



JUBILO

CONFLICT PREVENTION, ETHNIC INTEGRATION AND PEACE BUILDING
THROUGH INTERFAITH DIALOGUE



MARRIAGE
IN JUDAISM, CHRISTIANITY AND ISLAM
A COMPARATIVE APPROACH



SPANDA

TEA FOR PEACE

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TEA FOR PEACE

SECTION ONE



MARRIAGE

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A COMPARATIVE APPROACH*



SPANDA



TEA FOR PEACE
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in Judaism, Christianity and Islam.
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MARRIAGE

INTRODUCTION

MARRIAGE IS THE SPIRITUAL UNION OF TWO INDIVIDUALS WHO ARE BOUND TOGETHER to form a mutual whole. Within the Abrahamic faiths, marriage describes the sacred union of a man and a woman blessed by Y_h_w_h, God, or Allah (God). The sanctity of this holy union is prescribed within the respective faiths as a device incorporated into the lives of the faithful. Marriage is believed to help protect people from sexual sins and to enrich their lives by living within its confines. Furthermore, it provides a secure family basis and promotes the practice and continuance of the faith. One of the main purposes of marriage is therefore procreation. While the expectation of reproduction is to ensure the viability of religion and the generation of its values, it also seeks to provide a secure environment that is favourable to the nurturing and development of a child. Nonetheless, the marriage unit is not considered in isolation from the wider community. In fact, marriage is traditionally regarded as the core element to producing well-adjusted and valuable members of society. Moreover, marriage itself unites the community by providing a defined structure for the formation of relationships, which support the value of faithfulness and abstinence over fornication and adultery. Such moral practice restrains people from their personal sexual desires, encouraging the pursuit of selfless acts and commitment to God.

In recent years, marriage has been displaced from its traditional standing within society. It is no longer deemed a necessary practice, but rather a lifestyle choice. Particularly in the Western world, there is strong concern that marriage has been reduced to a mere event, which lacks the inherent commitment it requires. Rising divorce rates, premarital sex and an increase in children born out of wedlock are indications of this modern disengagement with the value of marriage. Marriage plays an integral part in the formation of society and the breakdown of the traditional family structure has many consequences. The stability and security of the community is placed under pressure with the rising number of divorced couples, which increases welfare costs. The decrease in successful marriages undoubtedly discourages its undertaking due to the fear of failure. Additionally, it is argued that the breakdown of marriages has resulted in an increase in immoral behaviour, including crime, drug abuse and sexually transmitted diseases. In some cases, without the formal framework of sexual relationships that marriage provides, people run the risk of being driven purely by their instinctive



RESEARCHERS

XI JIN
JAMES JOPLING
NYKOL O'SHEA

WRITER

JAMES JOPLING
NYKOL O'SHEA

EDITING

REBECCA BENTLEY



desires, which can have an adverse effect on both their personal well-being, and that of their community.

A civil official, rather than a religious figure performs a civil marriage. The civil ceremony is a wedding that meets the legal requirements of the state, without any religious dimension. A religious marriage, however, incorporates a spiritual component and advocates a lifelong commitment between two people before the eyes of God. In Judaism, marriage is a contractual relationship created by God, whereby God is introduced into the marital union as a source of spiritual support. In Christianity, marriage is the spiritual, mental and physical union of two individuals within the embodiment of one flesh. Muslims perceive marriage as a religious contract between the bride and groom, whereby both parties accept the conditions of marriage, including the maintenance of financial support and the duty to fulfil their roles as husband and wife, both sexually and emotionally.

With the changing perception of marriage and commitment in the process of obtaining an intimate companion, the necessity of marriage for achieving this end comes into question. This recreates explicit challenges for marriage in the modern day. Either it needs to adapt to an evolving understanding of relationships, or there is a need to encourage a re-identification with the traditional concept. Areas of particular significance include: the impact of adultery and divorce; the influence of co-habitation and inter-faith marriage; the conceptual and ethical issues imposed by same-sex relationships and polygamy, and the role of contraception and fertility treatment.

A D U L T E R Y

Adultery can be generally understood as a sexual relationship outside of marriage, which is engaged in by a married person with another individual who is not his or her spouse. The impact of adultery poses a significant threat to marriage. It breaks the commitment and bonds of trust that are integral to the union, undermining the fundamental requirement to set aside personal sexual desires for the sake of upholding the mutual commitment that marriage entails. Non-marital relationships are also harmed by acts of adultery; nevertheless, in the religious context, marital relationships suffer a more destructive fate. Religions generally consider adultery as sinful and immoral, as it breaks the divine covenant of marriage. In addressing the threat of adultery, having faith in marriage can be regarded as a positive source of support and strength in overcoming life's temptations.

¶ In Jewish law (*halakha*), adultery is identified as sexual intercourse committed by a married woman with any man other than her husband. The unfaithful sexual relations of a married man with an unmarried woman are not technically considered as adultery. According to halakha, a man is obliged to divorce his adulterous wife, who will lose all of her property rights and is not permitted to marry the adulterer. A child born of an adulterous relationship is perceived as a bastard, and is forbidden to marry a legitimate Jew. Although a woman cannot be convicted of adultery unless it has been affirmatively shown that she was aware of the law relating to it, nonetheless, the husband still has the right to divorce his wife.

