

Reading a few exemplary books or texts in the Pentateuch and comparing how these books or texts portray the theme of violence and disempowerment

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This research article focuses on selected Old Testament (OT) texts that deal with the theme of violence and disempowerment. The selected texts are studied and viewed from a feminist interpretation perspective, and laid bare the violent and mistreatment of women in these texts. This research study builds on the work of Phyllis Trible (1978), and she uses the term 'texts of terror' to refer to passages where women suffer especially at the hands of men. She believes that passages, such as Deuteronomy 22:5, are regrettable and should be a cause of repentance in order to avoid them being repeated again. The way this article deals with the aforementioned exemplary books or texts in the OT is to explore a gendered feminist lens to understand the theme of disempowerment or violence against women. This approach, with the data, lays bare to the reader the nature of the problem of disempowerment and violence against women.

Contribution: This article brings a feminist understanding of the OT Bible (including its social-historical context) in order to gain a clearer insight into the problematic narratives of the disempowerment of and violence against women in a patriarchal society.

Keywords: exemplary book or texts; women; disempowerment; violence; Old Testament.

Introduction

The culture we are living in today differs significantly from that of ancient Near Eastern societies, including communities such as Israel (Stol 2016:1). The fact remains that women are treated negatively by a patriarchal society is associated with female sexuality pertaining to both the Ancient Israel and modern times, and sadly, so too does a culture of disempowerment of and violence against women (Human 1999:364; Vos 1996:40). The 'texts of terror' by Phyllis Trible (1978) undergirds the exemplary passages, and data in this article highlight how women suffer especially at the hands of men. Trible posits, '[h]ow the text speaks and what it says belong together in the discovery of what it is'. She believes that passages, such as Deuteronomy 22:5, are regrettable and should be a cause of repentance in order to avoid them being repeated again. The exemplary books or texts (Gn, Ex, Lv, Nm, Dt, Jdg, Sm) in the Old Testament (OT) will explore a gendered feminist lens. In the following section, this study aims to achieve how the aforementioned books or texts perpetrate disempowerment of and violence against women.

Accounts of abuse against women in Genesis

The stories of virgins being offered to men in order to protect male guests are surely abhorrent to female readers (Gn 19:1–11, Jdg 19:22–26). Sentiments are vividly felt when reading these passages (Zucker & Reiss 2015:5). Sasson (2014:360) commented that these stories show 'the horrors of male power, brutality and triumphalism; of female helplessness, abuse and annihilation'. The story in Judges 19:22–26 is about male ownership of women's bodies and control of women's sexuality. These two accounts are too glaring to ignore, especially in the study of the biblical model of girls' welfare (Sasson 2014:360).

In these two stories of Genesis and Judges, the fathers followed cultural values by intending to protect their guests at the expense of their daughters' welfare (Bellis 2007:57–59). In Genesis 19:1–11, Lot offered hospitality to two visitors. The men of the city demanded Lot to bring the visitors out so that they may have homosexual sex with them. Lot offered his two virgin daughters instead. His visitors were angels, and they rescued Lot by making the men blind, thereby sparing his daughters from the trauma of rape. In this account, divine intervention blinds the morally

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perverted men, and Lot's daughters are rescued from impending abuse (Pietersen 2021:147–148).

The second story is strange and complex (Jdg 19:22–26). A concubine returned to her father. A Levite took his servant and followed her. Her father treated the son-in-law graciously, pleading him to stay longer and enjoy fellowship together. On the way back, the Levite and his concubine arrived at Gibeah where an old man from Ephraim sheltered them for the night. As in the first account, the wicked men of the city came and demanded the host to bring out the Levite so that they may have sex with him. The host at first rebuked the gang. Then, in an alarming turn, he offered his virgin daughter and the Levite's concubine as a substitute. It is possible that the host thought that proper hospitality only applied to male guests (Sasson 2014:357). When the men refused to listen, the Levite seized his concubine and handed her over to the gang. They raped her until dawn when she collapsed at the host's door. The OT law concerning rape in an urban area (Jdg 19–21) assumes that if a woman screamed, she was considered innocent; however, if she kept quiet, she was guilty (Sasson 2014:357). If this concubine screamed, then the host, the Levite and his servant and the people of Gibeah who heard her and failed to rescue her were all guilty. Her master, the Levite, commanded her to get up because he was ready for his return journey. She did not answer. He picked her up and put her on his donkey, and returned home. When he arrived, he took a knife and cut the concubine into 12 pieces and sent them to the 12 tribes of Israel.

