

II
THE LEGAL AND SOCIAL STATUS OF WOMEN
IN THE PENTATEUCH

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The purpose here is to show the status of woman as presented in the Pentateuch as far as her position in society and law were concerned. It is vital that the original status given to woman by God at creation be reviewed and that the study give an overview of the changed status resulting from the Fall.

Creation of Woman

The basic Pentateuchal record of the creation of woman is found in the following three passages as quoted from the NASB (used here and throughout this study).

1. Genesis 1:26-28

Then God said, "Let us make man in our image; according to our likeness, and let them rule over the fish at the sea and over the birds of the sky and over the cattle and over all the earth, and over every creeping thing that creeps on the earth."

And God created man in His own image; in the image of God He created him; male and female He created them.

And God blessed them; and God said to them, "Be fruitful and multiply, and fill the earth, and subdue it; and rule over the fish of the sea and over the birds of the sky, and over every living thing that moves on the earth."

2. Genesis 2:18, 21-25

Then the Lord God said, "It is not good for the man to be alone; I will make him helper suitable for him."

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So the Lord God caused a deep sleep to fall upon the man, and he slept; then He took one of his ribs, and closed up the flesh at that place.

And the Lord God fashioned into a woman the rib which He had taken from the man, and brought her to the man.

And the man said, "This is now bone of my bones, and flesh of my flesh; and shall be called Woman, because she was taken out of Man."

For this cause a man shall leave his father and his mother, and shall cleave to his wife; and they shall become one flesh.

And the man and his wife were both naked and were not ashamed.

3. Genesis 5:1-2

This is the book of the generations of Adam. In the day when God created man, He made him in the likeness of God.

He created them male and female, and He blessed and named them Man in the day when they were created.

In the use of the generic term *ʿādām*, translated “man,” but more correctly “mankind,” Moses includes both “male and female” (Gen 1:27) without sex distinction in terms of superiority or subordination of the one to the other. As Hasel correctly pointed out, “man and woman find their full meaning neither in male alone nor in female alone, but in their mutual relationship and communion.”¹

The fact that woman is included in the term *ʿādām* of Gen 1, and yet her creation account is not detailed until Gen 2, certainly suggests that the latter is not a separate account of creation as critical scholars contend,² but an expansion, giving more detail, and building on the Gen 1 account.

Further, the Gen 2:18 term “helper suitable for him” may give the wrong connotation, suggesting one of inferior position created only to “help” or “aid” the “master.” But the word *ʿezer* (“helper”), whatever its true meaning, is applied to God³ as the “help[er]” for His people; it in no way implies an inferior position but rather mutual support for mutual benefit.

The implied original position of woman therefore is that she was fashioned by God from a rib (*ṣēlāh*) taken from man’s side,⁴ to be his equal—a suitable counterpart—in a partnership of complementary companionship forming an inseparable and perfect unity.⁵ Equality is implicit also in Gen 2:22-23 where the terms *ʿiš* and *ʿiššāh* are used for the first time and imply an equality that differs only in the sex—male and female—but presents no suggestion of superiority or inferiority.⁶ That they “become one flesh” (Gen 2:24) also contributes to the concept of the equality and unity of the man and woman in God’s original plan.

It is interesting and important to note that nowhere in ancient Near Eastern literature is there a parallel to the biblical account of the creation of woman, and nowhere in the ancient Near East is the woman held in such high esteem as in the inspired Mosaic account of creation by the Most High God.

Woman After the Fall

While many will agree that God’s original plan was for man and woman to be equal from the viewpoint of status and that the husband and wife complement each other, the big question is, “What happened, if anything, to this status and relationship following the Fall, as far as God was concerned?”

The story of the temptation and fall recorded in Gen 3 is familiar. Verse 6 declares:

“When the woman saw that the tree was good for food, and it was a delight to the eyes, and that the tree was desirable to make one wise, she took from its fruit and ate; and she gave also to her husband with her, and he ate.”

¹Gerhard F. Hasel, “Man and Woman in Genesis 1-3,” (chap. 1 in this volume), p. 14.

²See for example H. H. Rowley, *The Growth of the Old Testament*, (New York, 1963), p. 18.

³Exod 18:4; Deut 33:7, 26, 29; Pss 20:2; 33:20; 70:5; 89:19; 115:9; 121:1-2; 124:8; 146:5; Dan 11:34; Hos 13:9.

⁴PP 46: “Eve was created from a rib taken from the side of Adam, signifying that she was not to control him as the head, nor to be trampled under his feet as an inferior, but to stand by his side as an equal, to be loved and protected by him. A part of man, bone of his bone, and flesh of his flesh, she was his second self, showing the close union and the affectionate attachment that should exist in this relation.”

⁵C. F. Keil *The First Book of Moses: Genesis* (Grand Rapids, 1949), 1:89.

⁶William L. Bevan, art. “Women” ed. W. Smith. *A Dictionary of the Bible* 3 (London, 1863): 1785; see also Anson Rainey, art. “Woman,” *Encyclopaedia Judaica*, vol. 16 (Jerusalem, 1971), cols. 623-25.