¶ In Christianity, adultery is considered a wicked act, which God does not accept. Furthermore, the contemplation of adultery is considered to be as sinful as committing and the act itself. The general prohibition against adultery is sufficient to prohibit “looking at a woman (or a man) lustfully”.

¶ Islamic law (*shariah*) defines adultery (*zina*) as any unlawful copulation between a man and a woman without a valid contract of marriage. Adultery is seen as a serious violation against Islamic society that is worthy of punishment. A zina penalty would be inflicted on any Muslim, male or female, who intentionally commits adultery with the full knowledge that it is forbidden. Moreover, Islam does not only prohibit the act of adultery, but also prohibits the indulgence leading to it, thereby blocking the means (*sadd al-dhar'i*). Illicit intimacy (*khalwah*) between members of the opposite sex is not permitted, neither is lustfully looking at persons of the opposite sex.

D I V O R C E

Divorce is the legal termination of a marriage agreement. Today, divorce is no longer socially stigmatised and is commonplace throughout the world. It is on the increase and the process itself is being made more efficient. This raises concerns that divorce is being utilised as an easy opt-out from marriage and that it is no longer considered a life-long commitment. All Abrahamic faiths view divorce as regrettable and as a last resort after exhausting all other plausible remedies. The faiths fear that people are losing sight of the meaning of marriage and are failing to comprehend the work that is required to maintain a successful long-term relationship. They therefore, prescribe that serious effort should be made in order to save a supposedly failing marriage before entering into divorce proceedings. Furthermore, within their respective practices, the procedure for obtaining a religiously sanctioned divorce is both time consuming and weighed down by specific conditions and processes.

¶ According to Jewish law (*halakha*), a married couple is only released from the bonds of matrimony through the transmission of a divorce document – known as a *get* – from the husband to the wife. The *get* serves not only as proof of the dissolution of marriage in the event that one or both wish to remarry but actually effects the divorce proceedings. A husband's refusal to give his wife a *get* is a common form of spousal abuse.

¶ In Christianity, a marriage involves the fusion of two individuals as one flesh. For the Catholic Church, marriage is a sacrament that cannot be dissolved, and a valid marriage lasts until the death of one partner. The surviving spouse is then allowed to remarry. Catholicism does not grant divorce decrees, nor does it recognise divorces issued by other religions or institutions. It can, however, annul a marriage if there is sufficient proof that the marriage was invalid to begin with. Grounds for annulment include being forced to marry someone, having had insufficient information regarding the spouse, for instance having been unaware that the individual was an abuser, or a convicted rapist, or that the individual lied about wanting children for example. A marriage may also be annulled if the sexual act cannot be fulfilled in procreation due to the infertility of one of the spouses. If Catholics obtain a civil divorce and remarry, they are still welcome to worship, but they will not be permitted to receive the Holy Eucharist.

Liberal Protestants believe that divorce is the result of sin and not necessarily a sin itself. Although they do not advocate divorce, it is tolerated when considered essential for spiritual redemption and for recuperating the well being of both parties.

¶ Marriage in Islam is a contract, and divorce is seen as the dissolution of that contract. If a man wishes to terminate his marriage for any reason, he can divorce his wife and compensate her financially (*mut'a*), whereas a woman must prove to a judge that her circumstances warrant a divorce. When the wife initiates the divorce (*kula*), she may be required to return the dower (*mahr*).

C O - H A B I T A T I O N

The cohabitation of couples outside of marriage has two distinct aspects. Firstly, it can represent a rejection of marriage itself or a fear of its failure, whereby couples can share companionship on the same level but outside its confines. Alternatively, it can be regarded as a process leading up to marriage that allows couples the opportunity to become more intimate and close to

each other, thus creating a pseudo marriage. This can either be a form of extended dating in the process of selecting a lifelong partner, or a path leading to marriage for those who consider living together a natural step before embarking on marriage. Cohabitation allows couples to express their commitment outside of marriage. This in itself could undermine the institution of marriage, as people would be able to obtain life-long companionship without having to meet the formal conditions and expectations of marriage. The lack of religious and legal recognition of cohabiting couples puts them in the position of being without the protection and security of marriage. In the perspective of the faiths, cohabitation causes an inherent lack of investment in the development of a strong relationship.

¶ Judaism regards cohabitation as bypassing the engagement of the soul and keeping God out of the relationship. Furthermore, Judaism emphasises a formal courting process where dating is regarded as having a specific and recognised role. The focus is centred on rational rather than emotional criteria, and the relationship is founded on compatibility rather than attraction and romance. Judaism regards people's sexual energies both as a potential strength and as a dangerous power, with sexual intimacy outside of marriage enhancing this issue, as the relationship risks being grounded on unstable emotional bonds. Thus, cohabitation before marriage can cause intimacy to become a self-centred expression of the body, rather than the soul, where the misuse of sexual energies can lead to an unstable relationship.

¶ Within Christianity, even if a couple cohabits with the intention to marry or are in fact engaged, it is strongly advised that they not do so. By engaging in intimacy without entering into the spiritual embodiment of "one flesh", cohabitation subverts the religious meaning of marriage. The virtue of chastity before marriage allows couples the opportunity to prepare for married life by focusing on their relationship, without the confusions that sex can cause and that can remain, even if they cohabit without engaging in sex.