The assessment of this vile act is that to many women (Walford 2021):

[T]he rape and murder of the Levite's concubine in Judges 19 and her subsequent dismemberment is amongst the most horrifying of all biblical narratives, particularly since God appears to be blatantly silent about it. (n.p.)

Furthermore, representative work has gone into explaining this passage that really compound the disgust of the act of rape because the brutality of the rape is typically minimised and the character of 'God often distorted through attempts to find spiritual meaning in the wicked acts that permeate the book of Judges' (Pietersen 2021:146). Undeniably, Judges is a problematic volume to understand because of YHWH's incongruence around this violence. YHWH seems to avoid remarking on any occasion outside the declaration, '[i]n those days Israel had no king; everyone did as he saw fit' (Jdg 17:6). God's silence could be taken to mean that he endorses this brutal act. Put differently, the concubine's death signifies a tragic murder, which brings into question God's attitude towards her and towards women, in general (Stol 2016):

[H]owever, if Judges is read afresh without the androcentric presupposition of a God-ordained inferiority of women, we discover that his silence is not the non-committal neutrality it appears to be.¹

1. This study is also undergirded by the research of Stol (2016), 'Women in the Ancient Near East' who employ this approach of investigating the inferiority of women in the ancient Near Eastern cultures.

We note that his stillness 'screams from the pages of Scripture' as the sin against women that was signalled in Genesis (3:12, 16), and comes to a 'point of no return in Judges' (Pietersen 2021:146).

In analysing this decline in Israel's morality in the book of Judges, other OT passages in which God voices his disapproval should also be brought to bear, such as when Dan's idolatry angers God (Jdg 18) or in God's injunction not to take advantage of the widow or the fatherless (Dt 5:6–7). God also threatens 'to punish Israel if they mistreat orphans, widows and aliens' (Ex 22:22–24). Eventually Israel's sin results in them being sent into exile (Zch 7:8–14). All of these texts refer to God's righteous indignation in response to wrongdoing and should be remembered in interpreting God's silence in Judges.

Davis's (2000:213) and Butler's (2009:427) comments on this account are controversial. They see the plight of the concubine as judgement for her harlotry. Is this the reason the Levite went to take the concubine from her parents so that she might meet this judgement? This would sound like it was a pre-planned arrangement; yet, the OT text does not suggest that at all. Both Davis's and Butler's comments display extreme male chauvinistic biases. Butler distances the guilt of this abuse from the men of Israel by focusing on the fact that the host and the Levite were from Ephraim (Jdg 19:16, 18). In this case, it was culture that prevailed and not insight from the teaching of God's law, which the two men were supposed to know (Dt 23:21–23). It is likely that the concubine was still alive when the Levite cut her into pieces, even though Davis (2000:214) suggested that she was dead by the time the Levite arrived home.

Accounts given in the OT by no means endorse wicked practices. Rather, these texts deserve credit for revealing the ghastly and uncalled for behaviour of fallen humanity in view of the holiness of God. Cases of murder, incest and deception are narratives of the moral ills of humanity and are in no way prescriptive of how readers of the Scriptures are to behave. In this case, whilst the host and Levite were caught in a difficult dilemma, their decision was deplorable, despite the pervasive influence of the surrounding culture. The reaction of the other Israelite tribes, although tardy, was highly commendable. By rallying against the men of Gibeah, the Israelites took a stand against the practices of evil and prevailed, even though in the end the action proved costly.

How women were mistreated and disempowered in the OT derived strong influence from neighbouring powerful nations, such as Assyria, Babylon and Persia. This view can be substantiated through reading the laws of the Covenant Code. The following section will be an exegetical outline, focusing primarily on Deuteronomy and how women were discriminated against by the clothes they were expected to wear.

Divine law played a key role in the life of Israelites. It provided the framework for legal decisions. Although it is not complete, it enabled the executors to govern the daily life of Israelites and unfavourably so when it concerned women.