Eating of the fruit from the tree in the center of the garden was explicitly forbidden by God on pain of death (Gen 2:16-17); Eve, against God's counsel, left her husband's side and placed herself in temptation's pathway by going to the tree. She saw its fruit was "good for food," thus desirable for the physical drives; "pleasant to the eyes," therefore emotionally and aesthetically satisfying; and desirable "to make one wise," appealing to her ego.⁷

The woman, "being quite deceived" (1Tim 2:14) fell into transgression and urged her husband to follow suit. Both sinned and both entered into their new "knowledge" and "wisdom" with the same disastrous results. They were naked and ashamed (Gen 3:7); they hid from the Lord God with whom they were accustomed to walk and talk with a clear conscience⁸ (Gen 3:8); and the hitherto unknown emotion of fear gripped them (Gen 3:10). Nowhere up to this point is there implied an inferior position of woman after sin;⁹ and it is true that the loss of peace and harmony was experienced by both man and woman with God and each other.

God now pronounced judgment upon our first parents. "To the woman He said, 'I will greatly multiply your pain in childbirth, in pain you shall bring forth children; yet your desire shall be for your husband, and he shall rule over you' (Gen 3:16). Pain is therefore to be the woman's lot, and her husband is to "rule over" her.

Does this last statement not seem to imply a change in status for the woman? Is she no longer to be equal with her husband, but now be subordinate to him, ruled over by him, as he was to rule over the animals? Does this not prove the inferiority of the woman following the Fall?

It is important to point out that the Hebrew text uses two different words to express rulership in the beginning of the book of Genesis. In Gen 1:26, 28 where man is told to "rule" or "have dominion" over the animals the word *rādāh* is used. However, the verb *māšal* (Gen 3:16) is used when expressing a husband's rulership over his wife. This latter verb is never used to express man's rule over the animal kingdom, which would certainly suggest that the wife was not to be reduced, through sin, to the level of animals.

Another point to emphasize is that all facets of the judgment pronounced in Gen 3:16 apply to the marriage institution. The travail in pregnancy, the pain in childbirth, the wife's desire for her husband, and the point that the husband would "rule" over the wife are all marriage related—within the family—and are unrelated to other spheres of a woman's activity and life.

That the wife was "placed in subjection to her husband"¹⁰ is clear; but does this make the wife a slave, lacking in individuality, initiative, or will of her own? Scripture would clearly give a negative answer; but even as sin broke the harmony of the home and marriage, God saw within the framework of the new circumstances that harmony, union, and smoothness could prevail only as the husband took the lead and the wife took the submissive but supportive role (1 Cor 11:3). "As the Father and Christ are equal and yet God is the head of Christ, so husband and wife are equal [4T 36] but the husband is the head. He is the first among equals."¹¹

Therefore this rulership by the husband is to be held in love, following the pattern of Christ's love for the church (Eph 5:25). However, sin rapidly brought degradation and an order vastly different from God's original plan.

⁷Cf. 1 John 2:16, and PP 56.

⁸PP 57.

⁹Hasel, p. 22.

¹⁰PP 58-59.

¹¹Hasel, p. 25.

The Pentateuch reveals that the social and legal status of woman is strongly influenced by the patriarchal form of family life,¹² in which the woman's principal function is fulfilled in her role as wife and mother. She does indeed take part in the religious, social, political, and economic life of the community, and at times plays a part even in military affairs as will be seen in the following pages.

Woman's Status and Role as Daughter

Within a patriarchal society the husband longs for sons, and a wife who produces sons has established herself and her honor within the family and community. The birth of a son is cause for great rejoicing, for the continuance of the family name and estate is assured. The birth of a daughter does little for her own family; for upon marriage she takes the name of the husband and builds the family in his name. Thus Lev 12:1-5 reflects the greater desirability of sons.

When a genealogy is being related, it is usual to mention only the sons. Only occasionally are outstanding daughters named (for example, Gen 37:35 mentions "all his [Jacob's] daughters," yet only Dinah is referred to by name; Gen 5:3, 7, 10, etc., mention "and daughters" but none are named).

This does not mean that they were unloved and unwanted. When Jacob left his father-in-law's home with his wives and goods while Laban was away shearing sheep, Laban followed in hot pursuit and said to Jacob, You "did not allow me to kiss my sons and my daughters" (Gen 31:28).

After settling his problem with Jacob "Laban arose, and kissed his sons and his daughters and blessed them," (Gen 31:55) and warned Jacob not to mistreat his daughters (Gen 31:50).¹³

A great deal of liberty was enjoyed by women in Pentateuchal times. Both married and single girls mingled quite freely and openly with both sexes while carrying out the duties and amenities of ordinary life. Rebekah was unveiled while traveling in the caravan until she came into the presence of her affianced (Gen 24:64-65). Jacob saluted Rachel with a kiss in the presence of the shepherds (Gen 29:11). Each of these young ladies engaged in active employment—the former fetched water from the well and the latter tended her flock.¹⁴

It is interesting to note the extent of freedom Rebekah had when extending hospitality to Eliezer: "We have plenty of both straw and feed, and room to lodge in" (Gen 24:25), and all this before she consulted the family. She had also received from an apparent stranger presents of gold rings and bracelets weighing a total of ten and a half shekels (Gen 24:22).

The fact that an outrage on a single girl in the open field was visited with severe punishment (Deut 22:25-27) is indicative of the fact that it was not considered improper for a young lady to go about unprotected. This point is strengthened by the fact that it was her duty to care for the family water supply (Gen 24:16) and to water the flocks (Gen 24:19-20), as well as to care for the sheep (Gen 29:6, 9).

