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Women In Islam

Versus Women

In The Judaeo-Christian

Tradition

The Myth & The Reality

KAD

Women In Islam Vs Women In Judaeo-Christian Tradition

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Chapter 1

Introduction

Five years ago, I read in the Toronto Star issue of July 3, 1990 an article titled "Islam is not alone patriarchal doctrines", by Gwynne Dyer. The article described the furious reactions of the participants of a conference on women and power held in Montreal to the comments of the famous Egyptian feminist Dr. Nawal Saadawi.

Her "politically incorrect" statements included: "the most restrictive elements towards women can be found first in Judaism in the Old Testament then in Christianity and then in the Qur'an"; "all religions are patriarchal because they stem from patriarchal societies"; and "veiling of women is not specifically Islamic practice but an ancient cultural heritage with analogies in sister religions".

The participants could not bear sitting around while their faiths were being equated with Islam. Thus, Dr. Saadawi received a barrage of criticism. "Dr. Saadawi's comments are unacceptable. Her answers reveal a lack of understanding about other people's faiths," declared Bernice Dubois of the World Movement of Mothers. "I must protest" said panellist Alice Shalvi of Israel women's network. "there is no conception of the veil in Judaism."

The article attributed these furious protests to the strong tendency in the West to scapegoat Islam for practices that are just as much a part of the West's own cultural heritage. "Christian and Jewish feminists were not going to sit around being discussed in the same category as those wicked Muslims," wrote Gwynne Dyer.

I was not surprised that the conference participants had held such a negative view of Islam, especially when women's issues were involved. In the West, Islam is believed to be the symbol of the subordination of women par excellence. In order to understand how firm this belief is, it is enough to mention that the Minister of Education in France, the land of Voltaire, has recently ordered the expulsion of all young Muslim women wearing the veil from French schools![1]

A young Muslim student wearing a headscarf is denied her right of education in France, while a Catholic student wearing a cross or a Jewish student wearing a skullcap is not. The scene of French policemen preventing young Muslim women wearing headscarves from entering their high school is unforgettable. It inspires the memories of another equally disgraceful scene of Governor George Wallace of Alabama in 1962 standing in front of a school gate trying to block the entrance of black students in order to prevent the desegregation of Alabama's schools.

The difference between the two scenes is that the black students had the sympathy of so many people in the U.S. and in the whole world. President Kennedy sent the U.S. National Guard to force the entry of the black students. The Muslim girls, on the other hand, received no help from any one. The

cause seems to have very little sympathy either inside or outside France. The reason is the widespread misunderstanding and fear of anything Islamic in the world today. What intrigued me the most about the Montreal conference was one question: Were the statements made by Saadawi, or any of his critics, factual?

In other words, do Judaism, Christianity, and Islam have the same conception of women? Are they different in their conceptions? Do Judaism and Christianity, truly, offer women a better treatment than Islam does? What is the Truth?

It is not easy to search for and find answers to these difficult questions. The first difficulty is that one has to be fair and objective or, at least, do one's utmost to be so. This is what Islam teaches. The Qur'an has instructed Muslims to say the truth even if those who are very close to them do not like it.

"Whenever you speak, speak justly, even if a near relative is concerned" (6:152)

"O you who believe stand out firmly for justice, as witnesses to Allah, even as against yourselves or your parents or your kin, and whether it be (against) rich or poor" (4:135).

The other great difficulty is the overwhelming breadth of the subject. Therefore, during the last few years, I have spent many hours reading the Bible, The Encyclopaedia of Religion, and the Encyclopaedia Judaica searching for answers. I have also read several books discussing the position of women in different religions written by scholars, apologists, and critics. The material presented in the following chapters represents the important findings of this humble research. I don't claim to be absolutely objective.

This is beyond my limited capacity. All I can say is that I have been trying, throughout this research, to approach the Qur'anic ideal of "speaking justly". I would like to emphasize in the introduction that my purpose for this study is not to denigrate Judaism or Christianity. As Muslims we believe in the divine origins of both. No one can be a Muslim without believing in Moses and Jesus as great prophets of God.

My goal is only to vindicate Islam and pay a tribute, long overdue in the West, to the final truth of the Message from God to the human race. I would also like to emphasize that I concerned myself only with Doctrine.

That is, my concern is, mainly, the position of women in the three religions as it appears in the original sources not as practised by their millions of followers in the world today. Therefore, most of the evidence cited comes from the Qur'an, the sayings of Prophet Muhammad (S), the Bible, the Talmud, and the sayings of some of the most influential Church Fathers whose views have contributed immeasurably to defining and shaping Christianity. This interest in the sources relates to the fact that understanding a certain religion from the attitudes and the behaviour of some of its nominal followers is misleading. Many people confuse culture with religion, many others do not know what the religious books are saying, and many others do not even care.

Notes:

[1] The Globe and Mail, Oct. 4, 1994.

Chapter 2

Eve's Fault?

