artifacts excavated from the city of Corinth in the first century, shows some head-veiled women, but depicts many more unveiled women with elaborate hairstyles.<sup>135</sup> Thompson's study is interesting for several reasons. It is based on archaeological excavations of both expensive marble statues and cheaper clay statuettes, suggesting evidence from a cross section of various classes. Her examples include emperors Augustus and Nero, as well as peasant women, so there is greater gender representation. Finally, the city of Corinth is where Paul gave his (in)famous and much analyzed speech on veiling in the first century which will be covered in the next section.

In the case of Roman women, there is evidence of both veiling and lack of veiling. A portrait of Augustus's wife Livia (58BC-29AD) shows both. On one coin, Livia is shown with the classic Roman hairstyle -- long hair parted in the middle and wound into a knot at the back of her head. On another, she is depicted wearing a draped cloth over her head. The depiction of veils on queens and emperors may reflect current

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<sup>134</sup> Davis Kingsley, "The Origin and Growth of Urbanization in the World," *American Journal of Sociology*, Vol. 60, No.5, World Urbanism (Mar., 1955): 432, accessed June 6, 2013, <http://www.jstor.org.libaccess.sjlibrary.org/stable/2772530>.

<sup>135</sup> Thompson, "Hairstyles, Head Coverings and St. Paul: Portraits from Roman Corinth," 99.



cultural practices at the time these artifacts were made. While a first century coin with Livia's head was unveiled, portraits from late antiquity -- which would have been anytime between the second and eighth centuries AD -- show a more frequently veiled Livia. It would be interesting to simply track Livia's portraits and notice the changes.

There are other examples of unveiled women in first century Corinth. The granddaughter of Augustus and mother of the emperor Caligula, Agrippina (14BC-33AD), wears loose curls running from her temple to her ear. Other statues show upper class women with complex and higher curls, suggesting evidence of a curling iron. Other examples of hairstyles show alternate bands of twisted and braided hair. Artificial curls and elaborate hairstyles strongly suggest unveiled women. One marble face of a woman from the first century shows a prominent bulge or knot right above the forehead. Obviously, hairstyles were fashionable in this era, and there are inscriptions from Lykosura and Adania in Greece, south of Corinth, requiring women to wear their hair braided and not loose. What is interesting in these excavated artifacts is that there is one of a peasant woman dating to the second century with her hair tied in a cap and a band passing under her chin.<sup>136</sup> Thompson suggests that the figure may have been a servant or a nurse. The description appears as if it is similar to a *hijab*. Here, then, is evidence of a lower-class woman head-veiling, suggesting that perhaps it was more commonplace.

Given, however, the large evidence of unveiled women, another example being the wall paintings of Pompeii in 79AD,<sup>137</sup> a veil might have been a choice, or a local custom, rather than a requirement in this era. This is the consensus of scholars on the

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<sup>136</sup> Ibid.,108-111.

<sup>137</sup> Ibid.

subject. There is one literary reference from the period by Dio Chrysostom (40-120AD), who visited Corinth, and praised the modest attire of the women. He noted that when women walked in public, no one could see part of their face or the rest of the bodies.<sup>138</sup> This clearly suggests facial veiling. Also he notes that only if women walked in public that they would be covered, suggesting some form of limited seclusion practices. Chrysostom also wrote a treatise, *Encomium on Hair*, equating beauty with hair in which he praises the locks of several Greek heroes, although he confines his praises to men.<sup>139</sup>

First century men apparently respected covered up women. The issue became more heated when influential figures endorsed covering. The city of Corinth contained a flourishing Christian congregation from the lower classes during this period. St. Paul, who gave a sermon there, seemed to have strongly supported veiling.<sup>140</sup> This sermon became the standard New Testament reference on the issue.

*St. Paul's Views (1 Corinthian:11-15) -- (53-54 AD)*

Paul stayed in Corinth -- a city situated on an island between Greece and Peloponnese -- between 50 and 60AD.<sup>141</sup> The city was a crossroads of the ancient world, as it boasted of two harbors -- one, Cenchrae, which led to Asia, and another, Lechaem, which led to Italy. Jerome Murphy O'Connor suggests that Corinth was a place of both

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<sup>138</sup> Ibid., 113.

<sup>139</sup> H Lamar Crosby, trans, Dio Chrysostom, *Ecomium on Hair*, Loeb Classical Library, 1951, accessed March 11, 2013

[http://penelope.uchicago.edu/Thayer/E/Roman/Texts/Dio\\_Chrysostom/Encomium\\_on\\_Hair\\*.html](http://penelope.uchicago.edu/Thayer/E/Roman/Texts/Dio_Chrysostom/Encomium_on_Hair*.html)

<sup>140</sup> Biblos, "Bible suite, 2004-11", accessed May 7, 2013, [http://bible.cc/1\\_corinthians/11-15.html](http://bible.cc/1_corinthians/11-15.html). This website gives many translations of the verse and in some cases "unveiled" is substituted for "uncovered."

<sup>141</sup> Thompson, "Hairstyles, Head-coverings and St. Paul: Portraits from Roman Corinth,"100.

wealth and diversity, an ideal ground for the missionary activities of Paul, who was born Jewish but converted to Christianity sometime in 30 AD.<sup>142</sup> The sources of his biography stem from fourteen New Testament epistles -- of which 1 Corinthians is one of them -- and an account of his missionary activity in the Acts of the Apostles.<sup>143</sup>

There are many translations of this verse, which was part of a sermon by St. Paul which has led to multiple interpretations. The following is from the New International Version (2011):

Judge for yourselves. Is it proper for a woman to pray to God with her head uncovered? Does not the very nature of things teach you that if a man has long hair, it is a disgrace to him, but if a woman have long hair, it is a glory? For long hair is given to her for a covering. (1 Corinthian:11-15)

The sermon took place in Corinth in the first century AD. Given that there was evidence of both veiling and unveiling, Paul appears to be admonishing the women who pray “uncovered.” Greek words for “covering” are *peribolaion*, *skepasma*, and *epikaluma*.<sup>144</sup> It is impossible to know what degree of covering he meant. Did he mean facial veiling? Or did he mean just head-veiling? Scholars are divided on what he meant at all. Troy Martin in his paper calls Paul’s argument “notorious,”<sup>145</sup> and interprets the verse in the context of sexual arousal emanating from long hair. Martin argues that ancient physiological conceptions equated long hair in women with testicles for men.

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<sup>142</sup> Jerome Murphy O Connor, “The Corinth that Saint Paul Saw,” *The Biblical Archaeologist*. Vol. 47, No.3 (Sep, 1984): 147, accessed June 6, 2013, <http://www.jstor.org.libaccess.sjlibrary.org/stable/3209916>.

<sup>143</sup> Charles Buck and Greer Taylor, *Saint Paul* (New York: Charles Scribner’s Sons, 1969), vii

<sup>144</sup> “Bible Study Tools,” *Salem Web Network*, accessed June 6, 2013, <http://www.biblestudytools.com/search/?q=covering&s=References&rc=LEX&rc2=LEX+GRK>.

<sup>145</sup> Troy Martin W. “Paul’s Argument from Nature of the Veil in 1 Corinthians 11:13-15: A Testicle of a Head Covering,” *Journal of Biblical Literature*, Vol. 123 No. 1 (Spring 2004): 75, accessed June 6, 2013, <http://www.jstor.org.libaccess.sjlibrary.org/stable/3268550>.

Because Jewish tradition explicitly forbade the display of genitalia when praying to God, he asserts that Paul's argument makes sense.<sup>146</sup> Another scholar, Walker, cites varying interpretations from contemporary feminists to historic males. Feminists, he declares, regard Paul as the ultimate male chauvinist.<sup>147</sup> Historic male scholars such as John Knox assert that the manuscript was not in its original form and has been edited, so that the actual meaning is lost.<sup>148</sup> Still another view is that the meaning is spiritual and "hidden."<sup>149</sup> It is not the particular verse that is actually so "notorious," as Walker puts it. It is in context of an earlier verse that has enraged contemporary feminists, but has also been instrumental in defining gender inequality in Christianity. The verse is also from the same chapter, but earlier, and it reads as follows:

But I would have you know that the head of every man is Christ, and the head of the woman is the man, and the head of Christ is God (1 Corinthian 11:4)<sup>150</sup>

Paul continues for the next six verses to set up the gender equation. And veiling becomes a symbol of that equation. In the next verse, he goes on to say that a woman "dishonors her head" -- which literally means that she dishonors her husband -- if she prays with her head uncovered. In 11:6, Paul goes on to say that a wife should shave off her hair if she wants to go uncovered, but that if she wants her hair, she should keep it covered. This handful of verses become the source of Tertullian's views in the third century, and the basis of Augustinian thought in the fourth century, through which veiling

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<sup>146</sup> Ibid., 83.

<sup>147</sup> Wm O Walker Jr., "1 Corinthians 11:2-16 and Paul's view regarding Women" in *Journal of Biblical Literature* Vol.94, No. 1 (Mar., 1975), 94, accessed June 8, 2013, <http://www.jstor.org.libaccess.sjlibrary.org/stable/3266038>.

<sup>148</sup> Ibid., 97-99.

<sup>149</sup> Ibid.

<sup>150</sup> Biblos, "Bible Suite 2004-11", [http://biblesuite.com/1\\_corinthians/11-3.html](http://biblesuite.com/1_corinthians/11-3.html) accessed 11/5/12

became associated with subordination to the male. Paul makes it clear that the man is under no obligation to head-veil, as the man is the “head of Christ,” while women have an obligation to veil, to mark their lower spiritual status vis-à-vis the man. In 11:15, Paul makes his entire sermon ambiguous when he says that long hair is a woman’s glory and her hair itself is a “covering.” Some scholars have interpreted the word covering to mean “a veil”.<sup>151</sup> If that were the case, then her hair is already a veil, and she does not need an additional covering. The verses on gender hierarchy, however, are unambiguous, and Paul re-iterates in verse 11:9 that a woman was created for the man, not the man for the woman, a subject seriously studied by Tertullian in the third century.

*Analysis on Select Tertullian’s Passages from “On The Veiling of Virgins” – (160-225 AD)*

Tertullian is attacked by writers such as Leila Ahmed<sup>152</sup> and Fadwa El Guindi,<sup>153</sup> who accuse him of misogyny. Howard Bloch, in his paper titled “Medieval Misogyny,” puts Tertullian alongside Paul, John Chrysostom, Philo -- who was Jewish -- and Jerome as some of “the greatest misogynistic writers of the first centuries of Christianity.”<sup>154</sup>

According to him, their misogyny was one of the reasons that these men were so fascinated by veils, jewels, make-up, hairstyle, and color, and “anything to do with the

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<sup>151</sup> Duncan Derrett, “Religious Hair,” *Man*, Vol 8, No.1 (Mar., 1973): 101, accessed June 8, 2013, <http://www.jstor.org.libaccess.sjlibrary.org/stable/2800614>.

<sup>152</sup> Ahmed, *Women and Gender in Islam*, 36.

<sup>153</sup> El Guindi, *Veil: Modesty, Privacy and Resistance*, 21.

<sup>154</sup> Howard R. Bloch, “Medieval Misogyny” *Representations*, No. 20 Special Issue: Misogyny, Misandry and Misanthropy (Autumn, 1987):11, accessed June 8, 2013, <http://www.jstor.org.libaccess.sjlibrary.org/stable/2928500>.

cosmetic.”<sup>155</sup> Geoffrey Dunn, who analyzes Tertullian’s *De Virginibus Velandis* (On The Veiling of Virgins), states that scholars who conduct research on Tertullian and women seek “either to rehabilitate or vilify a misogynist.”<sup>156</sup> Dunn argues that Tertullian’s *On the Veiling of Virgins* is a rhetorical treatise on asceticism.<sup>157</sup> He defines a rhetorical treatise as a set of arguments used to persuade people who hold contrary views. Dunn cites three sources of arguments that Tertullian uses in *De Virginibus Velandis*: Scripture, natural law and Christian discipline.<sup>158</sup> According to Dunn, it is not so much misogyny as a concern for the fidelity of the woman that inspired Tertullian’s treatise.<sup>159</sup>

Tertullian was born in Carthage in Roman Africa and is said to have converted to Christianity in 198-200 AD.<sup>160</sup> He was a prolific writer. His treatise in Latin titled *De Virginibus Velandis* is translated as “On the Veiling of Virgins”, and is dated 200 AD. It focuses on the need for women to veil in church. His writings influenced Augustine a century later. Justo L Gonzales argues that Tertullian was “the founder of Western theology.”<sup>161</sup> Tertullian echoed Paul’s sentiments of gender hierarchy and the need for veiling. If Paul was somewhat ambiguous, Tertullian is not. He clearly advocated veiling for women -- although not facial veiling, but head veiling.

An analysis of the entire treatise is beyond the scope of the paper but certain passages are analyzed to show how strongly he felt the need to endorse Paul’s views.

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<sup>155</sup> Ibid.

<sup>156</sup> Geoffrey D. Dunn, “Rhetoric and Tertullian’s ‘De Virginibus Velandis’” in *Vigiliae Christianae* Vol. 59, No. 1 (Feb 2005), 1, accessed June 8, 2013, <http://www.jstor.org.libaccess.sjlibrary.org/stable/1584675>.

<sup>157</sup> Ibid.

<sup>158</sup> Ibid., 5.

<sup>159</sup> Ibid., 1.

<sup>160</sup> Christian Classics Ethereal Library, “Biography of Tertullian,” accessed May 7, 2013, <http://www.ccel.org/ccel/tertullian>

<sup>161</sup> Justo Gonzalez, *The Story of Christianity* Vol. 1, (New York: Harper Collins, 2010): 93.

Tertullian, much like Paul, admonishes unveiled women, which suggests that the issue of unveiled women was present, and needed to be addressed. Consider the following lines found in Chapter III, Gradual Development of Customs and its Results: Passionate Appeal to Truth:

Every public exposure of an honourable virgin is (to her) a suffering of rape...But when the very spirit is violated in a virgin by the abstraction of her covering, she has learned to lose what she used to keep.<sup>162</sup>

Tertullian's analogy of equating the uncovered head with rape is significant because the unveiled head is no longer simply a case of dishonoring her husband. Her own person is violated and corrupted. The loss of a woman's honor is equated with the loss of her virginity. Repeated "rapes" sully her soul, and she can no longer find her way back to purity.

The third chapter of Tertullian's treatise is also significant in gleaning veiling practices of the time, because he declares the following:

The matter had been left to choice for each virgin to veil herself or expose herself... The virgins of men go about in opposition to the virgins of God, with front quite bare, excited to rash audacity.<sup>163</sup>

Apart from Tertullian's strong choice of words -- notice the juxtaposition of the verbs "veil" (*velare* in Latin) and "expose," the passage suggests that there were enough unveiled Christian women to provoke such a strong reaction from Tertullian, and the topic might have been a debated issue of the time. Tertullian also cites Paul's epistle to the Corinthians as a reference to validate veiling, examining his passages in detail and

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<sup>162</sup> Tertullian, *On The Veiling of Virgins*, Montana: Kessinger Publishing, 2013, 7 and Christian Classics Electronic Library modified for The Tertullian Project (August 8, 2003), [http://www.tertullian.org/anf/anf04/anf04-09.htm#P569\\_121112](http://www.tertullian.org/anf/anf04/anf04-09.htm#P569_121112) accessed 11/5/2012.

<sup>163</sup> Ibid.

answering what he felt was an ambiguity. Tertullian distinguished the terms of “woman” and “virgin”. A “woman” is someone married to a man, and a “virgin” is not. Tertullian argues that Paul included virgins in his definition of woman even if he did not specifically cite the term “virgin.” There is another interesting reference that he uses. That is the story of Rebecca who donned the veil as soon as she is told that her fiancé is in visible distance (see Chapter 1). Tertullian praises Rebecca for this act. He says in Chapter XI: The Rule of Veiling not Applicable to Children:

Oh woman, already belonging to Christ’s discipline! For she showed that marriage, likewise as fornication, is transacted by the gaze and mind.<sup>164</sup>

The passage is interesting because Tertullian shows that married Christian women veiled, and that a gaze could lead to either marriage or fornication. In that particular chapter, Tertullian declares that a girl ceases to be a “virgin” after puberty. It is that period between puberty and marriage that requires veiling. He chastises the practice of these girls who claim to call themselves “virgins.” In Chapter XII, he says:

what of the fact that these (virgins) of ours confess their change of age even by their garb; and as soon as they have understood themselves to be *women*, withdraw themselves from *virgins*, laying aside (beginning with the head itself) their former selves: dye their hair; and fasten their hair with more wanton pins; professing manifest *womanhood* with their hair parted from the front. The next thing is, they consult the looking glass to aid their beauty, and thin down their over-exacting face with washing, perhaps withal vamp it up with cosmetics, toss their mantle about them with an air...yet they wish to play the *virgin* by the sole fact of leaving their head bare—denying by one single feature what they profess by their entire deportment.<sup>165</sup>

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<sup>164</sup> Ibid., 22

<sup>165</sup> Ibid., 24



Tertullian's argues that a woman loses her "virginity" when she appears attractive to men. She has been sullied when she has aroused the man. Veiling then is to protect her own soul independent of the man's soul. Notice the details of the passage -- the dyeing of hair, the use of cosmetics, the hairpins. Young women had access to these materials, which would imply a significant usage and an unveiled young female population. Veiling also distinguished the married from the unmarried. From Tertullian's point of view, an unmarried woman acquired a corresponding married status if she employed cosmetics and appeared in full view of men as desirable. In chapter fourteen, he states that a woman loses her sense of shame when she unveils and becomes hardened, so that she can no longer honestly claim the badge of virginity:

The very concupiscence of non-concealment is not modest: it experiences somewhat which is no mark of a *virgin*—the study of pleasing, of course, ay, and (of pleasing) men... Thus the forehead hardens; thus the sense of shame wears away...<sup>166</sup>

Tertullian's ideas influenced Augustinian views of the fourth and fifth centuries, which included ideas of seclusion, particularly for women clergy. Non-Christian cultures also practiced significant veiling practices. In one of Tertullian's passages, he declares that "...even among the heathens, (the betrothed) are led veiled to their husbands"<sup>167</sup> (Chapter (XI). Tertullian's contention is that among the "heathens," girls are engaged before puberty and married as soon as they attain it, so that they go straight from virginity to womanhood. In the case of Christian women, they have a period of post-puberty and pre-marriage wherein they go about unveiled, and it is that period that their souls are sullied, unlike those of the "heathens".

