

VIRGINITY IN THE BIBLE

Tikva Frymer-Kensky

Among the Deuteronomic laws dealing with sexuality and the family, two laws demonstrate Israel's attitude towards the chastity and virginity of daughters: the case of the slandered bride (Deut. 22.13-21) and intercourse with an unmarried daughter (Deut. 22.28-29). Both laws operate on the premise that unmarried girls are supposed to remain virgins until they are married to a man of their father's choosing. In the intercourse provision, the girl's sexual experience is revealed while she is still under her father's jurisdiction. In the case of the slandered bride, the bridegroom of a newly married girl claims that he is not the first. Both circumstances flaunt the assumption of daughterly chastity and both precipitate a crisis that the laws seek to resolve.

The cultural expectation that young girls should remain virgins is embedded in the Hebrew language. As is now generally well known, the term normally translated 'virgin', *b^etûlâ*, means a girl of marriageable age. A passage such as Joel 1.8, 'like a *b^etûlâ* wearing sackcloth for the husband of her youth', cannot refer to a virgin, and the common pairing of *bāhûr* and *b^etûlâ* (Deut. 32.25; Isa. 23.4; Isa. 42.5; Jer. 51.22; Ezek. 9.6; Ps. 148.12; Ps. 78.63; Lam. 1.18; Lam. 2.21; 2 Chron. 36.17) makes it clear that the word's reference is to 'young man/men and woman/women', and says nothing about their physical characteristics. When the text wants to emphasize the virginal state of a girl, it adds the phrase 'who has not known a man' (Judg. 19.39; Judg. 21.12; Gen. 24.16¹). On the other hand, the plural word *b^etûlîm* probably means 'virginity' in Judg. 11.37. The same term *b^etûlîm* is used in Lev. 21.13 in a discussion of the High Priest who cannot leave the sanctuary; he must marry a girl in her virginity. So too in Deut. 22.14, the term indicates 'sign of virginity', namely, 'blood of defloration'.² The term

1. Masoretic reading of Gen. 24.16: 'a man has not known her'.

2. This despite Wenham's attempt to interpret the passage as a seeking of

b^etûlâ can also sometimes mean 'virgin'. Leviticus 21.14 stipulates that the High Priest cannot marry a widow, divorcee, profane woman or prostitute; only a '*b^etûlâ* from his people'. This verse is one verse after the phrase 'a girl in her *b^etûlîm*', and almost certainly means 'virgin'. The passage in Ezek. 44.22 is more ambiguous. Speaking about all priests, it declares that they cannot take widows or divorcees as wives, only *b^etûlôt* from the seed of Israel or widows of priests. Here the essential requirement is that she has not been stamped as a non-priest. She is a daughter of Israel, or has been inducted into the priestly caste by another priest.

The ambiguity and variability of the term arises from the basic cultural assumption that young marriageable women are virgins. This virginity is prized. Lot tells the mob that his daughters are virgins to make them want the girls more. The prize has a price: in Exod. 22.16, the girl's lover pays the *môhar habb^etûlôt*³ even if the father refuses to allow him to marry her. It is sometimes assumed that a girl who has been seduced and raped will no longer be marriageable. Of this there is no hint in the biblical text. In an age when many women died in childbirth, and when polygamy was permitted, if not popular, most girls could find husbands. But they would no longer command the *môhar habb^etûlôt*.

The serious expectation that daughters be virgins before marriage is shared by other ancient cultures. Classical Greece also had high expectations and strong demands for the virginity of girls. As with Hebrew, the words for 'young girl' and 'virgin' are the same, *parthenos*. Furthermore, the Greek word *sophrosune* 'right action', which refers to cautious moderation for men, means absolute chastity for girls.⁴ Ancient Near Eastern laws also show this concern. If the girl has been spoken for (brideprice paid), then sleeping with her is a capital offense. This is an adultery regulation. But Lipit-Ishtar 33 shows us a similar,

menstrual blood, whose absence would indicate pregnancy. This use of a 'bloody sheet' would be without parallel in a world where bloody sheet inspection is a well-known institution for enforcing the virginity of daughters. See G.J. Wenham, 'B^ETÛLĀH, "A Girl of Marriageable Age"' VT 22 (1972), pp. 326-48.

3. Of course, given the ambiguity of the term *b^etûlôt*, this brideprice might simply mean the appropriate brideprice for young girls.