¶ Islam believes that premarital cohabitation and flirtation confines love to a physical attraction, the influence of which is too strong for a rational approach to the relationship to be maintained. With premarital sex being regarded as wholly unacceptable, the conception of cohabitation before marriage, even with abstinence from sex, is highly improper. This is supported by the Islamic understanding of marriage as a device that supports the sexuality of individuals, providing them a safe and secure environment for sexual activity. Therefore, it is encouraged for marriage to be entered

into as soon as individuals become mature enough. Physical contact and the opportunity to enjoy each other's company in private are prohibited outside of marriage through the avoidance of situations where relationships might be formed on physical intimacy, and are instead encouraged upon a critical evaluation of mutual compatibility.

I N T E R F A I T H M A R R I A G E

Interfaith marriage involves the union of individuals of two distinct faiths, or of two different denominations within the same faith, known as intrafaith. Interfaith marriages create issues for religions, especially concerning their relationship to the family and impact they have on aspects such as the religious identity of offspring.

- ¶ In Judaism, Jewish identity is understood to be transferred by matrimonial descent and the Jewish soul is believed to be inherited from the mother. Therefore, particularly within orthodox understanding, interfaith marriage poses significant concerns when a Jewish son is planning to marry a non-Jewish woman, as the continuation of their Jewish family would be terminated. Even when a daughter is married to a man of a different faith, concerns will remain as to the Jewish upbringing of the children. In the case where only the father is Jewish, it is still possible for the children to be identified as Jews if they themselves undertake the strict conversion process required under rabbinic law; the same mandatory process applicable to those of no Jewish heritage.
- ¶ Within Christianity, interfaith marriage is permitted when combined with some level of conditionality and the expectations of the couple. The Church instructs that interfaith marriage requires both partners to fully understand the meaning of marriage and that the Christian party maintains their faith. The Church also expects the children to be raised with a sound religious upbringing, preferably that of Christianity. For Christians, the transference of religious identity is conducted through ceremonial baptism, and being of interfaith descent does not by default impede acceptance into the Christian community.
- ¶ Islam, to an extent, formally supports interfaith marriage. The man is generally believed to be head of the household and leader of the family faith; therefore, it is regarded essential that the man in an interfaith marriage is Muslim. When a Muslim woman marries outside of her faith, however, it is implied that her faith would become subverted by her husband's role in the family and that non-Muslims would raise her children. The Muslim

man is only allowed to marry outside of his faith if the woman is either Christian or Jewish, due to the Islamic principle that followers of the Abrahamic faiths are recognised as people of the Book. The belief is that these religions share a certain commonality. Therefore, the wife does not need to change her faith and is allowed to continue practising. While she is not expected to change her faith, she should be willing to accept certain aspects of Islamic practice out of respect for her husband's beliefs. The household religion is expected to be Islam, thus the wife's active participation in supporting the family faith and the children's religious education is also considered highly important.

S A M E - S E X M A R R I A G E

The gender specific definition of marriage has come under criticism in relation to equality and the recognition of same-sex couples. The argument being that same-sex couples in committed, loving relationships should be awarded the same rights and legal status as heterosexual couples. If the purpose of marriage is to consolidate commitment, facilitate life-long companionship, security and individual fulfilment, then same-sex marriage poses no threat to its essence. Endorsement of same-sex marriage will incorporate these moral values and support the monogamist lifestyle. The religious understanding of marriage goes beyond bilateral partnership and envisages the spiritual union of two individuals for procreation, and the continuation and viability of the religion as an integral aspect of the commitment. There is little consensus on this issue between the respective religions and from within each of their denominations.

- ¶ The major Jewish denominations have come to different conclusions on the issue of same-sex marriage. Reconstructionist Judaism, the movement that views Judaism as a progressively evolving society, affirms the holiness of homosexual relationships and the need to accept these unions in the Jewish context. Reconstructionists today also fully endorse efforts to legalise civil same-sex marriages and grant homosexual couples equal benefits. They argue that the Jewish principle of economic justice demands support for civil gay and lesbian marriages, because the absence of legal benefits for same-gender couples can cause them significant financial harm. Although they are not required to do so, most Reconstructionist rabbis perform same-sex Jewish weddings and the Jewish Reform Movement has called for civil same-sex marriages for many years. However, the issue of gay and lesbian Jewish weddings has been more controversial in the wider sphere of Judaism. Liberal Judaism remains undecided on whether homosexual relationships fit within

the Jewish category of a legally recognised relationship (*kiddushin*). The lack of formal consensus allows for individual rabbis to choose whether or not to perform such ceremonies and the Conservative Movement meets with little consensus on the issue of same-sex marriage. The standing ruling of its Committee of Jewish Law and Standards, which determines the positions of Conservative Judaism, is that Jewish law prohibits homosexuality and that therefore, Jewish same-sex marriage is not appropriate. The Union of Orthodox Jewish Congregations of America has publicly rejected civil and Jewish same-sex marriages. They believe that the unique status of marriage is reserved for the sacred union of a man and a woman in a loving relationship.