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<sup>166</sup> Ibid., 27.

<sup>167</sup> Ibid., 23.

### *Veiling in the Mishna (1<sup>st</sup>- 3<sup>rd</sup> Century AD)*

The *Mishna* is the first of two parts of the Talmud that record legal decisions of Jewish scholars in and around the first and second centuries AD. It is considered an encyclopedia of Jewish civil, penal, human, and divine laws.<sup>168</sup> Interpreting Jewish scripture, it provides guidelines and laws for day-to-day living. While it was published in the third century AD by Rabbi Judah Yehuda haNasi (135-217AD), it contained records of reflections from the first and second centuries AD. *Nashim* is one of the six orders of the *Mishna* concerning marriage, divorce, and women. The *Nashim* is divided into seven tractates. The *ketubot* or marriage contract is the second tractate in the *Nashim*. The second part of the Talmud is an interpretation of the *Mishna*, called the *Gemarah*, which combine to form the Talmud. The *Gemarah* is basically an analysis and interpretation of the *Mishna* by generations of Rabbinic scholars. There are two versions of the *Gemarah* -- that written in 350-400 AD, which formed the Jerusalem or Palestinian Talmud, and that written around 500AD, which formed the Babylonian Talmud. There are, hence, two Talmuds based on a single *Mishna*. The *Talmud* will be discussed in the next chapter, as it was compiled after the fifth century AD.

Interpretations for the earlier quoted verse from *Genesis 2:22* -- “And the Lord God built the rib that he had taken from the man into a woman and he brought her to the man,” which would have been after 200 AD, according to Judith Baskin in *Midrashic Women*, imagined an ideal society that was “decidedly oriented towards their own (male)

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<sup>168</sup> H Polano, *trans. The Talmud* (Philadelphia: Leary, Stuart & Co., 1876): 1.

sex.”<sup>169</sup> Baskin, referencing J. D. Cohen, argues that this interpretation of scripture relegated women to a lesser role in society, and created a culture where women, apart from other restrictions, were “obligated to dress modestly,” to segregate themselves behind a partition in a synagogue, and to be excluded from a regimen of prayer and Torah study that sanctified the life of Jewish men.<sup>170</sup>

There are no direct references to veiling customs in the *Mishna*, but two references to loose or unbound hair imply that married women wore their hair up and covered. In Ketubot 2:1D, a passage that discusses a test on whether a woman was a virgin, as opposed to a widow or a divorcee at the time of marriage, is “if there were witnesses that [when she got married] she went forth to music with her hair flowing loose.”<sup>171</sup> Two points may be gleaned from this passage. The first is that loose hair was a sign of an unmarried woman, or a virgin. It also implies that a widow or divorcee covered or bound up their hair. The second point is the recurrent obsession of the male with a woman’s chastity. This is a consistent theme in ancient women’s scholarship. Laws were devised to test a woman’s virginity, and severe punishment was prescribed for adultery. The visibility of a woman’s hair was a test of her purity or lack of it. Men in spiritual authority prescribed laws.

The second reference to married women’s hair in the *Mishna* -- Ketubot 7:6D -- which is a clause that says that a woman cannot receive a marital settlement if she transgresses Jewish law. The clause states: “And what is Jewish law? If (1) she (married

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<sup>169</sup> Judith Baskin, *Midrashic Women*, (Hanover and London: Brandeis University Press, 2002): 3.

<sup>170</sup> *Ibid.*, 2.

<sup>171</sup> Jacob Neusner, trans., *The Mishna* (New Haven and London: Yale University Press, 1988), 380.

woman) goes out with her hair flowing loose, or (2) she spins in the marketplace, or (3) she talks with just anybody.”<sup>172</sup> This particular passage is interesting because not only does it imply head covering when a woman is outside, but a possibility of seclusion practices. This passage also distils commentary from the Talmud of the later era, and will be re-introduced into the paper in the next chapter. One kind of work that women did was spinning. This particular clause also implies that Jewish women engaged in spinning in their homes. They usually did not spin in the marketplace or were not allowed to. They may have not talked to other men. The word “anybody” presumably meant men. The passage also implies that the practice of veiling and seclusion was “Jewish law,” which, if violated, would lead to consequences.

#### *Zoroastrian Veiling (226 - 651 AD)*

Veiling is found among both men and women in Sassanid Iran from the third century AD onwards and continues through Islam’s arrival into the region. Zoroastrian societies were patriarchal. The obedient wife is praised strongly in the *Avesta*, the collection of sacred texts of Zoroastrianism.<sup>173</sup> The *Avesta* also contains several verses on the defilement of woman as a result of menstruation and childbirth, after which she must undergo purification rituals, including washing herself with cow’s urine. The *Avesta* text says that the menstruating woman should keep a distance from fire, water,

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<sup>172</sup> Ibid., 392.

<sup>173</sup> Ali A Jaffrey, “Women in the Gathas and Later in the Avesta,” accessed May 8, 2013, <http://www.zoroastrian.org/articles/Woman%20in%20the%20Gathas%20and%20Later%20Avesta.html>.

and the “just man.”<sup>174</sup> At the same time, in the *Gathas*, which are hymns said to be composed by Zarathustra, there are several verses pointing to spiritual gender equality.<sup>175</sup> Chapter seventeen titled “On Garments” in the *Avesta* mentions that the body -- the gender here is not specified so it could mean only men or both men and women -- should be covered with *sudra* and *kushti*.<sup>176</sup> The *kushti* is a girdle around the waist, and the *sudra*, according to the reference below, is a shirt. However, the term *sudra* can also mean a headdress and is similar to the Arab *keffiyeh*, which is like a head-veil. Depending on how one defines the word *sudra*, there is the existence of head-veiling in Zoroastrian scripture.<sup>177</sup> There are terms in Pahlavi for veil -- *padan*, *paiti-dana*, *panum* - - and priests adopted mouth veils that served as an anti-pollutant.<sup>178</sup> This practice is still observed today among Zoroastrian priests.

One other term for veiling, and this includes facial veiling, is *cador*. According to *Encyclopedia Iranica*, the term was used in 4<sup>th</sup> C AD Pahlavi texts based on lost *Avesta* texts. One reference is to Hufriya, a figure from Zoroastrian times, who puts on a *cador* when asked a question of whether the pleasure of women stems from clothing or men.<sup>179</sup>

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<sup>174</sup> Mary Boyce, “ ‘Padyab’ and ‘Narang’: Two Pahlavi terms further Reconsidered,” *Bulletin of the School of Oriental and African Studies* Vol 54 No.2 (1991): 284, accessed June 9, 2013, <http://www.jstor.org.libaccess.sjlibrary.org/stable/619136>.

<sup>175</sup> Ali A Jaffrey, “Women in the Gathas and Later in the Avesta” <http://www.zoroastrian.org/articles/Woman%20in%20the%20Gathas%20and%20Later%20Avesta.html> accessed 11/7/12

<sup>176</sup> Joseph H Peterson, “Denkard Book Five,” accessed November 7, 2012, <http://www.avesta.org/denkard/dk5s.html#chap17>. The Denkard is ninth century encyclopedia of Zoroastrianism but contain quotes from lost Avesta texts.

<sup>177</sup> *Babylon*, “Sudra Translation,” accessed November 7, 2012, <http://translation.babylon.com/english/Sudra/>.

<sup>178</sup> Jennifer Heath, Ed., *The Veil* (Berkeley: University of California Press, 2008), 107.

<sup>179</sup> *Encyclopedia Iranica*, “Cador,” accessed November 7, 2012, <http://www.iranicaonline.org/articles/cador-a-loose-female-garment-covering-the-body-sometimes-also-the-face#pt2>.

Leila Ahmed suggests that Abbasid Islamic veiling and seclusion practices are a direct inheritor of Sassanian harems and the patriarchal culture of the region.<sup>180</sup> The Sassanian harems, according to Ahmed, were actually a carryover from Achaemenid times (550-336BC), but they became much larger subsequently. As far as status was concerned, women, Ahmed says, were “somewhere between personhood and thingness.”<sup>181</sup> A woman could be legally loaned out for sexual services. She had to transfer property rights to her husband after marriage, and faced legal repercussions if she disobeyed her husband. The law stated that her children belonged to her husband and his family.<sup>182</sup> At the same time, there appears to be intermingling of the sexes. Sassanian art shows women dancers mingling with men without head covering, although they may be twirling scarves.<sup>183</sup> The art also reveals many female sculptures with head veils but not facial veils. The Iranian deity Anahita -- a water/fertility goddess, counterpart to Ishtar -- is pictured with a headdress at times, but there is one example of her also intermingling with kings Khusro and Ahura Mazda on a relief . All are wearing headdresses, but only Anahita’s face is clearly shown. The date for this relief is unknown. The illustration refers to Khusro II. Most likely, the relief is from the seventh century.<sup>184</sup>

Much of the evidence for veiling comes from literary sources. Firdawsi’s *Shahnameh* (940-1020AD), about pre-Islamic Sasanian kings, show many veiled

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<sup>180</sup>Ahmed, *Women and Gender in Islam*, 19.

<sup>181</sup> Ibid., 21.

<sup>182</sup> Ibid.

<sup>183</sup>Encyclopedia Iranica, “Cador,” accessed November 8, 2012, <http://www.iranicaonline.org/articles/cador-a-loose-female-garment-covering-the-body-sometimes-also-the-face#pt2> .

<sup>184</sup> Statemaster Encyclopedia, “Sassanid Dynasty,” accessed June 9, 2013, <http://www.statemaster.com/encyclopedia/Sassanid-dynasty>

figures, both male and female. Given that it is a literary work of a much later time, the references may be anachronistic. The queen Shirin was veiled. She removes her veil once to show that the reason she was desired by the dead king Khosroe Parviz was simply her beauty. The kings Khosroe Parviz (590-628AD) and Khosroe Ansuravan (531-579AD) are depicted veiled. Jennifer Heath and other scholars, such as Ahmed, believe that veiling in Zoroastrian times was the privilege of the upper classes -- both male and female. The queens were carried in curtained carriages.<sup>185</sup> The kings wore veils to denote their superiority from the common people.<sup>186</sup>

*Fourth Century Christian Veiling: The Influence of Augustine*

While the Sassanids practiced both male and female veiling, Christian thought evolved to confine veiling to women only. With Constantine's conversion to Christianity in the fourth century, liturgical reforms, a Christian mandate, and a growing urbanized Christian population in the Mediterranean region, ideas about gender issues emerged from scholars, the legacy of which would be identified with Christianity. Augustine was one such influential scholar. Influenced by earlier writings of Paul and Tertullian, Augustine championed veiling and virginity in women, using Christian scripture as validation. Kim Power, in her book *Veiled Desire*, says that Augustine's power stemmed from his weaving scriptural verses into his own allusions, so that his own

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<sup>185</sup> Ibid.

<sup>186</sup> Heath, *The Veil*, 108.

writing came to share with “the authority of the Divine word.”<sup>187</sup> The veil became the mark of the ascetic virgin.

On one level, Augustine seems to be echoing Paul and Tertullian. He endorses the hierarchy of God, Christ, man, and woman in that order. The difference lay in the degree that the woman was placed in relation to the other three. Power argues that, in earlier writings, women could not represent Christ as men could, but Christ could represent both men and women. In Augustinian texts, Christ does not and cannot represent women.<sup>188</sup> She continues to say that Augustine also advocated that the ascetic woman withdraw from the world, and advanced that agenda through the image of Mary as the ideal virgin.<sup>189</sup> The concept of asceticism is a departure from earlier texts. Mary also does not fall in the definition of Tertullian’s earlier idea of a virgin. Augustine believed that Eve was seduced by the serpent, and that Adam joined in a sense of “misplaced love.”<sup>190</sup> The veiling of women was necessary as a form of “restraint”<sup>191</sup> on women. While Eve as transgressor is found in both Paul and Tertullian, the veil in women had not earlier been identified as a form of “restraint.” For Augustine, male dominance was part of the natural order of the Universe, and not the result of social organization or of sin.<sup>192</sup> Kim Power in *Veiled Desire* articulates the shift between earlier Christian thinking and Augustine in the following way: “What earlier writers both pagan

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<sup>187</sup> Kim Power, *Veiled Desire: Augustine on Women* (New York: The Continuum Publishing Company, 1996) 17.

<sup>188</sup> *Ibid.*, 5.

<sup>189</sup> *Ibid.*, 16.

<sup>190</sup> *Ibid.*, 146.

<sup>191</sup> *Ibid.*, 152.

<sup>192</sup> *Ibid.*, 32.



and Christian (Ambrose and Tertullian) had seen as a junior-senior partnership, he (Augustine) transformed into a master-slave partnership.”<sup>193</sup>

In addition to Augustine writings, the climate of the time was more conducive to restraints for women. Legislation was introduced by Constantine to exclude women from public ministry in the emerging institutional church.<sup>194</sup> A woman could no longer have a public role. Instead, domestic virtues and modesty were highlighted for women. Livia, the wife of Augustus who had died in 29 AD during the lifetime of Jesus, was remembered strongly during this time for her virtue, modesty and chastity.<sup>195</sup> Rodney Stark points out that women were crucial in conversions from paganism to Christianity, particularly during Paul’s era.<sup>196</sup> Attracted by concepts of the ban on infanticide, monogamy, fidelity, and the condemnation of divorce, a woman was promised greater marital security. According to Stark, women held positions in the early Church and worked as evangelists and teachers.<sup>197</sup> However, in the fourth century, a different climate emerged. There was Byzantine legislation -- Canon 44 from the Council of Laodicea in Phrygia, Pacatiana -- prohibiting women from entering the sanctuary. Pacatiana is located near the modern Denizli, which was part of Turkey in the last quarter of the fourth century.<sup>198</sup>

Earlier, the Christian woman was forbidden to leave her husband and practice an ascetic life, but during the fourth century, due to laws repealing penalties on celibacy,

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<sup>193</sup> Ibid., 122.

<sup>194</sup> Ibid., 65.

<sup>195</sup> Ibid., 25-7

<sup>196</sup> Rodney Stark, “Reconstructing the Rise of Christianity: The Role of Women,” *Sociology of Women*, Vol 56 No, 3 (1995), 231

<sup>197</sup> Ibid., 239

<sup>198</sup> Ibid.,

there was a rise in the ascetic virgin serving Christ.<sup>199</sup> Church tradition, according to Kim Power, declared that a virgin should cut her hair short to assert her independence as a human spouse, and hide her hair under a veil to indicate her subordination to a divine.<sup>200</sup> Augustine, who was not in favor of women priests, deeming them heretical, added to the discourse of the veil by recommending it for all women on the grounds of their intellectual and spiritual inferiority, as well as for the need to restraint their carnal desire.<sup>201</sup> Consider the following lines from Augustine's *De Trinitate*. A man, according to Augustine, should not veil because he has been formed after the image of God, and was "on that account not to be restrained," but for a woman veiling is necessary. These are from Book XII Chapter 7 of *De Trinitate*:

because too great a progression towards inferior things is dangerous to that rational dealing that is conversant with things corporeal and temporal; this ought to have power on its head which is signified that it ought to be restrained<sup>202</sup>

Augustine linked the notion of restraint with veiling. Women according to him were "seductive stimuli." They had to be veiled to symbolize their temporality, unlike man, who extended himself towards the eternal.<sup>203</sup> Women were linked to lust and shame, which became an additional discourse of the veil. This is a far cry from her honoring or dishonoring her husband, or even protecting her soul. Based on this Augustinian concept, an unveiled woman was a danger to a man's soul and his place in the next world. She symbolized concupiscence -- a strong sexual desire -- and must be

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<sup>199</sup> Kim Powers, *Veiled Desire*, 65

<sup>200</sup> *Ibid.*, 56

<sup>201</sup> *Ibid.*, 58

<sup>202</sup> Arthur West Hadden, trans. "On the Trinity Book XII," accessed November 9, 2012, <http://www.newadvent.org/fathers/130112.html>. accessed 11/9/12

<sup>203</sup> *Ibid.*

curtailed through the veil. In the Catholic encyclopedia, concupiscence is any yearning of the soul for good but in its strict and specific acceptance, it is a desire of the lower appetite contrary to reason.<sup>204</sup> Sexual desire was considered shameful, and hence required veiling.

