

Narrative of Judeo Influences in The Quranic Jurisprudence According to Jewish Orientalist: A Study on *The Koran* by N.J. Dawood

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Abstract

This paper examines the narrative roots of the Jewish-Orientalist perspective on the study of the Quran from the perspective of jurisprudence. Using a qualitative method, this paper draws on the works of a modern Jewish Orientalist named Nessim Joseph Dawood. Through his translation work titled *The Koran*, this paper uses content analysis and critical discourse analysis by presenting all Quranic verses of jurisprudence that have been speculated as biblical receptions in the Quran. The data is thoroughly analysed in all aspects to counter the view of N.J. Dawood by comparing the alleged Quranic texts and those of the biblical sources. The analysis involves a study on Judeo jurisprudence with Islamic jurisprudence. The results show that the Orientalist tradition of casting doubt on the Quran is rooted in ethnocentrism and the desire for Western intellectual hegemony. This article shows how exaggerated ethnocentrism has historically rooted the views of Jewish Orientalists, like those of other Jewish Orientalists such as Abraham Geiger, Gustav Weil, Ignaz Goldziher, and Eugen Mittwoch. Significantly, N.J. Dawood, as his predecessor, took up the propagation of tendentious and discriminatory claims about the Eastern world and Islam.

Keywords: Jewish, al-Quran, Orientalism, Duplication, Jurisprudence

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Introduction

The idea that the Quran were influenced by Judaism is the subject of numerous writings among Jewish orientalism. The narrative has consistently attempted to refute the divinity of the Quran in the light of its roles as guidance for mankind. (Heschel, Abraham Geiger and the Jewish Jesus 1998) emphasises that Abraham Geiger (1810-1874), also a Jewish orientalist, was known to argue extensively about Jewish influence in the Quran. Abraham Geiger was pioneering comprehensive European research on the biographical story of Prophet Muhammad (Segovia 2015).

Geiger developed a new dimension of Jewish orientalism of the Quran in the 19th century and presented him as a central figure in the Quranic philological discourse of his time. He dedicated on Quranic language and textual parallels, philological study, which are crucial

for understanding the relationship between the Quran and the religious traditions of Judaism (Heschel 2018).

Geiger's idea claimed that the Quran was derivative from Judaism rather than being a divined religious scripture. According to Fromm (2006) during Geiger's early period, he produced a thesis on Islam and Prophet Muhammad titled " *Was Hat Mohammed aus dem Judenthume aufgenommen* " (What has Muhammad taken from Judaism?) and his study was awarded a prize in 1832. Geiger (1911) asserted in his writing titled *Judaism and its History*, which he characterised Islam exclusively based on the sources of the Torah and finds nothing new in the teachings of Islam.

Geiger's study of the relationship between the Quran and Jewish traditions set a precedent for later scholars by demonstrating the complex connections between Islamic and Jewish texts. His work pointed to a complex web of influences that have shaped Islamic thought and scripture and provided a critical perspective that has influenced subsequent scholarship in the field (Heschel 2012). Geiger claimed that the Quranic text relation with earlier Judaism traditions goes beyond mere linguistic borrowings to encompass broader cultural and religious practices (Goudarzi 2023).

Another example goes to Gustav Weil (1808-1889). According to Abdelwahhab *et al.* (2013) Weil once held the position of Rabbi of the Jews in Germany and was a strong adherent to his religion. Gustav Weil was also regarded as one of the great pioneers in the study of the Quran. In fact, according to Bennett (1998), Gustav Weil claimed that he successfully proved the existence of Jewish teachings and their influences in the Quran that led him to believe that Quranic reception of biblical narratives is obvious in certain part of them.

According to Heschel (2018), Gustav Weil argued that the Quran embeds a significant account of Jewish thought, traditions, and narratives, which were prevalent in the Arabian Peninsula during the time of Prophet Muhammad highlighting the coexistence of Jewish tribes of Arabia and their influence over the socio-religious landscape of the time. Gustav Weil noted that many stories and figures found in the Quran, such as those of Adam, Moses, and other biblical prophets, have parallels in Jewish canonical texts. Therefore, he suggested that the Quran incorporates elements made up of Jewish theology, law, and ethics, which were orally transmitted through interactions between Medinan Jewish and early Muslims and from that engagement, Jewish teachings and influences played a vital role in shaping the Quran.