¶ Liberal Christians appear to be moving towards the blessing of same-sex marriage, as they believe that sexual activity performed within the confines of a committed homosexual or heterosexual relationship is not sinful. The belief that God did not intend man to be alone, and since gays and lesbians can only develop a relationship with a person of the same gender, it is obviously God's intention that they form committed partnerships. Conservative Christians believe that God created Adam and Eve to be heterosexual, expecting them to be fertile and to populate the world. The belief is that God created the institution of heterosexual marriage as the only valid relationship for humans within which sexual activity is without sin. Homosexual activity, even if it is performed within a committed and loving relationship is regarded as contrary to God's intentions for humanity, and is thus inherently sinful. Many Conservatives believe that marriage is defined in the Scripture in terms of heterosexual monogamy, which envisages no other kind of marriage or sexual intercourse, for God provided no alternative.

¶ In Islam, same-sex marriage is prohibited and homosexuality is considered a violation of God's command. One of the most important purposes of marriage is to maintain and increase the Muslim population. Clearly, this goal could be achieved without marriage, but when actions are undertaken in disobedience to God, they do not receive his blessings and society as a whole is corrupted. It should be stressed that the goal is not simply to produce any child that will populate the next generation; it is to produce righteous children, who will be obedient to God and who will be a source of reward for their parents.

P O L Y G A M Y

Polygamy is the marriage of one partner to multiple partners, most commonly interpreted as a husband marrying several wives (polygyny), but also includes instances where a woman is married to several husbands (polyandry).

Polygamy challenges the traditional monogamist conception of marriage. The main issues raised against polygamy are the diminished emotional commitment to partners and the argument that considers it to be institutionalised adultery. Polygamy can be regarded as a legitimate form of marriage if the inclusion of further partners is not for the sake of personal gratification but to provide them with financial and emotional support, while expanding the family unit.

¶ It is recognised that polygamy was permitted in biblical times, whereby men took multiple wives, but the practice only appears to have been endorsed for those who had the wealth to do so. However, this predates the completion of the Torah that provides scriptural guidance for the Jewish people. The Torah does concede the possibility of entering into polygamous relationships, while incorporating a restrictive framework on the practice. The number of wives to be taken is limited to four, and constitutes a fair ground for divorce if the original wife so wishes. Furthermore, the remaining wives must be catered for suitably, with a decent standard of living and their own living spaces. However, the depiction of the ideal marriage, even in biblical times, is portrayed as that of one wife for one husband. This supports the understanding of its inclusion in the Torah, representing a restrictive framework to a practice that is the exception, rather than a rule of what constitutes marriage. Its inclusion in the Torah has led to orthodox interpretations of polygamy as being an endorsed practice, which is technically true due to the inclusion of stipulations upon its use, rather than a clear emphasis on illegitimacy. This does not mean polygamy is an institutionalised normative practice in Judaism, but does at least retain polygamy as a social device that can be employed when necessary. Polygamy was banned under halakhic law, which supplements scriptural law, especially that of the Torah. Breaches of the ordinance were enforced by excommunication, but it did also allow circumstances in which polygamy could be legitimate, although these were very limited and for exceptional circumstances. This pertains to the only permissible method in modern Judaism, whereby the receiving of the *get* by the wife in the process of divorce requires her acceptance with a sound mental awareness of the situation. If the wife is suffering from a mental illness and lacks comprehension of her circumstances, she would not be able to receive the *get* from her husband in the process of divorce. Here the husband is able to enter into a marriage with a second wife, as he is technically unable to divorce his first. This process is closely regulated, requiring its support by the signatures of a hundred rabbis from different countries on every individual case. In modern Judaism, the chief rabbis of Israel have addressed the issue of polygamy. It has been

stated that monogamy is binding upon all Jews, with further clarification upon polygamy itself with its criminalisation in Israel, but retains the exception of the release clause for husbands. Therefore, the position of polygamy within Judaism appears to have gone through an evolutionary process leading to greater levels of prohibition. This does not appear to display an inconsistency in the Jewish faith, as monogamy has remained an integral conception throughout.

16 ¶ In Christianity, the New Testament prescribes the qualities of religious leaders to include monogamy, for them to be ‘husbands of one wife’, suggesting that it is acceptable, to an extent, for the general population to maintain polygamous relations as it has not placed such demands directly upon them. Nonetheless, leaders are told to be good examples to the flock and for believers to follow the example of the leaders, apostles, and disciples. Within the biblical history of Christianity, there is reference to the polygamy of its patriarchs. Rather than being interpreted as a justification for the practice of polygamy, it is understood as a necessity of the times in which it was undertaken. Thus, it is regarded as a unique exception and not a representation of the implicit will of God.

¶ Polygamy in Islam is regarded as a legitimate practice, although it is coupled with restrictions. According to the Qur’an, a man is allowed to have up to four wives, but in order to do so he must treat them equally, both emotionally and financially. Its purpose is not for the man’s gratification but to support vulnerable women who have been left without husbands. Polygamy within Islam can be viewed as beneficial to society rather than for selfish reasons. Therefore, it should be utilised without abuse and in terms that support the wider community. If a man desires a second wife within the confines of the legitimate framework, there is a strong implicit pressure for his wife to accept the situation, even if it is against her will. In such a circumstance, the man should reconsider opting for the second wife, as it would cause suffering to his existing wife. Alternative interpretations impose responsibility on the wife to resolve the issue. If the man has practised the faith accordingly and is honourable in his will to have a second wife, then the first wife should endeavour to accept another woman into the household. However, this perspective understands that the existing wife may not be comfortable with this arrangement, although, rather than reverting to the previous position for the man to avoid the second marriage, it takes the situation as a legitimate reason for the first wife to divorce her husband. Polygamy is viewed as beneficial to widows and other vulnerable women, providing them with security, whilst addressing the

