

CHASTITY AND FIDELITY

Biblical Roots Of The Short Leash On Women

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The Bible instructs men to take a proactive approach to their problem with paternity — the possibility that their putative children are not their genetic offspring — by murdering brides who do not bleed on first penetration, by murdering prospective wives who are not virgins, by torturing and murdering wives who are suspected of adultery, and by murdering women who have committed adultery.

Although some non-Western cultures also sanctify these practices, in other cultures women have traditionally been “very free and at liberty in doing what they please with themselves” (Barbosa 1500:105-6). It follows that the Bible’s dark legacy is not a requirement of human nature.

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Blood and Stone

There is a passage in the Bible that should make every woman wary and tell every man who has plumbed the darkness of his soul how close he came to fathoming its bottom. Deuteronomy 22:13-21 can be better understood by knowing that “tokens of virginity” are stains on bed linen that has been bloodied by breaking a bride’s hymen:ⁱ

If any man takes a wife, and goes in to her, and then spurns her, and charges her with shameful conduct, and brings an evil name upon her, saying, “I took this woman, and when I came near her, I did not find in her the tokens of virginity,” then the father of the young woman and her mother shall take and bring out the tokens of her virginity . . . and they shall spread the garment before the elders of the city . . . but if the thing is true, that the tokens of virginity were not found in the young woman, then they shall bring out the young woman to the door of her father's house, and the men of her city shall stone her to death with stones, because she has wrought folly in Israel by playing the harlot in her father's house; so you shall purge the evil from the midst of you.ⁱⁱ

Although the god of the Bible still inspires some of his followers to stone people to death (New York Post 1991; Ralushai Commission 1996), stoning women for non-virginity *per se* appears to have been discontinued. After congratulating believers for showing restraint in that regard, progress might be furthered by considering the legacy of auxiliary beliefs and practices that have been spawned by Judaism and Christianity. From chastity belts festooned with crosses to the wide-spread sentiment that AIDS is God’s punishment for promiscuity and homosexuality,ⁱⁱⁱ from debauching captive infidels to laws against contraception and abortion, one can see a connection between the roots and the branches -- between what is written in the Bible and the way that many people think today. A grip on the nether reaches of this reality can be gained by contemplating current practices among some tradition-bound people whose Christianity and Judaism go back more than a millennium -- in places like Ethiopia, among

Ethiopian Jews in Israel, and among the Russian Skoptsy -- where control of women is facilitated by disrupting one of their positive feedback loops . . . by cutting out their clitorises, traditionally with a shard of glass, but more recently with a razor blade.^{iv}

Judah and Tamar

The precedent for executing a bride who might be pregnant by a man other than her husband was set by Jacob's son Judah, whose descendants came to dominate the other tribes of Israel and whose religious sect, Judahism, became Judaism during the exile of the Israelites in Babylon. Tamar was the mother of Judah's twin sons Perez and Zerah, but Tamar was not Judah's wife. She was his daughter-in-law, twice over, with plans for a third. That is, Judah had three sons and he arranged to have Tamar marry his first son, Er. Unfortunately, Er appears to have had a predilection for anal intercourse, which prevented Tamar from becoming pregnant and caused God to strike Er dead (Genesis 38:7, cf. Talmud: Yebamoth 34b;59b, note 17),^v whereupon Judah implored his second son, Onan, to engage in the common tradition of levirate marriage (Genesis 38:8-11):

"Go in to your brother's wife, and perform the duty of a brother-in-law to her, and raise up offspring for your brother." But Onan knew that the offspring would not be [jurally] his; so when he went in to his brother's wife he spilled the semen on the ground, lest he should give offspring to his brother. And what he did was displeasing in the sight of the LORD, and he slew him also. Then Judah said to Tamar his daughter-in-law, "Remain a widow in your father's house, till Shelah my [third] son grows up" . . . So Tamar went and dwelt in her father's house.

Judah did not keep his word regarding Shelah, which ended up causing him great embarrassment and almost cost Tamar her life, but she was clever and everything ended well (Genesis 38;13-19 24-27):

And when Tamar was told, "Your father-in-law is going up to Timnah to shear his sheep," she put off her widow's garments, and put on a veil, wrapping herself up, and sat at the entrance to Enaim, which is on the road to Timnah; for she saw that Shelah was grown up, and she had not been given to him in marriage. When Judah saw her, he thought her to be a harlot, for she had covered her face. He went over to her at the road side, and said, "Come, let me come in to you," for he did not know that she was his daughter-in-law. She said, "What will you give me, that you may come in to me?" He answered, "I will send you a kid from the flock." And she said, "Will you give me a pledge, till you send it?" He said, "What pledge shall I give you?" She replied, "Your signet and your cord, and your staff that is in your hand." So he gave them to her, and went in to her, and she conceived by him. Then she arose and went away, and taking off her veil she put on the garments of her widowhood.