Perhaps the later example on Jewish Orientalism that shaped the Quranic teaching within the Rabbinical Judaism framework might be seen from Eugen Mittwoch (1876-1942). He claimed that Judaism influences appear in Islamic liturgy and its cult through old Judaism cult and liturgy that was believed to be observed by Jews of Arabia who lived in Old Hejaz (Friedlaender 1914). Eugen Mittwoch highlighted how certain elements of Jewish tradition and liturgical practices influenced Islamic rituals and beliefs, especially in the early development of Islam in various aspects. Among them is the theological identity regarding the monotheism, prophethood, and law in Islam have roots in Jewish thought which highlights interconnected between the two faiths. Apart from that, its liturgy and prayer as he believed Islamic practices of prayer resemble to those of Jewish liturgical traditions such as the structure of daily prayers. The Quranic narratives that carry extensive Judeo figures from are also present in the Quran. Eugen Mittwoch also noted that Islamic practices such as fasting and dietary laws, show similarity between Judaism and Islam, suggesting a historical exchange of ideas and practices.

The claim that Islam of being subject to Jewish influence reaches to the extent of terminology of jurisprudence whereby some Islamic jurisprudence is said to be rooted in Judaism. There exists a notable congruence in the legal terminology of the two religious traditions. For instance, the terminology of *fatwā* is parallel to the Rabbinical *teshuvot*, which serves as a *responsa prudentium*, religious response to legal inquiry conducted by judicial authority or scholar. Another example is the terminology of *sharī'ah* is associated to the Jewish *halakha*. Lewis (1984) pointed out that a Jewish influence may have contributed to the formation of early terminological Islamic law, given that *halakha* predates the age of Islam by several centuries.

Given that almost all aspect of Islamic jurisprudence has been presumably associated from Jewish tradition that the question may have been risen here, is it true the Quran is a mere receptive scripture rather than divined guidance sent down by Allah for all humankind? Thus, this paper aims to narrow down the scope into aspect of the Quranic jurisprudence that has been associated with biblical narratives. Since this paper investigates nuance and narrative Jewish Orientalism, the study intends to dig deeper into a modern Jewish orientalist named N.J. Dawood through his Quranic translation work titled *The Koran*.

The effort behind *The Koran* was praised by many in Western figures, including the Israeli ambassador to Great Britain, Moshe Raviv (1993-1998). He described that *The Koran* as a reliable source for the Western reference to the Quran. Philips Howard, an editor of The Times magazine, stated that *The Koran* can reveal the vitality and steadfastness of the Quran alongside the literary values of the book. Howard added that most English translation work before N.J. Dawood was carved with rigid, archaic language and difficult to understand. In contrast, N.J. Dawood's language and approach have a unique insight to offer.

The Koran was first published in 1956. It was then reprinted several times, until the last edition before N.J. Dawood's death in 2014 (Mohd Zulfahmi Mohamad, Mohd Nizam Sahad 2021). According to Jerusalem Post columnist Fischell (2019), this work has been reprinted seventy times since it was first published by Penguin Books in London. According to (Mohd Zulfahmi Mohamad *et. al.* (2021) this is the result of N.J. Dawood's lifelong dedication to the Quranic translation until his death, during which he made eight major revisions. He also made four minor revisions.

The motive behind these revisions as Dawood (2014) explained in remark is to ensure that all translation content always meets the needs of modern society. For example, he avoided using archaic English and expressions such as thou, ye, thee and other. N.J. Dawood has applied a diverse methodology of source citation in this work. This is probably due to the fact that the author is proficient in Arabic and is therefore able to use reputable exegesis books as references for his work such as *Tafsīr al-Kashshāf* by Jār Allāh Abī al-Qāsim Maḥmūd ibn 'Umar al-Zamakhshārī, *Karya tafsir Anwār al-Tanzīl wa Asrār al-Ta'wāl* by Shaykh Qāḍī al-Quḍah Nāṣir al-Dīn Abi al-Khāyir 'Abd Allāh ibn 'Umar ibn Muḥammad al-Bayḍāwī and *Tafsīr al-Jalālāyn* Shaykh Jālāl al-Dīn al-Maḥallī, Jālāl al-Dīn al-Suyūṭī. (Mohamad M. Z., 2020)

However, *The Koran* came into highlight and became subject of criticism. Sardar (2011) is reported to have said that *The Koran* has become a primary reference for those who are unhappy with Islam and those who are looking for opportunities to make accusations such the Quran fuels incitements such as extremism, violence and intolerance in modern world.