Daughters were expected to take part in Sabbathkeeping (Deut 5:14), in rejoicing before the Lord (Deut 12:12), in playing instruments and dancing (Exod 15:20), in presenting and

¹²Roland de Vaux, *Ancient Israel: Its Life and Institutions* (New York, 1961), p. 20; O. J. Baab, art. "Woman," *The Interpreter's Dictionary of the Bible* 4 (New York, 1962): 864.

¹³See also Gen 29:11, etc.

¹⁴Bevan.

eating of offerings before the Lord (Deut 12:17-18),¹⁵ and in sharing the spoils of God's enemies (Exod 3: 22).

In matters of genealogy and inheritance sons played the dominant role. However, the daughters of Zelophehad appealed to Moses that inheritance laws include unmarried daughters of fathers who died having no male heir (Num 26:33; 27:1-9). The appeal was granted under the guidance of God. Daughters of fathers having no son could inherit the father's estate. All rights were forfeited if they married outside their tribe; this would keep the inheritance within the family (Num 36:2-4).

However, a daughter was subject to her father, and in many ways was treated as inferior to her brother. A father could sell his daughter into slavery where she could become the wife of the master or his son (Exod 21:7-11), though Jewish tradition explains that the daughter must be under the age of puberty and her family must be suffering extreme poverty.¹⁶ Her master was forbidden to resell her. He could release her, but the law of release during the sabbatical year did not apply to women as to men (Exod 21:1ff.; Lev 25:40).¹⁷ She could choose to remain a servant "forever" by submitting to an ear-boring ceremony (Deut 15:17).

Should a single girl make a "vow to the Lord" (Num 30:3-5), or even a Nazarite vow (Num 6:2ff),¹⁸ it was subject to the validation of the father; but this was not true for a son. Idolatry was punished with death by stoning (Deut 13:6-11), and this was true for the daughter or wife.

While the father controlled his daughter, he was forbidden to force her into prostitution (Lev 19:29), though Lot offered his two daughters to the men of Sodom in order to protect his two male guests (Gen 19:8). Harlotry was condemned and was generally punishable by death, possibly with the idea of protecting God's people from being swept into the degrading rites and practices of the surrounding fertility worship. It would appear that the sin was considered more heinous for the woman than for the man, as is illustrated in the experience of Judah and Tamar (Gen 38). For a priest's daughter to become a harlot, especially in the light of local fertility temple rites, there was only one punishment—to "be burned with fire" (Lev 21:9).

Fornication in general was condemned. If an engaged daughter were seduced, the young man paid a dowry, she became his wife, and divorce was forbidden (Exod 22:16; Deut 22:28-29).¹⁹ If she was engaged and forced by another man, the law took account of two situations: If the act occurred in the city where she could have called for help, both were stoned to death (Deut 22:23-24). If it occurred in the open country, only the man was executed. The woman was not held accountable (vss. 25-27). Should the fornication take place with another man's female slave, the man was punished (not with death) and required to present a guilt offering to the Lord; the slave girl was not punished, possibly because she was considered part of the other man's "belongings" (Lev 19:20-22). Bestiality was automatically punished by death (Exod 22:19; Lev 18:23; 20:16), whether committed by man or woman.

The daughter, while being subject to her father, had many freedoms. She was loved. She served in the home and field chores, but was to keep herself chaste at all times prior to marriage.

¹⁵For daughters of priests see Lev 22:12-13.

¹⁶Lewis N. Dembitz, art. "Woman, Rights of," *The Jewish Encyclopaedia* 12 (New York, 1907): 556.

¹⁷See also Rainey, cols. 624-25.

¹⁸Ibid.

¹⁹This is illustrated in the story of Dinah and Shechem (Gen 34:7-31), but the fact that a daughter had been forced left deep-seated hatreds which in this case led to the death of the Shechemites.

Woman's Status and Role as Wife

Marriages in Pentateuchal times were arranged by the parents (Gen 24:3ff.; 34:4, 12; Deut 7:3; etc.), usually within the tribe and often to one's first cousin as is common in the Middle East today.²⁰ This is usually in the interest of keeping the wealth and estate within the family. First the consent of the father was given (Exod 22:17; Deut 22:16), then the consent of the family was sought but was not essential to the final arrangements of the marriage (Gen 24:41). Finally the prospective bride was approached for her approval (Gen 24:5, 8, 39, 57-58). Such statements as, "Suppose the woman will not be willing, . . ." "We will call the girl and consult her wishes," and "Will you go with this man?" certainly suggest that the woman had some say in regard to her marital likes and dislikes, in spite of the authority the father had over her. However, human nature being what it is, it would be unusual if this power were not abused; and, in some cases, the abuse became the rule.

Conditions for marriage as seen in the Pentateuch include: a woman should be a virgin (Deut 22:13-21; Gen 24:16; etc.) and preferably beautiful (Gen 12:11, 14; 26:7; 29:17; Deut 21:10-14); she should be industrious, for most of the household chores and management were upon her shoulders.²¹ The one she was to marry should be from the covenant community, as evidenced by his circumcision (Gen 24:3; 28:1; 34:14-15; Deut 7:3; etc.), and no unlawful relationship should be entered into (Lev 18:7-20). It was preferable, though not an unbroken law, that the firstborn daughter should be married before the younger (Gen 29:26). No harlot or divorcee was permitted to marry a priest (Lev 21:7), "for he is holy to his God."