4. For Greece see initially Michel Foucault, *The Use of Pleasure: The History of Sexuality*, II (trans. Robert Hurley; New York: Vintage Books, 1986) and Giulia Sissa, *Greek Virginity* (trans. Arthur Goldhammer; Cambridge, MA: Harvard University Press, 1990).

though less weighty concern attached to virgin daughters: 'If a man claims that another man's virgin daughter has had sexual relations but it is proven that she has not had sexual relations, he shall weigh and deliver 10 shekels of silver'.⁵

Western culture after the Bible has put so much emphasis on virginity and has attributed such importance to the biological condition of virginity (the 'intact virgin' with the unruptured hymen) that we take such emphasis for granted and rarely ask 'why'? Why should society place such great stock, or indeed care that its young women be virgins at marriage? Adultery can wreak havoc in society, but premarital chastity? When people have thought about this question, the standard explanation has been that men want their wives to be virgins so that they can be sure that any babies are theirs. But, when carefully examined, this explanation will not hold up. There is no reason that societies could not have a convention that any baby born during the first nine months after the marriage belongs to the bride's family—after all, in an agrarian society, there is economic value in the labor of children. Alternatively, societies could have a rule such as Sparta is reputed to have had, wherein biological fatherhood was immaterial and only sociological fatherhood (who raised the child) counted. Even Rome made a distinction between the *progenitor* and the *pater*, with the *pater* the significant father.

A second common 'explanation', that men want the 'property' that they acquire to be new and unused does not make any sense. When sexual pleasure is a concern, experience might outweigh any titillation from tight fits. Women rarely want their bridegrooms to be virgins and when they do, it is because of the ideological value of 'purity' that is culturally learned. And since one of the main purposes of marriage is the production of children, a society could have a convention that a girl who has already gotten pregnant, indeed has already birthed a living baby, has demonstrated that she is fertile and therefore has increased her worth. Some societies do have such a convention and place no

5. LL 26. Except when indicated, all translations are by Martha Roth, *Law Collections from Mesopotamia and Asia Minor* (Atlanta: Scholars Press, 1995). In this text I read 'another sleeps with her' where Roth reads 'deflowers'; in practice, the expectation is that the two mean the same. However, if the man who paid the brideprice has already slept with her so that the second man is not technically deflowering her, the penalty would be the same. The classic study on the sex laws is by Jacob J. Finkelstein, 'Sex Offenses in Sumerian Laws', *JAOS* 86 (1986), pp. 355-72.

stock in a girl's premarital chastity.⁶ The desire of men that their wives be virgins results from the cultural supervaluation of virginity, particularly female virginity; it is not its cause.

There have been several noteworthy attempts by anthropologists to explain the virginity ideal. The first, by Jane Schneider,⁷ concentrated on the pan-Mediterranean preoccupation with female chastity. She argues that it arose from political-economic and ecological situations in the absence of effective state control. Kin groups competed over land and other scarce resources, and women were an important resource. Guarding access to this resource could symbolize the family's ability to protect its material boundaries. The necessity to guard access could also reinforce intra-familial cooperation in the face of potentially disruptive external forces. The problem with this explanation, provocative as it is, is that it suffers from both historical and ethnological blindness. By concentrating only on the modern Mediterranean complex, it ignores the fact that the same cultural valuation of virginity is found around the globe and existed long before the collapse of the Roman Empire and long before the Bible. The same problem undermines Carol Delaney's hypothesis that when the ideology of monogenesis, namely, the Aristotelian notion that the entire embryo is contained in the sperm, was combined with monotheism, the combination led to the establishment of total patriarchy with its desire to control women.⁸ Patriarchy existed long before Greece, and Aristotle's theory of monogenesis was only one of several biological models of procreation in classical Greece. Far from being the cause of patriarchy, it became the dominant reproductive thesis because it fit patriarchal ideals. Nevertheless, despite their flaws, both theories draw attention to the intimate connection between the ideal of virginity and the control of women.

In contrast to Schneider, who emphasized the absence of a state, Sherry Ortner pointed to the historical emergence of the state, with its increasing stratification in kinship forms and the emergence of family as an administrative unity with absolute authority vested in the father as

6. For discussion, see Karen Erickson Paige and Jeffrey M Paige, *The Politics of Reproductive Ritual* (Berkeley: University of California Press, 1981) and Lucy Mair, *Marriage* (London: Scholar's Press, 1977), chapter 10.

7. Jane Schneider, 'Of Vigilance and Virgins', *Ethnology* 10 (1971), pp. 1-24.

8. Carol Delaney, 'Seeds of Honor, Fields of Shame', in D. Gilmore (ed.), *Honor and Shame and the Unity of the Mediterranean* (American Anthropological Association Publications, 22; Washington, DC: American Anthropological Association, 1987), pp. 35-48.