The three religions agree on one basic fact: Both women and men are created by God, The Creator of the whole universe.

However, disagreement starts soon after the creation of the first man, Adam, and the first woman, Eve. The Judaeo-Christian conception of the creation of Adam and Eve is narrated in detail in Genesis (2:4-24).

God prohibited both of them from eating the fruits of the forbidden tree. The serpent seduced Eve to eat from it and Eve, in turn, seduced Adam to eat with her.

When God rebuked Adam for what he did, he put all the blame on Eve,

"The woman you put here with me —she gave me some fruit from the tree and I ate it." (Genesis, 3:12).

Consequently, God said to Eve:

"I will greatly increase your pains in childbearing; with pain you will give birth to children. Your desire will be for your husband and he will rule over you." (Genesis, 3:16).

To Adam He said:

"Because you listened to your wife and ate from the tree of which I forbade you to eat, " Cursed be the ground because of you; through painful toil you will eat of it all the days of your life... " (Genesis 3:17).

The Islamic conception of the first creation is found in several places in the Qur'an, for example:

"O Adam dwell with your wife in the Garden and enjoy as you wish but approach not this tree lest you run into harm and transgression. Then Satan whispered to them in order to reveal to them their shame that was hidden from them and he said: 'Your Lord only forbade you this tree lest you become angels or such beings as live forever.' And he swore to them both that he was their sincere adviser. So by deceit he brought them to their fall: when they tasted the tree their shame became manifest to them and they began to sew together the leaves of the Garden over their bodies. And their Lord called unto them: 'Did I not forbid you that tree and tell you that Satan was your avowed enemy?' They said: 'Our Lord we have wronged our own souls and if You forgive us not and bestow Your Mercy upon us Your Mercy, we shall certainly be lost' " (7:19:23).

~~A careful look into the two accounts of the story of the Creation reveals some essential differences~~

The Qur'an, contrary to the Bible, places equal blame on both Adam and Eve for their mistake. Nowhere in the Qur'an can one find even the slightest hint that Eve tempted Adam to eat from the tree or even that she had eaten before him. Eve in the Qur'an is no temptress, no seducer, and no deceiver. Moreover, Eve is not to be blamed for the pains of childbearing. God, according to the Qur'an, punishes no one for another's faults. Both Adam and Eve committed a sin^[2] and then asked God for forgiveness and He forgave them both.

Notes:

[2] Shi'ah Muslims do not subscribe to the belief that Adam and Eve committed a 'sin'. They argue that Adam was a prophet and prophets do not sin. Furthermore Adam eating from the tree was before he was sent to the earth {where the 'Permissible & Forbidden' (*halal & haram*) and 'Obedience & Disobedience' are applicable and possible}. For more information see <http://www.al-islam.org/shiism/> (Chapter 7).

Chapter 3

Eve's Legacy

The image of Eve as temptress in the Bible has resulted in an extremely negative impact on women throughout the Judaeo-Christian tradition.

All women were believed to have inherited from their mother, the Biblical Eve, both her guilt and her guile. Consequently, they were all untrustworthy, morally inferior, and wicked. Menstruation, pregnancy, and childbearing were considered the just punishment for the eternal guilt of the curse of the female sex.

In order to appreciate how negative the impact of the Biblical Eve was on all her female descendants we have to look at the writings of some of the most important Jews and Christians of our time. Let us start with the Old Testament and look at excerpts from what is called the Wisdom Literature in which we find:

"I find more bitter than death the woman who is a snare, whose heart is a trap and whose hands are chains. The man who pleases God will escape her, but the sinner she will ensnare... while I was still searching but not finding, I found one upright man among a thousand but not one upright woman among them all" (Ecclesiastes 7:26-28).

In another part of the Hebrew literature which is found in the Catholic Bible we read:

"No wickedness comes anywhere near the wickedness of a woman... Sin began with a woman and thanks to her we all must die" (Ecclesiasticus 25:19,24).

Jewish Rabbis listed nine curses inflicted on women as a result of the Fall:

"To the woman He gave nine curses and death: the burden of the blood of menstruation and the blood of virginity; the burden of pregnancy; the burden of childbirth; the burden of bringing up the children; her head is covered as one in mourning; she pierces her ear like a permanent slave or slave girl who serves her master; she is not to be believed as a witness; and after everything—death.[3]

To the present day, orthodox Jewish men in their daily morning prayer recite "Blessed be God King of the universe that Thou has not made me a woman." The women, on the other hand, thank God every morning for "making me according to Thy will"[4].