Once the agreement was settled, the father received a "bride price" for his daughter and thus a contract was sealed with the prospective husband.²² This is called the *mohar* or "price" (Gen 31:15; 34:12; Exod 22:17; etc.). It is equivalent to the amount paid by a single man who seduces a virgin and thereby makes the commitment to take her as his wife (Exod 22:16).

The question comes as to whether this is actually a "purchase price" for the transfer of chattel property, or the price paid for "the surrender of authority over a woman by one man to another,"²³ with the corresponding responsibility to love her and care for her welfare. The latter seems to be the case. Dembitz likens the *mohar* to the Babylonian *tirhatu*, where it became customary for the bride's father to restore the money to the husband at the wedding on receipt of a contract to the wife "as a jointure, payable upon the death of the husband or in case of divorce. . . [It was therefore] a good security against divorce on insufficient grounds."²⁴

After the engagement the young lady veiled herself when in the presence of her husband-to-be (Gen 24:65) and she was considered as if she were the wife (Deut 22:23-24); for if she were violated by another man he would be charged with having "violated his neighbor's wife." Following the engagement her husband-to-be would be excused from war service until twelve months after the wedding.²⁵

The Pentateuch does not describe a wedding in detail. "God celebrated the first marriage,"²⁶ of Adam and Eve in the Garden of Eden; nothing is given by way of description. Of Isaac it is stated that he brought Rebekah "into his mother Sarah's tent, . . . and she became his wife; and he loved her. . ." (Gen 24:67). Of Jacob and Leah (obviously a veil concealed her identity for

²⁰Gen 24:4, 15, 29, 38; 28:2; etc.

²¹Bevan, pp. 1785-86.

²²Baab, p. 865.

²³Ibid. In Gen 14:16 "the women"/wives are separated from "his possessions." In Deut 5:21 "neighbor's wife" is separated from house, field, animals, and servants, yet she belongs to her husband, as the husband belongs to her.

²⁴Dembitz, p. 557.

²⁵Cf. Deut 20:7, and 24:5.

²⁶pp 46.

Jacob thought her to be Rachel) it states that Laban “brought her to him; and Jacob went in to her” (Gen 29:23). He is then said to have waited until “the bridal week” of Leah was complete—possibly similar to a “honeymoon” of more modern times—before Laban “gave him his daughter Rachel as his wife” (Gen 29:27-28). Little is said of the wedding celebrations, though Laban did gather “all the men of the place, and made a feast” (Gen 29:22). It is assumed, however, that the young lady also invited her friends and the whole community to the celebrations.

In the Pentateuch a marriage gift from the bride’s father of at least one handmaid was common. Laban gave Zilpah to Leah, and Bilhah to Rachel (Gen 29:22-29). Sarah’s handmaid was Hagar (Gen 16:1). The purpose of the handmaid was not only to serve the wife but, should the wife be barren or unable to produce sons, she could give the handmaid to her husband so that sons might be born. It would appear that in the latter event the handmaids were eventually referred to as “wives,”²⁷ possibly as secondary wives; but their sons were ranked with those of the full-fledged wife (for example, Jacobs 12 sons). The handmaid was totally under the control of the wife (Gen 16:1-9); and apparently, as in the case of Hagar (Gen 21:9-14), she could be driven out from the family for insubordination, along with her child, if a natural child had been born to the family.

Following the wedding the wife came under the authority of her husband (Num 5:19) and she addressed him as *baʿal*, “master, lord,” or *ʿadôn*, “lord” (Gen 18:12; Judg 19:26).²⁸ It is interesting to note that this is the same title of address used by a slave to his master or a subject addressing the king. In Deut 21:13; 22:22; 24:1, etc., to marry a wife is expressed by the Hebrew verb *baʿal*, “to become master.”

This should not, however, be interpreted as indicating that the wife of an Israelite was on the level of a slave. As de Vaux²⁹ points out, a man could sell his slaves and even his daughter but never his wife. This was true even when the wife was acquired as a captive in war (Deut 21:10-14). The wife was a “free” woman (as opposed to a bondwoman) who could be divorced, even though she could not initiate the divorce. In case of divorce, however, she was protected by a letter of divorcement that restored her freedom (Deut 24:1-4), and the *mohar* was to be restored to her.

Within the family she became well established and held in high esteem when the first child, particularly a boy, was born (Gen 16:4; 29:31-30:24); it drew the husband and wife closer together and she was revered by the extended family—the community—and particularly by her children, who owed her honor, respect, and obedience. The wife was not addressed as a slave or part of a man’s chattels; for in Gen 12:13 Abraham addressed Sarah with the words, “Please say that you are my sister. . . .” This is a respectful request, not an order. And, contrary to a common custom currently prevailing in the Middle East where the wife walks while father and children ride, Gen 45:19 and Exod 4:20 indicate that wagons and donkeys were supplied for the transportation of wives and children.

The view of Miller and Miller in *Harper’s Bible Dictionary*³⁰ that women in OT times were tireless drudges whose lot was little better than that of cattle or slaves” is unfortunate.

²⁷See Gen 37:2 where Bilhah and Zilpah are referred to as “his father’s wives.” The Hebrew word *nāšīm*, (wives women), is used. These were considered above a concubine in rank (Hebrew: *leḥēnāh* or more commonly *pilāgāš*), who were half wives, sometimes taken from among slaves (Gen 16:2-3), and their sons were considered inferior to those born to full-fledged wives (Gen 25:6; Judg 8:31; 9:18; etc.).