senior male. Thus, in a patriarchy, women are legal minors subject to male control. The state and its legal and religious institutions have formally legitimated, enforced and symbolically justified the codes by differential laws and punishments for female and male adultery; by the 'crimes of honor' that condone by minimal sentencing any homicides committed to avenge the sexual transgression of a female relative; and by religious images like the Madonna which glorify female chastity.⁹ In a later work, Ortner herself realized the historical myopia of this study. From her studies in Polynesia she realized that hierarchical social organization historically preceded state formation and economic intensification, and was at least as much cause as effect of these. She suggests that it is hierarchy itself that creates the demand for virginity. In a hierarchical society, the status of a person is based first on his or her position in the hierarchy and secondarily on gender within that rank. At the highest rank, the social organization unites males and females with common interests and tends towards (though it does not reach) gender equality. Women also get their share of the family property: in patrilineal exogamous systems women are dowered, in cognatic endogamous systems they inherit. However, the unexpected fact is that even though marriage is less important in the latter system, nevertheless, both systems place great importance on guarding girls' virginity. Ortner therefore concludes that the stratification itself, by elevating women's position within each strata, creates the high cultural value of virginity. Noting that 'Virginity in its cultural contexts [is] an expression and cultivation of the overall higher "value" of women in such systems', Ortner suggests that this is because 'virginity downplays the uniquely feminine capacity to be penetrated and to give birth to children'.¹⁰

The most recent study of virginity, by Alice Schlegel, relies on the techniques of cross-cultural analysis. Using the index of cultures, Schlegel notes that the only societies that do not value virginity are those with subsistence technologies, small communities, absence of stratification, matrilineal descent, matrilineal marriage, absence of belief

9. Sherry Ortner, 'The Virgin and the State', *Feminist Studies* 4 (1978), pp. 19-33.

10. Sherry Ortner, 'Gender and Sexuality in Hierarchical Societies', in Sherry Ortner and Harriet Whitehead (eds.), *Sexual Meanings: The Cultural Construction of Gender and Sexuality* (Cambridge: Cambridge University Press, 1981), pp 351-409; quotations are from p. 401.

in high gods, no bridewealth, little or no property exchange at marriage and ascribed rather than achieved status. She therefore suggests that those societies where young men seek to ally with powerful families value virginity because by ensuring the virginity of families, the bride's family prevents young men from claiming girls by making them pregnant. When abortion is freely available, she adds, virginity is less valued.¹¹

Schlegel's argument is seriously flawed. As historians, we know of societies—most notably biblical society—in which bridewealth is clearly combined with the valuation of virginity. Schlegel's flaw lies in the very methodology of cross-cultural techniques. She recognizes that there are six gradations of attitudes towards premarital sexuality: expected, tolerated, mildly disapproved but not punished, mildly disapproved and lightly punished, disallowed except with groom and strongly disapproved. However, in order to code her computer search, she takes the first three as 'virginity not valued' and the last three as 'virginity valued'. This simplifies far too much. Moreover, there are societies (like contemporary Saudi Arabia) that do more than strongly disapprove, that kill the girl and/or her lover. There are also societies (early and medieval Christianity) whose valuation of virginity is so high that it becomes the bedrock demonstration of faith. In addition, it is simply not true that virginity is not valued where abortion is available: laws from the ancient and classical world clearly assume the option of abortion or exposure.

Whatever the ultimate causes of the virginity ideal, the anthropologists are right in pointing out the strong connection between such chastity codes and the guarding of girls. The male members of the family have the prerogative and the duty to maintain the chastity of the young women of the family. The chastity of the girl thereby becomes an indicator of the social worth of the family and the men in it. The honor of the family is at stake, for real men have the strength and cunning to protect and control their women.¹² The defilement of the

11. Alice Schlegel, 'Status, Property and the Value on Virginity', *American Ethnologist* 18 (1991), pp. 719-34.

12. This phenomenon has been studied particularly in the societies around the Mediterranean, because chastity codes are universal through that area. But the same patterns have been discerned in very widespread areas. The classic study is by J.G. Peristiany, *Honor and Shame: The Values of Mediterranean Society* (London: Weidenfeld & Nicolson, 1965). More recently, see David Gilmore, 'Introduction', in David Gilmore (ed.), *Honor and Shame and the Unity of the Mediterranean*

females unman the men: they lose their honor by the demonstration that they lack the qualities of real men. To protect their honor, men of a family may join together to safeguard their women. They view other men with suspicion, and Paige and Paige point out that the period beginning at menarche is a time of great vulnerability for a family, for some men may find it beneficial to seduce or rape a girl rather than negotiate a brideprice.¹³ By eloping with a girl, a man both eliminates competing suitors, and demonstrates her father's inability to control his own daughter. The effect is to shame him into lowering the amount of compensation he demands. Gossip can also weaken the father's position in marriage bargains. Even if the girl has not run away, rumors that she has not been chaste reduce the family's status in the same way. The solution is strict surveillance, which protects the 'daughter' against both seduction and accusations of promiscuity.

There is another explanation that could be offered for the importance that maidenly chastity assumes in so many cultures. If Freud is right about the incestuous feelings that fathers and daughters have for each other, and if the 'primal law' against incest is truly universal, then a father's desire for his daughter may be transmuted into his insistence that she belong to no one but him until he marries her off. The primal law has often been considered the origin of both law and morality and of the construction of gender. But the universality of the primal law is itself a theoretical construction¹⁴ and any assumptions derived from it stay speculative.

