

Virginity Bias against Women is not from The Torah:
A Review of Chapter 3 of Katherine E. Southwood's
"Marriage by Capture"

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When the Hebrew Bible is put into the hands of someone who already has a patriarchal or misogynistic worldview the result is someone who reads the words of The Torah in a way that will support their already preconceived ideas. This process happens the world over with many lay persons and biblical scholars. In their reading of the Hebrew Bible verses are used in a way to support certain preconceived ideas while other verses that would challenge those same preconceived ideas are ignored. This can happen even with women who have developed *internalized misogyny* from years of social programming and cultural conditioning. They accept the messages of men who have told them for centuries that the Hebrew Bible is a patriarchal book that values and devalues women on the basis of virginity.

The 3rd chapter of Katherine E. Southwood's "Marriage by Capture"¹ falls prey to this internalized misogynistic virginity bias that has been purported by biblical scholars and lay persons for a long time. It is evident that Ms. Southwood has adopted the opinions of male scholars in forming her own misogynistic view of women's sexuality. The 3rd chapter of the book also attempts to create a benevolent sexism toward virgin women. In the book virgin women are placed in a sexual hierarchy over non-virgin women and given rewards like praise, positive affirmation, honor and public defense. Further, she improperly dehumanizes non-virgin women for their lack of sexual repression or uncontrollable unfortunate circumstances in their life. However, this attempt at using The Torah to create a hierarchy out of women, through elevating virgin women over non-virgin women, has been imposed from outside of The Torah and is not a hebraic concept derived from within The Torah and The Hebrew Bible. The subtitle in the 3rd chapter, "importance of virginity", has been improperly used to create a hierarchy among women instead of highlighting

¹ The full title is "Marriage by Capture in the Book of Judges: An Anthropological Approach"

the *reasons* for virginity instructions for women in The Torah. This sort of misogynistic approach toward The Torah from a female scholar, against her own gender, is both disappointing and disheartening.

The Torah never created a hierarchy out of women based on virginity status. Instructions for virgins were given to protect the community from adultery, to protect the Temple from defilement, to protect virgins from being used as sexual objects, and to protect the firstborn of their womb. The instructions were not given to place virgins on a pedestal. I will demonstrate in the pages below that this historical reconstruction *claiming* that the Hebrew Bible values and devalues women for marriage solely on the basis of their virginity is erroneous. I will also demonstrate that the belief that non-virgin women were not desired for marriage in Isarelite communities does not come from within The Torah or Hebrew Bible. I will further demonstrate that the commands for protecting virgins from divorce were to level the disadvantages that virgin women had in the realm of marriage competition with their more experienced female peers. Lastly, I will demonstrate that women in Israelite culture were not the only gender with sexual purity standards. I will highlight that sexual purity standards for males existed in The Torah and that male virginity instructions were also given. There was no one sided virginity standard for women in The Torah.

In the 3rd chapter of “Marriage by Capture” Ms. Southwood claims that “anybody whose virginity has been taken or for whom there is a question about reputation, regardless of the circumstances is no longer marriageable” (page 107-108). Her use of the word “taken” is used more than once in the chapter and is infused with the notion that sex was something that happened to a woman, as if the sexual act was being done to her, rather than her showing any desire for sex. This misportrays the female gender as a whole and implies that virginity is something that can be “taken” from women rather than is something that is a transition in life a woman also initiates. Further, her use of the word “anybody” is a misnomer, because it is clear from the entire chapter that she intends to aim this devaluation of being “robbed” of one’s virginity only at women. Not once in the chapter does Ms. Southwood analyze the importance or instructions about male virginity in The Torah, an issue I will address below.

Ms. Southwood’s secondary premise is that this devaluation of woman (being “no longer marriageable”) is “regardless of the circumstances”. Her statement lacks further investigation into

The Torah in which non-virgins were married. I will address that issue in more detail below. She relies on Deuteronomy 22 for her claim but overlooks several important aspects of that particular text that indicate that virginity is only an issue in the woman when evidence of it had already been expected. If the woman was married to a man with the clear understanding that she was not a virgin, then there would be no issue. Such an issue could be taken care of in a Ketubah contract and/or discussions with the family beforehand. In the Dead Sea Scrolls, and Qumran texts, there is evidence that the the community(-ies) had devised a rule where parents were to disclose information of this kind to a prospective bridegroom². The passage in Deuteronomy 22 is about preventing deceit, misrepresentation and prostitution.

