



STUDY GUIDE

EYE FOR AN EYE: ONE OF THE GREATEST IDEAS IN HISTORY

KEY TERMS: Western Civilization
Lex talionis

equality
immoral

reverence
justice

NOTE-TAKING COLUMN: Complete this section <u>during</u> the video. Include definitions and key terms.	CUE COLUMN: Complete this section <u>after</u> the video.
<p>What book is most responsible for creating Western civilization?</p> <p>Which group of people ‘... brought the book [of Deuteronomy] into the world and lived by its rules?’</p> <p>Which law ‘... struck a unique blow for human equality and justice?’</p>	<p>What is the relationship between the Bible and the moral superiority of Western civilization?</p> <p>What are Mr. Prager’s ‘rational and moral’ responses to those who criticize the Bible as immoral?</p>

DISCUSSION & REVIEW QUESTIONS:

- Towards the beginning of the video, Mr. Prager points out that, “...it was Western civilization that created societies rooted in individual liberty, rooted in democracy, that affirmed the equality of all people, and which gave the world the notion of universal human rights.” In what ways, specifically, have Western societies ‘affirmed the equality of all people?’ In the context of human history, do you consider such achievements made by Western civilization to be extraordinary and great? Why or why not?
- Mr. Prager goes on to lament that, “In the last half-century, however, many of the recipients of these gifts – especially the well-educated – no longer regarded Western civilization as morally superior to any other.” Why do you think that scholars and others who have so greatly benefitted from the achievements of Western civilization refuse to acknowledge the moral and civil superiority of the West’s history and achievements? Would you agree that the Left forcing their highest value, equality, onto the world is negating the importance of what Western civilization has achieved for humanity? Why or why not?
- Next Mr. Prager explains that, “...as reverence for Western Civilization fell so did reverence for the source of that civilization. The Bible has not only been neglected, but reviled – as a foolish fairy tale at best, and as an immoral work at worst. This view springs not from intellectual rigor, but from intellectual laziness.” What do you think Mr. Prager means by ‘intellectual laziness?’ What do you think the main arguments would be from those who claim to consider the Bible to be ‘an immoral work?’ Explain.
- Later in the video, when Mr. Prager is explaining the concept and proper interpretation of *lex talionis*, he states, “It was not meant to be taken literally, and it never was... Only ‘a life for a life’ was meant literally and taken literally: there is capital punishment for premeditated murder.” Considering that the Bible includes Hebrew poetry, storied genealogies, and parables, why do you think that some people assume that everything in the Bible is supposed to be understood literally or else be invalid as truth? What is wrong with exclusively interpreting the Bible literally, in terms of practical application to modern society?
- Expounding on his explanation of *lex talionis* as a moral advance, Mr. Prager notes that, “... the principle of ‘an eye for an eye’ ensured only the guilty party was punished for his crime. In other law codes and in common practice, if you killed someone’s daughter, your daughter would be killed. That was prohibited in the Bible and by the ‘eye for an eye’ code. Now the killer would be punished, not the killer’s daughter.” In what way is the Biblical ‘eye for an eye’ code a moral advance? Explain. Do you think that the ‘eye for an eye’ code promotes equality? Why or why not?

EXTEND THE LEARNING:

CASE STUDY: The Guardian System in Saudi Arabia

INSTRUCTIONS: Read the article “Laws of Men: In Saudi Arabia, women are still assigned male ‘guardians,’” then answer the questions that follow.

- Who is Sara, and what is her predicament? What is the guardianship system? What does the guardianship system depend on? What cultural presumption does the guardianship system rest on? What do Saudi women need a male guardian’s consent to do? How does the system make many women feel? What does Islamic law stipulate in regards to a woman’s choice of whom to marry? Why did Saudi Arabia not recognize Sofana Dahlan’s law degrees? What happens to children in Saudi Arabia when parents divorce? Why is the guardian system not likely to be ‘scrapped’ anytime soon?
- What do you think is wrong with this system? Why do you think that many who criticize the Bible and the West as being immoral are silent on the issues facing women in Saudi Arabia and other Middle Eastern countries? Considering what you have learned in this article, do you think that Saudi Arabia is morally equal to countries in the West such as Canada and the United States? Why or why not?
- Do you think that this article supports the main thesis of the video? If no, why not? If yes, how? Explain.