Another possibility is that the surveillance of girls may itself be part of the reason that virginity is so prized. Virginity becomes a tangible reason for the family's right to control their women. It offers a specific purpose towards which the patriarchal urge to dominate can be directed, and a way in which it can be measured. In this way the control of girls may be a cause of the chastity codes, not their necessary corollary. In any event, control and chastity are intimately related.

(AAA Publications, 22; Washington, DC: American Anthropological Association, 1987), pp. 2-21, and Maureen Giovannini, 'Female Chastity Codes in the Circum-Mediterranean: Comparative Perspectives', in Gilmore (ed.), *Honor and Shame*, pp. 61-74.

13. Paige and Paige, 'Politics'.

14. For discussion of gender and Foucault's theory of the Primal law, see Judith Butler, *Gender Trouble: Feminism and the Subversion of Identity* (London: Routledge, 1990).

Dinah

The biblical story that most dramatically reflects these concerns is Genesis 34, one of the most misunderstood stories in the Bible. A tale of love, betrayal, and war, it is commonly known as ‘the rape of Dinah’ and has been read and interpreted as a story of rape and revenge.

The first sentence of Genesis 34, ‘Out went Dinah, the daughter of Leah whom she bore to Jacob, to visit the girls of the land’, is fraught with implications for biblical Israel. The very first word, ‘out went’, can strike terror in the mind of any patriarch. ‘Out’ means leaving the family domain, leaving both the protection and the control of the head of household. We often talk about the vulnerability of women who go out without protection. But rarely is it mentioned that when a woman goes out, she leaves her family vulnerable to any disgrace her actions might bring upon them. As a result of this vulnerability, many societies have strongly discouraged girls and women from going out. In Near Eastern society women had responsibilities, such as going to the well, that would take them out into the public sphere. But the woman who went out without a specific chore was viewed with suspicion and condemnation. The Laws of Hammurabi 142 consider the case of a woman who wants a divorce. The local court investigates: if she has been a paragon of a wife and her husband a profligate, she gets her divorce and takes back her dowry; if, on the other hand, her husband has been a proper husband, but she has been a gadabout, (*wāṣiat*) then they throw her into the river (LH 142). An Old Babylonian word list identifies this same word ‘gadabout’, *wāṣitum* (literally ‘goer-out’) with *harimtu*, ‘prostitute’. The goddess Inanna/Ishtar and female demons and street-walkers roam the streets; ‘proper’ women do not. Jewish and Christian commentaries also exhibit this attitude towards women who go out. Rashi calls Dinah a *yōṣ’ānīt*, the Hebrew equivalent of *wāṣitum*, with the same connotation. In the Christian tradition, the Renaissance commentator Tyndale declares ‘Dinah goeth but forth alone, and how great myscheve and troble followed’, and Calvin makes the lesson explicit: ‘fathers are taught to keep their daughters under narrow watch’.¹⁵ The control of girls is only slowly disappearing in our own culture, and our

15. Quoted from Ilona N. Rashkow, *Upon the Dark Places: Antisemitism and Sexism in English Renaissance Biblical Translation* (Sheffield: Sheffield Academic Press, 1990), p.97.

languages still encode the same message: the Aramaic word *napqa*, literally, 'she who goes out', becomes the Yiddish word for prostitute; the English word 'streetwalker' means the same.

With all this cultural background, 'Dinah went out' is not an innocent statement. She is 'out of control' and something is going to happen. And what happens is a father's nightmare: Dinah, who went out to see the girls, is seen by a boy. The story tells us, 'Shechem... the prince of the land, took her and laid her, and degraded her'. Usually, the story is considered a rape story: girl goes out alone and gets attacked. But the key word, *'innâ*, does not mean rape. *'innâ* is one of the key words of relationships in the Bible. It characterizes how Sarah treated Hagar and how the Egyptians treated their Israelite slaves. The basic meaning is to treat someone improperly in a way that degrades or disgraces them by disregarding the proper treatment due people in each status. In the story of Tamar and Amnon, where Amnon raped Tamar, the narrator says specifically 'he overpowered her, abused her and lay with her' (2 Sam. 13.14). Both the use of the verb 'overpower' and the word order are significant. In Amnon's case, where the text tells us specifically that the rape was by force, *'innâ* comes before the verb 'he lay with'. By contrast, in the Dinah story, the verb 'overpower' is not used and *'innâ* comes after the word 'lay with'.¹⁶ Later in the story, the text says that Shechem did an outrage by 'sleeping with the daughter of Jacob'. Nothing is said about forcible rape: any sexual intercourse with a daughter is a moral outrage that may not be done.

There is a reason that the word order counts. In rape, abuse begins before intercourse, from the moment the rapist begins to use force, and so the word *'innâ* comes before the word 'lay with'. In other forms of illicit intercourse, the act of intercourse may not have been abusive. The sex may be sweet and romantic. But the *fact* that the man has intercourse with her degrades her, and the word *'innâ* comes after the word 'lay with'. Shechem did not rape Dinah, but he did wrong. From the Bible's point of view, an unmarried girl's consent does not make the sex a permissible act. She has, after all, no right of consent.

