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The Trial by Ordeal in Arabia

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Some years ago two silver forks were stolen from our home. The table-boy, a Shiah, who felt that he was naturally suspect, offered very willingly to have me take him before the "sayyid," who would try him with grains of wheat. The sayyid would recite curses over the grains. Then the boy would have to swallow them. If the grains stuck in his throat, his guilt would be evident. But if he could swallow them, his innocence would be proved.

A few months ago our colleagues here had a rain coat stolen from their home while we were all away attending our preaching service for Moslems. A fruitless search was made in the room of the servants who had access to the house. Then a Najdi hospital assistant, of the Sunni sect, suggested that all possible suspects be taken before the "sayyid" to "lick the fire."

"But I do not think it will be necessary to have the trial," he added, "because I believe that as soon as the thief knows he will have to stand the test he will confess."

Various methods are in common use in Arabia for securing admission of guilt. The first is that of the oath. This may be taken on the Qur'an, or simply with the raising of the right hand, and is administered regularly by the *Qādhi*. The second is "eating the cane," the bastinado, until confession is volunteered. A modification of this "third degree" method is used when suspected thieves are "crucified." This crucifixion does not mean killing. Just this month a servant suspected of stealing Rupees 700 was crucified in the great public open space in Kuwait where visiting caravans park their camels. A pole



A BLIND ARAB SHEIKH AND HIS SCRIBE

was stuck upright in the ground and the poor fellow was placed with his back to it, and with his hands tied to it behind him.

Still another method of ascertaining guilt is that already referred to, the trial by ordeal. The article on the subject in the *Encyclopedia Britannica*, 11th ed., indicates that Burchardt (*Arabien*, pp. 98, 233, are the references given) was acquainted with the custom, but I do not have his book and do not know how fully he described how it is practiced.

My own investigations in the subject have been facilitated because I was fortunate enough to have the son of such a practitioner in our school. This *sayyid* is not the only operator in Kuwait, although, in the nature of the case, the power such a custom assumes could not be ascribed to many different men. There is another practitioner living at Buwairda, on the Arabs' River opposite Abadan. He seems to be resorted to in Basrah cases, and he sometimes comes to Kuwait. Cases are also sometimes brought from Basrah to Kuwait for trial.

The Basrah *sayyid's* method is to use the *tawva*. This is an iron plate, round and very thin, fifteen inches or more in diameter. On it the Arabs are accustomed to bake their delicious very thin bread. This *tawva* is heated red (not white) hot. Each suspected person picks it up. Guilt is indicated when it sticks to anyone's fingers.

Among the Shi'ah *sayyids* of Kuwait there are several practitioners. One of them uses the leavened dough test. All the suspects take a portion of the dough in their fingers and work it. Those whose dough works well are indicated to be innocent. The one whose dough crumbles as he works it with his fingers is declared to be guilty.

Our Sunni friend has quite a large repertoire of tests. A word or two about him may be of interest. He is a man short in stature, slight in build, heavily wrinkled in forehead, sunken in cheeks, black bearded, with small and deep-set eyes, constantly shifting. As stated, he is a *sayyid*, or descendant of Mohammed. He is learned in Islamic lore, but I fear not those pure disciplines which elevate the mind, but rather those dark subjects which debase the soul. He studied ten years in Baghdad, three more in Basrah, still further in a *mandal* (he called it), or necromancy circle, above Kerkuk. Then, with a company of others, he was sent to Cairo, where he stayed seven months for examinations. He secured the *murraqqa'at*, or patched robe (it cost him six pounds Turkish), and other apparel of the darwish who has passed his novitiate and become a qualified mystic. Until now he has denied to me that he is a Sūfi. He belongs to the Abdul Qādir al-Jilani order and says that he has had the usual darwish exercises in his house except during the last two years.

He has not gained a position of respect here, and he would not be allowed to preach in the mosques of the town, but matters are sometimes brought before him for his opinion of the law in the case. His opinion of the learning of the learned here is not high. He does not associate much with people here because, he says, their society is valueless. I have heard from others that it is because he does not want to have his occult powers put to the test. He is sometimes asked to vie with others in finding articles that are hidden on purpose, and it is said that he succeeds.

On one occasion he gave me as excellent a discourse on the essentials of true worship as any I have ever heard. It was what any Sūfi would say. One could wish that the man's life gave evidence that he even tried to live up to the lofty ideals he expressed. His reputation speaks of concubines to the extent of his buying power. That is of course not beyond the sanctions of his faith. He himself has told me that he followed a common custom here and had bought and set aside such a slave for the use of his son until the boy became ready for a proper marriage. The father said to me, however, that the lad had no use for the arrangement, which was what the son had himself previously told me.