QUIZ

EYE FOR AN EYE: ONE OF THE GREATEST IDEAS IN HISTORY

- 1. *Lex talionis* is the Latin name for the law of _____.**
 - a. conservation
 - b. retaliation
 - c. attraction
 - d. harmony

- 2. Even atheists acknowledge that the book that is most responsible for creating Western civilization is the Bible.**
 - a. True
 - b. False

- 3. The view that the Bible is a foolish fairy tale at best springs from intellectual _____.**
 - a. laziness
 - b. rigor
 - c. scrutiny
 - d. investigation

- 4. What Biblical law ended parental ownership of their children?**
 - a. “a life for a life”
 - b. “an eye for an eye”
 - c. the rebellious son
 - d. the law of retaliation

- 5. Which of the following is true about *lex talionis*?**
 - a. It is the ultimate statement of human equality.
 - b. It ensured only the guilty party was punished for his crime.
 - c. It prohibited unjust revenge.
 - d. All of the above.



QUIZ - ANSWER KEY

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<https://www.pri.org/stories/2014-12-09/laws-men-saudi-arabia-women-are-still-assigned-male-guardians>

Laws of Men: In Saudi Arabia, women are still assigned male 'guardians'

GlobalPost

December 09, 2014 · 1:15 PM UTC

By Caryle Murphy



Women in Saudi Arabia face a host of constraints, including being legally controlled their entire lives by a male guardian. Credit: Hassan Ammar

Editor's note: This story is part of a Special Report produced by The GroundTruth Project called "Laws of Men: Legal systems that fail women." It is produced with support from the Ford Foundation.

JEDDAH, Saudi Arabia — Sara's husband walked out 15 years ago, but never bothered to officially divorce her. He never sent money, although Sara cares for their daughter and her disabled mother-in-law.

The Saudi government's social welfare department would not assist her financially, because she was still legally married and therefore remained her husband's legal responsibility.

"I feel neglected, like an old shoe," said Sara, who resides in a slum area of Jeddah and makes a meager living by reselling air conditioning units she purchases on installments. "No one cares about me. They are not serious about my issue. I'm not important."

Sara's predicament is all too familiar to Saudi women who live under their country's guardianship system, which requires all females to be legally controlled their entire lives by a male guardian. Because its implementation depends on a guardian's personality, this system creates conditions for widespread abuse. And women victimized by male guardians usually find little relief or protection from courts in a country with a legal system dominated by religiously conservative male judges.

Sara, who is from Saudi Arabia's Bedouin community and says she is between 58 and 60 years old, finally decided to divorce her husband in 2009. Unlike men, who get divorce papers from the courts within days of requesting them, women face many obstacles, including foot-dragging by judges who don't like independent-minded women.

In a phone interview, Sara, who asked that her full name not be used, said it took four years to get her divorce because judges kept demanding that her guardian — the husband who had abandoned her — appear in court. She said her husband never showed up and the court never sent out marshals to look for him.

Guardians and courts

The guardian system rests on the cultural presumption that females are inferior and cannot make important decisions on their own. "Perpetual Minors," a 2008 report by New York-based Human Rights Watch, documents how guardianship deprives women of personal independence throughout their lives. Saudi women, it said, must have a male guardian's consent to attend university, get married, travel abroad, hold certain jobs and even to have some types of surgery.

A woman's first guardian is her father, and when she marries, her husband. If widowed or divorced, a male relative must step in. Sometimes the duty even falls to her own son, which many young females find insulting.

"A 13-year-old boy as the guardian of an old woman? Really, it's very humiliating," said a twenty-something college student in Jeddah.

In practice, if a woman's guardian is a reasonable, loving person, she has few problems. He will give his permission easily to let her do what she wants. But if a woman has a domineering or physically abusive guardian, her life can be hellish.

"That's the problem, it all depends on luck," said Rasha Al Duwaisi, a supporter of women's rights in Riyadh.

There are abuses aplenty, according to Saudi media reports, interviews with human rights activists, journalists and women who've suffered from inhumane guardians.

