

Covenant

MONOTHEISTIC FAITH, 'AUTHORIZED' SCRIPTURE, AND GENDER POWER

By Dov Maimon

Abstract: The difficulty that men have, in traditional oriental societies, in relating to women in an open and honest way, is symptomatic of a deep difficulty in accepting the other person in her otherness and discloses a psychological immaturity. Dov Maimon examines the relationship between monotheism and the discrimination of women from a theological perspective, and based on observation of concrete behaviors in Arab Islam and in Israeli Judaism. Beyond the social aspect of the "women's issue" *per se*, the author investigates the theological possibility of a non-discriminatory society within a monotheistic environment.

Seen from the perspective of Western 21st century standards of moral equity, woman is discriminated against in Islamic *Sharia*, in Jewish *Halacha* and in Christian Canon Law. Even if the cruel Taliban regime is in no way a representative model, humiliation and oppression are the daily portion of most Muslim women in traditional societies. The situation of the Jewish woman is clearly better than the Muslim one; however, in the modern state of Israel, the distress of abandoned women called "*agunot*"¹ and the plight of women seeking divorce, whose husbands refuse to provide divorce-papers are an affront to any human being with an elementary sense of morality. These examples of non-reciprocity are common discriminatory practices that seem to reveal hidden traces of the ancient patriarchal family models within which monotheism made its appearance, some four thousand years ago.

Many may argue that gender-role distribution in the current traditional Jewish family is quite different today from in the past. The modern Jewish Israeli religious husband is much more egalitarian than his Bedouin-like forefather Jacob, who roamed around with his four wives and hundreds of slaves. Within all the different sub-groups of religiously observant Jewish families, husbands do not

exercise most of the privileges afforded them by their religious code of law. They share the family duties with fairness and equity, and do not display overt expressions of female discrimination or male superiority. However, if at the family level, we identify a distance from the original sexist tribal model, at the public and institutional level, almost no perceptible change is noticeable. The substantive inconsistencies between the institutional standard and the family standard are brought to light in the different issues involved in our inquiry.

Sociologists may observe a correlation between this inconsistency and the current balance of power within the local social order; and claim that when women gain ground inside the various current political institutions, they will attain a bargaining power equal to the one that they possess inside the family economy (i.e. economic independence and interdependence, psychological autonomy, the legal and social legitimacy to divorce and build a family framework on their own, etc), and the institution of religion will have to adapt and change.

As opposed to this position, which assumes that the religious legal system is mainly an a-posteriori approval of the social reality, we

may ponder the contradictory value systems that founded these cultures and ultimately motivate the human behaviors within them. Close to 50 percent of the citizens of Israel (15 percent of this population is religiously observant Jews, 15 percent is 'traditional' Jews, and 20 percent is religious or traditional Arabs)² accept a monotheistic world-view that includes a hierarchical structure expressing three successive levels: G-d, Man, Woman.³ If this hierarchy is a basic structure of monotheism, it would be interesting to examine the relationship between this theoretical hierarchy and the observed phenomenon of discrimination against women. 'Is unfairness to women endemic to monotheism?' is the question we will try to investigate in this paper. In other words, do the religious ideal and the democratic ideal ultimately clash around the issue of women's rights, or could these conflicting models dwell sincerely and genuinely in harmony?

The theological frameworks of Islam and Judaism are in essence stratified ones: they include superiors and inferiors, dominators and dominated, masters and slaves. The hierarchical paradigm is characterized by a non-reciprocal relationship between different partners: the man is supposed to be "a servant of G-d" on one side and to dominate his wife on the other side. In Judaism, this gender structure is expressed already in the beginning of the Book of Genesis (3:16) when the Creator punished Eve for her faulty behavior and told her that in the future generations, "he [i.e. your male partner] will dominate you." In Islam, the Muslim believer aims to be in absolute "surrender" in his commitment to the Divine Ruler, and the woman is likewise committed to submit to her husband. The calling for the man to behave towards the woman in a way that mirrors the Creator's relationship to him has many implications. Here we will mention two subordinate/superior behavior similarities:

1. In a parallel expression of "ardent virility," commanding both control and compassionate power; the Master of

the Masters acts in His world, and the terrestrial male master behaves inside his home towards his family.⁴

2. In a way similar to the Creator, Who is able to reveal Himself to different prophets at the same time and to set up alliances with different nations, the male is able to marry several women at a same time, and the mother is able to love several children at a same time.

The lack of autonomy of the subject, the absence of reciprocity in social relations, and the presence of polygamy are three of the key areas illustrating the antinomy between modern democratic and traditional monotheistic world views; and all of them impact on the issue of women. As for polygamy. for example, the insights of the Algerian psychoanalyst Wahiba Amiri-Afrit illustrate the manipulation of mental enslavement: "Even if the husband, inspired by a keen will to behave fairly, acts with compassion and generosity and doesn't abuse his legal privileges, the institution of polygamy practically leads every one of the co-spouses to always appear attractive, servile and available, so as to please the common husband."⁵

The family is in fact a kind of microcosm that reflects the broader class-structure of society.⁶ The missing reciprocity described in the husband-wife relationship is the tip of the iceberg and we may identify the issue of woman's status as the most distressing, hurtful, but entirely ordinary expression of the jarring encounter in the modernity-versus-tradition debate. In the family, as in society as a whole, we witness the conflict between two contradictory models of civilization: on one side, we have egalitarian liberalism, that assumes the unique status of, and the universal reference to all human beings; and on the other side, we have the patriarchal model that gives both ontological and caste advantages to a chosen segment of the population--to a favored happy few.