Augustine, along with veiling, advocated seclusion. Men had the responsibility to dominate and restrain women, or further corruption would occur, and sins would multiply. If a woman chose seclusion, she accepted her capacity for shamefulness.<sup>205</sup> Based on Augustinian doctrine, Christian women faced a choice between asceticism and seclusion for spiritual salvation. Augustine advanced the veiled, docile Mary as the vision of complete integrity of being. She was the virgin God-bearer and an ideal symbol for the Christian value system. From the fourth century onwards, Mary became an iconic figure in Christianity.

On the one hand, Augustine was the ultimate misogynist, ordering the veiling of women to keep them at a distance, but his use of the term of “veil” in his writings has deeper spiritual connotations. In order to arrive at perfection, or in the image of God, Augustine says in Book XV. 20 of *De Trinitate*:

In order to attain this the good master teaches us by Christian faith and by pious doctrine, that with face ‘unveiled’ from the veil of the law, which is the shadow of things to come ‘beholding as in a glass the Glory of the Lord, i.e., gazing at it through a glass, we may be transformed into the same image from glory to glory as by the Spirit of the Lord.’<sup>206</sup>

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<sup>204</sup> *Catholic Encyclopedia*, “Concupiscence,” accessed May 8, 2012, <http://www.newadvent.org/cathen/04208a.htm>.

<sup>205</sup> Power, *Veiled Desire*, 162

<sup>206</sup> Liberty Fund Inc., “Saint Augustin on the Holy Trinity, Doctrinal Treatises, Moral Treatises,” accessed June 9, 2013, [http://oll.libertyfund.org/index.php?option=com\\_staticxt&staticfile=advanced\\_search.php](http://oll.libertyfund.org/index.php?option=com_staticxt&staticfile=advanced_search.php)

The veil here is used as the barrier or the gate to the Lord. Access to the Lord requires the removal of the “veil.” Power sums it up by saying that the “veil constitutes a boundary which divides the temporal from the eternal, the carnal from the spiritual, Christ from the unredeemed, the heretic from the faithful, the chaste bride from the lustful shamed daughter, and the sun of wisdom from the shadows of error.”<sup>207</sup> Power sees it more as a barrier, but another interpretation of Augustine’s verse, particularly the lines “gazing at it through a glass,” could mean that the “veil,” depending on how clean it is, can be a gate to the Lord. There are, of course, mystical interpretations of the verse, analyses of which are beyond the scope of the paper.

Augustine was not the sole Christian influencing the cause of asceticism and virginity. According to Elizabeth Castelli, the idea that first emerged with Paul -- that marriage was good but virginity was better -- became commonplace in fourth century literature.<sup>208</sup> The theme of virginity was tied to liberation. The language of Christ as bridegroom became part of the dialogue. Castelli examines the writings of Gregory of Nyssa (335-395 AD) who believed that marriage was a chief evil leading to quarrels and suspicions, while the virgin had a spiritual fecundity, and, as an imitator of Mary, became mother of Christ. Castelli summarizes that “the virgin bride should do the will of the bridegroom, repress her senses through asceticism in order to gain access to the heavenly bridal chamber, and guard her body, spirit and soul for Christ her spouse.”<sup>209</sup>

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<sup>207</sup> Power, *Veiled Desire*, 154.

<sup>208</sup> Elizabeth Castelli, “Virginity and Its Meaning for Women’s Sexuality in Early Christianity,” *Journal of Feminist Studies in Religion*, Vol. 2, No. 1 (Spring, 1986): 68, accessed June 9, 2013, <http://www.jstor.org.libaccess.sjlibrary.org/stable/25002030>.

<sup>209</sup> *Ibid.*, 69-72.

This view led to the rise of female monasteries as the only way where women could pursue their commitment to virginity.

*Massacre of Najran, Arabia -- 518, 522 or 523 AD*

Upper class Christians in Arabia during the sixth century practiced both veiling and seclusion. Eleanor Doumato, in her paper “Hearing Other Voices: Christian Women and the coming of Islam,” discusses pre-Islamic veiling and seclusion practices in a Christian sect in Arabia. Doumato argues that veiling and seclusion, as well as Islam’s patriarchal structures were not rooted in Islam because these practices existed prior to its arrival. She also dismisses *Hadith* because she says its validity “has been called into question.”<sup>210</sup> In addition, according to her, all pre-Islamic poetry is problematic because it was written down much later, and “must represent later matter.”<sup>211</sup> Doumato draws her evidence for veiling and seclusion practices from the *Book of Himyarites* and letters of Simeon which were written in Syriac. Although Doumato feels that the letters of Simeon “can be considered contemporary accounts,”<sup>212</sup> the *Book of Himyarites*, according to a reviewer of the book translated in 1924 from Syriac, dates the original at 932AD. The dating means that it would have been under the political control of the Abbasids.<sup>213</sup> Irfan Shahid, however, corroborates Doumato’s views that the accounts do stem from the sixth

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<sup>210</sup> Eleanor A Doumato, “Hearing Other Voices: Christian Women and the Coming of Islam,” *International Journal of Middle East Studies*, Vol. 23, No. 2 (May 1991): 178, accessed June 9, 2013, <http://www.jstor.org.libaccess.sjlibrary.org/stable/164236>.

<sup>211</sup> Ibid.

<sup>212</sup> Ibid., 181

<sup>213</sup> James A Montgomery, “The Book of the Himyarites” review of *The Book of the Himyarites: Fragments of an unknown Syriac work* by Axel Moberg, *The Jewish Quarterly Review*, Vol 19, No. 2 (Oct 1928): 151.

century AD.<sup>214</sup> Central to the evidence is the story of a Christian martyr, Ruhayma, who is offered the choice of death versus a denial of her Christianity, and she chooses the former. She goes to the marketplace unveiled when she is given this offer, and the narrator mentions that “she is one no-one in the city had ever seen till that day”<sup>215</sup> Doumato argues that evidence points to upper-class veiling and seclusion practices, and that Ruhayma belonged to the class of nobility associated with power. However, women had prominent roles in the church although they could not become priests or be part of the upper hierarchy. Women could be nuns and deaconesses, and assisted in women’s baptism, where the person being baptized was submerged naked and her whole body anointed with oil.<sup>216</sup>

Doumato also argues that Ruhayma was considered “the paragon of the virtuous woman,”<sup>217</sup> and she links the qualities of virtue with veiling and seclusion practices. Her reasoning that the lower class women did not veil stems from a logical argument that with veiling and seclusion practices, there were working women who served as intermediaries between secluded women and the public.<sup>218</sup> While this would stand for an argument against seclusion, it does not necessarily stand against head-veiling. In developing countries today, such as India, both lower class and rural women head-veil while at work. It is also interesting that Ruhayma is a widow. She asks for forgiveness

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<sup>214</sup> R B Sergeant, review of *The Martyrs of Najran: New Documents* by Irfan Shahid in *International Journal of Middle East Studies*, Vol.5, No.4 (Sep. 1974): 499. , accessed June 9, 2013, <http://www.jstor.org.libaccess.sjlibrary.org/stable/2856080>.

<sup>215</sup> Doumato, “Hearing Other Voices: Christian Women and the Coming of Islam,” 183.

<sup>216</sup> Ibid., 187.

<sup>217</sup> Ibid., 184.

<sup>218</sup> Ibid.

for outliving her husband.<sup>219</sup> Christian doctrine may have endorsed veiling, but the practice spilled over to the laity. Although the Najran massacre is pitted as Jewish versus Christian, there was intermingling among the two religions in the region. Both Jewish and Christian scholars advocated veiling. Around this time the Babylonian Talmud was beginning to get published, and there were commentaries on earlier *Mishna* tracts (see Chapter 1), which imply both veiling and limited seclusion practices.

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<sup>219</sup> Ibid., 187.

### Chapter 3

#### Pre-Islamic, Quranic and Talmudic References to Veiling, 6th-7th Centuries AD

The period of pre-Islamic Arabia, also known in Arabic as the *Jahiliya* (era of ignorance or confusion), left a legacy of a considerable body of oral literature. This was written down later in the Umayyad and Abbasid periods. Prior to the coming of Islam, the literature was designed for oral appreciation in the form of poetry and song around desert campfires.<sup>220</sup>

Much of what we know of the period is from Muslim scholars of the Abbasid period. Abbasid-era writings also include knowledge from the first years of Islam in the form of the *Hadith*. While the *Hadith* contains early Islamic anecdotes, the written form can be dated only from the eighth century. The Quran was compiled in the caliphate of Abu Bakr (632-634 AD) and established as a unified text under Uthman (644-656 AD). Prior to that, between 609 AD to 632 AD (the twenty three years prior to Muhammad's death), it was transmitted orally or written in parchment.

The Quran introduced many social and financial rights for women. There are four verses that refer to veiling. The *Hadith* built upon these to establish that female veiling was practiced by the family of Muhammad. These four verses, which have been subject to multiple interpretations over the course of time, included the interpretation that veiling practices must extend to women in general.

The fact that veiling practices needed to be advocated suggests the presence of both veiled and unveiled women. At approximately the same time, the Babylonian

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<sup>220</sup> Robert Irwin, ed., *Night and Horses and the Desert: An Anthology of Classical Arab Literature* (Woodstock and New York: The Overlock Press, 2000), 1.



Talmud, building upon previous *Mishna*, encouraged veiling practices for the married woman. While Jewish scripture related to the issue is much more direct, the Quranic verses attributed to veiling are ambiguous. In addition, as mentioned from Doumato's work in the previous chapter, upper class Christian women living in Nastran, Arabia in the sixth century AD practiced veiling and seclusion.

Fifth to seventh century AD Arabia witnessed the establishment of religious scripture, drawn from the Quran and Talmud, which suggested that virtuous women veil themselves from unfamiliar male society. The advocacy of veiling in Quranic scripture is suggestive of the existence of unveiled women in society, which encompassed Jewish, Christian, and possibly pagan women.

#### *Talmudic References to Veiling -- 5<sup>th</sup> to 7<sup>th</sup> Centuries*

The Babylonian Talmud was edited in Sassanid Mesopotamia in the fifth through the seventh centuries AD, at a time when permanent Jewish academic institutions had been created. These were the precursors of the great Rabbinic academies of the Islamic era.<sup>221</sup> Some of the Talmudic references recommend veiling for married women, and as a marker of their virtue. Lynne Schreiber, argues that, based on the *Torah*, the “*Chazal* (*Mishnaic* authority) says that it is incumbent upon Jewish women to cover their hair except when in the company of their husbands or sometimes in front of other women.”<sup>222</sup>

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<sup>221</sup> Jeffrey Rubenstein L., *The Culture of the Babylonian Talmud* (Baltimore: The John Hopkins University Press, 2003), 1-3.

<sup>222</sup> Lynne Schreiber, *Hide and Seek: Jewish Women and Hair Covering* (New York: Urim Publications, 2003), 11.

She argues that for centuries, it was necessary for married women to cover their hair.<sup>223</sup> Talmudic scholars base their discussion from passages of third century *Mishna*. Their commentary adapts previous *Mishna* for the time that it was written. It is clear that, between the fifth and seventh centuries AD, there were Jewish religious directives on veiling and unveiling. The three tractates from which one can glean veiling practices are from the *Ketubot* (Marriage Settlements), the *Sotah* (Suspected Adulteress), and the *Shabath* (Sabbath).

One piece of evidence that married women veiled is that virgins did not. In order for a woman to prove her virginity after a second marriage, she could produce witnesses who could attest that she began her marriage ceremony with her head uncovered. This *Mishna* was discussed in the previous chapter. The Babylonian Talmud records the following commentary:

If a woman became a widow or was divorced, and she says that thou didst marry me as a virgin, and he says not so, I married thee as a widow. If there are witnesses that she went out with *hinuma* and her head uncovered, her *ketubah* is two hundred zuz (*Ketuboth*, Chapter II).<sup>224</sup>

A *hinuma* is defined in *Ketuboth* 2:17b as “a veil under which the bride slumbers.”<sup>225</sup> The verse is approved without dispute in the Talmud, implying that one distinction between a woman who has had intercourse and the virgin is head-veiling.

Another article from the *Mishna* mentioned and discussed in the Talmud which is clearly to do with head covering is in chapter seven of the *Ketuboth*, where a man may

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<sup>223</sup> Ibid.

<sup>224</sup> *Babylonian Talmud*, “Tractate Ketuboth,” accessed June 10, 2013, [http://www.come-and-hear.com/ketuboth/ketuboth\\_15.html#15b\\_37](http://www.come-and-hear.com/ketuboth/ketuboth_15.html#15b_37).

<sup>225</sup> Ibid.

divorce his wife without a *kettubeh*, or marriage settlement. This *Mishna*, discussed in the first chapter of the paper is heavily supported by Talmudic scholars.

AND WHAT [IS DEEMED TO BE A WIFE'S TRANSGRESSION AGAINST JEWISH PRACTICE? GOING OUT WITH UNCOVERED HEAD. Is not the prohibition against going out with an uncovered head? ... for it is written. And he shall uncover the woman's head. And this, as was taught at the school of R. Ishmael, was a warning to the daughters of Israel that they should not go out with uncovered head.<sup>226</sup>

The capitalized words are from the *Mishna*. The commentary is from the Talmud. Here it is clear that this *Mishna* was supported by Talmudic scholars. The phrase “And he shall uncover the woman's head” refers possibly to the bitter water ceremony where the adulteresses' hair is uncovered or unbraided by the priest as a form of humiliation. This aspect is discussed later in this section. Another transgression occurs when a woman “converses with any man,” suggesting seclusion practices. However, Talmudic scholars have interpreted that “conversing” may mean “jesting” with other men, or some form of flirting.<sup>227</sup> This is one hint that while there may have been head-veiling, there might not have been strict seclusion practices. There is some dispute among scholars as to how much hair may be exposed.

The Talmud also has references to what a woman might or might not wear on her head when she goes out for Sabbath. A woman may not go out with ribbons made of linen and wool (*Shabath* Chapter 6), but may, with ribbons made of hair (*Shabath* 6: 64b). The women here are referred to as “maidens,” implying unmarried women. The following *Mishna* suggests that Arab Jewish women veiled, but others did not, and that young girls did not veil:

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<sup>226</sup> Ibid.

<sup>227</sup> Ibid.

Young girls may go out with threads, and even with chips in their ears. Arabian women may go forth veiled, and Median women may go forth with their cloaks thrown over their shoulders (*Shabbath 6: 65a*).<sup>228</sup>

This is an important piece of evidence suggesting pre-Islamic Arabian veiling. Given that a distinction is made between Arabian Jewish women and others, there is an implication that non-Arabian Jewish women did not veil. It is also unclear whether veiling here means facial veiling or not. Since there is no mention of facial veiling anywhere else in the Talmud, one may assume that the word “veiled,” as opposed to head covering, implies facial veiling.

The next important reference in the Babylonian Talmud is from the chapter of *Sotah 7a/b*. It refers to the punishment meted out to an adulteress:

A Priest seizes her garments -- if they are rent they are rent, and if they become unstitched they become unstitched, until he uncovers her bosom, and he undoes her hair. R. Judah says: If her bosom was beautiful, he does not uncover it, and if her hair was beautiful, he does not undo it.<sup>229</sup>

The verse goes on to say that the woman’s jewelry is taken and her breasts are bound with a rope, and whoever wishes to see her “are permitted to look upon her”. This shows how hair is associated with a woman’s virtue. Her clothes are forcibly removed from her. The ritual allows the priest to decide if he will permit any covering on her. Exposure -- the opposite of veiling -- is associated with the sin of adultery and shame. What is also significant is that the verb used for hair is “undo” and not “uncover,” which implies that the adulteress did not cover her hair.

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<sup>228</sup> Ibid.

<sup>229</sup> *Babylonian Talmud*, “Tractate Sotah.” accessed June 10, 2013, [http://www.come-and-hear.com/sotah/sotah\\_7.html](http://www.come-and-hear.com/sotah/sotah_7.html).

It is clear that, among Jewish practices, veiling in pre-Islamic Arabia had religious meaning, and that there was a strong link between virtue and veiling. There was also a practice of unveiling among unmarried women, and a possible distinction between Arab and non-Arab Jewish women, with the former practicing veiling. In the next section, we discuss some evidence of both pagan and Christian pre-Islamic veiling.