Some fathers refuse to let their daughters marry because they want to continue taking their paychecks or because the suitors are not from the same tribe as their family. Others refuse to let their daughters go to university. Some husbands won't allow their wives and daughters to take rewarding jobs because they might have contact with men in the course of their work. Fathers have married off daughters as young as 10 to older men in order to settle a debt. Women have reported being beaten or locked in their rooms for weeks by fathers, husbands or brothers as punishment for complaining about not being able to marry, work or get a higher education.

Such behavior rarely gets punished because the guardian system is underpinned by a legal system that is a bastion of male ultraconservatism. Saudi judges have wide discretion to rule according to their personal interpretations of Sharia, or Islamic law, because Saudi Arabia has no written legal code. And as guardians of female relatives themselves, the judges usually display the same cultural belief in female inferiority as most Saudi men.

"Because there are no laws supporting women, the culture and customs overcome everything and when things go to court it's in the hands of the judge, who also is biased against women," said Al Duwaisi.

There are no female judges in the kingdom and until last year, female lawyers were denied licenses to practice, so they could not appear in court.

Most judges require women to wear full-face veils in court, and according to “Perpetual Minors,” do not accept women’s testimony in criminal cases. Some judges refuse to let women speak in their courtrooms because they say a feminine voice is a temptation to sin.

Until last year — when the government ordered judges to recognize a woman’s national identity card — a woman was required to bring along a male relative to confirm her identity in court. In some cases of domestic abuse, judges demand that a woman appear with her guardian, even though he may be the abuser. And some young women who have gone to court to get permission to marry after their fathers refused to allow it have wound up in jail on a charge of “disobedience.”

Trying to convince a judge that a guardian is abusive “is a very lengthy and culturally difficult situation for a woman,” said Maram Al Hargani, who was among the first female lawyers granted licenses last year. A woman must show specifically how she was harmed, and even then judges do not usually revoke guardianship unless the man is doing something wrong according to religious laws, such as drinking alcohol, Al Hargani added.

The system makes many women feel less than human.

“I am like a horse,” said a 35-year-old woman whose father and brothers had refused to let her marry. “They don’t treat me as a human being. They treat me as if I belong to them and they should decide what to do with this ‘thing.’”

Custom, not Islam

The guardian system as it is practiced in Saudi Arabia is not ordained or mandated by Islamic law. Rather, Saudi women are kept under the thumb of men by a skein of Saudi tribal traditions and customs that have been given an Islamic gloss.

This is “absolutely not” how Islam meant women to be treated, Sara said. “This is not Islam. It’s different from the real concept of Islam.”

But many Saudi women think otherwise and are content with the guardian system.

“This comes under the term brainwashed,” said Al Duwaisi. “Whether it’s education, religion, the culture, the family...they are brainwashed into believing that they are inferior, they are less and they do need a male.”

Islamic law for example, states that a woman can marry whomever she wants, provided he is a moral and devout Muslim. “[F]orcing a woman to marry someone she does not want and preventing her from wedding that whom she chooses ... is not permissible” under Islamic law, the kingdom’s Grand Mufti, Sheikh Abdul Aziz al Asheikh, reminded Saudi men in 2005.

Sharia also stipulates that a woman’s salary is her own money and should not be taken by anyone, even her husband.

“If you want to implement the true guardianship that Islam actually has instructed,” said Sofana Dahlan, “women should not spend a penny from her money because her guardian is supposed to be taking care of her from A to Z. But that’s not happening.”

Dahlan is a lawyer with a master’s degree in Islamic law from a program jointly run by Cairo University and the renowned Al Azhar University. She lives in Jeddah, where a successful career and supportive family have given her a life that is a world away from that of Sara’s. Yet she too is subject to restraints imposed by the guardian system. When she returned from Cairo with her law degrees, they were not

recognized by the state because she did not have a male chaperone with her in Egypt during her studies, she said in a recent interview.

Dahlan, 37, felt the burden of the guardian system most keenly after giving birth to her second daughter in 2010. She was in the hospital holding the infant in her arms when her eldest daughter wanted to know what her new sister would be when she grew up. It was one of those moments, Dahlan recalled, “when all your life goes through your head. And I started thinking, what is she going to do?”

As a Saudi woman, she knew her daughters would have to have male guardians and that there would be limitations on whatever career paths they chose.

