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Ben Witherington III

Excerpt

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PART I

WOMEN IN FIRST
CENTURY CULTURES

1

WOMEN IN JUDAISM

No study of women in the New Testament can be undertaken without first looking at the larger historical context in which the events of New Testament history took place. This chapter describes the prevailing attitudes about women, their status and roles, in Israel before and during the New Testament era. We can mention only selected portions of the relevant data, but it appears that the information given is representative of the period.

When discussing first-century Palestinian Jewish women, the problem of dating the material immediately confronts us. Much of the rabbinic literature is of an unknown date, since it is not identified with a particular rabbi or school. Thus, we will rely primarily on information found in the Mishnah, a collection of oral traditions which explain and expand upon the law or legal material found in the Old Testament. These oral traditions were certainly in existence before the Mishnah was written down (codified) around A.D. 200. Information from other Jewish writings, such as the Talmuds and midrashes, are used when they seem to summarize attitudes that prevailed throughout the era of early Judaism.¹

Social life

There can be little doubt that the family was the exclusive sphere of influence for Jewish women in the first century A.D. This limiting of a woman's sphere of influence is partly attributable to Jewish marital customs of that day. One must bear in mind the extraordinary power a father had over his daughter, and a husband over his wife. The laws of inheritance, betrothal, and divorce were heavily biased in the male's favor, with only a few checks and balances (such as the wife's "divorce price" and a daughter's "right of

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maintenance’). A woman was passed from her father to her husband’s sphere of authority, usually without being consulted. Since a woman changed families when she married, she could not be expected to preserve the family name or keep property in the same family. For this reason, the laws stated that she was entitled to “maintenance” rather than inheritance in most cases. That Rabbi Ishmael can bemoan the poverty of Israel’s women is perhaps an indication of how hard and rare it was for a woman to inherit property.²

When a girl was underage (under twelve years), she had no right to her own possessions, and the fruit of her labor or anything she found belonged to her father. If she was sexually violated, compensation money for the indignity was paid to the *father*. Though a girl could not refuse a marriage arrangement made by her father, she could express her wish to stay in the home until puberty, and she was within her rights to refuse any arrangement made by her mother or brothers after her father’s death and before she was twelve and a half years old. Once she was of age, a girl could not be betrothed against her will. Considering the early age of betrothal and marriage, it would be rare indeed for a woman to have acquired an inheritance prior to marriage, or to have reached an age when she could refuse a marital arrangement made by her family.

A woman’s security in her husband’s family was limited by the fact that the husband could divorce her if she caused an “impediment” to the marriage. This privilege to divorce was rarely extended to the wife. A husband could divorce his wife without her consent for reasons ranging from her unchastity, to her burning a meal, or to finding another woman fairer than his own wife. A wife’s security was also threatened in some cases by the fact that polygamy was permitted in New Testament times as it was in Old Testament days. While monogamy for economic and moral reasons was the common practice, the Mishnah does record cases of, and rules for, a man betrothed to two women.³

In spite of these limitations it would be wrong to assume that a Jewish woman had no respect or *rights* in Jesus’ day. Jewish writings reiterate in various places the Old Testament rule that the mother is to be honored equally with the father. In Exod. 20.12 we read: “Honor your father and your mother ...” (note the father is

Women in Judaism

mentioned first), while in Lev. 19.3 we read “Every one of you shall revere his mother and his father ...” (note the mother comes first). Thus, it was deduced that they were to be revered equally, indeed honored as God is honored. The Talmud instructs a man to love his wife as himself and to respect her more than himself.⁴ A further example of a woman’s rights is that while normally it was the man or the man’s family who started the betrothal process, a woman was in some circumstances said to be able to betroth a man on her own initiative.

