

**Patriarchy in the House of Jacob and the House of Phalo:
Contribution to Contextual Hermeneutics**

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DECLARATION

I, Mzukisi Faleni declare that this Doctoral Dissertation, Patriarchy in the House of Jacob and the House of Phalo: Contribution to Contextual Hermeneutics, is my own work and that all sources I have used or cited have been indicated and acknowledged by means of complete references.

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DEDICATION

To the Almighty God

And

Nothando “Vrou” Faleni



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ABSTRACT

This study investigates the privileges and hermeneutical advantages enjoyed by a Phalo¹ interpreter of practices in the biblical text that are similar to or the same as those found in Phalo's patriarchal culture. The study therefore probes the extent to which the Phalo interpreter could take advantage of these presumed similarities and sameness, the legitimacy and validity of claims of patriarchal bias attributed to the Phalo interpreter, and the extent to which such claims should be taken seriously by the house of Phalo. If the similarities place the Phalo interpreter in a position of advantage when dealing with the text, then, the interpreter should know where to draw the line between the similarities in the patriarchal practices of the two houses. Otherwise, a serious interpretative or hermeneutical crisis could ensue. The study argues that the advantages that the Phalo interpreter brings to the table should not be open-ended or without restrictions. Since the house of Phalo and Jacob are unrelated in any way, the similarities need to be considered with great caution. The aim of the comparison in the study is not to determine which house is more patriarchal than the other, but to advance contextual hermeneutics. We compare the various fragments of both works in order to ascertain the existence and direction of literary dependence, if any, between these fragments.

In both houses, patriarchy and family stand at the centre of culture and religion. Therefore, the concepts of patriarchy in the two houses are crucial to this study. Both families operate under the assumption that the concept of family is strictly valued and that patriarchy is the essence of life and the basis for legal, religious and social construction. In the history of family practices in both the ancient house of Jacob and the house of Phalo, patriarchal laws were regarded as pillars of religion and culture. The two houses operated a patriarchal system in which family decisions must have the endorsement of the father or the male family head, these being identified through the male bloodline. Thus, the image of religion, culture and the power and authority of the society are fully patriarchal in both houses.

The contention here is that although similarities and sameness are observable between the patriarchal houses of Phalo and of Jacob, the point of discontinuity remains blurry. Based on

¹. King Xhosa was the first king of the amaXhosa and the Xhosa nation was named after him, while Phalo was the tenth king. The two names, Phalo and amaXhosa, will be used in this research to refer to both King Phalo and his nation, the amaXhosa. Further details on the lineage of King Phalo will be presented later in this research.

the cultural and patriarchal similarities and sameness found in both houses, the Phalo interpreter who exercises patriarchal bias could claim undue advantage in the interpretation of those texts. Although similarities and sameness are assumed between the two cultures, the extent to which the house of Phalo validly takes advantage of those similarities is unclear. Even the perceived similarities and sameness which are considered visible have been challenged by some scholars. For example, Soga (1931:17) argues that there is no connection between the two cultures, because of the geographical, cultural and hermeneutical distance between the two nations or the two horizons, as Thiselton would say.

It is important to stress that this study does not question the existence of similarities between African and the ancient biblical worlds, as that point has been established by many authors (cf. Adamo 2001b:32). Rather, the research investigates primarily the patriarchal similarities² between the house of Phalo and the house of Jacob. Literature has established that the Old Testament is much treasured in Africa, perhaps due to its close cultural and religious similarities with traditional African cultures and ethnic religions. Africans who support patriarchy are more at home with the Old Testament. They claim that the Old Testament endorses the superiority of men as endorsed by God. This understanding suggests that it is possible to use the Bible to justify crimes against humanity, seeing that interpretation comes from the world-view of the interpreter and not from the text.

However, the patriarchal similarities between and the sociological locations of the two houses (Phalo and Jacob) could confuse the contemporary Phalo interpreter of the Old Testament texts. The study therefore aims to clarify the areas of misconception as matters of presupposition and contextualisation are often stimulated by such perceived similarities and sameness between the two cultures in a way that could cause the Phalo interpreter to jump to premature conclusions about the text. The challenge in this study is to determine whether the Phalo interpreter minimises the distance, that is, the cultural, geographical and

². Lerner (1995:34) defines patriarchy as “the historical world that aimed at conquering female”. By this logic, some believe that it is a form of political structure that distributes opportunities unequally between men and women. Patriarchy is seen to be a mental, social, economic, and political organisation that society created to provide men with more opportunities than women. This is armoured by different social structures, such as religion and culture. The term ‘patriarchy’ will be used in this study in line with Lerner's study. There are many assumed patriarchal similarities between the house of Phalo and the house of Jacob. For the purpose of the study, we shall select a few of those patriarchal procedures in both houses and examine them in the next chapters. Some of the laws that will be surveyed are those that govern menstruation and circumcision in both houses. However, the investigation of the similarities and sameness from the two houses is not to legitimate the patriarchal actions of Phalo.

anthropological³ differences, when appropriating the similarities and sameness found in the patriarchal texts and practices of these two houses (Bendor 1996:35). Does the hermeneutics of sameness and similarities indeed help the Phalo reader to interpret the patriarchal texts of the house of Jacob better?



³. It is not the canon that influences the interpretation of the reader, but the community that governs the interpretive experience of the reader; both the author and the reader are products of their anthropological contexts.

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CHAPTER ONE

INTRODUCTION

1.1. Scope and Problem of the Study

To assume a simplistic connection between the patriarchal practices of the house of Phalo and of Jacob could mislead the interpreter who attempts to interpret the text responsibly without understanding where the line should be drawn in terms of similar practices. The extent to which the Phalo interpreter could benefit from those similarities is the focus of this study. Similarities arouse one's interest and tend to misinform or grant an undue advantage to the reader but issues that are similar are not necessarily the same. If the context is the same, it is possible to get the same results from the text, but contexts are also made by texts. The idea of sameness and similarity is not really about the text but about the context of the given text, which Gadamer calls the anthropology of the text (Gadamer 1975:122).

The problem here is that the supposed similarities and sameness lead to dangers of presuppositions and if not critically uncovered and used to legitimise Phalo's claims, could easily mislead the Phalo interpreter and frustrate the textual and hermeneutical task. These similarities create reckless hermeneutical excitement in the Phalo interpreters and have been used thoughtlessly in many ways to suppress other voices in society and to sustain patriarchal power in many spheres of life even in other patriarchal contexts.

Many similarities have been recognised between the two houses under investigation, but for the benefit of this research, only a few will be selected and used to test the hypothesis.

1.2. Background of the Study

The Bible remains silent unless it is unveiled through philosophical and hermeneutical methods. To unveil the Bible, modern biblical scholars have focused on three aspects of the text – the author, the text itself and the audience. The reader of the text, who in the context of this study is from the house of Phalo, is also significant. The interpreter is the one faced with what Elliot (1993:11) calls the high context of the ancient text,⁴ of which no clear

⁴ Faust (2012:45) argues that most of the literature about Israelite communities was written from a textual standpoint by people who were writing from a distance. Nonetheless, the ancient sources on which these studies are founded raise several problems. The authors of the Bible, being ordinary human beings, also had their cultural, ethical, religious, and ideological prejudices. Accordingly, the question is how much of those prejudices have influenced their writings? They should not be observed as a full and impartial documentation of authenticity but as a very incomplete documentation reflecting the viewpoint of a small section of people in

background information is available. It is true that the mind of the biblical author differs from that of the modern reader and the contexts also differ. These cause the Phalo interpreter to struggle to conceptualise the end product. The Phalo interpreter identifies more with the similarities that are perceived between the two houses.

The *world* of the Phalo interpreter is better explained by Heidegger's (1963:35) claim that we and our activities are always "in the world", our being is being-in-the-world. We are always determined by the world itself, by tradition, and by the context in which we live—historicity, belongingness, and situatedness. Heidegger further argues that we always interpret; we interpret the text from the clouded horizon of the present, and between the horizon of the past and of the present. The world of Phalo seen through the world of Jacob is central to this study. The Phalo interpreter claims that if the patriarchal world of Jacob is the same as that of Phalo, then, credit of advantage must be given to the house of Jacob by the Phalo interpreter.

The Phalo interpreter, because of the assumed similarities, may interpret the Jacob text before understanding it, and therefore runs the risk of being biased with regards to the practices in the text that are found to be similar to the practices in his/her context. It is difficult to suggest that the Phalo interpreter should depart from the present and this point is problematised by Gadamer (1900-2002) who dismisses the understanding that an interpreter can set aside predeterminations of his or her own historically conditioned point of view, and that one can completely enter into the mind of others with an empty mind. In the case of Phalo, these assumed patriarchal similarities support the idea that there are dangers of presupposition.

The interpreter of the House of Phalo should be conscious of the challenges she/he faces in interpretation and be alert to misleading similarities. Thus, this study offers simple hermeneutical tools that could be used by the Phalo interpreter when approaching the text, especially when it comes to the similarities between the present context and the text.

the society, mostly the elites. This suggests that reading the ancient biblical text is an attempt to resurrect a dead text, which was written by a dead author, for a dead audience and most probably from a dead context. The reading of the biblical text is in reality a dialogue with the dead, a conversation with those who are no more.

Heidegger (1963:15) argues that the meaning of the text, as it addresses the interpreter, does not just depend on the occasional factors which characterise the author and his original audience, for it is also always co-determined by the historical situation of the interpreter. He further states that the meaning of the text surpasses its author, not occasionally, but always. Heidegger stresses the importance of the interpreter who also reproduces the text; hence, our focus on the Phalo interpreter who plays a crucial role in the reproduction and in furthering the patriarchal text of Jacob. If the patriarchal similarities and sameness are valid, then, it is possible for Phalo to serve as a reference point and in be close proximity to the patriarchal text of Jacob.

On the other hand, the similarities have the potential to help the Phalo interpreter to reproduce or produce something that was not there. The text and author are crucial but as Schleiermacher (1977:34) argues, the interpreter also plays a crucial role in opening and closing the text. Hence, this study considers Phalo as the major interpreter in this research, which acknowledges the power that Phalo has on the patriarchal text.

Gadamer (1975:89) criticises Schleiermacher's argument that the interpreter's understanding of the text is better than the author's understanding of the text. One would agree with Gadamer that the focus should be on the interpreter and the way he/she captures those ideas in the movement of interpretation. The challenge that the (Phalo) interpreter encounters is the reintegration of the author's original meaning with the interpreter's reality in order to understand the text that is similar and familiar with his/her practice. In other words, the main challenge with today's interpretation is the danger that the interpreter would understand himself/herself first. Schleiermacher's focus on authorial intent, for obvious reasons, raises much disagreement and questions and it is misleading to the Phalo interpreter. It is apparent that reconstructing the author's original personality and intentions is nearly impossible and this would not assist Phalo interpreters in the attempt to interpret the similarities between their house and the house of Jacob.

The weakness of the Phalo interpreter is to prejudge the text because he/she cannot go into the shoes of the author especially when asked to step out of his/her own shoes. This prejudgement is encouraged by those similarities which, as we noted earlier, support the presuppositions.

Gadamer (1975:92) is applied to the context of Phalo, as he rejects any consideration given to the author but argues that the fusion of the interpreter (Phalo) and the text will produce a better understanding. To eliminate the confusion created by the similarities in the practices of the two houses, the Phalo interpreter must decide whether he or she should understand the text with or without the knowledge of the author. Some texts hold meaning and can be understood without any familiarity with the author while others produce much greater meaning when the life of the interpreter is taken into account. A brief review of the discipline and art of hermeneutics will be done to determine how best to guide the interpreter of the house of Phalo in dealing with the assumed similarities with Jacob in a more composed and insightful manner. The Phalo interpreter moves back and forth continually between the biblical and African contexts, bringing them together in an ongoing dialogue informed by the assumed similarities. How the Phalo reader moves between text and context is determined by a variety of influences, including the reader's ideo-theological orientation, ecclesio-theological understanding, missionary heritage, engagement with ordinary readers of the Bible in the church and community, culture and patriarchal orientation.

Central to this research is the assumption that the Phalo interpreter takes advantage of some legitimate similarities between the house of Phalo and the house of Jacob when reading the biblical text. Those similarities place the Phalo interpreter in a far better interpretive position than interpreters whose cultures do not share such similarities with Jacob.

Most of these similarities found in the Bible are used to support patriarchal practices in the house of Phalo where women have no voice because of culture and where certain texts such as the writings of Apostle Paul have been invoked to silence them. For instance, 1 Corinthians (14:34) says, "Women should remain silent in the churches". Women are not to speak but must be in submissive. Based on the biblical text, they were not created but were made from the rib of the man: "Then the Lord God made a woman from the rib he had taken out of the man, and he brought her to the man" (Gen 2:22). Several other biblical texts are used to validate patriarchy, the most powerful being the text that shows God as the God of the patriarchs, Abraham, Isaac and Jacob. God introduced himself to Moses saying, "I am the God of your fathers, the God of Abraham, the God of Isaac and the God of Jacob" (Exod 3:16). This is God the *Father* who is the God of fathers speaking to another father, Moses. The favourite verse of the men of the house of Phalo is, "Wives, submit yourselves to your

own husbands as you do to the Lord, for the husband is the head of the wife as Christ is the head of the church” (Eph 5:22-33). Thus, the fact that the Hebrews as well as the Bible belonged to a patriarchal society and preserved the androcentric elements of their culture cannot be disputed. It may be inaccurate to say that Jacob has a patriarchal influence on Phalo because the patriarchy of Phalo comes from Jacob, but we can confirm that Phalo employs the text of Jacob to support and strengthen its own patriarchal system.

Traditionalists do believe that men are born to dominate and subordinate women. They believe that gender hierarchy has always existed and will continue, and that like other rules of nature, patriarchy also cannot be changed. This shows how fixed and dangerous the practice of patriarchy which is common to both Phalo and Jacob is. Patriarchy is recognised as an authoritative male system that is both oppressive and discriminatory. It is oppressive in social, political, economic, religious and cultural environments. In some radical feminist circles in ‘townships’, patriarchy is known as the pornography of the society; it is worse when applied thoughtlessly, as in the house of Phalo. Therefore, those who subscribe to patriarchy irresponsibly run the risk of hurting and doing irreparable damage to their audience when the topic is not treated with extra sensitivity by the interpreter. Those who interpret the text to support patriarchy have more data from the Bible to work with than those who oppose patriarchy.

1.3. Preliminary Argument

Many scholars acknowledge that Africans have a special interest in the Old Testament which is driven by the assumption that similarities are observable between the Old Testament world and the African context (Adamo 2001b:32). In this regard, B. Sundkler notes, for example, the preference of the Old Testament to the New Testament in the Zionist Churches in Southern Africa (Sundkler 1961). The Old Testament occupies an important position in the preaching of some leaders of African Independent Churches. This is influenced by the assumed similarities between the two nations—Phalo and Jacob.

Borowski (2003:45) shows that in the house of Jacob, a person was identified by his or her father’s lineage up to the fifth generation (cf. 1 Sam 9:1), and every member of the family contributed to the survival and propagation of the patriarchal family name. However, men, women and children in the family all contributed to the general well-being of the society and the preservation of male authority. Similarly, Van Tromp (1947:81) reports that the female, according to Xhosa law, is considered to be under the guardianship of a male. The

husband determines her place of residence and maintains her, and this strengthens the authority of men over women as well as the claim that she is part of his property.

In the house of Jacob, the nuclear⁵ family was identified by blood as “blood kinship played an important role in the determination of personal identity and the distribution of power in the villages of early Israel; no blood was taken for granted” (Matthews 2003:292). This bloodline is considered from the side of the kinsmen, and it very much resembles what obtains in the Phalo clan. Pauw (1989:200) considers the bloodline in the family of Phalo and notes that during some rituals, only men from the nuclear family who are related by blood would be “allowed to eat some of the ritual meat alone known *intsonyama*” (that is, the meat on the inside of the right front leg). In the house of Phalo, the father⁶ was undoubtedly the head of the family and had comprehensive authority over his children as long as they remained in his household, and afterwards, to a lesser degree (Hoernle 1937:71). Regarding the perception of God, the house of Jacob would picture God as man and would be addressed as such – “our Father”. It is assumed that amaXhosa ancestors are men, therefore, those who address them use language that shows that they are talking to men only (Mndende 2010:23).

From the few aforementioned examples, one can assume that the norms of the house of Jacob greatly influence the way the house of Phalo reads and interprets the text especially aspects of the text with obvious patriarchal elements and perceived similarities. The influence should be welcomed by the Phalo interpreter but in a critical way in order to give both contexts some breathing space from each other—and that can only be done by drawing the line between the similarities in the two patriarchal systems.

In both the house of Phalo and the house of Jacob, the patriarchal advancement of men occurs at the expense of women. For instance, Lawrie (2015:37) quotes Mieke Bal (1993:45) who laments that the patriarchal rape of the concubine in Judges 19 is “the most horrible scene in the entire Bible”. The dreadfulness of this atrocious act is also well depicted. Significantly, similar atrocious cases are reported in the house of Phalo. Soga

⁵ By nuclear family is meant blood relatives that come from the father’s side. Their sons in turn shared a common ancestor in Laban (Leah and Rachel’s father) and, thus, were more precisely related to each other than the standard half-siblings. They had different mothers but one father. In patriarchal societies, children are identified through the blood of the father; hence, the twelve sons are generally called the sons of Jacob.

⁶ Pauw (1989:20) notes that the father gives permission for the marriage of his sons and daughters and he does this in conjunction with other male members of his lineage. The reason for the wider consultation is that marriage among the Xhosa is not between two individuals, but between two kin groups. The decision is taken mostly without the knowledge of the son or the daughter; the decision of the father is in the interest of the children and cannot be questioned. The mother of the child also has no say in the matter at all, as it is a matter for male family members and ancestors who are also assumed to be male.

(1937:60) relates an incident that shows that the *intonjana*⁷ was instituted for the benefit of men. A group of men visited a house where *intonjana* was taking place and had sex with the young girls there. These men went to the place after ten days knowing that the stage had been set for them to take the girls (Mbiti 1986:79).

The prayer of the girls' parents was that they become pregnant as a result of the sexual encounter so that *lobola*⁸ could be negotiated. The incident happened during the time of King Sandile (1840-1878) and King Sarhili (1820-1892) who were both kings of the amaXhosa nation. The motive behind the incident probably stemmed from the idea that when a girl is born, the family sees her as the father's source of cattle. The worth of the girl child in the house of Phalo translates into cattle for her father. According to Soga (1937:60), the Chief was usually part of the delegation of men who visited these girls. The presence of

7. Like Mtuze, Soga (1931:216) writes that *intonjana* is a ritual observed when a girl reaches the age of puberty. It is derived from *ukutomba*, which means to menstruate for the first time. It is at this point that young girls are instructed about "life" or on how to handle men. The main issue that comes up during *intonjana* is teaching a girl or young woman to understand her sexuality for the benefit of men.

8. A detailed explanation of *lobola* is presented here because the term is one of the main concepts used in this study to show the benefits of patriarchy. Dwane (2002:15) states that *ilobola* is a religious practice which binds two families and clans together through their ancestors: "The cattle are *pegged* to the ancestors, are exchanged to signify the intertwining of the ancestors and their descendants in marriage bond" (Dwane 2002:16). The *lobola* or *ikhazi* came under severe criticism by missionaries who were ignorant of the importance of some African cultural practices. Some missionaries regarded the "payment" of *lobola* as a form of slavery. Even the term "payment" used by missionaries and those who do not understand the custom is incorrect. Payment is made when one makes a purchase. The belief is that the cows presented as *lobola* are linked to the ancestors. The *lobola* is valued only in cows which join not only the living members of the two families in a permanent bond but also the departed ancestors of the two families. The *lobola* negotiators introduce themselves to the bride's family saying, "We are here to request to be born into this family (*sizokucela ukuzalwa*)". Value (*Ixabiso*) in *lobola* does not mean monetary price in the Phalo context; rather, it is attached to the dignity and life of a person, since there is no price that can be attached to the life of the person. Those who are not familiar with this practice of *lobola* could misread it from the perspective of their own cultures. Mtuze (2006:33) quotes Maclean's (1906:70) observation that, "Marriage among Kafir has degenerated into slavery, and is simple the purchase of as many women by one man as he desires, or can afford to pay. The price or dowry paid for a wife is left very definitely". However, to the insider, *lobola* has to do with the value of a woman, as it bestows respect on her, whereas the woman whose *lobola* has not been offered feels incomplete and devalued in a sense. The *lobola* indicates the strength of a family whether its members especially the bridegroom has the means to maintain the bride. It joins the two families together for life in a strong cultural bond. Mtuze (2006:33) says that the *lobola* is an essential contract in any marriage as it also legitimises the children. The idea behind the *lobola* is definitely not that of selling a person. The family exchange is valued in *iinkomo* (cattle) even if it is in cash and the negotiation takes place inside the *kraal*. The first people to be joined are the ancestors, and the cattle belonging to both families represent the ancestors who reside in the *kraal*. The cattle are the sign of the permanent marriage between the two families through the ancestors, and once this deal is made, it cannot be undone. However, one cannot ignore the fact that in our days the *lobola* is used sometimes for commercial purposes which is what critics who know very little about the custom and its original purpose focus on. Mndende (2010:57) explains that the bringing together of the ancestors through the *lobola* is for the benefit of the children which would be produced from the union of the two families. Thus, it is important to unite the two ancestors first in order to create space for the upcoming members of the family. Mndende strongly opposes the idea that the *lobola* is the value or price of the bride. She sees this as an insult which contradicts the principles of *Ubuntu*. In other words, Mndende rejects the idea of equating the *lobola* with dowry.

the Chief could signify that the practice was approved by the community. The men must have been selected by the Chief himself based on some criteria that Soga does not mention. The Chief would not enter the house of the *intonjana* to have sex with the girls but he stayed in another house nearby. However, Soga does not also explain the reason for this action. The point here is that such vicious patriarchal practices did continue in both families, but what is unclear is the point at which there are discontinuities and that would be probed in the course of this study (Pauw 1963:56).

1.4. Hypothesis and Delimitation of the Study

While a number of scholars like Adamo (2001b) and Mtuze (2004) recognise that the similarities between the Jacob and Phalo (African) regarding patriarchal practices are an advantage to Phalo interpreters of the Old Testament, this study assumes that the similarities are only on the surface when the context is found to be different. An isiXhosa adage says, *Into efanayo asiyiyo* (“That which is similar is not the same”). Therefore, where there is a similarity, the Phalo interpreter must be even more vigilant to refrain from making a premature interpretive presupposition or reaching a verdict. Our main goal is not to establish similarities between the two houses, but to determine whether those similarities, as perceived by the house of Phalo could help us to understand the context of Jacob better, and are an advantage to the Phalo interpreter (Mbiti 1986:89).

Even though similarities may exist between the two houses (Phalo and Jacob), it is assumed that the purpose and context are dissimilar, which means then that we have reasons to investigate the nature of the similarities between the two patriarchal houses. If the similarities are produced from the same context, it is possible that there are real similarities between the two houses.

The assumption that the two houses are structurally more or less the same does not help the Phalo interpreter on the long run. If the similarities are forced more than necessary, the result could be a grievous hermeneutical misapplication of the text which could mislead the audience. Although the similarities could influence the amaXhosa and, in essence, the African interpretation of the text, superficial comparisons of the two patriarchal practices can be harmful to interpretation and the contextualisation of the text.⁹ Thus, the hypothesis here is that *the similarities between the two cultures should not be seen as an advantage to*

⁹. West (1993) claims that if the text cannot be contextualised into our situation that text is not talking to us and is not for us. The real text is the life and body of the readers of the Bible. Instead of taking the Bible to the people, the people must be taken to the Bible. The Bible must engage with the text of the people, while the people also try to understand the text of the Bible.

the house of Phalo, but a danger to the Phalo interpreter. They should be used as an interpretative tool to the advantage of the text or as a warning sign to the Phalo reader. In other words, the similarities that are uncovered should not be used to advance the patriarchal position of the Phalo interpreter. The Phalo interpreter does not have boundless liberty to use the similarities between the two houses—the hermeneutical freedom of Phalo has boundaries.

1.5. Focus of the Study

The present study is about contextual hermeneutics and not Old Testament exegesis, as it probes the similarities and sameness between the houses of Jacob and Phalo in order to understand better the text of the house of Jacob.

We assume that hermeneutical inaccuracies in the interpretation of Scriptures cause pain rather than providing an opportunity for healing. Jesus was executed for his presumed “misinterpretation” of the Scriptures; therefore, one can conclude that hermeneutical misinterpretation has the potential to kill. I have seen irreparable damage done to young amaXhosa men during the act of circumcision but this practice is not modified because it is seen as a divine instruction from the Bible. I have also personally witnessed girls being abused and abducted into forced marriages while scriptural texts are used to support the act. The animal sacrifices done in the house of Phalo are also said to be supported by similar Old Testament practices.

The following are some examples of the many interpretations that would be used to test my hypothesis. I have seen preachers use the Bible to confirm certain claims, for instance, the position of Phalo men within the household is based on the idea that women must always remember where they came from, where God took them from: “This is now bone of my bones and flesh of my flesh; she shall be called ‘woman’, for she was taken out of man” (Gen 2:23). Van Tromp (1947:5) confirms that among the amaXhosa, from birth to marriage, a female is under the guardianship of her father or his lawful heir and successor because she is a minor and no female under the amaXhosa law can succeed her husband or father or become heir of his estates. Similarly, the main heirs mentioned in the Old Testament were mostly sons, principally, firstborn sons (Deut 21:17).

Several times, I have heard preachers from the house of Phalo claim from the pulpit that their power over women is supported by the Bible. In the Izenzo Zabapostile Church, no young man is allowed to choose a wife by himself; the elders of the church would do that

for him. The practice is taken from the story of Abraham who sent his eldest servant to look for a wife for his son Isaac: “Take an oath you will not allow my son to marry one of these local Canaanite women. Go instead to my homeland, to my relatives, and find a wife there for my son Isaac” (Gen 24:2). Based on that incident in Genesis, the elders of this church believe that it is their responsibility to find wives for young men in their church (Cannon 1994:78).

Again, most Pentecostal churches refuse to incorporate traditional circumcision rituals in their doctrines, as they claim to circumcise their boys in a biblical way based on Genesis 17:23, “Every male in his household...and circumcised them, as God told him”. In some Pentecostal churches, this instruction means that all traditional rituals which accompany circumcision have no place, that is, they are excluded from the “biblical” circumcision of their sons. They believe that the verse justifies their practice (Calata 1930:45). To prove how strong these claims of similarities are, the records of the High Court at Bhisho under Case No 1/2008 show that a Pentecostal church supported the submission that the Court should grant relief that any adult male circumcision without the church's consent is unconstitutional. It is unconstitutional in the sense that it is done in the traditional way with traditional amaXhosa rituals which the church believes is against biblical procedures of circumcision. Circumcision therefore must be done the biblical way, argues Pastor Ndimpiwe Mcoteli of Burning Bush Ministries (Daily Dispatch 2019-03-23).

Thus, the present research will assist the Phalo interpreter to read more closely when dealing with texts that show patriarchal similarities to their own culture and determine how best to apply patriarchal texts of the house of Jacob in Phalo's patriarchal context. It is believed that many of the patriarchal practices of the house of Phalo are copied literally from the house of Jacob. Perceived patriarchal similarities between the two houses are not helpful as long as the thin line of demarcation between them is not identified and drawn. It is therefore much easier for an interpreter from the house of Phalo to interpret the Bible adequately when one understands first how the patriarchal family of Jacob operated, and how legitimately and best the similarities can be implemented by the house of Phalo.

It is expected that the findings from this research would help the Phalo interpreters to understand, relate to and interpret the Old Testament patriarchal texts fairly. It will minimise doubt and create confidence since it will indicate where the line should be drawn between the two patriarchal cultures in terms of similarities and differences. The findings could help them to compare or refrain from comparing the patriarchal similarities of the house of Phalo

with that of Jacob uncritically and to exercise caution when interpreting the patriarchal text.¹⁰

The two houses of Phalo and Jacob operate a patriarchal system in which the father or any other designated male in the family is the head of the family. On the surface, both patriarchal systems look very much alike. This resemblance has the potential to mystify the Phalo interpreter to the point of assuming that it gives him/her a hermeneutical advantage. There is no doubt that hermeneutical errors impair the message of the Bible and cause much damage to the audience. The members of the house of Phalo need to consider whether the similarities are to their advantage or serve only as a confidence booster and nothing more. If there are similarities between the two cultures, then, how far should the amaXhosa go in taking advantage of such similarities? Hermeneutics has taught us that all assumptions must go through the fire of inquiry; questions of “what if” and “what if... not” should be asked to avoid jumping to conclusion on any matter. What we observe in the case of Phalo interpreters is the eagerness to jump to conclusion on matters related to sameness and similarities between the two houses.