The very fact that G-d's revelation--declaring His mission to free humankind from superstition and guide it to moral perfection – supports occurrences of violence towards women, and is complicit in women's repression and humiliation, which remains the common undisclosed mystery of the three monotheisms, is a theological scandal, and a pathological phenomenon, due merely to a historical-sociological context. This means that the existing asymmetry between the juridical status of men and women is the product of an erroneous application of the spirit of revelation. Alternatively, we may say that this juridical inequity is anchored in the 'virile' theology of the unique G-d Who created the unique Man and created for his purpose a woman to be his co-pilot – if not his servant – in order to supply his emotional and physical needs. Trying to cope with this embarrassment, religious thinkers from the three Abrahamic faiths are torn between their particularistic religious affiliations and their internal universal calling. Backed by religious feminist activists, they are protesting against what they perceive as an unfair implementation of their faith and, for three generations now, have developed a full set of apologetic strategies to try to save revelation from this theological chauvinism.

Facing this harmonistic movement, the Muslim fundamentalists, on one side, and the ultra-Orthodox Jews, on the other side, refuse to acknowledge this self-denial of the revealed "eternally perfect" traditions. Confronting both modernity and the modernists, they emphasize the failures of the democratic ideal, and accuse modern society of perverting the natural gender-order, justifying their respective caste structures as the best social model.

Ordinary Character of the Oppression

We can identify five observable elements of inequality in Islam, and four in Judaism. The Jewish woman is restricted in her inability to hold a political position (king's law) or a position of religious leadership (judge's law).

Her testimonial evidence is deemed invalid in criminal proceedings. She is at a disadvantage in inheritance law, and is excluded/exempted from a large part of the central ritual and religious activities (time dependent commandments, Torah study, etc.).⁷

In today's Islam, the explicit argument between "Western Universal" values and "Prophetic Universal" values is evident in the existence of polygamy, in unequal divorce laws, in the wife's duty to surrender to her husband will,⁸ in denying her testimony as full legal evidence and inheritance law. Although the Jewish reader assumes that Islam is more chauvinistic than Judaism, it appears that, on a theoretical level, it is Islam's legal system that allows relatively more freedom of thought and freedom of action to the juridical authorities who wish to pass non-discriminative sentences in the field of family law. At the center of this advantage, stands the fact that marriage in Islam, for good or bad, is a social convention rather than a religious ritual. The woman can set up conditions to the marriage contract that allow her to divorce according to her will and restrict the husband's rights to marry additional wives (for example, the Kairouanese aristocracy's female descendants, among others, at the dawn of Islam). In examining the juridical institution, the status of the Muslim woman is relatively higher than woman's status in the Jewish legal system. A woman has the right to inherit, even when she has brothers (however, she is entitled to only half of her brother's share) and the testimony of a woman has some value in court (limited however, by the discriminating condition that the statements of two women carry the same weight as the testimony of one man). Secular Arab feminists explain that the equity-advantage of the Islamic marriage contract over the Catholic and Jewish models is due to its status as a non-religious convention, reflecting a similarity to Western civil marriage practice. They claim that the more the religious establishment removes itself from the sphere of civil life, the more the chances for equality emerge.

The Secular Feminist Strategy

Secular feminist activists in the West have good reasons not to esteem rabbis, sheikhs and Christian ecclesiastics. Their confrontation with the pope over contraception, divorce and abortion are signs of deeper conflict.⁹ In the estimation of secular feminists, the powerful chauvinist clergy that controls the religious courts is not going to renounce its exclusive right to interpretation of the holy texts. Therefore the chances of seeing a pluralistic pro-feministic religious reform of Canon Law are small. The Iranian anthropologist exiled in France, Farchad Kroskochover, is inclined to confirm this claim: "It is not a simple matter to put forth a universal principle, but it appears that, the more religious power is removed from the public sphere, the more the status of women improves and the more the chances for social justice increase." According to this position, the secularization of the public sphere and the "privatization" of religious activity are the only ways to diminish the damage of religion; i.e., to confine religious harm to the limits of the family sphere.

According to the understanding of religious feminists, as well as those who are not religiously observant but act within religious population centers, the support of secularization is less radical. To them, it is clear that in traditional environments social change takes place "from within," that is to say in collaboration with the existing authorized leaders, in the context of respect for edifying myths and creeds, through dialogue with particularistic narratives and through reverence for the customary interpretations of the holy texts. In their view, the work has to be done mainly "from below." Indeed, it appears that the traditional leaderships at the village level are much more flexible and pragmatic than the religious authorities in the more heavily populated cities.

In fact, any attempt of a non-traditional avant-garde to break through with an alternative social model, without the support of the existing religious leadership, will be

repelled to the fringes and will subsequently fail to influence. What's more, from the Middle East to North India (in this vast region, the feminist activists do not succeed in recruiting grass-roots support at all), countless women, despite their conscious and unconscious humiliation, shrink from the Western model of women's liberation, and draw fulfillment from their roles as faithful spouse and dedicated mother; which provide a meaningful sense of life and positive self-esteem. Moreover, the import of social solutions from one cultural sphere to another has already been brought into question by leading sociologists, such as Peter Berger and Adam Seligman of Boston University, who state: "we ought to examine the question if the separation of the State and religion that was appropriate to Christian Europe in the 17th century will fit Middle East Judaism and Islam in the 21st century." According to this understanding and in contrast to modern Christianity; Judaism and Islam aspire to regulate the totality of their believers' mental space, both their private/personal sphere and their public/collective sphere.¹⁰ The Protestant faith forfeited the ambition for control of the political and social order and made possible the emergence of secularization: freedom of thought, the autonomy of the subject and critical inquiry; and among other liberal values, human ontological equality. A parallel process to the Protestant type may not be currently possible in the old-fashioned Semitic theologies.