#### *Pre-Islamic Poetry of Arabian Veiling 520 - 622 AD*

A significant primary source used in this study for pre-Islamic evidence is poetry attributed to sixth century Arabia. The other two are the Quran and *Hadith*, which are dealt with in subsequent sections. Because the *Hadith* wielded political clout, it was subject to attack and fabrication, not just from politicians of the earlier centuries affected by its clauses, but also by Abbasid and present scholars who questioned its authenticity. Pre-Islamic poetry, compiled and written at the same time as the *Hadith* (during the eighth century AD), was also subject to questions of authenticity from Abbasid scholars, who termed some of them as Umayyad forgeries.<sup>230</sup> Suzanne Stetkeyvich examines the historicity of a canonical pre-Islamic poem, the *Lamiyat*, attributed to a pagan poet, al-Shanfarra (d. 540AD). Consulting both Abbasid scholars and European scholars, and while acknowledging that there are questions of authenticity, she says that there are no other pre-Islamic sources, and that “what we possess is the Islamic reconstruction of a disrupted and largely lost ‘pagan’ tradition.”<sup>231</sup> Because there are veiled and unveiled

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<sup>230</sup> Suzanne Pinckney Stetkeyvich, “Archetype and Attribution in Early Islamic Poetry: Al Shanfara and the *Lamiyyat al-Arab*,” *International Journal of Middle East Studies*, Vol. 18, No. 3 (August 1981): 361, accessed June 10, 2103, <http://www.jstor.org.libaccess.sjlibrary.org/stable/163382>.

<sup>231</sup> *Ibid.*, 363.

women in some of the poems, the evidence is important for the study, though it is important to bear in mind that authorship could have extended to the early Islamic period.

Alongside themes of boasts of tribal exploits are those of conquests of love. There are both conquests of veiled and unveiled women, as well as married and unmarried women in the poems of Imru al Qays. He was the son of a Kindite king, who was pagan in origin, and a renowned poet of his time, his fame spreading to neighboring Byzantium.<sup>232</sup> Imru al Qays's romantic dalliances included a Byzantine princess.<sup>233</sup> Given the fluctuating diplomatic and military Kindite-Byzantine relations of the sixth century, and Qays's interaction with the emperor Justinian,<sup>234</sup> it is possible that several of Qays's subjects in his poems were Christian women. The following verses taken from his poem *The Mu'allaqa* testifies to his conquests of both veiled and unveiled ladies:

Many's the fair veiled lady, whose tent few would think of seeking, I've enjoyed sporting with, and not in a hurry either, slipping past packs of watchmen to reach her, with a whole tribe hankering after my blood, eager every man-jack to slay me.<sup>235</sup>

The above extract shows that Imru al Qays considers himself brave to get past the tribe to reach his veiled mistress or mistresses. What is more interesting, however, at least for the purposes of this study, is that the women are protected by men, and in the above case, "packs of watchmen" ensconce the women, so that men must risk their lives to meet them. In the same poem, a few verses later, Imru al Qays succeeds in slipping past these packs of men in the dark with a woman. The verse suggest some ambiguity whether the woman was veiled or not.

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<sup>232</sup> Ibrahim Mumayiz, "Imru al Qays and Byzantium," *Journal of Arabic Literature*, Vol. 36 No. 2 (2005): 143, accessed June 10, 2103, <http://www.jstor.org.libaccess.sjlibrary.org/stable/4183538>.

<sup>233</sup> Irwin, *Nights and Horses and the Desert*, 7.

<sup>234</sup> Mumayiz, "Imru al Qays and Byzantium," 143.

<sup>235</sup> Irwin, *Night Horses and the Desert*, 8.

But when we had crossed the tribe's enclosure, and dark about us hung a convenient shallow intricately undulant, I twisted her side-tresses to me, and she leaned over me; slender waisted she was.<sup>236</sup>

The use of the words "side-tresses" is interesting. It suggests that the hair is falling down loosely. It is not rolled up in a bun and veiled under a scarf. What is also interesting is that despite the fact that it is dark, he can walk out of the enclosure with a woman whose hair is loosely hung down. This may be evidence that there may have been unveiled women who did not necessarily attract attention. The verses continue, and this particular woman has taken care of her coiffure, sporting an elaborate hairstyle which suggests the absence of veiling.

She shows me her thick black tresses, a dark embellishment clustering down her back like bunches of a laden date tree – twisted upwards meanwhile are the locks that ring her brow, the knots cunningly lost in the plaited and loosened strands.<sup>237</sup>

The hairstyle of this unnamed woman immortalized in Imru al Qays's poetry is complex and possibly required the use of implements to create the balance of curls, twists, and loose strands. It also suggests that there might have been unveiling, given that there are several sources, such as the *Mishna*, suggesting that married women veiled and unmarried women did not. Some questions related to class are raised. Was there a defined class of woman who veiled or did not? Did this woman slip out of the enclosure precisely because the unveiled woman attracted less attention than the veiled one?

Elsewhere in the poem, he compares a confrontation in the desert using animal imagery and veiled virgins:

A flock presented itself to us, the cows among them

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<sup>236</sup> Ibid., 9.

<sup>237</sup> Ibid.

Like Duwar virgins mantled in their long-trailing draperies.<sup>238</sup>

A *duwar* in Arabic means “settlements’ or Bedouin settlements.<sup>239</sup> The image of “virgins mantled” is interesting because here is an association of veiling with the unmarried woman. The use of the term “long trailing draperies” is echoed by a contemporary of Qays in another famous pre-Islamic poem, al-Shanfarra’s *Lamiyyat al-Arab*:

The dust colored does of the mountains roamed around me  
As if they were maidens trailing long-trailed gowns.<sup>240</sup>

More convincing evidence of women veiling, where the act is linked to virtue or chastity, is in another of al-Shanfarra’s poems, *The Ta’iyya of al-Shanfarra* (*Mufaddaliyya no. 20*). Here the poet is lamenting a lost love, her name being Umayma:

How my heart aches for Umayma! After my desire  
May God grant her a life of ease – she went away...  
She stirred by delight, never lowering her veil  
When she walked forth, not glancing left or right  
Umayma’s mate is not disgraced by her repute;  
When women are mentioned, she is chaste of high esteem.<sup>241</sup>

In the poem, he proceeds to make love to her. The fact that he is “not disgraced by her repute” may suggest that she is a woman of ill-repute, but to him, she is “chaste” and in “high esteem.” He particularly presents her as veiled, but the key words here are “never lowering her veil.” This obviously indicates facial veiling. Stetkevych, in her study of the historicity of the poem, points out that while the *Lamiyyat al Arab* has been

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<sup>238</sup> Ibid., 11.

<sup>239</sup> J. W. Cowan, *Arabic-English Dictionary: The Hans Wehr Dictionary of Modern Written Arabic*, (Ithaca: Spoken Language Services, Inc., 1994) 346. Another meaning is “rapidly” or “constantly spinning.” It could also mean an “enclosure” or a “corral.”

<sup>240</sup> Stetkevych, “Archetype and Attribution in Early Islamic Poetry: Al Shanfara and the Lamiyyat al-Arab,” 381. A full version of both of the poems of al-Shanfarra is reproduced in the article.

<sup>241</sup> Ibid., 371-2.



the subject of controversy with regard to authorship, the attribution of the *Mufadidliyya*, from which the above extract has been taken, with one exception, “has never...been specifically questioned.”<sup>242</sup> This would hence be an example of pre-Islamic facial veiling.

#### *Impact of the Quran on Women in the mid-7<sup>th</sup> Century*

Women were part of a male-dominated society which continued after the arrival of Islam, but women secured certain rights and privileges in the Quran in mid-seventh century AD which impacted their status, and also their decision to adopt veiling and seclusion.

The Quran enhanced certain financial and legal privileges for women. Barbara Stowasser declares that the Quran legislated deep changes with the result that there was a “staggering rate of political, economic and social change during the first centuries of Islamic history.”<sup>243</sup> Women’s rights were prescribed in the Quran. While certain verses were unambiguous and impacted women immediately, such as the inheritance laws and the banning of female infanticide, among others, the verses on veiling were more ambiguous, and interpretations of the same verses at different points in time yielded different advice from Muslim scholars. Note that there were both veiled and unveiled women in seventh century Arabia prior to Islam’s arrival.

Stowasser hypothesizes that prior to Islam’s arrival, the desert life in pagan Arabia created a division of labor that offered a high degree of freedom for women.

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<sup>242</sup> Ibid.

<sup>243</sup> Barbara Freyer Stowasser, “The Status of Women in Early Islam,” in Freda Hussain, ed., *Muslim Women*, (New York: St. Martin’s Press, 1984) 12.

While there were publicly visible independent women such as Khadija, the wife of Muhammad, the majority of women lived in a male-dominated society in which their status was low and their rights were negligible.<sup>244</sup> Captured women were under the authority of the captor, and divorce was entirely up to the man who could discharge his obligation to the *mahr* (price paid to the bride upon marriage). Marriages were contractual, and the bride was a sales object.<sup>245</sup> Stowasser's findings are corroborated by other scholars such as Jane Smith, who adds that prior to the advent of Islam, women could not inherit property, were purchased from their kin, and had to relinquish claims to their children, while the husbands had the power to divorce and keep an unlimited number of wives.<sup>246</sup> Although their rights were curtailed, according to Smith, women in pre-Islamic Arabia did not live under any restrictions of seclusion.<sup>247</sup> Some were obviously wealthy, as evidenced by Khadija. Leila Ahmed agrees, and argues that there were matrilineal customs and women deities, and that women participated in warfare, poetry and business in pre-Islamic Arabia.<sup>248</sup> Fatima Mernissi feels that the degree of interaction between the sexes was so close that women played a role in securing rights for themselves in the Quran. She points out that the title, *Surah Nisa*, which is the fourth chapter in the Quran bears the name of women (*Nisa* means "women" in Arabic).<sup>249</sup> One

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<sup>244</sup> Ibid., 15.

<sup>245</sup> Ibid.

<sup>246</sup> Jane Smith, "Women in Islam: Equity, Equality and the Search for the Natural Order," *Journal of the American Academy of Religion*, Vol. 47, No. 4 (Dec., 1979): 520, accessed June 10, 2103, <http://www.jstor.org.libaccess.sjlibrary.org/stable/1462273>.

<sup>247</sup> Ibid.

<sup>248</sup> Ahmed, *Women and Gender in Islam*, 69-70.

<sup>249</sup> Fatima Mernissi, *The Veil and the Male Elite*. trans. Mary Jo Lakeland (New York: Perseus Book Publishing, 1991), 120.

of the compilers of the Quran, who was known to have memorized it, was Hafsa, another widow of Muhammad, and daughter of Umar.<sup>250</sup>

The most significant reforms which altered women's legal status in the Quran are as follows: the right of women to inherit and bequeath property (*Surah 4*, verses 7 and 11); right to have full possession and control over their own wealth, including the dowry while married and after divorce (*Surah 4*, verse 4; *Surah 3*, verse 229); the limitation of polygamy to four wives with the added stipulation that the man must be just to all his wives (*Surah 4*, verse 3); the banning of female infanticide (*Surah 16*, verses 58-9; *Surah 81*; *Surah 6*, verses 138-41); emphasis on marriage and family (*Surah 30*, verse 21; *Surah 2*, verse 221), and the right to be financially supported by the man (*Surah 4*, verse 34). In addition, there was an obligatory waiting period -- *idda* -- a period of three months before a divorce could take place and before a widow or divorcee could re-marry (*Surah 2*, verse 228, 234). The last set of stipulations in the above list became foundational bases for the *Shariah* on which to build a strong patriarchal society and encourage greater domesticity in women. This would later lead to greater seclusionary practices. This aspect will be analyzed in the final chapter of this paper.

Both Mernissi and Ahmed argue that women played a stronger social role in pre-Islamic and early Islamic Arabia, but that by the time of the Abbasid period, urban women operated behind closed doors. Both use the Quran and *Hadith* as evidence that there was a significant social change for women between Islam's inception and a hundred years later when it was firmly established in the Abbasid period. They argue that the

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<sup>250</sup>Ahmed, *Women and Gender in Islam*, 74

Quran was not the force that stimulated seclusionary practices, but that Muslim misogyny, urbanization, and the influence of Jewish, Christian and Zoroastrian practices played a decisive role. El Guindi sees both these writers as flawed in the sense that they follow Western feminist ideology, i.e., that veiling is a sign of women's backwardness. She calls this a "uni-dimensional approach...a distorted view of a complex cultural phenomenon."<sup>251</sup> According to El Guindi, veils convey different and multiple meanings in different cultures, such as being feminine gender markers, or sources of protection, and that the terms *harem*, *veil* and *polygamy* are not synonymous with female weakness and oppression.<sup>252</sup> Her examples show that depending on the harem and the time in history, a woman could have been at the center of power and prestige. It is important to note that different terms may have different meanings at various points in time. As a result, the verses in the Quran engendered different meanings at different times, and this impacted society in multiple ways.

#### *Selected Quranic Verses on Women and Veiling -- 7<sup>th</sup> Century*

The verses on veiling from the Quran will be presented in this section. Recall that the Quran was revealed in the seventh century. Interpretations of the following verses that impacted veiling came from Abbasid jurists from the tenth century onwards, and reflect the changing views of women. This will be dealt with in the final chapter. The verses are drawn from the translation of M. A. S. Abdul Haleem. The first relevant verse -- *Surah 4, Verse 34* -- on gender equations is as follows:

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<sup>251</sup> El Guindi, *Veil: Modesty, Privacy and Resistance*, 3.

<sup>252</sup> *Ibid.*, 11

Husbands should take good care of their wives with (the bounties). God has given to some more than others, and with what they spend out of their own money. Righteous women are devout, and guard what God would have them guard in their husband's absence.<sup>253</sup>

The verse shows that there is no mention of veiling. What is stated is that the “righteous” or virtuous women are chaste. They guard what “God would have them guard.” These verses later will be used to advocate veiling. In addition, the injunction that husbands are responsible for their wives would later form a basis for male financial responsibility, which also contributed to seclusion practices.

Another verse that could be interpreted as the need for modesty or the need to veil (over time, Muslim jurists favored the latter) is found in *Surah* 24, Verse 31:

And say to the believing women, and tell believing women that they should lower their eyes, and guard their private parts, and not display their charms beyond what [is acceptable] to reveal; that they should draw their coverings over their necklines, and not reveal their charms except to their husbands, their fathers, their sons, their husband's sons.<sup>254</sup>

If one examines the following verse which precedes the above verse of the Quran -- *Surah* 24, Verse 30, the directive is towards men:

Tell believing men to lower their eyes and guard their private parts; that is purer for them. God is well aware of everything they do.<sup>255</sup>

The verse that Mernissi claims became “the basis of the institution of the *hijab*”<sup>256</sup> by early Muslim scholars is *Surah* 33, Verse 53, which was revealed in 627 AD. Mernissi claims that a large body of *fiqh* (Islamic jurisprudence) ensued, discussing the

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<sup>253</sup> M. A. S. Abdel Haleem, *The Quran: A New Translation* (Oxford: Oxford University Press, 2010), 54.

<sup>254</sup> *Ibid.*, 222.

<sup>255</sup> *Ibid.*

<sup>256</sup> Lakeland, *The Veil and the Male Elite*, 85.

term *hijab*, which was used by conservative scholars as evidence to advocate seclusionary practices. An example she uses is Ibn al Jawzi (d. 1193AD), who wrote *Kitab ahkam-al-nisa* (Statutory Provisions concerning Women), titling some of his chapters as follows: Chapter 26, “Advise Women against Going Out,” Chapter 27, “The Benefits for the Woman who Opts for the Household,” and Chapter 31, “Evidence Proving that is Better for a Woman not to see Men.”<sup>257</sup> The verse -- *Surah* 33, Verse 53 - that sparked the controversy as to whether the Quran advocated veiling is as follows:

Believers, do not enter the Prophet’s apartments for a meal unless you have permission to do so; do not linger until [a meal] is ready. When you are invited, go in, then when you have taken your meal, leave ... When you ask his wives for something, do so from behind a screen. This is purer both for your hearts and theirs.<sup>258</sup>

The phrase “before a screen” is also used in Yusuf Ali’s translation of the Quran. Most of the translators, including Mahmud Pickthall, A. J. Arberry and others, have translated that very phrase as “from behind a curtain.”<sup>259</sup> The Arabic word used in the *Surah* is *hijab*. The word *hijab*, which means “curtain” or “screen,” is the only interpretive Arabic word for the term “veil” used in the Quran with reference to women. The other term for “veil” used in the Quran is *ghishwa*, which is used as a metaphor applying to mankind in general.<sup>260</sup> What is interesting is that one of the definitions of

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<sup>257</sup> Ibid., 98.

<sup>258</sup> Haleem, *The Quran*, 270.

<sup>259</sup> University of Leeds, Language Research Group, “Quranic Arabic corpus,” accessed June 10, 2013, <http://corpus.quran.com/translation.jsp?chapter=33&verse=53>. Five out of the seven translations use the phrase “from behind a curtain”

<sup>260</sup> University of Leeds, Language Research Group, “Quranic Arabic Corpus,” accessed June 10, 2013, <http://corpus.quran.com/search.jsp?q=Veil>.

*ghishwa* is “to spread a cover or wrap,”<sup>261</sup> but in the Quran, it is not used with reference to women even if it is used today in Modern Standard Arabic. Mernissi argues that *Surah* 33 Verse 53 was revealed after Muhammad’s wedding with Zainab, when he wanted to be alone with her, and his guests had not left.<sup>262</sup> In short, the context had nothing to do with advocacy of veiling for women. The term *hijab* in the modern context has been associated with veiling. If Abbasid scholars used this particular verse to advocate seclusionary practices, then it is probable that the meaning of *hijab* may have extended to mean veiling in medieval Islamic societies.