This research will serve as an operational guide for the amaXhosa interpreter when preaching or reading the Old Testament narrative texts, most of which are rooted in patriarchy. It aims to guide the amaXhosa interpreter in dealing with the similarities that could be encountered while bearing in mind that patriarchy in the context of the house of Phalo is different from that of Jacob. The study will also consider what the two patriarchal houses can learn from each other. Since the house of Jacob has the advantage of biblical history on its side while the house of Phalo also has the advantage of operating in a contemporary context, the question is, how best can the patriarchal norms from the house of Jacob be applied to Phalo’s context? The patriarchal norms from the house of Phalo can be used as a measuring tool to determine how best patriarchal norms can be applied in a contemporary context. In a sense, the misapplication of the patriarchal rules of the house of Jacob is also damaging to the house of Phalo. However, the two houses could complement each other.

¹⁰ I have seen in some churches, particularly those which are very much against traditional rituals and claim to circumcise boys in the biblical way, the Bible being used to reprimand boys during the circumcision of their male members. However, Soga (1877:34) claims that the verses are quoted recklessly without consideration for the biblical context. Circumcision is applied as a patriarchal ritual and women are not allowed to witness this process. Therefore, some of the boys die, as the process is closed and cannot be observed openly by those who have not gone through the ritual. The application of these texts is selective; for example, we do not hear about the wife of Moses (Zipporah) who circumcised Gershom her son (Exod 4:25).

If we begin with the verses that relate to marriage, Genesis 24:3 says, “I want you to swear by the Lord, the God of heaven and the God of earth, that you will not get a wife for my son from the daughters of the Canaanites, among whom I am living”. This verse is seen in the house of Phalo as supporting the practice in which parents choose a wife for their son. Such interpretation has caused severe emotional damage to the house of Phalo especially to young women who are subjected to the practice. Actually, a number of other verses are used to support the patriarchal role of parents in the marriage of their children. For instance, in Genesis 38:6-10, Judah got a wife for Er, his firstborn, whose name was Tamar. Genesis 21:21 says of Ishmael, “While he was living in the desert of Paran, his mother got a wife for him from Egypt. Some other verses such as Genesis 24:51, “Here is Rebekah; take her and go, and let her become the wife of your master's son, as the Lord has directed”, are used to justify parental control of their children’s marriage. These verses are also used to justify forced marriages as in bride abduction or *ukuthwala*¹¹ in which the voices of “children” are not heard. Genesis 34:12 which reads, “Make the price for the bride and the gift I am to bring as great as you like, and I'll pay whatever you ask me. Only give me the young woman as my wife”, is often used to support the payment of *lobola*, while Genesis 16:1-4 is mostly used to justify polygamy.

The third consideration is the use of blood in both houses. God required animal sacrifices to provide a temporary covering of sins and to foreshadow the perfect and complete sacrifice of Jesus Christ (Lev 4:35; 5:10). Animal sacrifice is an important theme that is found throughout Scripture. For example, when Adam and Eve sinned, God killed an animal to provide clothing for them with the animal’s skin (Gen 3:21). According to Mtuze (2014:29),

¹¹. Mtuze (2006:35) defines *ukuthwala* as one of the notorious methods of acquiring a wife whereby a girl is abducted and literally carried off to a young man’s home. This could happen with or without the consent of the girl’s parents. Soga (1931:271) identifies two forms of *ukuthwala* – the genuine one in which the girl and her parents are completely unaware of the plan to abduct her. The second one is the faked one where both the young man and the young girl agree to elope. When the girl does not wish to flout the wish of her parents, she prefers to elope under the guise of abduction. A fake abduction is also carried out if the girl is involved in a relationship with a man but her parents have already accepted *lobola* from another family. To stop the family arrangement, the girl could agree to a fake abduction with the man of her choice. The question for those who see nothing good in this custom is that when abduction is arranged for the benefit of both the young girl and the man, it is against the culture in which parents decide for children. It should be noted that sometimes, prospective couples and/or their parents do manipulate customs. Soga however stresses that there are real serious cases of forced abduction, but that does not alter the fact that many cases that are regarded as abduction are actually cases of elopement, mutually agreed upon by the role players.

the sacrificial blood rituals in the house of Phalo are crucial in traditional sacrifices. One can view African traditional religions and the practices in the congregation of Jacob as occurring in two families but with remarkable similarities and few differences.

It appears that the commonalities in these two families could even be merged if their insignificant differences are first considered. It is also true that though there are similarities between the two houses, the shades of difference in those similarities are crucial to the Phalo interpreter. In the Old Testament, the shedding of blood in sacrifices had a special significance. The sprinkled blood served as a “covering” for sin. The life of the animal was poured out in death as a substitute for the people. The animal's life was given up for the life of the people and judgement was meted out by transferring the sin of the people to the sacrificed animal (Exod 24:8). The Passover lamb and the scapegoat served as substitutes for the one offering the sacrifice.

Regarding the African setting, Buhrmann (1984:27-29) argues that ancestors may also cause sickness and bad dreams when offended due to the people's failure to carry out certain required rites of slaughtering animals. This, however, is done for positive purposes – for purification and registering certain people with the ancestors. Violent death occurred as a substitute in the Passover sacrifice (Exod 12:13). The biblical sacrificial blood rituals and sacrifices in the house of Phalo reveal striking similarities and few differences. The existence of such similarities raises a pertinent question: should African traditional religious sacrifices, like biblical sacrifices, also be acknowledged as originating from God? This is indeed a difficult question to answer because an affirmation would suggest that God also revealed Himself through African traditional sacrificial rituals, and would therefore call into question the exclusive biblical claim to revelation (Magesa 1997:89).

Furthermore, as early as the time of the calling of the patriarch Abraham, the land had an important place in the Old Testament world. The land was central to Israel's historiography; the promise of land by God to his nation was crucial, as it meant that God would always be with them (Williamson 2000:45). The blessings of God to his people flowed through the land. The land was also a gift which was always in the possession of the giver – God. Leviticus 25:23, in the context of the Year of Jubilee, declares that the owner of the land is none other than the Lord. The issue of land in the house of Phalo is no less important. Land is associated with the ancestors, the living-dead, and blessings by the ancestors are witnessed in the produce of the land.

1.6. Preliminary Consideration

1.6.1. The House of Jacob

Bevere (2000:256) confirms that patriarchy was entrenched in the family structure of the ancient Near Eastern peoples for various reasons, and in specific ways, it had a unique place in the worship and the practice of the people of Israel. God's plans were directly linked to the patriarchs as he revealed to Moses in the declaration, "I am the God of your father, the God of Abraham, the God of Isaac, and the God of Jacob" (Exod 3:6). Wineland (1992:1025) agrees with Bevere that the patriarchal family occupied a central place in the Hebrew sense of cultural and religious identity; each generation had to appropriate and interpret it. According to Westermann (1981:23), the primeval story speaks about the basic elements of humanity and the patriarchal story of the basic elements of human community. This suggests that patriarchy did not begin after creation but it was part of the plan of creation. Westermann further states that man was created for community; no other form of community can ever replace family which is constituted by patriarchy. Westermann also notes that patriarchy was the foundation of the community of God's people.

1.6.2. The House of Phalo

Interestingly, the structure of the house of Phalo is founded on the same type of patriarchal system as the house of Jacob; the father and all the members of the family, and even the ancestors, are identified through the patriarchal lineage. Van Tromp (1947:81) states that the relationship between husband and wife is, of course, between a major and a minor because the wife passed from the guardianship of her father to that of her husband. Nothing happens in the Phalo system without the blessings of the patriarchs; even the ancestors give blessings through the same channel of patriarchy. In the house of Phalo, patriarchy is endorsed from the spiritual world as the rightful and only accepted way of doing things. Dwane (1998:14) reports that members of his church struggled to accept women as priests because they were influenced by their patriarchal culture. Ikehukwu (2013) further explains that the menstrual blood remains the sole reason for excluding women from holy grounds such as the *kraal* where ancestors reside as well as other surrounding areas; this is the case in the house of Phalo.

Balkema (1968:129) confirms that menstruating women in the house of Phalo were confined to their own houses and not allowed to move around because if their blood touched the ground of the ancestors it would result in a curse and bring discomfort to the ancestors and

the living-dead. Women were also not allowed in the fields during their menstrual cycle, as that would affect harvest production. Thus, ancestors accept only the blood from the genitals of boys during circumcision to register them in the spiritual world; they do not accept menstrual blood. Moreover, the married woman earns more respect in the family when she gives birth to a boy-child especially if that boy-child is a firstborn. Thompson (2001:84) states that the reason for the joy over a boy-child is that the father knows his son as a 'penis-bearer' with the potential for autonomous subject-hood like himself, and he refuses to identify his daughter because she lacks that symbol of identity and authority in the family and society. The response of West (1991) to Thompson would be that a critical biblical hermeneutics that uses the liberation mode of reading the Bible should oppress no one.

On the other hand, childlessness is regarded as the end of the road for women who are mostly blamed for this problem (Mbiti 1969:110). The childless woman is severely judged by the family and the society, and some would even say that she has been rejected by the ancestors.

1.7. Methodology and Definition of terms

This study employs a literature review approach and it considers studies that relate to the following themes: Patriarchy, family and sociology of the Old Testament commentaries; Novels, drama and other works of literature that offer insight into patriarchy in the house of Phalo and Jacob; African and Western philosophical hermeneutics; and Feminist and womanist views, religion and culture. Some elements of the research proposal make up part of Chapter One, namely, the background of the study, hypothesis, relevance and rationale of the research, and the research focus.

1.7.1. Methodology Defined

We begin with the observation by Eller (2007:7) that definitions are not tangible issues; they are human and, therefore, cultural issues, which are narrow and exclude what would be included within a wider definition. They are human in the sense that they are limited to specific human understandings. For instance, if we define religion as the “belief in one god”, we would be mistaken since not all religions or belief systems have a sole god; therefore, very few religions would be said to exist. The act of defining is an effort to get at what is exceptional and dissimilar about a subject, the *sine qua non* that makes it what it is. This could be the reason Gadamer (1975:211) developed his typical and systematic

dialogical approach, grounded in Platonic-Aristotelian as well as Heideggerian thinking, which discards subjectivism and relativism, and avoids any simple notion of an explanatory method but encourages continuous dialogue on matters. To Gadamer, definitions and methods create boundaries which eradicate further discussions and probing conversations.

Gadamer (1975:67) characterises “the problem of method and definitions” as the inaccurate assumption that methods and definitions have worldwide application. Gadamer argues that within the human sciences, the notion of “method” has been misinterpreted and misappropriated. Methods may have their minor uses but can never in themselves lead to mutual understanding, that is, only by engaging with the particular question posed by the object of inquiry – and addressed to us in our unique situations and with our unique histories.

Doubtless, no single definition of anything as diverse as religion, patriarchy or culture could ever quite capture all that people at various times understand these terms to be. Thus, the analysis of culture, religion and patriarchy in the house of Jacob and the house of Phalo in this study is done against the said background. In the discussion of these terms, the purpose is not to offer unique definitions at all, but to come closer to what we mean and what the study uncovers. However, since these three terms are used in the entire study, it is useful to offer preliminary definitions to guide the reader.

1.7.2. Culture of Phalo

There have been concerns about the ambiguity and over-inclusiveness of the term culture and the accuracy of definitions advanced by many authors. The definition by Loewenthal (2006:4) is sufficient for the purpose of this study, and we shall adopt it since us, myself as the writer and you as the reader—are not here to unravel the various perceptions of culture. We need to clarify how the term culture has been used and understood by the house of Phalo. Tylor (2006:45) defines culture as a powerful human tool for existence, but also as a delicate phenomenon. It is continually changing and easily lost because it occurs only in our minds. Tylor further defines culture as “that complex whole which comprises of beliefs, art, morals, law, custom, ritual, traditions and any other competencies and habits assimilated by people as a member of society”. This includes behaviours and language shared by the people living in a particular time and place. People are joined together by the attributes of the same culture.

Not all individuals in a society understand and enact “their culture” in precisely the same way. In this regard, we note the distinction between real cultural patterns and ideal patterns. Real culture “consists of the sum total of the behaviours of a society’s members in so far as these behaviours are learned and shared”. The real cultural pattern covers the range of behaviours and beliefs that are considered normal in the society. Ideal patterns, on the other hand, are verbal abstractions (not behaviours) developed by members of the society regarding how people should behave in certain situations. Desired behaviour does not always correspond to actual behaviour. For instance, the ideal pattern does not always keep up with changes in living conditions that make changes in behaviour necessary. Since this study cannot examine in detail the real cultural patterns in ancient Israel and the house of Phalo, the focus is on the ideal patterns presented in texts and oral traditions. The ideal patterns may be at odds with actual behaviour, particularly in changing circumstances. Moreover, texts and traditions need not always portray the typical (ideal) patterns; they sometimes deliberately portray the abnormal and “unacceptable”. This highlights the importance of hermeneutics (Ricoeur 1970:98).

1.7.3. Religion

Religion is the formal way of being, grasped by a decisive concern, a concern which exceeds all other concerns as preliminary, and a concern that in itself provides the answer to the question of the meaning of our existence. It is the belief in a spiritual being and a system of symbols whose performances are to establish powerful, influential, and long lasting moods and enthusiasms. The subject matter of the philosophy of religion is religion (Tillich 1969:27). Tillich states that religion is without a home in a person's spiritual life.

It is difficult to explain religion in a way that is acceptable to most people. Wulff (1997:34) asserts that a reasonable definition (of religion) has eluded scholars to this day. Our point is not to define religion accurately but only to explain how this study understands the term religion in the context in which it will be used. Capps (1994:78) has argued that the definitions of religion offered by renowned scholars replicate the personal profiles of those scholars. To avoid these complexities, our study understands religion as an arrangement of attitudes, practices, rites, ceremonies and beliefs by which people or societies place themselves in a relationship with God or a mystic world, and often with each other, and derive a set of standards by which to judge proceedings in the natural world. The intention is to increase synchronisation in the world by doing well and avoiding evil. All religious

traditions involve beliefs and behaviours about spiritual reality, God, morality, purpose, and, lastly, the communication of these. It is exactly in this context that we will use the term religion in the present study. Rue (1986:90) asserts that religion works in the mind and makes people think, feel, and act in ways that are good for them, both individually and collectively. It helps to create harmonious relations in society so that there is peace between people and the environment. Furthermore, every religion is unique in its traditional and cultural setting and historical development—unique in the set of encounters it envisages.

1.7.4. Focus of the Study

In this study, the house of Phalo interprets the patriarchal text of the house of Jacob. This is the starting point of the study, which does not focus on a systematic exegesis of the Old Testament but on the hermeneutics applied by the Phalo interpreter to activate these particular texts. The main interest is not in what the Jacob text does or says, but in how it is received and perceived by the interpreter of the house of Phalo. These patriarchal texts are interpreted to the detriment of others including women, regardless of how one argues exegetically that the perceived meaning is not connected to the original meaning of the text. For the house of Phalo, the meaning of the text is associated with and favours patriarchy. The original or exegetical meaning of the text, if found to disfavour patriarchy, is irrelevant to some patriarchal Phalo interpreters. I have witnessed the use of some of these texts to subjugate women and to strengthen the patriarchal beliefs of the house of Phalo.

Some of the most used texts will be discussed in Chapter Three. Since our focus is on hermeneutics, not on exegesis, the texts are not selected to represent accurately how women were seen at different times in ancient Israel or how views of women changed over time, but to identify texts used frequently to support patriarchy in the house of Phalo. It is also important to clarify that, in most cases, how the text is received is different from what the text says and represents. The study then focuses on the meaning of the text when it is received by the house of Phalo, and how it is used in the patriarchal context to treat people.

In most cases, if not all, the biblical text is used and applied in circumstances that they were never directed at. This is because of the historical distance between our world and the world of the biblical text. Scholars may try to place individual texts in their historical contexts but ordinary readers cannot be expected to do so. They read biblical texts as if these come from “the world of the Bible” – a relatively stable and homogeneous cultural world. It is also reasonable to admit that there were changes in how people received the messages of the text

over a long period. All statements about how the house of Phalo received the biblical text are necessarily generalisations. Hence, we maintain that this study does not aim at the exegesis, the dating and historical background of the text, but focuses on contextual hermeneutics as practised by the house of Phalo. The dating of ancient texts is, in any case, highly disputed in the scholarly world. There is no consensus. Thus, we are not engaged in the debate about Old Testament exegetical methods, but ask whether the Phalo hermeneutists could be given legitimate credit for claiming similarities between the patriarchal texts of Jacob and culture and how contextual hermeneutics is applied in that regard.

1.7.5. Pre-colonial Culture

It is crucial to mention that we can retrieve only fragments from the pre-colonial culture in describing the culture of the modern house of Phalo, which differs greatly from the ancient culture. It is also important that some of those fragments had direct and indirect influence on attitudes found in today's patriarchal attacks on women. It is a known fact that women in the house of Phalo have made huge strides to move away from how patriarchy was practised in the olden days. Although this has not been extensively documented, it is visible that strides have been made to move from the pre-colonial culture.

The rights of women in the house of Phalo today are human rights—the orientation of both girls and boys to sustain patriarchy is no longer that clearly visible. *Intonjana* is no longer practised the way it was, *ukuthwala* is forbidden, the total submissiveness of girls to a point that their fathers make decisions for them is no longer the case, and the rejection of girls in certain rituals because of menstrual periods is not a public matter, but a private issue for the girl. This holds also for the Bible verses that were used in the past to oppress women. Women now speak against those verses unashamedly. I once overheard one woman in our church who was confronted by a man on Paul's instruction to women, which says, "*The women should keep silent in the churches. For they are not permitted to speak, but should be in submission, as the Law also says*" (1 Cor 14:34). The woman responded, "I am not the woman of Corinth, I reside in Cape Town, I have nothing to do with the instruction and the instruction has nothing to do with me".

It is also important to note that patriarchy manifests in many different ways and forms in all cultures. It may be eliminated in certain cultural rituals but it does manifest itself in others. Given the long history of patriarchy, patriarchal traces will always be found where there are

women and men regardless of culture and tradition. The advantage of the house of Phalo is that its members are not static; they can respond in new ways to accommodate new circumstances and modern ideas. The texts of the house of Jacob are now static and their meaning partly lost in the past. They can never mean exactly what they meant to the original audience. It requires robust contextualisation of the text for it to talk to us today. Hence, in this study, we ask a hermeneutical question, that is, whether the Phalo patriarchal text (culture) could not be used to decrease the patriarchal severity of the text of Jacob where there are sameness and similarities.

1.7.6. Patriarchy

What then is patriarchy? Where does the term come from? Finding the origin of the term is not where we wish to go with this discussion, but I wish to offer a definition that relates to the study. Patriarchy at its simplest means “the absolute rule of the father or the eldest male member over his family”. This meaning of the term has been extended to describe in greater detail the nature of the rule. Patriarchy is thus the rule of the father not only over all women in the family, but also over younger and socially or economically subordinate males. Since this study does not endeavour to establish the *origins* of women’s oppression and patriarchy, it is also adequate to say that patriarchal oppression is also linked to rights to property. The argument dominated much of the feminist discussions in the 1970s and well into the 1980s. Murray (1995:26) refers to patriarchy as a form of family structure whose essential features are fixed on females.

Radical feminists are believed to be the first social group to use the term patriarchy to designate the means by which women are beleaguered (Whelehan 1995:85). According to radical feminist arguments, patriarchy is worldwide, ahistorical and cross-cultural, and it indicates that all women are oppressed. Men are the adversary and women’s subordination is inevitable. Sharabi (1988:79) defines patriarchy as,

...a social structure of multi-layered domination, in which more than one oppression functions at the same time, created by horizontal and vertical relations in the communities, causing and resulting from gendered, racial, ethnic and international hierarchy to control, among others, men and women and through a system of metaphorical reproduction of oppression and at times, the ruler-subject binary.

White (2005:98) argues that Sharabi’s definition is substantial because it sees patriarchy, as being activated by another form of patriarchy, and it is generational. This thought differentiates the complex form of patriarchy from the one-dimensional form of patriarchy.

Hence, we note in this study, that patriarchy is a system against women and for men, but which manifests in various forms. Thus, it is vital to note that patriarchy is a multifaceted construct and which separates patriarchies that function at the same time. Sharabi (1988:79) states that patriarchy can be the sovereign variable and the intervening variable at the same time, making it the means and the end to oppression. Patriarchy is a broad and exceedingly encircling concept, which, at times and under certain circumstances, disregards the instantaneous and nuanced particularities that designate the processes and procedures, if not the mechanisms that operate within patriarchal oppression (Whelehan 1995:89). Some radical feminists also hold that marriage is the primary formalisation of the persecution of women and the primary site of patriarchal oppression.

Rue (1986:47) maintains that men, through these relations, derive considerable personal and material benefits, for example, sexual services and enjoy a higher standard of living compared to women. However, as discussed above under patriarchal theory, there is a direct relationship between a man's socio economic status and his violent performance, which leads to the conclusion that he, who feels emasculated and less a man for not being able to fulfil his role as a breadwinner, is more likely to assault his wife when he loses his job.

Patriarchy, as a concept, also has a history of usage among social scientists, yet the different definitions of patriarchy have proved problematic in some cultures. Walby (1989:210) asserts that patriarchy refers to forms of government in which men rule societies through their positions as heads of households. In this practice, the domination of men who were not household heads was as significant as, if not more crucial than, the element of men's domination of women within the household. Patriarchal authority rested on the founding concept that women and children, and the working and poor classes, were inferior to middle-class men, and they needed leadership and discipline (Murray 1995:56). Walby (1989:214) defines patriarchy as "the arrangement of social structures and practices in which men control, tyrannize and exploit women".

Nonetheless, we should also remark that a society could be ruled by a woman as queen and remain patriarchal. Patriarchy that is not evident in government may persist within the family. Are matrilineal societies where lineage is traced and property is passed down through the female line therefore not patriarchal?

Patriarchy may even be found in societies where women are not at any legal disadvantage and are formally accorded rights equal to those of men.

Von Rad (1972) locates material from the patriarchal period in the Bible in Deuteronomy 26:25; Joshua 24; 1 Samuel 12:8 and in thirty-eight chapters of Genesis, but he notes this is an extremely complex material which is not easy at all to analyse. It reflects different traditions and locations. He notes that, “The Jacob stories are clearly rooted in central Palestine in a remarkable way, with their connection with Shechem (Gen 28, 33, 18f), Peniel (Gen 35) and Bethel (Gen 28)” (Von Rad 1972:21). Although this is only one strand in the tradition, the “house of Jacob” came to stand for Israel. The house of Jacob is a patriarchal house, named after a father figure, and this is one of themes of this study. Even if Jacob was a historical character, it is no longer possible to use the narrative material for biographical accounts. The narratives offer little more than a few indication of the characteristics of the cultural situations that governed the living conditions of these accounts (Von Rad 1972:23). Where we stand, we forge an understanding of some of these accounts through speculations and probabilities, since even the language used by the authors is no longer fully accessible to us.

Mtuzi (2006:90) states that every translation carries the mind of the translator in it, and the question is how much of the text that we have is “the original Bible”, how much is the translator’s mind, and whose translation must be prioritised. It is much clearer that the texts reflect a patriarchal society. Israel defined itself through its “fathers”, and men, particularly heads of households, played leading roles in most of the narratives. The texts, possibly with some rare exceptions, were written from male perspectives. This does not tell us everything about the exact relationships between men and women and the possible changes in these relationships. It is, however, enough to lead ordinary readers to conclude that they are dealing with a male-governed society.

In this study, we do not suggest that all women in the Old Testament were helpless and powerless. Tribble (1978:56) has already argued that the roles of inspiring female figures like Ruth, Miriam or Esther should be emphasised. By concentrating on the positive images of women, the advocates of this approach argue that the Hebrew Bible is not at all empty of a female perspective. The problem with this method is the limited number of heroic female statistics and female descriptions of God in the Hebrew Bible. Nonetheless, the text remains

devastatingly patriarchal in character and the voiceless, powerless, nameless women, who cannot speak for themselves, are not given enough attention (Fuchs 2000:214).

1.8. Outline of the Study

Whereas the present first **chapter** serves as the introduction to this study, **Chapter Two** outlines the hermeneutical enquiry, the definition of hermeneutics, hermeneutical theories and the text, author and the reader. This is the theoretical framework which deals with a selected text. No one reads without interpretation. The goal of this chapter is to help the reader of the biblical text to understand the difficult hermeneutical conversation between the house of Phalo and of Jacob on patriarchal matters and not to form premature conclusions.

This chapter shows that these hermeneutical matters are not very simple and the more we simplify them, the more we complicate them. The Phalo interpreter should understand the task before him/her in the process of dealing with similarities and sameness in the patriarchal texts of the house of Jacob. The chapter helps one to understand the hermeneutical challenges that arise in dealing with the author, text and the reader. The Phalo interpreter holds to a particular hermeneutical position, but the discussion in Chapter Two cautions him or her about the challenges of spontaneous interpretation of the text. The chapter urges the Phalo interpreter to avoid spontaneous interpretations of the text. In the final chapter, the hermeneutical ideas in the second chapter will be used to reach an adequate conclusion. The point of this chapter therefore is to caution the Phalo interpreters and to provide them with skills that will help them to jump to unwarranted conclusions on matters of sameness and similarities between the two houses.

Chapter Three is a discussion of the orientation of boys and girls, differences in the treatment of men and women, the role of society in advancing patriarchy, cultural factors used to support and sustain patriarchy and the role of religion in furthering the practice of patriarchy in the house of Phalo. The goal of this chapter is to investigate ways in which Phalo women were subjected to patriarchal laws, and identify those laws as well as how they were executed against women. Patriarchal practices are driven by certain cultural beliefs in the house of Phalo and we shall consider how such beliefs promote patriarchy. The house of Phalo, like the house of Jacob, was a vast kingdom, which was headed by King Phalo a popular king of the amaXhosa who reigned from 1736 until his death in 1775, and

even today the amaXhosa are better known as the house of Phalo (*Indlu ka Phalo*). We only focus on the patriarchal laws in this house, and not the entire laws.

It is not clear whether patriarchy was understood as an oppressive system among the amaXhosa, but what we assume is that it is not easy to recognise any form of oppression until someone from outside the same system raises concerns. Men in the house of Phalo benefitted from patriarchy, not as a system of oppression against women, but as a way of life and of how things were designed, naturally and culturally. Some oppressive strategies are not felt until someone introduces a system that will evaluate them and show them to be oppressive. It is uncertain whether some of the patriarchal laws were viewed by Phalo women as oppressive, cultural or normal. Thus, the patriarchal societal structures within the house of Phalo will be scrutinised for the purpose of the study. It is important to look at initial stages of how children, both boys and girls, are socialised along patriarchal lines. It is in the early childhood stage that the battle of patriarchy is won and lost.

Chapter Four, on the other hand, focuses on the orientation of boys and girls, differences in the treatment of men and women, the role of society in advancing patriarchy, cultural factors used to support and sustain patriarchy and the role of religion in the practice of patriarchy in the house of Jacob. In this chapter, verses will be selected randomly, mainly from the Old Testament, which hint at and are interpreted for the benefit of patriarchy. We will not focus entirely and thoroughly on the exegesis of those verses. Osborne (1991:41) sees exegesis as what ones draw out of the text, not what we want the text to mean. What we draw out of the text is at the level of exegetes, but no exegete can claim to have a method that can delve to the core meaning of the text. All exegetical exercises are informed by different world-views of the exegetes. One of the serious challenges of biblical texts is to find the entire context within which a passage is found (Osborne 1991:18). “It is therefore clear that in order to solve the predicament of the existence and direction of literary, especially hypertextual, relationships among numerous historical and prophetic writings of the Old Testament, the method of acute intertextual research has to be adopted” (Adamczewski (2012:23). Barton adds that it is also crucial to understand that none of these criteria is absolutely substantial in itself. Otherwise, the problems of literary relationships among the Old Testament writings would have been resolved centuries ago.

Exegetical fairness will be executed on these verses to the best of our ability but, as we have said, that is not the mandate of the study and it also should not be judged on the basis of

contextual hermeneutics. It is crucial to understand that exegesis is unending and speculative that is why biblical text is interesting even today; there is no solid conclusion about any method of exegesis. The speculation in interpretation and exegesis is informed by the fact that there is a poor connection between the world of the text, the world of the author, the world of the first audience and our world. Thiselton sees it as the major hermeneutical challenge which he calls the fusion of the two worlds (1980:307). Gadamer (1975:264) points out that spatial and sequential distance should no longer be an interpretive stumbling block since we cannot and do not understand objectively.