The passage in Deuteronomy 22 clearly states that the reason for the woman receiving the capital punishment is “because she has committed in Israel the disgraceful act of being a prostitute while still in her parent’s house” (verse 21). *Circumstances* like the woman being sexually abused, assaulted or molested as a child before marriage are *not* mentioned as the reason for capital punishment. If they could not prove her lack of virginity was because she acted like a prostitute, she could not be given the capital punishment. The other *conditional phrase* for receiving the capital punishment was that the woman had to be doing the acts of prostitution “while still in her parent’s house”. If the woman had been a prostitute because she was thrown out on the street as a child, or kidnapped for sex trafficking, she could not be given the capital punishment. Therefore, it is reasonable to conclude that she would only receive the capital punishment *if* (1) she acted like a prostitute and *if* (2) it was while still under the protection of her parent(s) home.

Circumstances which determine whether or not she was given the capital punishment *are* indeed described in this passage in Deuteronomy 22. Ms. Southwood has misrepresented Deuteronomy 22 to be a blanket statement of giving shame and the capital punishment to any woman who was not a virgin before marriage. She is incorrect to state that “any suggestion that virginity may have been violated is the cause not only of the woman’s reputation, but also the cause of humiliation for the woman’s family, both socially and financially” (page 108). To the

² See “Women in the Dead Sea Scrolls” by Eileen M. Schuller (page 6) and “Women and Children in Legal and Liturgical Texts from Qumran” by Moshe J. Bernstein (page 199)

contrary, the passage clearly states that the only shame and punishment was for women who acted like a prostitute while still under the protection of her parents.

In addition to misrepresenting Deuteronomy 22's statements about capital punishment, Ms. Southwood also misrepresents The Torah by painting the picture that it devalues women who are not virgins, completely destroying their desirability for marriage in Hebrew/Israelite communities. She relies on another scholar, "Matthews", who states that "the woman's lack of virginity 'threatens a household's' social status and precludes future transactions" (page 111). Again on page 114 she equates a non-virgin woman with "public dishonour". These statements are a false representation of The Torah and Hebraic concepts. To the contrary, there are several examples of non-virgin women being married in The Torah and the Hebrew Bible.

The story of Tamar being remarried (Genesis 38), commands for the second husband of a woman (Deut. 24:1-4), the levirate command (Deut. 25:5-10), Abigail (1 Samuel 25), and Ruth (Ruth 4) are all examples in which non-virgin women were considered and desired for marriage. Their lack of virginity was not their annihilation. The man who refused to marry a non-virgin widow was spit at (Deut. 25:9), thus indicating his lack of morality for refusing her. Other women like the wife of Noah, Sarah, the wife of Abraham, and Hannah, the wife of Elkanah, were mentioned as wives with no mention of whether or not they were a virgin.

The case of the virgin girl whose father refused to marry her to her seducer is another proof that lack of virginity did not annihilate one's chances for marriage (Exodus 22:15(16)-16(17)). If parents were truly worried that their daughter's lack of virginity would exterminate her chances for marriage, this passage would not have been written. Just as there are men today who do not view women for marriage solely on the basis of their sexuality, some Israelite men in antiquity shared the same view. Both Abigail and Ruth were valued for marriage also on the basis of their moral virtue (1 Samuel 25:33; Ruth 4:11). They were not looked at solely on the basis of their sexuality. Ms. Southwood wrongly states that women were "tarnished or debased by the loss of virginity" (page 143).