Another prayer found in many Jewish prayer books: "Praised be God that he has not created me a gentile. Praised be God that he has not created me a woman. Praised be God that he has not created me an ignoramus."[5]

~~The Biblical Eve has played a far bigger role in Christianity than in Judaism. Her sin has been pivotal to the whole Christian faith because the Christian conception of the reason for the mission of Jesus Christ on Earth stems from Eve's disobedience to God. She had sinned and then seduced Adam to follow her suit. Consequently, God expelled both of them from Heaven to Earth, which had been cursed because of them.~~

They bequeathed their sin, which had not been forgiven by God, to all their descendants and, thus, all humans are born in sin. In order to purify human beings from their 'original sin', God had to sacrifice Jesus, who is considered to be the Son of God, on the cross. Therefore, Eve is responsible for her own mistake, her husband's sin, the original sin of all humanity, and the death of the Son of God. In other words, one woman acting on her own caused the fall of humanity.[6]

What about her daughters? They are sinners like her and have to be treated as such. Listen to the severe tone of St. Paul in the New Testament:

"A woman should learn in quietness and full submission. I don't permit a woman to teach or to have authority over a man; she must be silent. For Adam was formed first, then Eve. And Adam was not deceived; it was the woman who was deceived and became a sinner" (I Timothy 2:11-14).

St. Tertullian was even more blunt than St. Paul, while he was talking to his 'best beloved sisters' in the faith, he said[7]:

"Do you not know that you are each an Eve? The sentence of God on this sex of yours lives in this age: the guilt must of necessity live too. You are the Devil's gateway: You are the unsealer of the forbidden tree: You are the first deserter of the divine law: You are she who persuaded him whom the devil was not valiant enough to attack. You destroyed so easily God's image, man. On account of you we desert even the Son of God had to die."

St. Augustine was faithful to the legacy of his predecessors, he wrote to a friend:

"What is the difference whether it is in a wife or a mother, it is still Eve the temptress that we must beware of in any woman... .. I fail to see what use woman can be to man, if one excludes the function of bearing children."

Centuries later, St. Thomas Aquinas still considered women as defective:

"As regards the individual nature, woman is defective and misbegotten, for the active force in the male seed tends to the production of a perfect likeness in the masculine sex; while the production of woman comes from a defect in the active force or from some material indisposition, or even from some external influence."

Finally, the renowned reformer Martin Luther could not see any benefit from a woman but bringing into the world as many children as possible regardless of any side effects:

"If they become tired or even die, that does not matter. Let them die in childbirth, that's why they are there"

Again and again all women are denigrated because of the image of Eve the temptress, thanks to the Genesis account.

To sum up, the Judaeo-Christian conception of women has been poisoned by the belief in the sinful nature of Eve and her female offspring.

If we now turn our attention to what the Qur'an has to say about women, we will soon realize that the Islamic conception of women is radically different from the Judaeo-Christian one. Let the Qur'an speak for itself:

"For Muslim men and women, for believing men and women, for devout men and women, for true men and women, for men and women who are patient, for men and women who humble themselves, for men and women who give in charity, for men and women who fast, for men and women who guard their chastity, and for men and women who engage much in Allah's praise— For them all has Allah prepared forgiveness and great reward" (33:35).

"The believers, men and women, are protectors, one of another: they enjoin what is just, and forbid what is evil, they observe regular prayers, practise regular charity, and obey Allah and His Messenger. On them will Allah pour His Mercy: for Allah is Exalted in power, Wise" (9:71).

"And their Lord answered them: Truly I will never cause to be lost the work of any of you, Be you a male or female, you are members one of another" (3:195).

"Whoever works evil will not be requited but by the like thereof, and whoever works a righteous deed -whether man or woman- and is a believer- such will enter the Garden of bliss" (40:40).

"Whoever works righteousness, man or woman, and has faith, verily to him/her we will give a new life that is good and pure, and we will bestow on such their reward according to the best of their actions" (16:97).

It is clear that the Qur'anic view of women is no different than that of men. They, both, are God's creatures whose sublime goal on earth is to worship their Lord, do righteous deeds, and avoid evil and they, both, will be assessed accordingly.

The Qur'an never mentions that the woman is the devil's gateway or that she is a deceiver by nature. The Qur'an, also, never mentions that man is God's image; all men and all women are his creatures and that is all. According to the Qur'an, a woman's role on earth is not limited only to childbirth. She is required to do as many good deeds as any other man is required to do.

The Qur'an never says that no upright women have ever existed. To the contrary, the Qur'an has instructed all the believers, women as well as men, to follow the example of those ideal women such as the Virgin Mary and the Pharaoh's wife:

"And Allah sets forth, As an example to those who believe, the wife of Pharaoh: Behold she said, 'O my lord build for me, in nearness to you, a mansion in the Garden, and save me from Pharaoh and his doings and save me from those who do wrong.' And Mary the daughter of Imran who guarded her chastity and We breathed into her body of Our spirit; and she testified to the truth of the words of her Lord and of His revelations and was one of the devout" (66:11-13).

Notes:

[3] Leonard J. Swidler, *Women in Judaism: The Status of Women in Formative Judaism* (Metuchen, N.J.: Scarecrow Press, 1976), p. 115

[4] Thana Kendath, "Memories of an Ortodox Youth", in Susannah Heschel ed, *On Being a Jewish Feminist* (New York: Schocken Books, 1983), pp. 96-97.