Feminist commentaries on how these selected verses are interpreted will be consulted. It is also important to note that the chapter will not focus mainly on a deep exegesis of the text and methods, as mentioned, but on how and why feminists view those texts as patriarchal. What is also crucial is that the entire study is not a contribution to Old Testament exegesis but to contextual hermeneutics. If the Old Testament is controversial in the world at large, it is no less so in the scholarship that is enthusiastic about it. Adamczewski (2012:25) notes that Old Testament critical scholarship was confronted by perceived hegemony of Christian theology in matters of biblical interpretation, and the aim was to preserve the Bible from misappropriation in the interests of Israel's dogma and history and discover the interests that lay behind texts.

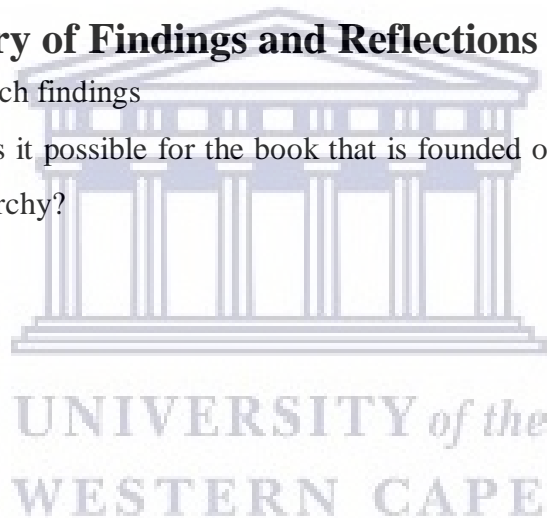
Chapter Five probes the possible similarities and sameness between Phalo and Jacob, which may help us to test our contextual hermeneutics. The chapter discusses the issues of patriarchal sameness and similarities, the genesis of the house of Phalo, Phalo in Genesis, heirs of the houses of Phalo and Jacob, when God is a man; and menstruation in the houses of Phalo and Jacob. The two houses are brought into dialogue with each other, and made to look at each other in the eye in order to expose their patriarchal similarities and sameness. We shall therefore select texts from Jacob that talk to Phalo's patriarchal actions and texts from Phalo that talk to Jacob's patriarchal action. It is important to note that the house of Jacob is used in the context of this study only to represent selected patriarchal actions, and not the entire Bible. We could also argue that it is fair to place the house of Jacob as representative of the Hebrew Bible, since Jacob is the key as Jesus in the New Testament is seen as the key to the progeny of Jacob. It is important to note that Jacob is not deemed as representing the entire house but only the patriarchal text and verses that will be selected. The goal of the chapter is to see whether the interpreter of Phalo can see him/herself in the

house of Jacob through those patriarchal similarities and sameness. If that is the case, we will check how possible it is for the interpreter of the house of Phalo to claim an advantage in understanding those texts better.

The **Concluding Chapter** focuses on how best the Phalo interpreter could read under the following subheadings: the *Vorverständnis*, *Vorhube* and *Vorsicht* of Phalo, why the Phalo reader has an advantage in reading the patriarchal text of Jacob the fusion of Phalo into Jacob's text, and Phalo "I in thou", meaning, the possibility of Phalo having read herself/himself in the text of Jacob. Phalo in the eyes of Thiselton and Nietzsche's perspective. We will finally read Phalo from within the historical patriarchal context of Jacob. We look at how possible it is for the house of Phalo to read the house of Jacob in their patriarchal practices.

1.9. Summary of Findings and Reflections

- Summary of research findings
- Personal Option: Is it possible for the book that is founded on patriarchy be used to fight against patriarchy?



CHAPTER TWO

HERMENEUTICAL ENQUIRY

2.1. Introduction—Hermeneutical Metamorphosis

It is crucial for this study to explore the hermeneutical journey, as the comparison between the two houses is also to understand matters of interpretation of the text. Some understanding of what hermeneutics is and how it works is central to the study and will be deliberated on in this chapter. The chapter provides the tools which will be used later in the final chapter. Since this study focuses more on hermeneutics, it is important for the house of Phalo to understand some hermeneutic principles that relate to patriarchal hermeneutics and to use them as a measuring tool to determine whether their use of the similarities and sameness is justifiable. The concept of hermeneutics will be discussed and used later as the basis for our concluding chapter.

In this chapter, we shall endeavour to trace the development of hermeneutics in relation to the present investigation. The discussion will be guided mainly by the works of the following authors: FDE Schleiermacher's *Hermeneutics: The Handwritten Manuscripts* (1977) and H.G. Gadamer's *Truth and Method* (1975) in which he offers a hermeneutic definition of understanding¹² as the basic method of human involvement. Smit on the subject of the development of hermeneutics wrote, "Biblical Hermeneutics: The First 19 Centuries" (1998); "Biblical Hermeneutics: The 20th Century" (1998); and "Reading the Bible through the Ages? Historical and Hermeneutical Perspectives" (2015). We shall of course consider other supplementary sources on philosophical hermeneutics that could help our argument. This chapter recognises that hermeneutics is metamorphic by nature and that various components within it cause this movement. We shall discuss briefly ideas and contributions about the strength of hermeneutics and the interaction between the text, interpreter and author. Overall, the patriarchal Phalo interpreter will be central to the entire discussion.

¹². "The understanding is an occasion that not only enhances some new insights into the way we observe ourselves and the world around us, it changes our mind" (Gadamer 1975:89).

2.2. The Bible and Its Definition¹³

No book in human history has been read and studied more than the Bible, and one would expect that such a long history of reading would have produced a store of accumulated wisdom that would make the modern reader's task relatively straightforward. The Bible plays a central role in this study as noted in the methodological statement that the patriarchal texts under consideration will not be taken at face value, but be probed to see how they are used to disadvantage others. The focus of the analysis will therefore not be on the technical issues, disputes, dates, context and exegesis of the Bible but on contextual hermeneutics and the application of the biblical texts.

Benyamini (2006:56) explains that when we read the Bible, particularly Genesis, the first book, we already know what it says, because we luxuriate in the shade of exegetical giants, who stimulate us with sureness. The reading is carried out after a reading has taken place. Hence, could we consider the interpretation by the Phalo for the similarities found in the text of Jacob a reading after reading? The Phalo reader is building on an existing structure, which may place him\her in a position of advantage when reading the similarities or sameness the patriarchal texts share with the Phalo text.

The term hermeneutics is thought to emanate from the interpretation of the biblical text, but its origin is actually broader than that. This chapter shows that our definition of the Bible determines our approach to its interpretation. Defining the Bible is itself an act of interpretation. How we interpret has much to do with how much of what we are interpreting we know (Mosala 1991a:110). This study therefore seeks to explore whether what is experienced as the same and similar by the house of Phalo could be used to understand the text of Jacob better, and whether the identified hermeneutical similarities could be used to close the hermeneutical distance between the two houses—Phalo and Jacob.

The fact that authors do not seem to agree on what the Bible is, makes it difficult for all kinds of biblical interpretations to unfold without restrictions. The defensive explanation or answer that the Bible is the Word of God has a direct consequence for biblical hermeneutics. Seeing the Bible solely as the Word of God closes many possible avenues to its

¹³. According to Smit (1998:275), the Bible is made up of different books, written under different circumstances, by different authors and for different audiences. The author outlines the route travelled by the Bible for many years (Smit 1998:275), and some of the questions that sustained the discussion around the Bible through many centuries such as: What did the Bible readers do with the Bible, how was it read and interpreted, by whom and for whom, where was it read, why was it read? These questions are asked to measure the dynamic journey that was travelled by the interpretation of the Bible from then to the present time.

interpretation. Meyers (1997:41) questions the Bible's authority, saying, "Like most scholars, I do not believe the texts are the direct word of God... I believe it is a record of the religious beliefs developed by a society struggling to understand God and the world". In Mosala's words, the notion that the Bible is simply the revealed "Word of God" is an example of an exegetical framework that is rooted in idealist epistemology. Mosala criticises that position, which he believes could lead to a false notion of the Bible as ideological, and which could cause political paralysis in the oppressed people who read it (1989:5-6).

It is notable here that many other complex books written by great philosophers of the biblical era were not canonised as part of the Bible. Interpreters of such books agree on many things because the books are not labelled as the "word of God, voice of God, inspired by God". The interpreters are able to probe deeper into the text without restriction in order to get the meaning of the text. It is important also to note that hermeneutics itself has no special admiration for the biblical text.

However, the definition of the Bible as the word of God carries an understated element of intimidation to the readers and interpreters of the biblical text. It hinders the robust hermeneutical wings from flying high. The Bible is known by others as the book of faith. When we offer answers from the Bible that could be seen as unbiblical, we reach a *cul-de-sac* and then conclude that faith must carry us through. If the Bible is clear enough, then, what is the essence of interpretation? Interpretation is a failure of the written discourse to communicate immediately, but not all written materials require interpretation. Smit (2015:176) states that the general understanding is that the Bible is the Word of God which is trusted to touch lives. We already stated that such comments overestimate the capacity of the Bible and eradicate the enthusiastic capacity of biblical hermeneutics. If indeed the Bible changes lives, then, the credit should go to both responsible hermeneutics and the Bible because hermeneutics gives life to the Bible. Hence, in this study, we shall consider whether a hermeneutical analysis of the identified similarities and sameness between Phalo and Jacob could be an advantage to the Phalo interpreter. Since some scholars maintain that a certain hermeneutical methodology should be followed, to reach any conclusion. We want to test how the hermeneutics of Phalo could be effectively used to read Jacob.

What unlocks the text is the hermeneutics and that is why the Ethiopian eunuch said, “How can I, unless someone guides me”, unless someone helps me with the interpretation (Acts 8:30)? He was also trying to interpret the text but his hermeneutics did not correspond with the text. It is important also to caution the Phalo interpreter that what is similar is not necessarily the same; but other aspects of the text should be considered in reaching a conclusion about similarities and sameness. If the eunuch was reading from Phalo with similarities in his mind, definitely the understanding could have been better.

The problem of the Ethiopian eunuch was that his mind could not relate to the historical events in the text; there were no similarities between his and the biblical contexts. There was no fusion with the events; there was no “*I in thou*”. He could not see or read himself in the text; hence, interpretation was impossible. It is in this sense that the Phalo interpreter may want to claim advantage based on what he/she perceives as the same or similar practices with the Jacob patriarchal practices. If the Phalo interpreter sees the “*I in thou*”, then, s/he could see some similarities with the house of Jacob more clearly.

Schleiermacher asserts that the meaning of the text could be retrieved and determined by the reconstruction of the historical context from which the text originates. This is what we mean when we say that the historical context of the house of Jacob is illuminated by the present context of Phalo. The meaning of the text is the collective unity of everything that formed it. The Phalo interpreter would do well to bear in mind Gadamer's view that the matter of interpretation is an exercise of the ear, meaning that one should listen attentively to the two texts in order to understand their similarities. This means identifying sameness and similarities between the two houses is not a licence to jump to conclusion immediately, without the extensive exercise of one's hermeneutical ear. Phalo interpreter is advised to pause, take two steps backward, think and think again. The aim in this chapter is also to caution the Phalo interpreter to tread carefully in this regard.

The Bible should therefore not be used to fault hermeneutics, for it is through hermeneutics that the Bible is able to breathe, speak and even change. The aspects of the Bible that constitute the Word of God remain unclear to us. We avoid the situation where we find biblical texts that we can declare as not the Word of God because that will create confusion to fundamental biblical interpretation and have implications for the closed canon of the Bible. According to Derrida (1976:56), the text was constructed and it can be

deconstructed¹⁴ and given a different meaning and shape. However, the closing of the canon forced us to view the Bible with the spectacles¹⁵ of the authors of the text and the canon.

Augustine argues that the love of God should guide and give us hermeneutical answers to all interpretative challenges. He also states that a correct reading was the one that fostered the love of God and of the neighbour, but this view has its many flaws, for where and how do we find the love of God in the biblical text, we could find both his love and fierceness? It raises more questions than answers, as love is an emotional matter which differs from one person to another.

I always try to draw a line between the texts of the Bible and the Bible itself in order to be able to deal with the texts of the Bible without interfering with the *sacredness* of the Bible. The point is that the text is older than the Bible and was not produced by the Bible. The authors of the texts of the Bible did not set out to write a Bible (Smit 1998:275). They were addressing matters that concerned them in their time (Mosala 1989:9). The question is when did the collection of texts become the Bible? Who brought together and canonised the individual texts and for what reason? What was the relationship of these scrolls before the invention of the codex? These crucial questions cannot be avoided when analysing the biblical texts critically. Unfortunately, these questions are not the focus of this research or part of the goal of this chapter. The house of Phalo reader should not avoid those questions when dealing with the similarities with the patriarchal texts of Jacob.

¹⁴. Deconstruction is a technique that tries to deconstruct and construct the meaning by isolating the language or text, it minimises the idea that interpretation has a fixed answer to the text; it is an alternative to interpretation. Derrida (1976) argues that deconstruction is a kind of interpretation in which we cannot realise the meaning because it is postponed; but we can discontinue being blind and we can disclose, postpone and differentiate meanings and observations by deconstructing the text or the language. Derrida also affirms that, there is no single meaning as there is no unique reality; every text contains ambiguity. This is possible by deconstructing the text or the language. The deconstruction analyses the thought and language within itself and consequently strives to uncover the hidden, implied or deferred meanings in the language or the text even though it seems like their opponent. Deconstruction is needed to generate meaning and it increases its own meaning through difference. Derrida suggests that every difference is a meaning in itself. Deconstruction is not an action shaped and controlled by a subject nor is it an operation that sets to work on a text or an institution. Deconstruction is always of a text and deconstruction continuously engages in reading a text. Deconstruction sounds like eliminating the power of interpretation, but it is only inquiring into the nature and limits of reason and without origin and without control.

¹⁵. In deconstruction, we are able to change the *circumstantia litterarum* of any text and the original context may no longer dominate the reader and his/her reading. The words may go the other way in deconstruction and give a total different meaning. How far can deconstruction take the meaning from the first constructed meaning? I understand that according to the postmodern biblical exegetes this could not be far from the societal, political and institutionalised community of that particular reader.

How the text is defined or viewed has much to do with how it is interpreted. The biblical interpreter approaches the Bible with a biblical temperament before interpreting the text. It then becomes a double interpretation—of the Bible and the text. It is crucial for this study not to ignore the biblical text and its interpretation since the study is exactly about these.

The consensus about what the Bible is to the interpreter is what it is to that particular interpreter, undisputed and unpolluted hermeneutical discourse will always be in the centre of criticism. We do not think that those who engage in the textual interpretation of the Bible should be accused of treating the Bible negligently because an individual text is not the Bible and it should be understood as only one of the texts of the Bible. It is also important for those who seek to blindly protect the Bible from vigorous hermeneutics to recognise that hermeneutics is not the enemy of the Bible but the key to open the doors of the Bible. They try to protect the robust interpretation of the Bible in the name of hermeneutics but their opponents also use the same hermeneutical methods to critique and defend the Bible. In a nutshell, even attempts to defend the Bible result in hermeneutics.

At which point then did the writings of men become the voice of God, asks Barth (1968:45). Both the reader¹⁶ and the author read and write from their own experiences. This study therefore seeks to determine whether the Phalo reader of the text and the author of the Jacob text could ever have the same understanding of the text because of the patriarchal similarities and sameness? Who is central to the interpretation of the text; is it the author or the reader? Is the reader able to read exactly what the author wrote, even if the context is different? Does what Phalo see the same as what the Jacob author would see in Phalo? These are some of our questions in this study, we hope to answer some of them in our concluding chapter.

¹⁶ In every reader, a background informs and shapes the direction of the reader's interpretation of the text. The amaXhosa say you cannot interpret without your father's sisters, that is, the ancestors (the pillars of the family) who died long ago. It is not clear, however, who it is that interprets what is between the interpreter and their background. Scholars have noted that the reader cannot interpret without his or her *Vorverständnis*, which is what s/he already knows and which could be related to what is being interpreted. This background serves as a tool with which we dig for answers from the text. The background of the interpretation is the background of the interpreter. The background is the foundation of all interpretations. The failure of interpretation is the failure to identify the background of that interpreter in relation to the text. Knowing the background of an interpreter helps one to understand the person better. Most African interpreters refer to Western interpretation without knowing the actual persons, but the text shows whether it is from Africa or from the Western world. All interpreters should be aware of their backgrounds when interpreting and in the case of the house of Phalo, the background is an advantage when interpreting patriarchy in the Jacob text. The background that one knows and even that which may never be known, both influence interpretation. In some cases, one should also be aware that what is known could hinder what one needs to know—the background can be so strong to the point that it rejects new information. However, a person cannot know what s/he cannot relate to. The conflict is between the past and the present knowledge, between what you knew and what you need to know.

Can we then say that the Word of God is carried by the reader from where the meaning of the text originates? The reader who is already exposed to the Word of God is bound to read it in different ways even from the perspective of the devil; this confirms that what we are reading has much to do with her preconceptions.

Reading the text with presuppositions is an unavoidable danger. What one finds in the Bible sometimes depends on what the reader is looking for, and knew before reading. It is not possible for the reader to look for something s/he never knew; it will not be found. Reading can only happen when there are similarities between what is in the mind of the reader and in the text. Can this be seen as an advantage to the Phalo reader because of the patriarchal similarities? Would one who has never seen or heard about the Bible read the Bible like any other textbook? Such questions cannot be answered with a yes or no and, unfortunately, they are not central to this study.

The Bible has been used for various reasons by different people all over the world and, in most cases, it has been forced to speak where it is silent, and to see where it is blind. Its interpretation has caused wars and divided communities permanently, caused the death of many including Jesus Christ, created friendships and hatred, as well as wealth¹⁷ and poverty. The Bible has been used to support all kinds of human behaviours and agendas, to speak for and against others, to praise and condemn, to unite and divide—the list is endless. Thus, it is crucial to define the Bible accurately, that is, according to what it does and what hermeneutics it is open to. I would agree with anyone that the Bible is not harmful, but the problem lies with biblical interpreters of some.

Nietzsche's discussion of perspectives could be helpful in the interpretation of the Bible, if we regard the Bible as a book of perspectives which accommodates diverse standpoints. The question would be, which perspective carries more weight than the other and what measuring tool is used to arrive at that conclusion? Nietzsche (1967:56) states that the individual self is the ultimate author of all value, meaning, and the truth; it is in the mind of the individual that the world comes together.

¹⁷. Adamo (2015) observes that the Bible is used as means of defence where the terror of witches and wizards is the order of the day. The control of the Bible is also used intensely for healing of bad diseases and substitute for hospital medication. It is used to inspire hope where there is absolutely no hope. In some African settings, some people bury the Bible at the foundation of their building as a means of protection. It is used to create wealth for others.

The Bible reflects a diversity of thoughts, perspectives and events. This study is about patriarchal hermeneutics and in different respects, the Old Testament could be considered by some as the architect of the patriarchal murder, rape and oppression of women. Hermeneutics unlocks and activates the senses of the Bible so that one defines the Bible as the Word of God, a faith book and so forth. The Bible, to a certain extent, is saved by hermeneutics from being condemned totally by some radical feminists, as Mosala and Barth would argue.

It is hoped that further developments in hermeneutics will translate into a better definition of the Bible as it has done in the past. However, how we understand hermeneutics now is not how hermeneutics was understood by the Early Church (Smit 2015). It is doubtful though that any kind of hermeneutics will ever answer the fundamental question: what is the Bible? Since hermeneutics is more about a specific text and not about the entire Bible, perhaps it is not the task of hermeneutics to define the Bible, but it is the task of those who read it and for the reasons they read and apply hermeneutics in performing those individual tasks.

2.3. Definition of Hermeneutics

Since this discussion is about interpretation, first, it is crucial to define hermeneutics.¹⁸

¹⁸ Hermeneutics is an open-ended refined method of dialectic questioning and engaging with the text. It is also a multi-layered methodology of understanding the understood such that one cannot claim that he or she has satisfied the elucidation. Authors write about what is already understood in their own way as they see fit. Biblical authors for example, talk about Jesus as if He wrote some of the biblical texts and would say, “Jesus said” instead of saying that the author of the text said. The author of the Scripture is the narrator of what Jesus said and the narrator interpreted and selected the words of Jesus as he heard and understood them. Whose purpose does the author serves by his writing—Jesus or his own? Jesus, if he was not God, would be surprised at the selective process the narrators of His story and the miracles that he had performed used which left out many others. This is the standard practice by most academic writers who also select a few words and paragraphs or cite from existing texts in order to contextualise their purpose of thought but not of the author who is cited. The rationale of citing Jesus in the Scripture by the author of the text is to give context to his interpretation and to what that contextualisation is; this is what we seek through hermeneutics which helps us with answers to those hidden questions. The citing of Jesus’ words in the text by the author has nothing to do with Jesus himself, but much to do with the purpose of the author of the text. Most hermeneutists thought that the primary purpose of the author has escaped the academic access entirely. These are questions, which Lawrie says, cannot be resolved without probabilities and assumptions. Hermeneutics dictates or raises questions about what philosophy says in response to theology. There is a saying that theology and philosophy are two blind mice that live in a dark hole whose light is hermeneutics. Theology cannot stand alone without philosophy and it is the duty of hermeneutics to philosophise theology. Hermeneutics therefore brings together the discipline of theology and philosophy mutually. Blinking an eye is not hermeneutics but the knowledge and understanding that I am blinking the eye is the point at which philosophy and theology are joined together by hermeneutics. The mind is positioned as the better driver of all hermeneutical questions, as it is the source of unanswerable questions or of questions that lead to a different meaning from what the original speaker intended. The mind asks multifaceted questions and it is Socratic in its approach. It raises questions that create other complicated questions before one can get an answer to the original question. Let us consider for example, one of Satan’s questions to Eve, “Has God indeed said, ‘You shall not eat of every tree of the garden (Gen 3:1)’”. These questions lead the one being questioned to ask him or herself other questions in order to answer the original question. Those are the kinds of hermeneutical questions that bring philosophy and theology

Hermeneutics is a connection point between theology and philosophy: Philosophy is not theology, but theology without philosophy is eyeless. Hermeneutics plays a role in theology since theology is called a text centred science.

Although the term “hermeneutics” is defined in various ways, many scholars agree that it is about how to comprehend a written or spoken text. As Thiselton (2009:1) puts it, hermeneutics discovers how we read, understand, and handle texts, particularly, those written in another time or in different context of life from ours. However, Thiselton, like many others, recognises that this field is more multifaceted than it looks, for it involves a number of academic disciplines ranging from philosophy to theology, linguistics, sociology, etcetera (Thiselton 2009:1). More importantly, he understands the centrality of the location of the interpreter in relation to meaning. Is the reader the one who gives meaning or is meaning given by the author through the text? (Thiselton 2009:1-2). Hermeneutics has debated strongly the issue of where the meaning lies. This is exactly the hermeneutical struggle this study faces—how the Phalo reader would identify with the meaning of Jacob.

Hermeneutics is the examination of the nature of understanding which goes beyond the perception of methods (Gadamer 1975:210). The question raised by the serpent promotes the content in the hermeneutics of suspicion (Nietzsche and Derrida) and it planted a seed of doubt in Eve’s mind. The seed of doubt is at the core of hermeneutics. Descartes recommends that one reject all that one believes to be true to see if something resists the doubt. All must go through the fire of doubt to be proven to be true. How we know what we think we know is what makes hermeneutics difficult. As Socrates said, “I know one thing and that is that I know nothing”. Hermeneutics could mean different things to different people and also knowing what you do not know and the method of understanding what is understood. Meaning, what Phalo knows will assist him/her to understand what Jacob’s author wrote?

Hermeneutics moves from life to text and from text to life, hence, we argue that how the similarities are contextualised is crucial since the text has power to disadvantage others, sometimes. In the context of this study, hermeneutics is used to question our patriarchal attitudes and our existential beliefs which are also connected to the text. The Phalo interpreter is important as s/he is also affected by the text. The movement from the text to life and from life to the text is what the study aims to address (Serequeberhan 1994:23).

together. Hermeneutics is the science of learning and interpreting the thoughts and thinking of other people. It is a way of reasoning and how we reach that reasoning. The truth is that for the students of theology, there is no way of learning theology without interpretation and there is no way of interpreting without hermeneutics.

Exegesis entails varied methods that help the ordinary reader to find his/her understanding, not the facts from the text. Nietzsche (1967:98) says that "...the correct way and the only way does not exist," meaning that even exegesis is not the only perfect way to deal with the text. This implies that no one method even of exegesis can claim to be the only method in dealing with the text. Hence, regarding Phalo, we propose a hermeneutics of similarities and sameness in dealing with the text as one of the methods. He (Nietzsche) claims that both exegesis and theology will not produce the 'only' facts or truth¹⁹ but a certain angle of interpretation. Hirsch (1967:78)²⁰ believes that the interpretation has to do with what the text means and could mean and there is no magic source of meaning outside the human consciousness; the meaning of the text is grounded in the will of its author and the task of hermeneutics is to find it. Hirsch quotes Calvin, who says that the aim of interpretation is to let the author say what he wants to say instead of accrediting to him what we think he ought to say. We wonder what hermeneutical method Calvin would have used to discover exactly what the author says and means and to be in the position of the author?

It has been noted several times in this study that to know the author as the creator of the text and the maker of the meaning, does not mean that the intention of the author and the meaning can be retrieved easily; it is a subject that is disputed. For instance, Nietzsche and Kant agree that there is no commonly agreed way of looking at and interpreting genuineness since there is no authorised version of reality. The reality one finds in the text depends on the aim, perspective and *Vorverständnis* that one brings to the text. If then there is no single meaning of the text, no single reality, what then is the objective of the text? The text aims at something, and if that thing is not discovered, it does not mean that it is not there.

¹⁹Gorner (2000:130) believes that Gadamer disputes the idea of absolute truth just as Nietzsche does. Our understanding is that Gadamer does not dispute the truth completely, but rather states that there are certain knowledges of truth which do not depend on the submission of method, which indeed are distorted by the application of method. What Gadamer rejects is the reckoning of a certain kind of methodologically secured truth and knowledge with truth and acquaintance. As such, an equation has led to the reduction of distortion of such knowledges of truth as experience of art, of philosophy, of history. It is also noted that the current view is that Nietzsche did not dismiss all the truth.

²⁰Hirsch is the outstanding champion of the central role of the author and of objectivity in interpretation. He argues that when the author is exiled from the interpretative process, subjectivity and relativism become predominant and no tolerable principle will exist for adjudicating the rationality of an interpretation. Hirsch further states that to eliminate the author, as the determinant of meaning is to discard the only convincing normative principle that can lend rationality to an interpretation. Hirsch (1967:81) also affirms that the meaning of the text changes even for the author. In defence of the author Hirsch asks, "Can an author afterwards alternate his mind about his own previous meaning in a text". This supports one of the thoughts of Heraclitus, quoted previously, which states that one cannot cross the same river twice, and which was emphasised also by Augustine, namely that the Augustine today is not the same tomorrow; things changes and people also do. Perhaps the meaning of text does not change but the meaning of the text in the mind of the author and the reader has potential to change every time the reader and author read the text.

Therefore, in hermeneutics, we face an interpretative struggle as we try to find meaning and our reality from the text. Hermeneutics is the art of uncovering that which lies before the text, in the text and after the text, and its steering wheel is in the hands of the reader and what the reader brought into the text. However, the view that hermeneutics is not an absolute method has been opposed by Derrida (1976:90) who argues that philosophy is not the overseer of the truth. Nietzsche also calls for a rhetorical rather than a philosophical approach; a hermeneutics of holding oneself open to the discussion (Gadamer 1975:90). We have stated earlier that the success of hermeneutics does not lie in a pure, unprejudiced dialogue between the reader and text. The concern of hermeneutics is not what we do, or what we ought to do, but what occurs to us over and above what we want and do.

The term hermeneutics²¹ is defined by Gadamer as the theory of interpretation. It is the science of history which aims to supply answers to problems of historicism in the science that defines human beings. According to Gadamer, the history of understanding takes place only from the present perspective and that is the responsibility of hermeneutics. Gadamer (1975:93) claims that no specific scientific method can rule human understanding, which means that the interpretation of the text is not the concern of the sciences.

Most authors agree that Augustine (1982:67) did not mention the term hermeneutics. However, after reading widely about what hermeneutics is, the question one could ask is what is hermeneutics not? As stated above, hermeneutics considers what is before the text, in the text, and after the text. Lawrie and Jonker (2005:19) state that before one opens the text, interpretation has already begun, and that even in translation, interpretation already takes place. The minute you open the Bible, you have already begun to interpret it. We have stated that hermeneutics should not be seen as an enemy of the text, for it actually brings life and meaning to the text. Hermeneutics functions well if it has in view the reader, text and author, each of which is transported by language (Schleiermacher).

