

Cite this article: Maaref, Majid. Haj Ebrahimi, Tahereh. Abdi khan, Atefeh. (2025) A Comparative Study of Chastity and Hijab in Judaism and Islam; Emphasizing on the Babylonian Talmud and Man Lā Yahḏuruhū al-Faqīh of Shi'a. Journal of Interreligious Studies on the Qur'an and the Bible. Vol-1, Issue-2, 30-57. <https://doi.org/10.22034/QB.2025.2055390.1037>

A Comparative Study of Chastity and Hijab in Judaism and Islam; Emphasizing on the Babylonian Talmud and *Man Lā Yahḏuruhū al-Faqīh* of Shi'a

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(Received: 12 March 2025 - Accepted: 19 March 2025)

Abstract

Maintaining the health and order of society, in order to move along the correct path of progress, is among the priorities of every school of thought. One of the ways to achieve this goal is to maintain individual and family health and order, strengthen family relationships, and establish social order. The two religions of Judaism and Islam recommend that their followers observe chastity and hijab in order to achieve this goal, so that moral health prevails in society. Maintaining chastity and hijab in these two divine religions is recommended for both men and women, and each has specific duties in this path; duties that, apart from preserving their own chastity, also help to preserve the chastity of their spouses and the society in which they live. By studying the details of these recommendations, many similarities can be found between these two divine religions. This research addresses the issue of chastity and hijab in the two religions of Judaism and Islam, and its emphasis is on the content of the jurisprudential books of the Talmud and *Man Lā*

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Yahḍuruhū al-Faqīh, whose contents explain revelation and are of special interest to the jurists of these two schools of thought.

Keywords: Islam, Shi'a, Talmud, *Man Lā Yahḍuruhū al-Faqīh*, Chastity, Hijab.

Introduction

One of the human attributes that has both positive and negative aspects is sexual desire. This attribute can not only lead to individual deviation and corruption, but may also lead to the collapse of the family and society. But just as anger itself, and not the lust for anger, is sometimes useful and necessary, so are sexual matters. However, in common parlance, sexual matters are usually equated with sexual lust, and as a result, expressing this word and addressing it among the general public has become a kind of immoral act, and usually negative and unethical perceptions are derived from it. While the formation of the most fundamental social institution, namely the family, and the implementation of one of the most important commandments of monotheistic religions, including Judaism and Islam, namely the survival and continuation of the human race, is based on it (Genesis, 1:27-28; Ṣadūq, 1992 AD/1413 AH: 3, H. 4344).

Both Judaism and Islam, religions for which the continuation and increase of the lineage are of high importance, take a positive view of sexual matters. To prevent it from being led astray, they introduce the concept of "Chastity and Hijab" (modesty and veiling); an issue that, when observed, not only ensures that this term is used correctly but also strengthens and makes more

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endurable the foundation of the family and family bonds. However, the question is, what is the place of hijab and chastity in the two religions of Judaism and Islam, especially in the two sources of the Talmud and *Man Lā Yahḏuruhū al-Faḳīh*, and what are their similarities or differences?

1. The Talmud and Man Lā Yahḏuruhū al-Faḳīh

Both Judaism and Islam are divided into different denominations. In both, two major schools of thought have been considered: in Judaism, the two perspectives are Pharisaic and Sadducean, and in Islam, the two viewpoints are Shia and Sunni. In the two tendencies of Pharisaic Judaism and Shia Islam, what has been the focus and importance of their scholars is the issue of sources other than the main book, namely the Torah and the Quran, for understanding and accepting jurisprudential issues. This source in Judaism is the book of Talmud, and in Shia Islam, it is the books of Hadith, of which *Man Lā Yahḏuruhū al-Faḳīh* is one.

2. The Talmud

According to Jews, in addition to what God revealed in written form to His prophet, there was another revelation that was transmitted orally to Moses, and he transmitted these matters orally to the elders of the Jews, and the elders passed it on from generation to generation until it was later written down. This revelation has been recorded under the name "Oral Law," and it is given the same importance as the "Written Law" or the Torah, to the extent that denying it for a Jew risks being accused of apostasy (Unterman, 2006 AD/1385 SH: 186). These two laws together are considered the religious source of Judaism, which throughout history, have been used to

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address contemporary issues and engage in Ijtihad (independent reasoning) (cf. Cohen, 2003 AD/1382 SH: 10-13).

The written form of the Oral Law became known as the "Talmud," and it often refers to the collection of manners and discussions of the commentators of the Oral Law.