Islam, Which at First Unchained the Woman, has Turned Out to Express an Unbearable Paternalism

Mohammed (570-632) was born into a patriarchal society, where the 'excess' baby girls were buried alive, and more broadly, girls were perceived as a burden. When pubescent girls were mature for marriage, they were "freed" from their status of servant, and used as exchange goods for inter-tribal business transactions and marriage-exchange deals. During that period, when Christianity was still questioning the existence of the woman's soul,

Islam unchained woman from the cycle of servitude, and declared her equal to man in the spiritual dimension (“as believers doing good, both men and women are invited to Paradise,” Koran IV, 124). Mohammed’s new regulations included several substantial improvements in women’s rights: an interdiction against the killing of baby girls; the obligation of the husband to feed his wife; a limitation on the number of wives to four, the restriction on a husband’s right to repudiate his wife without alleged reason; and the endowment of a share of family inheritance to female offspring. From all points of view, these were amazing breakthroughs at this period of history. This sensitivity to women’s suffering has often been attributed to the central role of Khadija, the first wife of the prophet of Islam. She was his first believer, and she encouraged him to pursue public religious activism. The prophet was totally faithful to her and married his additional eight spouses only after her death.

As opposed to the ascetic Greek and Catholic traditions, Islam allots to women and to physical desires a central role in human life. One typical verse that addresses this issue clearly legitimates bodily pleasures: “Your women are as a field for plowing, plow then according to your will” (Koran II, 223). On the other hand, the Islamic tradition records that the main mission of woman consists of motherhood; and warns males about the dangers of hedonism: “I have not put a greater danger for the nation than woman for man” (Hadit Al-Bukhary). To the Westerner, the Koran seems to express itself in opposite voices about women rights. On one hand, the founding Islamic text claims gender equality on a religious level, and avoids the attribution of full responsibility to Eve, for Adam’s ‘original sin’. It dedicates the fourth Surat of the Koran, which includes some two hundred verses, to the praise of woman. On the other hand, it requires the wife’s submission to her husband, allows for polygamy and places her below the man in the family structure. Regarding her personal status, woman is never autonomous: she “unchains” herself from her father’s and brothers’ yoke only to enter her

husband’s domination. Regarded as a minor and legally unprotected, she finds herself always in the same category as children and all dependent people, traditionally attached to the tribal family.

Despite this apparent divergence of voices, we can distinguish a basic common approach: the woman has no civil rights; but the man has a moral duty to act towards her with compassion, kindness and protection. The following advice highlights this paternalist approach: “You will never be able to behave with equity towards your different wives, even if you endeavor to do so; however, don’t act with extremism” (Koran IV, 129). We may identify here a ‘virile’ paternalism that in the early period – when women were treated as servants – was socially advanced compared to the existing norms; but turns out today, when in the West, all are sensitive to human rights and to equality, to be unbearable.

The Obsessive Pursuit of Women’s Modesty

The Prophet’s wives are the paragons of Muslim women. All the behaviors that the sages of Islam recommend to women were associated with previous instances of the *holy mothers’* behavior. This is the case with regard to the donning of the veil, whose entire anchor in *Shar’ia* was the supererogatory act of a modest newly married wife of the Prophet named Zaineb whom the Prophet asked to speak to men through a curtain. This manner was originally limited solely to prophet’s wives and its extension to all women is subject to controversy¹¹. This is the traditional historical narrative regarding this custom that developed various forms and fashions; and this is the case with the sequestering of women and tens of other cruel customs that restrain the liberty of women in Islamic societies today. Despite the fact that all the different currents in Islam draw from the same holy corpus, these restrictions developed with different varieties of intensity, in accordance with different socio-cultural contexts. Moreover, these customary practices are much harsher than the Islamic regulation requirement

and so the oppression is not anchored in theology. From century to century, and specifically since the political decline of Islam, the status of women in Islam declined. By critically investigating the historical emergence of the 'anti-feminist' prophetic tradition (e.g. "Those who entrust their affairs to a woman will never know prosperity", 'Asqalani, *Fath al-bari*, XIII), Fatima Mernissi has recently questioned its authenticity, and demonstrated the significance of sociological background, in the development of the later restrictive regulations of women's status.¹²

In fact, the acquisition of expertise in the fundamental interpretation methods of Islamic texts will allow religious Muslim women to break the male monopoly on interpretation and free them from many abusive male strictures. The radical Wahabi Islamists understand this risk and deny women the right of access to the acquisition of skills in interpreting the holy texts. As an additional illustration, it is worth asserting that the common practice of the murder of women who dishonor the family reputation is not a religious duty but, on the contrary, a pre-Islamic tribal custom that has no anchor in the *Shari'a* code; and ought to be condemned according to Islamic law.