Method Research

The method used in this study is generally a qualitative study that critically analyses the references in the footnotes of the Quran. This results in the author's tendency to relate Quranic jurisprudence to the biblical narrative.

To make a critical analysis of the alleged Jewish presence in the Quranic jurisprudence, a comparative study is conducted to evaluate the similarities and differences between the subjects and provide valuable insights that can highlight the differences between both sacred books to enhance the understanding of the issues raised.

Literature Review

The study of the Jewish orientalist narrative in the Quran studies offer a unique insight of interreligious relations, especially relation between Jews and Muslim. The literature on this topic reveals a complex interplay of theological similarities and historical contexts that shape the narratives and interpretations of both religions.

Khalil (2015) emphasizes the significant overlaps between Jewish and Islamic traditions, particularly in their both jurisprudence and theological nature. He noted that both religions have a dual structure of written and oral law, with the foundational texts considered divinely revealed. Khalil (2015) highlights the common legal frameworks, including dietary laws and family regulations, and points out that the Quran's recognition of the dietary laws of as stated in Surah al-Maidah: 5 "*the food of those who were given the Scripture is lawful for you and your food is lawful for them*" serves as a bridge between the two religions.

Shilliam (2011) views the impact of imperialism and colonialism on non-Western thought that highlights the bias inherent in Orientalist scholarship through Orientalism's framework for understanding the East from a Western eye. It therefore plays a crucial role in shaping the discourse surrounding Islamic and Jewish traditions. In this regard, examining how Orientalism has influenced the interpretation and understanding of both Islamic and Jewish legal traditions is essential for a holistic view of their origins and development.

The stigma surrounding the Quran exposure is believed to be compounded by a lack of understanding and knowledge among Jewish scholars. For example, Dessel, Ali, and Mishkin (2014) examined the obstacles Jewish experience when learning about Palestinian narratives and indicated a general reluctance or inability to engage with Islamic texts in a meaningful way. This reluctance may contribute to a lack of nuanced understanding of the Quran that finally led to stereotypes and stigma.

Mohamad, *et. al* (2021) outlines that N.J. Dawood's translation is characterized by its aims, sources, readership and structural choices. Recent studies have shed more light on these aspects and found that Dawood's approach aims to make the Qur'an accessible to a wider audience while preserving its core messages. His methodology is characterized by a careful balancing act between fidelity to the original text and readability in English. Elnemt (2023) has analysed the motivations behind his translation decisions, highlighting the influence of his background and the cultural context in which he worked.

Result and Findings

Biblical Influences in The Quranic Jurisprudence According to N.J. Dawood

This study shows that in the 2014 edition, N. J. Dawood made a total of five references to link the Quranic jurisprudence with those of biblical sources, including the New and Old Testaments. In other words: N.J. Dawood used biblical sources as evidence that the Quran is originated from biblical sources.

The Koran clearly demonstrates the application of biblical sources when N.J. Dawood inserted Quranic passages that are purportedly taken from biblical sources and then added in it footnotes. In general, N.J. Dawood's comments are briefed in the footnotes, which are made clear using the word "C.f" (compare). As an illustration, see Luke 1:26-38 and Leviticus 18 (Dawood 2014).

Therefore, the methodology used in this paper will compare all verses of jurisprudence in the Quran that are linked to biblical origins. Then, a comparison will be made between the verses in question and passages from relevant biblical sources. Finally, the study will make a thorough analysis of the points raised by N.J. Dawood to determine whether all the speculated Islamic jurisprudences of the Quran have the same principle as the biblical ones.

The application of the biblical sources to aspects of Islamic law can be seen in the following table:

Table 1: Islamic Jurisprudences claimed to be originated from Old Testament

	al-Quran Passage	VS	Biblical Passage
Forbidden Foods	al-Baqarah: 173		Leviticus 11: 7 Leviticus 17: 10 Leviticus 17: 15
Islamic Marital System	al-Nisa': 23.		Leviticus 18:6
Clean And Unclean Foods	al-An'am: 146		Leviticus 11:4
Li'an	al-Nur: 6		Numbers 5: 12-14
Awrat/Haughty	al-Nur: 31		Isaiah 3: 16