Shechem may not have forced her, but the very fact that he has slept with her means that he has ignored the fact that she is a proper young woman who must be treated within certain protocols. Laws from Sumer and Assyria deal with the possibility that a man might meet a girl in the

16. For the word order, see Lyn Bechtel, 'What if Dinah is not Raped?', *JSOT* 62 (1994), pp. 19-36.

street and sleep with her; the Assyrian law provides that the man must give triple the virgin's price.¹⁷ The proper protocol demands that the man (or his father) approach the girl's parents, and possibly first her mother. A love poem from ancient Sumer that tells of the meeting of the god Dumuzi and the young goddess Inanna demonstrates the way things should happen. As Inanna tells the story, Dumuzi approached her, putting his arm around her shoulders. She, however, tells him 'let me go that I may go home. What stories would I tell my mother?' Dumuzi suggested that she tell her mother that she spent the time in the square with a girlfriend, listening to music: 'with this story confront your mother; as for us—let us be dallying in the moonlight'. She, however, convinced him that he must court her properly by coming to see her mother Ningal.¹⁸

The meeting of the two gods Enlil and Ninlil is told in two Sumerian myths. In one, 'the marriage of Sud', Enlil negotiates with Sud's (Ninlil's) mother for her hand. But in the myth of 'Enlil and Ninlil', the mating of these two gods is more like that of Dinah and Shechem. Ninlil goes to the banks of the holy canal and Enlil accosts her, 'let me make love with you... let me kiss you!' But she would not agree: 'If my mother learned about it, she would be slapping my hand; if my father learned about it, he would be grabbing hold of me'. But Enlil pursues the matter, sleeps with her and inseminates her with the moon god Su'en. When he comes through the courtyard of the town, he is set upon by the court of the fifty great gods and the seven deciding gods, who decree, 'the sex offender Enlil will leave the town'. Enlil is banished. Ninlil loves him, and indeed follows him, but he is banished nonetheless. His act is too dangerous to the social order to allow him to continue to live in Nippur.¹⁹

Inanna insists that her suitor come to her mother; Ninlil and Dinah do not. But regardless of the willingness of the maidens, the suitors had no right to sleep with them. Young girls cannot consent legally, for they do not have the right of consent. Even if Dinah was willing, even if

17. Sumerian Laws Exercise tablet 7-8; MAL 55 (Roth, *Law Collections*, pp. 44, 174-75).

18. Dumuzi-Inanna H: critical edition by Yitschak Sefati, 'Love Songs in Sumerian Literature: Critical Edition of the Dumuzi-Inanna Songs' (PhD thesis, Bar-Ilan University, 1985), pp. 209-17; ET *The Harps That Once: Sumerian Poetry in Translation* (trans. Thorkild Jacobsen; New Haven: Yale University Press, 1987), pp. 10-12.

19. Jacobsen, *The Harps that Once*, pp. 167-80.

Dinah would have been the aggressor, it would not matter: Shechem is a ravisher of a young virgin. To use the terminology of Roman law, Shechem's act was not *stumpa per vim*, 'wrongful intercourse by force', but it was certainly *stumpa*, 'wrongful intercourse'. To use contemporary American terminology, sleeping with Dinah was statutory rape. In our society, girls below a certain age (the 'age of consent') are not free to arrange sexual liaisons, and men are not free to sleep with them. Dinah was very young, a *yaldâ* (v. 4). Even today, when a Congressman sleeps with a high school girl, when a cult leader has 'consensual' sex with the young girls of the cult, our society is outraged, and the man can be considered a felon. In ancient society, unmarried girls never acquired the right of consent. Only the prostitute owned her own sexuality. By sleeping with her, Shechem was acting as if she had no family to protect, guard and marry her. As the brothers say, 'should our sister be treated as a whore'? He has disgraced her, and through her, her whole family.

Shechem never intended any harm. As the story says, 'His soul cleaved to Dinah the daughter of Jacob; he loved the girl and spoke to the heart of the girl' (Gen. 34.3). *dbq*, 'cleaving', is the very word that Genesis requires for the love between husband and wife (Gen. 2.24). Solomon cleaved to his wives in love (1 Kgs 11.2), and with this word Israel loves God (Pss. 83.9; 119.25; Deut. 4.4; 13.5 and Josh. 23.8); God loves Israel (Jer. 3.11; 13.11) and Ruth loves Naomi (Ruth 1.14). With the specific subject *nepeš*, 'soul', the psalmist cleaves to God (Ps. 83.9), and the psalmist in depression, is stuck in the mud (Ps. 119.25). In all these contexts, in addition to those in which love is not the subject, the connotation of *dbq* is the permanent nature of the attachment: Shechem is not fickle, and his love is not transitory. The other phrase in the sentence, *way^edabbēr 'al-lēb* ('spoke to the heart'), employs another special idiom. It only appears eight times in the bible. In all these cases, the one speaking has a superior position: Joseph the Ruler to his brothers after the death of Jacob (Gen. 50.21); the Levite to his concubine (Judg. 19.3); God-husband to Israel-wife (Hos. 2.16); King David to his men (2 Sam. 19:8); King Hezekiah to the Levites and to the people (2 Chron. 30.22; 32.6); Boaz to Ruth the gleaner (Ruth 2.13), and the people to Jerusalem (Isa. 40.2). In all of these instances, the other party may be alienated, as the concubine who has run from the Levite; Israel who has been rejected by God; the destroyed Jerusalem; and David's men who have seen him grieve excessively over Absalom the enemy