This term signifies education and learning and is related to the word "*Tilīdh*" and its derivatives in Arabic. It has various meanings in sources, including:

- 1) Referring to the teachings and thoughts of masters who have received them from their predecessors to expand upon them;
- 2) All of a person's learning;
- 3) Teachings derived from the Holy Book;
- 4) Analytical aspects of the commandments of the Torah (Berkovitz, 2007: 19, 469-470).

The Talmud is not a uniform work by a single author, but rather the dialogues and opinions of Torah scholars that took shape over a long period and were then compiled by various individuals. The diverse opinions expressed therein do not contradict each other, but rather are a sign of the "Manifestation of creativity and the expression of the words of the eternal God." (cf. Steinsaltz, 2004 AD/1383 SH: 21-30)

3. Man Lā Yaḥḍuruhū al-Faqīh

Islam also has the Quran and the Prophet's Sunnah side by side. Without attention to the Sunnah of the Messenger of God, the translation of revelation is not possible. In the meantime, books of Hadith that narrate traditions from the Imams, along with the interpretation of verses, have been

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the focus of Shia scholars. In Shia thought, the hadiths narrated from the Imams are in complete agreement with the Sunnah of the Messenger of God, because the Shia believes that the Imam's knowledge originates from the same source as the knowledge of the Messenger of God (cf. Ma'aref, 1997 AD/1376 SH: 235-263). Shia scholars, over the years, have used these sources to practice Ijtihad on religious issues, according to the needs of the time. *Man Lā Yahdūruhū al-Faqīh* is also considered one of the most reliable Shia sources and is of great importance for referring to its contents. This work belongs to *Abū Ja'far Muḥammad ibn Alī ibn Ḥusayn ibn Mūsā ibn Bābawayh Qummī*, known as *Shaykh Ṣadūq* and *Ibn Bābawayh* (d. 306 AH).

Shaykh Ṣadūq wrote *Man Lā Yahdūruhū al-Faqīh* as a self-teaching book of jurisprudence using narrations from the Shia Imams, especially Imam *Bāqir* and Imam *Sādiq* (AS). To facilitate use, he removed the chains of narrators (*Isnād*) from the text of the book, but after its compilation, he tried to document them as much as possible by including the *Isnād* at the end of the book (For details, cf. Ma'aref, 1997 AD/1376 SH: 510).

4. Examining the Concepts of Chastity and Modesty in Judaism and Islam

"When things have no boundaries, there is no room for growth and flourishing. It is through boundaries that goodness becomes apparent." (Schlait, 2014: 22, quoting Rabbi Hirsch) In both Judaism and Islam, with regard to a perspective similar to this issue, the topic of chastity and modesty holds a distinguished position, and instructions have been given in this area to prevent human life from being led astray and corrupted. The

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instructions of both religions in this area can be discussed and examined under the two headings of "Chastity" and "Modesty" and in the dimensions of behavior, speech, gaze, thought, and dress. In fact, since the issue of chastity is considered from various aspects, both religions in their instructions refer to the manifestation of chastity in various dimensions.

5. Examining Chastity and Modesty in Judaism

In Hebrew literature, the word "Tz'ni'ut" (צניעות), meaning "Privacy," "Chastity and Purity," "Decency," and "Restraint," is a word used to refer to the dress and social behavior of Jews, especially in relation to sexual matters (Madesty, 2006: 337). In the Bible, this word appears alongside words that refer to inner, not outward, behavior of individuals: "...And to walk humbly with your God." (Micah 6:8) Therefore, perhaps it can be said that this state should be an internal state. In the depth of the meaning of this word, it must be said that Tz'ni'ut means deepening; a process during which a person draws a covering over himself so that others, instead of paying attention to his appearance, pay attention to his inner self and existential value (Sefran, 2009: 25). Someone who wants to behave chastely should avoid wearing clothes or engaging in behaviors that attract the attention of others to his appearance. One of the greatest divine gifts to Adam and Eve was also this. It was complete attention to themselves that they lost by committing the error, and they became aware of their appearance. In this way, they inevitably descended from paradise to earth. God wants humans to fully benefit from their existence. However, someone who pays attention to appearance is left behind from the inner self (cf. *ibid*: 32).

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This word is used specifically to cover the face (Talmud, Megillah, 10) and for a woman to stay in a tent in front of strangers (ibid: Bava Metzia, 87); that is, in addition to the inner meaning, it also considers the outer meaning (ibid. Sukkah, 49).