“For a minute I was choking,” Dahlan said. “And on top of all that, my daughters are going to grow up seeing a suppressed wife. And I just decided, you know, that this is not gonna happen.”

Then and there, Dahlan decided to become a different role model for her daughters as a “successful social entrepreneur and independent, hands-on single mother.” She now heads two companies, one of which, Tashkeil, incubates creative entrepreneurs. And 13 years after first applying for it, she got her license to practice law in 2013.

Because she is divorced, her father is again her guardian. Fortunately for Dahlan, he has always been open-minded and supportive of his daughter’s decisions.

Still, she said, “I find it ridiculous that despite being 37 years old and an independent businesswoman, every time I travel I have to get official permission from my father.”

Mothers without legal custody

Al Duwaisi, who is divorced and works in a private company, has also been lucky to have reasonable male guardians.

“When I separated from my husband, I had to go back to my family’s place, which is the custom,” said Al Duwaisi. Later, she broached the idea of moving into her own apartment. Her father initially refused but eventually approved.

“It’s very unusual for a woman to live on her own. There’s no laws against it. But if my dad decided he wanted me home, he could go to court and force me back to his house,” Al Duwaisi said. “That’s how things are in Saudi. It’s the culture and somehow the police will enforce it.”

Because Al Duwaisi and her ex-husband had an amicable parting of ways, she did not face the traumas many Saudi women do over custody of their children.

According to “Perpetual Minors,” under the Saudi interpretation of Sharia, in divorce “the law automatically transfers legal and physical custody to fathers when boys are nine and girls are seven.” When a woman does succeed in getting physical custody of her child, the father always retains legal custody, the report said. He also has the right to make “virtually every decision” for the child.

Judges, however, can overrule these Sharia recommendations, Al Duwaisi noted. “For example, if the mother is not wearing right kind of *abaya* [robe], he will consider her a bad influence and give [physical] custody to the father,” she said. Judges’ cultural and religious bias towards men means fathers almost always get custody, she added.

Similarly, it’s very hard for a woman to get a divorce if her husband opposes it.

“If I were the one who asked for the divorce and he didn’t want it, I would have to pay the dowry back and then get the divorce. And that usually takes a lot of time in court,” said Al Duwaisi. “But if he wanted to divorce me, despite what I think of it, then he just goes directly [to court] and just finishes it in the same day.”

In her case, she said, she was never officially notified by the court of her divorce.

“The funny thing is I didn’t go to court to get the divorce papers. I wasn’t even there. My dad went and that’s it. There’s no way the court would know if I knew that I was getting divorced.”

Small improvements, but an enduring system

King Abdullah bin Abdulaziz, who came to power in 2005, has addressed some of the inequities women face in the legal system. Allowing female lawyers into the courts and ordering judges to accept national ID cards as proof of women’s identities were among his reforms. He has also authorized programs to educate judges in modern legal procedures.

In addition, there has been an influx of younger judges who tend to be a bit more fair to women, said attorney Al Hargani.

The Saudi Supreme Judicial Council ruled recently that divorced women awarded physical custody of their children can obtain documents and conduct government business for their children, such as enrolling them in school — something they previously could not do. They still, however, cannot take their children outside the kingdom without the permission of the father, who technically remains the children’s legal guardian. And women who cannot afford to hire lawyers still lack a place to get low-cost or free legal advice.

Most significantly, the guardian system is unlikely to be scrapped anytime soon because it is so ingrained in the Saudi mentality. “At the end of the day, I feel our problem here is about the culture,” said Dahlan. “Even if we change laws and regulations, but without changing the mindsets of people, women will continue to be mistreated.”

Since her divorce, Sara has been able to collect 850 rials — US\$227 — per month in social welfare payments. She tried to register her daughter to also could receive assistance, but officials refused to accept her because her father is receiving a state pension.

Sara is thinking of going to court again to cancel his guardianship of their daughter so she can be eligible for a state allowance, though she realizes it won’t be an easy or speedy process.

“But I will do it,” she said. “I have no choice.”

*Caryle Murphy’s recent trip to Saudi Arabia was supported by a grant from the Pulitzer Center on Crisis Reporting. She is the author of *A Kingdom’s Future: Saudi Arabia Through the Eyes of Its Twentysomethings*.*

This story is presented by [The GroundTruth Project](#).