with whom they have just been at war. Or the other party's position might be insecure, like Joseph's brothers after the death of Jacob, or Ruth as a poor outsider-gleaner in Boaz's fields, or the people of Jerusalem during the siege of Sennacherib. In all of these instances the superior's message 'to the heart' is one of loving assurance that the speaker will rectify the other's insecure or alienated status. In all these passages, the implication is that the speaker not only 'woos', but courts successfully, and the positive response of the other party is not even recorded. The use of these terms in Genesis 34 conveys a picture of Dinah accepting Prince Shechem's loving commitment. She stays with him, we are to understand, not because she has been kidnaped or is a captive. Shechem 'done her wrong' (*innâ*), but 'he spoke to her heart'.

But even if Dinah has consented, Shechem must make things right with her family. Shechem wants to make amends. He belatedly asks his father to negotiate a marriage. And to restore Jacob's honor, Shechem is willing to pay any brideprice that Jacob wants. Such a high brideprice could restore Jacob's status. But before Hamor can act, Jacob hears about it; people are talking and the affair has become public. Jacob himself keeps quiet until his sons come home from the fields. The matter is a public disgrace, and their future is threatened: they may not be able to get the wives that they want, or they may have to pay exorbitant brideprices.

From Dinah's point of view there is a very big difference if she had been raped. But from the point of view of the family, it may even be worse if the girl has consented rather than if she has been raped. If she has been raped, then Shechem has violated the integrity of the family, breached its boundaries, and left it without honor. But if Dinah has eloped, then Shechem has still transgressed the families boundaries, but, in addition, Dinah has not been faithful to Jacob's right to control her sexuality and, as a result, she too has dishonored him. Shechem has shown its external boundaries to be weak; Dinah has shown its internal order to be chaos. The whole family has been grievously dishonored.

It is in this serious framework that they all meet with Shechem and his father. There are two main ways in which the honor of a family may be restored. One rests with the girl's lover. He can demonstrate that he and his family intend no dishonor to the girl's family by offering a very large brideprice. Shechem and Hamor make it clear that they are willing to offer anything that Jacob's family might ask. The other way to restore honor rests with the girl's kinsmen, who can conduct a reprisal

raid. Such a raid demonstrates that the men can protect their boundaries and that outsiders encroach upon their territory, property or personnel at the risk of their own lives. Both methods are represented in the Dinah story: Shechem offers the former, the brothers demand the latter. To restore their virility, they need to react violently. They are willing to sacrifice a very important cultural value—honesty in negotiation—and to demean the prime symbol of Israel—circumcision—to manifest that they are real men who can protect their own. And so, in falsehood, they accept the offer of marriage and then destroy the town.

The story raises the question of honor and self-defence in high drama. Jacob attacks Simeon and Levi, declaring that they have made him stink. First, he has been dishonored by Dinah and Shechem, who showed that he did not guard and control his women, and now he has been totally dishonored by his sons, who show that their word cannot be trusted. Jacob feels that if they lose their reputation as honorable men, the others will attack and destroy them. But Simeon and Levi answer, 'Should our sister be treated as a whore'? They feel that if the others see that they can be taken advantage of, then the others will surely attack and destroy them. Who is right—Jacob, who will negotiate the return of his honor, or Simeon and Levi, who fight for it?

Intercourse with an Unmarried Girl
(Exodus 22.15-16 and Deuteronomy 22.28-29)

In the story of Dinah, Shechem's infraction of the protocols of propriety escalated into a vendetta that entailed a full-scale destruction of his city. Such unregulated reprisals cannot be permitted within society, and the laws of the ancient world seek to normalize the events surrounding illicit sexual encounters by spelling out the consequences in terms of monetary remuneration that the lover has to make. In Exodus, this is spelled out: he must offer the standard brideprice. A man cannot 'love her and leave her': by sleeping with her, he has assumed the obligation to marry her. And he must pay a normal brideprice: he cannot obtain a girl cheaply by first sleeping with her, thus dishonoring her, and lowering her brideprice. But the father is not obligated to give her to him in marriage. He can take the 'virgin's brideprice' from the lover, and then refuse to give her in marriage. Through his demonstrated control over the girl's fate, he repairs the momentary loss of control he had over his daughter and restores his status. The law prevents girls from circumventing their father's authority and finding their own husbands. And it

prevents men from grabbing wives without considering the rights of other men.