Women enslaved in the context of Exodus

Egypt² began to falter after about 1785 BCE, with pharaohs rising and falling in quick succession. The instability weakened state apparatuses and Semitic chiefs gained a foothold in Lower Egypt. Records exist of a large number of Semitic slaves already resident in Egypt, even as far as Thebes, and perhaps, they played a role in the rise of these chiefs. Somehow, during the mid-1600s BCE, they managed to overthrow their Egyptian rulers and take control of government. Thus, the 15th and 16th dynasties were known as the *Hyksos* dynasties (Hyksos is a rendering of the Egyptian for 'chiefs of foreign lands'). They established a new capital at Avaris in the Eastern Delta region, appointing Egyptian and Semitic officials to their administration. They held office for about a century, after which princes from Thebes managed to peg the Hyksos back into Avaris itself, and in the next generation, around 1550 BCE, to expel them completely.

Exodus 21:7 is about the selling of daughters into slavery.³ Reading such a passage in contemporary times provides the impression that fathers were heartless in selling their daughters into slavery. It has been pointed out that a bad master could abuse a woman by treating her harshly or selling her to slave traders or even releasing her from servitude (Mitchell 2009:57). Given that the woman, who did not belong to a household, was vulnerable, it was not safe for her to go free (Ryken 2005:703). In line with this notion, Noth (1962:178) said that the selling of a woman into slavery was performed for business purposes. He explained that female slaves were not to be set free because they were regarded as possessions and not persons (Noth 1962:177). Similarly, Harrill (2006:129) says that the slave masters were in some cases like pimps. They promoted immorality and apply make-up on these women when selling them to make them more appealing. Given this depiction, one wonders if Exodus 21:7 condones the selling of women (Pieteresen 2021:150).

Slavery in the context of Exodus 21:7 has to be understood in terms of Leah's and Rachel's maids (Ryken 2005:702). This slavery had, in some ways, a benevolent purpose. Selling one's daughter was carried out to improve her prospects in life.⁴ It was carried out in the form of arranged marriage. A poor man would sell his daughter to a rich man

2.Arguments for the Exodus: (1) circa 1270 BCE: One of the few names that we're given in the Exodus story is that of the store city 'Rameses', which was built upon the ruins of the Hyksos capital, Avaris. It is most natural that the city built would have been named after the pharaoh. Rameses I reigned for a single year in the 1290s and Rameses II for about 60 years, beginning in the 1270s, (2) circa 1440 BCE: Those arguing for the earlier date asserted that Rameses was seemingly a common name to have been used as a place name in Joseph's time (Gn 47:11), so it is not necessary to suppose that the exodus took place during the reign of Pharaoh Rameses II in the 1270s BCE (Kitchen 2003:636).

3.'If a man sells his daughter as a servant, she is not to go free as male servants do' (Ex 21:7; NIV).

4.'If she does not please the master who has selected her for himself, [a] he must let her be redeemed. He has no right to sell her to foreigners, because he has broken faith with her. If he selects her for his son, he must grant her the rights of a daughter. If he marries another woman, he must not deprive the first one of her food, clothing and marital rights. If he does not provide her with these three things, she is to go free, without any payment of money' (Ex 21:8-11; NIV).

in anticipation that he would marry her and she would become a permanent member of his household. Meyers (2014:19) explained that slavery in Israel was a provision of a home to the destitute. Those who could not make a living on their own would ask wealthier people to take them into their homes where they could offer service in exchange for daily provision (Meyers 2014:19).

There were three protections, which God's law gave to maidservants (Ryken 2005:703). Firstly, if the master was not pleased with the maidservant, he was to return her to her family. The master was not allowed to sell the servant to slave traders. The family was allowed to buy her back. Secondly, if the master was so pleased with the maidservant that he wanted her to marry his son, she was granted the full rights of a daughter (Ex 31:9). In fact, the maidservant enjoyed the rights of a daughter even before she was married. She gained freedom through betrothal to the master's son. Noth (1962:179) and Meyers (2014:191) explained that the maidservant could marry either her master or his son. The slave was sold at a marriageable age.

Finally, the master's male servant could also marry the maidservant (Mackay 2001:368). Whether the girl was taken to be a wife to her master, his son or his male servant, the bond involved was viewed as permanent. Even if the master married another wife, he was to provide food, shelter and marital rights to his first wife. If he fails in this regard, then the maidservant could be freed without paying ransom. These laws were put in place to protect maidservants from abusive masters (Ryken 2005:703).