male deficit resulting from their higher mortality rates, particularly within the context of armed conflict. Within this context, by interpreting polygamy in Islam as a device for social welfare, it can be understood why its legitimisation is not extended to women. In situations that have seen significant drops in the male population due to conflict, it can be regarded as a responsive act for the protection of women. This implicitly suggests that women are not banned from polygamy, but rather, circumstances were not foreseen where it would be required. However, to explicitly extend it to include women would have served to legitimise polygamy in general, whereas it has seemingly been desired that its practice be restricted and that monogamy is emphasised.

C O N T R A C E P T I O N

Contraception is the intentional prevention of unplanned pregnancies and has expanded in terms of its use and effectiveness. Contraception is now considered a socially positive aspect of sexual responsibility. Family planning sanctions the benefit of contraception interfering in the natural reproductive process. This allows people to pursue a sexual relationship without a significant risk of pregnancy. Furthermore, the promotion of sexual health is achieved through the education of condom use. Furthermore, the spread of sexually transmitted diseases, most significantly HIV, is combated and prevented through the use of condoms. Nonetheless, the use of contraceptives is believed to encourage sexual promiscuity.

17 ¶ Among traditional interpretations of the Torah, active prevention of pregnancy is in violation of the commandment “be fruitful and multiply”. Judaism believes that a home without children is a home without blessing. Judaism also holds that as long as a couple have planned to have children, the concept of planned parenthood or the spacing of births does not constitute a religious problem. Judaism is more concerned with the birth control methods employed; in particular, some methods are not permitted because of the injunction against “the destruction of seed”. For example, contemporary Orthodox rabbinical authority has expressed no objection to the use of the ‘pill’. Still, the use of condoms is forbidden, as are some uterine devices. For traditional Jews, the use of condoms with respect to the AIDS crisis is not an issue, for sex is permitted only within a monogamous marriage. With respect to the liberal movements, such as Reform Judaism, birth control or abortion is opposed when practiced for purely selfish reasons. Birth control is accepted under certain conditions, such as those whereby preg-

nancy represents a health hazard to the mother or child, or when previous children have suffered birth defects. Liberal Judaism extends this concept to include extreme poverty, inadequate living conditions and threats to the welfare of existing children in the family.

¶ In Christianity, two sections of the Bible are often quoted to show God's disapproval of birth control. The first is when God commanded his people to "Be fruitful and multiply," and contraception is seen as specifically flouting this instruction; and the second, whereby God killed Oman for "spilling his seed", which is often taken as divine condemnation of coitus interruptus. Nonetheless, there are a number of passages where the Bible appears to accept that sex should be enjoyed for reasons other than the production of children, with some people arguing that no wrong is done if a couple has sex without the intention of having a child. The Church of England approves the use of contraception and believes that God intended for couples to have the right to decide upon the number and frequency of their children, and that they could manage their family and fertility in such ways that they consider acceptable. The Roman Catholic Church strictly prohibits the use of artificial contraception and Catholics are only permitted to use natural methods of birth control. These methods are known as periodic abstinence and are argued to be morally different from positively modifying the couple's fertility. However, the Roman Catholic Church does not condemn methods like the pill or condoms in themselves. What is morally wrong is using them with the intention of preventing conception. Using them for other purposes is accepted, such as using the pill to regulate the periods of a woman who is not in a sexual relationship. The use of condoms for the primary purpose of preventing pregnancy is condemned, along with all other forms of artificial birth control.

¶ In Islam one of the major purposes of marriage is procreation, with children considered to be a source of blessing. Therefore, marriage is not simply for sexual or emotional satisfaction, but also for the purpose of reproduction. Valid reasons for contraception include instances in which: both spouses are students; both are too young to shoulder the responsibility; both or one is weak or sick; if they are burdened with the responsibility of taking care of their parents; if they are doing so only for a limited time in order to get to know each other and thus better prepare themselves to shoulder the responsibility; and if they wish to provide gaps between pregnancies in order to give quality care and attention to the existing children. There is a distinction between permanent and temporary methods of contraception. The former

includes vasectomy in males and tubectomy in females, which are unanimously frowned upon by scholars, since they involve changing human physiology. Attitudes toward the latter depend on the side effects in normal physiology and whether the methods encourage sexual promiscuity and extra marital sex. Taking birth control pills is prohibited, whereas coitus interruptus is permissible, as long as it is performed with the mutual consent of both partners.

F E R T I L I T Y

The ability to produce offspring is an integral aspect of any marriage. In the religious context, married couples are supposed to fulfil this role. Today, scientific advancements on the one hand have developed alternative methods of fertility treatment, such as in vitro fertilisation (IVF) and artificial insemination, which means that infertility is no longer an incurable problem; but on the other hand, they pose new moral dilemmas and ethical challenges.