Table 2: Comparison between the Quran text and Biblical source

	al-Quran Text	Biblical Text
Forbidden Foods	He has forbidden you only the <i>Maitah</i> (dead animals), and blood, and the flesh of swine, and that which is slaughtered as a sacrifice for others than Allah (or has been slaughtered for	And the pig, though it has a divided hoof, does not chew the cud; it is unclean for you." (Bible 2016, Leviticus 11: 7)

	idols, etc., on which Allah's Name has not been mentioned while slaughtering). But if one is forced by necessity without wilful disobedience nor transgressing due limits, then there is no sin on him. Truly, Allah is Oft-Forgiving, Most Merciful Surah al-Baqarah: 173. (Al-Hilali and Khan 2023)	I will set my face against any Israelite or any foreigner residing among them who eats blood, and I will cut them off from the people.” (Bible 2016, Leviticus 17: 10) Anyone, whether native-born or foreigner, who eats anything found dead or torn by wild animals must wash their clothes and bathe with water, and they will be ceremonially unclean till evening; then they will be clean. (Bible 2016, Leviticus 17: 15)
Islamic Marital System	Forbidden to you (for marriage) are: your mothers, your daughters, your sisters, your father's sisters, your mother's sisters, your brother's daughters, your sister's daughters, your foster mother who gave you suck, your foster milk suckling sisters, your wives' mothers, your step daughters under your guardianship, born of your wives to whom you have gone in – but there is no sin on you if you have not gone in them (to marry their daughters), – the wives of your sons who (spring) from your own loins, and two sisters in wedlock at the same time, except for what has already passed; verily, Allah is Oft-Forgiving, Most Merciful. Surah al-Nisa': 23. (Al-Hilali and Khan 2023)	‘Do not have sexual relations with your sister, either your father's daughter or your mother's daughter, whether she was born in the same home or elsewhere. (Bible 2016, Leviticus 18:9)
Clean and Unclean Foods	And unto those who are Jews, We forbade every (animal) with undivided hoof, and We forbade them the fat of the ox and the sheep except what adheres to their backs or their entrails, or is mixed up with a bone. Thus We recompensed them for their rebellion [committing crimes like murdering the Prophets, eating of <i>Riba</i> (usury), etc.]. And verily, We are Truthful.	‘There are some that only chew the cud or only have a divided hoof, but you must not eat them. The camel, though it chews the cud, does not have a divided hoof; it is ceremonially unclean for you. (Bible 2016, Leviticus 11:4)

Surah al-An'am: 146. (Al-Hilali and Khan 2023)

Li'an

And for those who accuse their wives, but have no witnesses except themselves, let the testimony of one of them be four testimonies (i.e. testifies four times) by Allah that he is one of those who speak the truth.

Surah al-Nur: 6. (Al-Hilali and Khan 2023)

Women
Dignity

And let them not stamp their feet to reveal what they hide of their adornment. And all of you beg Allah to forgive you all, O believers, that you may be successful.

Passage form Surah al-Nur: 31. (Al-Hilali and Khan 2023)

Speak to the Israelites and say to them: 'If a man's wife goes astray and is unfaithful to him ¹³ so that another man has sexual relations with her, and this is hidden from her husband and her impurity is undetected (since there is no witness against her and she has not been caught in the act), ¹⁴ and if feelings of jealousy come over her husband and he suspects his wife and she is impure—or if he is jealous and suspects her even though she is not impure—

(Bible 2016, Numbers 5: 12-14)

The Lord says,

"The women of Zion are haughty, walking along with outstretched necks,

flirting with their eyes, strutting along with swaying hips, with ornaments jingling on their ankles.

(Bible 2016, Isaiah 3: 16)

Analysis

We conclude that N.J. Dawood's attempt to link and associate the Quran with biblical sources is baseless and carries a strong religious-motivated against Islam for several reasons.

Paganism Influence in the Old Testament

Perhaps the most important factor is that the Quran that has been divinely preserved as stated in Surah al-Hjir: 9. From its first revelation throughout the time of its compilation up until to this day the Quran is still free from any corruption and alteration.

In contrast, this is not the case with Hebrew Bible, for the history of Hebrew Bible is full of disputed discourse and raises many questions that are uncertain. The question of the authenticity of the Hebrew Bible is indeed still ambiguous. For example, the question of who the true author of the Hebrew Bible is still a point of debate among scholars. According to Eugene H. Merrill *et.al* (2011) Jewish upholding the idea that Hebrew Bible have been written by Moses himself, as he served as a messenger of God to mankind. This belief has underpinned the views of Jews for centuries. However, al-Ṭāwilah (2004) says this belief began to change in the third century AD, when the name Ezra began to be considered as the author of the book.