[5] Leonard J. Swidler, *Women in Judaism: The Status of Women in Formative Judaism*, op. cit. pp. 80-81.

[6] Rosemay R. Ruether, "Christianity", in Arvind Sharma ed., *Women in World Religions* (Albany: State University of New York Press, 1987) p. 209.

[7] For all the saying of the prominent Saints, see Karen Armstrong, *The Gospels according to a Woman* (London, Elm Tree Books, 1986) pp. 52-62. See also Nancy Van Vuuren, *The Subversion of Women as Practiced by Churches, Witch-Hunters, and Other Sexists* (Philadelphia: Westminster Press) pp. 28-30.

Chapter 4

Shameful Daughters

In fact, the difference between the Biblical and the Qur'anic attitude towards the female sex starts as soon as a female is born. For example, the Bible states that the period of the mother's ritual impurity is twice as long if a girl is born than if a boy is:

"Tell the Israelites: When a woman has conceived and gives birth to a boy, she shall be unclean for seven days, with the same uncleanness as at her menstrual period. On the eighth day, the flesh of the boy's foreskin shall be circumcised, and then she shall spend thirty-three days more in becoming purified of her blood; she shall not touch anything sacred nor enter the sanctuary till the days of her purification are fulfilled. If she gives birth to a girl, for fourteen days she shall be as unclean as at her menstruation, after which she shall spend sixty-six days in becoming purified of her blood". (Leviticus 12:2-5).

The Catholic Bible states explicitly that:

"The birth of a daughter is a loss" (Ecclesiasticus 22:3).

In contrast to this shocking statement, boys receive special praise:

"A man who educates his son will be the envy of his enemy." (Ecclesiasticus 30:3)

Jewish Rabbis made it an obligation on Jewish men to produce offspring in order to propagate the Jewish race. At the same time, they did not hide their clear preference for male children:

"It is well for those whose children are male but ill for those whose are female",

"At the birth of a boy, all are joyful... at the birth of a girl all are sorrowful",

and "When a boy comes into the world, peace comes into the world... When a girl comes, nothing good comes."

A daughter is considered a painful burden, a potential source of shame to her father:

"Your daughter is headstrong? Keep a sharp look-out that she does not make you the laughing stock of your enemies, the talk of the town, the object of common gossip, and put you to public shame" (Ecclesiasticus 42:11).

"Keep a headstrong daughter under firm control, or she will abuse any indulgence she receives. Keep a strict watch on her shameless eye, do not be surprised if she disgraces you" (Ecclesiasticus 26:10-11).

It was this very same idea of treating daughters as sources of shame that led the pagan Arabs, before the advent of Islam, to practice female infanticide.

The Qur'an severely condemned this heinous practice:

"When news is brought to one of them of the birth of a female child, his face darkens and he is filled with inward grief. With shame does he hide himself from his people because of the bad news he has had! Shall he retain her on contempt or bury her in the dust? Ah! what an evil they decide on?" (16:59).

It has to be mentioned that this sinister crime would have never stopped in Arabia were it not for the power of the scathing terms the Qur'an used to condemn this practice:

"He hides himself from the people because of the evil of that which is announced to him. Shall he keep it with disgrace or bury it (alive) in the dust? Now surely evil is what they judge". (16:59)

"And when one of them is given news of that of which he sets up as a likeness for the Beneficence of Allah, his face becomes black and he is full of rage" (43:17)

"And when the female infant buried alive is asked for what sin she was killed"(81:8-9).

The Qur'an, moreover, makes no distinction between boys and girls. In contrast to the Bible, the Qur'an considers the birth of a female as a gift and a blessing from God, the same as the birth of a male. The Qur'an even mentions the gift of the female birth first:

"To Allah belongs the dominion of the heavens and the earth. He creates what He wills. He bestows female children to whomever He wills and bestows male children to whomever He wills." (42:49).

In order to wipe out all the traces of female infanticide in the nascent Muslim society, Prophet Muhammad (S) promised those who were blessed with daughters of a great reward if they would bring them up kindly:

"He who is involved in bringing up daughters, and accords benevolent treatment towards them, the angels will be protection for him against Hell-Fire" (Bukhari and Muslim).

"Whoever maintains two girls till they attain maturity, he and I will come on the Resurrection Day like this; and he joined his fingers" (Muslim).

"One who brings up three daughters or sisters and is patient in earning for their maintenance till the time they will be married (...) He and I will be in Paradise like this"(Saying this the Prophet (S) showed his index and middle fingers joined)"

And people asked him: "O Messenger of Allah, what if he brings up two of the {daughters/sisters}?"

He (S) replied: "even if two".

"What if a man brings up only one daughter?" people persisted.

"Even if he brings up only one daughter or sister" replied the Messenger of Allah (S). (Bihar al-Anwar, Vol. 104, p.99)

Chapter 5

Female Education?