. . . About three months later Judah was told, "Tamar your daughter-in-law has played the harlot; and moreover she is with child by harlotry." And Judah said, "Bring her out, and let her be burned." As she was being brought out, she sent word to her father-in-law, "By the man to whom these belong, I am with child." And she said, "Mark, I pray you, whose these are, the signet and the cord and the staff." Then Judah acknowledged them and said, "She is more righteous than I, inasmuch as I did not give her to my son Shelah." And he did not lie with her again. When the time of her delivery came, there were twins in her womb.

The long tradition of considering women to be prostitutes by virtue of having had intercourse outside of marriage, amplified in subsequent scripture, started here. Note that Tamar was charged on the evidence of being pregnant. Only after sentencing did Judah realize that she had, quite literally, "played" the harlot. As remains the case today, no punishment was meted out to Johns.

Every Woman Who Has Known

The first mass murder of non-virgin prospective wives was inflicted upon the Midianites (truncated from Numbers 31:7 -35):

They warred against Midian, as the LORD commanded Moses, and slew every male . . . And the people of Israel took captive the women of Midian and their little ones . . . Then they brought the captives and the booty and the spoil to Moses . . . And Moses was angry with the officers of the army, the commanders of thousands and the commanders of hundreds, who had come from service in the war. Moses said to them, "Have you let all the women live? . . . now kill every woman who has known man by lying with him. But all the young girls who have not known man by lying with him, keep alive for yourselves . . . the booty remaining of the spoil that the men of war took was . . . thirty-two thousand persons in all, women who had not known man by lying with him.

If there were 32,000 virgins, it seems reasonable to assume that there were a large number of non-virgins. Sorting out who to keep and who to kill must have been a major undertaking. In a tale nearly as fanciful as this biblical account,^{vi} and only slightly less revealing of prevailing attitudes, the rabbis of the Talmud explained how this could be done. Anatomy not being the forte of these 3rd to 6th Century exegetes, a recommended technique was to have the woman in question straddle a cask of wine such that her vagina covered the open hole in the side of the cask. Apparently, according to Rabbi Kahana son of Rabbi Nathan, one only needed to smell the woman's breath to decipher whether her hymen was sufficiently intact to prevent a bouquet from rising (Talmud: Yebamoth 60b): "They [Israelite soldiers] made them sit upon the mouth of a wine-cask. Through anyone who had had previous intercourse, the odour penetrated; through a virgin, its odour did not penetrate."

A Virgin Marry

Every man knows two things about every virgin -- she is not pregnant, and she will not know how he stacks up as a lover. The latter issue is not discussed, but the former inspires rules and laws in most traditional societies. Where men invest primarily in their wives' children (patrilineally), as distinct from their sisters' children (matrilineally), they tend to be concerned about, if not hysterically obsessed over, the possibility that their wives' children will not be their children.^{vii} Thus we have practices like clitoridectomy, infibulation (near total surgical closure of the vulva), claustration, foot-binding, chastity belts, veils, psychosocialsexual terrorism, and a husband's right to murder his wife for infidelity (Leviticus 20:10; Deuteronomy 22:22).^{viii}

But even in patrilineal societies, arrangements and rules allow for the marriage of women who are known to be non-virgins. The ancient Israelites were sophisticated in this regard. Based on the account that three months elapsed between Tamar's intercourse with her father-in-law and the discovery that she was pregnant, the rabbis of the Talmud made the following provision, as summarized by Maimonides (1195: 2:11:18),^{ix} whose 12th Century synopses of the Bible and the Talmud are generally regarded as most authoritative: "A divorcee or widow may not become betrothed without waiting ninety days . . . in order to determine whether she is or is not pregnant, and in order to distinguish between the seed of the first husband and the seed of the second." The following clarification is added in the Talmud (Yebamoth 42a): "A woman conceals the fact [of her pregnancy] in order that her child may inherit his share in her second husband's estate," with further explanation in an editor's footnote: "She makes every effort to conceal all signs of pregnancy which might lead to the discovery that the child's father was her first husband."^x