Benedict Spinoza (1632-1677 AD) emphasized that it is impossible to support the idea that the Torah was authored by Moses based on narratives that took place after his death, such as the burial of his body and others. On the contrary, al-Ṭāwilah (2004) believes that Ezra is the figure who wrote the Torah that exists today. It is clear here that the position and nature of the Torah is disputed among scholars, so much so that its status as a holy book conveying the words of God is also rejected (J. A. Bewer 1936).

Some scholars even suggest that there were evidenced notes that Neo-Persian influence on Jewish religious thought after the events took place such as Babylon exile and other conquest. According to Shaked (2003), the influence hasn't limited at their way of life, even religious aspects are affected by the Persian influence. According to Applegate (2000) Persian influences shadowed the Old Testament during its composition and that Persian philosophical thought infiltrated to the development of Judaism. Barr (1985) For example, the quotation from (Bible 2016, Isaiah 50:11) clearly shows the changing pattern in the worship of the Jewish, whereas the verse describes fire as a noble element. Through basic belief of Persian civilization Hartz (2004) mentions, fire is a sacred element that is closely associated with the elements of divinity in the Zoroastrianism. Shaked (2003) added in addition to quotations from the passage, some parts of the Old Testament were also known to be written under the influence of the Persian civilization, such as the Book of Ezra, the Book of Nehemiah, the Book of Daniel, the Book of Esther and the Book of Isaiah. This is how the philosophies of Persian thought infiltrated the Jewish thought so much at the time, as could be seen in various mythology such as the concepts of angelology and demonology and the concept of resurrection. (Shaked 2003)

Further, John *et. al.* 1989 outlined that since Jewish was also subjugated by Babylon, it is assumed that Judaism, also, incorporated Babylonian ideology into its code of law during its exile under the Babylonian empire. In summary, it can be said that Judaism evolved from the Mosaic teachings into a neo-pagan idea in the post Moses period. The fact that some Jewish population lived in neighbouring Babylonia, then ruled by the Persians, under a system of autonomous and independent Jewish institutions that brought comfort to the Jews was one of the factors in the dynamic transformation of Jewish teachings.

According to Ja'far (n.d), Babylon's influence in the Old Testament also expended to mythological value to the extent that it gave birth to a Babylonian Talmud which contains rabbinical teachings. This fact came after Jewish had lost their Torah and that the process of recovery began during the period of Babylonian colony before it was later developed during the Persian Empire.

According to Northrup *et. al* (2005) King Hammurabi, an ancient Babylonian figure who lived around 1750 BC, was considered an important figure who founded a comprehensive legal framework that covered a wide range of issues such as criminal law, family law and commerce. According to Prince (1904), King Hammurabi, whose legal code of laws was widely used in the empire, had a strong influence on Jewish religious laws in the Old Testament through a series of ideas known as the Code of Hammurabi. Some inconsistencies in the Old Testament seem to suggest that the Old Testament was influenced by Babylonian philosophy (al-Khafaji 2015).

According to Sulaimān *et. al.* (2015) contradictions of the Old Testament appear in many parts of it, including adultery case. For example, the biblical accounts of Tamar's adultery with her own father-in-law Judah (Bible 2016, Genesis 38: 13-24) and the case of King David's

adultery with Bathsheba, the mother of King Solomon (Bible 2016, 2 Samuel 11: 3-5), demonstrate that the concept of adultery is acceptable in the Old Testament. On the other hand, however, the Old Testament warns that adultery is a terrible and sinful act that is punishable by death (Bible 2016, Leviticus 20: 10). Based on this reason, it is believed that some of the punitive code that found in the Bible were somehow revised over time in accordance with the religious reforms that took place in period where the Bible was written (Sulaiman and Ja'far 2015).

In the case of The Koran, this section will elaborate point of discussion into following:

Sotah VS al-Li'an

Dawood (2014) gave commentary on verses 6 to 9 of Surah al-Nur, which refer to the law '*al-Li'an*' which he claimed that it has rooted with a biblical ritual called the 'Law of Jealousy' (Neusner 2001) or '*Sotah*' (If a husband accuses his wife of adultery, the Bible prescribes the ritual of Sotah (bitter water) to verify the husband's claim. Rabbinical literature explains and explores the ritual and the requirements to perform the Sotah. Once a woman is considered suspect, she will be put on trial. If she does not confess at the trial, she is subjected to Sotah ritual. The ritual begins with humiliation and then she is forced to drink the bitter water. Refer: Putthoff, Tyson L., *Ontological Aspects of Early Jewish Anthropology*, (Leiden:Brill), 2016, 144 also Numbers 5:11-29.). N. J. Dawood firmly associated the principles of Islamic legislation of the '*al-Li'an*' to (Bible 2016, Numbers 5:11-29).