I had long been looking for an opportunity to attend one of the trials by ordeal that the *sayyid* conducts. Such trials are not infrequent, since he not only adjudicates private cases, but also has cases sent to him by the ruler of the town. It was last November that the opportunity was given me.

The *sayyid* holds his trials in his reception room. This is a low, small, uncleaned, rough-plastered room, with the wall recesses filled with unarranged piles of torn and discolored books, as well as bottles and lamps. Bits of fur and skins hang from nails and rafters. Gazelle parchments are much recommended for magic spells. There is a large clock on the wall and two cheap, well-worn rugs stretched with a space between them on the floor. Light comes from the door and one window which faces the court yard.

When I arrived the *sayyid* was sitting beside his *suraīdān*, a carved wooden box with a bowl let in the top to hold charcoal. A detachable bellows furnishes the draft. Sitting further along the wall were three young Arabs obviously from Central Arabia. Opposite them sat another Arab, who I learned was the accuser.

After cursory greetings I sat opposite the *sayyid*. My presence was not a disturbing factor. I might say I was not noticed. Certainly I was not considered. There was a matter of serious concern engrossing the attention of the Najdies. It was explained to me quietly that the complainant had been robbed of forty-seven rupees, over fifteen dollars. His brother was among the suspects.

As I looked at them I came to the conviction that it was the brother who was guilty. I had been told that the *sayyid* was already sure who had stolen the money. But it need not be noted that if either he or I had pointed out the thief, the money would have been restored. The conviction had to be assigned to some power other than human reasoning or intuition in order to secure a voluntary acquiescence.

In the fire of charcoals was a long iron rod, at the end of which was a circular flattened disc, as large as a dollar. It ordinarily is used for stirring coffee beans as they are being roasted. This disc was being heated. Several times the *sayyid* took it out to see if it were hot all through. Meanwhile he discoursed disjointedly on the evils of stealing, its ingratitude, its uselessness. His every action was watched with solemn interest. I noticed that the *sayyid* did not recite any incantations over the rod or the fire, but merely talked to the young men.

Finally the disc seemed to be hot enough to suit him. He called for the nearest Najdi to come and squat before him, face to face. He spoke briefly to him and then had him stick his tongue far out. He then took the rod out of the coals and struck his own bare heel once or twice with the red hot disc. Then with the other side of the disc he struck the outstretched tongue of the first suspect, once, twice and a third time, in steady, but not rapid succession. The young man then resumed his former place without a word. The iron was put back into the coals and heated again. The *sayyid* dealt with the second in the same way.

With the third, the brother, he talked a much longer time, repeating his remarks on stealing in general and assuring him of the power of the fire to prove guilt. The young man declared in whispered tones that he did not steal the money.



A PERSIAN TEA SHOP IN KUWEIT

“But what would you do if the fire put the guilt on you?”

“I would pay. But I did not do it,” he added.

“I did not say that you did,” said the *sayyid*. “But the fire knows. If you are taken, it will be the fire that takes you.”

Then the *sayyid* slapped the disc on his tongue three times. The fellow stood the “lick” (*luhsa* is the name of this ordeal) quite as well as the others. Then a glass of water was called for and each of the suspects was given a drink from it. Then they were told to look for the “sign” on each other’s tongues. This they did, each pairing with the other. Then a small mirror was given them, and each had a look at his own tongue. All were as solemn as hospital patients.

“Have you seen it?” asked the *sayyid*. None would say.

“Well,” said the *sayyid*, turning to the brother, “the *nishan*, sign, is on you.”

Without a word they all got up and left.

The *sayyid*, I was told, would receive a fifth of the amount involved.

On another occasion I asked the *sayyid* why he had recited no incantations.

"Oh," said he, "that iron has been recited over hundreds of times. I have done it so often that it does not need to be recited over on particular occasions now."

He lent me a badly tattered hand-written book, containing, he said, the proper charm. The book has no cover or title page, but is one of that class of magic literature of which the *Shams al-Ma'arif*, the Sun of (Divining) Knowledges, is a shining example. I have seen three different printings of the latter work here in Kuwait. The charm the *sayyid* indicated I have translated as follows:

"*Azīmat al-Hadīd*: The Spell for Iron."