In the family, the wife’s duties included grinding flour, baking bread, washing clothes, breast-feeding the children for eighteen to twenty-four months, making the beds, working with wool, and washing her husband’s face, hands, and feet. The extent of a wife’s household duties depended on how many servants she brought into the marriage. As regards child-bearing duties, Rabbi Johanan ben Baroka said that the commandment to be fruitful and multiply was aimed at the wife as well as the husband, though this was probably not a majority opinion and we usually read that this commandment was required only of the man.⁵

The husband’s duties were equally extensive. Whereas a man had an *obligation* to provide for his wife, he had a *choice* over whether or not to provide for his slaves. Thus, a wife was not treated as property. The marriage contract bound the husband to provide food, clothing, and material needs for the wife, and she could demand these things before a court. Responsibilities of the husband also included fulfilling his connubial duty, redeeming his wife from foreign captivity, and providing shelter. Unlike a man, a woman was said to have a *right* to sexual pleasure. Indeed, the School of Hillel said that a man had not fulfilled Gen. 1.28 until he had both a son and daughter, whereas the School of Shammai conceded that two sons would fulfill one’s duty.⁶ Considering the importance of a son to a Jew who wished to pass on his name and heritage, it was rare for a father to prefer his daughters.

With few exceptions, a woman could not divorce her husband, while a husband could divorce his wife practically at will so long as he could afford to pay his wife a pre-arranged sum known as the dismissal price. There were, however, situations and ways in which she could precipitate a divorce. If a husband refused to consummate

Women in first century cultures

the marriage, was impotent, had an unpleasant occupation, had leprosy, was unable to provide support, or if he was to be separated from her for a long time, then she could sue for divorce in the courts. A woman could leave her husband and return to her parents' home, thus precipitating a divorce in most cases. Though a woman could not normally pronounce the "formula of divorce" which finalized the act, she was able to write her own bill of divorce and its validity depended on her. Thus, while technically only a husband could initiate a divorce, and a bill was only valid if written specifically for the woman, a woman did have means of legally ending a marriage. It should be added that divorce was frowned upon by most rabbis.⁷ Also, in Jewish law, unlike early Greek and Roman law, a husband was never allowed to take the life of his wife if she was an adulteress.

An Israelite woman was allowed to hold property in her own right, as discoveries at the Dead Sea have shown. She was also allowed to inherit property, though male heirs had precedence over her. If she remarried, her property remained her own, though her husband had a right to use it. This was especially true of a wife's slaves. Both the Schools of Shammai and Hillel agreed that a woman could sell or give away any of her inherited property prior to her betrothal. The School of Shammai adds that she could sell it after betrothal as well.

In addition to rights of *inheritance*, a woman also had a right to *maintenance* from her father's or husband's resources. Indeed, if a man died leaving only a little property, his daughters had a right to maintenance before his sons could inherit, even if this meant that the sons had to go without. This was also true of a widow who remained with her former husband's household.

Spiritual life

A certain spiritual significance was assigned to a woman's presence or role in the home; as Rabbi Jacob says, "One who has no wife remains without good, and without a helper, and without joy, and without blessing, and without atonement."⁸ Even more dramatic is the comment by Rabbi Phineas ben Hannah that a woman has an atoning force not inferior to the altar if as a wife she remains within the domestic seclusion of her family.⁹ The spiritual influence of the mother in the home is perhaps indicated by the fact that the rabbis

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Women in Judaism

considered a child a Jew *only* if his mother was a Jewess. The rabbis' appreciation of a woman's potential spiritual influence is also shown by a saying which points out that if a pious man marries a wicked woman he will become wicked, but if a wicked man marries a pious woman, she will make him pious.

