
Marriage, Divorce And Polygamy In Islam And Judaism

Both Judaism and Islam are Abrahamic monotheistic religions. In 2015, Islam had a population of 1.8 billion Muslims which makes it the second-largest religion in the world (Lipka, 2017). On the other hand, in 2015, Judaism had a population of 14.3 million Jews in the world (Dashefsky & Sheskin, 2015). Further, Judaism and Islam have similar and different approaches to the purpose of marriage, the rules and regulation of divorce and the opinions on polygamy. These differences and similarities are often related to their tradition and beliefs.

Nikah is an Islamic term used to describe the marriage contract between a man and women (Abdullah, 2018). Marriage is an important part of the Islamic tradition as it is regarded as a solemn covenant (Zarean & Barzegar, 2016). The Quran emphasizes that marriage is a form of worship that will help maintain and preserve the faith of the individual's (Zarean & Barzegar, 2016; Ahmad, 2009). Further, Marriage helps a Muslim feel complete but also to find peace and tranquillity (Ahmad, 2009; Jawad, 1998). The reason for this is because marriage is assumed to solve financial issues and also improve their quality of life (Zarean & Barzegar, 2016). Therefore, since marriage is a significant practice in Islam, celibacy is highly discouraged. The legally binding contract between the husband and wife has many conditions that must be fulfilled in order for a long-lasting marriage. Muslims must be of mature age to marry where the minimum age for females is nine and males is fifteen. In addition, for marriage to occur a couple must both believe in the same Islamic faith. Further, a man equally has the same duties that a wife does. For example, equal companionship is illustrated through "They are clothing for you and you are clothing for them" (Quran 2:187). Thus, as a couple, they both are responsible for the protection, intimacy and kindness to each other (Jawad, 1998). The husband's duty towards his wife is to support and treat her with respect and treat all his wives equally (Ahmad, 2009). Further, abuse is strictly forbidden and females are allowed to maintain their faith (Ahmad, 2009). On the other hand, the responsibilities of the wife towards her husband is to maintain a peaceful and relaxing home, she should also acknowledge him as the head of the family (Ahmad, 2009). Overall, it can be seen that marriage is highly valued in Islam and is important for the couple's wellbeing.

Similar to Islam, celibacy is disapproved as marriage is an important aspect of the Jewish tradition. The term marriage is described as sanctification which means a state of holiness (Hoffman,2010). Thus, just like Islam, Judaism believes that being married can strengthen the faith of individuals. Further, the significance of marriage is expressed through "A man will leave his father and mother and be united to his wife, and they will become one flesh" (Genesis 2:42). Parallel to Islam, the verse demonstrates that marriage completes a person. However, unlike Islam, Judaism states that marriage binds a couple into one. The importance of marriage is also expressed as Judaism noted that marriage will help an individual become emotionally, spiritually and physically fulfilled (Hoffman,2010). Moreover, there are many conditions and regulations that are put in place before and during the marriage. Unlike Islam, it is recommended that the couple is financially ready before marriage (Zarean & Barzegar, 2016). Further, in comparison to Islam, a female and male must hit puberty before they are able to marry which is the ages of 13 for a male and 12 for a female (Naamani, 1963). Judaism suggests that a Jewish man should be married by the time the male gets to the age of twenty unless he is deeply involved in his faith (Zarean & Barzegar, 2016; Naamani, 1963). In relation to Islam, the couple must

believe in the Jewish faith in order to be married (Zarean & Barzegar, 2016). Similarly to the Nikah in Islam, a ketubah is a legal contract that details the duties of the husband and wife (Zarean & Barzegar, 2016). The husband is responsible for showing love to his wife but also providing the wife and his children with necessities and financial support such as shelter (Hoffman, 2010; Zarean & Barzegar, 2016). Further, the wife must make sure she is following the religious rules and also serving her husband (Zarean & Barzegar, 2016). In general, it can be seen that marriage is an integral part of the Jewish tradition in order to strengthen one's faith and increase their quality of life.

In addition, Islam permits the idea of polygyny but polyandry is forbidden. Polygamy was common throughout the pre-Islamic days as it was introduced to meet the socio-economic and political requirements (Jawad, 1998). Further, Islam allowed men to marry up to four wives (Jawad, 1998). Many argue that the purpose of polygamy is to protect the husband critically ill wife from divorce, it also can help with problems in a war where women are outnumbered and also if she is unable to reproduce children (Marcotte, 2001; Jawad, 1998). Moreover, in the modern-day, polygamy is not as prevalent because the Quran has stated that a man must fairly treat all his wives the same such as financially supporting them equally (Zarean & Barzegar, 2016). The Quran also states that as a human it is not possible to treat all of his wives the same (Mondal, 2005). A study found that at least 75 % of men in polygamous relationships could not equally provide for all his wives (Alamgir, 2014). Therefore, Muhammed Adduh who is a religious scholar in Egypt has emphasized that polygamy should be banned across all Islamic communities (Jawad, 1998). However, since monogamy is more common throughout Islam, polygamy was banned in countries like Egypt, Iraq, Syria and Pakistan (Jawad, 1998). Further, many argue that polygamy was put into place for men to oppress and control women. For example, polygamy was used as an excuse for older men to remarry a younger woman for him to be able to feel youthful (Jawad, 1998). A study found that a polygamous husband causes more stress and harm to the wife and children compared to a monogamous husband (Alamgir, 2014). Therefore, polygamy can increase the number of abused women. Despite this, restrictions have been put in place to protect the rights of women. For example, the wife can be protected by filing for divorce in court if the male marries another woman (Jawad, 1998). Further, the female is able to gain the 'delayed dowry' if a male overuses polygamy and a divorce occurs (Jawad, 1998). Overall, polygamy especially polygyny is an option for the Islamic men but is highly discouraged.