The laws of Deuteronomy consistently reduce the authority that heads of household have over the members of their household.²⁰ The wives and children do not thereby become more autonomous or independent, but rather control is taken from the individual head-of-household in favor of the collective power of the local council and the state. As part of this general movement, the rule about intercourse with unwed girls also undergoes a change. In Deuteronomy, the man who grabs a girl and sleeps with her and is discovered must pay 50 shekels to her father, marry her and never divorce her. The word 'grab' is sometimes understood to imply rape, but once again, the text does not really say this. The previous law deals with the case of clear unambiguous rape of a betrothed girl: the man overpowered her in a field where no one could hear her cry out. Once again, as with Tamar and Amnon, the verb 'overpower' is used. In this case, the rapist is killed, but the girl is not touched because, 'for just as when a man rises up against his neighbor and murders him, just so is this matter' (v. 25). But the verb 'grab' in the law of the unwed virgin, seen from the perspective of the girl's family, could simply mean he grabbed what he wanted without showing respect for the family's honor and the protocols of propriety.

In Deuteronomy, the couple has been discovered, so there can be no pretense, and the father has lost his power to decide whether the man who has slept with his daughter can marry her. He is obligated to give her to the man who slept with her. The situation is completely taken out of the realm of personal volition and at the same time out of the realm of honor. In effect, the situation becomes routine: if the man and girl are discovered, the law dictates everyone's actions; the boy must marry, the girl must marry and be given in marriage, and the family's only protection (and the girl's) against frivolous intercourse is that the bridegroom is obligated to pay a high brideprice and marry forever. Theoretically, on the one hand, this law could enable a man who knows that the girl's father would not give her to him in marriage to acquire a girl by 'rape-capture', as the 200 men of Benjamin were invited to do with the girls at Shiloh (Judg. 21.19-21). Such an abduction would force the father's hand. The only deterrent to such abduction is that no matter how miserable an unwilling bride might make his life, he cannot

20. For further discussion, see Tikva Frymer-Kensky, *Victims, Virgins and Victors: A New Reading of the Women of the Bible* (forthcoming).

divorce her. On the other side of the spectrum, the law might enable a Romeo and Juliet to force acceptance of their union by eloping. When faced with a *fait accompli*, the father would have no choice but to accept the 50 shekels and give her in marriage. Elopement has long been a means of circumventing parental decision-making in societies where the father normally decides who the girl should marry. It is the reverse of a shotgun marriage. In a shotgun marriage, the father forces the girl's lover to marry her; in an elopement, the willing bride and groom force the father to accept the marriage. The law in Deuteronomy accomplishes both aims. All the parties have their further actions regulated by the law: the boy must marry, the girl must be given in marriage. The law prevents such an elopement from being embarked upon frivolously by its provision against divorce. If the couple elope, there is no going back.

The Law of the Slandered Bride (Deuteronomy 22.13-21)

A man marries a girl and, disliking her, makes the serious accusation that she was not a virgin. He may be shocked and angry and acting out of a genuine rage. Or he may have base motives and, not finding the girl to his liking, may want to be rid of her without losing his brideprice or her dowry. He thereupon makes the affair a matter of public gossip, thus impugning the girl's father's honor that he cannot control the behavior of his daughter. If the father can prove the girl's virginity, the man must pay 100 shekels, which may be double indemnity for the virgin's brideprice. The parents have a lot at stake. If they prove virginity, they gain 100 shekels; if they do not prove it they will be shamed publicly and will lose status in the community, jeopardizing their chances of marrying the rest of their children off favorably. In the days of Genesis, when Judah thought that Tamar's faithlessness, publicly demonstrated by her pregnancy, had threatened his honor, he had a simple solution. He could restore his control and his reputation for being in control by executing Tamar for unfaithfulness, and so he commands, 'Bring her out and let her be burned!' (Gen. 38.24). But in Deuteronomy, society oversees family affairs and fathers no longer have life and death control over their dependents. The bridegroom's public accusation creates a crisis for the girl's family that profoundly undermines their status in the community. If the accusation is well founded, there can be only two possibilities: either the girl's sexual behavior was never discovered, in which case the affair demonstrates

the family's lack of ability to control its members; or the parents knew and conspired with their daughter to pass her off as a virgin, in which case the parents stand revealed as frauds. Either way, their honor is destroyed. There has to be a way to resolve the issue.