6. Individuals' Obligations Regarding This Religious Concept in Judaism

Observing modesty and hijab (veiling) applies to both men and women; none of these principles are exempt; although, regarding the inherent attractiveness of women, more emphasis and restrictions have been placed on them. Among these emphases, one can mention the necessity of covering the head for men when entering the synagogue. For women, this covering includes the entire body (Azarahyan, 1979 AD/1358 SH: 23). Also, one should refrain from reciting the Shema in the presence of bareheaded women, or women who are inappropriately dressed and not virgins (ibid: 27).

In this way, as it appears from Jewish sources, this covering is more relevant for women and not girls. Girls are required to cover their hands up to below the elbow and their legs up to about 10 centimeters below the knee, while married women must also cover their hair in front of non-relatives and their hands at least up to below the elbow and their legs up to the ankle (iranjewish.com).

7. Obligations of Jewish Men

Men's obligations in relation to maintaining modesty and hijab include various items including:

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- 1) Guarding the gaze and avoiding leering: Talmud, (Berakhot, 62) Whoever avoids looking at women is pious. Otherwise, he is considered evil and a criminal (ibid. Bava Batra, 57). Men who linger with the intention of looking at a woman standing before them will not escape the punishment of hell (ibid. Eruvin, 18). An individual is also responsible for themselves to avoid improper glances and should not place themselves in a situation where improper glances are likely (ibid: Bava Metzia, 84).
- 2) Abstaining from Conversing with Women: "Excessive conversation with women is said to result in the dominance of evil over a man. This statement applies even to one's own wife, let alone conversing with another man's wife." (Mishnah, Avot, Section 1, Mishnah 5)
- 3) Abstaining from Seclusion with Women: "In Judaism, this law is known as "Yichud." According to it, no man should be alone with a woman (Talmud, Kiddushin, 80). If his job involves them, he must avoid being alone with them." (ibid: 82)
- 4) Abstaining from Walking with Women: "It is stated that a man is better off walking behind a lion than behind a woman. A man who walks behind a woman, even if she is his wife, will not benefit from the resurrection because, naturally, her clothing may move aside as she passes and impure thoughts may enter the man's mind." (ibid: Eruvin, 18; Berakhot, 61).
- 5) Abstaining from Adultery: The seventh commandment of the Ten Commandments of Moses is: "You shall not commit adultery!" (Exodus, 20:14) Adultery is a very serious sin, punishable by stoning and execution (Talmud, Sotah, 8; Kiddushin, 9). During the stoning,

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everyone must come to watch as a lesson for all (ibid: Sotah, 8). One who commits incest with close relatives will be afflicted with leprosy (ibid: Arachin, 16) and one who commits adultery with married women will enter hell, and there is no way out for him (ibid: Bava Metzia, 58).

Furthermore, in Judaism, although preserving life is obligatory, this is not the case with adultery. A person must avoid dishonoring a girl even at the cost of being killed (ibid: Yevamot, 82). Specifically, avoiding adultery with close relatives, which results in the Jews being exiled and others settling in their place (ibid: Shabbat, 33).

8. Duties of Jewish Women

Observing hijab (veiling) for women was self-evident from the perspective of the Torah and has been alluded to in various forms. The value of hijab in the Torah is such that, in one instance, to punish errant women, a temporary unveiling is ordered (Numbers, 5:18-19). Hijab and chastity for women, unlike for men, emphasize not guarding the gaze, but avoiding self-adornment and ostentation, and include the following:

- 1) Maintaining Modesty: "The importance of hijab and modesty for Jewish women is such that if someone removes the hijab from a Jewish woman's head, they must pay a fine." (Talmud, Bava Kamma, 90) In Judaism, the entire body of a woman is considered 'Awrah (nakedness) (ibid: Sotah, 8), and it is not appropriate for the daughters of Israel to expose themselves in public (ibid: Bava Batra, 57). According to Jewish law, the daughters of Israel should not leave the house without a head covering (ibid: Ketubot, 72), and if a

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man sees his wife going out of the house without covering her hair, or bathing with men, divorcing such a woman is considered his religious duty (ibid: Gittin, 90-90); even without paying the *Ketubah* (marriage contract) (ibid: Ketubot, 72), which is her undeniable right (ibid: Nedarim, 65; Kiddushin, 47; Arakhin, 23).

