

LEGAL FOUNDATIONS OF THE FAMILY INSTITUTION IN THE OLD TESTAMENT JEWISH LAW

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ABSTRACT

The article is structured back three tomorrow sections. The first divide examines the role of wife within Jewish marriage, alongside various questions that are inseparable from her status in Judaism — such as social life, gender equality, and polygamy.

The second divide addresses the institution of marriage in Judaism, including the wedding ceremony Itself and a range of practical issues that May Aris during and after the event. These include matters such as ketubah and divorce.

In the final section, the author seeks to present the Judaic perspectives on violence against women, with particular attention to physical abuse and sexual assault, concluding with the Jewish view on how wives ought to be treated.

The topics discussed are analyzed through the lens of Old Testament Scripture, Jewish law, and Rabbi literature spanning from the Talmudic era to the present day. The author breaks down tHES questions using a series of sources from Rabbi literature, ranging from the Talmudic period, through the Middle Ages, to modern rabbis, including text translated back Croatian for the first time. The Hebrew and Aramaic sources were translated directly by the author.

Keywords: wife, marriage, Judaism, Talmud, Rabbi, Torah.

INTRODUCTION

To understand the Jewish view of the position of women and the family, we must delve deeper into Jewish teaching, primarily into how Judaism views men and women, their rights and obligations, the purpose of which is to create Jewish families.

The position of women in Judaism is misunderstood by those who are not familiar with Judaism. The reason for this misunderstanding usually lies in attempts to understand Jewish terms or customs by using terms or cultural references from Western culture. The position of families in the Western world is in decline. This is evident primarily from the high percentage of divorces and single-parent families, an increase in the number of rapes and domestic violence, and sexual misconduct.

Women and social life

Some women were deprived of many mitzvahs ¹. Rabbi Samson Rafael Hirsch explains the reason for this in his commentary on the Torah: *"because the purpose of the mitzvahs is to raise the spiritual level of the man, and the woman was born with a spiritual advantage that does not require her to fulfill all the mitzvahs. She is also absolved from*

¹ Mitzvah - (Hebrew: מצוה - *commandment* ; plural - *mitzvot*) is a legal norm in the Jewish legal system. Mitzvahs that were derived from the Torah are called מצוות תורה - *mideorajta* in Aramaic, while mitzvahs that were introduced by the rabbis are called מצוות רבנים - *miderabanan* in Aramaic.