"It should be heated in the fire until it becomes red. Then recite over it the *Fātiha* (the first chapter of the Qur'an) seven times. Then recite this spell: In the Name of Allah, the Merciful and Compassionate. O Fire! O Storehouse! O Hiding-place! I have charmed thee by the quenching spells of Zamzam (the famous Meccan well) and of the solid-built Ka'ba! O Iron heated! Hasten burning and blessing! O Fire! We have brought them near to outwit the raging causer of grief! Destroy him! Wither his lips! Recover his forgetfulness! Allah has made room for thee! To the peaceable, give peace. Allah's innocent, do not wrong! Be for me and the peaceable as the fire was for Ibrahim, the Friend of the Compassionate, 'cold and safe . . . and they planned a trick against him, and we caused them to be the losers' (Qur'an, xxi, 69, 70). I have subdued thee by a thousand thousand (repetitions of) 'There is no strength and no power except in Allah, the High and Great.' I have subdued thee by a thousand of the Verse of the Throne, and a thousand of the Eternal (name of Allah) and a thousand of what decreases strength, and by a thousand of what is believed and a thousand (repetitions of) 'She has nought but Allah, the One, the Only,' and by a thousand of the Wise Qur'an, and by a thousand Blesseds and a thousand of 'All the Angels of Allah,' and a thousand of 'There is no strength and no power but in Allah.'"

Another test, used also by the Shiah *sayyids* here, is the *bal'* (swallowing) of bread. Its formula is given in the same manuscript as follows:

"For those suspected write on some wheaten bread. Break each loaf in pieces. The suspected ones eat it. The thief will be unable to swallow it. These are the names to be written on the bread.

HH, HH, HH, 'HH, 'HH, 'HH, 52 over bh, and 52 over bh.
(52 is the numerical value of the letters bh.)

Stealer of the property of such a one, son of such a one.

This is valid, tried."

Other methods of trial by ordeal used by the *sayyid* consist in writing several names of Allah on the head of a large iron nail (which

is conspicuous in his office), and hammering the nail into the ground in the presence of the interested parties, accompanying each blow with an incantation. Then all are told to rise. The guilty one remains as if fastened by the nail to his place. The molten lead method is the one usually employed when women are concerned, as their faces may not be seen. The lead stiffens only around the guilty person's fingers. He also mentioned one impolite and one distressing condition that he was able to cause.

In forming a judgment about these practices, there is reason to avoid ridicule based on any pride of racial superiority. I had called to my attention Goodes' delectable illustration of the Trial by Ordeal in Bill Nye's "History of England," and it would cure anyone of any such tendency. Further, the *judicium Dei* cannot be ruled out of court altogether as having been a possible and real event, for authority for such trial in a particular case was given in the Bible (Num. 5:12-31). That is the one case where evidence is admittedly most difficult to secure, and, in a theocratic government, here, if ever, God would intervene to condemn or acquit his people. The Jewish rabbis believed the sanction for such trial persisted until it was abrogated by Hosea (4:14), (Hast. Bib. Dict., art. Marriage).

Nothing that I saw in our friend's practice or have learned of the whole custom gives evidence that it is God who is expected to declare judgment. There is an ascription of supernatural powers to the fire, the lead, the incantations, and the like. That is superstition. Even those strictest Moslems who claim that Muhammad authorized only the use of the name of Allah in *du'as*, prayers, yet degrade these prayers into incantations by their dependence upon the power of the words used. Moreover, those *sayyids* and mullas who, unlike our friend, are respected and allowed to preach in the mosques, write charms for the sick in body and mind, invoking and expecting only God's operation, still believe that God will act because of the words imbibed or worn.

Some of these last, perhaps, may not be accused of fraud, for they are at least sincere, giving evidence of their sincerity by accepting no money for their amulets. Yet, it is not certain that our friend is a conscious imposter. His mystic studies may have induced him to believe in such occult powers. He claims to be able to see the secret and the absent by means of ink spots and magic squares. But his appreciation of God's character and requirements and his own personal life, together with the uses he makes of his studies, do not tend to inspire approving confidence.

The *sayyid's* success in the case I saw needs no explanation. His reputation may easily rest on nothing more than his own powers of inference and insight and the application of known psychological laws.

This superstitious custom, though it has been practiced in these regions from Hammurabi's day until the present, will disappear from general usage through the general education of the people, as has happened in European countries. The credulity it indicates obviously needs to be replaced by an obedient faith in the immanent God whose presence ennobles, enlightens and abundantly enlivens His people.