- 2) Avoiding Immodest Display: "According to verses from the Book of Isaiah (3:16-26), which are referenced in the Talmud, what led to the destruction of the First Temple was the corruption of the daughters of Zion (Talmud, Yoma, 9). The sound of women's heels has also been likened to the venom of a snake, which provokes men." (ibid: Shabbat, 62)
- 3) Avoiding Seclusion with Men: "Women are advised never to be alone with a man, even in a place where immoral people are; they should not be alone even with ten men." (ibid: Avodah Zarah, 25)
- 4) Avoiding Adultery: "Daughters should not submit to indecency, even to save others." (Mishnah, Terumot, Section 8, Mishnah 12)

9. Jewish Marriage and Husbandry

The Talmud states that a man without a wife is cursed by God (Talmud, Pesachim, 113). Marriage should be timely, and fathers are advised to marry off their sons while they have authority over them (ibid: Kiddushin, 30). Fathers are even told that if their daughter reaches puberty, they should free their slave and marry her off to him (ibid: Pesachim, 113). Regarding sons, it says: God waits until he is twenty years old to marry. If he passes twenty and does not marry, God curses his bones (ibid: Kiddushin, 29). From the Talmud's perspective, timely marriage is a thorn in the devil's eye and a

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reason for a person's superiority over others. The high importance of marriage becomes clearer when someone in need of a spouse finds that marriage takes precedence over learning the Torah, which is highly emphasized (ibid.).

In the Talmud, the word "Home" is used instead of the word "Wife" in one instance (ibid: Yema, 2), which in itself indicates a kind of sanctity afforded to this family member; a sanctity that can be preserved through her obligation to obey and be loyal to her husband (cf. Talmud, Seta). This obedience and loyalty on her part require the husband to maintain her tenderness and respect. A man must be mindful of his wife's feelings because a woman is vulnerable (ibid: Bava Metzia, 59). Also, he must always respect her because it is only for her sake that mercy descends upon his house (ibid: Footnote 27). In fact, the well-being and comfort of the home are all dependent on the woman of that home (ibid: Bava Metzia, 59).

10. An Examination of Chastity and Hijab in Islam

In Arabic literature, the word "Chastity" (*Ifāf*), from the root "ʿAff," means "Abstaining from ugliness" or "Abstaining from what is not appropriate." In terminology, this word is used to express "abstaining from the forbidden and all that is not permissible" and "preserving the self from desires and lusts." (cf. Muṣṭafawī, 2006 AD/1385 SH: 8, 218-220) and is a state in which the self-overcome its lusts (Rāghib Iṣfahānī, 1991 AD/1412 AH: 2, 440).

In the Quran, when individuals without spouses are addressed in a verse, they are instructed to "maintain chastity" until marriage becomes possible for them (al-Nūr/33).

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The word "Hijab" also originates from the root "*H J B*," meaning prevention of access and obstruction of reach. It signifies something that comes between the eye and other things, creating an impediment to seeing (Rāghib Iṣfahānī, 1991 AD/1412 AH: 1, 141). This concept is also found in the Quran in verse 53 of Surah *al-Aḥzāb*, where believers were commanded that if they were to ask the Prophet's wives for something, they should ask from behind a hijab. Thus, in Islam, the two words "Chastity" and "Hijab" are presented together to preserve both outward and inward purity.

11. Individuals' Duties Regarding This Religious Concept

In the Quran and Hadith, words with the root "*Ḥ Ṣ N*" are used; including "*Muḥṣan*" and "*Ḥiṣn*." *Iḥṣān* means to protect oneself from unchastity, and *Muḥṣan* refers to someone who protects themselves from committing acts contrary to chastity through marriage. It is well-known among later scholars that there is no difference between a slave woman and a free woman in terms of *Iḥṣān*.

According to a hadith, whoever enters the divine fortress (entry is voluntary) is safe from punishment. However, some reside within this fortress: According to the verses of the Quran, all women reside in this fortress, whether Muslim or non-Muslim (al-Mā'idah/5), married (al-Nisā'/24) or unmarried, free or slave, healthy or unhealthy (al-Nisā'/25). All are *Muḥṣanāt*. *Muḥṣanāt* is the plural of *Muḥṣan*. *Muḥṣanā* is the passive participle of *Ḥiṣn*, meaning fortress dweller. The passive participle has two properties: It is involuntary and it is constant and permanent.

Therefore, a woman is created within the divine fortress, and the intervention of Sharia, reason, father, or husband cannot bring her into or

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out of this fortress. God has created all women within His fortress. The reason for claiming that this fortress is a divine fortress is that, according to verses 2 and 4 of Surah *al-Nūr*, any woman who allows a violation of this sanctuary, any man who violates this sanctuary (*al-Nūr*/2), and anyone who accuses this sanctuary (*al-Nūr*/4) will have the divine punishment applied to them. It is not a matter of discretionary punishment (*Ta'zīr*); it is a matter of divine punishment (*Hadd*).