However, we argue that the claim is dismissed, based on arguments that show that there are doubts about this ritual. According to Jeon (2007) it is believed that this peculiar ritual was influenced by the Code of Hammurabi through the work of Priestly Source during its compilation. It is believed that the period of redaction went back in the First Temple period (1200-586 BC). Jeon (2007) argued that this biblical ritual is similar to the Persian source at least in the two elements which include oath-ritual and water-ritual, although differs in its implementation as can be seen in passage number 131 and passage number 132, chapter Code of Hammurabi.

The only difference between Numbers 5:11-29 and Code of Hammurabi is that the cheating wife is punished with ordeal bitter water-ritual, while the Code of Hammurabi requires the wife to jump into water (King 1915, Code: 132). According to J. A. Bewer (1913), the "*Sotah*" ritual made up of two types of punishments on women that consist of taking oath and drinking bitter water. This makes the biblical ritual has two different redaction sources and produced at different times. It is possible that the bitter water ritual had been produced earlier, while the oath ritual was also embedded and conjoined later together with first ritual at a later period (Jeon 2007). In fact, Nissim Amzallag (2017) suggests that this ritual was not only influenced by Babylonian elements, but that it also originated from Canaanite culture that had been absorbed into Jewish religious practice.

Islam on the other hand, through 6-9 Surah al-Nur, mentions about preserving justice known as *al-Li'an* since accuser failed to present sufficient witness to support adultery charge against the spouse. In this regard, the process starts upon two situations;

- a. when a husband accuses his wife of committing adultery without bringing four credible witnesses,

- b. when a husband denies the lineage of the child born to his wife because he is unsure about status of the child.

According to (al-Qurṭūbī 2006) 6-9 Surah al-Nur directs the partner for mutual repudiation if a husband accuses his wife of adultery without providing four valid witnesses (Al-Zuhaili 2005). The wife has every right to denounce the accusation by renouncing in the same way. The fifth oath is the curse, meaning that Allah's wrath is falling against someone who lies between them. This process would result in the parties to be separated forever.

Unlike Sotah, *al-Li'ān* does not put pressure on the accused parties by offering woman certain punishment apart of woman being asked by priest to confess her guilt. Besides, in Islam the process of *al-Li'ān* does not only apply to wife but to the husband alike. Therefore, (al-Qurṭūbī 2006) outlines the principle behind *al-Li'ān* that demonstrates an alternative way when a crisis has reach stalemate whereas Islam offers to the deadlock spouse a way out in exchange for the missing witness. Therefore, for the case *al-Li'ān*, it reveals justice in Islam.

Examining the Sotah (Neusner 2000) issue in the Old Testament texts does not show any similarity to *al-Li'ān* issue because *al-Li'ān* for it involves a process when a husband suspects his wife of having affair and becomes jealous with that and doesn't mention about denial of the wife's child. In addition, (Frymer-Kensky 1984) the Old Testament does not stipulate that the husband should bring four witnesses, whereas Islam requires the husband to bring four witnesses. Failed to bring credible witnesses will then require four oaths to substitute the obligation of four witnesses. Finally, in Islam, (Al-Badawi 2001) *al-Li'ān* causes the spouse to be permanently separated by the courts *Divortium* as marriages are dissolved by process, while Sotah still allows sexual intercourse after the ritual.

Since Sotah made up of Israelites and ancient ritual consists of various cultures it carried discrimination against women (Rosen-Zvi, Misogyny and its Discontents: Midrashic Women: Formations of the Feminine in Rabbinic Literature 2005), since the guilt of adultery is imposed only on female. (Rosen-Zvi 2012) reveals that Sotah in the Old Testament showed discrimination against women for it is more to punish and humiliate women. This can be seen in the fact that the accused woman must excute ordeal bitter water as punishment.