The rabbis of the Talmud (traditionally called the Sages) were keenly aware that men's aversion to raising other men's children could jeopardize those children's lives, as remains the case today (Daly & Wilson 1988). Accordingly, no accommodation could be made to marry a pregnant or nursing woman unless the prospective groom was the brother of her deceased husband (in which case the child would be genetically half his (Maimonides 1195: 2:11:25-27):

The Sages have also enacted that a man should not marry another man's pregnant or nursing [previous] wife, even though it is known who had impregnated her, lest the child should be harmed during subsequent intercourse, since the child not being his, he will not take proper precautions." [A clarification is added in the Talmud (Yebamoth 42a): "This is a preventive measure against turning the foetus into a *sandal* (an abortus) . . . due to intercourse or abdominal pressure.] In the case of a nursing woman [a man should not marry], lest her milk should spoil, since he will not take care to remedy the milk with such things as are helpful in such an event.

As is often the case, the devil was in the details. At this juncture in the Talmud, a student of the Sages asked about the conjectured woman with spoiled milk whose husband would not help correct the problem: "Would she not sustain her own child [hers, not his] with eggs and [purchased] milk?" The answer came back, "Her husband would not give her the means" (Yebamoth 42a).

The Law of Divorce

Whether in a tenement or in a temple, "Her husband would not give her the means" is key to understanding the hollowness that grips women who face divorce and have no way to make a living. As stipulated in Deuteronomy 24:1-5, a man could divorce his wife at any time for any reason (in distinction, a woman could not divorce her husband, as remains largely the case in Israel today): "When a man takes a wife and marries her, if then she finds no favor in his eyes because he has found some indecency in her, he writes her a bill of divorce and puts it in her hand and sends her out of his house." The Talmud put a point on this (Gittin 90a): "He may divorce her even if she has merely spoiled his food, since it says, because he hath found some unseemly thing in her. He may divorce her even if he finds another woman more beautiful than she is, as it says, it cometh to pass, if she find no favor in his eyes."

Fortunately, women had some legal safeguards under biblical law. A one-time alimony payment called *kethubah* was stipulated in premarital agreements. The standard agreement for a virgin was 200 *zuz* (gold coins), and 100 *zuz* for a non-virgin (widow or divorcee). A wealthy man could afford to keep a less desired wife and still marry “another woman more beautiful than she,” but a common man could not support two wives, and 200 *zuz* was enough to prevent him from divorcing his wife on a whim. But not to worry, if she was not performing her wifely duties, he could beat her (Maimonides 1195: 1:21:7&10):

There are five kinds of work that any wife must perform for her husband: she must spin, wash his face, hands, and feet, pour his cup, spread his couch, and wait on him. And there are also six kinds of work that some wives must, and some need not, perform [depending upon whether their husband retained female slaves or maidservants]: attend to the grinding, cook, bake, launder, nurse, and give fodder to his mount . . . A wife who refuses to perform any kind of work that she is obligated to do, may be compelled to perform it, even by scourging her with a rod.

However, for the man who had a sustained desire for divorce, but did not have, or did not want to part with, the required sum of money, there was an alternate route: “A woman who is divorced on the ground of ill repute takes only what is hers and departs” (Talmud: Kethuboth 101a). The operative clause in this most operative sanction is “on the grounds of ill repute.” In a malicious perversion of due process, only the charge of infidelity, only a feeling of jealousy on the part of a husband, was required to make a woman forgo her *kethubah*, or undergo an ordeal that might cost her life.

The Law of Jealousy

And the LORD said to Moses, "Say to the people of Israel, If any man's wife goes astray and acts unfaithfully against him . . . and if the spirit of jealousy comes

upon him, and he is jealous of his wife who has defiled herself; or if the spirit of jealousy comes upon him, and he is jealous of his wife, though she has not defiled herself; then the man shall bring his wife to the priest . . . and the priest shall bring her near, and set her before the LORD . . . and in his hand the priest shall have the water of bitterness that brings the curse. Then the priest shall make her take an oath, saying, 'If no man has lain with you, and if you have not turned aside to uncleanness, while you were under your husband's authority, be free from this water of bitterness that brings the curse. But if you have gone astray, though you are under your husband's authority, and if you have defiled yourself, and some man other than your husband has lain with you, then . . . may this water that brings the curse pass into your bowels and make your body swell and your thigh fall away.' And the woman shall say, 'Amen, Amen.' Then the priest shall . . . make the woman drink the water of bitterness that brings the curse, and the water that brings the curse shall enter into her and cause bitter pain . . . then, if she has defiled herself and has acted unfaithfully against her husband . . . her body shall swell, and her thigh shall fall away, and the woman shall become an execration among her people. But if the woman has not defiled herself and is clean, then she shall be free and shall conceive children” (Numbers 5:11-28).