²⁸De Vaux, pp. 26, 39.

²⁹Ibid.

³⁰Madeline S. Miller and J. Lane Miller, *Harper’s Bible Dictionary*, art. “Woman” (New York, 1961), p. 821.

Either it demonstrates little understanding of the situation of the wife in OT times; or it reflects an evaluation made outside the OT framework and thus leads to wrong interpretations.

Certainly the wife who entered into her role in the right spirit in Pentateuchal days would have worked hard; but if done in the spirit of love as a homemaker, wife, and mother, all this “far from lowering her status” would have “earned her consideration” and honor.³¹

The wife’s role included, in addition to childbearing and childrearing,³² preparing meals (Gen 18:6; 27:14; etc.); carrying water (Gen 24:11ff; Exod 2:16; etc.); weaving and spinning, and thus making and caring for the family clothing. (Exod 35:25-26; etc.); manual labor, which might include working in the field (even making the ark for Moses [Exod 2:3])³³—perhaps nursing (Exod 2:7-10; Gen 24:59; 35:8; Num 11:12, etc.); or being a midwife (Gen 35:17; 38:28; Exod 1:15-22; etc.). These and many other duties, when performed well, brought joy and honor to her.

Of course one might expect abuses on the part of both the husband and the wife; but these cases are not typical in the Pentateuch. Adultery and fornication in various forms were forbidden and punishable by death or condemnation to childlessness (Lev 20:10-21; etc.).³⁴

Certain things were forbidden to a wife. She could not make vows that were not validated by her husband (Num 30:6-8); she could not wear man’s clothing (Deut 22:5), thereby attempting to deceive and to enter into the forbidden role of a male. In defending her husband who might take part in a physical fight with another Israelite, she was forbidden to seize the assailant’s genitals on pain of having her hand cut off (Deut 25:11-12).

The question of bigamy and polygamy should be mentioned at this point. The first reference to a bigamous marriage is to Lamech (Gen 4:19-24), of the line of Cain, who married Adah and Zillah. It was a perversion of God’s original plan for man as well as a downgrading of womanhood. It is true that in an agricultural society “many hands make light work” and that this might have been the original basis for bigamy, yet its related problems—multiplied in polygamous marriages—seem to outweigh the advantages. Jacob married Leah and Rachel (Gen 29:23, 30), though Leah was not his choice. It resulted in broken harmony and jealousy in the home (Gen 30:1). To control this ill-begotten state of affairs, laws were formulated (Deut 21:15-17) which at least handled matters of inheritance. If a second wife were not taken, then it became common for part-wives, called “concubines,” to be taken, as in the cases of Nahor (Gen 22:24) and Abraham (Gen 25:6). This tended to degrade womanhood even further. Then Esau, who at first took two pagan wives, Judith and Basemath (Gen 26:34), to displease and bring grief to his parents (Gen 26:35), began to multiply wives (Gen 36:2-3) and concubines (Gen 36:12; etc.), all the more so as he “saw that the daughters of Canaan displeased his father Isaac” (Gen 28:8-9). This was probably encouraged by the earlier deceptions of his mother (Gen 27:7-28:2) and brother.

The Lord forbade the future ruler of Israel to “multiply wives for himself, lest his heart turn away” (Deut 11:17). This shows the effect of a wife upon her husband. It seems obvious that the Mosaic laws were aimed at “mitigating rather than removing evils”³⁵ which appeared to be almost inseparable from the then-existing state of society. The enactments sought to raise the standard of womanhood, discourage polygamy, counteract and correct injustices arising from

³¹De Vaux, p. 39; Bevan.

³²See p. 29.

³³De Vaux, p. 49.

³⁴Miller and Miller, pp. 821-22.

³⁵W. L. Bevan, *A Dictionary of the Bible*, art. “Marriage” 2 (London: 1863); 241-42.

abuse by the male in a patriarchal society, restrict divorce, and encourage if not enforce a purity of life within the bonds of matrimony. More will be said under the subheading “Woman and Legal Rights.”³⁶

Woman’s Status and Role as Mother

The woman’s chief function was childbearing (Gen 3:16), and a good mother would enjoy the praise and respect of the father and children (Prov 31:28).³⁷ Because the mother was responsible for feeding, clothing, training, and guiding her children, she was often the one who presented the first rudiments of their education—especially the principles having to do with their moral formation. Her children were taught from the Ten Commandments to “honor your father and your mother” (Exod 20:12; cf. Lev 19:3). “The position of the mother is higher under the Mosaic law than under any other system in antiquity.”³⁸

So highly respected was the mother that it was regarded as unthinkable that Joseph’s “mother” would bow down to a “son” (Gen 37:10). Reverence for her was demanded by law (Lev 19:3), though a good mother earned it by her love and actions. To curse or strike one’s mother or father (no differentiation is made between mother and father in this and other cases) brought an automatic death penalty, as did an incestuous relationship between a son and his mother.

Several accounts of the deaths of mothers of prominent men mention a period of weeping and mourning (Gen 23:2; 38:12; etc.). In the case of Rachel a memorial pillar was raised in her honor (Gen 35:20).