The *Ta'zīr* punishment can be reduced or increased by the religious judge. He can forgive or not forgive. If someone is killed, the victim's family can pardon the perpetrator. If someone harms another's body, the injured party can forgive. However, if a woman's sanctity is violated, no one has the permission or right to forgive, not even the religious judge. The divine *Hadd* must be implemented because the divine *Ḥiṣn* has been transgressed, and God's right is at stake (cf. Ghofrani, 2015 AD/1395 SH: 82-84).

A man who wants to marry must also be *Muḥṣan* (protected) (*al-Nisā'*/24); meaning a guardian. *Muḥṣan* is an active participle, meaning it is volitional; one must want to be *Muḥṣan*, and it is not fixed; meaning one must guard it, because it can be lost at any moment. From the Quran's perspective, a man who wants to marry must be a guardian of boundaries. Secret and public relationships are forbidden because this boundary has sanctity (*ibid.*).

Given these definitions, everyone is obligated to observe principles and rules in their place to preserve the divine boundaries, so that the resulting generation will be pure and wholesome. These principles and rules are as follows:

A) Duties of Muslim Men

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- 1) Guarding the gaze and avoiding leering: "Guarding the gaze has a special effect on preserving chastity. For this reason, in Surah *al-Nūr*, special emphasis is placed on guarding the gaze before chastity and purity." (al-Nūr/30 and 31). Various traditions also refer to this important matter (Şadūq, 1992 AD/1413 AH: 1, H. 234, 236, 239, 252 and 4, H. 5192, 4968). Whoever lowers his eyes from God's forbidden things will not weep on the Day of Judgment, when all eyes are weeping (ibid: 1, H. 942). Of course, the first glance at a *non-Maḥram* (marriageable person), even if unintentional, is not a problem, but subsequent glances are harmful to the individual (ibid: 4, H. 4971), sufficient to deceive him (ibid: H. 4970), and will cause harm and destruction to man (ibid: 3, H. 4658); because looking at a *non-Maḥram* is a temptation of Satan (ibid: 4, H. 4975), and leering is one of his arrows (ibid: H. 4969).

In narrations, both solutions and rewards are presented for implementing this command, so that everyone can perform it in their own way. Accordingly, it is recommended that men, upon seeing a woman, either close their eyes or look up at the sky (ibid: 3, H. 4656). Also, someone who has glanced at a woman and then turned away has been promised the sweetness of faith in their heart (ibid: H. 4457).

Men are warned against looking at non-mahram women, with the caution that if they look at another woman, there is no guarantee that their own wives will not be looked at (ibid: 4, H. 4972, 4973, and 4985). Similarly, chastity and purity of gaze towards other people's

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wives will cause others to be chaste towards one's own wives and female relatives (ibid: H. 4985).

- 2) Avoiding conversation with women: "One should avoid speaking more than 5 words to a non-spouse or female relatives unless absolutely necessary." (ibid: H. 4968). Even in greeting young women, caution should be exercised. Imam Ali (AS) used to do so and said: "I fear that the tone of their voice will please me, and I will fall into sin more than I hope for reward." (ibid: 3, H. 4634)
- 3) Avoiding seclusion with women: "Two *non-Mahrams* should not be in a secluded place. If this happens, they should leave. Otherwise, the third one will be Satan." (Ṣadūq, 1992 AD/1413 AH: 3, H. 3913)
- 4) Avoiding walking with women: "One should avoid walking between two women, because it causes forgetfulness." (ibid: 4, H. 5762)
- 5) Avoiding fornication: "Among the conditions for the justice of a witness is chastity and self-restraint in matters of lust and avoidance of acts contrary to chastity." (ibid: 3, H. 3280)

Whoever guards his lust, guards his honor (ibid: 4, H. 5834). The Prophet was concerned about the lust of the genitals (ibid: H. 5881), from which one must seek refuge in God (ibid: 3, H. 3679); because whoever is infatuated with forbidden love and the lust of fornication becomes one of Satan (ibid: 4, H. 5909).

Whoever becomes a captive of lust falls into sin, and while committing the sin, the spirit of faith departs from their heart, and they are no longer considered a believer (ibid: H. 4987). The punishment for *Zinā* (unlawful sexual intercourse) is also more severe than other punishments (ibid: H. 5012). Depending on age,

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marital status, and whether one is single or married, the punishment for *Zinā*, according to the verses of the Quran, is 100 lashes. It is incumbent upon the Imam to exile the one upon whom the punishment for *Zinā* has been carried out from the city, but he should not send them to a specific city (Ṣadūq, 1992 AD/1413 AH: 4, H. 4996 and 4997). The punishment of stoning to death is only carried out in the case of penetration (ibid: 3, H. 4852 and 4853). The punishment for a fornicator is death in two cases:

Rape of a woman (ibid: 4, H. 5374) and *Zinā* with close relatives (*Maḥrams*) (ibid: H. 5043).

