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Athalya Brenner, Regulating 'sons' and 'daughters' in the Torah and in Proverbs: Some Preliminary Insights

Regulating ‘sons’ and ‘daughters’ in the Torah and in Proverbs: Some Preliminary Insights

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1. Introduction

This essay traces, in general lines, how the regulations a society presents as normative may reveal its deepest uncertainties, more so than its implied praxis. The case study chosen will be a vertical (chronologically and textually intersecting) as well as horizontal enquiry (from the Torah to Proverbs) into gendered regulations concerning second-generation members of the community. It will move from the general to the particular to the general again, in the following direction:

1. Short description of my general premises
2. Overview of Torah materials pertaining to ‘children’ and their obligations to and regulation by adults, with an assessment.
3. Overview of relevant Proverbs materials, with an assessment.
4. General reflections about the status of sons and daughters in these two literatures; and the tension endemic to prescriptive literatures, be they labelled as so-called ‘law’ or as so-called ‘wisdom’

2. General Guidelines and Premises Followed in This Essay

My general guidelines for reading the relevant texts are:

- ✚ The ratio between literary or textual prescription and ‘reality’, or ‘history’, is seldom easy to define, even after assuming that we have ‘laws’—in our sense!—in the Bible. Laws, as we all know, have to be interpreted into praxis. Therefore,

for us the Bible is a parallel universe not only to ours, but to the [social, moral] worlds we tease out of it.

- ✚ The interpretation process produces other texts, with similar problematics, and the need to uncover ideologies that underlie them, consciously or otherwise. In other words, a tension between text and praxis, cultures and the literatures they produce, can be assumed and perhaps also uncovered, if only to a limited extent.
- ✚ I prefer to anchor prescriptions and proscriptions in implied modes of production, subsistence and culture, rather than in alleged historical placing of the relevant texts. That this is not easy to do with any certainty, and is gained largely by applying selective methodologies and by considering the texts themselves (on a non-one-to-one ratio, of course) as well as external evidence, adds to the difficulties. In other words, my approach in this survey is social/cultural and literary/critical rather than historical.¹
- ✚ It must be taken for granted that many aspects of HB ‘law’ and ‘instruction’² literatures have antecedents and cognates in other ancient Near Eastern cultures. However, this aspect will not be dealt with in this essay, even though it largely and justifiably features in scholarly discussions.

Moving from general considerations yet closer to the specific topic, I shall focus on offspring, that is, on the relational second-generation members of a household or *בית אב*, rather than on the parents or first-generation members. I take it for granted that in biblical literatures the viewpoint of parents is privileged over that of their offspring: Parental, or metaphorically parental authority is privileged in a way that idealizes it as a cornerstone of society’s continuity. This is seemingly paradoxical: ‘be fruitful and multiply’ is a highly realistic ideology/policy in times and places of alarming child mortality, and could be supported by privileging the

young. But power play intervenes. Obedience is required of children of whatever age and gender in relation to their elders. However, how this demand for obedience was met, how it was focused, which areas were apparently perceived as danger zones, and hence requiring at least a *literary* codification, which betrays them as the most vulnerable in relation to the authorial and authoritative parental demands, remains to be defined further.

3. Overview of Relevant Texts in the Torah (/Pentateuch)

A good place to start is with the linguistic terms, even if they seem to be basic and well known. The regular terms for son and daughter are בן and בת, pl. בנים and בנות, respectively. A non-gendered collective noun is טף, perhaps from טפף*, ‘to walk slowly’ (42 times in the HB, about half of these occurrences in the Torah). Another term, ילדים/ילד, is grammatically gendered as masculine but in linguistic practice may serve as the equivalent of the gender-neutral child/children. Other terms for young children (עויל, עולל, עולל; the poetic פרי בטן/בר* and so on) are quite rare. נערה/נער has an age and status significance, but is not kin-relational. In passing, it may be noted that the term בנים is problematic. Many readers interpret and translate it—in the absence of specific terms for ‘daughter/daughters’ in so many biblical contexts— as inclusive, and referring to both females and males. A recurring case of this is the understanding reflected in the translation of בני ישראל as ‘children of Israel’ (of both genders). This seldom-differentiated readerly practice should by no means be automatic, even though reading בן/בנים as ‘son/s’ in most contexts is exclusive and raises theological as well as social questions. A more nuanced approach to textual contexts is perhaps warranted, considering the fact that when both daughter and son are included, as in the Sabbath commandment, both are specifically mentioned:

אתה ובנך ובתך...