The difference between the Biblical and the Qur'anic conceptions of women is not limited to the newly born female, it extends far beyond that. Let us compare their attitudes towards a female trying to learn her religion. The heart of Judaism is the Torah, the law. However, according to the Talmud,

"women are exempt from the study of the Torah."

Some Jewish Rabbis firmly declared "Let the words of Torah rather be destroyed by fire than imparted to women", and "Whoever teaches his daughter Torah is as though he taught her obscenity" [8]

The attitude of St. Paul in the New Testament is not brighter:

"As in all the congregations of the saints, women should remain silent in the churches. They are not allowed to speak, but must be in submission as the law says. If they want to inquire about something they should ask their own husbands at home; for it is disgraceful for a woman to speak in the church" (I Corinthians 14:34-35)

How can a woman learn if she is not allowed to speak? How can a woman grow intellectually if she is obliged to be in a state of full submission? How can she broaden her horizons if her one and only source of information is her husband at home?

Now, to be fair, we should ask: is the Qur'anic position any different? One short story narrated in the Qur'an sums its position up concisely. Khawlah was a Muslim woman whose husband Awfa pronounced this statement at a moment of anger: "You are to me as the back of my mother."

This was held by pagan Arabs to be a statement of divorce which freed the husband from all conjugal responsibility but did not leave the wife free to leave the husband's home or to marry another man.

Having heard these words from her husband, Khawlah was in a miserable situation. She went straight to the Prophet of Islam (S) to plead her case.

The Prophet (S) was of the opinion that she should be patient since there seemed to be no way out. Khawla kept arguing with the Prophet (S) in an attempt to save her suspended marriage. Shortly, the Qur'an intervened; Khawla's plea was accepted. The divine verdict abolished this iniquitous custom.

One full chapter (Chapter 58) of the Qur'an whose title is "Almujadilah" or "The woman who argues" was named after this incident:

"Allah has heard and accepted the statement of the woman who pleads with you (the Prophet) concerning her husband and carries her complaint to Allah, and Allah hears the arguments between both of you for Allah hears and sees all things... ." (58:1).

A woman in the Qur'anic conception has the right to argue even with the Prophet of Islam (himself). ~~No one has the right to instruct her to be silent. She is under no obligation to consider her husband the one and only reference in matters of law and religion.~~

Notes:

[8] Denise L. Carmody, "Judaism", in Arvind Sharma ed., op. cit., p. 197.

Chapter 6

Unclean Impure Woman

Jewish laws and regulations concerning menstruating women are extremely restrictive. The Old Testament considers any menstruating woman as unclean and impure. Moreover, her impurity "infects" others as well. Anyone or anything she touches becomes unclean for a day:

"When a woman has her regular flow of blood, the impurity of her monthly period will last seven days, and anyone who touches her will be unclean till evening. Anything she lies on during her period will be unclean, and anything she sits on will be unclean. Whoever touches her bed must wash his clothes and bathe with water, and he will be unclean till evening. Whoever touches anything she sits on must wash his clothes and bathe with water, and he will be unclean till evening. Whether it is the bed or anything she was sitting on, when anyone touches it, he will be unclean till evening" (Leviticus 15:19-23).

Due to her "contaminating" nature, a menstruating woman was sometimes "banished" in order to avoid any possibility of any contact with her. She was sent to a special house called "the house of uncleanness" for the whole period of her impurity.[9]

The Talmud considers a menstruating woman "fatal" even without any physical contact:

"Our Rabbis taught: ... if a menstruant woman passes between two (men), if it is at the beginning of her menses she will slay one of them, and if it is at the end of her menses she will cause strife between them" (b.Pes. 111a.)

Furthermore, the husband of a menstruous woman was forbidden to enter the synagogue if he had been made unclean by her even by the dust under her feet. A priest whose wife, daughter, or mother was menstruating could not recite priestly blessing in the synagogue[10]. No wonder many Jewish women still refer to menstruation as "the curse." [11]

Islam does not consider a menstruating woman to possess any kind of "contagious uncleanness". She is neither "untouchable" nor "cursed."

She practises her normal life with only one restriction: a married couple is not allowed to have sexual intercourse during the period of menstruation. Any other physical contact between them is permissible. A menstruating woman is exempted from some rituals such as daily prayers and fasting during her period.

Notes:

[9] Swinder, op. cit., p. 137.

[10] Swinder, op. cit., p. 138.

[11] Sally Priesand, *Judaism and the New Woman* (New York; Berham House Inc., 1975) p. 24.

Chapter 7

Bearing Witness

Another issue in which the Qur'an and the Bible disagree is the issue of women bearing witness. It is true that the Qur'an has instructed the believers dealing in financial transactions to get two male witnesses or one male and two females:

"...and call in to witness from among your men two witnesses; but if there are not two men, then one man and two women from among those whom you choose to be witnesses, so that if one of the two errs, the second of the two may remind the other..." (2:282).