The only other term that is not defined as a “veil,” but as a cloak or an outer garment, is *jalabihina*. It appears in the same chapter or *Surah*, five verses later (*Surah* 33, Verse 59).

Prophet, tell your wives, your daughters and women believers to make their outer garments (*jalabihina*) hang low over them; so as not to be recognized and not insulted; God is most forgiving and most merciful.<sup>263</sup>

Two interesting points may be gleaned from an interpretation of the above verse. First, that veiling had to be advocated, implying that it was not generally practiced. The second is that it was a distinguishing marker for the wives and daughters of the Prophet as well as “the believing women.” Hence, it included some women other than from the family of the Prophet. Mernissi, who examined the context of the above verse, argues that when Muhammad came to Medina, women were being harassed in the streets. The practice of veiling ensued to distinguish aristocratic free women from slave women,

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<sup>261</sup> Cowan, *Arabic-English Dictionary –The Hans Wehr Dictionary of Modern Written Arabic*, 790.

<sup>262</sup> Lakeland, *The Veil and the Male Elite*, 85.

<sup>263</sup> Haleem, *The Quran*, 271.

liberating the former from harassment. She writes that the veil represented the triumph of the hypocrites. Slave women could be subject to harassment because they were not to be veiled, while free women were off limits.<sup>264</sup>

*References of Veiling in Umayyad Poetry, 7<sup>th</sup> – 8<sup>th</sup> Centuries*

Evidence of early Islamic life for women is found in the *Hadith*, which was published in the eighth century. This will be discussed in the final chapter. In terms of published evidence from the seventh century, there is a corpus of early Islamic poetry written in the Umayyad period, which has its authors, enamored by both veiled and unveiled women. The poets come from both Muslim and non-Muslim backgrounds, although it is likely that the anthologies of these poems were compiled much later in the Abbasid period.<sup>265</sup>

The Christian Arab, Ghiyath ibn Chawth al Akthal (d.710 AD), was a favorite of the Umayyad Caliph Abd al-Malik (646 AD-705 AD), and wrote several panegyrics for him.<sup>266</sup> In the following verse, he associates the metaphor of a woman with wine that he is purchasing:

Dressed in a quivering gossamer gown  
And a skin-tight bodice of fibre and tar  
Golden, deepening to amber with time  
Confined in a vault among gardens and streams  
A virgin whose charms no suitor had seen  
Till unveiled in a shop for a gold dinar.<sup>267</sup>

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<sup>264</sup> Lakeland, *The Veil and the Male Elite*, 85

<sup>265</sup> Irwin, *Night and Horses and The Desert: An Anthology of Classical Arabic Literature*, 62

<sup>266</sup> *Ibid.*, 43-44

<sup>267</sup> *Ibid.*



Although the poet is purchasing wine, he likens it to a virgin who has been obviously secluded -- “confined...among gardens and streams.” At the same time, there is also sexual imagery with the “skin-tight bodice” and “quivering gossamer gown.” The very image of wine with veiled virgins shows that the image of the woman as sexually attractive was hardly hindered, and possibly enhanced, by her seclusion. The above evidence is perhaps an example of Christian Arab veiling practices. Wine, however, is a popular metaphor in Muslim poetry, so that the evidence may refer to either Christian or Muslim practices.

A contemporary of al-Akhtal, a Bedouin poet, Tammam ibn Ghalib al Farazdaq (d.728AD), who belonged to the tribe of Tammim, preferred desert women to their urban counterparts:

A woman free of the desert born  
Where the wind plays around her pavilioned tent  
Her whiteness shimmering cool as the pearls  
At whose step the very earth will light  
Means more than a townswoman full of tricks  
Who gasps when she lays aside her fans.<sup>268</sup>

The implication from the above poem is that the urban woman is a coquette who may hide behind fans and is “full of tricks,” in contrast to the desert woman who is more open -- the wind playing “around her pavilioned tent” implies that she is not secluded. She is easily visible.

Another poem about a desert woman is found in Umar ibn Abi Rabia’s poem (643-719AD), who was from the Banu Quraish tribe and son of a wealthy Meccan merchant. He was famous for his love poetry. This is a poem about Hind. It is unclear

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<sup>268</sup> Ibid., 46

but possible that it is the same Hind who fought against the Muslims in the battle of Uhud. The references to Hind are found in the *Hadith* in the next chapter. In the following verse, there is nudity:

They asserted that she asked our lady neighbours when she stripped herself  
one day to bathe.  
Do you see me to be as he describes me -- in God's name answer truly! Or  
Does he not observe moderation?  
Then they laughed together, saying to her, "Fair in every eye is  
The one you love!"  
(So they spoke) out of an envy which they were charged because of her;  
And of old envy has existed amongst men.<sup>269</sup>

The above verses testify that Hind is physically very beautiful, and the other women are jealous of her. She boasts that she is physically attractive in the nude and deserving of the poet's admirations.

Another of Ibn Rabi'a's poems is a conquest of a noblewoman to whom he makes love to at night, and then has to be disguised as a woman in the morning to escape:

Two noble women came toward her, wearing  
Dresses of white and green silk  
She said to her sisters. 'Help me with a young man  
Who came visiting; one good turn will deserve another

So they approached and were astonished, but said  
'Do not blame yourself unduly for the matter is not serious'  
The younger said to her, "I will give him my dress,  
My shift, and this cloak, so long as he is careful  
He should arise and walk among us in disguise  
Thus our secret will not out, nor will he be discovered."<sup>270</sup>

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<sup>269</sup> A. J. Arberry, *Arabic Poetry: A Primer for Students* (New York: Cambridge University Press, 2010), 40

<sup>270</sup> Irwin, *Night and Horses and The Desert: An Anthology of Classical Arabic Literature*, 54.

The above two poems show both veiled and unveiled women. The veiled woman is the noblewoman, and the cloaks must be enough for him to be able to disguise himself as a woman and escape the enclosure. The poem also suggests that there is a separate area for women where he can dress himself as one in order to escape.

Another example of a desert woman who is not veiled is found in Jamil ibn Abdallah ibn Ma'mar al-Udhri's (660-701 AD) poetry for his legendary love, Buthaynah. She was his childhood friend, and he wanted to marry her. This request was refused by her parents although they were from the same tribe. He wrote the following verse when they were much older. It shows free interaction between her and himself:

Buthaynah said when she saw my hair tinted red  
“You have grown old Jamil! Your youth is spent! I said  
“Buthayna, don't say that!  
Have you forgotten our days in Liwa, and in Dhawi 'l-Ajfur  
When we were neighbours? Do you not remember  
...But you! Like the *mazurban*'s pearl, still a young girl  
We were neighbours once sharing the same playground, How did I  
Grow old and you did not!”<sup>271</sup>

The poet and the woman have interacted through the course of time. Even though she is married to someone else, she still meets him as a friend. There is also a comfortable interchange between the two, suggesting an absence of seclusion. A *mazurban* is a Persian governor of a frontier province, which implies wealth.<sup>272</sup> The image is of an unchanging pearl. It is his hair that has been tinted and although there is no mention of hers, the metaphor implies that she is unchanged since a “young girl,”

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<sup>271</sup> Ibid., 57.

<sup>272</sup> Ibid., 58

when she was most likely unveiled playing with him, and “sharing the same” playground. Here is a piece of evidence that young girls were unveiled.

Poetry writing in the Umayyad period shows both veiled and unveiled women, although given that it is a literary genre, and, hence, fiction, one must take into account the possibilities of metaphors and wider interpretations. The next piece of evidence, which is non-fiction, is published only in the Abbasid period, i.e., in the eighth century. It references both pre-Islamic, early Islamic and Umayyad times. This will be dealt with in the next chapter.

## Chapter 4

### The Hadith, Shariah, Abbasid Adab, and Fatimid References to Veiling and Seclusion, 8th – 12th Centuries AD

Closer examination of Muslim sources –the *Hadith*, *Shariah*, and *Adab* show that Muslim scholars and theologians linked a woman’s virtue with veiling. While veiling practices no doubt existed in societies before Islam, Muslim scholars validated them with reasoning drawn from their own literature. The *Hadith* shows that the wives of Muhammad adopted veiling practices and linked modesty and virtue with them. The *Shariah*, based on the Quran and *Hadith*, created a framework for a stronger patriarchal society, which encouraged seclusion. Abbasid literary *Adab* reflected greater seclusion, not just with references to veiled women, but also with a relative absence of women’s voices in the literary corpus. The evidence is stronger because of dated literature stemming from the period.

There is greater evidence of both veiling and seclusion practices in Islamic societies during the Abbasid period between the eighth and the twelfth centuries AD. The findings of scholars such as Leila Ahmed, Nikki Keddie, Barbara Stowasser, Fadwa El Guindi, Fatima Mernissi, Ashraf Zahedi, among others, corroborate this. However, they suggest subtle differences on the exact forces behind the change. One of the reasons given is that economic transformation precipitated the social change. Ahmed and Keddie argue that the primary force was economic.<sup>273</sup> Keddie notes that, with the advancement of technology, a class system emerged, along with an increase in slavery. This

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<sup>273</sup> Ahmed, *Women and Gender in Islam*, 11

encouraged the “limiting of many women to domestic spheres and occupations.”<sup>274</sup>

While all scholars agree that Islam played a role in contributing to veiling and seclusion practices, they question the degree to which it did, given that Islam entered patriarchal societies with prevalent Jewish, Christian, and Sassanian practices of veiling and seclusion.

Abbasid literature encompasses early Islamic and Umayyad literature, because the published form of *Hadith* as well as pre-Islamic and early Islamic poetry anthologies are dated from the eighth century AD. This has led to scholarship as to the authenticity of the materials in question. A key evidence for the argument of this paper -- that Islam played a defining role in veiling practices -- is from the *Hadith*. Hence, it is necessary to first examine the scholarship related to the historicity of the *Hadith*. Next the paper will examine the *Hadith* references and then proceed with evidence from the *Shariah*, the Cairo Geniza manuscripts of Fatimid Egypt, and finally Abbasid *Adab*.

#### *The Historicity of the Hadith Compiled between the 8<sup>th</sup> and 10<sup>th</sup> Centuries*

By the eighth century, the preoccupation with the study of Quran and *Hadith*, according to Ira Lapidus, was “central to Muslim religious activity.”<sup>275</sup> Under the express orders and supervision of the Abbasid government of Caliph al Mansur (756AD-780AD), the *asr al din* (era of putting religious texts into writing) began. This involved making a catalogue of *Hadith*, *fiqh* (religious knowledge/jurisprudence) and *tafsir* (explications of

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<sup>274</sup> Keddie, “The Past and Present Women in the Islamic World,” 79.

<sup>275</sup> Ira Lapidus, “The Evolution of Muslim Urban Society,” *Comparative Studies in Society and History*, Cambridge University Press, Vol. 15, No. 1 (Jan 1973): 31, accessed June 10, 2013, <http://www.jstor.org.libaccess.sjlibrary.org/stable/178186>.

the Quran).<sup>276</sup> The word *Hadith* comes from the Arabic root *h, d, t* which, among other definitions, means, speech, conversation, report, recount, etc. A *Hadith* reports something Muhammad said, did or had an opinion about. The collections of *Hadith* were also the building blocks of Muslim *Shariah* law. Given its heavily weighted political status, Muslim historians record manipulation of *Hadith*, particularly by political factions. Mernissi points out that the issue arose immediately after the death of Muhammad in 632 AD, when there was a dispute as to who would be his successor.<sup>277</sup> Eventually Muslim scholars devised methods to establish the authenticity of *Hadith*. One of the methods was the science of *sanad*, or the chain of transmitters. Al-Bukhari's (d. 878 AD) four volumes of *Al-Sahih*, among Muslim circles, came to be one of the most influential works for prophetic *Hadith*. Using a systematic system of interviews, and literally dozens of informers for each *Hadith*, he allegedly collected 600,000 *Hadith*, and after checking for falsity and recording information from 1,080 persons, retained only 7,257 *Hadith*.<sup>278</sup>

In addition, Al-Bukhari also published a work detailing the biographies of the persons who were the chains of transmitters, known as *al-Tarikh al Kabir*.<sup>279</sup> There is, however, a gap of several generations between the oral traditions and the ones that were written down. Some collections are considered canonical. Canonical historical works on the life of Muhammad include the *Sirah*, or life of Muhammad, by Ibn Hisham (d.833 AD), the annals of al-Tabari (d.922 AD), the *Maghazi*, or History of Muhammad's

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<sup>276</sup> Lakeland, *The Veil and the Male Elite*, 16.

<sup>277</sup> *Ibid.*, 31.

<sup>278</sup> *Ibid.*, 44.

<sup>279</sup> *Ibid.*, 43.

Campaigns, by al-Waqidi (d.822 AD), and the *Tabaqat* of ibn Sa'ad (d.845 AD).

Another prestigious *Hadith* collection is al-Asqalani's (1474 AD), which is in seventeen volumes, but the date of that work is beyond the scope considered for this paper. There are also other compilers of *Hadith* of late ninth and early tenth centuries -- Muslim ibn Hajan (d.875 AD), Abu Da'ud al Sijistani (d.889 AD), and Abu Isa Muhammad al Trimidhi (d.892 AD).

Scholars who have studied the authenticity of Muslim scholarship cite Gustav Weil as the first European scholar to have raised the issue in 1848.<sup>280</sup> He was followed by Ignaz Goldziher in 1890, who contended that a great many traditions in the *Hadith* did not pertain to seventh century Arabia, but to later periods.<sup>281</sup> A couple of generations later, in 1950, J. Schacht published *Origins of Muhammadan Jurisprudence*, and concluded that many of the legal traditions were speculative or even invented. He also concluded that Goldziher's investigations did not pertain to historical traditions, and that there was a separation between legal and historical *Hadith*.<sup>282</sup> Montgomery Watt, in his biography, *Muhammad at Mecca*, first published in 1953, examined the above and other similar sources, and contended that while in the legal sphere "there may be some invention of traditions, ... in the historical sphere, in so far as the two may be separated, and apart from some exceptional cases, the nearest to such invention in the best early historians appears to be a 'tendential shaping' of the material."<sup>283</sup> F. E. Peters, a present

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<sup>280</sup> Wael B Hallaq, "The Authenticity of the Prophetic Hadith: A Pseudo-Problem," *Studia Islamica* No.89 (1999): 75, accessed June 10, 2013, <http://www.jstor.org.libaccess.sjlibrary.org/stable/1596086>.

<sup>281</sup> Ibid

<sup>282</sup> W Montgomery Watt, *Muhammad at Mecca*, Karachi: Oxford University Press, 1993, xiii

<sup>283</sup> Ibid.



day scholar who also supports Goldziher and Schacht, argues that while Muslim scholars focused their criticism on the transmitters of the *Hadith*, or the quality of the *sanad*, European scholars, particularly through the lens of redaction criticism, focused on the matter transmitted.<sup>284</sup> He writes:

Modern Western scholars may point disarmingly to these earlier Muslim attempts at separating the authentic Prophetic wheat from the chaff of forgery, but they have at their disposal a different heuristic tool in dealing with the *Hadith*, the now familiar Redaction criticism, which since the late 19<sup>th</sup> century, they have wielded with enormous, and what should be, at least for the historian, dismaying success. A great many of the prophetic traditions bear on their own bodies what is for the Redaction critic the equivalent of a smoking gun: circumstantial tendentiousness.<sup>285</sup>

Present day scholars are divided on how much or even whether to use the material from the *Hadith* for historical arguments. Those who use *Hadith* extensively include Nabia Abbott, Fatima Mernissi, and Nikki Keddie. Barbara Stowasser, who also uses the *Hadith* extensively, argues that “It should be understood that all material, no matter what its age or authenticity, is valuable for our understanding of Islam because of the fact that they reflect social reality, even if it is not necessarily the social reality of the first generation of Muslims.”<sup>286</sup> Other historians reject *Hadith* completely. Patricia Crone in her book, *Roman, Provincial and Islamic Law*, dismisses the *Hadith* saying that “numerous traditions can be original statements of lawyers,” concluding that there is very little chance of any authentic material surviving.<sup>287</sup> Crone’s work comes under the umbrella of legal *Hadith*, but historical *Hadith* is also questioned by some modern-day

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<sup>284</sup> F. E. Peters, “The Quest of the Historical Muhammad,” *International Journal of Middle East Studies*, Vol. 23, No. 3 (August 1991), 302.

<sup>285</sup> *Ibid.*, 299

<sup>286</sup> Stowasser, “The Status of Women in Early Islam,” 14.

<sup>287</sup> Patricia Crone, *Roman, Provincial and Islamic Law* (Cambridge: Cambridge University Press, 1987), 33.

scholars. Eleanor Doumato chooses not to use the *Hadith*, along with pre-Islamic poetry and other Muslim sources, as evidence in her work on seventh century Arabian women, stating that:

Of these, only the Quran presents pertinent material which is contemporaneous with the people and events it describes. The Hadith literature, as representation of actual events, sayings, doings and social attitudes of the 7<sup>th</sup> century, has been called into serious question, and may better represent social values current at the time of its compilation (between 720 AD and 900 AD) than those current at the time of the Prophet.<sup>288</sup>

There is a wealth of information on early Islamic female veiling in the *Hadith* that will be analyzed in this paper. One must keep in mind the possibility, raised by several scholars, that they may or may not reflect early Islamic practices, but may reflect practices closer to when the *Hadith* was actually compiled. It is impossible to analyze every single reference on veiling, but the paper will examine particular verses to show the following: first, the context for the actual Quranic verse generally regarded as a prescription on veiling may be interpreted otherwise. Second, there is clear evidence of the veiling of Muhammad's wives and female family, and that they were prescribed the veil. Third, there was a demarcation between free and slave women, with the latter being unveiled. Fourth, there is evidence of women, other than the Prophet's wives, who switched to veiling. Finally, there is evidence of early Islamic unveiled women, particularly women in scenes of battle and warfare.