Further examples will be offered below.

What are the prescriptive contexts in which sons/daughters are mentioned?

Here I classify the materials under the dual headings of terms (gender-inclusive, son/s, daughter/s) and texts (Torah and other sources).

Both sons and daughters have to keep the Sabbath (Exod 20:10; Deut 5:14). Both are included in festival joys and sacrificial meals according to Deut 12:12, 18, as also in the warning against worshipping other gods (Deut 13:7) and the curses for religious disobedience (Lev 26:29; Deuteronomy 28) and proscriptions against intermarriage (Deut 7:3; see also Exod 34:16), and incest (Deut 27:22). Both sons and daughters may or may not be sacrificed to a divinity (Deut 18:10; cf. Abraham and Isaac; Jephthah and his daughter; 2 Kings 3 and 23). הַט is subject to the military ban (Deut. 2.34; and see Josh.). Where body harm is concerned, sons and daughters are equal in the case of a goring ox (Exod 21:29-31). Finally, Deuteronomy stipulates that no קדש or קדשה (whatever the term may mean, esp. if the designation 'sacred prostitution' is rejected as an automatic explanation) from the daughters and sons of Israel are acceptable (Deut 23:18).

In general, then, it would therefore seem that D authors take care to include 'son and daughter' in obligations/prohibitions pertaining to relational sons *and* daughters even where other sources – Exodus, Leviticus, Numbers – involve or address בנים (either in the absolute or in the construct, בני) or an implied male you, singular or plural. Furthermore regulations concerning a mother's purification after giving birth to a son or daughter exist for both cases, but are different (Lev 12:2-8), as are the regulations concerning a priest's son or daughter (see below). However, apart from the inclusion of daughters alongside sons in the prescriptions for תרומה in

Numbers (18:11,19; but see v. 10: 'every *male* shall eat it'), daughters are excluded from most of the sacrificial meal benefits enjoyed by males in Leviticus-Numbers, and by implication in Exodus as well.

Only sons seem to be the addressees of the liturgical/sacrificial obligation to remember the Exodus (Lev 23:41-43, Deut 5:12-15, by implication Exod 20:8-11). Sons seem to be the natural performers and participants in sacrifice and sacrificial meals for the authors of Leviticus and Numbers. Both sons and daughters are warned against incest (Deuteronomy 28, Leviticus 18, 20), directly or by implication; the addressee, however, is male. Sons' inheritance is regulated in Deuteronomy. Let us also note that the Levirate marriage law (Deut 25:5-10) is concerned with producing an heir to a land portion. The commandment to 'honour father and mother', undoubtedly an economic necessity, is couched in the second-person masculine singular mode. Is it binding only on son/s, as the fathers-to-be and chief economic functionaries of their household? Similarly, the unrealistic law concerning a stubborn and rebellious son (בן סורר ומורה in Deut 21:18-21), which apparently deals with an adult and his exemplary public execution, seems to be gender specific.³

And now for the daughters: is a daughter responsible for her own initiative, for instance in the case of taking a vow? According to Num 30:17,⁴ her responsibility is subject to her father's behaviour and/or discretion, whose authority over her is much like his authority over his wife. A daughter's sexuality is apparently her father's asset, or potential honour/shame, and it is of the greatest concern in Deuteronomy, as evidenced by materials relevant to virginity and rape in Deuteronomy 22. Prohibitions against a daughter's prostitution are emphatic (Lev 19:29) and in the case of a priest's daughter, punishable by burning (21:9). A related issue is that of the so-called 'Hebrew bondwoman/slave (אמה עבריה, Exod. 21:7-11), who was considered a

potential sexual partner and treated as a ‘daughter’, with relative care and protection – as is the priest’s daughter who, upon widowhood, may return to her father’s household as a dependent and be a participant in the household’s priestly benefits (Lev 22:13). Finally, the extended story about Zelophehad’s daughters (Num 27:1-11 and 36:10-12) attempts to regulate daughters’ inheritance in the absence of male claimants related to their late father.⁵