Table 3: Comparison between *al-Li'ān* ad Sotah

	<i>al-Li'ān</i>	Sotah
Accusing wife of being adultery or denying lineage of his child without witness	√	x
Jealousy	x	√
Mutual repudiation	√	x
Mutual cursing	√	x
Ritual	x	√
discrimination	x	√
Legal implication	√	x

Islamic Marital System VS Levirate Marriage law

Islamic marital system or mahram, in Islamic jurisprudence, is a term derived from the word *haram*, which literally means something that is forbidden. Islam establishes a person to whom marriage is forbidden due to a blood relationship, by breastfeeding and being linked by marriage relation. Verse al-Nisa': 23 outlines unmarriageable person consists biological mothers, daughters, sisters, paternal and maternal aunts, brother's daughters, sister's daughters, those whom the woman breastfed her, mother-in-law, stepdaughters under his guardianship, - daughter-in-law, and two sisters in wedlock at the same time.

In this regard, (Dawood 2014) links Surah al-Nisa: 23 to Leviticus: 18. Despite this attempt, we do find peculiarity regarding the claim. To ensure a clear understanding, we will provide biblical passage from (Bible 2016, Leviticus: 18), as shown in the table below.

Table 4: Category of unmarriageable to Jews according to the Old Testament

Category	
1.	Biological mother and stepmother
2.	Grandchildren
3.	Biological siblings and half siblings
4.	Maternal and paternal aunts
5.	Daughter-in-law
6.	Spouse's child
7.	Wife's siblings
8.	Brother's wife
9.	Uncle's/Aunt's Spouse

At first glance, there seems to be no difference between the category of unmarriageable women according to Leviticus: 18 and 23 Surah al-Nisa'. However, further investigation has shown that there is a difference in the question of sister-in-law.

Like Surah al-Nisa': 23, Leviticus: 18 also prohibits a man from marrying his sister-in-law as long as their marital bond exists (Bible 2016, Leviticus. 18: 16). However, the difference between Leviticus: 18 and Surah al-Nisa': 23 takes place when the husband dies and left his wife childless (Bible 2016, Deuteronomy 25: 5).

In the tradition known as *Yibbum*, the living brother of the deceased was obliged to marry his sister-in-law. The first son she bears, however, shall carry on the name of the deceased (Bible 2016, Deuteronomy 25: 6). *Yibbum* requires brother of the deceased to marry the widow. In case of all living brothers haven't reached the age of puberty, or still children, the widow must wait until one of the living brothers has reached adulthood before *Yibbum* can be performed (Berlin 2011). Should the brother refuse to marry the widow then, he needs to perform a ritual called *Halizah* (Grossman 2004). This ritual requires the woman to proclaim that no one among the heirs wants to marry her and she needs to pull off her shoes and spit in the face of the heir who refuses to take the place of the dead (Bible 2016, Deuteronomy 25: 7-10).

Scholars have contested concept of *Levirate* Marriage law as androcentric which post a strong bias against women. While the origin of *Yibbum* and *Halizah* in *Levirate* Marriage was still ambiguous, some scholars believe the nature of this law might has been originated from Near Eastern civilization most of the women were completely dependent on men. (Myers 1997) The societies of the Ancient Near East were predominantly based on kinship relationships. Families were patrilineal and patrilocal Women's main tasks were typically in the household such as raising and rearing children, preparing food and working in the fields. (Lim 2019) This is likely give notion of influence to ancient Israelites embedding into their marriage law.

This contrasts to the principle of Islam through Surah al-Nisa': 19 which is clearly elevating the position of women. Through Surah al-Nisa': 19, women in Islam are given the choice to determine their own path in life without being given any pressure and coercion. In fact, according to al-Zuhaili (2005) this act of inheriting women is a legacy of Pagans that ignores the dignity of women.

Forbidden Foods

It seems that (Dawood 2014) associated Surah al-Baqarah: 173 with the concept of unclean foods in Leviticus:17. Surah al-Baqarah: 173 clearly emphasises non-halal foods such as carrion, blood, pork and slaughtering the name of anyone else other than Allah. Furthermore, (Ibn al-'Arabī n.d) views that Islam offers a perspective of merciful in the implementation of the laws when a person is driven by necessity where he is allowed to consume it without exceeding his immediate need. Scholars have come to consensus that Muslims are allowed to consume non-halal food as mentioned in Surah al-Baqarah: 173 to preserve them from any harmful that might occur.