²¹. Dilthey (1833-1911) interprets the history of hermeneutics as that of progressive liberation from dogma. Regarding the progressive growth of understanding, one could ask the question whether the true meaning of the biblical text is not distorted or compromised by the progressive hermeneutics. Hermeneutics seeks to bring the meaning for the present from an ancient text that has no connection with life as it is today. The question one should ask is: is it possible to apply an ancient biblical text to the present life without compromising the essential elements of that original text? If I were to answer this question, I would say it is not possible; what we say about the ancient text today is the image and reflection of the ancient text. I have not come across any hermeneutical system that has the power to fuse these two worlds together without creating further questions and errors. The progressive contemporary hermeneutics has the potential to compromise the originality of the biblical text. This is because history is analysed by minds of the present. We all come from history, but we are not history; the distance between history and us is one of the major hermeneutical challenges (Kant 1960:79).

Hermeneutics is present when the text is open, and even when it is closed after reading, the text could remain open in the mind of the interpreter for a long time. It seems that because of the distance between the text and interpreter, the question of how much of our interpretation faithfully represents the text is a conundrum. Since the interpreter does not know the text, and the text also does not know the interpreter, the interpreter does not faithfully represent the text in his/her interpretation. If we argue that the reader is not objective, then, what about the text which is written by the author who is also not objective? What would make the text objective? If it is true that the author has proprietary rights over the meaning, then, the next question would be which meaning and how do we obtain the meaning of the author who is no more? Are we not confusing the meaning discovered by the reader from the text of which we have stated that this meaning is the discovery of the reader in the text, not the meaning of the author by the reader? These are some of the fundamental questions that are central to Phalo interpreter when dealing with the text of Jacob.

On the other hand, because the text itself does not recognise or relate to the interpreter, it does not faithfully represent the interpreter. How these two join together is the major challenge in hermeneutics. The pre-understanding²² of the text and the pre-understanding of the reader flow in opposite directions, making it extremely difficult for both the reader and the text to relate (cf. the "*I in thou*" of Buber 1923:78).

The term hermeneutics is from the Greek word *hermeneia* or *hermeneuein*, which means interpretation or to interpret. Smit (1998:275) acknowledges that the source of the term is unknown but he subscribes to the theory that it came from the name of the Greek god Hermes who was a messenger in Greek mythology. Smit agrees that the task of this god was to explain the plans of the gods to humans. His explanations, utterances and interpretations were meant to bridge the gap between the gods who spoke and human beings. Although views differ on the definition of hermeneutics, most authors agree that hermeneutics is the art of interpretation and that the term comes from the work of Hermes who was the messenger that brought word from the god Zeus.

²² Kant (1960:67) comments on the restrictions of human acquaintance: our knowledge cannot have influence outside human knowledge and our understanding is limited to the ordinary world. The insufficiency is not straightforwardly remediable, since it ascends from the restrictions and shortcomings of human reason, which is loaded with questions which, as arranged by the very nature of purpose itself, cannot be ignored, but which as exceeding all its controls, also cannot respond (1967: 78).

For Osborne (1991:367), the problem of interpretation begins and ends with the reader and not with the text. The question that follows is how does one access the perspective and message of an ancient text? How can our present understanding help to access the ancient text? The aim of hermeneutics is to discover the will of the author which has a form of control over interpretation. This is exactly the question this study seeks to answer, that is, how the patriarchal similarities found between the two houses can help the Phalo interpreter to understand the text of Jacob better.

2.4. Some Hermeneutical Theories

“Understanding belongs to the being of that which is understood” (Gadamer 1975:33).

Husserl, known as the “father” of phenomenology describes phenomenology as “a kind of communicative psychology and an epistemological, foundational eidetic discipline to study essences”. Understanding phenomenology and the distinctions between it and hermeneutics is vital for theorists today. Phenomenology helps one to understand hermeneutics better and to explain its own role in hermeneutics. There is always a trace of phenomenology in any act of hermeneutics. Husserl describes the interesting relationship between hermeneutics and phenomenology. He claims that hermeneutics acknowledges its relationship with phenomenology whereas phenomenology has the tendency to forget or deny it. Husserl concludes that hermeneutics without phenomenology is like interpretation without context. On the other hand, he says phenomenology without hermeneutics is nothing but a façade. Husserl adds that hermeneutics makes use of a collection of various important elements within the mind of the interpreter. What the interpreter knows and experiences and all the factors that shaped the interpreter are crucial to interpretation. This relationship between hermeneutics and phenomenology could be interpreted to show that the House of Phalo itself could be used as a tool to interpret the house of Jacob in the context of similar patriarchal perspective. In the views Husserl, reading is from the context of the reader not the context of the author. Interpretation in some cases make sense if the reader assumes that textual meaning is fixed and, that the text; means and aims at one thing and nothing else.

In Schleiermacher’s view, hermeneutics relates to any text, including also conversations, and not just only written texts. Thus, Schleiermacher has taken hermeneutics to a universal level. He considers the text as dialogue and when reading, the reader should play the role of both the author and the recipient of the text. In the process of playing those two roles, the reader produces a new text. Schleiermacher calls this a “significant conversation”. He states

that there are important thoughts in the text but the main emphasis of interpretation is grammatical and psychological. The grammatical aspect, according to him, is about the entire understanding of the text—comprehensive words and language. However, Schleiermacher fails to note that sometimes the language does not exactly reflect the meaning in the mind of the author. In some cases, the author fails to choose the right words that represent his thoughts, and this causes more difficulty for the reader who tries to step into the shoes of the author. One must examine words in relation to the sentences, and the sentences in the contexts of the paragraphs, and so on, until an understanding of the text can be accurately reached. Schleiermacher assumes that the reader has a way of accessing the context of the author through grammar.

However, we are of the view that the context of the author and the meaning of the original language of the author cannot be fully accessed by the modern reader through grammar. The context and, to some extent, the grammar of the biblical author is gone forever and, at this stage, hermeneutics has not succeeded in retrieving it. Schleiermacher argues that the meaning of the whole text is in the meaning of the individual sentences and of even the words in the text. The observation by Lawrie and Jonker that even the translation of a text is an act of interpretation makes sense because the mind of the translator is present in every translation. Are we not therefore interpreting the mind of the translator instead of the text?

One of the challenges of interpretation today is how to understand the individual parts of the text which Schleiermacher believes will lead to a better understanding of the text. Although Schleiermacher's view sounds plausible, it is far from providing an answer to biblical hermeneutics. According to Schleiermacher, the answer to the conundrum of hermeneutics lies in the world of the author and in understanding his/her aim of composing the text and the meaning intended by the author. This is a valid point, but one is not convinced that it will work with biblical texts. Questions such as why certain words were used in the composition of the biblical text could be at the centre of the production of the new text or even of the new author from the same old text. Schleiermacher suggests that the interpreter become acquainted with the author's anthropological context, life and time. In the method of psychological interpretation, he says, the biographical and historical contexts of the author are prerequisite.

However, many theorists agree that the need to know the author has little to do with the understanding of the text. In *Gadamer: The Universality of Hermeneutics*, Gadamer argues

that hermeneutics should not be confined to biblical interpretation. Rather, hermeneutical methods should be explored by other fields of study, as this is crucial for human understanding. Gadamer based his theory on art, history and language. Under art, he considers the importance of thought and also agrees with Schleiermacher that language plays a significant role in interpretation. On the historical background of the text and the idea of truth, he points out that some of the historical aspects of the text have escaped us forever and hermeneutics has not succeeded in accessing them. Gadamer explains that in hermeneutics, the truth reveals itself and it cannot be controlled. That view aligns with that of Husserl who says a thing should reveal itself, from itself and by itself. According to Gadamer, truth is not controlled and it reveals itself to us. The question is who controls interpretation or from where does meaning come? Osborne asks whether the production of meaning comes from the text, the interpreter or the author. The reader does not control the truth of interpretation but s/he is controlled by it, according to Gadamer (1975:89).

Lawrie (2005:67) confirms that when dealing with the text we would never have access to all the information we need to reconstruct the original context in which it was written. The question is can one grasp fully the historical background of a text that was written by an author who rode on a camel more than 2000 years ago, as opposed to the modern reader who reads the text in an aircraft? Gadamer argues that when we step outside history we cannot be objective. Gadamer's suggestion has completely escaped us, as we rely on the socio-political context of the text which no longer exists. We draw on the religious and economic interests of the author to create new texts in the process of interpretation. Gadamer's notion of the fusion of the two worlds is currently seen as an extreme challenge of biblical hermeneutics. Gadamer argues that all this is possible simply because we belong to history, but our understanding is that history does not belong to us; thus, it has the power to escape us completely. We agree that the fusion of the two worlds is important but we should also admit that some of the crucial aspects of that history are no longer accessible. The absence of these historical aspects creates serious gaps in our interpretation. The understanding that comes from the method of bringing the worlds of the author and of the reader together is our understanding and not the author's intention or understanding (Nietzsche 1979:221).

Gadamer seems to assume that knowing the historical background of the author will cause the reader to be objective. Human beings are subjective and it is difficult for a subjective person to be objective in handling the text. Gadamer's view of language and hermeneutics is

that all understanding is rooted in language. However, we would say that language is a mirror that reflects understanding — we use the language to understand. It seems that Gadamer views both language and understanding as the same. We consider that language is used to interpret what is already there. We do not use language to understand but to reflect our understanding. We reject the claim that understanding comes through language, which is only a tool of interpretation. The past horizon is imperative for all forms of understanding. Gadamer's third discourse of truth is language (Ricoeur 1970:98).

All understanding is rooted in language: "Language allows being to show itself... and being is accessible only through our finite and historically. Conditional language". With this linguistic realisation, there was a move to ontology and the "philosophical". We have already noted that Gadamer's view of understanding is personal and subjective and that it eventually differs from person to person. This will lead us to the popular question of whose understanding is right in hermeneutics. The fusion of the reader and the text is the key to understanding the text according to Gadamer but the distance between the two worlds remains a major challenge of hermeneutics. We think this could be one of the reasons that hermeneutics does not claim to be the truth finder. Gadamer is less concerned about the author than the interpreter and how s/he relates to the text in order to attain understanding. In this regard, Gadamer is not very far from the views of Schleiermacher; they agree on grammatical interpretation.

We have noted however that Gadamer finds aspects of Schleiermacher's concept of psychological interpretation problematic. He faults Schleiermacher's statement that the goal of hermeneutics is to understand the author better than the author understood him/herself. Lawrie (2005:68) says it is an error to try to find the meaning of a text in the original intentions of the author. Gadamer's view that getting into the author's original intentions in the interpretation of the text is ultimately superfluous and unessential to hermeneutics has been cited earlier. He does not dispute that it is important to understand the details of why the text was written and for whom the text was written. He found it difficult to deal with or spend time trying to recapture the author's intentions as if the hermeneutical answers are negated solely by the author. To Gadamer, the focus of interpretation is not on how the author communicates his idea, but how the interpreter understands the idea of the author, "the movement of understanding". One reader tries to simplify the idea of the author's intention, saying, "Understanding the sermon does not require one to have knowledge of the personal life of the minister".

Understanding the religious tradition which forms the background of the preacher's message could help to a certain extent. By trying to understand the original intention of the original author, one is not only creating a new text in reading and interpretation but also reconstructing a new author, which Lawrie (2005:68) says we do not have all the historical material to do. Our challenge here is how to step into the shoes of the original author and also step out of the shoes of the modern reader. It could be impossible to step into the shoes of the original author while the reader is inside his/her own shoes.

Schleiermacher's view will be considered problematic if he does not consider seriously the subjectivity of the interpreter on the subjects raised by history. We have learnt that the reader has an advantage over the author in exploring the text and that is the reason some modern theorists suggest that the meaning to the text is not far from the reader. It is within the parameters of the reader to decide the meaning of the text based on the author's or the reader's intention (Ricoeur 1970:87).

What the subjective reader wants to hear or what the author wanted to highlight is the decision of the reader. We believe that if theorists can find a method which will assist us to step into the shoes of the original author we could produce a better meaning of the text. Is the Phalo text not able to stand in both the modern and ancient contexts using the similarities between the two houses?

Gadamer states that hermeneutics deals with the text and its interpretation as well as the science of the nature of self-understanding as the mode of being. Hermeneutics is the method of interpreting texts. It has been developed by many theorists who explored and widened the history of hermeneutics to what it is today, for example, Martin Heidegger and Edmund Husserl (1859–1938) who focused on phenomenology. Views of authors vary on the question of whether there is such a thing as a phenomenological tradition. According to one view, phenomenology was one of the dominant traditions in 20th century philosophy. Paul Ricoeur famously declared that the history of phenomenology is the history of Husserlian heresies (Ricoeur 1970:9). Phenomenology is an interesting subject but it is not directly related to the focus of the present thesis. Ricoeur is quoted by Osborne (1991:387) as stating that phenomenologists believe that language forms the core of being. Therefore, the act of reading and understanding the symbolic expression of a text is a moment of self-understanding, and the experience of a meaning-event in the act of reading allows one to rise above finitude. One should also bear in mind that the reader is not in control of the

meaning of the text; instead, the text proposes and projects the world and when the world of the text rebounds on the world of the reader, interpretation transforms the reader's world by offering the reader new ways of understanding (Ricoeur 1970:67). The truly independent reader would always allow the text²³ to read him/her.

The true meaning of language exceeds the bounds of methodological interpretation (Gadamer 1975:34). Human understanding is always explanatory and is not only the process of interpreting a self-identical meaning of the text, but a non-stop dialogue in which an intersection of meanings takes place. Understanding could mean that a fair dialogue between the text and the reader has taken place and the historical events from the text and in the mind of the reader have had an intimate encounter or fusion. If the text is from the past and our thinking is also from the past, then, the two pasts must meet for understanding to take place (Gadamer 1975). The language of the text and its history play an important role in the fusion. This implies that history cannot be completely disregarded in the interpretation of the text.

Ricoeur's hermeneutics is dialectical in the sense that no single opinion can attain the depth of interpretive insight needed particularly in self-understanding. This point is central to Ricoeur's arguments since understanding involves self-understanding and comes from his definition of hermeneutics as the theory of rules that govern exegesis, a system by which the deeper significance of a given text is discovered. It is the quest for a deeper meaning, for one's own meaning in the meaning of the text. Buber (1923:87) calls it the: *I in thou* that is, finding my meaning in the meaning of what I see and read. It is clear that without one finding oneself in the text, understanding is impossible. Derrida (1976:78) argues that the encounter with the text must always be defined by negativity for infinitely the other cannot be bound by a concept, cannot be thought of on the basis of the horizon which is always the same. The encounter can only transcend and separate itself from negativity via the interrogation that the reader carries out of the text (Osborne 1991:381).

²³. I heard similar words spoken by a local primary teacher in my village who said, 'I do not teach a child, but let the child teach me'. He further said that no teacher would ever teach a child if s/he is not willing to learn from that particular child first. More than we think we read the text, we should let the text speak to us. Good readers view themselves in light of the text and thus come to understand themselves in a new way. The understanding has to do with much of the text one is reading, but the text also helps the reader to understand him/herself better. This understanding of the reader comes to the reader only when it collides with the world of the reader. In most cases, we have argued in this study, what the reader finds in the text is informed by what the reader brought to it.

William Dilthey, Paul Ricoeur, Friedrich Schleiermacher and a number of other scholars have discussed the subject of fusion. For instance, Schleiermacher's understanding of hermeneutics consists of two aspects—grammatical and psychological interpretation of the text. Hans Gadamer, who is known is regarded as Schleiermacher's successor, criticised his idea of authorial intent, which is the fusion of the intention of the author and that of the reader. Gadamer also reworked the theory of psychology to account for the issues of pre-understanding and of subjectivity (1980:210).

Dilthey (1833-1911) employs the same psychological approach as Schleiermacher. For him, hermeneutics involves the union of subject and object in a historical act of understanding. Dilthey (1969:235) calls this the "rediscovery of the: *I in the Thou*", by which he means that a person discovers him/herself in the act of reading. If the person fails to discover him/herself in the text, understanding is impossible. Interpreting the text implies interpreting the reader in the text.

The aforementioned theorists cannot be ignored in any discussion of hermeneutics, as they have made meaningful contributions. Any hermeneutics project that does not acknowledge these theorists is possibly bound to fail. Their contribution will be critical to the discussion in this chapter. As Schleiermacher has suggested, the subject of finding the meaning from the author is extremely difficult. Our understanding of the text is based on our knowledge of the rules that govern the text, not on what was on the mind of the original author or what the author intended to address. This is in line with Gadamer's claim that understanding belongs to the being of that which is understood. It has been proven that the intention of the author is not always clearly reflected in his/her writings; sometimes, authors stress what is in the text in order to draw attention to what is not mentioned in the text.

The text is independent and its understanding is not dependent or linked to the original author. The authors of the biblical text are gone forever and we have no access to them, and hermeneutics has not yet succeeded in taking us back to the position of the original author. The reader has the power to decide how he/she wants to get the meaning of the text. S/he can use his/her pre-understanding, the background of the text, the intention of the author and many other tools which is available to him/her at that time of interpretation. In finding the meaning of the text, the reader has some advantage over the author and text. The text gets its meaning from the reader but the meaning found by the reader does not affect the text. What the reader uncovers as the meaning of the text will not change the text or what it was before

because the meaning of the text is one of many truths (Nietzsche), which means that the truth can be discovered after considering various perspectives. One perspective is always clouded by prejudice, the *Vorverständnis*, which is not always objective or from the text, but from the perspective of the reader.

The truth to Gadamer does not mean a fixed position or the relationship between the reader and the text. The truth discovered between the reader and the text is not static and he calls it a give and take kind of dialogue. It is not a master–slave situation. The truth to Gadamer is the meaning which develops through fair and unbiased interplay between the reader and the text. Heidegger says it is an endless interplay between closing off and opening up. One should also note that even what is not considered the truth in the text is another perspective about the text. Fish (1989:56) would say the text is in fact an entity independent of interpretation; it is substituted by the texts that arise as a result of our interpretive activities.

The truth of the text²⁴ is revealed while determining the conditions of understanding it (Gadamer 1975). No truth will ever be discovered from the text without first understanding the text. What does the understanding of a text mean? Do we mean our understanding in the text, or the text helping us to understand ourselves in it? These are questions of hermeneutics some of which we shall try to answer in the course of this study. In other words, the truth transcends the methodological reasoning of the text. This could be the reason that Derrida refused to accept philosophy as the only method of determining truth. The truth of the text should be the coming together of the historical mind of the text and the historical mind of the reader. The truth of the text is a constructed truth and can be deconstructed to create another truth. Deconstruction is not the same thing as annihilation or thrashing something through external force, but of undoing it. Deconstruction is painstaking

²⁴. Can we confirm that there is a determinate connotation in the text that texts are about something other than themselves? This is mostly observed in preaching where the interpretation of the text is often taken too far. The preacher provides an interpretation that makes an entitlement; and to make an entitlement is to be willing to protect that entitlement if confronted by others. All preachers have different interpretative purposes informed by their own interpretive communities. They interpret fully for and on behalf of their communities. Whereas readers may have numerous uses in mind as they approach a given text, the task of communicative reasonableness (and ethics) is precisely to achieve understanding and push a certain ideology which emanates from that particular community, and which has made that particular preacher. It is not always easy to judge both the message of a text and what it has done to the interpreter at that particular time. As Nietzsche (1967:98) would say, those who were seen dancing were thought to be stupid by those who could not hear music. What exactly the text is doing to the reader is between the text and the reader and those who are outside of that moment cannot conceptualise it. Some would say it is good that the text has different messages to different its readers, and the text would respond differently to all of them. Our submission is that the reader is not influencing the text in the process of reading, but the text communicates with the reader in different ways, nudging and relating to that reader.

taking-apart, a peeling away of the numerous layers of historical, rhetorical, and ideological concepts, texts and ideas whose purpose is to expose the arbitrary linguistic nature of their original construction. Interpretation cannot claim to be the final method used to retrieve answers from the text; deconstruction counterbalances interpretation. What is given in one breath of construction could be taken away by the next breath of deconstruction.

Osborne (1991:371) states that hermeneutics moves from the author and the text to a union of the text and the reader with roots in the present rather than in the past. Thiselton (1980:10) quotes C. F. Evans who claims that hermeneutics is only another word for exegesis or interpretation in the sense that both work together closely. It is not easy to explain exactly what hermeneutics has developed into. From the literature consulted, it is clear that the definition of hermeneutics is not what it used to be and it is not what it is but maybe it is what it would be. Thiselton (1980:10) states that hermeneutics has undergone a definite expansion and revision of its traditional meaning. As noted above, hermeneutics traditionally entailed the formulation of rules for understanding an ancient text, especially in linguistic and historical terms. This paradigm shift in the development of hermeneutics has been discussed by Dirkie Smit in one of his articles,²⁵ “Reading the Bible through the Ages? Historical and Hermeneutical Perspectives” (2015). Thus, Smit’s study will be used as the primary source for the development of biblical hermeneutics in what follows.

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²⁵ This theory of interpretation investigates questions that in intellectual sciences such as philosophy relate to human understanding or how knowledge is organised and the role of conscious and unconscious knowledge. Thinkers such as Heidegger, Gadamer and Ricoeur completely transformed the scope of hermeneutics, as they focused not on how to interpret but on what interpretation is and how we should understand texts. Thiselton (1980:11) states that the original understanding of hermeneutics was about the text and language. The interpreter was urged to begin with the language of the text including its grammar, vocabulary and style. The meaning of the text centred on its linguistic, literary, and historical contexts. In other words, historical hermeneutics began with the recognition that the text was conditioned by a given historical context. The real challenge of hermeneutics is to find the meaning and Osborne (1991:366) says that meaning lies between the author who is no more present, the text which is autonomous and the reader. For Osborne, the problem of the meaning of the text begins and ends with the reader. The reader is central to the meaning of the text but all readers approach the text slightly different perspectives. The meaning by one reader may not be the same as that of another reader because of the different *Vorverständnis*. Osborne (1991:367) shows that the major problem is the alignment of the two perspectives—of the text and of the reader—which Gadamer calls the fusion of two horizons. The tendency to understate the problem arises because we read modern categories back into the text. Gadamer states that whenever there is understanding there is pre-understanding, determined by the tradition in which we stand (1975:41). This is the kind of prejudice which applies in almost all our understandings. Our prejudice influences the results of our interpretation. We have argued that when a Phalo interpreter is confronted by patriarchal similarities in the text of Jacob, the similarities will immediately invoke what Phalo is familiar with and will result in a hermeneutical advantage.

2.4.1. History of Biblical Hermeneutics

“Not frequently, but continuously, the meaning²⁶ of a text goes beyond its author”
(Gadamer 1975:264).

Smit (1998:275) notes that the Early Church read the Bible in synagogues and, to protect it, it attached religious authority to some of the documents. This authority probably had elements of intimidation that helped to prevent interpretations that were not in line with what was then regarded as the Bible. The Church combined and canonised certain documents and for a number of reasons denied others. The documents that were canonised ceased to be ordinary documents and the interpretation of those documents probably also changed. They were interpreted differently from the documents that were not canonised. How they were interpreted changed since the texts received new titles which must have affected their hermeneutical meanings.

In 367, Athanasius closed the Christian canon and the status of those documents changed. They were used in worship, preached from, known through lectionaries and were finally designated as sacred, which changed the way people read, interpreted and used them. The predicament was the presence of two Testaments—the Old and New. How does one interpret the New without contradicting the Old? Smit says this problem was solved by *sacra scriptura sui interpres* which joined the two Testaments as well as the entire individual books of the Bible together.

Interpretation is informed by the different backgrounds of the readers. Smit (1998:278) notes that the same problems are encountered by modern readers who try to find correct and acceptable interpretations of the biblical text. It is obvious that in a situation of organised religion such as the church, the tendency is to apply authority and pressure. Irenaeus of Lyons (before 202 AD) already argued long ago that the church had an accepted norm, the apostolic canon of truth, the *regula veritatis*; the Christian doctrine. One had to interpret from within these methods and structures, which became the principle of interpretation, according to Smit. Nonetheless, the authoritative canon was not a fixed solution since interpretation could not be contained. Tertullian (160-220) argued that the proper authority of the interpretation of the Bible, that is, of what is acceptable and unacceptable interpretation, was vested in the official church. The church was given authority to dictate

²⁶This means that the meaning of the text changes as it went through the minds of readers, interpreters, and critics. Hirsch (1967:78), who has defended the author’s meaning, states that the ‘other meanings’ that change the meaning of the author are meanings from the people outside the text, otherwise the author’s meaning of the text is permanent.

interpretation on the basis that it had the true doctrine, the rule of faith. The church also had a hierarchical structure of authority to apply this rule of faith. Smit says that the aim was to solve the problems of interpretation and whenever there was a dispute, the church would apply its official doctrine and judicial authority. Smit (1998:278) quotes Vincent Lerins (450 AD) who formalised this rule of faith which states that, “We hold for true what had been believed everywhere, always, by everyone in the church”. Various methods of interpretation were tested to find the meaning of the text including the literal and allegorical methods of interpretation.

2.4.2. Allegorical Method²⁷

Both Clement of Alexandria and his successor Origen were exponents of the method of allegorical interpretation (Smit 1998:280). They argued that reading the biblical text literally produces several intellectual difficulties. However, every part of Scripture has a spiritual meaning. When the Bible is read spiritually, it creates great harmony and all the difficulties disappear. Smit cites Theodora of Mopsuestia (350-128) and John Chrysostom (354-407) who were persuaded that the primary level of interpretation was the literal and in the literal and historical, one sought the message of what is read. The African Church Fathers also struggled to agree on the best method of interpretation. Foremost among them was Augustine of Hippo (354-530) who argued that biblical interpretation needs an overall spiritual perspective, but that the key or reading perspective should be the love of God and of our fellow human beings. This was not a perspective from outside the biblical document, since the concept of love is a biblical one. To Augustine, the biblical documents speak of the love of God and of human beings. Therefore, these two measures were the perfect method of interpreting the Bible (Augustine 1961:45).

2.4.3. Reading in the middle Ages

Augustine (354-430) was the main theologian who shaped many debates that ensued after him and who was also at the forefront of the debates against heresy. On the role of authority, we have noted that the truth of the text²⁸ rested on the unwavering acceptance of the authority of the text. Augustine argued that one could question the text but not the author. If

²⁷ The major historical conflict between Alexandria and Antioch had to do with allegorical and grammatical interpretations. Allegorical interpretation looks for the hidden sense of the text with the aid of interpretive keys from outside it while the grammatical interpretation tries to uncover the text's meaning by studying the linguistic elements and connections within it.

²⁸ The text is where the meaning or the verbal intention of the author is carried, and it is the duty of hermeneutics to uncover its aim, intention, and meaning. The focus of interpretation is not on the author but on the text. Interpretation is not about the author but the text. Hirsch (1967:102) claims that the text has meaning because of the words which constructed it and those words form the language of the text.

the Pauline letter is questioned it would not be because Paul was mistaken, but that the text was not authentically Paul's interpolation. Historians of that time were more concerned about distinguishing what is authentic in the text from what is not. According to Augustine, this would be a challenge since, for him, the major authority of the text sprung from the authority of the author. The text could not be interpreted without interpreting the author. It was important for the reader to understand the author first and interpret him before interpreting the text. The meaning of the text was in the author before being in the text. The authority of the author drove readers to an organised system of interpretation (Osborne 1991:369).

Smit reports that from the sixth into the twelfth centuries, it was in the *monasteries* where the monastic tradition of spiritual reading for edification of the soul or “the torch of learning was kept alight” because biblical learning and reading were kept alive, while education and scholarship suffered neglect and even destruction, together with towns, libraries, books and culture. The monastic tradition of spiritual reading for the edification of the soul through contemplation and discipleship called *lectio divina* or *sacrapagina* developed, involving the rhythm of threefold spiritual practices of reading, contemplation and prayer. During these practices, the notion of the four senses of Scripture came into full application – offering literal (historical and literary), allegorical (doctrinal), moral (exemplary) and anagogical (salvific) meanings.

The works of celebrated preachers and commentators (like Gregory the Great and the Venerable Bede) were collected to form an accumulative and authoritative tradition of exposition, informing these practices of spiritual reading. The love of learning and the desire for God became closely interrelated – and for those who could not read, there was oral teaching. Since the ninth century, however, education became more public. Books were copied (with the help of a new form of handwriting) and they became increasingly available to the public. New copies of classical and pagan texts were commented upon and gradually the *cathedrals* in the larger towns and cities were challenged to open *schools* for the education of the clergy and to serve the growing public demand for reading and knowledge. Here a scholastic way of reading the Bible developed from the monasteries, which was different in purpose and method, so that by the 12th century, two kinds of schools co-existed in different social locations, each with its own traditions of reading and interpretation – monasteries for monks and cathedral schools for clerics. In the schools, several material

processes were at work that would fundamentally influence and in many ways change practices of interpretation—glosses in the margins of the manuscripts increasingly developed into commentaries and finally into a whole corpus of official comments and opinions from authoritative authors.