As with Islam, Judaism legalizes polygamy but highly disapproves the idea. During the early days of Judaism, polygamy was more common as Jewish men were often involved in international trade which led the man to marry different women from a variety of countries (Naamani, 1963). However, there has been a decrease in polygamous marriages. Rabbi Gershom of Mainz highly disapproved of the idea of polygamy which led to low rates of polygamy in European countries (Naamani, 1963). Further, polygamy is also discouraged because of the creation story that describes the marriage between a man and a woman (Naamani, 1963). Therefore, much like Islam, Judaism highlights the preference of monogamy compared to polygamy. Moreover, Judaism has put in rules that a man must follow in order to proceed with a polygamous relationship. Similar to Islam, the Talmud requires a man to only marry up to four women (Zarean & Barzegar, 2016). In addition, just like the Quran, the Torah emphasizes that a man in a polygamous relationship has to provide equally to all of his wives (Freeman, n.d.) However, Male dominance throughout Judaism is also shown in polyandry. Polyandry is a term used to describe a female marrying multiple husbands. However, much like Islam, polyandry is forbidden in Jewish law as this fall under the issue of a female having an

affair (Goldfeder,2013). In summary, although polygamy is legalized, monogamy is a norm for the Jewish society today.

Moreover, divorce in Islam is not restricted between a husband and wife under certain conditions. Since divorce is not recommended in the Islamic faith, the couple must go through different methods to attempt to save their relationship. The first method is the couple must try to fix their issues on their own (Ahmad, 2009). If that fails, two arbitrators from each of their families particularly their relatives must try to salvage the couple's relationship.

However, if these methods do not work, a divorce can occur (Zarean & Barzegar, 2016). In the Islamic law, the couple has a 3-month reconciliation and reconsideration time where the married couple can retract the divorce (Ahmad, 2009). Further, in order for a divorce to occur a husband, wife or the judge can initiate it (Ahmad, 2009). Despite this, it is known that males have more power compared to females. Talaq is a term used to describe a divorce initiated by a male (Platt, 2017; Jawad, 1998). However, Talaq is usually associated as a negative term as it demonstrates the dominance and control a man has over women (Platt, 2017). The reason for this is because the husband is able to divorce the wife by word of mouth but also has no reason for divorcing her. Fortunately, females do have a say when it comes to divorce. The only way she is able to initiate a divorce is if she was mistreated or was not happy in the marriage (Ahmad, 2009). However, although the measures have been put in place, the authority a man has over a female is still present in today's society where women are humiliated and feared for what the man will do (Jawad, 1998). Overall, even though divorce is disapproved of in the Islamic culture, if a married couple cannot find happiness in their relationship, divorce is permitted.

Judaism recognizes the failures of marriage and thus does not forbid divorce (Hoffman, 2010). In comparison to Talaq in Islam, divorce in Judaism can only be authorized by a male without reason (Zarean & Barzegar, 2016). For example, the Talmud stated that a man can divorce his wife if he just dislikes her (Zarean & Barzegar, 2016). Another reason divorce can occur is if the wife is unable to produce children in ten years and if she has had an affair (Ahmad, 2009). Further, compared to Islam's lengthy divorce process where divorce can occur from the word of mouth, Judaism states that divorce can only happen when the husband hands over the divorce papers to the wife to finalize the separation (Zarean & Barzegar, 2016). Therefore, it can be seen that the husband has a lot of authority over the divorce process in Judaism which also parallels to Islam's divorce process. In comparison to Islam, male dominance is also highlighted when a married man can leave the wife without divorcing her and marry another woman (Ahmad, 2009). If the wife is still married to the husband who has left, she cannot remarry as it is considered as having an affair (Ahmad, 2009). Therefore, this emphasizes the lack of control and individuality the female has when it comes to divorce. However, there are regulations put into place to allow females to divorce her husband. In order for a wife to divorce her husband, she must have physical defects, skin conditions or is unable to fulfil her duties in marriage (Zarean & Barzegar, 2016). The wife can appeal for divorce in the court, but the husband must finalize and approve it through documentation (Ahmad, 2009; (Naamani, 1963)). Fortunately, male authority over divorce has decreased in the modern-day. The authority of the husband during the divorce was allowed up until the 11th century (Naamani, 1963). In the 11 century, Rabbi Gershom declared that a divorce involves consent between a male and a female (Naamani,1963). In conclusion, divorce in Judaism is most often controlled by males, but rules have been put into place to increase the equality between both genders.

Overall, Judaism and Islam are quite similar to each other in regards to the importance of marriage, the divorce process and polygamy. It can be seen that both religions are more male dominant but sometimes do consider the female's opinion. However, there are differences in marriage, divorce and polygamy that do separate the two religions apart.

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