Women and cultic prostitution in Leviticus

The daughters of the priests faced tough punitive measures whenever they were promiscuous (Meyer 2013:3). A priest's daughter who became a prostitute was deprived of her proper burial rites (Lv 21:9). She was cremated to erase her memory from the people of Israel (Vasholz 2007:250). There were no hopes of future prospects for her. Wenham (1979:291) explained that burning the corpse was an exemplary punishment to demonstrate that such pagan practices fell outside the worship of God. Hattingh and Meyer (2016:637) also highlighted that the unchaste behaviour of a priest's daughter was likely to underline the high standard required from a priest's family. The daughter's promiscuity would reflect badly on her father's priestly position. For that reason, she was not to receive mercy.

Rooker and Cole (2000:275) noted that a priest who stayed with such a daughter was to be disqualified from ministry. He further explained that this restriction on the priest's daughter was a warning against apostasy. Pagan worship was associated with cultic prostitution. Hattingh and Meyer (2016:637) explained that the full punishment was to stone her to death and then burn the corpse. This was performed to remove the disgrace that she brought to the family. Snaith (1969:99) also added that the source of defilement must be

destroyed without shedding blood, and hence, the burning to death.

Biblical injunctions against promiscuity amongst priests' daughters could be understood as being more lenient on boys than on girls. To some, it may appear as if the priests' sons could get away with promiscuous behaviour. However, the harsh punishment meted out to priests' daughters does not mean sons were exonerated if they too misbehaved. Gane (2011:75) argued that sons could profane their fathers just as daughters did (Lv 10:1–7; 1 Sm 2:12–17, 22–36, 8:1–3). A high standard of holiness was expected from every member of the priest's family. The burning of the priest's daughters relates to the judgement of Aaron's sons as well. They died by divine fire (Lv 10:2), just as a promiscuous priest's daughter was to be burnt. The issue here is not only centred on daughters but on the priest's family as a whole. There were standards that were expected from a priest's wife as well (Lv 21:13). She was to be a virgin before she entered into marriage.

Another restriction placed on the priest's daughter was that if she married a stranger, she must not eat an offering of the holy things (Lv 22:12–13). If she returned to her father as a divorcee or widow without a child, she could eat from the holy things. Wenham (1979:295) explained that an unmarried daughter was her father's responsibility; however, if she gets married, the responsibility shifted to the husband. If she married a stranger, she ceased to be part of God's people and could not eat of the holy things. However, if she failed to have children and was returned to her father, then she became the father's responsibility again. Snaith (1969:102) maintained that the children of the priest's daughter were the responsibility of their foreign father. If the children were of mixed blood, then they were strangers and could not partake of the holy things.

Women's exclusion from inheritance in Numbers

According to the OT texts, daughters were not equal to sons in terms of what they inherited when their father passed away. Snaith (1969:99) explained that Mosaic Law did not permit a daughter to stand on the same foot with her brothers in inheriting an estate from her father. If a man died, his estate would be given to his son, and only if there was no son would it be given to a daughter or the deceased's brother. The wife would receive nothing. If an inheritance was given to a daughter, she had to marry a close relative, so that the inheritance would benefit her family.

An example of this can be seen in the story of Numbers 27:8–9, in which Zelophehad died without a son, leaving his five daughters to inherit his wealth. Dividing up the Promised Land was carried out according to the male heads of the 12 tribes of Israel (Gane 2011:40). Zelophehad's daughters were asked to inherit their father's property (Nm 27:1–4). As they had no law concerning this, Moses enquired of the Lord. The Lord granted their petition (Jos 17: 1–6). The intervention

of the Lord in the case of Zelophehad's daughters shows God's care and concern for women. Whilst it may be seen as discriminatory to offer the inheritance to sons first, there was a good reason for doing so. In Israel, men had the responsibility of providing for women and children, and for protecting them from enemies and adversaries (Dt 3:18–19). If men failed to perform this duty, then it became a moral transgression. The preference given to sons for the inheritance was not an oppression of daughters; however, was an administrative structure to commit sons to take care of their sisters and mother (Pietersen 2021:150–151).

Interpretations of inequality experienced by women in Deuteronomy

I would like to examine Deuteronomy 22 as a focal text to argue for the disempowerment of women in the OT. It states:

[A] woman shall not wear anything that pertains to a man, nor shall a man put on a woman's garment, for all who do so are an abomination to the LORD your God. (v. 5)

לֹא יִתְּנֶה כְּלֵי גְבוֹר עַל-אִשָּׁה

You [A woman] shall not...