Let us consider specifically the motivations behind the renewed Islamic obsession with women's attire. While in the West, women attain more and more equality and freedom, in Islamic regions we notice an opposite movement, of increasingly strict attention to detail regarding women's attire. According to the fundamentalists, strictness regarding women's modesty is a reaction to the aggressiveness of modernity. This claim must be listened to carefully; not only because a major 'player' (fundamentalism) perceives it as true, but also because the correlation between the above-mentioned events is intellectually meaningful: this obsession of covering the woman is a reaction to the perceived menace of Western self-indulgence. Facing the humiliation of endemic economical underdevelopment, the temptations presented

by the free Western economy, and the need to reinforce a dissolving ethnic self-esteem, the freedom of the woman is the scapegoat for what the anthropologist Farchad Kroskochover describes as a major identity crisis:

The accelerated social change that continues to be beyond control has destroyed the traditional social structure. The entry of women into the workplace and their awareness of the freedom that exists in the West, has led to a terrible tension. In these conditions of uncertainty, it is precisely the family that is an isolated island of security. Therefore, everyone – men and women – is interested in reinforcing it. This explains the reactionary attitude towards the family-unit; and in large measure, the prevalence of the veil-dress is supported by the women themselves.

But why should the woman be the designated scapegoat of this sociological tension? The psychoanalyst Feti Ben Salama placed the emphasis on an additional – more individually based – phenomenon: "It is not possible to understand the need to hide woman's bodies without taking unconscious motivations into account." She claims that in the eyes of the Muslim male, his sexual desire for women threatens his virility. He hides her and humiliates her as a way to escape his own narcissistic impulses. She adds that the extreme inability to acknowledge the desire for the other is the common catastrophe of the Muslim Arab male. The ideals of racial purity, family honor and the obsession with the virginity of the bride derive from the same place. She adds however, that even if today men impose the veil for their own purposes, hypothetically, Muslim women may choose to dress modestly for religious and personal reasons. She mentions that, as opposed to Western culture, in Islamic culture there is a specific tension and a unique rhythm between hiding and revealing: This tension becomes observable during the Ramadan festival when people fast during the day and rejoice by night, So too regarding sexuality: the woman's body is hidden, so as to strengthen the desire

of the couple in order to maintain the uniqueness of their sexual intimacy.

In summary, the oppression of women in contemporary Arab Islam draws on two parallel processes: the increasingly unacceptable 'virile' paternalism, and the increased restrictions added by the religious male establishment, in reaction to the perception of a threat of dissolution of the family, brought about by the encroachment of dissolute Western culture.

Each of the three major streams in Islam relates differently to this situation. As noted, the fundamentalists claim that the ideal status of women is as expressed in the holy texts, and that Western values corrupt women's minds. Women and men should have complementary statuses; and the status of the man should be superior. The "traditionalists," who represent the majority of believers but whose voices are generally not heard by the media; for they do not possess an active leadership and a clearly defined ideological message; are sensitive to the 'fairness' argument. And whereas they see ritual Islam as being of paramount importance, they may be ready for a certain level of division between the religion and the State. However, this pre-modern stream is unable to challenge the radical stream, full of self-assurance on account of its clearly defined fundamentalism.

The position that may present a potential workable alternative to fundamentalism is the modernist-reformist one. Their representative in Europe is Tarik Ramadan who lives in Geneva, Switzerland, and leads a renewal movement that attempts to integrate tradition and modernity. The European media likes to interview him, notwithstanding the fact that regarding the Israeli-Palestinian conflict, he supports the extreme anti-Zionist current, and derives broad support from the second generation European-born North-Africans on this account. This grandson of Al-Banna (the founder of the Muslim Brotherhood Organization in the twentieth century) expresses an apparently very open attitude

about the issue of women and other inter-Islamic social issues. For him, religion must not be a prison, but a window to the world. He suggests the renewal of the original spirit of revelation that freed women from their servitude. All the Islamic streams claim that the revelation is indeed perfect and eternal (this is a dogma of Islam, and one who denies it is a heretic); but according to the reformists, the socio-political contexts have changed and there is a need to reinterpret the traditional texts to fit the spirit of the original revelation. Whatever their differences, all the above streams claim that the original form of Islam was ideal and that the role of believers is to restore the Kingdom of the Prophet. The opinions diverge only about the historical causes, and the nature of the corruption.

The Status of the Jewish Woman under Muslim Hegemony

In Biblical times, similar to the current custom in Bedouin society, the woman was purchased with goods and jewels (as was the case with our Foremother Rebecca, although her consent was also requested) or by years of work (as was the case with our Foremothers Rachel and Leah). During Talmudic times, different voices were expressed, some that supported an equal and some an unequal status of men and women. Following their habit, the Jewish Talmudic sages did not decide this theoretical question with 'finality' and didn't obligate a universal interpretation of the holy texts regarding the gender issue; therefore, they did not regulate a mandatory distribution of the gender roles.