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<sup>288</sup> Doumato, "Hearing Other Voices: Christian Women and the coming of Islam," 178.

### *Veiling References in the Hadith, 8<sup>th</sup> to 9<sup>th</sup> Centuries*

The context for the Quranic verse *Surah 33, Verse 53*, the Verse of *Al-hijab*, discussed in the earlier chapter, is from a specific *Hadith*. This particular *Hadith* is used as part of an argument by scholars such as Mernissi,<sup>289</sup> that the context of *Surah 33, Verse 53* does not imply a prescription to veil. The *Hadith* appears in compilations of al-Bukhari and all others. For the purposes of the paper, the references will be drawn from al-Bukhari's collections.

Consider this extract from Book #62, Hadith #95:

Narrated Annas bin Malik:... When the Prophet died I was twenty years old, and I knew the order of al-Hijab (veiling of ladies) more than any other person when it was revealed. It was revealed for the first time when Allah's Apostle had consummated his marriage with Zainab bint Jash. When the day dawned, the Prophet was a bridegroom, and he invited the people to a banquet, so they came, ate, and then all left except a few who remained with the Prophet for a long time. The Prophet got up and went out, and I too went out with him, so that those people might leave too ...he thought they had left, and so he returned, and I too, returned along with him, and found those people had left. Then the Prophet drew a curtain between me and him, and the Verses of al-Hijab were revealed.<sup>290</sup>

In the above *Hadith*, the Prophet actually goes out several times and returns until his guests all leave, after which he then dismisses Annas bin Malik, the narrator of the *Hadith*. The Prophet wanted to be alone with his bride, and draws the curtain between him and Annas, and so Mernissi argues that the verse of Al-Hijab descended not as a

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<sup>289</sup> Lakeland, *The Veil and the Male Elite*, 85

<sup>290</sup> Searchtruth, *Quran and Hadith* online, accessed February 8, 2013

[http://www.searchtruth.com/searchHadith.php?keyword=veil&book=&translator=1&search=1&search\\_word=all&start=20&records\\_display=10](http://www.searchtruth.com/searchHadith.php?keyword=veil&book=&translator=1&search=1&search_word=all&start=20&records_display=10).

barrier between man and woman, but between two men.<sup>291</sup> Another *Hadith* that explains the reason for the revelation of the Verses of Al-Hijab is attributed to Umar, the third caliph, who was concerned that Muhammad's wives would be solicited by all kinds of people, and wanted to protect them. In Book #60, Hadith #313, he says:

Narrated Umar: I said, "O Allah's Apostle! Good and bad persons enter upon you, so I suggest that you order the mothers of the believers (i.e. your wives) to observe veils." Then Allah revealed the Verses of Al-Hijab.<sup>292</sup>

The above *Hadith* suggests that Umar, who later became the third caliph, and not Muhammad was the instigator of the prescription to veil. In another *Hadith*, Umar once saw the Prophet's wife, Sauda, who was unusually tall, from a distance at night when she was returning from answering a call from nature, and he told her directly that she should observe the veil. She appealed to Muhammad, who did not think it necessary. In Book #60, Hadith 318, Muhammad tells Sauda:

"You (women) have been allowed to go out for your needs."<sup>293</sup>

Whether Muhammad actually believed in veiling is inconclusive, but from the above *Hadith*, it is very clear that Muhammad's wives did not, as a rule, practice veiling. Further *Hadiths* make it very clear that the veil was instituted for them. One famous *Hadith* is attributed to Aisha, Muhammad's wife, and in two places of the same *Hadith*, there is a "decree" to use veils. The following is from Book #59, Hadith #462:

Narrated Aisha (the wife of the Prophet) "Whenever Allah's Apostle intended to go on a journey, he would draw lots amongst his wives, and he would take with him the one upon whom the lot fell. During a Ghazwa of his, he drew lots

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<sup>291</sup> Lakeland, *The Veil and the Male Elite*, 85

<sup>292</sup> Searchtruth, *Quran and Hadith*, accessed February 11, 2013, [http://www.searchtruth.com/searchHadith.php?keyword=veil&book=&translator=1&search=1&search\\_word=all&start=20&records\\_display=10](http://www.searchtruth.com/searchHadith.php?keyword=veil&book=&translator=1&search=1&search_word=all&start=20&records_display=10).

<sup>293</sup> Ibid.

amongst us, and the lot fell upon me, and I proceeded with him after Allah had decreed the use of the veil by women. I was carried in a Howdah ...<sup>294</sup>

The verse goes on to say that, while at a camp, she moves away from the camp to answer a call of nature. When she returns, she discovers that her necklace, of black and white Yemenite beads, is missing, and she goes back to search for it. While she is searching for her necklace, the party leaves without her, assuming she is in the *howdah*.

In Book #59, Hadith #462, Aisha relates as follows:

I found my necklace after the army had gone, and came to their camp to find nobody. So, I went to the place where I used to stay thinking they would discover my absence and come back in my search. While I was sitting in my resting place, I was overwhelmed by sleep and slept. Safwan bin Al Muattal As Sulami Adh Dalhwant was behind the army. When he reached my place in the morning, he saw the figure of a sleeping person, and he recognized me as he had seen me before the order of compulsory veiling (was prescribed). So I woke up when he recited *Istirja* (i.e. “Inna lillahi wa inna ilahi raji’un)<sup>295</sup> as soon as he recognized me. I veiled my face with my head cover at once, and by Allah, we did not speak a single word, and I did not hear him saying any word besides his *Istirja*.<sup>296</sup>

The *Hadith* is narrated by Aisha, the wife of Muhammad. This particular incident is important because her fidelity is questioned. She is cleared later of any doubts as to her virtue, but it is very clear that veiling is directly associated with virtue and modesty. At the moment that she is seen by Safwan, who recognizes her because he knew her before “the order of compulsory veiling,” she reaches for her head-covering and veils her face. That act would also have served as an indicator, for the hearers of the *hadith*, that she was a faithful wife. Then she swears that there was no conversation between them

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<sup>294</sup> Ibid.

<sup>295</sup> The translation of the *Istirja* – “From God we come and unto him we return”

<sup>296</sup> Searchtruth, *Quran* and *Hadith* Online, accessed February 12, 2013,

[http://www.searchtruth.com/searchHadith.php?keyword=veil&book=&translator=1&search=1&search\\_word=all&start=20&records\\_display=10](http://www.searchtruth.com/searchHadith.php?keyword=veil&book=&translator=1&search=1&search_word=all&start=20&records_display=10).

till the two catch up with the army later. A virtuous woman cannot appear to have conversations with men. In another *Hadith*, Aisha extends veiling to seclusion practices where she avoids the company of men, even her own family members. The following *Hadith* narrated by Aisha shows that she refuses the visit of her foster uncle until she receives permission from Muhammad. In Book #60, Hadith #40:

Narrated ‘Aisha: that Aflah, the brother of Abu Al-Qu’ais, her foster uncle came and asked permission (to enter) upon her after the Verse of Al-Hijab (the use of veils by women) was revealed. ‘Aisha added: I did not allow him to enter, but when Allah’s Apostle came, I told him what I had done, and he ordered me to give him permission.<sup>297</sup>

The above verse shows that seclusion practices were supported at least by Aisha. Muhammad actually tells Aisha that Aflah, her uncle, is the brother-in law of the woman who has nursed her as a child, so he has a right to visit her, to which she replies that she was nursed by a woman and not a man (Book #62, Hadith #166).<sup>298</sup> She gives in after Muhammad insists that the foster uncle be allowed to visit her. It is Muhammad, who is not so much the enforcer of seclusion practices, but one who asks her to modify them to accommodate family members.

Seclusion and veiling implied marital status. Marriage also demarcated the free women from the slave women. That might have been a driving force in women preferring the right to veil. In early Islamic Arabia, veiling was a social demarcator, evidence being provided from the marriage between Muhammad and Safiya, where Safiya is veiled in public to show that her status now is of a wife and not a slave.

Consider the following *Hadith* in Book #59, Hadith #524:

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<sup>297</sup> Ibid.

<sup>298</sup> Ibid.

Some of them said, “If the Prophet makes her observe the veil, then she will be one of the mothers of the believers (i.e., one of the Prophet’s wives), and if he does not make her observe the veil, then she will be his lady slave.” So, when he departed, he made a place for her...and made her observe the veil.<sup>299</sup>

Veiling commanded status, and, as examples from the *Hadith* show, veiling was not restricted to Muhammad’s wives. The question to ask is whether veiling was solely a function of class. There is one instance in the *hadith*, when some Quraishi women who are in Muhammad’s company, are busy chatting. When Umar enters, they become quiet and don their veil, and the following exchange takes place in Book #57, Hadith #32:

Umar came in while Allah’s Apostle was smiling. Umar said “O Allah’s Apostle! May Allah always keep you smiling.” The Prophet said, “These women who have been here, roused my wonder, for as soon as they heard your voice, they quickly put on their veils.” Umar said, “O Allah’s Apostle! You have more right to be feared by them than I.” Then “Umar addressed the women saying, “O enemies of yourselves! You fear me more than you do Allah’s Apostle? They said “Yes, for you are harsher and sterner than Allah’s Apostle.”<sup>300</sup>

This particular *Hadith* plays well into the male Muslim misogyny thesis -- that the Muslim men became “harsher and sterner” towards women than Muhammad ever intended during his lifetime. The women, here, are Quraishi women, and the tribe of Quraish were of the upper class. However, there is also another *Hadith*, which shows that at the time of prayer, some “believing women” veiled. The following *Hadith* (Book #8, Hadith #368) has been narrated by Aisha:

Narrated ‘Aisha: Allah’s Apostle used to offer the *Fajr* prayer, and some believing women, covered with their veiling sheets, used to attend the *Fajr* prayer with him, and then they would return to their homes unrecognized.<sup>301</sup>

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<sup>299</sup> Searchtruth, *Quran and Hadith Online*, accessed February 12, 2013, [http://www.searchtruth.com/searchHadith.php?keyword=veil&book=&translator=1&search=1&search\\_word=all&start=10&records\\_display=10](http://www.searchtruth.com/searchHadith.php?keyword=veil&book=&translator=1&search=1&search_word=all&start=10&records_display=10).

<sup>300</sup> Ibid.

<sup>301</sup> Ibid.

The operative word in the above *Hadith* is the word “some.” There were “some” women who donned the veil and prayed. Here there is no mention of class, so it is possible that veiling cut across classes, and only “some” women chose to veil. There were obviously also no restrictions of men and women praying together. While it is likely that the prayers may have been segregated -- rows of women versus rows of men, men and women occupied the same prayer space.

At the same time, there were also many examples of visible women in male society in the *hadith*. They attended prayers with men (Book #12, Hadith #799), and listened to Muhammad’s sermons (Book #12, Hadith #822). They openly suckled their babies in public (Book #55, Hadith #645). They nursed the wounded and the sick in battle (Book #15, Hadith #96). They took lice out of men’s heads (Book #26, Hadith #782). They carried water-skins for the men in battle. (Book #52, Hadith #132). They donated their jewelry for charity taking them out in public.(Book #62, Hadith #176) They appeared in courts of law to settle cases (Book #60, Hadith #74). They pledged allegiance to Islam in public (Book #60, Hadith #418). They rode camels (Book #62, Hadith #19). One interesting *hadith*, Book #62, Hadith #133, implies that women did not veil:

Narrated ‘Aisha: An Ansari woman gave her daughter in marriage, and the hair of the latter started falling out. The Ansari woman came to the Prophet and mentioned that to him and said, “Her (my daughter’s ) husband suggested that I should let her wear false hair.” The Prophet said, “No, (do not do that) for Allah sends His curses upon such ladies who lengthen their hair artificially.”<sup>302</sup>

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<sup>302</sup>Searchtruth, *Quran and Hadith* Online, accessed February 13, 2013, [http://www.searchtruth.com/searchHadith.php?keyword=women&book=&translator=1&search=1&search\\_word=all&start=180&records\\_display=10](http://www.searchtruth.com/searchHadith.php?keyword=women&book=&translator=1&search=1&search_word=all&start=180&records_display=10).



False hair or wigs, hence, existed in early Islamic society. An Ansari woman would have been from the Medinian tribe that helped Muhammad migrate from Mecca to Medina. Hence, it was presumably a tribe that carried status. One documented Ansari poet, in an ode to a lady, boasts of his ancestry.<sup>303</sup> This would have been an example of an upper class woman who did not practice veiling.

*Hadith* references, hence, have examples of both veiled and unveiled women in early Islamic Arabia. Certain trends can be gleaned. Muhammad's wives, some Quraishi women, and some "believing women" adopted veiling. Seclusion practices were also practiced by Muhammad's wives. While it cannot conclusively be said that only the upper echelons of society practiced veiling, slaves most likely did not veil. There was, however, a visible female population who participated in warfare, legal courts, mosque gatherings, and other social arenas. Both the Quran and the *Hadith*, along with their varied interpretations, became foundational texts for the Muslim *Shariah*, which impacted veiling and seclusion practices, the severity depending on the school of law and the point of time. The Abbasid era, largely through the Hanafi school of law, witnessed an increase in such practices.

*The Shariah as an Instrument of Patriarchy, 8<sup>th</sup> – 12<sup>th</sup> Centuries*

Asma Birlas, in her book titled "*Believing Women*" in *Islam: Unreading Patriarchial Interpretations of the Quran*, argues that the Quran allows for an egalitarian

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<sup>303</sup> W. Arafat, "The Historical Significance of Later Ansari Poetry II," *Bulletin of the School of Oriental and African Studies*, University of London, Vol. 29, No. 2 (1966): 221, accessed June 12, 2013, <http://www.jstor.org.libaccess.sjlibrary.org/stable/611177>.

and anti-patriarchal interpretation.<sup>304</sup> She claims that while the Quran recognized men as the locus of power in existing patriarchal societies, it did not necessarily advocate it. However, Muslim men, over time, interpreted the same verses differently. She claims that one can actually trace changes in the status of Muslim women through the changing interpretations of those verses, as evidenced in the writings of Tabari (d.923 AD), Zamakshari (d.1144 AD), Baydawi (d.1286 AD) and al-Suyuti (d.1505 AD).<sup>305</sup> Birlas argues that secondary religious texts enabled the misogyny in Islam.<sup>306</sup> Twenty-first century scholars such as Fatima Mernissi, Amina Wudud and Leila Ahmed also interpret the verses on veiling in the Quran in the light of feminist ideologies.

One of the arguments by the feminist scholars is that modesty was prescribed for both men and women. They reference Surah 24, verses 30 and 31 (See Chapter 3) as evidence. Tabari (d.923 AD) interpreted these verses to say that a man should cover his genitals, and a woman must cover everything except her face and hands. Al Khafaji, three centuries later, and based on Shafi jurisprudence, used the previous verse to advocate full facial veiling for women.<sup>307</sup>

Between one and two hundred years after the death of Muhammad, the foundation for *fiqh* (Islamic jurisprudence) began to be laid down, based on serious debates, both oral and written, among the intelligentsia from different schools of thought. In the middle of the eighth century, four major schools of thought out-competed others, and emerged with political and popular support. They were named after their founders. The

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<sup>304</sup> Asma Birlas, “*Believing Women*” in *Islam: Unreading Patriarchal Interpretations of the Quran* (Austin: University of Texas Press, 2002), 2

<sup>305</sup> *Ibid.*, 8.

<sup>306</sup> *Ibid.*, 9.

<sup>307</sup> Stowasser, “The Status of Women in Early Islam”, 27.

oldest school of Islamic law was founded by the jurist Abu Hanifa (699-766 AD), followed by Malik ibn Annas (713-795 AD), Imam Shafi (767-820 AD), and finally Ahmed ibn Hanbal (780-855 AD). Broadly speaking, these schools of thought, identified as the schools of *Shariah*, were based on four sources – the Quran, the *Hadith*, *qiyas* (analogical reasoning), and *ijma* (consensus of the jurors).<sup>308</sup> A fifth source was *ijtihad* (independent interpretation of law by one who is learned), typically used when the answers from the above four could not be discovered. The schools varied, depending on the weight they allotted to these sources in creating laws. Farooq Hassan, in ‘The Sources of Islamic Law’, argues that the Hanifi school stressed *qiyas*, the Maliki school gave strong importance to *ijma*, the Shafi school held the Quran and *Hadith* in paramount importance<sup>309</sup> and created a separate science of deduction -- the *usool*, while the Hanbali school relied greatly on *Hadith*.<sup>310</sup> They were also entrenched in particular regions, typically the ones they originated from, although, at times, their influence crossed regions.