Status and Role of Other Women

Widows

Upon the loss of her husband, the widow donned mourning garments for an unspecified period (Gen 38:14). She was at liberty to find food from the gleanings of the field, olives, and grape harvests (Deut 24:19-21). She was also given of the tithe of the increase “in the third year, the year of tithing” (Deut 26:12-13). She was protected by law from affliction (Exod 22:22), from distortion of justice (Deut 27:19), and from being forced to give a garment in pledge (Deut 24:17). Should she make a vow to God, she would be held accountable to fulfill the vow (Num 30:9), as was a man (vs. 2). And should she have a child by her husband, it was her privilege to take a wife for her son (Gen 21:21).

But if an aged widow had no children and no resources, her plight was a piteous one, and she was commended to the charity of the people, along with orphans and resident aliens.³⁹

A young widow left childless was provided for in the Mosaic law by the levirate marriage (Deut 25:5-10) whereby she was given to the *levir*, her husband’s next brother. The first son of that marriage was counted as a son of the dead husband so as to preserve his name and estate. This was a pre-Mosaic custom (Gen 38): Er, Judah’s oldest son, married Tamar and he died. She was then given to the second, Onan, who did not want to raise a son for his brother. When he

³⁶For a discussion on the effects of polygamy in the OT see Bevan, p. 1786.

³⁷Rainey, col. 623.

³⁸Dembitz, p. 558.

³⁹de Vaux, p. 40; see also Exod 22:21; Deut 10:18; 24:17-21; 26:12-13; 27:19; etc.

entered into an illicit relationship with Tamar for sensual gratification only, instead of going through the process of refusing to act as *levir* to Tamar, God slew him. She was then told to wait for Shelah, the youngest, to grow up. But Judah delayed with obvious intent of failing to keep his word.

Tamar could remain a part of her husband's family while there was a *levir* (brother-in-law). If there was no *levir*, or the *levir* refused to honor his role, the widow was free to remarry outside the family, but would in the meantime leave her former father-in-law's home to live with her parents (Gen 38:11; cr. Lev 22:13). In the case of Tamar, while waiting for Shelah to mature, she apparently lived with her parents though still under partial control of Judah (cf. Gen 38:11, 24).

After waiting a reasonable time, Tamar forced the issue by impersonating a harlot, or "temple prostitute," to trap Judah in a forbidden relationship with her. When found out, she was considered worthy of death because she, presumably promised to Shelah, had played the role of a harlot.

She was spared when Judah realized the wrong he had done her. Though the record nowhere suggests that she was ever given to Shelah, it does state that she had twins, the elder of whom, Perez, became a progenitor of the Messiah.

This incident ended with reasonable satisfaction for Tamar. But the law forbade cult prostitution (Deut 23:17-18), whether male or female; and wages from such a practice were barred from the temple as an abomination.

Divorcees

Prior to the law concerning divorce in Deut 24:1-4 men apparently divorced their wives by ordering them out of the house,⁴⁰ thus putting the divorcee in an almost impossible situation. With the divorce law the divorcee was given a certificate of divorcement so that she could legally and properly become the wife of another man with no stigma attached. At the time of the divorce the husband was to return the *mohar* to the wife, which became somewhat of a deterrent to gaining a divorce on insufficient grounds.⁴¹ The law thus partially protected a woman from a capricious husband.

Should a divorcee make a vow to the Lord, she was held accountable to honor the vow, as was the widow or the man (Num 30:2, 9).

Slaves

Male and female slaves from pagan nations could be purchased and become part of one's possessions, but it was not permissible to take a Hebrew as a slave (Lev 25:39-46). In the case of the purchase of a Hebrew man or woman, only six years of service could be demanded, for in the seventh year they were to be set free (Deut 15:12).

A daughter could be sold into slavery to pay a debt or because of the extreme poverty of the family (Exod 21:7); but in no case could she be sold into prostitution (Lev 19:29). A daughter thus sold with the idea that she marry the master could be redeemed if she were found displeasing to him. In the event that she had been designated for the master's son, she was to be treated as a daughter. In no case could she be re-sold to a foreign people; but if she were found unacceptable, she was to be released without payment (Exod 21:7-11).

⁴⁰S. H. Horn, "Divorce," *Seventh-day Adventist Bible Dictionary* (Washington, 1979), p. 290.

⁴¹Dembitz, p. 557.

The slaves, male or female, were considered property of the master (Exod 21:20-21; Lev 22:11), and could be punished or corrected by him. Abuses were handled mildly, however; if, after a beating, the slave—male or female—died the same day, there would be unstipulated punishment; but if the slave were to die after a day or two, no punishment would be meted out because the slave was his property (Exod 21:20-21). However, in the event that an eye or a tooth was lost, the master was duty-bound to release the slave, male or female (Exod 21:26-27). Should the master give a female slave to a male slave for a wife, and children be born of the union, this could secure the release of the male slave. But the female slave and her children were to remain the master’s property (Exod 21:4).

Woman and Inheritance

Little more can be said than the recorded above—that in no case did an inheritance go to the mother;⁴² but the daughters of Zelophehad (Num 26:33; 27:1-9; 36:2-4) had the inheritance law changed so that it reads, “If a man dies and has no son, then you shall transfer his inheritance to his daughter. . . .” This inheritance is conditional upon the daughter’s marrying within the tribe. To marry outside the tribe would mean the forfeiture of the inheritance to the father’s brothers.