However, it is also true that the Qur'an in other situations accepts the testimony of a woman equal to that of a man. In fact the woman's testimony can even invalidate the man's.

If a man accuses his wife of unchastity, he is required by the Qur'an to solemnly swear five times in evidence of the wife's guilt. If the wife denies and swears similarly five times, she is not considered guilty and in either case the marriage is dissolved:

"And (as for) those who accuse their wives and have no witnesses except themselves, the evidence of one of these (should be taken) four times, bearing Allah to witness that he is most surely of the truthful ones. And the fifth (time) that the curse of Allah be on him if he is one of the liars. And she shall avert the chastisement from her if she testify four times, bearing Allah to witness that he is most surely one of the liars; And the fifth (time) that the wrath of Allah be on her if he is one of the truthful. And were it not for Allah's grace upon you and His mercy— and that Allah is Oft-returning (to mercy), Wise! Surely they who concocted the lie are a party from among you. Do not regard it an evil to you; nay, it is good for you. Every man of them shall have what he has earned of sin; and (as for) him who took upon himself the main part thereof, he shall have a grievous chastisement."(24:6-11).

On the other hand, women were not allowed to bear witness in early Jewish society[12]. The Rabbis counted women's not being able to bear witness among the nine curses inflicted upon all women because of the Fall (see the "Eve's Legacy" section).

Women in today's Israel are not allowed to give evidence in Rabbinical courts[13] The Rabbis justify why women cannot bear witness by citing Genesis 18:9-16, where it is stated that Sarah, Abraham's wife had lied.

"Where is your wife Sarah?" they asked him. "There in the tent," he replied. One of them said, "I will surely return to you about this time next year, and Sarah will then have a son." Sarah was listening at the entrance of the tent, just behind him. Now Abraham and Sarah were old, advanced in years, and Sarah had stopped having her womanly periods. So Sarah laughed to herself and said, "No

that I am so withered and my husband is so old, am I still to have sexual pleasure?" But the LORD said to Abraham: "Why did Sarah laugh and say, 'Shall I really bear a child, old as I am?' Is anything too marvelous for the LORD to do? At the appointed time, about this time next year, I will return to you, and Sarah will have a son." Because she was afraid, Sarah dissembled, saying, "I didn't laugh. But he said, 'Yes you did.'"

The Rabbis use this incident as evidence that women are unqualified to bear witness. It should be noted here that this story narrated in Genesis 18:9-16 has been mentioned more than once in the Qur'an without any hint of lies by Sara:

“And certainly Our messengers came to Ibrahim with good news. They said: Peace. Peace, said he, and he made no delay in bringing a roasted calf. But when he saw that their hands were not extended towards it, he deemed them strange and conceived fear of them. . They said: Fear not, surely we are sent to Lut's people. And his wife was standing (by), so she laughed, then We gave her the good news of Ishaq and after Ishaq of (a son's son) Yaqoub. She said: O wonder! shall I bear a son when I am an extremely old woman and this my husband an extremely old man? Most surely this is a wonderful thing. They said: Do you wonder at Allah's bidding? The mercy of Allah and His blessings are on you, O people of the house, surely He is Praised, Glorious. So when fear had gone away from Ibrahim and good news came to him, he began to plead with Us for Lut's people (11:69-74)

“Has there come to you information about the honored guests of Ibrahim? When they entered upon him, they said: Peace. Peace, said he, a strange people. Then he turned aside to his family secretly and brought a fat (roasted) calf, So he brought it near them. He said: What! will you not eat? So he conceived in his mind a fear on account of them. They said: Fear not. And they gave him the good news of a boy possessing knowledge. Then his wife came up in great grief, and she struck her face and said: An old barren woman! They said: Thus says your Lord: Surely He is the Wise, the Knowing.” (51:24-30).

In the Christian West, both ecclesiastical and civil law debarred women from giving testimony until the late last century[14].

If a man accuses his wife of unchastity, her testimony will not be considered at all according to the Bible. The accused wife has to be subjected to a trial by ordeal. In this trial, the wife faces a complete and humiliating ritual which was supposed to prove her guilt or innocence:

The LORD said to Moses, "Speak to the Israelites and tell them: If a man's wife goes astray and becomes unfaithful to him by having intercourse with another man, though her husband has no sufficient evidence of the fact, so that her impurity remains unproved for lack of a witness who might have caught her in the act; or if a man is overcome by a feeling of jealousy that makes him suspect his wife, whether she was actually impure or not: he shall bring his wife to the priest and shall take along as an offering for her a tenth of an ephah of barley meal. However, he shall not pour oil on it nor put frankincense over it, since it is a cereal offering of jealousy, a cereal offering for an appeal in a question of guilt. "The priest shall first have the woman come forward and stand before the LORD. In an earthen vessel he shall meanwhile put some holy water, as well as some dust that he has taken from the floor of the Dwelling. Then, as the woman stands before the LORD, the priest shall uncover her head and place in her hands the cereal offering of her appeal, that is, the cereal offering of jealousy