How, then, is this complex picture [pictures?] to be summarized, or reduced, to a coherent picture? Let me assume, as a matter of course, that regulations – be they enforceable or otherwise – emanate from an apprehension, a worry about group identity and limits and concerns; and from the need – imagined or actual – to control such uneasiness. Therefore, regulations point to their opposite, that is, problem areas. Seen in that light, several features may emerge. In Exodus as in Leviticus, participation of daughters in public life is minimal: sons are the true bearers of the covenant and its sign, the circumcision; females, including daughters, are taken care of but have a secondary status. Anxiety about sexual matters – intermarriage, female religiosity, female sexuality – is manifest, in Exodus as in Leviticus and Deuteronomy. This sexual anxiety is especially foregrounded in the priestly literature and is also a hallmark of Deuteronomy. While by comparison to other Torah sources D stipulates greater participation of daughters, esp. daughters under their fathers’ jurisdiction, in ritual and religious and public life in general, this in itself is perhaps no reason for rejoicing. Were such ‘laws’ ever practiced and even if so, by whom and when? This generosity may in fact point to a lack, or to different norms that operate in the same society. They can be read as a rough indication of the inferior status of daughters in a largely non-urban society.⁶ Similarly, inheritance by daughters (Numbers) is indeed an innovation, apocryphally related to Moses, but does it give us

much apart from the sour knowledge that, yes, sons inherited, especially so in the case of land, and this was the norm?

Furthermore, both a commandment and the D passage about the wayward son show that ‘honouring’ parents, that is, supporting them in older age, as well as obeying them, was a social requisite but by no means an absolute or even a favoured norm.

We therefore do remain, in the Torah, with the impression that agrarian societies, loosely knotted out of households and families, had their own prescriptions for binding second-generation members with their elders. Some regulations were similar or identical for daughters and sons. Many others were gender-specific or gender-motivated and perhaps indicative not only of social insecurity (on the part of the law writers) but of shifty, contrary social customs. Sons would, in turn, become the owners of the Phallus, of the land or religious function, of economic responsibility. Hence, they’ll be accountable for their aging parents and must behave accordingly. Daughters, ultimately, will become mothers. In the interest of transparent paternity, and the ensuing economic responsibility of sons, daughters’ sexuality (that is, reproductive potential) would get the most attention and attempted control.

4. Overview of Relevant Texts in the Book of Proverbs

In the following remarks I shall focus on Proverbs 1—9 and 30-31.

Prescriptions and proscriptions are rife here as well as in the ‘law’ passages of the Torah; the aim is, once again, to produce a younger person who will be a well adjusted member of society, as imagined in and to a certain extent also imaged or refracted by the text. However, the genre is of course different: it is largely an instruction; and the addressee or addressees are ‘son’ and ‘sons’. I suggest that we

take this situation seriously. The plural בנות appears twice only in Proverbs, at its end (30.15, 31.29). חכמה seems to be god's daughter in ch. 8, but only by implication. Otherwise, son/s are often addressed, by a father figure or a mother figure, or both, or by an implied instructor of either gender.

4.1 Education

An important trope of Proverbs is advice-giving; when an advice-giving situation is conjured, it is from a 'parent' to a 'son', or from an 'elder' or 'elders' who are 'wise', while the target audience is imaged implicitly or explicitly as male, young, 'foolish', 'ignorant', 'insensitive', in need of instruction and teaching. Whether this implies an actual family teaching praxis, or rather a teaching situation at schools where elder persons prepared younger males for the privileged life of public office, scribal activity or economic viability, remains uncertain despite heated discussions among scholars. What can be deduced, though, is that the literal trope points to the class situation in which such counsel could be formulated and transmitted: urban elite classes (Merchants? Royals? Court officials? Landowners? Scribes? Priests?). Those would have the leisure, means and inclination to invest in the continuance of their ways through the training of whoever needed prompting in the right (and Right) direction. That the producers as well as the consumers of this seemingly oral, but for us readers literary, training were 'sons' seems to be borne out by the texts themselves, as well as by the preoccupation with female figures, personifications and metaphors. That these texts hold incidental value for woman readers,⁷ and those women could and must have educated their male and female children alike in the home, seeps occasionally into the largely male-dominated discourses.⁸