- 6) Observance in Behavior: "Chaste and modest behavior should be instilled in a person from childhood. One of these recommendations is separating the beds of children above the age of six (ibid: 3, H. 4508), and in another narration, above the age of ten." (ibid: 3, H. 4509) When a child grows up with these behavioral patterns from a young age, it will be easier for them to act upon them in adulthood. Observing the boundaries between *Maḥram* (marriageable kin) and *non-Maḥram* (non-marriageable kin) should also be shaped in behavior. One of these behaviors is avoiding embracing a *non-Maḥram*, as doing so incurs the wrath of God and ultimately leads to the punishment of Hell (ibid: 4, H. 4968). Also, shaking hands with a *non-Maḥram* woman, except from behind a cloth (ibid: 3, H. 4635), and even then without squeezing it, is forbidden (Ṣadūq, 1992 AD/1413 AH: 5, explanation of Hadith 4635). This act will haunt the person on the Day of Judgment (Ṣadūq, 1992 AD/1413 AH: 4, H.

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4968). One should also refrain from kissing a girl above the age of 6 (ibid: 3, H. 4510).

- 7) Preserving Modesty in Dress: "Covering the 'Awrah (private parts) from *non-Maḥrams* is obligatory." (ibid: 1, H. 234) Even for the deceased, this sanctity must be preserved, so that if someone passes away, during the ritual washing of the body (*Ghusl*), no one's gaze should fall upon their 'Awrah, not even their spouse's (ibid: H. 474). If there is no Mahram available to perform the *Ghusl*, *Ghusl* is not necessary, and the body should be buried without *Ghusl* (ibid: H. 426-429 and 431).

In Surah *al-Nūr*, where there is talk of guarding the private parts (*Faraj*), the intention is precisely guarding the 'Awrah (private parts) (ibid: 1, H. 235).

B) Obligations of Muslim Women

The recommendations that appear in the section on men, under the topics of looking, covering, and also abstaining from adultery in general, also apply to women, and their repetition in this section has been avoided. However, the points that have been recommended to women are as follows:

- 1) Maintaining Covering: "In guarding the gaze, the emphasis was for men, but in observing covering, the emphasis is on its observance by women. As verse 31 of Surah *al-Nūr* specifically lists, one by one, what should be covered by women, as well as her *Maḥrams* (unmarriageable kin)." Some of these *Maḥrams* and *non-Maḥrams* have also been mentioned in narrations (ibid: 3, H. 4507). An important point is that a Muslim woman must

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also observe covering in the presence of Jewish and Christian women, because they do not believe in Islamic hijab and may describe the Muslim woman to their husbands (ibid: H. 4928). It is also recommended to wear trousers to better maintain covering (ibid: H. 4618). This maintaining of covering is also required in prayer (Şadūq, 1992 AD/1413 AH: 1, H. 131, 1083; and 4, H. 5762).

In addition to recommending covering for women, being in seclusion is better for her. Even with all the rewards that have been enumerated for Friday prayers and congregational prayers, attending these gatherings is neither obligatory nor a strongly recommended Sunnah for women (ibid. H. 908); rather, the best mosque for them is their homes. Praying in an open place is also disliked for them (ibid. H. 1088).

- 2) Avoiding Display (*Tabarruj*): "In verse 33 of Surah *al-Aḥzāb*, God told the "Wives of the Prophet" that you are related to the Prophet, and your good and bad deeds are counted twice." In the continuation of the verse, the "Wives of the Prophet" are also commanded to avoid display (*Tabarruj*). The word "Wives of the Prophet" and its meaning are subject to discussion. On the one hand, according to interpretations, even though this verse is addressed to the wives of the Prophet, who were older, other women who are younger than the wives of the Prophet are also obliged to observe these rules. Although the emphasis is greater for the wives of the Prophet (cf. Ṭabāṭabā'ī, 2001 AD/1380 SH: 16, 462-463; Qara'ati, 2004 AD/1383 SH: 9, 360-363). In fact,

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the Quranic instructions begin within the Prophet's household and then spread to society. The Prophet of God is obliged to present a practical model for Islamic society, demonstrating God's commands to the people (cf. Haji Abdul Baqi, 2007 AD/1386 SH: 88-89), especially since, prior to these verses, the Prophet and his wives were introduced as the best role models (al-Nūr/21).