2.4.4. Aspects of Historical Hermeneutics

Should we dismiss the historical text as no longer relevant to our time or treat it as a reference point for our present? Does the content of history have to do with our understanding of current reality? Gadamer (1975:90) insists that even if a text is constituted by information that is no longer relevant to our time, it is meaningful as a point of reference. The irrelevance leads us to relevance. This means that history cannot be ignored completely. Even though we are not part of history, our minds understand texts based on history. The text claims the truth from history and addresses us (Gadamer 1975:113). Human understanding also depends on historical and cultural conditions and every knowledge is acquired historically (Gadamer 1975:79). The history of the experiences of human beings and of how they understand belongs to the ontological realm of human existence and points towards the inseparability of the hermeneutical truth and the process of interpretation.

Those who subscribe to historical reading of the text in order to get the meaning argue that every text must be read within the wider context of its composition. The text is understood in order to understand the whole history that surrounds and constitutes the text. The historical method of interpretation reverses the present and promotes the past and it sometimes suppresses the importance of the contemporary elements. The one text can therefore be used to reconstruct the whole history. However, historians sometimes confuse the text with history. The text is not history but carries certain information about history (Palmer 1969:167). Thus, historical hermeneutics is crucial in understanding the text, but it is not necessary for finding the meaning.

In his philosophy, Hegel argues that there is a reason for probing history, because all texts are born by history even our thinking emanates from history. We are not history but most of what we have, have historical elements in them. We therefore approach the historical text from a pre-understanding which is also part of history. Gadamer claims that even hermeneutics is defined within history, for it is the integration and mediation of the distance between the interpreter and the objects from the past. He asserts that the historical understanding of the text does not imply getting into the mind of the original author, but

transposing ourselves into the perspective within which he formed his views, probing the aspects that constitute the author's pre-understanding (Gadamer 1975:120).

It may seem that the preceding argument suggests that any attempt to recover the 'world behind the text' cannot play an effective part in interpretation; but this would be idealistic and unimpressive. I have argued only against allowing interpretation to be unjustifiably influenced by over-confident theories of the text's origins, and by an excess of 'suspicion' about the motives for its production. In practice, texts can hardly be understood outside some grasp of the world in which they were produced. Thiselton rightly counsels against detaching the text from 'the extra-textual world of authenticity'.

McConville (2006:9) claims that the idea of the world 'of or 'within' the text recognises that texts (whether historical or fictional) epitomise an imaginative construction of the world, which is then obtainable to the imagination of the reader. It is thus distinct from the world behind the text, since it is independent of the text. The world of the text is a concept entailed in its production, lying close to the awareness of the text's 'horizon', which in Gadamer's hermeneutics has to be 'fused' with that of the reader if the text is to be understood.

In the process of this historical analysis of the text, we ask, whose perspective plays the major role in the critical task of interpretation? Our focus on history rests on different important aspects that inform our subjectivity and what we bring to the text. According to Gadamer (1987:113), these can only be minimised when the reader allows his/her prejudice and pre-judgement to be challenged by the subject of the text. However, the point from which we judge the prejudice when dealing with the text is not clear. How much prejudice is experienced between the mind of the author and the text? Several things could influence or contaminate the message in the movement from the mind to the hand of the author. This leads us to the question: which is the original text — the text on paper or the one in the mind of the author to which we have no access? From Gadamer's arguments, we note that every text is the duplication of the text that was in the mind of the author but the original text is what was left in the mind of the author, since writing without thinking is impossible (thoughts could be seen as the original text). There is always a beginning before the known beginning and an end after the end.

On the other hand, we may say that there is no original author because what the author writes is something that s/he has seen, learnt and read about, which comes from outside

his/her mind. In that sense, nothing is original and nothing is real from the mind of the author. Everything is about perspective, as Nietzsche has suggested. Hermeneutics deals with several 'what ifs' and 'what if nots'. Therefore, one question is who is the original author? For instance, my supervisor prescribed many books for me to read before I started writing. Afterwards, I noticed that what I wrote is a reproduction and extension of the perspectives that are already there in literature. How do I then claim to be the author of the work I produced?

According to Gadamer, history causes the movement between the reader and aspects of history to reach the level of understanding. As stated before, historical hermeneutics is about *fusion*, bringing two worlds together—the world of the reader and the historical world of the text. However, it cannot be claimed that these are final because of the unending what ifs and what if nots asked by hermeneutics.

2.4.5. African Hermeneutics

According to Adamo (2001:67a), African biblical hermeneutics is all about bringing tangible life interest into the biblical text and then allocating a very prominent role to this life interest. Hence, we argue that the Phalo interpreter would bring in tangible interpretative interests through the identified similarities which also pertain to serious matters of life. Hermeneutics should not only boast of speaking to rhetorical matters, it should also provide answers regarding matters that affect lives today. The Phalo interpreter intends to use these patriarchal similarities to understand patriarchy in the Jacob text and also use them to liberate those who are oppressed by these texts. The Phalo interpreter would argue that understanding starts basically from the known to the unknown; we use what we know to understand what we do not know. The context of Africa and the daily challenges that the people face become the obvious subject of interpretation. I suppose West would agree that hermeneutics is a method which seeks to further conversations on matters that affect people currently. The reason for the distinctiveness in African biblical hermeneutics is justifiable and has to do with the multiplicity of human uniqueness and the acknowledgement of this diversity in human distinctiveness as well as with our different experiences, world-views and concerns. It is fair to consider African traditions and cultures as the basis and source of hermeneutics.

For Okere (1983:78), African hermeneutics is a tool for arbitrating, vindicating and dialoguing between philosophy and what is not in human experience and science. It is a

method or vehicle used to access people's culture and behaviours; it links present-day people with history. In the African context, hermeneutics is used to acknowledge cultures of African people; hence, African hermeneutics must prove that it is not a reaction, but a valid hermeneutics on its own. It should help to rediscover African cultural values, norms and experiences that have been contaminated by external influences of colonial power.

Pobee (1979:24) states that African hermeneutics is an open textbook without a book, but not without a text. It reads from the perspective of the flesh of the black people of Africa, their plight, struggles and poverty. African hermeneutics incorporates all other aspects of life in its interpretation. It recognises the black pain caused by the colonial system and uses it as a lens to interpret the Bible in Africa (Mofokeng 1988:35). The idea is that Western hermeneutics should not remain the only source of reference and interaction. African hermeneutics is an open-ended journey of interpretation—there is no final meaning in African hermeneutics which strives to prove that hermeneutics is not solely a scholarly prerogative (Bediako 1995:23).

It is practised in various forms of human communication. Hermeneutics covers practically every aspect of the day-to-day lives of the people—listening to radio, reading newspapers, listening to politicians, and even when analysing gossip, hermeneutics is practised. Hermeneutics is the praxis of the community (Bediako 1994:67). It is a dialogue between the text and the society, it is dialectical in nature. Therefore, understanding is less about reading or hearing the other person than discovering ourselves through what transpires at the centre of the dialogical interplay. African hermeneutics also relates to the philosophy of *Ubuntu* in the sense that it focuses on the connection between two people and the entire community. It creates understanding which in turn brings people together in harmony. It probes us now, so that we can be better tomorrow.

Hermeneutics helps us to understand what we know better, why people differ in their understanding, and why they cannot be absolute in their understanding. This relates to the culture of understanding and the logic of interpretation. In African hermeneutics, the pre-understanding is informed by the Third World context of poverty, exploitation, illiteracy and great suffering. The term Third World implies that there is a First and a Second world and each of them should have different hermeneutics. Third World hermeneutics is produced when the people of those countries try to understand what happened to them and how the interpretations of certain texts were used against them. According to Thiselton (1992:419-

420), colonialism and apartheid are the contexts of Black hermeneutics in South Africa. The rejection of apartheid has to be reinforced by reading and re-reading the same text that were used to support the colonial system. The same text must be read to reject interpretations that are based on the colonial and apartheid systems. The text must not be changed but hermeneutics must change. Apartheid got its support from apartheid hermeneutics which is founded in the biblical texts.

The Bible must dialogue with African culture to be fully accepted as part of African communities. Thus, African hermeneutics tries to understand something beyond the biblical text. It aims to purify God from colonial influence. It sees blacks as people created in the image of God, aims to restore the African identity, seeks African organic theology that would take African tradition as part of human religion, and insists that the Bible does not belong to the West but to all those who read and live by it (Bediako 1995:23). The danger when people react to those who abuse the text is that the text may become identified with those who misuse it (Pobee 1979:54). Nonetheless, the African reader must also read the African text of suffering, alienation, non-being and inferiority in order to stop the furtherance of the misery and to recover the human identity of Africans (Pobee 1979:397). To Pobee, African identity is tied to where people are and to what they do.

Not all hermeneutics is the product of the text. Rather, hermeneutics (including African hermeneutics) is a concept in the mind of the reader which is rooted in the pre-understanding of the reader. Africans are represented in the Bible in many ways. For instance, characters of African origin are found in the text. The question is whether this representation places the African reader in a better position to read and understand the text than other readers in the Western world who are not Africans. This point relates to our research question, which enquires whether the patriarchal similarities between the house of Phalo and the house of Jacob are advantageous to the Phalo reader. The anthropological context of the text plays a major role in the production of the text. Therefore, anthropological similarities and sameness between the world of the text and the world of reader could contribute to a better understanding of the text to a certain degree. The focus of this research however is not only on the similarities, but also on the sameness of the patriarchal understanding and the practice of patriarchy in the two houses.

Dube and West (2015:207) states that African biblical hermeneutics is distinctive because of the life interests that African interpreters bring to the text and how these life interests

interact with their interpretative interests. African hermeneutics is a reaction²⁹ to colonial interpretation. It is a method used to find alternative meanings in the biblical text. It is not about what the text says to Africans, as I do not suppose that the text talks to any specific person or nation in our time, but it talked to the ancient reader. Like all other liberationist readings, African hermeneutics is more interested in subalterns who are dominated and marginalised (West 1995:60). This is what the interpreter of the house of Phalo is trying to investigate, in order to put herself in the shoes of the Jacob patriarchal texts.

It is easy to agree with West and with Adamo that African hermeneutics is a reaction especially if cultures, experiences, norms and values indeed influence how people think. Lawrie (2005:36) confirms that we all go to the text with our own agendas which are influenced by our understanding and pre-understanding. This then means that African hermeneutics is not only reactionary but it emanates organically from the minds of Africans. It is also difficult to accept that there is such a thing as continental hermeneutics, unless people are made to think in a continental fashion on certain subjects like colonialism and apartheid. For example, some Africans argue that the continent was better under colonial powers and South Africa was better under apartheid than it is now. The literature review for this study has shown the meaning of the text depends on the reader and on all that influenced that reader. I do not suppose there is one reader who has a continental pre-understanding which s/he uses to understand the text. African hermeneutics should be defined therefore from personal experiences since the understanding and pre-understanding, which form the key to meaning, are from individual minds (Oduyoye 2001:78).

African hermeneutics is defined as emanating from the context, values and experiences of African people. The house of Phalo connects those patriarchal aspects with those of the house of Jacob to constitute similar pre-understandings in both houses. One can conclude that the patriarchal hermeneutics of the house of Phalo and of Jacob is constituted by the same pre-understandings. Whatever be the disagreement about the location of meaning in the text, the understanding of the historical aspects that constitute the text is part of the

²⁹. Adamo (2015) notes that African Indigenous Churches became disgruntled with the Eurocentric approaches to biblical interpretation through the missionary mainland churches' self-imposition of the structures and methods of interpretation of Western institutions at the expense of African culture. The AICs observed that many of the Eurocentric understandings, hermeneutics and theology nurtured in a Western biblical intellectual context had no origin in the African communal life. A Western approach to the interpretation of the Bible became unprofitable. They therefore established their own African Indigenous Churches that would meet the needs of the African communities and that would not be a copy of any European church. These churches accommodate the cultures, norms and values of African peoples in their interpretation of the Bible.

important contributors to finding meaning. Nonetheless, one cannot completely ignore historical facts in the process of establishing meaning. Historical hermeneutics will be probed later in this study (Okure 1995:45).

The world of the reader according to Schleiermacher is linked to his/her psyche. Schleiermacher's idea of psychology, grammar and universality of hermeneutics does not seem to include the psychology of a whole continent, but the details which influence the psychology of the specific reader which is his/her world-view. If that is the case, then, African hermeneutics should also be narrowed down to only those cultural and environmental issues that are common to Africa. Africa is not made up of one culture but many cultures. It cannot be true that African history and hermeneutics are informed solely by the encounter with foreign and aggressive colonial powers. Additionally, Mbiti (1969:56) has pointed out the pluralistic nature of religion in Africa.

Gadamer (1975:245) also has alluded to the fact that it is not so much our judgements but our prejudices that constitute our world-view. Hence, awareness of the social tradition in which we operate assists us to understand who we are, which in turn allows us to comprehend issues in our present context and their future suggestions. This is complicated in the sense that it could result in a situation where we see things only through our pre-understandings. All Africans from Cape to Cairo would then be bound to have the same hermeneutical pre-understanding but this is not possible.

Adamo (2001b:90), in his article, "The Task and Distinctiveness of African Biblical Hermeneutics", claims that African hermeneutics is different, as it is developed for the benefit of Africans. He says it is about bringing real life into the biblical text. This is not easy to understand since hermeneutics looks outside the text and has no power to make the text an African or European document. African biblical hermeneutics is distinct but not unique since there are many hermeneutics based on the distinctiveness of the readers of the Bible in Africa. I agree with Adamo and Pobee that Africans should focus on African hermeneutics, but they also need to recognise that African hermeneutics is a method of interpretation and a lens for viewing the text. Therefore, there are no African meanings of the text but interpretations of the individual readers, who have African perspectives. African hermeneutics imputes meaning to the text before it is even read. Adamo therefore is correct to say that African hermeneutics is only a principle of interpretation of the Bible for

transformation in Africa. It is the kind of interpretation which makes the social cultural context a subject of interpretation, which means that Africans should learn to interpret with their pre-understanding (Lavik 2001:34). They should not use the European pre-understanding to interpret, as it would imply that the European interpretation is objective. The fact is that all interpreters are biased in some ways; therefore, an African reader is not more biased because he/she is African. Rather, because of the representation of Africa and Africans in the Bible, the African reader should be more objective than non-African readers of those specific texts. As noted earlier, the advantage of the reader is that s/he has resources and part of the powerful resources is the reader as well as his/her social background (Oduyoye 2001:102).

Among other advantages is that the text does not reject or object to any hermeneutical method that is applied to it because the method does not change the original message, mood and objectivity³⁰ of the text. The text only activates the prejudice of the reader. Gadamer (1987:123) has issued an important caution that prejudice cannot be bracketed since the whole mind of the interpreter is constituted by aspects that are sometimes not linked to the text. Gadamer (1976:27) also points out the danger of interpretive methods which aim at arriving at objective reality. He notes that the interpreter has to be conscious of his/her *Vorverständnis* and pre-judgements and control them. I agree with Gadamer about the importance of awareness on the part of the interpreter but I do not suppose the interpreter has power to stop his/her pre-understanding from interfering with the text. The reader is not able to read outside him/herself. Fish (1989:78) also makes a Kantian point when he says that we can only know phenomena, the things that appear in our experiences or the things that our perceptual and conceptual apparatus let in—things as they are in themselves, which Kant would call, '*noumena*', or things as they are in ourselves.

Adamo (2015) further shows that the advantages of African biblical hermeneutics are many. For instance, it helps us to “understand God according to the scripture and culture of Africa”. Both Eurocentric and African hermeneutics do indeed assist us to unlock the text, and unlocking the text is the major problem of hermeneutics. The main objective of African hermeneutics is to highlight the unique background (*Vorverständnis*) of the reader in

³⁰. Theological interpretation through historical criticism is possible and we should for a moment use it to draw closer to objectivity. The historical data can be used to bring the reader closer to objectivity, but we should also be aware that objectivity is not totally possible, which does not mean that measures that bring us closer to that should not be used.

interpreting the text. We stressed the point that the text is created from the background of the author, but to understand the text one uses the background of the reader. African hermeneutics aims to influence and replace the pre-understanding of the reader in order to get the meaning of the text that resonates with Africans. Fish (1989:65) explains that the author is not the historical source of the text and the inventor of meaning, but the reader is. For Fish, the work of interpretation precedes the text. Further, the reader is placed in the certain community that dictates how the text should be read. Therefore, African hermeneutics is in the mission of occupying that space of the reader and it is that certain community where African readers read the text for the benefit of Africans.

However, some readers have no African roots even though they were born in Africa. This means then that African hermeneutics like European hermeneutics must not be imposed on or transferred to the mind of the African reader. In most cases, African hermeneutics is not about the original mind of the reader and it is not a matter of recovering the meaning which lies behind the text. It is rather an attempt to participate and observe the interplay of possible meanings to which the text gives access (Lawrie 2015:154).

2.4.6. Hermeneutical Alteration

The shift in hermeneutical thought has been drastically influenced by the contributions of Wilhelm Dilthey (1833–1911), Martin Heidegger (1889-1976), Hans Gadamer (1900-2002), and Friedrich Schleiermacher. Schleiermacher states that we must take a leap into the centre of the hermeneutical circle because we must understand the whole before we can understand the parts and vice versa. For Dilthey, hermeneutics is a humanities discipline that covers all forms of human understanding and not just biblical understanding.

With Schleiermacher came a fundamental change in the conception of hermeneutics, which became a general science of the art of understanding, relevant to all types of texts and which highlights the relationship between the text and the interpreter. Osborne (1991:367) states that the problem of interpretation begins and ends with the reader and not with the author as previously thought in hermeneutics. Osborne also probes the question of how to access fully the ancient text since what we have is an unchangeable text, a changeable interpreter and the author who is no longer here (Osborne 1991:369). Therefore, the meaning of the text is a dialogue between the reader and the text. For Schleiermacher, the goal of interpretation is to reconstruct the author's original message, while interpreters, through historical-critical reflection on the text, align themselves with that intended meaning. From this discussion, it

appears that the presence of the author would limit the “wings” of hermeneutics. The text would not go beyond its original status if the author were in control. Texts are interpreted outside their original scope of meaning because the authors are gone forever and we have no access to them. This is the advantage of the developing hermeneutics. In the process of reconstructing the original message, the reader then constructs a new text from the original text.

Originally, hermeneutics was more about the text but Schleiermacher elevated the need to focus more on the interpreter. He argues that hermeneutics is a form of understanding that moves back and forth between the parts and the whole which we all try to understand; it is a method of understanding. Authors who follow Schleiermacher talk of the understanding-before that influences the understanding-now and the understanding-after of the text. As much as some of us would like to believe that we have access to the fixed meaning of the biblical text, Nietzsche’s critique of meaning, truth, and the concept of the world is that they are all human constructions. In Derrida’s (1976:112) view, they could all be deconstructed.

2.4.7. Understanding of the text

Schleiermacher asserts that understanding consists of utterance as derived from the language (1997:90). Language is the vehicle that conveys understanding. In other words, understanding is taken to the mind of the thinker by the language. Once it reaches the thinker, then, the conflict between the thinker and the language begins. Understanding cannot occur without thinking; it is a product of thinking and if the thinker has no words to express the thought, then, understanding becomes difficult. This is because what we are trying to understand is couched in words, whether oral or written. We understand by first using our own words and not the words of the text. The knowledge of the language of the text is important as a tool to help the reader to get closer to objectivity. Understanding begins in the mind of the reader and extends to the context of the text. It happens to all of us when we are faced with the traditions that are far beyond our individual control.

Schleiermacher also refers to the knowledge of the language and the knowledge of the person in the process of understanding. He calls this the talent for language and talent for individuals. The reader deals with the utterances, that is, the language but also with what those utterances mean in the mind of the reader and in the mind of the author. Words could mean different things to different people, but even then, understanding still takes place. Human understanding is essentially lingual; outside language, there is no understanding or

possibility of a discourse (Gadamer 1975:79). By learning the language, we receive a past that suits our present. Understanding does not imply agreement, and the reader's disagreement with the text does not imply a lack of understanding. Hermeneutically speaking, not understanding something is also a form of understanding. The better understanding is to come to understand what one does not understand first (Nietzsche 1979:89).

Is the interpreter of Phalo then the one who gives meaning or is meaning given by the author through the text? This question shows how complex and central the definition of hermeneutics is (Thiselton 2009:1-2). There is probably no interpreter who works towards the acceptance of one unique definition of hermeneutics. Terry (1974:17) states that hermeneutics is outside the narrow limits of science. Science, as assumed in Terry's modernistic context, is a positivistic approach to contemporary life matters which aims at exposing everything to a "test tube" fire of questions and critical analysis, supposedly, in search of objectivity. This differs from Gadamer's thinking, propagated in modern hermeneutics (for instance, Croatto 1987), that interpretation is a "fusion of horizons", that is, the horizon of the text's author and that of the reader. The reader's perspective also cannot be ignored in interpretation because of the baggage s/he carries to the text. The text contains its own elements of interpretation with which the reader is familiar and which help to connect the reader and the text or the context of the text (Thiselton 2009:25). This is the first fusion— finding the reader in the text. In simple terms, it is the conversation between the role players—the reader's context, the author's context and the context of the text. "In the process of dealing with the text, one should be conscious of the fact that texts sometimes disappears in interpretations" (Nietzsche 2003:67).

Schleiermacher claims that hermeneutics is a collective effort to understand and probably to be understood. It is important to understand the author, be adept in his/her language and indeed know his/her person as much as one can possibly do in order to understand the text. In this regard, Osborne asks, "How does the reader get back to the perspective and message of an ancient text?" (1991:467). Schleiermacher maintains that historical interpretation is important and that it should not be limited to data. The readers should recreate the relationship between the author and the original audience. To Schleiermacher, this is the basis of interpretation; the basic aim of interpretation is to understand the author better than he understood himself. Gadamer (1975:102) claims that the sense of a text reaches far

beyond the author's original intention. The text speaks far better than the author and mostly says what was not in the mind of the author.

The text does not change at all, but influences those who read it. People change and as Heraclitus (535-475 BCE) says, "One cannot cross the same river twice". Since a person is not the same person s/he was yesterday, that also affects how the person interprets and sees the text. There is a possibility that even one text read by one person can *suggest* different meanings every time it is read. The different meanings are not suggested by the text, but rather, the text provokes new understandings from the reader.

2.4.8. Vorverständnis³¹

The methods of understanding emerge from the phenomenon of understanding. Understanding surely involves interpretation, whether we talk of the process, language or the art of understanding, it is all about grasping how something functions. It is about the meaning or significance of something, what is said in a particular genre of language or how things function normally. Understanding also relates to practice, as it is needed before practice. Practice is the product of understanding, the recognition of what is fully understood and being able to put it into action (Nietzsche 1979:79). It is also fair to say we often do things without understanding them, in this case even not understanding is understanding itself.

Lawrie and Jonker (2005:2) point out that whenever read, we are already interpreting, and that *always* comes from understanding. Every new interpretation is always based on prior interpretations. Lawrie and Jonker further note that we can never approach a new text on a clean slate. We produce the new by retrieving something similar to it from the mind, that is,

³¹. Thiselton (1980:104) states that one must have, in some measure, knowledge of the matter being discussed, that is, the minimal-pre-knowledge necessary for understanding without which one cannot leap into the hermeneutical circle. Unless there is a common ground between the text and the interpreter, understanding is impossible. For Schleiermacher, if there is no link between the text and interpreter, then, there is no understanding. The interpreter cannot understand any interpretation outside his own scope of understanding. The meaning of the text is not in the text but in the interpretation by the reader. The text participates in the wrestling out of the meaning but the final answer comes from the interpreter. Heidegger, as we have shown, says that our understanding always presupposes the understanding of the whole because we cannot understand at all without pre-understanding. This is also Marx's view which shows that even our philosophies and beliefs, the world and our relations to the world, including our philosophical ideas and understanding, are all the replication of the material forces of production and social relations they involve. This means that thinking is the creation of something. There is no independent thinking and no original thinking. We have argued in this chapter that there is no original author, but the community which forms the thinking of that particular author is important. Anthropology is the original author, hence, in the process of reading one is also rewriting/re-authoring.

from the old. The new meaning of the text is influenced by what is already known about the text in one's mind. This could mean that there is no independent and new meaning of any interpreted text by the interpreter. The text has an independent and different meaning, but the problem arises when the text is interpreted.

The meaning of the text as stated above comes not from the text but from the reader. This takes us to Thiselton's claim that the battle of interpretation is between the text and the reader but the major problem lies on the side of the reader. The reader is emphasised because of the many options on his/her table. Lawrie and Jonker argue that when we interpret the Bible, we have, in a sense, already read it, for instance, through the Bible stories from Sunday school. In the case of the patriarchal hermeneutics of the house of Phalo, the similarities with the Jacob text make the interpretation even clearer. The similarities are not only in the mind of the reader but also embedded in the cultural practices of the Phalo reader. I therefore agree with Lawrie and Jonker that it is possible to read without understanding but it is not possible to understand without having a pre-understanding, which means that interpretation involves pre-interpretation, because understanding has to do with pre-understanding. Thus, one can conclude that hermeneutics relates to the problem of pre-understanding and that is more on the part of the reader than on the part of the text and the author.

Dilthey argues that in interpretation is rediscovery of the "I in thou", by which he meant that one discovers oneself through the act of reading (1969:235). The discovery of oneself in the text is also very close to the self-understanding required before one could understand the text itself. The *Vorverständnis* feeds on the words which are interpreted by the senses but words may have different senses according to the *Vorverständnis* of each particular reader. It has to do with a specific meeting point between the understanding of the subject matter and the self-understanding in the subject matter and not necessarily all the points of the subject. When the reader is able to locate him/herself around that point, then, understanding occurs.

Gadamer (1975:89) argues that reliable engagement with reading requires awareness of the inter-subjective nature of understanding in order to promote a reflective engagement with the text. In other words, the text starts from the reader's own understanding. The understanding of the text includes concepts such as inter-subjectivity, being, genuineness, fore-structure, and presuppositions. The reader is identified as the major problem in hermeneutics; he has the major power and a bigger portion of what is going on in the text.

Schleiermacher (in Osborne 1991:369) states that the reader is in a position to understand the meaning of the text better than the authors themselves. Since readers intersect with the author's mind from outside and bring to bear many techniques, they can recreate meanings that go deeper than those of the author. The reader has the advantage of the present, the text, and the absence of the original author. Thus, the house of Phalo not only has the advantage of depending on an imaginary power and understanding, but also seeing in them what they see in the patriarchal text of Jacob.

Thiselton follows Gadamer's idea of the fusion of the two horizons between the reader and the text, but we argue that this fusion can be lessened by the similarities that are observed between the house of Phalo and the house of Jacob. Thiselton (1992:59) argues that the interpreter should acknowledge the text, that is, must look behind the text to the situation, experiences and intentions which gave rise to the text, some of which may even have entered the author's subconscious mind. Ordinarily, the reader is not present when the author writes the text and when the text is read the author is also not present. In the case of Phalo, the author is read presently from the similarities that are shared between the two families. In other words, the house of Phalo is practising the patriarchal text of Jacob; the Phalo and Jacob readers read each other with the same patriarchal intentions and experiences which influence the understanding of the Phalo reader. For Thiselton (1980:103), this understanding is attained when two sets of horizons are brought together, namely, those of the text and of the reader.

Consequently, understanding presupposes a shared or common perspective, concept or even judgement. Schleiermacher, one of the foremost hermeneutical thinkers, wrestled with the problem of *Vorverständnis* and *Einverständnis* (common understanding). What happens when the world of the text (author) and the world of the reader are the same? What advantages does that give the reader? I do not suppose at this point that the problem of historicity between the text and the modern reader is fully solved by the similarities between the house of Phalo and of Jacob. However, the house of Phalo in one way or another could strive to bridge the gap of history faced by all readers of the ancient text by using the similarities to its advantage.³²

³². The matter will be further explored in the concluding chapter of this study.

2.4.9. Vorhabe, Vorsicht and Horizontverschmelzung

Schleiermacher, quoted by Thiselton (1980:129), asserts that what is to be understood, in a sense, must be already known. Schleiermacher is further quoted as saying that, every child arrives at the meaning of a word only through hermeneutics. The child attempts to relate the new word to what s/he already knows. If the child cannot achieve this, then, the new word becomes meaningless. The understanding of the whole text or concept depends on the understanding of the language and leads to the understanding of the components parts. Schleiermacher adds that it is through the concept of language that we are able to connect with the meaning.

The understanding of the smaller units depends, in turn, on the total import of the whole. According to Schleiermacher, we need to understand the parts to understand the whole and we also need to understand the whole in order to make sense of the parts. This view shows that the interpreter is the key player in the interpretation of the text since s/he brings a pre-understanding to the text. That pre-understanding is what makes the ancient text breathe afresh in the present and makes it share new life with the audience.