4.2 Topics of Instructions

The topics of instruction are recipes for good life, a life of economic solvency and societal stability, in a family circle, as a socially adjusted citizen who is successful and at peace with fellow citizens and the authorities, including religious authority and the divine. A middle way is advocated, without taking financial or other risks, with a conservative attitude toward excesses or impulses. Respect for superiors is a must. Industry and eloquence are highly regarded, as are social justice and legalism. Happiness and material possessions seem to be equated, at least to a large extent. The rewards of obedience, listening, acting decorously, seem in this optimistic worldview naturally to be expected.

4.3 Norms and values

Norms and values are dictated by conventional social axioms. The family is the basic unit, to be preserved in its age hierarchy. Its authority, like other authorities, is just, correct and benevolent. The ways of the wise, the father, the ancestors are to be recommended and followed with obedience. Since the chief addressee[s] is [are] inferior or younger male[s], instruction in gender relations is necessary. Sexual temptation by ‘strange’ or Other or loose women is acknowledged but long-lasting monogamous endogamy is advocated: dallying with non-family women may lead to death. Attitudes to the young should be firm. Respect for wives and mothers is required but less so than for Alpha male relatives. Let me emphasize, once again, that ‘daughters’ are not the target audience of Proverbs: the ‘wise’ messages of this book are certainly not universal or gender inclusive. Even if the poem in Prov 31:10-31 is an instruction to daughters,⁹ this reading remains an informed readerly speculation only.

4.4 Short Summary

This short summary of Proverbs' opening and closing materials pertaining to sons, and with the absence of daughters as agents or addressees, foregrounds some points that are endemic to the collection as a whole and meaningful for understanding it. These units serve as the book's frame and its framework: all the other units are enveloped by or embedded in the frame. This frame contains much sexual education for young males, that is, discourse that is concerned with femaleness and femininity; more specifically, materials that elaborate the roles of a legitimate wife/lover and mother as against illicit sexual ties of a man with Other women, in keeping with Proverbs' general interest in safeguarding the family as an ongoing, [re]productive social institution. This impulse makes sense for social continuation and self-perpetration. At the same time, it betrays anxiety about the very social project it appears to promote.

5. Interim Reflections

Ageism – in the sense of age superiority, diametrically opposed to what we call ageism nowadays – is the order of the day in both the Torah and in Proverbs, as it is in most of the HB, to a greater or lesser degree. The power structure within the **בית אב** and beyond it is unmistakable. For me, the implications of such a power structure are distasteful. This is a culture that, at least textually and in spite of its own prohibitions, lets fathers sacrifice their sons (Abraham and Isaac, Genesis 22) or their daughters (Jephthah and his nameless daughter, Judges 11) to their supreme divine father for the collective good. This is a culture that condones sending young persons to war by elder politicians, for the collective good, every single day in the Middle East, up to and including the present; and this is the culture that, eventually, allowed the divine father to sacrifice his divine son for the same purpose. From where I am,

reflections about superior fathers and their control over their sons or daughters, in different ways, are more than disturbing.

Ultimately, as already mentioned several times in this short paper, cultures may be characterized by their anxieties as much as by their promoted values and aspirations. Along this line, it seems that the mini-cosmos teased (perhaps unfairly) out of the Torah and Proverbs texts, regarding sons and daughters, may be generalized by its greatest fears:

- (1) Fear of being abandoned in old age.
- (2) Fear of being, or appearing, overtaken or controlled by the next generation for whose wellbeing society is ostensibly committed as a basic, pre-Mosaic requirement.
- (3) Fear of an early death, most certainly, as warranted by the harsh conditions and by low human life expectancy.
- (4) Fears of female sexuality, femininity and the mystery of productivity. In the Torah this fear focuses mainly on the figure of the ‘daughter’; it permeates Proverbs by warning the son/s against the Other (adult, sometimes married) woman, even though the book starts and ends with expanded female figures. Moreover, these fears must have been internalized into female consciousness, as is apparent from the few Proverbs texts that are perhaps delivered by a female speaker-in-the-text (ch. 7, perhaps more within 1 – 9). Therefore, this fear can be gendered from the perspective of its hopefully regulated target, but perhaps not from the perspective of its source or producers. Is it a male fear, or a female fear?