S. N. Eisenstadt articulates one of the differences between Byzantine and Islamic societies with regard to the equation between political authority and the religious ulema, in his paper ‘Religious Organizations and Political Process in Centralized Empires.’ Eisenstadt argues that, in Islam, unlike the relationship between the religious elite and

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<sup>308</sup> John Esposito, *Women in Muslim Family Law* (New York: Syracuse University Press, 1982), 1-3.

<sup>309</sup> University of Cumbria, Division of Religion and Philosophy, ‘Sunnism,’ accessed June 12, 2013, <http://www.philtar.ac.uk/encyclopedia/islam/sunni/shaf.html> . This site is very good to get a sense of an overview of the different schools of the *Shariah*

<sup>310</sup> Farooq A Hassan, ‘The Sources of Islamic Law,’ *Proceedings of the Annual Meeting (American Society of International Law)*, Vol. 76 (April 22-24, 1982), 69-70, accessed June 12, 2013, <http://www.jstor.org.libaccess.sjlibrary.org/stable/25658109>.

political authority in Christianity, the religious leadership was not organized as a separate church.<sup>311</sup> Moreover, the caliphates rode on the popularity of religious movements, so that the religious *ulema* was very important for them politically, and in theory they were subject to the laws of the *Shariah*.<sup>312</sup> Different caliphs at different points allied themselves to different schools of the *Shariah*. The Hanafi school was prevalent in Baghdad, and had arguably the largest number of adherents.<sup>313</sup> Ya'akov Meron, in his paper, "The Development of Legal Thought in Hanafi texts," divides the history of Hanafi texts as ancient, classical and post classical with the works of Shaybani (d. 804 AD), Quduri (d.1037 AD), Sarakhsi (d. 1097 AD), Allaudin Samarkandi (d.1144 AD) and others. As Hanafi texts evolved, so did the rights of women granted under the *Shariah*. While in ancient texts, for instance, there was no defined name for the consideration that the husband receives from his wife in exchange for her maintenance, the classical Hanafi jurist Samarkandi defines it as *Mulku'lyad*.<sup>314</sup> What is interesting, however, is that, from the ancient period itself, while there might have been some quibbling on the reasons, there is the clear right of the woman to be maintained financially by the husband. While Quduri texts say that the maintenance is due to the wife from her husband if she delivers herself into his domicile, Samarqandi texts declare that maintenance is due because of "the husband's right of retention over her, a right

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<sup>311</sup> S. N. Eisenstadt, "Religious Organizations and Political Process in Centralized Empires," *The Journal of Asian Studies*, Vol.21, No. 3 (May, 1962): 291, accessed June 12, 2013, <http://www.jstor.org.libaccess.sjlibrary.org/stable/2050674>.

<sup>312</sup> Ibid.

<sup>313</sup> Hassan, "The Sources of Islamic Law", 69

<sup>314</sup> Ya'akov Meron, "The Development of Legal Thought in Hanafi Texts," *Studia Islamica*, No. 30 (1969): 81, accessed June 12, 2013, <http://www.jstor.org.libaccess.sjlibrary.org/stable/1595200>.

existing by marriage.”<sup>315</sup> It is this particular right, along with some other marital rights, in the *Shariah*, that scholars argue became the foundation of veiling and seclusion practices in the Islamic world.

Judith Tucker argues that in exchange for marital security, the man bought docility from the woman.<sup>316</sup> Examining both Muslim and non-Muslim sources, particularly the Quran, *Hadith* and the *Shariah*, Tucker argues that the *Shariah* undergirded a patrilineal system of descent defining marriage as a “relationship of reciprocity” in which a man owed his wife material support, and a woman owed her husband obedience.”<sup>317</sup> Even in the case of divorce, the *Shariah* grants a certain amount of material support towards the wife.<sup>318</sup> John Esposito, after examining Muslim Family Law, concludes that the wife’s main obligation was to maintain a home, care for her children and obey her husband. The law allowed a man to exercise his marital authority by restraining his wife’s movements, and preventing her from showing herself in public. This, Esposito argues, “mirrors the prevailing medieval social customs of veiling and seclusion of women practiced in order to protect their honor.”<sup>319</sup> Esposito’s research is based on Hanafi classical law. He argues, interestingly, that the Hanbali school, considered more “conservative” as their laws are drawn primarily from the *Hadith*,

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<sup>315</sup> Ibid., 80.

<sup>316</sup> Judith E. Tucker, “Gender in Islamic History,” *Essays in Global and Comparative History*, Washington: American Historical Association, 1993: 6.

<sup>317</sup> Ibid.

<sup>318</sup> Ibid. Tucker references this point in her essay, but the Quranic verse from which these laws are drawn is Verse 2:241. Yusuf Ali’s translation reads, “For divorced women maintenance should be provided on a reasonable scale. This is the duty of the righteous”. Access to this verse is in *Quran Online*, accessed February, 22, 2013,

[http://www.searchtruth.com/search.php?keyword=divorce&chapter=2&translator=2&search=1&start=0&search\\_word=all](http://www.searchtruth.com/search.php?keyword=divorce&chapter=2&translator=2&search=1&start=0&search_word=all) .

<sup>319</sup> Esposito, *Women in Muslim Family Law*, 23.

contained additional clauses which modified the rules to allow a wife greater freedom of movement. In the Hanbali school, wives could insist that a man not take a second wife, limit the husband's legal control of his wife, and be provided more equal rights for divorce.<sup>320</sup> Esposito argues that the extensive male financial responsibilities outlined in the *Shariah* ensured that women did not earn a living and lived a veiled secluded life:

This role (financial responsibility) was traditionally reserved exclusively for the males, a role fulfilled as a point of honor. Women without an independent means of support were necessarily extensively protected through the legal maintenance obligations of their male kin.<sup>321</sup>

Whether a woman was single, married or divorced, a male -- either a husband, ex-husband, father, or male guardian -- undertook financial responsibility. As noted, the schools of *Shariah*, differed on the level of economic protection provided to the wife, the Hanafi school recommending the least such protection. In the Hanafi school, a man could also divorce his wife without citing a reason.<sup>322</sup> For a woman to maintain her marital status, she had to please her husband and ensure that his honor was not compromised.

The legal framework favored polarized gender roles in society. If a woman belonged to an area adhering to the Hanafi school, divorce provided her with very little financial means, in addition to its social stigma, so that it was in her financial interest to remain married, loyal and chaste -- conditions that paved the way for veiling and seclusion practices.

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<sup>320</sup> Ibid.

<sup>321</sup> Ibid., 26.

<sup>322</sup> Ibid., 27.

As far as veiling is specifically concerned, the Hanafi and Maliki theological schools did not require facial veiling. The Shafi and the Hanbali schools maintained that the woman was to be fully veiled. All drew on similar *Hadiths* for interpretation.<sup>323</sup> All schools agreed that a woman, when stepping out, must “cover herself completely,”<sup>324</sup> but they disputed whether facial veiling was necessary. This implied that head-veiling was encouraged by all the schools of the *Shariah*.

Whether these laws pertained to non-Muslims is uncertain, but the practices of veiling and seclusion spilled across to both Muslim and non-Muslim groups. In Fatimid Cairo, between the eighth and twelfth centuries, evidence being drawn from the Cairo Geniza manuscripts, there is strong evidence of veiling and seclusion practices applicable to a large cross section of women.

*References of Veiling in the Cairo Geniza manuscripts, 9<sup>th</sup> – 12<sup>th</sup> Centuries*

The strongest evidence of veiling transcending class is in the Cairo Geniza documents which historians consider as a primary source for medieval Mediterranean socio-economic history.<sup>325</sup> The Geniza was the source for over 750,000 discarded pages of writing discovered at the end of the nineteenth century in a medieval synagogue of Fatimid Cairo. It contains more than ten thousand letters and documents, both in Arabic and Hebrew, of everyday life, thus giving an insight to all classes of society including the

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<sup>323</sup> Maulana Wahiduddin Khan, *Woman in Islamic Shariah* (New Delhi: Al-Risala Books, 1995), 148

<sup>324</sup> *Ibid.*, 142

<sup>325</sup> Stillman, “The Importance of the Cairo Geniza Manuscripts for the History of Medieval Female Attire,” 579.

poor classes.<sup>326</sup> The research for Geniza manuscripts is primarily based on the work of S. D. Gottein, who made the eleventh and thirteenth centuries of medieval Cairo central to his writing. While the manuscripts are very broad-based, covering all aspects of social life, such as food provisions, inheritance, marriages, and divorces, this paper will concentrate on culling the research for female attire, which Yedida Stillman concentrates on in her research.

The Geniza manuscripts may be seen as symptomatic of general life in the city, because evidence from them shows that Jews and Muslims intermingled freely. Jews did not have to wear distinctive badges based on their religion in Fatimid times. They practiced the same occupations as the Muslims, unlike their restriction to a few occupations in later medieval Europe. They tended to dominate tax farming and the commercial occupations, but were exempt from the military. Their cuisine was similar. Jewish men and women sported the same luxurious fabrics and colors as that worn by sultans and governors.<sup>327</sup>

Stillman argues, based on the documents, that women veiled and were generally secluded, a condition reflected in a variety of enveloping wraps, mantles, head coverings, and veils described in the manuscripts.<sup>328</sup> The manuscripts also reveal that both Muslim and Jewish people dressed alike,<sup>329</sup> and that there was social mixing between the two

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<sup>326</sup> Mark Cohen, "Feeding the Poor and Clothing the Naked: The Cairo Geniza," *Journal of Interdisciplinary History*, Vol. 35 No.3 Poverty and Charity: Judaism, Christianity and Islam (Winter 2005): 408, accessed June 12, 2013, <http://www.jstor.org.libaccess.sjlibrary.org/stable/3657032>.

<sup>327</sup> S. D. Gottein, *A Mediterranean Society: An Abridgement in one Volume*, ed. Jacob Lassner (Berkeley: University of California Press, 1999), 25-26.

<sup>328</sup> Stillman, "The Importance of the Cairo Geniza Manuscripts for the History of Medieval Female Attire.", 583.

<sup>329</sup> *Ibid.*, 582.



religious groups. Stillman, who also simultaneously evaluated the references of attire in Muslim sources, discovered that the Muslims had the same garments, the same diversity of fabrics, and the same colors as Jewish people. Jewish women in Fatimid Cairo and Ayyubid Egypt went veiled like their Muslim counterparts. Stillman adds that the same applied for Christian women. In public, the face was veiled, the head covered, and the body entirely enveloped by one or more wraps.<sup>330</sup>

The Geniza mentions the names and data of two dozen garments. The trousseaux that Stillman examined listed many two-piece ensembles consisting of a robe (*farajiyya*) and an accompanying article of headgear (*mujara*), which was a kind of a turban. There are also three piece outfits which comprised of a robe, a belt or sash, and a veil or head covering. The documents also cite the *jukaniyya*, which is made of brocade. The same name can be found in the work of al-Jawzi (1116 – 1201AD). Other names of garments include the *Sha'riyya* which was a veil made of goat wool, a *burda* which was a striped woolen covering, and *Safsarri and barrakan* which were mantles. The garments for women appear to be long robes that cover the body fully including the arms and multiple kinds of veils. Because women were not as socially mobile than men -- they did not travel as much as men did -- fashion, which was a class marker, did not change for them as it did for men, so that men's fashions intermingled with the fashion sported in neighboring countries. This again is reflective of greater seclusion for women.

Poor women also veiled. A plea for money recorded in the Geniza documents is from a woman who wrote that she did not “have a robe to cover nor anything to cover her

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<sup>330</sup> Ibid.

head.” She pleads to appoint someone to take up a collection on her behalf to buy a new veil (*miqna’a*) for the holidays, so she is able to celebrate like everyone else.<sup>331</sup> Another plea is from a Jewish leader (*nagid*) on behalf of an orphan girl about to be married. She required a polo tunic (*jukaniyya*) and a *mahalfa*, which was a garment with a covering.

An interesting extract of a letter by a young mother to her sister shows that though women were secluded, and they may not have been very rich, there was an interest in education.

My lady, my most urgent request of you, if God the exalted indeed decrees my death, is that you take care of my little daughter and make efforts to give her an education, although I well know that I am asking you for something unreasonable, as there is not enough money -- by my father -- for support let alone formal education. However, she has a model in our saintly mother. Do not let her appear in public and do not neglect her Sudanese nurse Sa’ada, and her son, and do not separate them from her, for she is fond of her, and I have willed the Sudanese nurse to her.<sup>332</sup>

Note in the above example the woman’s plea to her sister not to let her daughter appear in public. That this particular woman desired an education is reflective of an upper class woman who may not have had enough means. Veiling or seclusion was probably a marker of respect for upper class women.

The above example is actually one of the few letters written by a woman. According to Gottein, only a few dozen letters were sent by women. Gottein notes the absence of women’s voices and surmises that only girls from prestigious families tended to receive formal instruction, and that, in general, women’s literacy rates were not high. The average woman could probably read but not write. Gottein believes that “men and

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<sup>331</sup> Cohen, “Feeding the Poor and Clothing the Naked: The Cairo Geniza,” 417.

<sup>332</sup> Gottein, *A Mediterranean Society*, 458

women occupied different inner worlds...to some extent, women lived in seclusion,”<sup>333</sup> yet the Jewish houses in Fustat, described in the documents, had no separate women’s quarters. This may suggest that there were some subtleties between the practices of Jewish and Christian women, and that there might have been stricter practices of seclusion among Muslim women.

Another interesting finding in the Geniza documents is that while there are innumerable details of a woman’s wardrobe, there is hardly anything about her physical appearance.<sup>334</sup> Perhaps, it was not proper to comment on a woman’s appearance or perhaps it was difficult to do so. Gottein makes a distinction between veiling practices for Muslim vis-a-vis Christian and Jewish women. Veiling, he says, was stricter for Muslims. Christian and Jewish women were required to cover their hair and to dress modestly, but they were not obliged to veil their faces, and could talk to a man of another family without causing reproach.<sup>335</sup> Synagogues and churches had separate galleries for women, while mosques may not have had them. In a synagogue court, men and women mixed freely. The documents also show that it was common for a Jewish family and a Christian family to live in the same house, but if the Christian family embraced Islam, it caused great inconvenience to the female members of the Jewish household.

Gottein believed that veiling, or the Muslim injunction of *satr al awra* -- the covering of the private parts of the body, which for women meant the entire body, was not just a religious ritual, but “reflected a strong social attitude of the common people

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<sup>333</sup> Ibid., 461-62.

<sup>334</sup> Ibid., 464

<sup>335</sup> Ibid.

who took religion seriously.”<sup>336</sup> Gottein’s writing is revealing on two counts -- first, that veiling was as much a social custom as a religious one, and second, that veiling was inspired by a Muslim religious injunction. While Jewish women had their own religious scholars who encouraged them to veil, Muslim scholars articulated their own prescriptions for Muslim women through their own religious literature. Muslim literary *Adab* encouraged veiling. Gottein goes on to say that the more affluent the men, the more secluded their wives. He also comments that, at the other end of the spectrum, the unveiled woman was from marginalized classes. Some slaves and singing girls, and slaves who were singing girls, went unveiled. The size of harems increased by the Abbasid era, and while this is evidence of seclusion practices, it is also evidence of unveiled women, because a large number of women in the harems belonged to the slave or singing-girl classes. Harems also gave rise to female domestic staff who had to be the intermediaries between the secluded upper class women, and those who supplied their needs for goods and services from beyond harem walls. Muslim *Adab* is the source for references, along with the Cairo Geniza manuscripts, for a glimpse into their existence.

*Slaves, Singing-girls and Domesticity of Fatimid Egypt and Abbasid Baghdad, 9<sup>th</sup> to 12<sup>th</sup> Centuries*

According to Islamic law, a Muslim could not be enslaved.<sup>337</sup> Kristina Richardson in her work, “Singing Slave Girls (*Qiyān*) of The Abbasid Court in the Ninth and Tenth Centuries” argues that the *qiyān*, or the singing slave girls, originated from

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<sup>336</sup> Ibid., 462.

<sup>337</sup> Kristina Richardson, “Singing Slave Girls (*Qiyān*) of The Abbasid Court in the Ninth and Tenth Centuries,” in *Children in Slavery Through the Ages*. ed. Guyn Campbell, Suzanne Miers and Joseph C Miller, (Athens: Ohio University Press, 2011), 110.

regions captured by the Abbasids, so that they might have been Roman, Persian, Hejazi, Indian, Ethiopian, etc., and that they were unveiled.<sup>338</sup> Richardson notes that the unveiled *qiyān* “spoke both to the social distinctions between free noblewomen and slave women, and to the expectation of sex appeal in their performances.”<sup>339</sup> This is because, once captured and enlisted as a *qiyān*, they were educated in Arabic and poetry. Richardson, therefore, argues that they occupied an intermediate position between the secluded women and educated men of letters. This is reflected in a huge corpus of Muslim poetry on singing slave girls. Some are cited as “deceitful” and “heartless.” One famous Muslim writer, al-Jahiz, (d.868-9 AD) lamented, that they were not worth the price.<sup>340</sup> They exploited their sex appeal to negotiate power and mixed freely with men and women, both the debauched and virtuous.<sup>341</sup> Under Islamic law, unlike Jewish and Christian laws, sexual relations between a master and concubine were licit. If the slave bore the master a child, her status was raised to *umm-walad* (literal meaning: mother of a child). She could not be sold, could become free on the death of her master, and the child was born free. This was a practice in medieval Muslim lands, and became part of legislation under Ottoman rule.<sup>342</sup>

Richardson mentions that medieval Muslim jurists argued that slave girls were not required to “cover their hair, face or arms because they live an active economic life that requires mobility, and because, by nature and custom, slave girls do not ordinarily cover

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<sup>338</sup> Ibid., 111-112.