וְלֹא יִלְבֹּשׁ גְּבוֹר שְׂמֹלֶת אִשָּׁה

And neither...

כִּי תוֹעֵבֶת יִהְיֶה אֲלֵיךָ כְּלֵי-עִשָּׂה אֲלֵהּ: פ

For detestable...

There exists a plethora of interpretations for this challenging text. Scholars⁵ have tried to make sense of it in a number of different ways (Koehler 1999:879). Some argue that this is a law against involvement in pagan practices; other scholars, such as Vedeler (2008:460–461), support transvestism and indirectly homosexuality. I argue that this text is a law against women being equally and actively involved in Israelite society and in effect disempower women. This chapter explores both why I have arrived at this conclusion and what is the rationale of this law.

Deuteronomy, in general, and Deuteronomy 22, in particular, were disempowered towards women (Kirk-Duggan 2012:261–265). I would agree with Kirk-Duggan (2012) who asserted, '[w]e need to hear women's voices, and make sure that alternate perspectives that included women's views in the story are lifted from the text' (Kirk-Duggan 2012:84). It is noteworthy to mention that different scholars use different approaches and come to different understandings of this corpus of literature. That is to say, plurality of different analyses is based on the ambiguous nature of both the text (Dt 22:5) and its context in the book of Deuteronomy and in the Hebrew Bible

⁵See Vine (1996:38); Koehler (1999:519). For an alternative view, see Freedman (1996:232).

(Pietersen 2021:154). Nevertheless, these various approaches also reflect the rich perspectives of scholars of how women were disempowered (Ackermann 1993:23–24; Jones 2000:6; Miller-McLemore 1999:79), and therefore, unveil the hidden motives within Deuteronomy 22, and in the case of Deuteronomy 22, this becomes even more clearer in its assertion that:

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

This quote demonstrates the kind of behaviour that seemingly protects women. However, a reading through the feminist lens makes it clear that Israelite society was characterised by a societal structure that was hostile to female empowerment.

The sacrifice of Jephthah's daughter in Judges

The story of Jephthah's daughter in Judges 11:30–40 has been dubbed one of the 'texts of terror' (Trible 1978:9) in the OT on the girl child (Lockwood 2020:211). Many scholars⁶ wonder about the meaning and purpose of this narrative. Much debate, however, is centred on whether Jephthah really offered his daughter as a burnt offering. According to Brown (2000:231), Jephthah offered his daughter as a burnt offering as he had promised to the Lord. He uses verses 39 and 40 to support his argument. Verse 39 explains that she returned to her father, who acted according to his vow. Verse 40 states that the daughters of Israel went every year to lament the daughter of Jephthah, the Gileadite, for four days. Cundall (1968:148) contended that early commentators and historians concur that Jephthah offered his daughter as a burnt offering. Cundall (1968:149) goes on to say that it was during the Middle Ages that people tried to find ways to explain what is stated in this passage.

6. See Klein (2012:84). Klein recognises that the author 'invokes the major apostasy paradigm', but she misses paradigmatic insights because she assigns Jephthah to 'a combination major-minor pattern' (2012:83). Similarly, Block (1999:342) believed that the Jephthah narrative is 'best interpreted in comparison with and in contrast to the notes on the "secondary governors"'. The argument for Jephthah being a minor judge is based on his position and the variance from the framework in his account.

The challenge presented by Jephthah's story is whether this could have been a command from the Lord, given the fact that human sacrifice was not a common phenomenon amongst the Israelites. Cundall (1968:148) proposed that Jephthah intended to give a human sacrifice but not his daughter. Animals did not dwell in the house with people, so what did Jephthah expect to meet coming from the house? Some scholars say that he wanted to sacrifice one of his servants. Block (1999:367) concurred with Cundall (1968:148) that Jephthah did not expect an animal to come out of his house. However, Sasson (2002:263) denied that Jephthah intended to give a human sacrifice. He argues that a four-room house of that period contained a room for sheep or cattle that could be used for a burnt offering. However, he also agrees that Jephthah offered his daughter as a burnt offering.