How does ideology enter this complex picture, anchored in essential biological and environmental factors? Let’s look at an example. In Exodus 1-2 the Pharaoh

decided to exterminate the Hebrews – he *fears* their multiplication and reproduction rate! – so he orders the midwives to kill every newborn *son*, whereas every newborn *daughter* would live. The midwives do not carry out this command, citing as self-justification that the Hebrew women are too quick to give birth. The Pharaoh then repeats his order, almost verbatim, to his men: the *sons* will die, the *daughters* will live. Consequently, a *son* is born, two *daughters* help him survive, and the surviving son will meet Jethro's *daughters*, and the Pharaoh's *son* will die in the plague, and so on.

I've often wondered about this story. Why didn't the textual Pharaoh, simply, decide to kill the productive Hebrew women instead? Wouldn't this be a much easier final solution? Why is the story constructed as it is? In order to supply a background for the well-known 'birth-of-the-hero' paradigm? In order to sneer at the stupidity of the obtuse foreign ruler, especially entertaining if this is a women's story, since 12 women save Moses, as noted by Siebert Hommes¹⁰? Or because, ultimately, even if this can be gendered as a female story, ideology still dictates – and against nature – that *sons* are more important for a social group than *daughters*, and both genders internalize this value? Difficult to say; at any rate, it does seem that the Pharaoh's recourse to destruction of the male line instead of the female line proves costly to his cause. In the tension between expedience, knowledge and ideology, he chooses for gender ideology. Ideology displaces common sense. However, Hebrew female fertility and resourcefulness are presented as strong, manipulative, and victorious. This is perfectly in order as far as presenting the Pharaoh is concerned; it is stupid of the Pharaoh to forget about [Hebrew] female power. Here in-group solidarity overrides gender considerations. But within the group itself, this kind of gender possibilities should be kept in mind and treated as suspect and in need of regulation.

And daughters' sexuality should be checked and controlled, so that reproduction can be successfully controlled – as evidenced by this introductory vignette to the Exodus and the 'laws' and 'wisdom' texts.

6. Notes

¹ See the work of Roland Boer in recent years (e.g., Boer, R., *Marxist Criticism of the Bible* [London: T&T Clark, 2003], and Gale Yee, *Poor Banished Children of Eve: Women as Evil in the Hebrew Bible* (Minneapolis; Fortress, 2003) for an overview and an extended example about narrative and prophetic texts.

² I prefer this term to the conventional 'wisdom' literature/s.

³ See Sivan, H., *Between Woman, Man and God; A new Interpretation of the Ten Commandments* (BTC, 4; London/New York: Continuum/T&T Clark, 2004).

⁴ Is it a gloss?

⁵ Ben Barak, Z., *Daughters' Inheritance in Ancient Israel and the Ancient Near East* (in Hebrew; Haifa: 2004)

⁶ Indeed, fearfully and *contra* many commentators, I doubt whether D modifications reflect a transition from agrarian-hill-rural to central-urban/agrarian economy.

⁷ Fontaine, C.R, 'Proverbs', in C. Newsom and S. Ringe (eds.), *The Women's Bible Commentary* (1992).

⁸ Newsom, C., "Woman and the Discourse of Patriarchal Wisdom," pp. 116-131 in T. K. Beal and D. M. Gunn (eds.), *Reading Bibles, Writing Bodies: Identity and the Book* (London and New York: Routledge, 1997; originally published 1989).

⁹ As proposed by the late Van Dijk Hemmes and A. Brenner over a decade ago. See Brenner, A. and F. van Dijk-Hemmes, *On Gendering Texts: Female and Male Voices in the Hebrew Bible* (Leiden: Brill, 1993).

¹⁰ Siebert-Hommes, J., *Let the Daughters Live!: The Literary Architecture of Exodus 1—2 As a Key for Interpretation* (Biblical Interpretation, 37; Leiden: Brill, 1999)