According to Yona Frankel, a specialist in Rabbinical thought, the transformation of the fluctuating multi-voiced Talmudic model into a methodical system of law happened in an Islamic cultural environment. During the 10th century, in an effort to mobilize all the wisdoms of the world in order to advance the control of Islam, hundreds of volumes of the Greek philosophers were translated into Arabic, and these became available to both Muslim and Jewish religious leaders. This

encounter with Greek wisdom provoked a total change of intellectual world view, and one of its consequences was the presentation of an unambiguous and clear definition of every single subject. Professor Frankel identifies a possible source for this intellectual reframing: Aristotle (*Metaphysics*, VII, 7) declares that “there is only one rational/true meaning of a text. This is the one that fits the simplest level of interpretation.” From this exclusivist interpretive understanding, medieval thinkers developed logical theory, the philological sciences, and grammar rules; and started defining the exact meaning of every single word of the canons they inherited. By and by, they set up a qualitative hierarchy for textual interpretation, and for the definition of the “human ideal.” Defining what is true and what is false, what is good and what is wrong, what would be a correct thought, and what is incorrect behavior, leads to a hierarchy of values and to the “rational” rejection of ‘false’ opinions. Regarding our subject; when a group of male thinkers ask themselves: ‘Who should dominate in society?’, ‘What is the rational structure of the family?’ and ‘Who should decide, when there is a conflict of opinions between husband and wife?’, women may expect to be bereft by their conclusions.

The majority of Jews were living under Arab hegemony (at this time 90 percent of the Jews were living under Arab political domination) and Islamic thought transformed almost all fields of Jewish thought. The opinion regarding woman, as being her husband’s possession, and as inferior and satanic, influenced the development of Jewish thought up to the 14th century deeply and unrelentingly. It is interesting to investigate the depth of influence of religious Islamic thought on the opinion about women developed by medieval Jewish philosophy. According to the medieval Arabic supporters of Aristotle’s rationalism, woman is inferior to man for two reasons. First, they saw the Creator as the ‘prime mover’ (the “form” in philosophical terminology), and the active man as the one who bears resemblance to Him. The woman (the “matter” in

philosophical terminology) became the symbol of base passivity, spiritually located at the opposite end of the divine manifestation. Secondly, in order to oppose popular idolatry and to define ‘pure and rational’ monotheism, they refused all anthropomorphism, and denied all inherent value to the body and to the senses. They defined the human intellect as the unique point of resemblance between the human being and the Creator¹³. According to this world view, woman is associated with base physical pleasures and anti-spiritual interests.

Maimonides (1135-1208), the greatest medieval Jewish philosopher, represents this view more than all other thinkers in this stream in Judaism. When examining the sense of touch, he quotes Aristotle’s words and qualified this sense with the words: “this sense, which is an embarrassment for us.” In Jewish law, he is the one who, on the one hand, established the legal norm that claims: “It is forbidden for the husband to rape his wife” (Mishne Torah, Hilchot Ishut, 15) – a regulation that entered the civil code of the State of Israel, bearing the above reference to Maimonides. On the other hand, he is the one who ruled – without reference to any Talmudic source – that “the woman should not exit her husband’s house more than once a month.”! To the question of how deeply the Arab-Aristotelian *zeitgeist* influenced the Jewish legalists and the possibility that the religious rights of Jewish women might have been different today, if they had been designed and (finally] codified in another environment, it is nearly impossible to respond. We may mention the opinion of Professor Shlomo Dov Goiten, the classical Orientalist, who studied the surviving medieval Jewish textual fragments found in the Old Cairo synagogue’s Geniza for some thirty years, and was known for staying away from any personal judgment in his evaluation of the data he found. He wrote with regret and pain at the end of the first tome of his monumental anthology: “What a pity that the Jewish laws governing the status of Women were defined in a Muslim

environment” (A *Mediterranean Society*, volume I, p 327).

Religious discourse founded on the ideal that the human being as such was created in the Divine Image, rejects all injustice, and condemns all group discriminations although it may claim a difference of mission for different groups and genders. The motto “equal but different” is not understandable in a theologically-based hierarchical class structure. Every one has duties and rights according to his/her role in the common collective mission: to establish the kingdom of G-d on earth (in accordance with ‘rationalist’ Aristotelian principles]. Every one of the social category members (the king, the prophets, the priests, the lay men, the lay women, the children and the slaves) has a different singular mission and has appropriate rights according to his ontological position in the hierarchy. The total cosmic hierarchy starts below the celestial King and includes additional orders such as angels, above the human beings; and animals, plants and minerals in descending order. Theoretically, this class differentiation should not include any feeling of superiority, or policy of segregation - but what can we do if human beings develop group self-esteem, deeming themselves as belonging to the chosen ones. Even radical pluralists may accept that a Muslim thanks his Creator for having created him an “authentic believer” and that a Jew blesses his Holy Father every morning because “he has not been created non-Jew” and “has not been created a woman.” In practice however, such a hierarchy leads to the segregation of superior and inferior classes. Instead of the above mentioned blessing, the Jewish woman pronounces: “I bless the eternal G-d, King of the Universe, Who created me according to His Will” and Rabbi David Abu Daram from Seville (fourteenth century Muslim Spain) explains in his commentary on the Jewish Prayer Book, that a woman must intend in saying these words: “as a person who accepts and justifies a court decision, regarding the verdict that has been delivered to [her] detriment.” Jewish hermeneutics contain

many other interpretations of this blessing, but the very fact that the woman doesn’t bless: “that He has not created me a man” demonstrates a non-reciprocal structure. Whatever the interpretation, it seems natural, unavoidable and foreseeable that the Jewish man will see his mission as superior to that of the Jewish woman and the non-Jewish male.