Heidegger (in Thiselton 1980:105) states that, “In every case this interpretation is grounded in something we have in advance—in a fore-having (*Vorhabe*)”. Understanding depends on having always a particular point of view that is grounded on the fore-sight (*Vorsicht*). Heidegger further notes that, “an interpretation is never presupposition less apprehension of something presented to us”. The understanding is from a given context and a given point of view. The world of the interpreter and the world of the text must somehow meet. Thiselton also sees this as a fusion of the two worlds which causes understanding to materialise. Candid understanding occurs when the fusion of horizons (*Horizontverschmelzung*) takes place between the past and now or between the text and the reader (Thiselton 1980:307). This is the hermeneutical circle which Gadamer calls ‘the fusion of horizons’—the horizon of the text and that of the reader. The two horizons create a serious problem, which is the permanent distance between the interpreter and the text, and bringing these two together is a major hermeneutical challenge. Gadamer also argues that it is not only the case that the meaning of the text appears in a mutual fusion of horizons, but also that accurate and inaccurate views about a subject matter come to light in this way. The fusion is between the world of the reader and the world of the text—what the reader does to the text and what the text does to the reader. Whatever they do to each other does not translate much to the meaning but to the understanding of the text.

2.5. The Reader in Interpretation

The reader³³ is that person who is absent from the act of writing but enjoys the absence and presence of the author from the act of reading (Thiselton 1992:39). The reader brings life to the text for without the reader, the text is dead. Reading is the act of creating life and meaning out of the text. As stated above, the reader is the place, the location where the text is created and read; the text exists in the reader and all that constitute the text (Bigg 1901:321). The reader is the narratee, the person whom the text is aimed at, addressed to, the person to whom the story is told (Gerhard and Russell 1990:120). The reader stands outside the text and is separated from it and his/hers eyes focus on the narratee. The real reader and the author are both outside the text. The text influences them but they both have no power to influence the text. The outside means that the reader can only access the text from his/her perspective and presuppositions. In this sense, the reader is indeed inside the text; hence, the reader is unable to access any objective information and comments about the text. Objectivity in this context could mean being outside the knowledge of the reader and anything outside the scope of the reader's mind closes the gate for the reader to enter the text.

The reader is the receiver of the objective text but what drives the reader to the text is important. The meaning of the text, like the text, also has a historical background, which is completely out of the reach of the reader. The historical background of the text would have influenced the reading of the text if it were known. In this case, one also needs to be mindful of the background of the reader, which plays a major role in the interpretation of the text.

Lawrie (2005:112) explains that the reader has many choices in trying to get the meaning³⁴ of a text. S/he can decide to probe the text or appeal to the background of the text or his/her

³³. It is also very challenging to read, as we ask ourselves the question whether we can read in such a way that we avoid seeing and reading ourselves in the text. In reading the biblical text, do we find God in the text or God in us when reading the text? We hope that hermeneutics will assist us not only to understand the text, but also to understand what the text is all about. All these hermeneutical attempts move us closer to the understanding of the meaning. However, Fish (1989:23) denies that there is such a thing called meaning in the text outside of the reader. This means that the meaning is part of the reader's activity. There are other views of the meaning and the text including the view that there is a meaning in the text and the duty of the reader is to strive to find it.

³⁴. The meaning and intention of the text is another widely disputed matter: What was the intention of the text? Can the intention of the author be re-activated? The author is like the builder of a ship and when s/he is dead, no one can be sure of what the intention of the builder was. In most cases, what is built gives no clue or will give misleading clues on why it was built. The text is that building in front of us, but why it was written, I believe, is gone with the author, since the intentions of the author are not always found in the text. The next question would be who fixes the meaning? Is it the author, text or the reader, or the combination of the all the above? Derrida and Fish deny that the meaning precedes interpretive activity. They support the idea that the

own background. This is referred to as the magic of imagination which the reader brings to the text. The magic of imagination, as one of the tools of interpretation, is used to cross the bridge between the reader and the text which joins the two pre-understandings. Most of the time, it helps the reader to land *safely* in the world behind the text. Furthermore, all the factors that form the reader inform his /her interpretation; what constitutes the reader is what will constitute his/her interpretation. Therefore, the pre-understanding of the reader is not fixed. The reading of the text is the construction or deconstruction by the reader. Lawrie shows that every time you read a text, you will not be the person you were before the reading. The construction and deconstruction happen to the reader in the process of reading. The material or the source of deconstruction is normally found within the first sentence of construction, and the Socratic method of questioning is then used to discover deconstruction in construction. The reader's interpretation therefore entails the construction, reconstruction, and deconstruction of the text.

The reader is in his or her own world, somewhere in front of the world of the text. This world of the reader makes it difficult for the reader to be objective, and without permitting the reader to use his world as the lens to view the world of the text, meaning will be impossible. The colour of the sunglasses that the reader uses will definitely affect the view. A pair of green sunglasses will probably give a green essence even to a black object. This happens unconsciously in the reader who will claim to be objective because s/he assumes that the colour is original. Lawrie (2005:115) confirms that one cannot read without using

truth of an interpretation depends on the reply of the reader. If this is possible, can the reader then find something in the text that is not in his/her making? This predicament not only affects the meaning of the text; it also creates doubts about the understanding of the text. That understanding according to Ricoeur will drive us to belief, since one must understand in order to believe and also believe in order to understand. Augustine would summarise this debate by saying that whatever key is discovered in the text cannot be far from the intentions of the author. On the contrary, we would say what moves or touches the reader emotionally or intellectually is not necessarily the intention of the author. Most of that which connects with the *Vorverständnis* of the reader has nothing to do with the intentions of the author and the text. In the conflicting ideas of interpretation, Augustine says clarity is the key and should guide us to reach an interpretation that most fosters the love of God and neighbour. Augustine attempts to find solution to the unending problem of interpretation. Derrida's deconstruction is also an attempt to resist the closure of interpretation. To take things apart in order to state that there are different ways of putting them together again will produce a different image. If we had to go back to the matter of meaning, I would ask, why is the nonsense we find in the text instead of meaning not a meaning? What kind of meaning does meaning have or what reality does reality have? Why must there always be something in the text rather than nothing? Or is nothing also something? Is the author the controller of the meaning of the text alone? Is the purpose of the text to assist us to discover our intentions in the text? The final question to this would be is must all texts always have authors or do some texts survive without authors? This question is hard to comprehend since the author is the historical cause of the textual effect, and the intention is what makes the text to be what it is.

resources from one's context. The first powerful resource is him/herself and what shaped him or her, and these things prevent the reader from being objective.

In the process of the reader trying to find meaning, one should be careful not to confuse the impression that the text has on the reader with the meaning of the text. The impact of the text has to do with the feeling of the reader, and that is the world of the reader that is activated by reading the text. However, Lawrie (2005:116) seems to agree that the meaning of the text is not on the surface, but he also does not show us how to draw the line between the feeling of the reader and the meaning of the text or how not to blur that line. To be on neutral grounds in this regard, I would suggest that what the text does to the reader is to evoke the projected meaning of the text and it depends on what the reader had in mind before coming to the text—the presuppositions and prejudgements are the major contributors to the projected meaning of the text. Even if the impact made by the text on the reader is not the meaning, the impact contributes to the meaning.

However, the meaning of the text is not the same as the truth of the text. The historical connection between the text and the mind of the reader could produce the truth from which meaning could be found. The meaning and truth appear when it seems that the text is making a meaningful claim on our very being. This happens because the reader does not have what it takes to step outside him/herself to engage in interpretation (Osborne 1991:367). Gadamer argues that the object of understanding is what is contained in the text and not as intended by the author.

Since the text is outside the reader maybe the reader also needs to be outside himself/herself in order to be detached from own feelings. Unfortunately, we find that to be impossible. Whether it is a negative or positive feeling or impact that the text evokes in the reader, the meaning is in or around that feeling. Buber (1923:87) says that a reader finds him/herself in the text ("I in thou"). We assume that it is when that connection is made, that meaning is produced. It seems that without the reader finding himself/herself in the text, the meaning cannot be found. This is the initial stage of finding meaning or it is assumed that the meaning lies in the reader finding himself/herself in the text.

One could assume that in the process of reading, the "I in thou" happens after the deconstruction of the text by the reader. Derrida (1976:98) defines deconstruction as the significance of determinate historico-conceptual condition which gives appearance to a

specific knowledge of historicity. Derrida (quoted by Osborne 1991:380) argues that every language, even the second order discourse of structuralism, is open to another metalanguage behind it. Deconstruction challenges the communicative power of language itself. The language has no permanent power to carry any message; but when the language is pitched against the original message, that particular language will change. No fixed structure is objectively present in the text or underlying language (Lawrie 2015:149).

This takes us to Lawrie's point that we should be careful about using anything outside the text to interpret the text. Derrida (1976:89) tries to liberate the language from the constraints of interpretive thought. The language, like the author and the context, is not the key to the meaning of the text, but only a contributor. Derrida rejects the idea that there can be true transmission of the meaning or the signified which is transformed through reading. Derrida asserts that one cannot determine the original meaning of a text. The meaning derived by the interpreter differs radically from that of the author (Osborne 1991:485). Writing is an outlet as the descent of meaning outside itself within itself, which is a metaphor for others-aimed-at-others-here-and-now. Metaphor is seen as the possibility of other things here and now.

A text is neither past nor present; it has no father-author but is a fabric of grafts that is always already repositories of a meaning, which was never present, but whose signified presence is always reconstituted by deferment. Derrida presents a strong backing for his act of deconstruction, which turns the text into traces of more text in conflicting speech as unmediated *firstness* of existence. The truth is not in the present but the present leads to what we would call the truth. According to Derrida (1976:67), the text is from a particular place and leads us to a different place. What we see and assume to be normal or natural is constructed and can be deconstructed and reconstructed in different ways (Lawrie 2015:147). There is no fixed point of foundation because deconstruction has the power to unbutton what has been buttoned. Derrida argues that the meaning we deduce from the text is the constructed meaning and when that meaning is deconstructed and constructed again, it will produce a different meaning. Where then is the meaning of the text? Does it lie with the author who holds the construction material of the meaning of the text or does the text have the power to carry and translate the meaning from the author? If it is true that no construction can claim to have a fixed foundation, all constructions are to some extent violently imposed and can be replaced.

All readers are trapped by what they see, hear and what they think or perceive about what they see. The dialectic between the world of the reader and the world of the text becomes closer in some ways and the two worlds become parallel as points in a railway line which never touch each other. The reader will see that world using the magic of imagination but will not be able to fuse it with his/her world in an objective way. The meaning of the text could be found in the activated impact or feeling invoked in the reader by the text, as noted earlier. The reader is not stable and in principle, readers are not outside the signifying system, as they are impacted by the system. In the process of finding themselves in the text, they leave themselves in the text. On the other hand, the text leaves its traces on the reader. The reader changes with the mood of the text. When you read the text, you are no longer the person you were before you began to read. The more you reread the text, the more you change, and to some extent, the first reading would not be the same as the second reading.

The reader is in control of the dialectic process, but with no leading advantages over the text at all. The dialectic questions and answers force the interpretation of the text by the reader. Hermeneutics is not really about the thoughts of the reader but about the understanding of the major participants—the reader, text and the author. The reader has a language which is regarded as the vehicle of communicating the message of the text. The interpretation again depends on the distance between the language of the reader and the text, that is, how wide the gap is between the two. We recall Lawrie and Jonker's claim that even the translation is a form of interpretation because in the process of reading, interpretation also takes place. This is minimised or maximised by the level of language used by the reader to interpret and translate the text.

The understanding of each reader is governed by how s/he interprets his/her thoughts through language. Sometimes, one's language fails to communicate appropriately what is on one's mind and that is why authors agree that every translation bears the mind and footprints of the translator. If this statement is correct, then, how do we determine how much is left of the original Bible in the many translations we now have and how much of it expresses the mind of the translator? The question we have asked about the text is as follows: What is the text and what is in the text? The translated text is an interpreted text. It is not the original text, for the act of translation itself is an act of interpretation. The original text remained in the mind of the author and because the author possibly failed to write it down exactly, the challenge of finding the right language to translate the author's exact thoughts remains.

2.6. The Text

The text³⁵ is something that cannot be reduced to the sentences that formed it (Thiselton 1992:39). Thiselton says the text produces a double eclipse of reader and writer and carries no signature of the author. In this study, we have noted that not all readers read a text the same way. Even the same reader could read a text differently depending on the mood and on what is on his/her mind at that particular moment. This is confirmed by Heraclitus who says that one cannot step into the same river twice. We have exhausted the point that all readers bring themselves into the text, therefore. The text is full of the reader; no text is without the mark of the reader. It is not possible for the reader to be detached from self in order to be objective. This means that it is difficult to define the text without the reader and outside our perspectives. The text is an autonomous object, which influences the reader but it is not in any way influenced by the reader. The text is read only when there is an intimate connection or interaction between the reader and the text. This does not constitute the meaning but an understanding of the text. Clearly, there is a connection between understanding and meaning, but understanding is not meaning. In Gadamer's view, the meaning of the text is inside the text, activated by the reader and waiting to be discovered by the reader. Getting the meaning of the text is never the task of the author, but of the reader.

The text is an object which exists on its own without help from outside and that is why some authors say that it is self-directed. It is not influenced by the interpretation and presupposition of the reader. Therefore, different meanings from different readers do not affect the text which is separated and distinct from the reader. The text does not even accept any interference from its original author. Once the text is born, it disconnects itself from its parent. The reader should acknowledge that understanding is not about *reproducing* the predefined, envisioned meaning in as precise a form as conceivably possible, but rather it is about *producing* meaning through the interaction or dialogue between the author and the reader or the speaker and the listener. The dialogue, according to Gadamer, aims at reaching an understanding that centres less on asserting one's point of view and more on transformation of the narratees. Gadamer (1975:84) calls this dialogue an interplay between the participants of the text. The challenges to hermeneutics are traditions, presuppositions

³⁵. The text is not only a linguistic phenomenon, but also a worldless and authorless object that could be explained purely in terms of its structural relations. Ricoeur (1970:24) defines the text as any discourse fixed by writing, which in other words, does not isolate authors from readers but makes shared meaning conceivable. It is easy to jump into what we see when defining the text and say it is the product of the author but Derrida (1976:89) would say the author is not the reason for the text but its possession; it is a consequence of writing. A text is a multifaceted communicative performance with matter, energy and determination.

and prejudices regarding a reader's understanding of the past. Tradition guides hermeneutics and the meanings of the text and describes the historical continuity in the process of understanding what is in the text. The intimate relationship between the history in the text and the reader's understanding of it is the key in fusion which is controlled or determined by tradition. Gadamer does not see how a person can access history by suspending prejudices and the current concerns.

The reader is influenced by the text. As Lawrie has said, what the text does to the reader is not necessary to produce the meaning of the text; it is the unique feeling of the reader which is linked to the presuppositions and prejudgements. Only the text has power to influence the reader; the reader has no power at all to influence the text. In that sense, the text is fixed and non-negotiable. Is the text limited or unlimited in its interpretation and is every meaning adequate no matter how different it is from another or can any meaning be imputed to any given text? Is there a thing such as the universal meaning of a text? These questions are important in relation to concepts such as African hermeneutics or black hermeneutics which thrive on presuppositions and pre-judgements. As long as these methods are reactionary, they have no strong wings to fly, as the presuppositions created around them are not permanent. The reading of the text by the reader is clouded by aspects such as the location of the reader, and the goal of African theology is to create that unique African cloud for the African reader. The cloud shapes and informs the reading and forces one to see a particular perspective rather than another.

We stated that the text is autonomous and open to endless interpretations, but that does not suggest that the text accepts all meanings. Derrida's idea of deconstruction of the text would allow different and limitless interpretations, but even then, it cannot operate without limits. Deconstruction stresses that meaning could be context bound. It is also true that interpretation cannot be an open-ended exercise; it must have limits, and one must interpret responsibly. While Gadamer (1975:210) argues that there is no criterion for truth, Nietzsche claims that there are many truths. The possibility of relativism is denied in interpretation by these theorists on the basis that relativism is indefensible. The judge of the correctness of an interpretation is another interpretation. How then can a correct interpretation be differentiated from an incorrect interpretation? Nietzsche's idea of perspective is relevant here in the sense that both correct and incorrect interpretations are perspectives and will have to be evaluated based on the context of the text. However, is the evaluation criterion

not also a perspective that will need another perspective to evaluate it? If that is the case, then, we could find ourselves in an open-ended hermeneutical circle.

Gadamer's argument supports the view that there is no absolute interpretation. He says different interpretations can be justified by providing conclusive arguments for justifying one interpretation over another. The best interpretation should be that which provides the best understanding. As we have argued, hermeneutics is about understanding what transpires within the fusion of the horizons of the text and the reader. The text could be unlimited, but the understanding of the text is limited by the context of the text and the reader. It is by nature temporal and limited.

Gadamer (1975:154) claims that with no adverse fusion, there is no chance of creating meaning and it is not possible to arrive at a final, decisive meaning. Rather, the meaning is sequential, situational, progressive and shared through communication, while the text is limitless and open to interpretation and re-interpretation. The meaning to Gadamer is not stable and static and the text has no definite or fixed meaning. The meaning of the text is diverse and cannot be found without reading the text. Even if the meaning is not from the text, the text must have been read to get the meaning. The words do not have a fixed meaning but are there only to suggest new meanings with each new exploration that is influenced by the application.

The author is not only the compiler or the cause of the text, but the agent who determines the value of the text. The text was what it was before the author and it is what it is after the author left it (Vanhooser 1998:311). The text does not really come from the author, but from the community of the reader, what we would like to term the anthropology of the author. Henceforth, the text does not change even after the author has left it. The anthropological context can change the one that created the text and the text will remain relevant reflecting the history of the source of the text.

The text is made up of words or sets of utterances fixed by writing (Thiselton 1992:40). In some cases, it would have been pronounced physically or mentally because any writing was first speech. The text emanates from outside things that creates a person and germinates in the mind of that person, and where they become collective words which form a written text. This takes us back to our question, about the original author of the text. We have shown that the written text is the message that is processed and transmitted from the mind to the hand

of the author. However, it is not clear how to assign the origin of the text, whether it is to the author and the author's mind or to the written text itself. The author is constituted by his/her pre-understanding; the pre-understanding then is the original author. The text comes from the thinking and the making. The text which emanated from the pre-understanding is compromised by the interpretation of the mind of the author and further by translating it into a written text.

The first original text is the pre-understanding and the second is the mind of the author. The distance between the hand and the mind, which is affected by the language and which compromises the message, produces the third original text. The text we read in that sense is the third original text because of the compromise that characterised the journey that it has travelled. We make this statement mindful of the fact that even the pre-understanding that forms the mind of the author and the reader is also constructed, and as Derrida has said, it could be deconstructed to produce a different result. If every word of the text is not divinely fixed, as suggested by Derrida, then, who can claim originality? Everything is a collection of things that are formed from totally different things and when they are together they form something new like the text. Every sentence is different and from a different source but contributes to the building and creation of the text.

2.6.1. Derrida and the Text

Lawrie (2005:23) maintains that we can interpret the text without knowing the author, since the author is gone forever and not coming back. We need nothing outside the text to interpret it. The text is independent of even its own author. Thiselton recommends that the interpreter be familiar with the corpus of the author (1997:231). The author and the reader should share some common elements that will cause the reader to understand what led to the creation of the text such as traditional codes, heritage, and certain values. This helps the fusion between the reader and the text. It helps the reader to understand what s/he is reading, but it contributes very little to establishing the meaning of the text (1976:213).

Derrida highlights these elements because there are many barriers to the communication of meaning even between people who share the same language and values. Derrida states that the context of the text is important when interpreting the text. Schleiermacher argues that to understand a text, one must start from the smaller to the larger units, that is, first understand the word, then the sentence and the chapter. However, Derrida warns against an understanding of the text based on the words. He explains that, "no single word out of the

context can be used to translate the meaning”. No single word from the text carries the meaning of the text; taking words individually out of context does not result in the meaning of the text. Derrida further claims that if one ignores the aspects or elements that were used to create the text, it will be easy to produce a thorough explanation and meaning of the text.

2.7. Summary

This chapter probed the definition and development of hermeneutics as well as the critical role of the reader, the author and the text. We have shown that hermeneutics has gone through developmental stages; it is not what it used to be, not what it is currently, and not what it would be in the future. It is not only about the interpretation of the text, but more about understanding the text and the human aspects. This chapter serves as the foundation of our concluding chapter, since keys and methods use here will be used later to test whether the claim of Phalo is legitimate or not.

The chapter also notes that though the Bible is defined as the Word of God, this definition is inaccurate in the sense that it has an agenda that minimises the chances of any robust dialogue about the Bible. Hermeneutics plays a major role in how we interpret and understand the text. The chapter also explored the meaning of the text in relation to the text, the author and the reader and shows that the reader has more grounds to explore in order to determine the meaning of the text. The meaning of the text is not always what excites the reader when reading the text, and there is also a difference between the meaning of the text and the meaning adduced by the reader of the text. The predicament is that the meaning of the text cannot be found outside the reader.

The reader is the life support of the text but to a certain extent the reader cannot completely rule out the role of the author in determining the meaning of the text. However, one should not be overly concerned about interpreting what is outside the text. This argument comes from the understanding that the text is independent and its understanding is not dependent or linked to the original author. We have also shown that hermeneutics is not simply the art of interpretation but rather the art and process of understanding and being understood. It grows with the individual; it has the mind, senses and eyes of the individual. It is more about what informs the mind, the text and the author. It gets its strength from the informed mind of the author and the informed mind of the reader and from what influences the reader.

2.8. Conclusion

The meaning of the text is not entirely that of the author, the text has the potential to exceed the author's intention. Nothing outside the text can influence the meaning of the text including the author. An analysis of the four role players in the meaning of the text—the author, reader, the text and anthropology of the text—shows that the real meaning of the text lies in the anthropology of the text. The fusion of the anthropology of the text and that of the reader is the key to understanding and deriving meaning. In simple terms, the intimate fusion of the text and the reader is the key to understanding and uncovering the meaning of the text.

It has been proven that all readers come to the text with an agenda, as they begin interpretation before they encounter the text. This suggests that the interpretation comes from the reader. If the reading and interpretation come from the reader, then, why do we talk of the original author? Even the pre-understanding is a social anthropological issue. Both reading and understanding come from the reader and whatever makes no sense in the mind of the reader will not constitute reading. Reading presupposes pre-understanding; if there is no relation between what one is reading and what is pre-understood, then, reading and understanding are impossible. In the case of Phalo, sameness and similarities serve as that pre-understanding which joins it to the two patriarchal family of Jacob.



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CHAPTER THREE

TRANSMISSION OF PATRIARCHY IN THE HOUSE OF PHALO

3.1. Introduction

The aim of this chapter is to investigate the transmission of patriarchy from one generation to another as well as what drives patriarchy and its mode in which it is transmitted and maintained in the house of Phalo. The reader should bear in mind that the study does not aim at generalising about patriarchal practices within the house of Phalo, but focuses on a certain period in the house of Phalo, which is the pre-colonial period. The major sources which will be used to study the period are Soga H (1931), Soga T (1937) and Van Tromp (1947) and Mtuze's (2004) recent writing about the same period used the same sources. All the aforementioned authors wrote about a period that predated their books. For instance, Soga (1932:34) quotes Sandile (1840-1878) and Sarhili (1820-1892). Furthermore, probably all the sources mentioned above were written in the former Transkei and Ciskei, where members of the house of Phalo are predominantly located. The fact that sources on patriarchy in the house Phalo are limited does not imply that patriarchy requires no investigation. Patriarchy is a popular topic, but not in the house of Phalo where it is confused with culture. There, culture is seen as a shield for patriarchy. The manifestation of patriarchy differs from one culture to another, each using different norms and values to achieve its ugly goal.

This chapter will examine patriarchy in the house of Phalo and ways in which it is used against women.³⁶ The chapter will focus on the patriarchal practices of the assumed pre-

³⁶ The aim of this chapter is not to locate the origin of patriarchy but to consider how patriarchy is transmitted from one generation to another in the house of Phalo. It will consider briefly the historical views of philosophers and Church Fathers on patriarchy and their views of women. Plato who lived in 428-349 BC is known as the first to develop considerable dispute about female and male intellectual dimensions. His interpretations were more about the mind-body dualism in which he argues that the soul or mind is unsociable from the body. Tetlow (1980:7) understands Plato in his volume *Republic* as saying that women are weaker than men and that women are limited to traditional sexual roles. In order for women to become rulers, they need to divorce themselves from their private and biological roles as mothers. These roles make those who are considered the weaker sex appear even weaker. Ruether (2011:67) quotes Aristotle who stated that, "The bravery of a man is exposed in forceful of a woman in obeying" According to Ruether, both Aristotle and Plato positioned women in the same category as slaves and non-Greeks. To Aristotle, women were flawed beings, lacking mental volition and physical powers to lead in the society and in the church; they did not have what it took to carry out such intellectual responsibilities. Some of these understandings were shared by several Church Fathers such as Origen (185-256) who is quoted by Vogt (2003:52) as saying that women are not

colonial period, while also considering the influence of males of that time who acted as the vehicle for furthering patriarchy and as the beneficiaries of it. Patriarchy in the house of Phalo is as old as the origin of the lineage itself, and it is sustained by many cultural factors, traditions, societal norms, laws and values of the people, as will be shown in what follows. The discussion in this chapter will be guided by the following sub-topics:

- The orientation of boys and girls in the House of Phalo
- The differences in treatment of men and women in the House of Phalo
- The role of the society in advancing patriarchy in the House of Phalo
- The cultural factors used to support and sustain patriarchy in the House of Phalo
- The role of religion in the practice of patriarchy in the House of Phalo

connected to the image of God. For Origen, human beings are created as spirit and soul, and the spirit is described as influential and the soul weaker therefore the masculine is of the higher quality better than the feminine. According to Origen, women are created as soul and have no spirit which makes them stronger in all aspects of life. Origen assumed that females are not created in the image of God. Weinrich (1991:258) notes that Origen described women as “worse than animals because of their constant state of lustfulness”. He saw men as morally higher than women and closest to God while women were seen as unfaithful, weak, lazy and dependent on men. Moreover, he claimed that the souls of women could change and become the spirits of perfect men. Tertullian (155-255) believed that the presence of women in church leadership was risky as it compromised the sanctity of the church and robbed men of their dignity. Ruether notes that Tertullian argued that Eve was the originator of sin and therefore all women carried the curse of Eve and have a high potential to corrupt men with that original sin. Tertullian is quoted by Ide (1984:780) as stating that only men are created in the image of God and that they were innocent victims of the wiles and evils of women. For Tertullian, women are evil and nothing is good in women as they are responsible for the suffering, pain, sin, corruption and all the bad things that men experience today. In the case of Augustine (353-430), his view was that women were created lesser than men and were supposed to serve men who were greater. Men were superior to women because women were created with a weaker brain, therefore the weaker had to serve the stronger. Augustine believed that the natural and divine order was that women were subordinates to men and they must be ruled by men, and since the situation is divine, it cannot be changed; it is permanently ordained. Augustine claimed that women were not created in the image but in the likeness of God, meaning in the shadow of the image of God (Phelips 1931:98). Borresen (1995:175) in her investigation of Thomas Aquinas (1225-1274) states that for him, women and men differ in their rational ability. Men are more reasonable and women are deficient, weak and lack divine wisdom. According to Aquinas, women are concerned with worldly matters and are controlled by their passions, whereas men think of philosophies and eternal things first; women are more prone to sin because of the majority of sin inside them already. Martin Luther (1483-1546) believed that only men could be ordained because they represent the maleness of Christ, whereas the woman was created second to man and was the first to sin. This means sin finds comfort in women. Luther agreed that women should be excluded from public teaching and leadership. He regarded females as weak and lesser, substandard to men and also less rational (Douglas 2003:72). These ancient views prompt us to consider the question by Joziassse and Mambo (2012:190 “How do you reconcile these horrible stories and ideas with Bible as the inspired Word of God”? With all the examples mentioned above, we dare ask how such horrible ideas can be reconciled with the Bible as inspired by God. The church and the ways we interpret the Bible today have been vastly influenced by the ideas of these founding fathers, philosophers and theologians. Those ideas have penetrated the church and remained until today. They are visible in our churches and in other religious groupings across the world. The modern church has the obligation to depatriarchalise the church, if we want to win the war against patriarchy which translates to gender-based violence.

3.2. Patriarchy in the House of Phalo

3.2.1. Children - Boys and Girls

The house of Phalo, like the house of Jacob, is concerned about who the heir to the family would be. It appears that in both houses, marriages are contracted to produce an heir for the family. Mbiti (1969:130)³⁷ affirms that marriage and procreation in African communities go hand-in-hand. Without procreation, marriage is incomplete and what makes a marriage to be complete is the birth of the heir. Dwane (2002:21) who agrees with Mbiti and Mtuze that the primary reason for marriage is to produce children and maintain power contrasts the situation in Africa with that of Western societies where young couples marry but sometimes choose not to have children. Mbiti says that in Africa, a childless marriage is a dead-end. Mtuze agrees that the childless are very unfortunate, and Dwane says it is a disaster among the amaXhosa for one to be childless. The heir is considered more important than his mother in both the house of Phalo and the house of Israel. From time immemorial, the house of Phalo has subscribed to values and norms of patriarchy through culture. The person who would contradict this view would do so solely on the basis of speculation. The heir of each family is the vehicle that ensures that patriarchy is conveyed to the next generation in the house of Phalo.