Woman and Religious Life

The woman’s role in organized worship was generally of a secondary nature. She could be called to be a prophetess, and could lead the people in music, singing, and sacred dancing (Exod 15:20; etc.), yet she could not serve as a priest(ess).⁴³

Women, including daughters, maidservants, and widows, are specifically mentioned along with “all the congregation of Israel” (Exod 12:3; Deut 16:14) as taking part in the Feasts of Passover, Pentecost, and Tabernacles. However, they were represented as part of the covenant community of Israel through the circumcision of their fathers or husbands; and their sins were forgiven through their faith in the offerings made by the priests, their fathers, or husbands.

They were credited with contributions for the tabernacle (Exod 35:22-29; 38:8), and the daughters of the priests could take part in eating the breast and thigh of the wave offering (Lev 10:14).

However, Israelite religion had no place for the pagan temple or cult prostitute (Deut 23:17-18; Num 31:15-16; 25; see also Gen 38:21-22). In pagan fertility worship such women took part in the act of fertility of man, beast, and soil, by transferring through sympathetic magic the fertilization of the cult prostitute to the respective area to be made fertile. But while Israel’s society was agriculturally based, there were no fertility rites in the Levitical rituals; and therefore there was no need for temple prostitutes. Their presence would only debase Israel and they were therefore condemned to death.

Neither was there any place in Israelite worship for the sorceress or spirit medium, who was directly connected with Satanic powers and worship; therefore anyone connected with the practice was condemned to be stoned to death (Exod 22:18; Lev 20:27; etc.).

⁴²Dembitz, p. 556. Unless Bethuel, Rebekah’s father, left the inheritance to his wife so that Rebekah’s home was called “her mother’s household” (Gen 24:28).

⁴³Baah, “Woman,” p. 866. It is suggested that this might be because of the sexual nature of the woman and her periods of ritual uncleanness. See Lev 12:2, 5; 15:18-33, and the purification procedures in Lev 12:6-8. See also Rainey.

Thus the major part the woman played in the religious life was in instructing and training the children, and instilling in their young hearts basic spiritual principles and truths. Also, as the family took part in the major feasts at the tabernacle, she played her part in song, praise, prayer, and heart preparation of herself and her children.

Woman and Social Life

The Pentateuch reflects a certain stratification of the female Hebrew society. Deuteronomy 28:56 talks of “the refined and delicate woman among you, who would not venture to set the sole of her foot on the ground for delicateness and refinement, . . .” which is an obvious description of the elite, aristocratic woman. At this period of time there was little or no middle class of specialists and business people, or *nouveaux riches*, which made the next class the “free” married women. Then would come the unmarried “free” women—the divorcee and the widow. The final group would appear to be the handmaids who had become secondary wives, concubines, and female Hebrew slaves. This last group represents those in various states of bondage.

At public festivals and celebrations women played a prominent part in music, singing, and dancing (Exod 15:20-21). This was particularly true at times of tribal and/or national victory, annual feasts, weddings, and (on a smaller scale) upon the birth of sons.⁴⁴ The women were also responsible for the food and drink at all times; and, while they might sing and dance, there is no evidence in Pentateuchal times of the sensual type of dancing common to pagan festivities. The women also participated as both guests and attendants of guests.⁴⁵

Little detail is given in the Pentateuch regarding funerals and the woman’s part at such times. However, it was usual that the eyes of the dead were closed (Gen 46:4) and the body wrapped but usually not placed in a casket. The nearest relatives embraced the body (Gen 50:1). The men would tear their garments and put on sackcloth (Gen 37:34). The pagan custom of cutting oneself and shaving the hair and beard were condemned (Lev 19:27-28; 21:5; Deut 14:1). The women were to care for food—usually a special dish for such occasions—and drink, and to weep and lament—though in the early days this was also done by the men (Gen 23:2; 50:10). Later the laments and songs were prepared and sung by women who looked upon it as their trade or profession to be taught to their daughters (Jer 9:16ff.).⁴⁶

Woman and Legal Status

Many Hebrew laws treated men and women equally: both parents were to be honored and revered by their children (Lev 19:3; Deut 5:16; 27:16), death being meted out to the child, male or female; who either strikes or curses his parents—mother or father (Exod 21:15, 17; Lev 20:9; Deut 27:16); both adulterer and adulteress were to be put to death (Lev 20:10; Deut 22:22); both male and female partners were to die if caught in incest (Lev 20:11, 17-18); in dealing with leprosy the Law banished and both male and female sufferers, without distinction, from society as unclean (Lev 13:29, 38; Num 12:1-2, 10ff.); punishments for violence—striking, goring by an ox, cursing or killing mother or father, male or female slave, man or woman, son or daughter—were the same whether committed by a male or female (Exod 21:15-32).

⁴⁴See Bevan, pp. 1785-86; de Vaux, p. 39.

⁴⁵Bevan, Baab, p. 865.

⁴⁶De Vaux, pp. 60-61

However, certain laws reflect a different status for certain women under special circumstances: The birth of a daughter required longer purification rites than for a son (Lev 12:1-5); in extreme poverty a father might sell his daughter to pay a debt (Exod 21:7-11)—however, this was with the idea that she would become the wife of either her master or her master’s son. Should she be found to be unacceptable, she was to go free without payment. Under no circumstances was she to be sold to foreigners. If sold into slavery as a wife, she was not, like her male counterpart, permitted to go free in the seventh year (Lev 25:40). She was not to be forced into prostitution by her father (Lev 19:29). A vow made by a single girl or married woman needed the approval of her father, husband, or guardian before it was valid. Without this the vow was made null and void (Num 30:4-16). However, this was not true of a widow or divorcee, whose vows were as valid as any man’s (Num 30:2, 9). In the evaluation of special vows the differentiation between the male and the female becomes evident (Lev 27:2-7). For example, the value of the vow was “according to your valuation of persons, belonging to the Lord”: a male between 20 and 60 years of age was evaluated at 50 shekels of silver, while a female of the same age group was evaluated at 30 shekels of silver. A male 5 to 20 years old was 20 shekels while a female of the same age was 10 shekels. A male up to three years of age was 5 shekels of silver, while a female of the same age was only 3 shekels. A male over 60 years old was valued at 15 shekels while a female of the same age was rated at 10 shekels. The value rating for the woman was approximately two-thirds that of the man.