Deuteronomy adopts a method of proof used in many chastity-focused cultures: the wedding sheets are to be examined for signs of defloration. The parents bring 'the daughter's virginity' (the bloody sheets) before the elders in the gate, and the father declares that he gave the daughter in marriage, and that her husband, not loving her, has slandered her by his accusation. As a result, the elders beat the man and fine him 100 shekels of silver because 'he has put out a bad name about a virgin of Israel'. They give the money to the father as a kind of double-indemnity. If the bridegroom had tried to back out before marriage, he would have had to pay double the brideprice. He suffers no less a financial loss by his attempt to get out of the marriage after the wedding night. And he can never divorce her.

This provision for no divorce seems odd to our modern sensibility, for remaining married to the man who slandered her seems as much a punishment of the wife as of the husband. But the no divorce provision, here, as in the case of the man who illicitly sleeps with an unmarried girl, is a deterrent to such actions. He will always have to support her financially. Perhaps the law assumes that an angry wife could make his life miserable. Still, the law ignores the girl's wishes or her prospects for a more congenial marriage in its concern to assure that men cannot use this method of ridding themselves of unwanted wives.

The law continues with the case in which the accusation was true and no marks of virginity were found. In that case, she is to be stoned by the men of the city until she dies. The secretly non-virginal bride has seriously disrupted the community's expectations of daughterly obligations and threatened society's control over female sexuality. Convicted by the elders of the community, she is put to death by the entire community. The execution takes place at the entrance to her father's house because 'she did an outrage in Israel by being faithless towards her father's house' (Deut. 22.21). Just as Shechem did an outrage (*n^ebālâ*) by sleeping with the daughter of Jacob, so the non-virgin daughter did an outrage (*n^ebālâ*) by not observing her obligation (the sense of *zānâ*) to her father to be chaste. By the execution of the girl, the community of men reinforces the right of fathers to demand that their daughters be chaste.

The law seems very clear, but it contains a strange twist. Even though bloody sheets are a common manifestation of virginity in many cultures, there is a radical and revealing difference between the biblical practice and that found elsewhere. In other cultures, the groom or his parents take possession of the sheets on the wedding night. In Deuteronomy, the parents of the girl take the sheets. They are also entrusted with showing the cloth to the elders, and they do so, not at the consummation of the marriage, but after the public accusation. It is quite easy to imagine a scenario in which the parents, finding a blank cloth and either believing their daughter's protestations of virginity or having a vested interest in 'believing' them, simply falsify the blood on the cloth. If they had known that she was not a virgin and have committed fraud, or if they are more angry at the accusation than at the girl, they can always spread some animal blood on the sheets before they spread them out before the elders. This vindicates their own honor and shames the bridegroom in one fell swoop. The girl will die only if the parents are so enraged at her that they will show the elders clean sheets. In the final analysis, the fate of the girl rests with her parents.

The case of the slandered bride and the case of the rebellious son (Deut. 18–22) both present circumstances in which children endanger their parent's honor and wellbeing, the daughter by lack of chastity and the son by drunkenness and profligacy. The parents do not have the legal authority to execute their children. The authority to sentence them to death resides with the council of elders. But in both cases, the parents have the real power to determine how the council will act. If they become enraged at their son or desperate, they can denounce him to the council of elders, and he will be stoned to death. If they are enraged at their daughter, they in effect denounce her by bringing out an unbloodied sheet. The council will then condemn her, and the public will stone her. Death by stoning is significant. The public acts as executioner because the public community is an injured party. By offending against the hierarchical obligations children owe parents, the son and the daughter have endangered the hierarchical family system upon which society rests. The people must act to 'rid this evil from your midst'. For such an offense against hierarchy, stoning is the most appropriate punishment.²¹ By the action of the public, the honor of the parents is restored without unregulated acts damaging the community.

21. See Frymer-Kensky, 'Deuteronomy', in Carol Newsom and Sharon H. Ringe (eds.), *The Women's Bible Commentary* (London: SPCK, 1992), pp. 52–62.

Conclusion

The laws of Deuteronomy and the Dinah story illustrate the complex role of gender in the honor of the family and its limitations. In the biblical family, generation superseded gender. Wives were subordinate to husbands, and girls might be under the control of their brothers, but both daughters and sons were subordinate to both mother and father. Abandonment of these obligations endangered the family's position in the community. In Genesis, in the days before the state, families acted to ensure their own honor: when Dinah dishonored Jacob, the brothers took over to recoup their honor and in the process, Jacob claims, further dishonored him by their behavior. In the more established days of Deuteronomy, the public had an interest in preserving the rights of parents over children and (upon cue from the parents) acted as a unity to restore the honor of the family by executing the offending children. In all these instances, gender does not influence the relationship between the parents, the children and the community. But gender defines the very nature of the obligation of the children. Boys were obligated to be disciplined, act properly, and not squander the family wealth. Girls were certainly not allowed to be drunk or disorderly, but they had the special obligation to stay chaste until marriage as virgins.²²

22. For the connection between stoning and hierarchy, see J.J. Finkelstein, *The Ox that Gored* (Transactions of the American Philosophical Society NS, 71.2; Philadelphia: American Philosophical Society, 1981).