During the 16th century, the Lurianic Kabbala developed in Safed, Israel (central Galilee), and proposed a vision of the man-G-d relationship, based on the relationship between the Divine Immanence and Divine Transcendence which in many ways, is opposed to the Maimonidean philosophical one and is closer to pre-philosophical Talmudic opinions. If the philosophical world view can be defined as theocentrism, the Kabbala sees the human being as the ultimate purpose of creation, and the spiritual center of the universe. The material world and the man-woman bond receive a positive and central value in the cosmic economy. The Kabbala is characterized by its huge diversity of modes of expression, but regarding the gender relationship, the woman always has a leading role in the program of redemption. As opposed to the ‘virile’ philosophical G-d, the Kabbalistic G-d has a feminine dimension, or in popular parlance, a feminine mate, the *Shekhina*, and all forms of cosmic redemption need to be brought about through Their union. The Cosmic Couple (the Blessed Holy One and the *Shekhina*, the Indwelling Presence), and the terrestrial couple (the husband and the wife) need one another. The woman is still, after all is said and done, only the co-pilot, but the human male can achieve neither his personal cognitive redemption, nor the collective historical one, without his female partner. The Kabbalists explain that the trigger of the cosmic ‘cybernetic’ process must be the terrestrial woman: by her spiritual action, she is the only one who can allow the cosmic Union between the Holy One and His Mate.

When this rejoicing connection happens, a spiritual effluence flows over through the human male, who can now provide life and

holy energy to the world and to one's wife. This spiritual energy-transfer achieves its apex during sexual relations, which must be performed under respectful, rejoicing and loving conditions. When performed under successful conditions of tenderness and holiness, the fulfilled woman attains enough vital energy, and starts a new loop of the redemptive process. In this ideal process, male and female work together to their mutual success. According to the Kabbala, the state of hierarchy must be preserved in the current world; and it will only be in the post-redemption world, that woman and man will be positioned at the same equal level below G-d, and will receive, equally together, the blessings of energy flow to sustain the terrestrial world. At a more prosaic psychological and behavioral level, the Kabbalistic bi-dimensional complementary aspects of the Divinity include a practical, immediately applicable teaching: Kabbala tells us that accepting the feminine dimension of ourselves – whatever our physical gender -- is the way to transform the internal exile of ourselves, to rid oneself of the oppressive nature of the power struggle, and proceed to a personal and collective redemption.

Is Discrimination Pathology?

The hierarchical world view is indeed characterized by non-reciprocal commitments towards different groups. However, the violence of these relationships is culture-dependent. The Holy One doesn't impose the degree of oppression that the superior uses toward his subordinate: the degree of tyranny in the hierarchy is dependent on the degree of psychological, spiritual and moral maturity of the human beings who manage power in this world. Since the time that our Forefather Abraham requested from the Creator to comply with His fundamental commitment to fairness and said: "Will not the Judge of the Universe act with justice?" (Genesis XVIII, 25), the three ethical monotheistic faiths have been committed to fighting social injustice and criticizing the psychological predilections for possession, control and the oppression of the

weak. The oppression of women is not a religious goal in itself but is, at best, a sorry by-product that may be avoided in 21st century society. If indeed a structural hierarchy is required to preserve the gap between G-d and man, and this hierarchy must be reproduced in the structures of human relationship, to preserve holiness in our family life, we may imagine a "flat hierarchy" similar to the hierarchy used today in high-tech companies, which technically need hierarchy, while forbidding all humiliating procedures. This model naturally fits modern democratic society, in that it rejects force and violence between parent and child, between man and woman and between G-d and the human being. The New-Age phenomenon supporters follow this democratic approach that rejects a philosophical-type "tyrannical G-d," the fear of punishment, ascetic practices, a sexist hierarchy, the imposition of discipline, and a strict commandment-based religion. They prefer the "friendly G-d," the choosing of faith, and an almost-without-hierarchy democratic religion, that respects the autonomy of the subject, the use of the critical mind, and religious gender equality. In its radical versions, the hierarchy is indeed totally cancelled and women's equality is gained. In the process, however, the basic elements of monotheism are lost, and in particular, it seems that holiness and the ethical project become synonymous, thereby rejecting the transcendent function of holiness and the immanence-transcendence hierarchy which, in principle, seems to be necessary in order to preserve the process of unification.

With regard to Judaism, I believe that just as we abolished the institution of slavery in the second century and yet maintain the hierarchical relationship to G-d, women can also achieve full religious rights without destroying the required hierarchy of the monotheistic theological system. Practically, as in any other oppressor-oppressed relationship, the oppressed people must free themselves from mental slavery, and struggle to attain their rights by themselves. Any attempt of the "oppressors" to 'deliver' rights

to the oppressed population by a generous paternalism may circumvent the process of mental liberation. The numerous women and homosexuals--who desire a full religious life and feel prevented from achieving it--are the only ones who can be ultimately effective in demanding their rights, breaking the interpretation-monopoly and revising the canonical texts, in the attempt to reclaim their share of power from the oppressors.

The difficulty faced by the traditional male in oriental societies in relating to woman on an equal basis is a symptom of a deep problem in accepting the other person in her 'otherness', and I would evaluate it as a symptom of psychological immaturity. The problem appears in the man-woman relationship but takes us, as well, to the theological-psychological dispute which is a characteristic of the Jewish-Muslim conflict in the Holy Land. Beyond the dispute regarding the distribution of material resources, there is a deeper dispute regarding the status of Jews and Arabs in this country, and the power relationship between them. For Muslim Arabs who were used to being the majority and the dominant power in the land for as long as they have been a people, it is difficult to accept their new potential status of equality in the Israeli society (as it is, for Jews, or for any privileged group in a 'democratic' society).