<sup>339</sup> Ibid.

<sup>340</sup> Ibid.

<sup>341</sup> Ibid.

<sup>342</sup> Ibid., 105-7.

these parts of their bodies.”<sup>343</sup>. This is interesting because it reflects that slave girls did not “ordinarily cover these parts of their bodies” and that the *qiyān* fell under that category of “slave girls.” Because they would have traversed the world of secluded women, a special directive had to be made by Muslim jurists to provide them with the exception of not practicing veiling. Richardson declares that for free women of the ninth century in Islamic lands, the *hijab* was “mandated” as a marker of modesty.<sup>344</sup>

A similar directive of an exception to veiling was given by Muslim jurists in Fatimid Egypt under the reign of al-Hakim (996-1021AD). First, the jurists decided to curtail the movement of women from the marketplace, and condemned them for wearing too much jewelry and not enough covering. Then, they modified their stance, so that license to circulate was given to lower class women who had to work to support themselves.<sup>345</sup> Given that a directive had to be placed to command women to be secluded shows that women were visible in society and may not have practiced veiling. Sitt al Mulk, who was half-sister to al-Hakim and regent to his successor al-Zahir (1021-36AD), was said to have lifted restrictions on women and allowed them to go out.<sup>346</sup> Research by Delia Cortes and Simone Calderini on Fatimid law cites that free women and pubescent girls had to cover their hair and shoulders with a “coarse cloth”, wear waist wrappings and a mantle. In addition, slave women had to distinguish themselves from free women at the time of prayer by not veiling their faces.<sup>347</sup> The use of the phrase “coarse cloth” is interesting because it may imply that the law was applicable to lower classes of women

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<sup>343</sup> Ibid., 113.

<sup>344</sup> Ibid.

<sup>345</sup> Cortes and Calderini, *Women and the Fatimids in the World of Islam*, 193.

<sup>346</sup> Ibid., 125.

<sup>347</sup> Ibid., 33-6.

as well. Also, the directive is that they could not veil in times of prayer, which brings up the question of whether they were allowed to veil at other times.

Cortes and Calderini's research shows that women in medieval Fatimid times were engaged in a variety of activities and professions in agriculture, food and textile industries, social services, prisons, tax collections, and menial work. In addition, there was also a whole set of women who serviced the secluded women in the harems -- beauticians, washerwomen, nurses, seamstresses and others. The Fatimid caliphs and elite classes ran large harems running into thousands of people. For instance, al-Afdal, vizier to caliph al-Mustansir (1094-1101AD) had eight hundred women in his harem. He was reputed to be so possessive of his concubines that he allegedly beheaded one of them for gazing at someone across the street. Then, as if to atone for his guilt, he wrote an elegy for her afterwards.<sup>348</sup> Nasir Khusrau, when he visited the Fatimid caliph al-Mustansir (1094-1101 AD), declared that it was impossible to count how many concubines the caliph had, because, on the day that he visited, seventeen children were born to the caliph.<sup>349</sup> Given that harems were so large, a large number of women serviced them, and these women may well likely have entered and exited the palace walls veiled.

Nadia el Cheik's work on harems in Abbasid Baghdad suggests that the institution penetrated beyond the caliphal harems largely to the elite classes. She examines the harem of the Abbasid caliph al-Muqtadir (908-932 AD), and mentions that the caliph's mother was a matriarch of a palace that contained 11,000 servants, 4,000 free and slave

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<sup>348</sup> Ibid., 77.

<sup>349</sup> Ibid., 79.

girls and thousands of chamber servants.<sup>350</sup> Her work on *qahramas*, women slaves or servants, has some interesting anecdotes relating to veiling practices. A young concubine who yearned to step outside the palace walls would disguise herself frequently as a *qahrama*, and go in and out of the palace. There are also lovers disguising themselves as women to gain access. Obviously, veils aided in disguise. Sometimes, ambition drove men to seek influential women in the harem. Abu Jafar, a secretary of the caliph al Radi's (934-40AD), who rose later to become a military commander, disguised himself in women's clothes to gain an audience with the aunt of the caliph al- Muqtadir.

While there is a lot of anecdotal evidence of veiling, there is a parallel body of literary references of veiling found in Muslim *Adab*. *Adab* is literature, both fiction and non-fiction, comprising verse, prose and historiography drawn from political, ethical, cultural and social thought. The Abbasid period boasts a large body of medieval writing that came to be known in European scholarship as Abbasid Belle Lettres, or *Adab*.<sup>351</sup> Both the educated elite, the *adib*, and slaves, particularly, the *qiyan*, contributed to *adab*.

#### *Abbasid Adab and Veiling, 9<sup>th</sup> to 13<sup>th</sup> Centuries*

Al-Jahiz (d.823 AD), a well-known and prolific Abbasid scholar, demarcated women --the good, virtuous ones versus the bad harlots. He is also considered as one of the best known prose scholars and Abbasid theologians from Basra. Al-Jahiz mixed

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<sup>350</sup> Nadia El Cheik, "Revisiting the Abbasid Harems," *Journal of Middle East Women's Studies*, Vol. 1, No. 3 (Fall 2005): 10, accessed June 12, 2013, <http://www.jstor.org.libaccess.sjlibrary.org/stable/40326869>.

<sup>351</sup> Julia Ashtiany et al, ed. *Abbasid Belle Lettres* (Cambridge: Cambridge University Press), 2008.



freely with artisans and seamen,<sup>352</sup> as a member of their social classes, but had a very poor opinion of singing girls. In his work, *al-Bukhala, Kitab al Qiyan* (“The Book of the Singing Slave Girls”), Al-Jahiz chastises singing girls for being deceitful, treacherous and amoral. She may juggle the affections of up to four men at a time. From the translation below, it is quite clear, that singing girls did not face-veil:

Singing girls are insincere...squeezing out the property of the deluded victim and then abandoning him...Sometimes a singing girl may have three or four victims...she weeps with one eye to one of them, and laughs with the other eye to the second, and winks at the latter in mockery of the former.<sup>353</sup>

From the expressions culled of the singing girl, it is clear that flirting was associated with them. Here the *qiyān* are portrayed as heartless and lacking in morals. The heartless singing girl was a common theme in Abbasid literature. Here is an extract of a *ghazal* by an Abbasid poet, Aban al Lahiqi, published during the caliphate of Harun al Rashid (766-809AD):

She threw the arrows of her glances so faultlessly that all penetrated your heart  
When she saw my fondness for her, she became indifferent.<sup>354</sup>

Her flirtatious glances imply an absence of face veiling. Veils in Muslim poetry are, however, quite common. One of the themes of war poetry is the image of the helpless veiled virgin in defeat. Here is an extract of Abbasid poet Abu Tammam (805-45 AD), where he likens the defeat of the Byzantine town of Amorium in 838 AD to an unveiled virgin:

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<sup>352</sup> Ibid., 79.

<sup>353</sup> Ibid., 91

<sup>354</sup> K. A. Fariq, “The poetry of Aban al- Lahiqi,” *Journal of the Royal Asiatic Society of Great Britain and Ireland*, No.1/2 (April 1952): 58-9, accessed June 12, 2013, <http://www.jstor.org.libaccess.sjlibrary.org/stable/25222544>.

She's (Amorium) now a maiden unveiled and humbled, though Chosroes had been impotent to master her, and Abukarib she had spurned -- virgin unravished by the hand of disaster, greedy Fate's blows could never hope to reach her...<sup>355</sup>

A similar image is found in Ibn al- Rumi's(836-96 AD) poem after the Zanj attack on Basra. The extent of defeat is reflected in the image of the ravished, helpless, veiled virgin:

How many a chaste maiden they carried into captivity, her face displayed without a veil.<sup>356</sup>

The unveiled virgin was the ultimate symbol of defeat for the male, a direct humiliation on his role as protector.

In other verses, Muslim *Adab* has veiled beauties who cast their veils aside to tempt their poets. Consider this 10<sup>th</sup> century poet, Ibn Faraj who struggles to resist temptation:

She came unveiled in the night  
Illuminated by her face  
Night put aside its shadowy veils as well.<sup>357</sup>

Or this 11<sup>th</sup> century poet, Ibn Jakh, who imagines beauty behind the veil:

Inside the palanquins  
On the camel's backs  
I saw their faces beautiful as moons  
Behind veils of gold cloth.<sup>358</sup>

Unattainable veiled beauties strike a chord among other poets as well. Consider this extract from Ibn Hazm's *The Ring of the Dove*(1022 AD)

Her body was a jasmine rare

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<sup>355</sup> Irwin, *Night and Horses and The Desert*, 133.

<sup>356</sup> A. J. Arberry, *Arabic Poetry* (Cambridge: Cambridge University Press, 2010), 64.

<sup>357</sup> Cola Franzen, trans. *Poems of Arab Andalusia* (San Francisco: City Lights Books, 1989), 3.

<sup>358</sup> *Ibid.*, 16

Her perfume sweet as amber scent  
Her face a pearl beyond compare  
Her all, pure light's embodiment  
All shrouded in her pettigown  
I watched her delicately pass  
Stepping as light as thistledown  
That dances on a crystal glass.<sup>359</sup>

She is all shrouded in “pettigown,” which suggests flimsy material. The image of thistle on glass implies that she embodies what is delicate, painful and fragile -- all the temptations associated with a virgin.

On another note, the “veil” was used extensively in Sufi poetry to indicate a barrier between the human and the Divine. In the following extract, the Sufi poet Jalal al din Rumi (d.1273 AD) writes,

The Koran is a bride who does not disclose her face to you for all that you draw aside the veil. That you should examine it, and yet attain happiness, and unveiling is due to the fact that the act of drawing aside the veil has itself repulsed and tricked you, so that the bride has shown herself to you as ugly, as if to say, “I am not that beauty.” The Koran is able to show itself in whatever form it pleases. But if you do not draw aside the veil, and seek only its good pleasure, watering its sown field and attending on it from afar, toiling upon that which pleases it best, it will show its face to you without your drawing aside the veil.<sup>360</sup>

The image of the Quran as a veiled bride lends itself to interesting interpretations. First, the image of the veil is used for mystical interpretations of Islam. Rumi is employing a common cliché -- the veil -- for spiritual hypotheses, speculation on which is beyond the scope of this paper. Second, the image is of a veiled woman whom no one, not even her husband, has seen till her wedding night. The use of the image implies that it was commonly accepted for women to be veiled and secluded. Lastly, the tearing of the

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<sup>359</sup> Irwin, *Night and Horses and the Desert*, 112.

<sup>360</sup> Seyyed Hossein Nasr, *Ideals and Realities of Islam* (Chicago: ABC International Group Inc., 2000), 47.

veil is an act of fruitless violence by the male. It is the woman who has the right to draw  
aside the veil.

## Conclusion

A number of conclusions are drawn based on the above research on veiling by women from ancient to Abbasid times. First, there was an Islamic foundation to veiling. While veiling clearly did not originate as an Islamic custom, Muslims adopted that practice from prevailing Jewish, Christian, and Zoroastrian practices and validated them with Muslim ideals and scripture. Evidence from the *Hadith* indicates that the family of Muhammad engaged in veiling and seclusion practices and that the practice was instituted for them. Further evidence shows that there were both veiled and unveiled women at the dawn of Islam. Women were engaged in commercial, social, and military pursuits. They also played a role in advancing social rights in the formative years of Islamic society during the seventh century.

By the Abbasid period -- between the eighth and twelfth centuries -- there is stronger evidence of both female veiling and seclusion. Muslim scholars over time interpreted Quranic verses and advocated veiling through the *Shariah*. Of the four schools of the *Shariah*, the *Shafi* and *Hanbali* schools advocated facial veiling. The *Shariah* also created a patrilineal society which encouraged financial dependence on males. While there is strong evidence of educated and powerful women during the Abbasid period, there is also evidence of greater seclusion practices. Women wielded power through harem walls. In addition, Muslim literary *Adab* set up the docile wife as a paragon of virtue. A social distinction was created between the unveiled, amoral, singing- girl and the virtuous, secluded woman. The association of virtue with veiling helped create a society where veiling and seclusion practices cut across classes. The only

class that did not veil might have been prostitutes; otherwise, there is evidence of all classes of women veiling, a practice extending to both free and slave women.

Second, veiling has been historically linked to virtue and has originated from a religious source for all religions and cultures across time. Goddesses are sometimes depicted as veiled. Ancient texts show an obsession by males with the honor of their wives and daughters. Male honor was linked to female monogamy. Married women in Jewish scripture were to be veiled. Christian texts went further and advanced the ideas of virginity and asceticism for the ideal woman. In addition, in Christian theological writings, veiling was a mark of subordination to the male. Zoroastrian societies practiced veiling in temples and rituals. Women were typically head-veiled in sacred spaces, be they temples, synagogues, churches or mosques.

Third, there is evidence of unveiled women across time prior to the Abbasid period in the Mediterranean region. Veiling had to be advocated by men in authority, which suggests that there was a visibly unveiled female population. Although scholars on the subject have relegated this to a class and urban phenomenon -- the upper classes veiled and the lower classes did not -- the findings of the paper suggest that the situation was more complex. Male advocates of veiling consistently used the argument that virtuous women ought to be veiled. They did not advocate veiling based on class. This implied that women from all classes were encouraged to veil. It also suggests that women had a choice on whether to veil or not. In some time periods, veiling is more evident while not so in others. Far stronger evidence of veiling and seclusion is present in Greek society -- including veiled statues of ordinary women, but elaborate hairstyles

from all classes is present in Roman societies, including empresses. Because there is widespread evidence of an unveiled population in urbanized Roman societies, the paper questions theories which link veiling practices to urbanization

Fourth, there is a direct correlation between patriarchal societies, with veiling and seclusion practices from ancient to medieval times. Assyrian laws prescribed veiling and outlined punishments. There is also evidence of harems in ancient, Byzantine, and Sassanian societies. As Islamic societies became more patrilineal in character, the various practices of veiling increased, and harems became larger over time.

Fifth, veiling was not seen as something derogatory in early and medieval societies. It was a signifier for noblewomen, and seen as a mark of respect for the woman. Slaves of noblewomen were allowed to be veiled in Assyrian times if they accompanied their mistresses outside. Curtained carriages were prevalent in medieval societies. There is also evidence of upper-class Christian veiling in pre-Islamic societies. The Talmud offers examples of ordinary women who linked their good fortune in life to practices of virtue and veiling. Veiling was also associated with marriage and respectability. The act of veiling became part of wedding rituals from ancient to Islamic times. Unveiled women, on the other hand, belonged to the slave classes or were associated with sexual license. Prostitutes were not allowed to be veiled in some societies, including Islamic societies. An adulteress, under Jewish law, had to be publicly shamed with her hair loose.

Sixth, there is more evidence of facial veiling in Greek and Muslim societies whereas head veiling appears common in all societies. There is strong evidence of Greek

facial veiling and seclusion practices although recent research suggests that there was greater gender interaction despite the presence of separate women's quarters. Muslim homes also created distinct women's quarters. This was not the case for Christian and Jewish homes. In medieval Mediterranean regions, distinctions were made for Arab and non-Arab Jewish women with regard to veiling. Arab Jewish women were allowed to be veiled, which presumably meant facial veiling, since head-veiling was common among Jewish married women. This is also an indication that there was a blend between religious and social customs. Jewish women were frequently veiled in Muslim medieval societies, although evidence suggests that they were less facially veiled than their Muslim counterparts.

Finally, veiling contributed to fashion, customs, and overall culture with its variety, color, and materials. There is evidence of a plethora of types of veils and wraps, particularly in medieval Islamic societies. This suggests that the practice of veiling extended over time and evolved with changing fashion statements. With the advancement of the production of textiles, greater variety on the types of veils ensued. Women enhanced their veils with embroidery, color and jewels. The veils protected them from men, denoted rank, and marked them as women of virtue, while enhancing their attire.

In summary, the thesis establishes a link between conceptions of female virtue and the practice of veiling by women from ancient to medieval times in the Mediterranean region. This is evidenced by the consistent advocacy and prescription of veiling in ancient and medieval theological texts, including Jewish, Christian,



Zoroastrian, and Islamic texts. Veiling practices are shown to have historically had a religious foundation, grounded in the ideas of honor and virtue. These notions were reflected in society over time with veiled aristocratic noblewomen and unveiled marginalized classes. While acknowledging class-based theories of female veiling, the thesis concentrates on the religious factors for veiling, particularly, for medieval Muslim societies. The thesis argues that while veiling did not originate in Islamic societies, Muslims validated the practice through their own literature and laws. The paper also includes evidence of female seclusion which appears to correlate with the spread in the practice of veiling by women.

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