Detailed accounts of the above procedure are scattered throughout the Talmud and the Midrash Rabbah (The Great Exposition, a compendium of biblical exegeses which is less extensive but not less authoritative than the Talmud). Again, the devil is in those details, and being appraised of them would not only have discouraged sexual infidelity, it would have compelled women to constantly reassure their husbands in that regard. Indeed, according to the Midrash, a woman could be guilty without having touched another man . . . she could even commit adultery while having sexual intercourse with her husband: “When a woman is secluded with her husband and is engaged in intercourse with him, and at the same time her heart is with

another man whom she has seen on the road, there is no adultery greater than this” (Midrash Rabbah: Numbers 9:34).

The Details

Maimonides pieced together a description of the ordeal, leaving out, as was his habit, instructions that were not politically correct even by 12th Century standards. What follows is from Maimonides (1195: 5:3:1-16) with explanatory inserts from The Midrash (underlined, Numbers 9:14-33) and the Talmud (*in italics*, Sotah 19b):

The Great Court seated the woman in their midst, and with her husband absent, endeavored to inspire her with great awe, in order to avoid having her drink of the water. They said to her: “My daughter, much is wrought by wine, much by levity, much by childishness, and much by evil neighbors . . . They said to her further: “My daughter, many have preceded thee, and have been swept away. Great and worthy men have been overcome by their Inclination to evil, and have stumbled.” They then recited to her the story of Judah and Tamar . . . All this in order to ease the way for her, so that she might confess.

If she thereupon said, “Yea, I have been defiled,” she was dismissed without her kethubah, and went her way.

If she stood upon her plea that she was innocent, they took her to the East gate of the Temple Court, which is opposite the Holy of Holies, made her go up and down from place to place, and led her around, in order to tire her out so much that she might become sick of it and perchance confess . . . They then gathered a great throng of women around her, for all women who were there were in duty bound to behold her, as it is said, “that all women may be taught not to do after your lewdness” (Ezekiel 23:48). Also any man who wished to come and behold her, was allowed to do so. The while she stood among them stripped of wrap and kerchief, and clad only in her body clothes and head cap, like a woman in the privacy of her home . . . Thereupon one of the priests of the Temple Court

approached her, grasped her garments at the front, and ripped them apart until he laid bare her bosom. He then uncovered her hair and loosened her tresses, after which he fetched an Egyptian rope, to remind her of the Egyptian doing that she had committed, and tied it above her breasts . . . He then brought a tenth of an ephah of barley flour, provided by the husband, put it in an Egyptian basket and placed it in her hands in order to make her weary.

During all the time that the woman's head was uncovered and the tenth of an ephah held in her hands, the water of bitterness was in the vessel held by the priest, so that she would be made to see the water . . . He must let her see the water so as to instil terror into her. . . . He then made her drink the water . . . if she says 'I will not drink,' they beat her with the flat side of a sword and chide her and make her drink by force . . . *They insert iron tongs into her mouth, so that if she says 'I refuse to drink,' they exert influence upon her and make her drink by force .*

If the woman was innocent, she came out and went her way, remaining permitted to her husband. If she was defiled, her face immediately turned pale, her eyes bulged, and her veins filled up . . . her mouth would emit an evil odour; her neck would swell; her flesh would decay . . . And all those present cried, "Away with her, away with her!", lest her menstrual blood should start flowing, seeing that a menstruating woman would cause the women's section of the Temple Court to become unclean. Thereupon she was removed from that section, where she was standing. After this, first her belly became swollen, then her thighs fell away, and finally she died.

A woman who survived The Ordeal Of Bitter Waters was still in jeopardy (Maimonides 1195: 5:3:23): "If after she had drunk of the water witnesses came forth to testify to her defilement, she was dismissed without her ketubbah . . . even if none of the aforementioned tokens of guilt had manifested themselves in her." Indeed, as stipulated by commandments

given in the Torah (first five books of the Bible) and illustrated by examples given throughout the Holy Scriptures, an overall approach to women's moral status was summarized in the Talmud (Sotah 28b): "A woman about whom there is doubt whether she is immoral is treated like an immoral woman," and the mother of this invention was men's concern about paternity. That is, if reproduction was not at issue, a woman could be divorced at no cost and without ceremony (parenthesis not added, Sotah 24a): "A woman incapable of conception, one too old to bear children, and one who is unfit to bear children (by taking some drug and not just barren or too old to bear children) do not receive the marriage-settlement and do not drink."