Someone who accuses a woman of adultery is both physically punished, loses their social standing, and is considered a transgressor. However, according to verse 23, if they accuse believing women, they will also be cursed in this world and the hereafter, and will suffer a great punishment (cf. al-Nūr/4 and 23).

"*Tabarruj*," derived from the root letters "B R J," figuratively means "Attracting the attention of others to oneself." Nevertheless, Muslim women should avoid being present in society in a way that draws attention and gazes towards them. This avoidance includes adorning oneself for someone other than one's husband (Ṣadūq, 1992 AD/1413 AH: 3, H. 4374 and 4968) and making noise while walking (ibid: 1, H. 777). It is also recommended not to use perfume in the presence of non-related men (ibid: 3, H. 4522). This avoidance is so important that if a woman perfumes herself for someone other than her husband, she must wash herself like a ritual ablution (ghusl) and remove the scent from herself. Otherwise, her prayer is not accepted (ibid: H. 4521).

12. Islamic Marriage and Marital Life

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Marriage is the tradition of the prophets (ibid: 1, H. 111; 3, H. 4341), and no structure in Islam is more beloved to God than the structure of marriage (ibid: H. 4343).

Instructions regarding marriage are observed throughout hadiths and narrations. Both worldly and otherworldly benefits are enumerated for it, and it is said that a person becomes complete through marriage. In a hadith, this completion is interpreted as reaching the Divine encounter (*Liqā' Allāh*), which is the ultimate goal of creation (ibid: H. 4354). Through marriage, a person safeguards half of their faith (ibid: H. 4342). Their sustenance also increases (ibid: H. 4345). On the Day of Judgment, those who pursue marriage, establish a family, and raise offspring will be a source of pride for the Prophet (ibid: H. 4344) and will be crowned with the crown of kingship and honor (ibid: H. 4355).

Thus, Islam considers marriage as one of the ways to preserve chastity. In the Quranic view, chastity and hijab are the policy and strategy of women to protect their purity and well-being. Accordingly, in numerous verses that command the preservation of chastity and hijab, God equates it with obedience to the Messenger (al-Aḥzāb/33) and a path towards salvation (al-Nūr/31), which causes the removal of the gaze of the greedy (al-Aḥzāb/32) and protection from harm (ibid: 59).

In addition to women guarding their chastity, men are also tasked with helping to preserve the virtue and chastity of women.

One of these recommendations, which is strongly emphasized for men, is jealousy (*Ghīrah*) (Ṣadūq, 1992 AD/1413 AH: 2, H. 1393). It

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is a masculine attribute that is praiseworthy for men and blameworthy for women (ibid: 3, H. 4543). Jealousy is among the divine attributes, and because of it, God has forbidden ugly deeds and corruptions (ibid: 4, H. 4968). Jealousy is also one of the attributes of the Prophet (ibid: 3, H. 4901) and is considered one of the conditions of faith (ibid: H. 4541). A man who is not jealous regarding his honor and does not exhibit possessiveness, God will rub his nose in the dust of humiliation (ibid: 5, H. 4540). Such a person is deprived of God's grace (ibid: 5, H. 4983) and will not smell the fragrance of Paradise (ibid: H. 4542).

Among these displays of jealousy is a man's attention to preserving the sanctity and hijab of his wife (ibid: 1, H. 240).

Accordingly, Islam offers specific recommendations to men in this regard, including giving gifts to their wives (ibid: 4, H. 5831) and using henna, which brings them peace (ibid: 1, H. 272, 281). These two actions increase her chastity and righteousness (ibid: H. 276). Preserving the delicacy of women by not entrusting them with the affairs of life (ibid: 3, H. 4911) and keeping them at home (ibid: H. 4372), while simultaneously preserving their dignity and respect (ibid: H. 3732), even during divorce (ibid: H. 4399), is also strongly recommended to men. Furthermore, attending to the wife's needs in bed is among the recommendations that carry a degree of reproach if not followed. Therefore, contrary to what is prevalent in society, men are responsible for the feelings and chastity of their wives, which is highly emphasized, and they will be held accountable for it,

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not women for the non-deviation of their husbands and the men of society.

13. Examination, Comparison, and Contrast

In both Judaism and Islam, the community takes precedence, and absence from and lack of participation in society are strongly condemned (Şadūq, 1992 AD/1413 AH: 3, H.2434, 2443; 6, H. 5834: 331, Talmud Berakhot, 49b). However, to participate in this community and establish healthy relationships between women and men, certain manners and conditions must be observed. In other words, observing outward etiquette alongside attention to inner matters. Thus, these two law-based religions have established the law of "Chastity and Hijab" in the relationship between members of society to maintain social order. Of course, the term used in Judaism and Hebrew literature to refer to this matter encompasses both the outward and the inward. However, in Islamic sources, we are faced with two independent terms, although both terms share a common meaning with a common goal.