¶ Due to the strong Judaic obligation to procreate, IVF is obligatory. This medical procedure presents no moral or ethical risk, as according to the Talmud, the soul does not enter the embryo until forty days into the pregnancy. There is an obligation to research life saving treatments, such as stem cell and cellular replacement therapy. Gamete donation is generally not acceptable due to the risk of unknown incest, unless it is to accomplish God's commandments and maintain a marriage. In the absence of direct sexual contact, it would be preferable for a married woman to be artificially inseminated by a non-Jewish donor and in the case of female gamete donation, it is essential that the donor is Jewish, as Judaism is transferred by matrilineal descent.

¶ In Christianity, it poses no moral dilemma when IVF only involves the fertilisation of one egg and one sperm from a husband to a wife. However, the destruction of excess embryos creates significant ethical issues pertaining to life's commencement and abortion. Many Christians believe that IVF sets couples on a course of parenthood at all costs, not only financially, but also ethically and spiritually. Infertile couples must not assume that God is punishing them, but accept their inability to conceive as part of a divine plan. The belief is that parenthood is a divine blessing and not a right awarded to all.

¶ In Islam, children are a blessing from God and highly valued; therefore, they are expected to be conceived within all marriages. Infertility is a major

source of social pressure and often leads to divorce. Divergences arise over third party gamete donation, which can be interpreted as adultery, as it constitutes reproduction outside of marriage and introduces a third party into the sacred physical union. Further concerns arise in relation to the preservation of bloodlines and issues pertaining to the child's welfare as a result of their illegitimate status. Under certain strict limitations, gamete donation can be permitted. Most notably, both parent and donor must abide by the same religious codes. One solution is the temporary marriage (*mut'ca*) of the donor to prevent adultery, but such practice is only viable for a single woman or a widow as they are unable to marry a second husband.

C O N C L U S I O N

The issues pertaining to marriage emphasise the commonality between the Abrahamic faiths. Adultery is abhorred by all the faiths and serves to undermine the sacred covenant of marriage. Each respective faith maintains that divorce is regrettable and unfortunate, yet necessary in certain circumstances where the relationship has become untenable. All the faiths disapprove of the notion of cohabitation as being part of the development of a strong relationship. They perceive cohabitation as the failure to develop an intimate bond in mutual compatibility, due to the distractions caused by intimacy before marriage. While the three faiths diverge on the issue of interfaith marriage, they all emphasise the impact of religious identity on couples and their offspring. Same-sex marriage has found little consensus both among and within the Abrahamic faiths, because of their different religious perceptions of marriage. In all the faiths, there is historical evidence of the practice of polygamy. Each prescribes monogamy with the existence of polygamy as the exception, rather than the rule. Furthermore, polygamy is never legitimised on the basis of personal gain. The endorsement of contraception raises moral and ethical concerns within all three faiths. While natural methods are favoured amongst all the faiths, disagreements occur regarding artificial and non-therapeutic contraception. There is significant emphasis placed on procreation as an attribute of the institution of marriage. Fertility treatment is therefore encouraged, but its practice poses moral questions and thus is conducted with certain limitations in each of the faiths. It is hoped that highlighting these commonalities among the Abrahamic faiths on the topic of marriage, will encourage more open dialogues facilitating mutual understanding and religious tolerance. †

FURTHER READING

A D U L T E R Y

- BURNSIDE, J. P. (2006), "Strange Flesh: Sex, Semiotics and the Construction of Deviancy in Biblical Law", in *Journal for the Study of the Old Testament*, 30(4): 387-420.
- CAMILLE, A. (2004), "A stone's throw from grace: in biblical times, it was definitely a man's world. But in the story of the adulterous woman, Jesus writes in the earth a new way of living and forgiving", in *US Catholic*, 69(3), <http://www.thefreelibrary.com/A+stone's+throw+from+grace:+in+biblical+times,+it+was+definitely+a...-a0113856196> (Accessed May 1, 2009).
- COCHRAN, J. K. AND BEEGHLEY, L. (1991), "The Influence of Religion on Attitudes toward Nonmarital Sexuality: A preliminary Assessment of Reference Group Theory", in *Journal for the Scientific Study of Religion*, 30(1): 45-62.
- DEURASEH, N. (2008), "Protection against STDs: An Islamic Criminal Law Approach", in *Arab Law Quarterly*, 22: 88-108.
- MINCHAKPU, O. (2002), "Nigeria: Where Adultery Means Death: Political and Religious leaders Clash over the Increased Use of Islamic Law", in *Christianity Today*, 46(6).
- ROBINSON, B. A. (2002), *Punishment for Non-Marital Sex in Islam: Sharia law as applied in some Muslim countries*, http://www.religioustolerance.org/isl_adul2.htm (Accessed May 1, 2009).
- SIDAHMED, A. S. (2001), "Problems in Contemporary Applications of Islamic Criminal Sanctions: The Penalty for Adultery in Relation to Women", in *British Journal of Middle Eastern Studies*, 28(2): 187-204.
- UNIFICATION, (2009), *World Scripture: Adultery*, <http://www.unification.net/ws/theme059.htm> (Accessed May 1, 2009).