Mtuze (2004:17) confirms that childbearing is very important among the people and childlessness is regarded as curse. However, this is a generalisation on Mtuze's part because the woman is expected to bear not just any child but specifically the heir, the boy child. Even if a marriage produces children, it may still be considered fruitless as long as there is no boy child. This is because the heir seals the marriage and confirms that the marriage has been approved by the living-dead³⁸ and the ancestors. According to Mndende (2010:19), the

³⁷. In his *African Religion and Philosophy*, Mbiti (1969) does not write specifically on matters concerning the house of Phalo or amaXhosa. Although his study focuses on African cultures in general, most of the issues he writes on apply to the house of Phalo. The patterns in other African cultures are likely to be found in the house of Phalo and vice versa. I found his writings relevant to this chapter which centres on the transmission of patriarchy in the house of Phalo. The culture of the house of Phalo is part of the African cultures to which Mbiti refers.

³⁸. Mbiti (1969:82) notes that the living dead are the closest link between humans and the spiritual world. They are spirits of those who have died for less than five years. The living-dead are bilingual; they speak the language of the family and the language of ancestors and God. Mbiti further says that African people in general believe in these spirits. They are actively part of one's family and members of the family have personal memories of them. The living-dead are people and they return to people from time to time. When they visit the elders, for instance, they are recognised and the news will be spread that so and so person has arrived. On such visits, they enquire about family affairs and warn the family of impending dangers. They are partly human and partly spirit. Some societies in Africa believe that the living-dead are messengers of a loving God to His people (Mbiti 1969:83).

boy child is important primarily because he is the handler of the *assegai* in the family; he would use that assegai to slaughter animals for sacrifice and perform all ancestral duties in the family. It is believed that he is appointed first by the family and then the society to perform family rituals and slaughter animals for such rituals.

Mtuzze (2004:9) calls this enthusiasm to have an heir an *obsession* which is understandable, because every male in the house of Phalo enters into marriage with the specific purpose of producing children so that the posterity of his lineage may continue. Children are the vital link between the present, the past and the future, and the only hope of survival of the lineage and the nation as a whole. The lineage is better handled or transported by a boy child, who alone can act as the link between the living and the living-dead, since the girl child is expected to marry and leave her family.

Mtuzze (2004:17) confirms the belief that the home of the girl child is with her marital family, and because she does not have what it takes to carry the name of the family, she would produce children for the family into which she is married. In the house of Phalo, the belief is that a girl is not good enough for her family but for marriage and her mother must prepare³⁹ her for that role. These cultural practices are associated with patriarchy. For instance, the boy child is dedicated twice to the ancestors by the blood of goats in an act called *imbeleko*, which is a very important ritual in the life of a child. Mbiti (1969:131) calls it the second birth into the society. The practice of *imbeleko* will be explained further in this discussion. The second dedication of a male child to the ancestors is with his own blood during the act of circumcision.⁴⁰ It is important for the surgeon to allow part of the blood to

³⁹. According to Kwatsha (2002:53), mothers of the house of Phalo who subscribe to cultural norms prepare their daughters to be better and willing slaves of patriarchy. They show them how to dress to please men and to respect males in the society. This custom is comparable to the Aristotelian tradition in which a woman is not a woman but a man's *manqué*, who is defined by what she lacks (Ruthven 1984:44). Created second according to a Hebrew myth which Christians inherited from the book of Genesis, every woman enters history with a missing piece. Whatever the deficiency, men think of themselves as uniquely qualified to supplement it, provided women show their gratitude by submitting to men. These matters will be elaborated on in the next chapter which compares the patriarchal system in the house of Jacob with that of the house of Phalo.

⁴⁰. This ritual is performed by the house of Phalo to turn a boy into a man. The name circumcision does not reflect the purpose of the house of Phalo. *Ukweluka* means to straighten; the boy is not *straight* and is known as a dog. Van Tromp (1947:2) says he does not have eyes to see. He cannot distinguish between right and wrong nor can he foresee danger; that is why it is important for the ritual to straighten him out. The pain experienced in the cutting of the foreskin is believed to purge the boy of all the bad things in him so that he can become a man. The circumcision process is well narrated by Mandela who writes, "...this old man was kneeling before me, without a word, he took my foreskin, pulled it forward and then, in a single motion brought down his *assegai*. I felt as if fire was shooting through my veins; the pain was so intense that I buried my chin in my chest and I was told to call out *ndiyindoda* (I am a man!)" (Mandela 1994:32). The pain is what washes all the traces of boyhood away and makes a boy a man. The term circumcision does not cover the whole meaning and purpose of the ritual of straightening a boy in the house of Phalo. The manhood is not in

fall directly on the ground in order to dedicate the boy to the ancestors, who presumably reside under the ground. His manhood will be known and acknowledged by the ancestors and this will permit him as an heir to conduct certain ancestral rituals for his sisters and the entire family when the time comes.

In contrast, the blood of the woman (menstrual blood) which flows to the ground every month counts for nothing. Ikechukwu (2013:34) explains that the menstrual blood remains the sole reason for excluding women from holy grounds such as the *kraal* where ancestors reside as well as other surrounding areas. Balkema (1968:129) confirms that menstruating women in the house of Phalo were locked in their own houses and not allowed to move around because if their blood touched the ground of the ancestors it would result in a curse and bring discomfort to the ancestors and the living-dead. Women were also not allowed in the fields during their menstrual cycle, as that would affect harvest production. Thus, ancestors accept only the blood from the genitals of boys during circumcision to register them in the spiritual world; they do not accept menstrual blood.

It is believed that the circumcision of the boy child is linked to the ancestors unlike that of the girl child. The boy child also seals the marriage of his mother to the family because her son (who is her flesh and blood) is joining her to the family for good and more importantly, he would be heir to the family property which she would benefit from in the event of the husband's early death. In the future, when she has grandchildren, the woman would also earn the right to stay with her male heir and to be cared for by her daughter-in-law (Van Tromp 1947:106). The girl child on the other hand would marry and look after her mother-in-law. Mbiti (1969:109) calls the birth of the first boy child the seal of a marriage which totally integrates a woman into her husband's family. The married wife earns more respect in the family when she gives birth to a boy child especially if it is a firstborn. Mbiti (1969:110) states that childlessness is the worst situation, which is regarded as the dead-end of a human life. The childless woman is severely be judged by the family and the society,

the cutting of the foreskin but the extent to which the boy has been straightened by all the rituals including the assegai. The term straightening a boy in the context of the house of Phalo is closer to the purpose of the ritual than circumcision which is generally used in all situations in which the foreskin is cut. In circumcision, the pain is avoided at all costs but in the house of Phalo, it is the pain which purifies the boy from all his iniquities and makes him a man. This is not far from the Old Testament concept of sacrificial lambs for sins and even the painful death of Jesus which removed the sins of the chosen in the New Testament. Mandela (1994:33) further reports that their bodies which were shaved from head to toe were painted with white chalk which symbolises their purity. Mandela understands that the process makes a boy clean by transforming him to manhood. It is true that missionaries tried to destroy this custom because they could not understand the deep philosophy of life behind it, but the custom has survived all the criticisms and attacks by liberals because of its strong foundation.

and some would assume that she has been rejected by the ancestors. In some extreme cases, she could be sent back to her family to perform certain rituals and that could eventually lead to the dissolution of the marriage.

Kambarami (2006:45)⁴¹ confirms that the male child is preferred to the female child. She further states that males rule females by right of birth and even if the male child is not the firstborn in a family, he is automatically considered the head of the household who should protect and look after his sisters. The woman who gives birth to a boy child is not only approved by her husband's family, she also receives blessings from the ancestors and the living-dead. Thus, the birth of a boy child secures a permanent place and respect for a woman in her husband's family. Soga (1931:47) notes that the heir inherits all the stock and property of the family into which he was born, and takes possession of these things at the death of his father. The heir not only inherits physical property, he also secures a place with the ancestors in the spiritual world. Thus, he earns the right to slaughter animals for rituals and to heal those who are members of the family through those rituals and in consultation with the ancestors. It is said that historically, the wife was not given the acceptance name⁴² until a boy child – the heir – is born. Even if the marriage produces girls, as long as there is no boy child, the marriage has no future and it is not approved by the ancestors because the girl child cannot inherit her father's property in the house of Phalo. The birth of a girl child means nothing without a boy because the girl has no power to sustain, save or further the name of the family.

How a girl is treated as a child is probably how she would be treated when she becomes a woman (Day 1989:60). Patriarchy is seen as a culture that all girls must obey and any girl who disobeys will be regarded as a serious transgressor of the laws of the society, ancestors and God. It creates boundaries that benefit others not the ones they are created for. All men

⁴¹. Maureen Kambarami is a Zimbabwean who studied at Fort Hare University in the Eastern Cape. She was exposed to the problems of patriarchy and female subordination in the area. Her study tries to compare a number of cultural similarities between Zimbabwe and South Africa. I believe that her article *Femininity, Sexuality and Culture: Subordination in Zimbabwe* has been influenced partly by patriarchy in the house of Phalo which was the context in which she prepared and wrote the article. Some of her arguments could prove useful to this research, as the plight of women in Africa is not widely different from one context to another especially with respect to the subject of patriarchy.

⁴². Mtuze (2006:36) notes that after the initial introduction and address, comes the exhortation by older women. The young woman is given a new traditional outfit and a brand new name. In the house of Phalo, all married women are called by their given names or clan names, which is a confirmation that the woman is no longer a girl. The aim is to uproot any childhood mentality from the girl so that she could start behaving like a wife since she would now bear the name and the honour of the new family as well as of her original family.

are beneficiaries of patriarchy and it is understandable why patriarchy is sustained in almost every society.

A girl child is appreciated only if the family has a boy child; otherwise, she would be seen as a disappointment since she cannot inherit from her father.⁴³ This disappointment is sometimes evident in the names given to such girls such as Ntombizanele (lit. enough girls), Ntombenani (lit. girl added). In families with more than two girl children, one could find names such as Ntombizodwa (only girls), Sinazo (we have enough girls), Phindiwe (girl again) or Asimsoli (we are not blaming God). If there were boys in between the girls, such names would never be given and if a family has only boy children, such pitiful names do not crop up. When mothers try to defend the girl child, they would give them names such as Ntombikayise (Daddy's girl) especially if it is a first child. Such names are given in response to the disappointment of not having a boy child, and the name is a plea that the girl is also the child of the father. The name says she is the daughter of the father, but one would ask, why would a child who is born to two parents be called Ntombikayise? Why is she specifically the father's daughter when she is the product of two parents? It is remarkable that one has never heard or read of a name such as Ntombikanina (Mother's girl) among the amaXhosa. Gichaara (2001:35) argues that what is in a name is crucial to the one who gave that name, and the named sometimes is expected to follow the meaning of the name. The name carrier is born with the responsibility invested in the name from those who were born before him/her. This is very ubiquitous in Phalo and Jacob cultures (Mutwa 2001:67).

Some wives in the house of Phalo believe that the birth of a boy child eliminates the man's tendency to justify polygamy,⁴⁴ because the absence of a boy child who would be the family heir is one of the reasons amaXhosa men give for entering into polygamous relationships. This supports the earlier argument that not only Phalo men are concerned about having an heir, their wives also are anxious to provide the family with a successor in order to

⁴³ In an interview with the Daily Dispatch (2015), Nomaxhosa described her situation thus: "I am a senior royal family member and the aunt of Zwelonke, but it seems that AmaTshawe [the ruling royal clan] are not recognising me as a crucial family member. They continue to side-line me because I am a woman". Nomaxhosa, who is the king's aunt, believes she has a right to the throne of her nephew, King Zwelonke Sigcawu. She said it was because she was a woman that family elders resolved to take the kingship down one generation rather than pass it to her, and she had been ignored and side-lined over the years by Tshawe clan elders. This matter will be explored later in this study when we try show the extent that patrons of patriarchy go to eliminate women from their rightful positions.

⁴⁴ Soga (1931:45) asserts that polygamy is a universal custom of the Bantu people, which means it is an established custom of the amaXhosa people. Nonetheless, Soga offers no reason for the practice of polygamy among the amaXhosa. It appears that every case of polygamy is governed by its context and most if not all of the reasons for polygamy are attached to certain cultural norms and values of the amaXhosa.

guarantee their own peace of mind. The heir takes over the duties of his father after his demise, but his mother enjoys the benefit of producing an heir before and after the death of the head of the house. This is one of the few patriarchal arrangements that benefit women.

In any marriage in the house of Phalo, the first son is expected to take over and lead the family after his father's death. As Mtuze has shown, the deep desire of any man is for their son to succeed them. The desire to have a boy child is also a silent prayer on the part of a couple when expecting the birth of a child. It is a prayer that continues throughout the nine-month period of pregnancy for reasons stated above. However, such matters are not discussed; both the man and his wife keep them in their heart. They do not talk openly about the gender of the child in order to minimise their disappointment if it turns out to be a girl. The level of joy that is exhibited at the birth of a firstborn boy child is parallel to the level of disappointment buried in the hearts of the parents when the firstborn child is a girl.

The question is what happens when the firstborn is a girl? Where do the parents who were expecting a boy child channel their disappointment? What is the effect of their reaction on the girl child? Would the love of the parents for the girl be compromised because of their extreme disappointment? It appears that the immorality embedded in patriarchy is reflected primarily in the desire to have a boy child as a firstborn which is expressed when a girl child is born instead. The girl child suffers from patriarchal laws the moment she is born, but today the situation could be worse as parents are able to know the gender of a child even before birth, that is, with the help of modern technology. However, many Phalo couples are not interested in knowing the sex of their child before birth for, in their view, the delay or the anxiety of not knowing is better than the disappointment of knowing that they are expecting a *wrong* child.

Later in this chapter, we shall discuss some of the factors which influence the silent prayers and wishes to have a boy child as a firstborn.

3.3.Boy Child Orientation

Mandela (1994:12) observes that boys usually played together and the kinds of game they played would contribute at a later stage to the teachings they receive on manhood. Boys were not encouraged to play with girls simply because girls' games were also designed to teach and mould them to become proper women who are submissive to patriarchy. The boy

child who plays with girls would gain experiences that contradict society's patriarchal norms. He must not play with dolls, wash dishes, cook or engage in any other *soft* games which the society presumes are designed for women only.

The fact that the future of the boy child was desired and planned before he was born places him in a position of advantage. His traditional role as the family heir informs the parents about how he should be treated. He is not only the confidence of his father and the confirmation of his manhood; he is also the seal of the marriage of his parents, as the mediator with the ancestors. Soga (1931:294) states that even the responsibility of naming the child which is one of the important rituals after birth is reserved for the father; the mother may not name the male child. The father gives the son a name that relates to the future of the family and depicts him as the heir such as Vusumzi (builder of the house), Thembaletu (hope of the family), Xhanti (the pillar of the house), and so forth. Soga (1931:294) states that a name is given based on the family's circumstances or some public incident of importance. However, Soga's observation is only true with respect to other children in the family, that is, girls and children who come after the heir, but it does not apply to the heir. Otherwise, why would the naming of the child be delayed until an absent father is back, if the name of the child is chosen based on the circumstances and incidents in the family? Mtuze (2006:22) explains that while waiting for the father or the appropriate person in the family appointed by the father to name the child, the child could be given a nickname.

On the other hand, the mother has the privilege to name the girl child, a privilege sometimes shared with the father. The position of the mother in the family is a minor one, and as stated by Van Tromp (1947:7), the naming of the child by a minor person suggests that the girl child is not important but a minor like her mother but the boy child is already at an advantage because he is named by the patriarch.

In naming the boy child, the father who is elevated by patriarchy shares what he has with the child in a way that shows that the boy child is different and has more privileges than the girl child. In most cases, a boy child is discouraged from playing with girls; he is expected to be conscious always that he is different from girls and should not do things their way. He is told that boys who mingle with women would be weak, which implies that women are weak. Van Tromp (1947:2) states that among the amaXhosa, a boy of about six or seven years begins to herd livestock, which teaches him self-control and grants him some social

status. The task of herding requires strength and teaches him how to make judgements. In the process, the boy gains experience and later he is allowed to milk the cows and control the girls based on his experience of controlling the flock.

In the house of Phalo, patriarchy is disguised by the power of culture – the stronger the culture, the stronger the patriarchal system. To earn respect and dignity depends on whether the man honours the cultural obligations and norms. Uncultured people are not honoured by society; they are cursed and known as people who disturb the peace of the family, society and ancestors. This kind of patriarchal culture is transmitted to the children when gender roles are assigned to them and they are continually monitored to ensure that the objectives of instilling in them the idea that they are different are met and that they should act, walk, play or even talk differently and show interests in different things.

In the house of Phalo, patriarchy is a cultural and social-political system that insists that males are inherently superior to everything and everyone deemed weak, especially females, and that they are endowed with the right to dictate and rule over the weak and to maintain that dominance through various forms of psychological intimidation and violence. The role of girls in the house of Phalo is to serve, be weak, be free from the burden of thinking, care for and nurture others, and it is improper for a girl to be violent as this could lead to rebellion against patriarchal principles. Boys are taught that they would be evaluated by their ability to exercise violence, and it is good for them to express their feelings through acts of violence. Boys are made to understand that violence is a weapon to be used to protect themselves, their families and the nation when they become adults. Violence is the only way out of a problem and boys should use it to achieve what they want. There are few chances where boys are taught to negotiate their way through any problem; they are taught to fight. Any older man who meets a boy on the street has the right to beat that boy for no tangible reason. The idea is that the boy child should get used to violence.

Boys are also taught to tend livestock and make *iinkomo zomdongo*, clay cows. They are trained to manage the economy of the family through livestock. They are also introduced to stick fighting and other aggressive sports. Even their older sisters are taught to respect them because they are males and, in the future, they would certainly control the women. Mandela (1994:11) writes that from playing with those clay cows and looking after cows, he discovered the most mystical attachment that the amaXhosa have with cattle. The elders instil in boys the understanding that cattle are at the centre of family life; they represent the

dignity, image and spirituality of the family. Without the cattle, the family cannot communicate with ancestors because the ancestors stay in the *kraal* and walk in the veld with the cattle.

Boys are taught from childhood that traditional Phalo men do not participate in domestic work including child rearing, for such tasks are considered the exclusive domain of women. The society recognises boys and males in general as having strength, vigour, unusual courage, self-confidence and the ability to tackle the outside world. Girls are not exposed to the kind of work and treatment that men are, as they are considered subordinate to men; men are supposed to take care of them. The boys are orientated to see themselves as being served and in control while the girls should serve and be under the control of the males. While little girls play with clay dolls, boys play with clay cows. The dolls imply that the expectation is that in the future the girls would serve and look after children.

From the age of six or seven years, boys begin to herd, and the idea of control also starts from there, as they drive cattle to where they want them to go (Van Tromp 1947:3). Educationists and child psychologists would argue that the age of 6-7 years is the perfect time for a child to grasp instructions. The mentality of controlling others does not end with the cattle; eventually boys would also try to control others, especially girls. The thinking is if they can control cattle in the bush by themselves, a task which girls are prohibited from performing because they are considered weak, what stops them from exercising the same power over the girls at home? Van Tromp (1947:3) reports that boys have enhanced social status from the cattle herding stage to initiation; they have certain privileges whenever there is a need to slaughter an animal in a ceremony. Even the elders try to give certain privileges to boys; for instance, boys are made to engage in a stick fight to get such privileges and this makes them assume that they must fight for what they want. They are taught to use instant force to get what they want. Boys who effectively take care of the livestock also get a bigger share of meat at mealtime which is a way of encouraging others to improve their efforts in taking care of livestock.

The head of the family at the time a boy child is born celebrates with the ancestors. Although it is supposed that all children are a blessing from the ancestors in the house of Phalo, boys are considered a greater blessing than girls even before they are born. This assumption will be clarified later in this study. Men in the society have a special way of dealing with boys based on accepted norms in order to groom them into the kind of men

society expects them to be. Mtuze (2004:36) states that any older man in the community has the right to discipline a boy according to cultural and patriarchal norms.

Mtuze's statement confirms Mandela's (1994:11) observation that men teach boys to be strong and a boy who remains tied to his mother's apron strings at home is regarded as a sissy. He is on the same level as girls – he is weak. Mandela recalls that he was not more than five years old when he was introduced by older men to herd cattle and sheep (Du Toit 2001:89). The tasks assigned to boys in the *kraal* and on the farm help the boys to become physically strong and to understand at an early age how the home is run as well as issues which are connected to the economic stability of the family. According to Balkema (1968:39), some boys are assigned to tend cattle for the chiefs and kings whose officers teach them how to throw javelin and engage in traditional stick fighting. Working in the house of the Chief is of great benefit to these boys as they are exposed to the traditions and customs of their clan.

The various sports and duties that boys engage in teach them survival and the skills learned through such activities enable them to grow up into responsible family men in the future. The family is the social institution that acts as a kind of “brewery” for patriarchal practices as it socialises children to accept gender differentiated roles and treats girls as sexual rather than human beings (Firestone 1974). The families only carry out what the society and ancestors expect of them. Mandela (1994:11) offers a detailed narration of his duties as a boy and one could assume that most of the lessons he learnt as a boy were dictated by patriarchal norms. He says that it was in the field that he learnt how to knock birds down from the sky with a slingshot, gather wild honey, fruits and edible roots, and drink sweet milk straight from the udder of a cow. A close look at these activities shows that the skills they require also help the boys to survive in the future.

All these skills are aimed at making them to be independent and to find own ways to survive. In addition, Mandela mentions that he learnt stick fighting, which teaches a boy not only to attack the opponent and to defend himself but also to be strong and endure pain. Mandela (1994:11) further recalls, “We molded animals and birds out of clay; we made ox – drawn sledges out of trees and branches”. The aim of the activities was to create a bond between them and cattle; they needed to understand and remember the worth of cattle. From that early age, they would begin to imagine themselves as cattle owners, as they play with and imitate how their fathers handle cattle. Boys who do not like such activities are

nonetheless pushed by the society. For example, when there is a ritual ceremony, the elders would refuse to give meat to the *weak* boys.

3.4. The Girl Child and Submission to Patriarchal Laws

Van Tromp (1947:5) states that from birth to marriage, the female is under the guardianship of a male among the amaXhosa, which means that the girl child is under the control of a man from birth. Girls learn to cook, make clothes and perform all household chores and light gardening under the supervision of the women (Balkema 1968:39). Through these tasks, they are taught to be submissive to men—making clothes and cooking were generally for the benefit of men. From birth, a girl is orientated to serve men, and to be considered a good woman, she must be ready to serve and submit fully to men, and show signs of willingness to take instructions from a man without asking questions.

Ultimately, a girl must accept that the power of men is associated with and supported by the ancestors and it is therefore proper for a woman to be controlled by men for and on behalf of the ancestors and the society. Women who are not spanked by their husbands could feel that they are not adequately loved by the men. The belief is that a man would beat his wife because he is motivated by deep love for her. Otherwise, why would he expend valuable energy to beat a person he does not care for? In some cases, it is said that women compete to be beaten by men; the one who received more beatings and more often is considered more loved by her husband. The beating is meant to correct her so that she would be a better home-maker, and a good husband is one who corrects his wife.

In bringing up amaXhosa girls, the line between patriarchal norms and discipline is not clear, as disciplining a girl child entails total obedience to patriarchal laws. Balkema (1968:89) agrees with Soga (1931:291) that the gender roles learned from the parents who are themselves victims of patriarchy have been passed down for generations. The girl who completely yields to patriarchal dictates is considered most disciplined, humble and obedient, and ready for marriage. The man who marries such a girl is the luckiest man in the village. The upbringing of the girl child forbids her from challenging patriarchal laws which always relegate her to the background. The family whose patriarch exercises full patriarchal control over his girls would be considered the most disciplined family, and many families in the village would desire brides for their sons from that particular family.

When family elders seek a wife for their son, they are not concerned about the girl or her looks but about the family. If they disapprove of their son's choice, they would say, "*Asilokhaya eliya mntanam*" ("That is not a home, my child") or "*Ayinamthetho* (There is no law in that family), that is, in reference to the girl's family. The reference to the absence of the law in the girl's family means that the father is weak and does not lead his family according to the patriarchal norms and values set by the society. Van Tromp⁴⁵ (1947:32) notes that the young man's family sends spies to observe the general state of affairs in the family of the girl with the focus on the mother and the family's cattle. The mother's character is expected to reflect on the girl. If the mother shows great hospitality towards the secret envoys, they would assume that her daughter must have also learnt the same norms. The number and quality of the family's cattle point to the strength and identity of the head of the family and the respect that he commands. However, if the family does not have livestock or cattle, it is considered high risk and it is not advisable to marry into such a family. Absence of cattle is a sign of lack of leadership or of weakness. In the assembly of men, a man who has no cattle cannot dance because he needs to raise his arms to show that he owns cattle with horns. Only men with cattle are allowed to dance in such a gathering – the dance reflects the number of cattle he has.

The girl who plays with boys is put in her place. The boys would bully her and let her know, "*Girls can't do what boys do*". No girl plays with clay cows; only boys do, for it teaches them commercial independence and generates in them the love for cows which in the future could grant them economic advantage. Mtuze (2004:26) describes one of these games which only boys play called *ingcaka*. In *ingcaka*, a number of grass stems are cut and one of the stems comes with an identifying mark, usually a blade of soft grass is wound round the middle of one stem and tied. The stems are all held together in a closed fist by all the boys present. Each boy alternately pulls out one grass stem, and he who pulls out the marked one has to turn the cattle and perform whatever duty is required. Many skills are learnt by boys in the course of playing these games and most of them have to do with cows and taking care

⁴⁵ From 1947 onward, Van Tromp's book was used as the legal document to refer to the lives and cultures of amaXhosa. It was used in courts of law in cases that had to do with the amaXhosa. The magistrates of the time were Europeans who had no idea of how the amaXhosa lived. We consider the book relevant to a certain extent in this study. Some of the things he wrote about the amaXhosa could be disputed as untrue by Soga and Mtuze, who have done extensive research on the sociology of the amaXhosa. Van Tromp himself, though a South African, was European by orientation. This could be one of his biggest shortcomings in the documentation of certain elements of amaXhosa culture.

of livestock. As noted already, girls are forbidden to participate in such games and it is a *crime* for a girl to be found playing such physical games with boys.

It is important to note that most of these boys' games are aimed at putting girls down. The boys are excluded from any training in household chores. Van Tromp (1947:5) asserts that no female in the house of Phalo could become an heir or succeed her father or husband in his estate. This does not mean that a woman has no potential to become an heir, but she is orientated against the idea and culture favours men against women in the house of Phalo.

As stated above, girls are socialised to avoid violence, but this non-violent behaviour enables patriarchy to penetrate them violently without any tool to defend themselves. Sometimes one needs violence to confront and stop violence. When a person is unable to employ violence, that person is left defenceless and vulnerable. However, violence is not the absence of peace; it could also entail peace making and self-defence. American President George W. Bush on the rationale for his government's attack of Iraq in 2003 stated, "We attack Iraq for peace and to deactivate Iraq of missiles of mass demolition, and to liberate the people of Iraq".

Violence in this context was used not only to ensure liberation but also to deactivate violence and inject peace. It could be for this reason that women are prohibited from employing violence in the house Phalo in case they use it to liberate themselves from the patriarchal laws and culture. On the other hand, boys are given instructions on how to use violence in order to maintain the patriarchal *status quo*. Women are attacked and violated for the sake of *peace* but they in turn have to submit to men, as they are deprived of the capacity to fight for peace with the same tool that men use. The understanding of the society is that a man who spans his wife does so to correct her and ensure order or stability in his home. He would not be rebuked for beating his wife, but advised not to beat her to the point which she can no longer perform her domestic duties.

When girls and boys play together, the patriarchal family teaches them not to respond to one another in rage, as it is inappropriate for females to do so. Violence by women will undermine cultural norms which support patriarchy. Van Tromp (1947:104) says that a woman now has more respect as well as greater authority and a say in the domestic affairs. One could argue that the woman is respected because she is associated with a man. She is entrusted with bigger domestic responsibilities which mostly benefit men and which are

carried out under the guardianship of her husband. This new authority in domestic matters is aimed at appeasing women so that they remain submissive and disinclined to fight back or argue against men. It is considered a disgrace and a curse for a woman to beat her husband, and other members of the society will be encouraged to dissociate themselves from such a woman. She is regarded as a bad woman who will influence other women to defy men.