Ms. Southwood uses the word "loss" to describe a woman engaging in sex to make the transition from virgin to non-virgin. This use of the word "loss", like the use of the word "taken", *again* promotes the idea that a transition to being a non-virgin was something that could devalue a

woman. This idea is foreign to The Torah and based on the belief of dehumanization of women by sexual repression. This is also a problematic statement since Israelite women did not use birth control. A woman's willing participation in sex, even within the transition of becoming a non-virgin through sexual intercourse, more often than not resulted in pregnancy. Since Hebraic women valued being mothers greatly, and because their social status was often increased by motherhood, a woman in Israelite culture was not losing her social status when transitioning from virgin to mother. To the contrary, she was increasing her social status by removing her disgrace of being barren or childless³. It was rare that a woman in ancient Israelite culture did not become pregnant from sex. The transition to non-virgin would result in being blessed through children.

Women did not lose their value from being non-virgins in the Hebrew Bible. Boaz paid a bride price for Ruth, who was not a virgin (Ruth 4:5). A bride price was *not* exclusive to female virgins. Neither is any particular sum higher or lower described for virgins or non-virgins. Without any textual evidence Ms. Southwood claims that "without her virginity a woman's bride price would be severely lowered" (page 143). There is no evidence in the Hebrew Bible for that claim. It is an assumption based upon the premise that virgin women were more valuable simply because of their sexual history.

While virginity in a female may be the ideal compatibility for virgin men, non-virgin women are compatible with non-virgin men. For a non-virgin man to devalue a non-virgin woman would be misogynistic and hypocritical. Non-virgin men who are not sexists would more than likely value a non-virgin woman just as they valued themselves. Ms. Southwood's paper fails to see women holistically in the eyes of potential male suitors who assess women for marriage on multiple factors.

While there is undoubtedly a command in The Torah that virgin women could not easily be cast away through divorce (Deut. 22:29), this command was aimed at their protection, not their elevation. Deuteronomy 22:16 and 2 Samuel 13:15 show the possibility of men hating a virgin woman after lying with her. This was a likely possibility when men valued their virgin wife *only* because of her sexuality. Apparently, such a reason for marrying a woman was not enough to sustain love. While virgin women were able to offer a man sexual fidelity of a certain kind, virgin

³ See Gen. 30:23, Exodus 23:26, Deut. 7:13, 1 Samuel 1:10-11, Ps. 113:9

women were inexperienced in running a home, inexperienced in childbirth and incompatible with non-virgin men who may need the emotional compatibility of a woman who also went through a divorce or widowhood. If these virgin women had female peers who were divorced mothers, widows, or widows with children, they would be at a disadvantage when it came to demonstrating to male suitors that they were highly capable in running a home, experienced in cooking, emotionally compatible with non-virgin men, had an established trade/business, could protect and defend herself and her children in the absence of a man, or were fit enough to survive childbirth. In King Solomon's portrait of an ideal wife in Proverbs 31, he describes a woman who is a strong business owner, highly domestic, experienced in cooking, and had children. He does not describe a woman who is an inexperienced or timid virgin. Ms. Southwood's analysis of The Torah's instructions concerning women does not consider the possibility that virgin women needed extra protection because they lacked other characteristics men sought in a potential wife, other than their sexual history.

Ms. Southwood's analysis of virginity instructions for women in The Torah also portrays The Torah as if it is directed only at holding women accountable for their sexuality. This is a shortcoming of her work. She does not address the concepts of male sexual purity in Leviticus 20:10 and Deuteronomy 23:17. She does not address the concept of male virginity embedded in Deuteronomy 21:15-17. Nor does she incorporate Apocrypha like Tobit and Jubilees which demonstrates Hebraic concepts about male virginity. Her entire 3rd chapter falsely portrays the Hebrew Bible as a moral text only concerned with female virginity standards as a basis for valuing or devaluing women.

Her analysis of Numbers 31 is taken out of context to make it appear that the "women who never slept with men" are general references to virgins. The story of Numbers 31 is about "vengeance upon the Midyanim" (verse 2), which is directly tied to and subsequent to the story of Numbers 25. This is an important overlooked detail in her work. Numbers 25 dealt with the men of Israel who "went whoring" with the women of foreign nations (Numbers 25:1) and thus joined to "Ba'al-P'or" (verse 3). The story in Numbers 31 specifically states that Moses's anger over the women they let live were the women who "...because of Bil'am's advice — caused the people of Israel to rebel, breaking faith with *Adonai* in the P'or incident, so that the plague broke out among

Adonai's community! ...kill every woman who has ever slept with a man” (verse 15-17). These women were *not* being killed because they were non-virgins. They were being killed because the men of Israel had been seduced by them, joining to them in marriage through sex, in violation of The Torah (Deut. 7:3). This instruction by Moses was an enactment of the command in Deuteronomy 13 to kill idolatrous spouses. It was not on the basis of the women’s sexuality. The women who were spared, “the women who have never slept with a man” (verse 35), were spared because they still had a chance to go through the proper purification process described in Deuteronomy 21:10-13 before being married. The decision of who to spare and who to kill was based on idolatrous marriages, not sexuality.