According to Block (1999:367), Jephthah had adopted the pagan way of worship similar to the nations surrounding Israel. Claassens (2013:609) agreed with Block that Jephthah was overtly pagan. Jephthah was pained by the fact that his daughter was the only child and she was a virgin. Sasson (2014) concluded that:

[J]ephthah delivers the Israelites from the Ammonites, who along with their neighbours sacrificed their children to their gods; then he sacrifices his daughter to Yahweh, who does not accept human sacrifice. (p. 262)

The assessment is that attitudes such as these have contributed to the misery and disempowerment experienced by countless unnamed and forgotten women throughout the world for many centuries. Jephthah's daughter may be unnamed; however, it is important today and in the future that her story continues to be told and her death lamented on behalf of all women whose unseen and unrecorded suffering at the hands of violent men has never been acknowledged (Claassens 2013:608). For Exum, and I agree with her that the story of Jephthah's daughter is feminist criticism, exposing the methods men used in ancient societies to justify their relentless control and abuse of women. She contends:

Although it is only one stage in the process by which men have established hegemony over women, the biblical period represents an important stage, for perhaps no other document has been so instrumental as the Bible in shaping Western Culture and in influencing ideas about the place of women and about the relationship of the sexes. Indeed, because its influence has been so extensive and because it continues to play an important role for many people, women and men, the Bible needs to be approached from a critical feminist perspective. (Exum 1995:66)

There are also problems with the notion that Jephthah had become like the idolatrous nations that surrounded Israel to such an extent that he sacrificed his daughter. The pattern of the book of Judges is that the judges were raised up to bring

Israel back to God.⁷ Whilst the judges were far from faultless (Beavis 2004:13), their understanding of God was clearer than that of their countrymen, not to mention the surrounding nations. Whilst Jephthah made a vow thoughtlessly, which does not mean that he had become idolatrous, otherwise his purpose as a judge to deliver and restore Israel back to God would have been defeated (Beavis 2004:17).

Davis (2000:148) objected to the notion that Jephthah gave his daughter as a burnt offering. He says that the offering meant that she was set apart for the service of the Lord. He may have demanded that she led a celibate life at the worship sanctuary. Women served God at sanctuaries (Ex 38:8; 1 Sm 2:22, Lv 27:1–8), just as men could take vows to serve God (Davis 2000:149). The young women mourned for Jephthah's daughter's virginity, for she knew no man during the course of her life. Davis's position is in agreement with extra-biblical sources. Cohick (2009:51) explained that Pseudo-Philo provides Jephthah's daughter (Jdg 11) with a name, Seila, and with a mother and a nurse. When Seila came first, God declared that Jephthah's daughter would serve as a sacrifice, punishing Jephthah for his unwise holy vow. It is held in this position that Seila accepted being a sacrifice. Her father was to go ahead with his vow to God (Cohick 2009:52). In this regard, Seila represents the culture's highest ideal of godliness for women. She puts herself under God's design and man's plans. Cohick (2009:51) commented that the text becomes revolutionary in two ways. Seila compares positively with Isaac's acceptance of his role as a sacrifice (Gn 22:2). Secondly, the narrator praises her as demonstrating great wisdom, whilst her father is condemned for making a foolish vow (Pietersen 2021:157).

Whilst there has been much debate on this story even in feminist circles (Trible 1978:2),⁸ the account of Jephthah's daughter does not reveal how daughters were treated, in general, but rather how ignorant and expedient decisions bring about unexpected consequences. Jephthah is at the centre throughout the story and not his daughter. What Jephthah did was not dictated by God but came from his own corrupt mind.⁹

The value of women's virginity in the context of Samuel

Virginity was highly valued in Israel, according to the OT texts. Loss of virginity was referred to as being 'humbled'

7.A 11 And the people of Israel did what was evil in the sight of the LORD and served the Baals.

B 12 And they abandoned the LORD, the God of their fathers, who had brought them out of the land of Egypt. They went after other gods, from amongst the gods of the peoples who were around them, and bowed down to them.

C And they provoked the LORD to anger.

D 13 They abandoned the LORD and

D' served the Baals and the Ashtaroth

C' 14 So the anger of the LORD was kindled against Israel,

B' and he gave them over to plunderers, who plundered them. And he sold them into the hand of their surrounding enemies, so that they could no longer withstand their enemies.

A' 15 Whenever they marched out, the hand of the LORD was against them for harm, as the LORD had warned, and as the LORD had sworn to them. And they were in terrible distress (Peterson 2007:32).

8.'sees the vow as manipulative and an act of unfaithfulness'.

9.Amit (1992:76–77, 85–92) emphasised Jephthah's egocentricity and the fact that he was always motivated by personal rather than national interests.