while he himself shall hold the bitter water that brings a curse. Then he shall adjure the woman, saying to her, 'If no other man has had intercourse with you, and you have not gone astray by impurity while under the authority of your husband, be immune to the curse brought by this bitter water. But if you have gone astray while under the authority of your husband and have acted impurely by letting a man other than your husband have intercourse with you'— so shall the priest adjure the woman with the oath of imprecation—'may the LORD make you an example of malediction and imprecation among your people by causing your thighs to waste away and your belly to swell! May this water, then, that brings a curse, enter your body to make your belly swell and your thighs waste away!' And the woman shall say, 'Amen, amen!' The priest shall put these imprecations in writing and shall then wash them off into the bitter water, which he is to have the woman drink, so that it may go into her with all its bitter curse. But first he shall take the cereal offering of jealousy from the woman's hand, and having waved this offering before the LORD, shall put it near the altar, where he shall take a handful of the cereal offering as its token offering and burn it on the altar. Only then shall he have the woman drink the water. Once she has done so, if she has been impure and unfaithful to her husband, this bitter water that brings a curse will go into her, and her belly will swell and her thighs will waste away, so that she will become an example of imprecation among her people. If, however, the woman has not defiled herself, but is still pure, she will be immune and will still be able to bear children. "This, then, is the law for jealousy: When a woman goes astray while under the authority of her husband and acts impurely, or when such a feeling of jealousy comes over a man that he becomes suspicious of his wife, he shall have her stand before the LORD, and the priest shall apply this law in full to her. The man shall be free from guilt, but the woman shall bear such guilt as she may have." (Num. 5:11-31).

If she is found guilty after this ordeal, she will be sentenced to death. If she is found not guilty, her husband will be innocent of any wrongdoing.

Besides, if a man takes a woman as a wife and then accuses her of not being a virgin, her own testimony will not count. Her parents had to bring evidence of her virginity before the elders of the town. If the parents could not prove the innocence of their daughter, she would be stoned to death on her father's doorsteps. If the parents were able to prove her innocence, the husband would only be fined one hundred shekels of silver and he could not divorce his wife as long as he lived:

"If a man takes a wife and, after lying with her, dislikes her and slanders her and gives her a bad name, saying, 'I married this woman, but when I approached her, I did not find proof of her virginity,' then the girl's father and mother shall bring proof that she was a virgin to the town elders at the gate. The girl's father will say to the elders, 'I gave my daughter in marriage to this man, but he dislikes her. Now he has slandered her and said I did not find your daughter to be a virgin. But here is the proof of my daughter's virginity.' Then her parents shall display the cloth before the elders of the town, and the elders shall take the man and punish him. They shall fine him a hundred shekels of silver and give them to the girl's father, because this man has given an Israelite virgin a bad name. She shall continue to be his wife; he must not divorce her as long as he lives. If, however, the charge is true and no proof of the girl's virginity can be found, she shall be brought to the door of her father's house and there the men of the town shall stone her to death. She has done a disgraceful thing in Israel by being promiscuous while still in her father's house. You must purge the evil from among you." (Deuteronomy 22:13-21)

Notes:

[12] Swinder, op. cit., p. 115.

[13] Lesley Hazelton, *Israeli Women. The Reality Behind the Myths.* (New York: Simon and Schuster, 1977), p. 41.

[14] Matilda J. Gage, *Woman, Church and State* (New York: Truth Seeker Company, 1983) p. 142.

Chapter 8

Adultery

Adultery is considered a sin in all religions.

The Bible decrees the death sentence for both the adulterer and the adulteress:

“If a man commits adultery with his neighbour's wife, both the adulterer and the adulteress shall be put to death.”(Lev. 20:10).

Islam also equally punishes both the adulterer and the adulteress:

“(As for) the fornicatress and the fornicator, flog each of them, (giving) a hundred stripes, and let not pity for them detain you in the matter of obedience to Allah, if you believe in Allah and the last day, and let a party of believers witness their chastisement.”(24:2).

However, the Qur'anic definition of adultery is very different from the Biblical definition. Adultery, according to the Qur'an, is the involvement of a married man or a married woman in an extramarital affair. The Bible only considers the extramarital affair of a married woman as adultery.

“If a man is found sleeping with another man's wife, both the man who slept with her and the woman must die. You must purge the evil from Israel” (Deuteronomy 22:22).

“If a man commits adultery with another man's wife both the adulterer and the adulteress must be put to death” (Leviticus 20:10).

“To keep you from your neighbour's wife, from the smooth tongue of the adulteress. Lust not in your heart after her beauty, let her not captivate you with her glance! For the price of a loose woman may be scarcely a loaf of bread, But if she is married, she is a trap for your precious life. Can a man take fire to his bosom, and his garments not burned? Or can a man walk on live coals, and his feet not be scorched? So with him who goes in to his neighbour's wife— none who touches her shall go unpunished.”(Proverbs, 6:24-:29).