It was in the home that the training began which equipped Jews for participation in the synagogue or Temple services and, in the case of men, for religious leadership whether as a scribe, rabbi or priest. It was a cause of debate whether and how much a woman should teach or be taught Torah even in the home.¹⁰ Although Rabbi Eliezer says that teaching one's daughter Torah is teaching her "lechery" (or extravagance), his opinion is said to be a minority one.¹¹ Support for this verdict can be found in several places. Rabbi ben Azzai says, "A man ought to give his daughter a knowledge of the Law," and Mishnah Nedarim 4.3 reads, "He may teach scripture to his sons and daughters."¹²

On the other hand, negative remarks about wives cannot be ignored. Mishnah Kiddushin 4.13 tells us that a wife is not to teach her children, perhaps a result of the fact that women were exempt from studying Torah. Nevertheless, women are said to be expected to know the holy language, and it was also inferred from Exod. 19.3 that women accepted Torah before men. There are even cases of women being taught the oral law and being consulted on its fine points. Rabbi Meir's wife, Beruriah, is well known in this regard. Possibly the maidservants of Rabbi Judah the Prince received similar training, for there are instances where they gave some scholars enlightenment on rare Hebrew words in the Bible. Imma-Shalom, sister of Rabbi Gamaliel II and the wife of Rabbi Eliezer, was prominent enough to have some of her sayings recorded in the Talmud. Finally, Rabbi Nahman's wife was said to vex him continually because of her expertise in Jewish matters. Though these examples are exceptional, they do show that even when Judaism was beset with the problems of foreign occupation and influence, when there was a tendency to protect and confine Jewish women and children to preserve important traditions, some women were able to become learned in both oral and written law and tradition.¹³

Women were allowed to take Naziritic vows (see Num. 6.1–21) during and after Jesus' time, as the example of Queen Helena of

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Adiabene (a Jewish convert from Mesopotamia) demonstrates. We are told that women could bring sacrifices to the Temple; even a suspected adulteress' offering is not refused. Mishnah Zebahim 3.1 says that women could legally slaughter the animals for sacrifice, even those designated for the Most Holy Things – sacrifices used for special feast days or unblemished sin offerings. There are cases recorded where women were allowed to lay hands on their sacrifice, despite the fact that Mishnah Menahoth 9.8 says they cannot. Even more significant is that some women, with a priest's aid, were able to "wave the meal offering in the air," an act of offering the wheat sacrifice to God normally performed by a priest.

A woman of priestly stock (a descendent of Levi or Aaron) had certain priestly rights and privileges in regard to the offerings. Women were obligated to light the candles at the Feast of Dedication because they too benefited from the ending of the Seleucid persecution.¹⁴ Though women were limited to their own court in the Jerusalem Temple, it is not certain when the practice of having special galleries for women in the synagogues began, though apparently they existed in Trajan's time (early second century A.D.).¹⁵ We know that such popular feasts as the Feast of Tabernacles took place in the women's court.

Babylonian Talmud Megillah 23a tells us that women were qualified to be among the seven who read Torah in the synagogue, though it appears that after New Testament times and perhaps before that they were expected to refuse. Further, there are no known examples of women reading in the synagogues during Jesus' time. In the domestic observance of the Sabbath, women were responsible for preparing the dough offering and lighting the Sabbath lamp. Women were required to say the Tefillah, the eighteen benedictions, the table blessings, and to maintain the Mezuzah on the doors of their homes.

From the above evidence we may conclude that at least in theory a woman's position and privileges in regard to the Jewish cult during and beyond New Testament times differed little from their status and rights in Old Testament times with two important exceptions. First, a separation of women and men in the Temple and synagogue was introduced after Old Testament times, and secondly, perhaps women were not allowed to read Torah in the assembly by New

Women in Judaism

Testament times. The Old Testament's high regard for women's religious rights seems to have been preserved legally in the rabbinic literature with notable exceptions.