Therefore, one cannot break from the conclusion that in the Patriarchal society in Pentateuchal days the woman, in general, had a lesser rating than the man; though as wife and mother she was revered, honored, respected and held in very high esteem.

Summary

Initially there was full equality between man and woman as they came from the Creator’s hands.⁴⁷ They were equal, complementary, and compatible partners created in the image of God, given the same privilege of “subduing” the earth, and the same responsibility to people the earth with God-loving, God-worshiping, and Godlike children. Under the shared blessing of God in perfect surroundings, with God and angels as their teachers and companions, they unbelievably chose to sin, to go their own way.

“Eve had been perfectly happy by her husband’s side in her Eden home; but, like restless modern Eves, she was flattered with the hope of entering a higher sphere than that which God had assigned her. In attempting to rise above her original position, she fell far below it. A similar result will be reached by all who are unwilling to take up cheerfully their life duties in accordance with God’s plan. In their efforts to reach positions for which he has not fitted them, many are leaving vacant the place where they might be a blessing. In their desire for a higher sphere, many have sacrificed true womanly dignity, and nobility of character, and have left undone the very work that Heaven appointed them.”⁴⁸

In their marital relationships Eve was placed in subjection to her husband, for he was to “rule” (*māšal*) over her (Gen 3:16), to be the head of a relationship of equals, as Christ rules the church (Eph 5:25, 28), and God the Father is the Head of Christ (1 Cor 11:3). But he was not to “rule” (*rādāh*) over her as a master his slave, or as he was to control the animal world.

⁴⁷See Hasel, pp. 26, for the summary and implications of the record in Gen 1-3.

⁴⁸PP 59, see also 1BC 234, comment on Gen 3:16.

Unfortunately, after the first three chapters of Genesis, man's adulteration and abuse of his powers debased womanhood. This abuse spread far outside the marriage relationship to include all women, and to reduce their position in some societies to little more than goods and chattels—property owned by the man as he owned a house, land, animals, and slaves.

God's original plan of monogamy quickly spread to bigamy, then polygamy; and the Mosaic laws, which were given within the framework of a polygamous society in which women were downtrodden, were aimed at relieving and improving conditions within that setting.

Kings were told not to multiply wives (Deut 11:17); and, in the event of bigamy, two sisters should not be married to the same man (Lev 18:18) because of rivalries and jealousies that were bound to arise. Each wife was given certain matrimonial rights (Exod 21:10-11). A eunuch, considered essential in a polygamous society, was banned from the "assembly of the Lord" (Deut 23:1); thus there was an attempt to discourage this occupation and, therefore, the system that brought it into existence.

Divorce, which was so simply and irresponsibly decreed by the husband, thus causing the most distressing results for the former wife, was now brought into some control (Deut 24:1ff.). This demanded time to re-think, emotions to cool, the intervention of a third party to attempt reconciliation, and the giving of a "certificate of divorce" by the husband to his former wife. This certificate gave her a clean bill of health to remarry.

Humane regulations improved the positions of slaves (Exod 21:2-6), purchased wives (Exod 21:7-11), and captives (Deut 21:10-14); and the distribution of property to the children or different wives (Deut 21:15-17).

Laws condemning fornication, adultery, and bestiality in all their forms, punishing the violators with death, served to curb the sins of carnality that were increasingly prevalent at that time.

Man, however, was dominant, and this is reflected in social, religious, and legal affairs in the Pentateuch. Genealogies were given by the father's line with women rarely mentioned (Num 26:46, 59; etc.). The father had absolute authority over children, married sons living with him, his wife (wives), and the whole household. This power extended even over life and death in some cases (Gen 38:24).⁴⁹

However, women who became good and industrious wives and mothers were respected and occupied an important place in Israel.⁵⁰ God's plan, however, is reflected in its fullness not in the Patriarchal society of the Pentateuch but rather in Gen 1 and 2 where man and woman were created equal, complementary, and compatible within the divine sphere of operation assigned to each. As the remnant church concerns itself with the presentation of the full gospel message to all the earth, and to the restoration of the image of God in each person, by God's grace, it becomes more and more imperative that man and woman be brought back from the ruinous situation into which sin has led them, and by the Spirit reestablish the original unity, equality, and harmony in relationships that were characteristic of the original creation. However, until sin is removed, the complete and perfect attainment of that standard will not be possible. But should this not indeed be the goal to which all are striving?

⁴⁹See de Vaux, pp. 20, 39; E. W. Heaton, *Everyday Life in Old Testament Times* (New York, 1956), p. 69; Baab, pp. 864-65.

⁵⁰See the review by Louis Jacobs, art. "Women," *Encyclopedia Judaica*, vol. 16 (Jerusalem, 1971), cols. 625-28.