

Bearing Witness

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

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

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

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

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

On the other hand, women were not allowed to bear witness in early Jewish society.¹ The Rabbis counted women's not being able to bear witness among the nine curses inflicted upon all women because of the Fall (see the "Eve's Legacy" section). Women in today's Israel are not allowed to give

evidence in Rabbinical courts². The Rabbis justify why women cannot bear witness by citing Genesis 18:9–16, where it is stated that Sara, Abraham's wife had lied.

“Where is your wife Sarah?” they asked him. “There in the tent,” he replied. One of them said, “I will surely return to you about this time next year, and Sarah will then have a son.” Sarah was listening at the entrance of the tent, just behind him. Now Abraham and Sarah were old, advanced in years, and Sarah had stopped having her womanly periods. So Sarah laughed to herself and said, “Now that I am so withered and my husband is so old, am I still to have sexual pleasure?” But the LORD said to Abraham: “Why did Sarah laugh and say, ‘Shall I really bear a child, old as I am?’ Is anything too marvelous for the LORD to do? At the appointed time, about this time next year, I will return to you, and Sarah will have a son.” Because she was afraid, Sarah dissembled, saying, “I didn’t laugh.” But he said, “Yes you did.”

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

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

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

In the Christian West, both ecclesiastical and civil law debarred women from giving testimony until late last century³.

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

The LORD said to Moses, "Speak to the Israelites and tell them: If a man's wife goes astray and becomes unfaithful to him by having intercourse with another man, though her husband has not sufficient evidence of the fact, so that her impurity remains unproved for lack of a witness who might have caught her in the act; or if a man is overcome by a feeling of jealousy that makes him suspect his wife, whether she was actually impure or not: he shall bring his wife to the priest and shall take along as an offering for her a tenth of an ephah of barley meal. However, he shall not pour oil on it nor put frankincense over it, since it is a cereal offering of jealousy, a cereal offering for an appeal in a question of guilt. "The priest shall first have the woman come forward and stand before the LORD. In an earthen vessel he shall meanwhile put some holy water, as well as some dust that he has taken from the floor of the Dwelling. Then, as the woman stands before the LORD, the priest shall uncover her head and place in her hands the cereal offering of her appeal, that is, the cereal offering of jealousy, while he himself shall hold the bitter water that brings a curse. Then he shall adjure the woman, saying to her, 'If no other man has had intercourse with you, and you have not gone astray by impurity while under the authority of your husband, be immune to the curse brought by this bitter water. But if you have gone astray while under the authority of your husband and have acted impurely by letting a man other than your husband have intercourse with you'-- so shall the priest adjure the woman with this oath of imprecation--'may the LORD make you an example of malediction and imprecation among your people by causing your thighs to waste away and your belly to swell! May this water, then, that brings a curse, enter your body to make your belly swell and your thighs waste away!' And the woman shall say, 'Amen, amen!' The priest shall put these imprecations in writing and shall then wash them off into the bitter water, which he is to have the woman drink, so that it may go into her with all its bitter curse. But first he shall take the cereal offering of jealousy from the woman's hand, and having waved this offering before the LORD, shall put it near the altar, where he shall take a handful of the cereal offering as its token offering and burn it on the altar. Only then shall he have the woman drink the water. Once she has done so, if she has been impure and unfaithful to her husband, this bitter water that brings a curse will go into her, and her belly will swell and her thighs will waste away, so that she will become an example of imprecation among her people. If, however, the woman has not defiled herself, but is still pure, she will be immune and will still be able to bear children. "This, then, is the law for jealousy: When a woman goes astray while under the authority of her husband and acts impurely, or when such a feeling of jealousy comes over a man that he becomes suspicious of his wife, he shall have her stand before the LORD, and the priest shall apply this law in full to her. The man shall be free from guilt, but the woman shall bear such guilt as she may have." (Num. 5: 11-31)

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

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

hundred shekels of silver and he could not divorce his wife as long as he lived:

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

[1.](#) Swinder, op. cit., p. 115.

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

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

Source URL:

<https://www.al-islam.org/women-islam-versus-women-judaeo-christian-tradition-myth-reality-sherif-muhammad-abdel-azeem/bearing#comment-0>