D I V O R C E

- CHABAD.ORG (2009), *Jewish Divorce 101*, http://www.chabad.org/library/article_cdo/aid/1557906/jewish/Divorce-Basics.htm (Accessed May 5, 2009).
- CHRISTIAN INSTITUTE (2009), *Divorce*, <http://www.christian.org.uk/briefingpapers/divorce.htm> (Accessed May 5, 2009).
- JOSEPH, N. B. (2009), *Jewish Women in Chains*, <http://www.totalhealth.bz/divorce-and-remarriage-jewish-women-in-chains.htm> (Accessed May 5, 2009).
- MASHHOUR, A. (2005), "Islamic Law and Gender Equality: Could There be a Common Ground? A Study of Divorce and Polygamy in Sharia Law and Contemporary Legislation in Tunisia and Egypt", in *Human Rights Quarterly*, 27(2): 562-596.
- RAZA, M. M. S. (1998), *Divorce in Islam*, <http://www.islamiccentre.org/presentations/divorce.pdf> (Accessed May 5, 2009).
- SIMMONS, S. (2009), *Ask Rabbi Simmons: Getting a Get*, http://judaism.about.com/library/3_askrabbi_of/bl_simmons_get.htm (Accessed May 5, 2009).
- WOMANSLAW.ORG (2008), *Jewish Get Law*, http://www.womenslaw.org/laws_state_type.php?id=12530&state_code=RL&open_id=all (Accessed May 5, 2009).

C O - H A B I T A T I O N

- BISHOPS, K. (1998), *Cohabitation before Marriage*, <http://www.catholicculture.org/culture/library/view.cfm?id=397&repos=1&subrepos=0&searchid=498436> (Accessed May 9, 2009).
- CHABAD.ORG (2009), *Dating the Jewish Way*, http://www.chabad.org/library/article_cdo/aid/1448427/jewish/Dating-the-Jewish-Way.htm (Accessed May 9, 2009).
- FARAG, A. A. F. (2005), *To Love or to Know, What Comes First?*, http://www.readingislam.com/servlet/Satellite?cid=1123996016644&pagename=IslamOnline-English-About_Islam/AskAboutIslamE/AskAboutIslamE (Accessed May 9, 2009).
- LARSON, J. H. (2000), *Living Together vs. Marriage*, <http://marriageandfamilies.byu.edu/issues/2001/January/cohabitation.htm> (Accessed May 9, 2009).

MARTIN, H. S. (1995), *On Living Together before Marriage*, <http://www.brfwitness.org/?p=652> (Accessed May 9, 2009).

INTERFAITH MARRIAGE

AL-HASI, S. (2002), *Interfaith Marriage Rules*, http://www.readingislam.com/servlet/Satellite?cid=1123996015624&pagename=IslamOnline-English-AAAbout_Islam%2FAskAboutIslamE%2FPrintAskAboutIslamE (Accessed May 12, 2009).

COFE (2009), *Interfaith Marriage Guidelines* (Second Draft), <http://www.cofe.anglican.org/search?SearchableText=Interfaith+Marriage+Guidelines+%28Second+Draft%29> (Accessed May 12, 2009).

LIBRERIA EDITRICE VATICANA (2005), *Compendium of the Catechism of the Catholic Church*, http://www.vatican.va/archive/compendium_ccc/documents/archive_2005_compendium_ccc_en.html (Accessed May 12, 2009).

MISCHLER, Æ. (2006), *Interfaith Relationship: Break Up or Marry?*, http://www.readingislam.com/servlet/Satellite?pagename=IslamOnline-English-AAAbout_Islam/AskAboutIslamE/AskAboutIslamE&cid=1150542050395 (Accessed May 12, 2009).

NEW ADVENT (2008), *Deuteronomy Chapter 7*, <http://www.newadvent.org/bible/deu007.htm> (Accessed May 12, 2009).

ROBINSON, B. A. (2005), *Inter-faith Marriage: Beliefs and Policies of Different Faith Groups*, http://www.religioustolerance.org/ifm_deno.htm (Accessed May 12, 2009).

SAAD, A. (2006), *A Closer Look at Mixed-Faith Marriages*, http://www.readingislam.com/servlet/Satellite?cid=1156077759395&pagename=IslamOnline-English-AAAbout_Islam%2FAskAboutIslamE%2FAskAboutIslamE (Accessed May 12, 2009).

SHEMTOV, E. (2009), *On Intermarriage: The Basis for the Jewish Opposition to Intermarriage*, http://www.chabad.org/library/article_cdo/aid/148995/jewish/On-Intermarriage.htm (Accessed May 12, 2009).

WESTMINSTER ASSEMBLY (1646), *Westminster Confession of Faith*, <http://www.westminsterassembly.org/westminster-standards/> (Accessed May 12, 2009).

WILHEIM, J. R. (2009), *The Truth about Matrilineal Descent*, http://www.interfaithfamily.com/news_and_opinion/synagogues_and_the_jewish_community/The_Truth_About_Matrilineal_Descent.shtml (Accessed May 12, 2009).

SAME-SEX MARRIAGE

BROWN, J. (2009), *Homosexuality and Same - Sex Marriage in Islam*, <http://www.patheos.com/Resources/Additional-Resources/Homosexuality-and-Same-Sex-Marriage-in-Islam.html> (Accessed May 15, 2009).

MILLS, D. (2008), *Gay Marriage and the Slippery Slope to Polygamy*, http://insidecatholic.com/joomla/index.php?option=com_content&task=view&cid=3918&Itemid=48 (Accessed May 15, 2009).