A) Similarities

Regarding the instructions presented on the subject under discussion, we observe similarities between these instructions in the two studied jurisprudential sources. Both sources, from a behavioral standpoint, call upon those committed to their laws to observe etiquettes, including guarding one's gaze and avoiding leering. Whoever acts contrary to this will face divine punishment. However, guarding the gaze is emphasized more for men in terms of chastity than it is for women. Conversely, what is emphasized more for women is

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maintaining proper covering (Hijab). Both religions consider the entire body of a woman to be 'Awrah (that which must be covered) and deem it obligatory to cover it.

In addition to guarding the gaze and maintaining proper covering, etiquette must also be observed in companionship and conversation. Thus, one must avoid being alone with a *non-Maḥram* (marriageable kin), which is a very reprehensible act.

These discussions were primarily from the perspective of outward etiquette. However, both jurisprudential sources, alongside practical instructions and observing etiquette in behavior, have also paid attention to feelings and emotions and valuing them in order to protect the individual and society from deviation and moral corruption. Thus, the instructions are not limited to self-restraint, avoidance, and overlooking, but also recommend proper sexual relations, the basis of which is timely marriage and attention to marital issues.

Marriage in both Judaism and Islam has been greatly emphasized and considered the best way to preserve chastity and the moral well-being of the individual. However, it is not merely the act of marriage itself, but also attention to the feelings of both parties in this relationship that is emphasized. Therefore, just as men are strongly advised to guard their gaze outside the home, women are also advised to adorn themselves for their husbands at home, and performing this act for someone other than one's husband and outside the home is greatly condemned. On the other hand, the primary responsibility for preserving the chastity of women is placed

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on their husbands, and both sources emphasize expressing love and kindness to women.

In contrast to these emphases on the formation, strengthening, and preservation of the family's stability, adultery and indecent acts are so rejected and abhorred in both religions that their commission leads to the implementation of prescribed punishments (*Hudūd*).

B) Differences

However, alongside the similarities, we also witness differences in this arena. Perhaps one of the most important of these is the Talmud's seriousness and forceful approach, alongside the expression of punishments for non-compliance with principles, which is more pronounced. In contrast, *Man Lā Yaḥḍuruhū al-Faqīh* expresses gentleness and affection, alongside cautionary warnings against immoral behavior. In other words, the Jewish law's approach to non-compliance with laws is concrete, whereas this expression in this Shi'a source is a warning.

Furthermore, in the Talmud, the protection of societal chastity is placed more on the shoulders of women. Therefore, women are repeatedly advised to avoid provocative behaviors, while in *Man Lā Yaḥḍuruhū al-Faqīh*, there is no mention of men being aroused by women. Conversely, the responsibility of preserving women's chastity is emphatically placed on the shoulders of their husbands. Moreover, in the Talmud, there is no specific reference to men's clothing and the necessity of observing this. Whereas in Islam, although more briefly than for women, a limit of covering is also stipulated for men.

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On the other hand, emphasis on love, intimacy, and inner beauty within the family, and adherence to chastity and hijab when present in society, is seen in both religions. However, from this aspect, Islamic instructions are stronger, and the strengthening of chastity and the inner aspect of the health of the individual and society within the family is given more serious attention. Also, the gentle aspect of interactions in the Islamic source, in contrast to the forceful aspect in Judaism, is present in the relationship between God and believers, as well as within the religious family.

Analysis and Conclusion

1. Given that in both Judaism and Islam, in addition to the Torah and the Quran, other jurisprudential sources exist for presenting rulings, this research has attempted, with a special focus on the contents of the two jurisprudential sources, the Talmud and *Man Lā Yaḥḍuruhū al-Faqīh*, to offer an independent jurisprudential perspective on the issue of chastity and hijab.
2. Both sources prohibit certain matters under the title of "Chastity" in relation to *non-Maḥrams* (those whom marriage is permissible with). Some of these matters are also recommended in the relationship between spouses and *Maḥrams* (those whom marriage is not permissible with), and observing them is considered to warm the family environment and, consequently, prepare this environment for becoming divine.
3. Alongside the inner dimension and attention to chastity, by strengthening the family foundation and paying attention to the

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needs of both parties within the family, both sources have also paid attention to outward etiquette. From a covering and behavioral aspect in social interactions, both segments of society, namely women and men, are considered responsible for managing relationships to maintain a healthy society, and neither is excluded from the responsibility of protecting social order and the health of society.

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