For the last fourteen centuries, the Muslim Arab was accustomed to relate to Jews as 'protected people' or *dhimmi*s who could at best, be second-class citizens and had to respect the lowest Muslim as a superior. It is similar with regard to women in Islam. The 'protected persons' had a status generously bestowed upon them in the first years of Islamic power, that became less and less acceptable to the modern sensibility, informed by the values of the French Revolution. Surprisingly, it was Karl Marx who was one of the first to establish the analogy between the relation to woman and the relation to minorities. In his 1844 manuscripts, he wrote: "The immediate, natural, necessary relationship between man and woman is the

relationship between man and man."¹⁴ Man who humiliates his wife – who is powerless, helpless and thus, the ideal object of cruelty – humiliates himself and reveals his true level of psychological immaturity. This insight suggests that we can evaluate the levels of cultures and nations according to the rights that they are willing to give to their minorities (women are quantitatively a majority but sociologically a minority) as this is a key indicator of a nation's maturity.

At the conclusion of the larger theological discussion, we meet again the practical dilemma regarding how decisions will be made, when two parties disagree, in a non-discriminatory society. Some echoes of a potential answer may be heard in the teachings of Rabbi Menachem Fruman, the chief rabbi of Tekoa; a West Bank settlement, who suggested it in a study session of rabbis and sheikhs in Neve Shalom, the famous egalitarian Jewish-Arab experimental village: "The transgression of the Moon was recorded in Rabbinic tradition, as the Original Sin that preceded the sin of Adam and Eve. It was on the fourth day of Creation and as the Moon and the Sun were of equal size, the Moon asked the Creator: 'Master of the Universe, how can two captains manage to lead one ship?' 'Make yourself smaller', was the Divine answer, as recorded in the *Midrash*. Rabbi Fruman, who became famous for his spiritual-political encounters with Sheikh Yassin, the Hamas leader, as well as with other terrorist leaders, commented: "We learn from this: there are questions that may be better left unasked; and that the unclear situation is sometimes better than the clearly defined answer."

The words of a spiritual leader such as Rabbi Fruman, who believes that the entire world belongs only to the Creator, can be variously applied, in accordance with the appropriate modes of the discourse. In addressing the subjects at hand here, we may perhaps understand them in the following way. At the level of family structure, the 'sin of the moon' is largely repaired: we don't need to

ask the question “who has the power?” anymore, and for the most part, we can live in a ‘redeemed world’ where the question of power between husband and wife is not even asked; and the mutual bond of love enables them to come to acceptable decisions together. At the political level, and specifically in the Middle East context between Palestinians and Israelis, the question of power is extremely relevant, and indeed, we continue asking this question every day. For as long as we still want to hold the reigns of power and have reason to be afraid of losing total control over our lives, the redeemed world will not appear for us, those who hold power will continue to define who controls the material resources; and the resort to weapons will not stop. In other words, when – through paradigm shifts such as the cognitive conversion that happens more and more in multicultural dialogue groups – a significant portion of both parties will free their minds from the need for control by means of power, will be emancipated from the fear of loss-of-control, and will get rid of the expectation of binary, over-simplistic *machista* solutions, we will be ready to proceed to the ‘unfallen’ Edenic world.

This article has been written in collaboration with Sheikh Ghasan Manasra who is the Muslim co-director of YESODOT interfaith projects and with Rabbi Menachem Kallus who carefully reviewed the text and provided fruitful insights. This article was originally intended for a Jewish public, and the opinions expressed herein are of Dov Maimon.¹⁵

About the Author

Rabbi Dr. Dov Maimon is an expert in Jewish theology and inter-religious dialogue, currently working at Israel's Jewish People Policy Planning Institute (JPPPI) and at the Hebrew University of Jerusalem. Born in Paris, he earned a B.Sc. from the Technion (Haifa, Israel), an MBA from INSEAD (Fontainebleau, France), an M.A in Religious Anthropology and a Ph.D. in Islamic and Medieval Studies from the Sorbonne, focusing on Jewish-Sufi encounters in medieval times.

He won the prize "Grand Prix du chancelier des universités 2005" awarded to the best French PhD work in Literature and Human Sciences. He has founded the Interfaith Encounter Association that runs 23 Jewish-Arab dialogue groups in the Middle-East and the Jewish-Muslim department at Yesodot, Center for the Study of Torah and Democracy. At the JPPPI, he is working in the "Grand Strategy of the Jewish People toward Islam" project and leads Institute activities in French-speaking countries.

Notes:

¹ Jewish law does not allow for the cancellation of a marriage, and doesn't allow for remarriage when the husband is mentally incompetent, or has disappeared without leaving divorce-papers. Such a situation has occurred recently for hundreds of spouses of Jewish husbands whose corpses were not identified after the WTC disaster.

² Regarding attitudes toward religion in Israel, see the Gutman Statistical Survey 2002 (www.tsavpious.co.il or www.acheret.co.il). For sociological analysis and partial statistics regarding attitudes towards religious belief, creeds and practice worldwide see P. L. Berger, *Le réenchantement du monde*, Paris, 2002, 104-106.