According to the Biblical definition, if a married man sleeps with an unmarried woman, this is not considered a crime at all. The married man who has extramarital affairs with unmarried women is not an adulterer and the unmarried women involved with him are not adulteresses. The crime of adultery is committed only when a man, whether married or single, sleeps with a married woman. In this case, the man is considered adulterer, even if he is not married, and the woman is considered adulteress. In short, adultery is any illicit sexual intercourse involving a married woman. The extramarital affair of a married man is not per se a crime in the Bible.

~~Why is the dual moral standard? According to Encyclopaedia Judaica, the wife was considered to be the husband's possession and adultery constituted a violation of the husband's exclusive right to her. The wife as the husband's possession had no such right to him[15].~~

That is, if a man had sexual intercourse with a married woman, he would be violating the property of another man and, thus, he should be punished. To the present day in Israel, if a married man indulges in an extramarital affair with an unmarried woman, his children by that woman are considered legitimate. But, if a married woman has an affair with another man, whether married or not, her children by that man are not only illegitimate but they are considered bastards and are forbidden to marry any other Jews except converts and other bastards. This ban is handed down to the children's descendants for ten generations until the taint of adultery is presumably weakened[16].

The Qur'an, on the other hand, never considers any woman to be the possession of any man. The Qur'an eloquently describes the relationship between the spouses by saying:

“And among His signs is that He created for you mates from among yourselves, that you may dwell in tranquillity with them and He has put love and mercy between your hearts: verily in that are signs for those who reflect” (30:21).

This is the Qur'anic conception of marriage: love, mercy, and tranquillity, not possession and double standards.

Notes:

[15] Jeffrey H. Togay, “Adultery”, Encyclopaedia Judaica, Vol. II, col. 313. Also see Judith Laskov, *Standing Again at Sinai: Judaism from a Feminist Perspective* (New York: Harper & Row Publisher, 1990) pp. 170-177.

[16] Swidler, op. cit. p. 141.

Chapter 9

Vows

According to the Bible, a man must fulfil any vows he might make to God. He must not break his word. On the other hand, a woman's vow is not necessarily binding on her. It has to be approved by her father, if she is living in his house, or by her husband, if she is married. If a father/husband does not endorse his daughter's/wife's vows, all pledges made by her become null and void:

"But if her father forbids her when he hears about it, none of her vows or the pledges by which she is obligated herself will stand ... Her husband may confirm or nullify any vow she makes or any sworn pledge to deny herself" (Num. 30:2-15).

Why is it that a woman's word is not binding per se ? The answer is simple: because she is owned by her father, before marriage, or by her husband after marriage. The father's control over his daughter was absolute to the extent that, should he wish, he could sell her! It is indicated in the writings of the Rabbis that: "The man may sell his daughter, but the woman may not sell her daughter; the man may betroth his daughter, but the woman may not betroth her daughter." [17]

The Rabbinic literature also indicates that marriage represents the transfer of control from the father to the husband: "betrothal, making a woman the sacrosanct possession—the inviolable property — of the husband... " Obviously, if the woman is considered to be the property of someone else, she cannot make any pledges that her owner does not approve of.

It is of interest to note that this Biblical instruction concerning women's vows has had negative repercussions on Judaeo-Christian women till early in this century. A married woman in the Western world had no legal status. No act of hers was of any legal value. Her husband could repudiate any contract, bargain, or deal she had made. Women in the West (the largest heir of the Judaeo-Christian legacy) were held unable to make a binding contract because they were practically owned by someone else. Western women had suffered for almost two thousand years because of the Biblical attitude towards women's position vis-à-vis their fathers and husbands [18].

In Islam, the vow of every Muslim, male or female, is binding on him/her. No one has the power to repudiate the pledges of anyone else. Failure to keep a solemn oath, made by a man or a woman, has to be expiated as indicated in the Qur'an:

"He [God] will call you to account for your deliberate oaths: for expiation, feed ten indigent persons, on a scale of the average for the food of your families; Or clothe them; or give a slave his freedom. If that is beyond your means, fast for three days. That is the expiation for the oaths you have sworn. But keep your oaths" (5:89).

Companions of the Prophet Muhammad (S), men and women, used to present their oath of allegiance to him personally. Women, as well as men, would independently come to him and pledge their oaths:

"O Prophet, When believing women come to you to make a covenant with you that they will not associate in worship anything with God, nor steal, nor fornicate, nor kill their own children, nor slander anyone, nor disobey you in any just matter, then make a covenant with them and pray for God for the forgiveness of their sins. Indeed God is Forgiving and most Merciful" (60:12).

A man could not swear the oath on behalf of his daughter or his wife. Nor could a man repudiate the oath made by any of his female relatives.

Notes:

[17] Swidler, op. cit. p. 141.

[18]Gage, op. cit., p.141

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