(Davidson 2007:148). Von Rad and Stalker (1963:326) explained that 'humbled' means the moral and social debasing of a girl who has lost the expectation of a valid marriage. The family would be depressed about the loss of virginity of their daughter or sister if she was raped. Genesis 34:1–8 records Dinah's loss of virginity when she was raped by Shechem. Jacob was grieved by his daughter's loss of virginity (Gn 34:2). In a similar manner, David was grieved by Amnon's violation of Tamar (2 Sm 13:1–21). In these contexts, fathers shared the shame when their daughters' virginity was violated.¹⁰

Violating a girl's virginity was like violating the integrity of the wife of one's brother (Dt 22:23–24). For this reason, the punitive measures were sterner in a situation where the virgin was engaged to be married than if she was not. If the girl cried out for help, she would not be found guilty and only the rapist would be stoned to death. However, if she kept quiet, both the rapist and the victim were to be stoned to death (Dt 22:21). The context for this scene was an urban area where others were likely to hear a cry for help.

Deuteronomy 22:25 has a different setting. The scene of the crime is a desolate place where no one could hear a cry for help. Verses 26–27 provide legal justification for the verdict passed in verse 25. These two verses explain why in this case the raped girl should not be put to death.

In view of the value of virginity in this context, a rapist had to marry the raped girl. However, the father needed to give consent whether his daughter could marry this man (Ex 22:16–17). (By contrast, in contemporary South African society, requiring that a girl marry her rapist can hardly be seen as acceptable. Deuteronomy 22:28–29 would appear to favour men of ill repute whose way to marriage was by causing pain to their future wives [Scholz 2005:36].)

It must be noted that Ancient Israel was different from our current South African context. Israel as a nation was like a family and the word 'stranger' applied to those who were not part of Israel (Ex 12:43–48). Verses 28–29 refer to the case of a virgin who is not betrothed. The man had to pay a penalty of 50 shekels of silver and marry his rape victim. It is not clear whether the victim was asked for her opinion on whether she would like to marry the rapist (Pietersen 2021:159).

Phillips (2006:84) suggested that a girl who was not betrothed was considered property, and hence, the application of casuistic civil law precedents of property offences in the Covenant Code (Ex 22:15–16). He further explains that the girl was the property of her father to whom damages were to be paid for the loss of the bride's price, because his daughter was no longer a virgin. Phillips' position is problematic.

10.Witte (2006:581) explained that fathers needed to ensure that their daughters behaved themselves if they wanted to protect them from being disgraced. Hamilton (1995:356) added that the result of Dinah's subjection to indignity by an outsider was that she became an outcast in Israel.

These arrangements were on a relational and moral basis and were not commercial. The father continues to support his daughter whose prospects of a good marriage had dwindled because of rape. As Merrill (1994:305) stated, this girl was deprived of a normal happy marriage, and hence, a compensation of some kind was necessary. Whilst some men may have used rape as a means to secure a prospective wife (as was the case with Shechem in Gn 34:1–8), this was not acceptable in Ancient Israel. Even though Thompson (1992:237) seemed to sympathise with the rapist who was forced to marry the victim, he has to note that the situation was worse for the girl who may not have had any feelings for the rapist. In light of this, Deuteronomy 22:22–29 has to be viewed as a measure to protect the girl child from being abused and then ostracised after being violated (Dt 22:28–29; Ex 22:16–17).

Conclusion

This research article located political power, paternal power and perhaps even divine power [passive voice] that prompted disempowerment of and violence against women in a few exemplary texts (books) in the OT. It is important to reiterate that whilst the context (ancient Israel) differ from any contemporary context where human dignity and equality are important for men and women, such as South Africa, the common issue of disempowerment and violence points towards how badly women are treated. Gqola's (2010:66) poignantly summarised this articles assertion in the following way: 'the grip of violence [against women] is tightening around our collective necks'. This assessment from Gqola here, the work of Tribble in her conclusions around 'texts of terror' in the Old Testament and the disempowered and violent treatment of women in the aforementioned texts (books) provides the reader insights into the literary and historical context to the depth of an anti-empowering society, such as ancient Israel. It, therefore, serves as a warning on how men negatively treat women currently in the South African context but also to give hope to women in the fight against domestic violence in order to curb violent cultures and not reinventing them to empower women.

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