POWERS, A. (2009), *Judaism and Same-sex Marriage*, http://www.myjewishlearning.com/life/Sex_and_Sexuality/Homosexuality/Same_Sex_Marriage.shtml (Accessed May 15, 2009).

SALETAN, W. (2006), *Don't Do Unto Others: the Difference between Gay Marriage and Polygamy*, <http://www.slate.com/id/2138482/> (Accessed May 15, 2009).

SULLIVAN, G. J. (2009), *Same-Sex Marriage: Opening the Door to Polygamy*, http://listserv.virtueonline.org/pipermail/virtueonline_listserv.virtueonline.org/2009-April/009560.html (Accessed May 15, 2009)

YOUNG, C. (2004), *Opening Marriage: Do Same-sex Unions Pave the Way for Polygamy?*, <http://www.reason.com/news/show/29058.html> (Accessed May 15, 2009).

POLYGAMY

ABDULLAH, M. N. (2006), *Why Polygamy is Allowed in Islam*, http://www.islamonline.net/servlet/Satellite?pagename=IslamOnline-English-Ask_Scholar/FatwaE/FatwaE&cid=1140333531684 (Accessed May 18, 2009).

BADAWI, J. (1998), *Polygamy in Islamic Law*, <http://www.islamfortoday.com/polygamy5.htm> (Accessed May 18, 2009).

FOX, T. (2008), *Jewish Mythbusters: Jews Don't Do Polygamy*, http://www.jewcy.com/post/jewish_mythbusters_jews_don_t_do_polygamy (Accessed May 18, 2009).

FREEMAN, T. (2009), *Why does Torah Law Allow Polygamy?*, http://www.chabad.org/library/article_cdo/aid/770990/jewish/Why-does-Torah-law-allow-polygamy.htm (Accessed May 18, 2009).

JEWISH VIRTUAL LIBRARY (2008), *Bigamy and Polygamy*, http://www.jewishvirtuallibrary.org/jsource/judaica/ejud_0002_0003_0_02960.html (Accessed May 18, 2009).

LEFTIE, P. (2009), *Church and Lawyers Differ on Polygamy Clause*, <http://3riversepiscopal.blogspot.com/2009/05/church-and-lawyers-differ-on-polygamy.html> (Accessed May 18, 2009).

MASHHOUR, A. (2005), "Islamic Law and Gender Equality: Could There be a Common Ground?: A Study of Divorce and Polygamy in Sharia Law and Contemporary Legislation in Tunisia and Egypt", in *Human Rights Quarterly*, 27(2): 562-596.

MILLER, G. (1999), *Is Polygamy Allowed by the New Testament?*, <http://www.christian-thinktank.com/polygame.html> (Accessed May 18, 2009).

MOUTAPHA, S. K. (2005), *Multiple Wives in Paradise: What is for Women?*, http://www.islamonline.net/servlet/Satellite?pagename=IslamOnline-English-Ask_Scholar/FatwaE/FatwaE&cid=1119503549252 (Accessed May 18, 2009).

THE RELIGION OF ISLAM (2006), *Polygamy in Judaism and Christianity*, <http://www.islamreligion.com/articles/326/> (Accessed May 18, 2009).

CONTRACEPTION

BBC (2005), *Contraception*, <http://www.bbc.co.uk/ethics/contraception/> (Accessed May 18, 2009).

ISLAM AWARENESS (2004), *Abortion: Forbidden in all stages?*, http://www.islamawareness.net/FamilyPlanning/Abortion/abo_fatwa002.html (Accessed May 22, 2009).

— (2009), *Is Contraception allowed in Islam?*, <http://www.islamawareness.net/FamilyPlanning/contraception.html> (Accessed May 22, 2009).

KUTTY, A. (2003), *Contraception for the sake of enjoyment*, http://www.islamonline.net/servlet/Satellite?pagename=IslamOnline-English-Ask_Scholar/FatwaE/FatwaE&cid=1119503546604 (Accessed May 22, 2009).

ZWERIN, R. A. - SHAPIRO, R. J. (2009), "Abortion: Perspectives from Jewish Traditions", in *Educational Series of Religious Coalition for Reproductive Choice*, 5, http://www.rrcr.org/pdf/jewish_perspectives.pdf (Accessed May 22, 2009).

FERTILITY

CHRISTIANITY TODAY EDITORIAL (2003), *Souls on Ice*, <http://www.christianitytoday.com/ct/2003/july/31.28.html> (Accessed May 28, 2009).

JAKOBOVITIS, Y. (2005), "Assisted Reproduction through the prism of Jewish Law", in *Jewish Action Online*, 65(3): 26-29.

INHORN, M. C. (2006), "Making Muslim Babies: IVF and Gamete Donation in Sunni versus Shi'a Islam", in *Culture, Medicine and Psychiatry*, 30(4): 427-450.

SILBER, S. J. (2005), "Religious Perspectives of ethical issues in Art: 4. Infertility, IVF and Judaism", in *Middle East Fertility Society Journal*, 10(3): 200-204.



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WEDNESDAY 9 DECEMBER 2009 ~ 17:30 | 21:00



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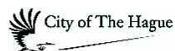


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T. +31 (0)70 362 65 23 / 362 65 22 ~ F. +31 (0)70 362 98 48

INFO@SPANDA.ORG ~ WWW.SPANDA.ORG