³ The Jewish tradition forbids erasing the seven Holy Names of the Creator. Therefore sacred texts that include these Names can't be discarded, and must be buried. This ritual frame reveals and leads to a distancing between the secular and the sacred spheres of life. This hierarchical gap is seen as required in order to allow the human being to aim at connecting to the Divine, without relinquishing a separate and inferior identity. In this essay, the three-letter English-language rendition of the Divine Name is written incomplete as 'G-d' to allow this text to be viewed as a non-sacred text.

⁴ With reference to the central place occupied by the beliefs of Arab traditional society in general and ‘ardent virility’,

particularly in Arabic Islam, it is worth mentioning the following quote: "Theocracy is rooted in the past, and it is indeed true that explicit references to G-d are constantly on the Arab's lips, and that the Quran, by which I mean not only the veneration and observance of the text, but also a vocal stream of expression, and a linguistic enchantment, had oriented the bulk of the Muslim Arab social and moral life, until certain changes [i.e. the advent of modernization] took place, which however, did not occur everywhere or always penetrate deeply. "Islam, I would say, is less the presence of the sacred in its modes of conduct, in individuals, almost in things, than the relentless totality of its self-expression, one not that is merely "sweet", as Hegel would say, but intense, and combative: virile in short. Arab Islam is ardent virility." Jacques Berque, *Cultural Expression in Arab Society Today* (Austin-London, 1978), p. 5.

⁵ *Le Monde*, 15 December 2001, p. 15.

⁶ Regarding the family as a microcosm of the global society, see the classic volume: F. Engels, *Origines de la famille, de la propriété et de l'Etat*, Paris, 1960.

⁷ See English references and brief discussion in *Encyclopedia Judaica* at keyword entry "woman".

⁸ The woman's submission to man is regulated and the husband cannot request from her to transgress a religious commandment: this means that before being submissive to her husband she is submissive to the Creator according to the Tradition: "there is no commandment to sin and all are obligated by the Creator." The power of the husband over her is limited, as he is commanded (as she toward him) to respect her. If the husband is violent toward her, she has to complain to the judge and request protection. Besides the pre-established condition of divorce that can be inscribed in the marriage contract, the woman can also ask the judge to ask her husband to repudiate her if she doesn't love him anymore, if he is ugly (if she got

married without first seeing him as is requested by the Law), if he is impolite, or she can't bear his presence anymore. The judge in such a case will ask her to abandon any monetary support from him. See the story reported by Ata'a (*Alsunan Alkubara-Albihaki*)

⁹ Regarding the relation between Christianity and the oppression of women, a subject beyond the scope of this study, refer to Inbens and Jonker, *Christianity and Incest*, Amsterdam, 1992. According to the authors, the ideal woman is perceived as "submissive, obedient and servile" in traditional Christianity.

¹⁰ See Berger, op. cit. pp. 5-25. See A. Seligman, "Tolerance and Tradition" in *Forum Bosnae* Oct. 2000 & Ch. 5 in *Modernity's Wager: Authority, the Self and Transcendence*, Princeton, 2003...

¹¹ Regarding the motivation of donning the veil and the relevance of this habit to all women today, we will bring here the direct testimony of Anas Ibn-Malik, who was the servant of the Prophet (*Alsunan al-Kubara-albihaki*, Beirut, dair alkatub alelmaya, first ed. 1994): "When the Prophet (upon him prayer and peace) married Zaineb, the daughter of Gachash, he invited guests for eating and talking. When the Prophet stood up to go out, all stood up and went out with him except three guests who stayed sitting. When the Prophet came back, he found the three still sitting. When I [i.e. Anas Ibn-Malik] intended to enter, he put a veil between him and me and then the "veil" verse was revealed saying: 'the believers, do not come to the prophet without permission for eating with him nor without convening a meeting time with him. When he invites you and you come, go out after lunch and do not stay for small talk as that will hurt the prophet: he will pardon you but the Lord will not' (Koran, 33, 53)." Al-Wachidi interprets this verse as a request to speak to the Prophet's wives behind a curtain and as a regulation to limit the Prophet's wives, who were used to speaking freely with men

before this revelation (*Aluagiz fi tafsir alkatab alaziz*, first ed., Damascus, Daar Alkalam, Beirut Aldaar al-Shaamia). Against this interpretation that sees the veil as a protection from male-female promiscuity, the opponents of this habit quote the following testimony of Aisha, the young wife of the Prophet, that does not support face veiling: "When my older sister Asmaa came to visit me, the Prophet turned down his eyes to the floor and said: 'What are you doing, Asmaa? Don't you know that when a girl gets puberty signs, she should not show any more parts of the body than these?' and he showed the hands and face." Al-Shafayi (the founder of the Shafaite school) also denies the need to cover the face. He interprets the wording "the discovered part" of the quote "do not discover more than the discovered part" (Koran, 24, 31) as the face, which is allowed to be discovered.

¹² See *Liberal Islam*, ed. C. Kurtzman, 1998, "A Feminist Interpretation of Women's Rights in Islam," 113-126.

¹³ The intellect is identified as the biblical "divine face" according which man was created similar to G-d, in the *Guide of the Perplexed*, classic text of the Jewish rationalist Maimonides.

¹⁴ Quoted in *Isaac gardien de son frère? Implications Inconscientes du dialogue israélo-arabe*, E. Amado Lévy-Valensi, Paris, 1968.

¹⁵ The original version of this paper was published in Hebrew in the Israeli magazine *Erez Acheret*, February 2002, No. 8 under the title "Regarding the Question: Who Has the Power?". Published here with permission.