In order to understand why a woman was restricted in regard to place and function in the Temple one must bear in mind the ordinances of Lev. 15. According to these rules a priest had to be holy and ritually clean at all times in order to offer the sacrifice. Thus, the exclusion of women as priestesses in the cult was because of their "uncleanness" during their monthly menstrual period, and not because of any rabbinic prejudice aimed directly at women. Women's exclusion from cultic office on these grounds also meant that since they could not be depended upon to be ritually clean on every occasion, they were not even eligible to participate in those ordinances of the Law which were periodic in nature, such as certain feasts, daily appearances in the synagogue to make a quorum, periodic prayer, etc. This is probably why we read in Mishnah Kiddushin 1.7, "The observance of all the positive ordinances that depend on the time of year is incumbent on men but not on women, and the observance of all positive ordinances that do not depend on the time of year is incumbent both on men and women."¹⁶

The evidence concerning Jewish women's roles in religion indicates that by and large the religious privileges and functions they had were those they could participate in at home. The biblical rules in Lev. 15 and their rabbinic interpretations restricted a woman's participation in the Temple rituals. Further, certain views about propriety appear to have taken away her theoretical right to read the Scriptures in the synagogue even in Jesus' day.

2

WOMEN IN HELLENISTIC SETTINGS

Greece

Within the general patriarchal framework which was present at least to some extent in all of Greece's city-states and colonies from Homeric times (c. 700 B.C.) through the age of the Roman Empire, one finds a diversity of roles and views of women that goes beyond the confines of early Judaism. There was a great deal of difference, however, between being a woman in Athens, Sparta, or Corinth.

Athens

Athens was a city of contrasts in regard to the status and roles of women. It is impossible to generalize about their positions because apart from common prostitutes and slaves, there were three categories of women: Athenian citizens, concubines, and companions.

Concubines are probably the smallest and least important group for our discussion. They occupied the middle ground between legal wives and companions. Their relationship to an Athenian male citizen was recognized by law, and if the concubine was an Athenian citizen her children would be free, though not legitimate members of the family of her male partner – unless he chose to give them such status. Finally, concubines had no dowry and their main function was to care for the personal, especially sexual, needs of their male partners. In this way, a male Athenian citizen could limit his legitimate heirs without limiting his sexual activities.¹

It is fair to say that although female Athenian citizens were respected as wives and mothers in the classical period (before Alexander the Great [356–323 B.C.] who initiated the age of Hellenism), their position on the whole was little better than that

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Women in Hellenistic settings

of Jewish women in the same period. Certainly the women of Attica, the region surrounding Athens, led a more sheltered and subordinate existence than women anywhere else in Greece. By Hellenistic and Roman times these views were still in existence, though less strongly held because of the liberalizing influence of Macedonian and Roman occupations.²

The historian Thucydides (*c.* 400 B.C.) spoke not only for his classical generation but also for those succeeding in Attica, when he had his hero Pericles remark that the glory of the woman is greatest “of whom there is least talk among men, whether in praise or in blame.”³ Athenian citizen-women were married usually at fifteen or sixteen years of age, and up to this time they were said to have seen little of the world and inquired about nothing. Once an Athenian citizen-woman married she usually lived in a separate and guarded chamber, not unlike some upper-class Jewish women in New Testament times. It is doubtful, however, that these matrons were never allowed out of those chambers. Citizen-women were appreciated chiefly as a proper means to a legitimate male heir.⁴ Even the practice of leaving unwanted daughters on a hillside to die was known in New Testament times. In contrast to Spartan practices, Athenians severely limited a matron’s rights to acquire or retain any personal property apart from her dowry.⁵ If one bases one’s views of a woman’s position in Athens solely on the position of Athenian citizen-women, one can well understand why Thales (*c.* 400 B.C.) was grateful, “that [he] was born a human being and not a beast, next a man and not a woman, thirdly, a Greek and not a barbarian.”⁶

The companions, being foreign women, had no civic rights; however, this also meant that they had few civic restrictions. They were not allowed to manage public affairs, or to marry citizens, or to usurp citizen-women’s positions. Beyond this they were virtually allowed a free hand.⁷ Many famous Greek men, including Plato, Aristotle, Epicurus, Isocrates, and Menander, had female companions. Because of the frequent sexual liaisons involved, the term soon became synonymous with courtesan. Yet it would be wrong to assume that these women were simply harlots. In order to be a good companion for intelligent and important men, many of them studied the arts, philosophy, and politics. In fact, they were said to be “the only educated women in Athens.”⁸