In case of Leviticus: 17 on the other hand, it doesn't mention about easing that restriction during time of urgency (Eisenberg 2004). It is only quoted in the Talmud Mishnah in the Book of Yoma chapter 83a:

"He who is seized by ravenous hunger, they feed him, even unclean things, until his eyes are enlightened"

Women Dignity

Reflecting N.J. Dawood's attempt to link Surah al-Nur: 31 to Isaiah 3: 16 is yet another mistake. In this regards, N.J. Dawood failed to understand the nature of the verse. Jurisprudence in Islam is regulated by literal order of the Quran. Through it, scholars establish authoritative instruction for Muslims to do everything in accordance with the requirements of the Shari'ah. The framework that governs the authoritative guidance in Islam according to nature of wording in the Quran is better known as *Uṣūl al-Fiqh* (al-Ghazālī 1997). To counter argue on N.J. Dawood regarding his perception linking Surah al-Nur: 31 to Isaiah 3: 16, we then should look into the nature that embedded in Surah al-Nur: 31 that carries the element of *al-Nahyū* or barring from doing it (Zaidān 2009). According to al-Zuhaili (2005) term of *al-Nahyū* is an assertion that demands that something to be avoided which came from higher in rank to the subordinate. In this case, Surah al-Nur: 31 is a clear indication of *al-Nahyū* that forbids women in Islam to

expose their ornaments as part of preserving women dignity. In other word, the Quran depicts apart from appearance, anything that tends to excite male is contrary to the purpose for which Allah has forbidden women to display their adornment (al- Zuhaili 2005).

In contrast, Isaiah 3: 16 doesn't restrict ornaments for women but it is a descriptive statement that portrays that Jewish women are arrogant and conceited. They flaunt their wealth and their bodies with clothes, jewellery and hairstyles. They walk around in a seductive manner as they took short strides so that their foot bangles jangle and highlight their legs. Isaiah 3: 16 refers to Isaiah 1 who describes Israelites as rebellious nation that revolted against God's willing (Joseph Addison Alexander, *et. al.* 1878). In conclusion, it has nothing to with Surah al-Nur: 31 that purely outlines the commandment that preserving women dignity it must remain hidden from others.

Conclusion

To summarise, N. J. Dawood's attempt to associate Islamic jurisprudence in the Quran to the Judeo-Biblical reference is completely irrelevant for many reasons. Perhaps the most important fact is that the Islamic principle stands on the foundation of God's mercy and compassion for humanity, while the neo-Judeo sources are questionable in terms of their origin and create more uncertainty than answers. The biblical principle, on the other hand, contains a mixture of Mosaic teachings and pagan elements derived from Persian, Babylonian and Near Eastern culture and that contradict the modern framework that upholds the principles of human rights. The androcentrism within the philosophical values embedded in Jewish practise is an important factor from which one could conclude that the Quran transcends all man-made sacred book.

The androcentrism within the philosophical values embedded in Jewish practice is a critical area that this research came to conclude. While this research provides an important insight for understanding these issues, it also reveals comprehensive view from the Quranic jurisprudence to fill gaps in social vacuum and promote a more equitable representation of all humankind in term of gender's right in its philosophical discourse.

Finally, this paper concludes that N.J. Dawood's attempt to prove the biblical presence in the Quran only reveals the weak side of Judeo practice in the Old Testament. The alleged perception of the Prophet Muhammad, who was accused of having duplicated Jewish rabbinical sources, is merely a religiously motivated behaviour of the author. This fact is that the Quran presents its own context and interpretation as a solution in prevailing fairness and justice. Moreover, it stands unique narratives and teachings that neither found in the Old Testament nor in any Near Eastern Civilization of paganism of the past. While it serves as a foundational text for Muslims, the Quran carries guidance and laws central to Islamic belief and practice. Therefore, it cannot be considered a mere duplication of the Old Testament, but rather a religious text with its own theological framework and purpose.

Perhaps this study came to conclude that one of the obvious factors that is influencing the Jewish views on Muslims is the illusive perception of constant threats since the rise of Islam. With that continuous conflict has been around, Wike and Grim (2010) emphasize that the perception of threats significantly shapes Jewish scholarly view on Muslims and the Quran. Embedded with the Western Orientalism framework, the Jewish Orientalists seem to be further negative tone over Islam with modern narrative of terrorism and extremism that later

perpetuates a negative image of Islam along with its sacred book of the Quran.

The stigmatisation and misinterpretation of Islam by Western Orientalists is deeply rooted in old notions of rivalry, cultural misunderstandings and stigmatising narratives and that seems to be persistent to these days. Addressing these issues requires a comprehensive approach that takes into consideration involving socio-cultural dynamics and interfaith dialogue. This paves the way for future research that could shed further light on these complex interactions. By filling the existing gaps in knowledge, scholars should be able to contribute to a more nuanced and informed discourse about Islam in the West that promotes understanding and minimizes stigma.

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