



# Light of Torah

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By Teresa Pirola

## Women in the Torah

In Deuteronomy 21-24 we come across a number of laws which reflect a concern for the welfare of women. For example:

*“When a man has taken a bride, he shall not go out with the army or be assigned to it for any purpose; he shall be exempt for one year for the sake of his household, to give happiness to the woman he has married” (Deut. 24:5).*

According to this verse, military service is delayed by one year in order to allow a new bride spousal companionship. Interestingly, here the rationale for the law favors the woman. Elsewhere, in Deut.20:7, the same rule is described in terms of the man’s interests. [Note: according to Jewish law this exemption did not apply in warfare considered defensive/obligatory, as opposed to ‘optional’ e.g., initiated by the king for economic reasons.]

In Deuteronomy we also read of a law which allows time for a female taken captive in war to mourn the loss of her family before an Israelite is allowed to marry her (21:10-14). We read too of laws which prescribe punishment for a husband who tries to defame his wife (22:18-19) and which protect the inheritance rights of a firstborn son when his mother falls from her husband’s favor (21:15-17). There is also a

law which places restrictions on a man who divorces his wife and later wants to remarry her (24:1). Examining texts like these in the light of other biblical and extra-biblical texts, scholars speculate that marriage and divorce laws in ancient Israel accommodated a range of complexities.

Study of these and other verses from Deuteronomy, has led one contemporary Jewish commentator to conclude: “Deuteronomy generally displays a high regard for the dignity of women. They are neither property nor domestics to be abused and discarded, but persons entitled to rights and respect.”<sup>1</sup>

Then again, other Jewish commentators<sup>2</sup> are more likely to remind us that the reality for women of those times was a far cry from a situation of gender equality as we would understand it today. E.g., a woman found not to be a virgin when she is married can be stoned to death (22:13-21). [Whether this actually occurred is another question, and students of Talmud are familiar with early rabbinic legal adjustments which made capital punishment virtually impossible.]

Both Jewish opinions draw on the same bible text, but each takes a different emphasis.

Like Christianity, Judaism has evolved over the centuries and reshaped many of its attitudes and practices, including those concerning women. Conservative

versus feminist tensions over the interpretation of biblical texts are as alive today in Jewish circles as they are in Christian circles! In our own reading of the bible, it is important to be aware of such developments lest a superficial reading feed anti-Jewish stereotypes.

On this last point, Amy-Jill Levine, a Jewish New Testament scholar, is well known for highlighting common Christian misconceptions. One example she takes up is the popular ‘feminist Jesus’, i.e., a Jesus who ‘liberated’ women against a culture of “early Judaism [that] was so misogynistic that it made the Taliban look progressive by comparison.” Historical-critical enquiry simply does not support this damning view of the Judaism of Jesus’ day, says Levine. “Judaism of this period was not an egalitarian utopia, but nor was it in general a system that ‘cast out’ women, children, the poor and sick and so on...”<sup>3</sup>

For further reading on this see Amy-Jill Levine, *The Misunderstood Jew* (NY: HarperCollins, 2006).

1. Schorsch, 611,
2. Eskenazi and Weiss, 1188.
3. Levine & Brettler, 502-3

Sources: Eskenazi and Weiss, *The Torah: A Woman’s Commentary* (NY, 2008); *JPS Torah Commentary* (Philadelphia, 1996); Levine and Brettler, eds., *The Jewish Annotated New Testament* (Oxford, 2011); Schorsch, *Canon Without Closure* (NY, 2007). Scripture: JPS.