So What?

The god of the ancient Israelites was a conceptualization of men. Those men's attitudes toward women were common and remain common, in both senses of the word. Then as now, the perception of women as sexual outlets whose behavior must be controlled by overwhelming force wells up from the dregs of a fetid hole into which any man can sink.

Israelite women were probably not worse off than most women of their time, but Israelite men were ahead of their time in codifying the regulation of women into written laws attributed to their god. Sanctifying and recording rules that promote the interests of rulers at the expense of the ruled gives inertia to injustice. So it matters that rules for torturing and murdering women are promulgated in the Torah, which lies at the heart of the Bible, which lies at the heart of the Talmud, which lies at the heart of Judaism, which lies at the heart of Christianity.

Western first-world attitudes are tainted by thousands of years of reverence paid to scriptures that provide instructions for torturing and murdering women. Christian and Jewish clerics should be expected to defend the sanctity of those scriptures as a matter of unenlightened self interest, but the rest of us should condemn texts which advocate abhorrent behavior as emphatically as we condemn the behaviors which they advocate.

To break cleanly into an enlightened future, we need to break cleanly with a fettered past (Hartung 1995, 1996).

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NOTES

i. Traditional Christian families in Ethiopia still nail this sheet to the door of the bride's father's house, where it is displayed for several days after her wedding as an advertisement of his family's honor -- i.e., that they delivered an intact bride in exchange for her brideprice (personal observation).

ii. All biblical quotations are from The Revised Standard Version -- see *Bible, The Holy* in REFERENCES.

iii. While sexual behavior between women seems to have been beyond the imaginations of the men who crafted the laws which they ascribed to their deity, the ancient Israelites were typically decisive about sexual behavior between men: "If a man lies with a male as with a woman, both of them have committed an abomination; they shall be put to death, their blood is upon them" (Leviticus 20:13). Nevertheless, men were deemed not punishable for pedasty with a boy under 9 years old (cf. Hartung submitted, note 3).

iv. The suggestion that clitoridectomy is a paternity strategy (Hartung 1976) is denied by the duly enculturated, who refer to it as female circumcision and explain it as sexually egalitarian, i.e., "something for the girls." Although many Christians and Jews are under the impression that female genital mutilation is primarily a Muslim practice, because it occurs most frequently in Muslim cultures and is not mentioned in the Bible, there is also no mention of any such ritual in the Koran (Hartung 1997). Nevertheless, Muslims, Christians and Jews who clitoridectomize consider it to be an absolute religious obligation.

v. References to the Talmud are given by Tractate and Folio number. All quotations are from the Soncino Press translation -- see *Talmud, The Babylonian* in REFERENCES.

vi. The empirical veracity of biblical stories, or of any story told in earnest, is independent of the messages, both implicit and explicit, that they convey. Throughout this essay, those messages are considered valid information.

vii. For Darwinian interpretations of male sexual jealousy, see Dickemann 1981; Daly, Wilson and Weghorst 1982; Buss 1988; Buss, Larsen, Westen and Semmelroth 1992; Flinn 1988; Geary, Rumsey, Bow-Thomas and Hoard 1995; and references therein. For matrilineal versus patrilineal inheritance, see Alexander 1974; Flinn 1981; Gaulin and Schlegel 1980; Green 1978; Hartung 1985; Kurland 1979; and references therein.

viii. Read out of context, the rule given in the Torah for adultery appears to be symmetrical, e.g., Leviticus 20:10: "If a man commits adultery with the wife of his neighbor, both the adulterer and the adulteress shall be put to death," but a woman was guilty of adultery if she had sexual intercourse with any man other than her husband while a man was only guilty if he had intercourse with the wife of a fellow Israelite ("neighbor" = Israelite, cf. Hartung 1995; see also Hartung submitted).

ix. Citations to Maimonides' *Book of Women* (see REFERENCES) are given by Treatise, Chapter and Section.

x. One wonders whether women, like Langur monkeys in this predicament (Hrdy 1977), increase solicitation of sexual intercourse with their new mate as a facultative response that would be selected because it could cause the would-be father to behave like a genetic father.

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