Virginity for women is important in The Torah, but the first and foremost reason was not the worship and elevation of virgin women. Neither does The Torah state that the reason for instructions about female virginity is to hold women to higher sexual standards. Nor does it state that a woman is valued by how many times she was touched sexually. The reason for these instructions is because women bore the firstborn child that would be consecrated to Elohim (Exodus 13:2, 34:19; Numbers 3:13, 18:15). These were a special population of children that were set apart for Elohim. Elohim planned to protect the firstborn of the womb by advocating that virgin women were bound to the men they lay with, and vice versa. It is noteworthy that the hymenal ring of a woman does not fully disappear until her firstborn child passes through the womb. There is a deep underlying connection between female virginity and the firstborn of her womb.

There are several stories in The Torah that signify the importance of the firstborn child being born of a virgin woman. These stories which highlight a virgin female were not done to glorify virgin women. The purpose of mentioning their virginity was to signify the status of their firstborn child. In the story of Rachel and Jacob (Genesis 19), Rachel’s virginity is significant because she gave birth to Joseph (Genesis 30:25). As his rightful wife, Rachel’s firstborn had a dream in which his other brothers bowed down to him (Genesis 37). Joseph also served as a messiah and helper of his family line by securing them grain in a time of famine (Genesis 47). In the story of Rebekah, also a virgin woman (Genesis 34), her firstborn child Esau had a special right of the firstborn (Genesis 25:31). Esau sell’s his birthright to Jacob for a bowl of soup. Jacob then becomes the one through whom Elohim’s promises will be fulfilled (Gen. 28:13-14).

The instructions for virgins in Deuteronomy 22:23-24 are commands against adultery, they are not commands which instruct anyone to elevate virgins over non-virgin women. There are equally commands in The Torah against adultery for non-virgin women in Deuteronomy 22:22 and Leviticus 20:10. The instructions for a High Priest to marry only a virgin in Leviticus 21 are not about the elevation in social status of the Priests and virgins. The High Priest, who had to enter the most set apart place of the Tabernacle (later the Temple) (Lev. 16:17), could not risk being defiled by an unjustified divorce, a prostitute or a woman profaned. Ms. Southwood improperly identifies divorced women and widows as “profaned” (page 137), but that is not what the text of The Torah says. The text of Leviticus says that “profaned” is *one type* of woman he cannot marry (Lev. 21:7, 14). The text divides “profaned”, “prostitute”, “divorcee” and “widow” with the word “or”[1] (verse 7 and 14). It never implies that widowed or divorced women were not considered because they were less worthy as non-virgins. It simply states that they are ineligible.

The Torah is a book which does not discriminate against either gender. It is a book in which equal standards and respect is given to both women and men. There is nowhere in The Torah that a hierarchy is created between virgin and non-virgin women. It does not say that a community is to place virgin women at the top as most desirable and non-virgin on the bottom as unmarriageable. These sorts of classifications of women are imposed on the Hebraic texts from other worldviews. Virgin worship, which has been a historical practice in religions like Catholicism and Greek mythology, is not a concept that comes from the Hebrew Bible. While virginity may have been the ideal of the beginning of life and marriage for Israelite communities, The Torah and Hebrew Bible demonstrate that there is understanding and instructions for the processes of life that made women widows, divorcees or the participants of family conflict (when her parents decided a man was not worthy of her hand in marriage). The Torah liberates women from gender discrimination. There is no virginity bias in The Torah against women. Ms. Southwood’s 3rd chapter of her book overlooks this important gender equality aspect of The Torah.