Mtuze (2004:30) states that when a girl reaches the age of puberty she is taught about life and expected behaviour; this is done during the rite of *intonjana*.⁴⁶ Teaching her about life means that the girl is orientated towards pleasing her future husband and growing up to become a gentle and obedient wife. Her sexuality is further defined for her, as she is taught how to use it for the benefit of the male race. Such teachings serve as part of the strategies for appeasing women so that they continue to be willing victims of patriarchy and solely dependent on men. Mndende (2010:42) sees these teachings as a way of *skilling* a girl to be able to keep her house warm.

It is important for a girl to go through *intonjana* because if something goes wrong in her marriage, the husband could send her back to her family to perform the ritual. In the house of Phalo, there is a belief that if the ritual is not performed, a marriage could have serious problems. It is also interesting that in the days of old, rape was unheard of because women were made to believe that men had the right to their bodies and that their sexuality should be used in the service of men. None of the major sources consulted in this chapter (Soga 1931; 1937; Van Tromp 1947; Mtuze 2004), mentions the subject of rape⁴⁷ in the house of Phalo. Mtuze (2004:111) talks about the abuse of women by men and one could deduce that he is not referring to rape, but most likely to physical beating of the woman. Mtuze further states that if a man impregnates another man's daughter, the offender has to compensate the aggrieved party with a certain number of cattle.

⁴⁶ Like Mtuze, Soga (1931:216) writes that *intonjana* is a ritual observed when a girl reaches the age of puberty. It is derived from *ukuthomba*, which means to menstruate for the first time. It is at this point that young girls are instructed about "life" or on how to handle men. The main issue that comes up during *intonjana* is teaching a girl or young woman to understand her sexuality for the benefit of men.

⁴⁷ Van Tromp makes no mention of rape other than a faint allusion to the case in which a girl is abducted by a man she refuses to marry in order to have sexual intercourse with her forcefully. Even in such a case, Van Tromp disputes rape. He says, "The young man is therefore not guilty of rape, by having sexual intercourse, the young man forms a bond between himself and his bride" (Van Tromp 1947:69). The rule is that before a young man could have carnal knowledge of a girl, she is forced to undergo the *ukutyisa amasi* in which a goat is slaughtered and a piece of the roasted meat is given to her with a sip of milk. The *ukutyisa amasi* gives the young man full right to take her as wife. If the act of a young man forcing himself on a girl does not constitute rape, then the question is what constitutes rape in the house of Phalo?

However, it is hard to conceive that women were not raped by men but women were taught to believe that their sexuality belonged to men and the manner in which men gain access to their bodies is immaterial. Perhaps at those *intonjana* meetings, girls were told simply to appreciate being touched sexually by men. Such cultural teachings tend to foster a dependence syndrome which could be the reason that some of the amaXhosa women especially in the period of Soga's writing solely depended on their husbands in all things. In return, they would do everything to make their husbands happy, and most of them blamed themselves when their husbands showed signs of interest in other women, which could imply that they have failed to satisfy their husbands. One could hear women make statements such as “*Ndabanda*”, that is, “I got cold sexually that is why he left me” so the blame is on the woman. In some other cases, when a man dies, one of his brothers has to take over the wife as *ukungena*;⁴⁸ otherwise, the widow could end up marrying another man in order to have another pillar of support to lean on. This situation stresses the idea that women are not autonomous and their completeness depends on men who are the leaders.

The idea that a woman's completeness is found in a man is not even supported by the Bible, for Genesis 2:18 says, “It is not good for the man to be alone. I will make a helper suitable

⁴⁸ *Ukungena* is performed when a man dies and a male member of his family, that is, a brother or cousin of the deceased, takes over the responsibility of taking care of the wife and children or fathering other children with the woman (Mtuzze 2004:38). Mtuzze explains briefly what *ukungena* is all about, but unfortunately he does not mention the positive reasons behind this custom which leaves room for those who criticise the custom to do so freely. If the custom is judged against other customs which are not related to it, one would see that the reason for finding a new husband for a young woman whose husband just died was to help take care of the children of the dead relative which was not as bad as it looks today, when observed with Western lens. The decision is taken by the men in the family and for the benefit of the family of the wife and her children. *Ukungena* promotes the patriarchal system because sometimes the wife is given to a brother of the dead husband so that the *lobola* paid on her would not be repaid by the man's family if she were to return to her parents. In some cases, if the husband did not return from work and left a wife alone at home, a brother of even the father could *ngena* the wife and the children born out of that arrangement would belong to the husband and not the brother of deceased who carried out *ngena* for the widow. An example is related in a book by Tamsanqa (1998), *Buzani kuBawo*. The son Gugulethu rejected the wife chosen for him by his father and went to Johannesburg. After many years, the man's father sent the wife to him with two children. However, such customs are under severe attack today. For example, the constitutional court judgement given by Mikateko Joyce Maluleke, Advocate of the High Court and, Director in the Gender Directorate under case Number PEL LJ 2012(15)1 Department of Justice and Constitutional Development (Republic of South Africa) states that having sex with a child without her consent following her kidnapping and abduction (*ukuthwala*) constitutes rape, as it violates the *Sexual Offences Act* (section 15). The age of consent is 16 years which means that sex with a child under the age of 16 years constitutes a sexual offence. Sex with a child that is 12 years old or below is rape, as a child of that age is legally incapable of consent. The Act also prohibits other sexual activities with children (sections 16 and 17), including sexual grooming (section 18). Traditional cultural practices reflect the values and beliefs held by members of a community for periods which often span generations. Every social group in the world has specific traditional cultural practices and beliefs, some of which are beneficial to all members, while others have become harmful to a specific sub-group such as women. Among the amaXhosa, such harmful traditional practices include early and forced marriages (*ukuthwala* as practised currently), virginity testing, widow's rituals, *ukungena* (Levirate and sororate unions), female genital mutilation (FGM), breast sweeping/ironing, the primogeniture rule, “cleansing” after male circumcision, and witch-hunting among others.

for him”.⁴⁹ It is not a woman who should not be alone but a man; the woman is supposed to help the person who should not be alone. In the house of Phalo, the converse is the case. It is the woman who should not be alone and must have a man to complete her and make her perfect. Such teachings which are emphasised during the *intonjana* turn women into parasites for men to prey on, and explain why some women stay in abusive marriages at all costs.

Soga (1937:60) relates an incident that shows that the *intonjana* was instituted for the benefit of men. A group of men visited a house where *intonjana* was taking place and had sex with the girls there. These men went to the place after ten days knowing that the stage was already set for them to take the girls. The prayer of the girls’ parents was that they become pregnant as a result of the sexual encounter so that *lobola* could be negotiated. The incident happened during the time of Sandile (1840-1878) and Sarhili (1820-1892) who were kings of the amaXhosa nation.

The motive behind the incident probably stemmed from the idea that when a girl is born, the family sees her as the father’s means of acquiring cattle. The worth of the girl child in the house of Phalo translates into cattle for her father. According to Soga (1937:60), the Chief was usually part of the delegation of men who visited these girls. The presence of the Chief could signify that this practice was approved by the community. The men must have been selected by the Chief himself based on criteria that Soga does not mention. The Chief would not enter the house of the *intonjana* to have sex with the girls; he stayed in another house nearby. However, Soga does not explain the reason for this action. The immediate speculation is that the presence of the King as the custodian of the society constituted the action. Soga again does not explain whether these were already married men or not, but it was unlikely that unmarried men accompanied the King. These probably were married men who went to take pleasure in these girls and in the event of a pregnancy, would take recourse to polygamy.

Having sex with girls during *intonjana* was the fastest way to contract a marriage. Even if the girl did not get pregnant, the point was that she should entice the men based on the advice she received during the *intonjana*. It was likely that she would remain on his mind

⁴⁹. Biblical verses quoted in this chapter are not analysed exegetically. The context or any hermeneutical principle that applies to them is not considered but only a general social understanding of the verses is intended.

afterwards and he would be driven to go and offer her family *lobola*. The point of this custom was to get cattle through these girls; and their parents were often aware or were part of the arrangements. In such a situation, it appears that the *lobola* custom, which was and is meant to serve a good purpose, is misused. Soga makes it clear that the practice of exploiting the young girls during *intonjana* was introduced during the time of the two kings mentioned earlier, which shows that such practice was never observed in the house of Phalo before that time. In Mtuze's view, this could be one of the reasons that the custom was strongly criticised by members of the house of Phalo as well as outsiders especially the missionaries of that period.

It is horrible to think that these girls were groomed to the point where they not only understood but also accepted the practice. As we have argued in this chapter, culture in the house of Phalo was extremely powerful and nothing that was connected to it could be stopped, at least not by women. The custom benefitted patriarchy which was supported by culture. The presence of the Chief who was supposed to be the custodian of culture shows that this was a cultural practice. The Phalo girls of that time did not have the privilege of access to information that is available today, for instance, about the rights of individuals or sexual rights. It should not be surprising that they also accepted the custom and submitted themselves to the men willingly. Their goal was to please their parents who *knew well* what was good for them. This shows the extent of the harm that patriarchy could cause when supported by ritual and customs that are linked to culture.

However, patriarchy does not operate in isolation. It makes its victims blind and turns them to willing partners in the wrong against them. In this case, one would ask why parents of the girls would allow such an unjust act to happen or whether those men who took advantage of these girls had no conscience. No doubt, patriarchal practices are dangerous, but they become even more dangerous when they are adopted as customs, as stated above. Patriarchy blinds not only the perpetrators but also its victims; in the end, both of them are victims of patriarchy.

3.5. Cultural⁵⁰ Differences between Females and Males

The respect accorded females in the house of Phalo is determined by how well they honour men and culture; that is, how well they obey the instructions that they have received from childhood about culture and respect. In the house of Phalo, there is only a thin line between culture and patriarchy; patriarchy is flourishing because it hides behind and feeds on cultural norms and values. The rejection of patriarchy is interpreted as the denunciation of cultural values and those who reject patriarchy are found guilty of defying culture, and many women in the house of Phalo are not willing to take such a risk of being accused of disturbing culture.

Mtuzze (2006:23) states that in the house of Phalo, culture is stronger in all aspects than religion;⁵¹ it is the life and the way of life of those who subscribe to it and patriarchy uses culture to further its objectives. The conflict with missionaries had to do with their attempt to westernise African culture but culture is the stronger pillar of black identity (Jordaan 1987:78). Regarding the strength of culture, Okome (2003:71) confirms that even the biblical law does not have such a strong hold over the culture of those who subscribe to it. Any system which hides behind culture is bound to be strong, and patriarchy in the house of

⁵⁰. According to Mtuzze (2004:2), culture comprises of the way we behave, the way we do things or implement them. Culture is the product of its own environment and it is linked to morals and values of a certain society, for it is used as a vehicle to transport and respect common understanding of certain ethics. Mtuzze compares some cultural traits of the amaXhosa and Western people. For instance, while the amaXhosa would greet everyone they meet on the way, Western people seem to acknowledge only the people they know. This could be interpreted as unfriendliness or arrogance by Africans and their children, who never call elderly people by their names. This means that culture dictates to those who were born into it how things should be done, and any deviation from that could hurt the entire society. Mtuzze cautions Europeans who think that black people have the same culture or understanding of culture. Mtuzze's word of caution is reasonable because even among the amaXhosa, there are cultural differences. It is also important to note that culture is in state of constant change and flux. Science and technology which influence the world tend to weaken cultural foundations. Culture may be understood as a particular way of life of a (more or less) defined group. It encompasses the values that the members of the group hold, the norms they follow and the material goods that they produce. Culture is important; it is an inescapable part of being human and it helps us make sense of the world. It shapes our identity and it is central to the way we experience our collectivities, the world and ourselves. In the context of the house of Phalo, one would notice that some norms are founded on patriarchal values. Culture is the whole complex of distinctive spiritual, material, intellectual and emotional features that characterise a society or social group. It includes not only arts and letters but also modes of life, the fundamental rights of the human being, value systems, traditions and beliefs. Gender identities and gender relations are critical aspects of culture because they shape the way daily life is lived in the family, but also in the wider community and the workplace.

⁵¹. In fact, religion is an aspect of culture in the society; people use their culture to sustain the needs of religion. Any religion which completely rejects culture will find it difficult to survive in the society. Ayisi (1988:1) points out that the culture of a people may be defined as the sum total of the material and intellectual equipment with which they satisfy their biological and social needs and adapt themselves to their environment. The point that religion is part of culture is confirmed by both Mtuzze (2008) and Ayisi (1988). Religion has a powerful influence on the people, but it can only happen when it is joined to culture. In the house of Phalo, culture is bigger than religion.

Phalo hides behind culture as a political-social system that insists that males are inherently superior to everything and everyone deemed weak, and that they are free to maintain that dominance⁵² through various forms of psychological terrorism and violence. Culture or any system which is associated with it has the potential to use excessive violence to protect itself. This explains why patriarchy in the house of Phalo employs elements of violence to enforce its practices.

Van Tromp (1947:7) observes that in the amaXhosa culture, which includes the house of Phalo, there is no sense in which men and women have the same status. The male becomes an adult but the female remains a minor and under perpetual guardianship. This custom was maintained by means of violence that was justified by culture and patriarchy (I am not sure whether patriarchy can operate outside culture, maybe this is a question for further research). Van Tromp (1947:8) states that, "Females in general take no part in the political or administrative life of the tribe". The cultural laws which are endorsed by men in those forums consider no feelings or opinions of females. For instance, why do women own cows, which give them recognition in the society when they are not even allowed to go inside the *kraal*? Van Tromp says that if she breached any of these laws, she would be termed a bad woman and the entire patriarchal village would turn against her. The cows in the house of Phalo are protected by ancestors who are supposed to be *men*. The laws which govern families in the house of Phalo are the same laws which govern the village and the tribe, and they are approved by the ancestors. The violation of ancestral norms is regarded as violence against the Chief and the tribe – the tribe belongs to the same community of ancestors (Kalu 2000:45).

The village patriarchal laws state clearly that a woman should pay reverence to her father-in-law and all male members related to her husband. If the woman disobeys these laws, she might be taken back to her home and the marriage could be dissolved. It should be noted that the culture is silent about the respect of a man or the other men in his patrilineal line for his wife. It is assumed that men have rights and they would never treat women unfairly;

⁵² Brittan (1989:5) has argued that male domination should not be confused with masculinity, which falsely justifies and naturalises male domination. Brittan says that the ideology of patriarchy takes it for granted that there are fundamental differences between men and women. It accepts without question the sexual division of labour and it sanctions the political and dominant role of men in the public and private spheres. Brittan further argues that masculinity could be regarded as a role that is socially performed, enacted and produced through discourse. Brittan's view supports the feminist view which rejects the idea that being a male is biological and it confirms and justifies patriarchy. He says the roles assigned to children promote the masculine mentality, and if one considers the way children are orientated in the house of Phalo, this argument would make perfect sense.

whatever they do to women is right and women deserve it. Respect for men in this sense means obedience; a woman must obey a man in all things including her own father who would be disgraced for not disciplining his daughter enough if she was found to disobey patriarchal laws.

In the house of Phalo, patriarchy is mostly sustained by fear and intimidation. A rebellious woman is viewed as undisciplined and shunned by the community for contravening social and patriarchal norms. Breaking cultural laws is not only regarded as hurting the family of the person or the society which is the custodian of culture but more seriously as a disturbance of peace in the spiritual world of the living-dead. Thus, Phalo men who discipline their wives by physically beating them would not be admonished because the act is not seen as a serious crime or something unusual. It is considered normal and a way to maintain order within the family and to sustain patriarchal power. Thus, men could from time to time beat their wives. Such a man would be known as consistent.

When a child is born in the house of Phalo, he or she is introduced to the society by means of ritual after ten⁵³ days. Mtuze (2004:17) calls this ritual of introduction “incorporation to the society”. At the same time, the ritual formally introduces the child to the ancestors and registers him or her with them. This kind of ritual makes the child a full subscriber to that particular culture; the child is married to the culture and culture also makes a claim on the child through the ancestors because the child is now a cultural being. It is clear that the elements of culture which sustain patriarchy emanate from the society and some of them are severe and vicious. For instance, Van Tromp (1947:127) states that a widow in the amaXhosa culture is regarded as unclean after the death of her husband. She must have her hair shorn and must not attend a feast or social gathering, or drink beer, and certain rituals are performed to cleanse her. However, Van Tromp does not mention the nature of the ritual that is performed to cleanse the widow. Kapuma (2013:64) relates that, in Malawi, the deceased man’s family arranges for a man who is mentally disturbed to have sex with the widow in order to cleanse the whole family from the spirit of the dead. It is not clear how

⁵³. The ritual that is performed in some cultures ten days after the birth of a child and is called *imbeleko*. Mtuze (2004:18) explains that this ritual introduces the child to the ancestors in order to incorporate the child into the society and to purify the mother after childbirth, as she could not be seen by her husband and his male friends in the first ten days after childbirth. When the ritual is performed, a goat is taken by the horns in front of the door where the older members of the family explain the purpose of the event to the mother, the child as well as the ancestors before it is slaughtered by the men.

the cleansing of widows is done in the house of Phalo, but the idea that a widow is unclean says a lot about her treatment after the death of her husband.

However, the community supports such rituals, which suggests that those who subscribe to a particular culture are married to it and bound to adhere to the values and norms of that culture. It is difficult to reverse or fix cultural practices which are defective because one would have to revert to cultural protocol and consult the family, society and ancestors by slaughtering an animal in sacrifice or pouring libation with amaXhosa beer to fix such errors. McAllister (2006:306) explains that the libation is an effective way of evoking the collective social identity which encourages communal participation of the entire society including the living-dead in daily lives. McAlister further notes that the amaXhosa beer plays a vital role in social construction and maintenance of the social arrangements on which the social local laws depend. The society is linked to the land and to ancestors by the amaXhosa beer since the beer is made of staple food, that is, maize which comes from the land. How can one then drink the beer that is not from his land? The ancestors are believed to be underground and all that is from the land is a gift from the ancestors. The African person without land is disconnected from the ancestors and cannot obtain their blessings, since they bless through the land; the same way God would bless the people of Israel (Manona 1981:78).

3.6. Patriarchal Powers Governing the Society

Patriarchal social structures have been a major feature of traditional society. The structures comprise of a set of social relations with material base which enable men to dominate women. Every community in the house of Phalo is governed by certain patriarchal powers which are established to secure and maintain patriarchy through culture. Soga (1931:28) calls this government “theoretically patriarchal”. This means that even if women were incorporated into the system, they would be unable to cope because of a strong culture which rejects women completely. Clearly, patriarchy gets the wings it uses to fly high from culture. Feminists have argued that in any of its historical forms, the patriarchal society operates a gender system and a system of economic discrimination simultaneously (Frymer-Kensky 2002). They are sub-structures which strengthen patriarchy. The status of women or wives is determined by customs and practices that are set by the entire society.

The Chief has no power to relax harmful cultural laws for the benefit of women; otherwise, he would be compromising himself and the entire tribe in the process. It has been proven that in some cases, culture has a role in strengthening patriarchy against others, if patriarchy has not yet become culture. It is possible to overthrow patriarchy, but the culture which sustains it is stronger. Culture is the way of life which links the society to the ancestors and to the living-dead. The (male) Chief was the allegiant and custodian of culture and all the people were his “property”, but women experience on a greater level what it means to be the property of men. The subjects of the Chief present a certain portion of the harvest to him at every harvest time. Soga (1931:34) reports that the Chief’s subjects owed something in the nature of a feudal obligation to him; their services were requisitioned, in general, whenever he wished. These are given free and without an open hope or expectation of reward. Soga does not seem to realise that in reality, those services were not entirely free but in a way, they were paying for a future act of favour from the Chief. The Chief had authority; the land belonged to him and he was the leader of the people. Who then would not wish to be associated with or favoured by such a powerful man in the village? In any case, some of these chiefs were corruptible. Van Tromp (1947:13) observes that as long as they had many cows, the people were bound to contribute towards the payment of *lobola* whenever the Chief wished to marry a woman. The society paid *lobola* for the Chief because his wife was considered the mother of the people.

The status and power of the Chief are described here because in the house of Phalo authority of the village emanates from the position and chair of the Chief, who executes and institutes the patriarchal powers. It is helpful to consider a report of the commission by the Transkei Land Services Organization (TRALSO)⁵⁴ held at Qunu which is one of the villages in the house of Phalo. The report shows how patriarchy is transmitted through traditional powers and authorities. The first woman who was given the platform to speak at this commission stated:

I am from Bizana in the village called Mzamba. In our village we do not have a woman chief. What normally happens when the chief dies is that the son takes over, women are forbidden to become chiefs, and we do have traditional courts. However, only men sit in those courts, if woman (*sic*) reports a case to the headman she runs a risk of being

⁵⁴.The Traditional Court Bill consultation meeting held at Qunu Eastern Cape was organised in conjunction with Transkei Land Services Organization (TRALSO) on 13-14 November 2008. The workshop began with members of each group describing their experiences with the traditional courts but focusing on the experiences of women. Women who were interviewed came from Bizana, Mqanduli, Mbolompo, Tabasa, Qolombana, and Ncise, all of which are villages around Umtata which falls under the house of Phalo in terms of cultural practices. The participants had all experienced the power of patriarchy which is supported by culture in their own personal situations and cases.

ridiculed or mocked by the headman for example, if a woman reports a case of assault by her partner or husband the headman will ask her, why would your husband assault you without a reason, you must have provoked him to punish you.

The above report shows that in the case of royal succession, if the Chief had only daughters and no sons, his close male relative would be chosen to succeed him rather than a daughter. The idea is to eradicate women completely from the position of power in such social structures. Justice in the customary courts is also biased in favour of men, where women are not represented and the questions asked by the headman provoke women. It is clear that women cannot win cases against men in those courts which are established to promote patriarchal laws that privilege men over women. The lack of women's representation in the traditional courts has caused women to lose confidence in these courts, as they are not given a chance to be heard. The idea is that only men know what is good for women and men's decisions are good for the entire society because the ancestral laws are assumed to support their actions.

The women quoted in the TRALSO report stated that they were not allowed to speak at the *imbizo* (meetings called by the Chief). They claimed that if a woman had a case and reported it to the Chief, the Chief would call the council and later the woman would be informed about the outcomes of the traditional court meeting without being given the opportunity to appear in person before the court and tell her story. These courts are a hostile environment for women, as the male councillors intimidate them, reinforcing the fear that stops women from participating effectively in the judicial process. In few cases in which women dare to represent themselves in those courts, they are intimidated and harassed extremely. They are also made to believe that they are fools and those courts are not for them in order to send a strong message to other women not to bring cases against men to court.

Thus, the powers of the traditional courts are established to serve the interest of the patriarchal system. One of the women reported that her husband died and the land they owned was taken away from her by the local Chief and his headmen. The argument was that it was against customary practice for a woman to own land. The court said a widow cannot inherit land, and the court ordered that the woman's brother-in-law (that is, the late husband's brother) take over the land and cattle and look after the family. Unfortunately, in some of these cases, the magistrate court claims not to have jurisdiction over matters of land since land in those rural areas belongs to the chiefs (Siqwana-Ndulo 2014). One of the reporters attached to the commission remarked that, "These institutions continue to be

predominately male-dominated and women's views and opinions are ignored at the court and council, cases reported by widows are not taken seriously at all". The reporter noted that the way their cases are discussed is most humiliating to the women and therefore it is better for them to stay with the pain of not reporting the matter than endure the additional pain of listening to the case being trashed in court. In the proceedings, the focus is on the person rather than on the matter. The officials try to prove how stupid the person is and that she is responsible for all that happened to her, especially if her case is against a man. Many of these officials have never received any training in dealing with serious cases, but they are only interested in sustaining male power.

If a man dies, the court will allocate the land and cattle to the closest male relative if there are no sons to inherit him. Women have no power to question these unjust laws which are reinforced by culture. For example, some of the meetings held to share a dead man's estate take place inside the *kraal* where women are prohibited from entering under any circumstance. At such meetings, the woman would sit outside and if her attention were required, she would have to raise her voice so that the men inside the court in the *kraal* could hear her. Some women regard themselves as fortunate if they are called to listen to their cases otherwise they normally hear the outcome of the meetings through the grapevine.

The Chief of the village is the custodian of the patriarchal laws and women cannot become councillors or even have a seat in any court. Van Tromp (1947:8) reports that King Sarhili, the paramount Chief of the amaXhosa, created a precedent to the contrary by appointing his daughter, Nongqoloza, as a chieftain and ruler over a portion of the tribe between 1858 and 1865. He furnished her with male councillors, and it is reported that the tribe accepted Sarhili's ruling, but Nongqoloza's appointment could not abolish the fact that she was a woman and cultural norms came with strict restrictions which she had to observe. The power of patriarchal culture is not concerned much with the position. Rather, it is focused on subjugating women. Although Nongqoloza occupied a leadership position, the fact that the cultural rules remained unchanged did not help much.

Thus, the opening of opportunities for women in cultural institutions will not work unless patriarchal cultural laws are amended in favour of women in male-dominated structures. Van Tromp (1947:9) reports that women have a right to take legal action under the amaXhosa law, but only if she is assisted by her eldest son, that is, if her husband is alleged to be making improper disposition of property belonging to the family. When such a complaint is

brought forward, the woman would have to be supported by men who would speak on her behalf before the village council. The court prohibits a woman who does not have *locus standi* to come before the Chief. If no man is willing to stand for her, the land would be taken by the Chief who appoints a caretaker for the land on behalf of the widow. When a man dies, his widow is placed under the guardianship of the lawful heir, which could be her son or a successor of the deceased husband.

These laws were executed according to the social structures of the village which are supported by patriarchal laws as argued above. Males acquire their rights by birth in the house of Phalo, and the paramount Chief who represents the tribe is the custodian of the birth laws. Van Tromp confirms that the individuals in community are the property of the Chief and any injury to the person or character of such individual was regarded as an offence against the Chief. This shows the solidness of the traditional structures which back the patriarchal laws against women. Dwane's (2002:18) observation that, "in community meetings women are not allowed to take part" tallies with all the testimonies of the women discussed above.

Balkema (1968:59) confirms that women are excluded completely and visibly from the deliberations which deal with the welfare of the ethnic group. It is even forbidden for a participating male member to share the deliberations with his wife because such matters are strictly not for women. The situation becomes worse when citing Paul in 1 Corinthians 14:35 which states that, "If they want to inquire about something, they should ask their own husbands at home; for it is disgraceful for a woman to speak in the church". Women at the time of Paul had the liberty to engage with their husbands at home. In the house Phalo, men who are suspected of disclosing decisions at meetings with women would be cursed and excluded from serious matters in the village. They would never again be trusted by the council and that will erode their manhood.

3.7. Cultural Values that Applied Solely to Women

From the above discussion, especially of the cultural powers, it is clear that there is a difference in the treatment of women and men in favour of men. The voices of women in the society are muted and in the council that decides on how the society should be run, women are absent. This is based on the understanding that homes and families are run by men and women under the supervision of men. Mtuze (2006:21) confirms that the women's only

unique and uninterrupted work is breastfeeding the child. To show that there is a difference in the treatment meted out to men and women especially regarding the idea of secluding women, I will consider marriage and *ukuthwala*,⁵⁵ which take place mostly without the consent of the woman in the name of a culture which favours men. We will use these to illustrate the minimal participation of women in the process which relates to them directly.

Soga (1931:227) explains that a marriage proposal is made by leaving an assegai,⁵⁶ or as is sometimes the case, a string of beads without a word being spoken at the *kraal* of the prospective bride's family. The *kraal* is the place that the head of the family surely goes every morning. Therefore, the token would be taken to the family members who are all men without the involvement of the women including the girl's mother. The fact that the matter started inside the *kraal* is a sign that women are completely excluded from the matter since they are not allowed to come even close to the place. Thus, marriage proposals in patriarchal societies lead to gender inequality and subordination of women to the extent that females do not have control over their sexuality (Kambarami 2006:89). When the assegai is not returned within a few days, it is a sign that the marriage proposal has been accepted by the family and negotiation is then set in motion.

Soga (1931:270) notes that the arrangement of both *lobola* and *ukuthwala* rules out the element of love in the marriage contract and proposal; the girl has no clue about who the prospective husband is. However, Soga overlooks the point that love is never an issue in

⁵⁵. Soga (1931:271) identifies two forms of *ukuthwala* – the genuine one in which the girl and her parents are completely unaware of the plan to abduct her. The second one is the faked one where both the young men and the young girl agree to elope. When the girl does not wish to flout the wish of her parents, she prefers to elope under the guise of abduction. A fake abduction is also carried out if the girl is involved in a relationship with a man but her parents have already accepted *lobola* from another family. To stop the family arrangement, the girl could agree to a fake abduction with the man of her choice. The explanation for those who see nothing good in this custom is that when this abduction is arranged for the benefit of both the young girl and the man, it is against the culture in which parents decide for children. It should be noted that sometimes, prospective couples and/or their parents do manipulate customs. Soga however stresses that there are real serious cases of forced abduction, but that does not alter the fact that many cases of so-called abduction are actually cases of elopement, mutually agreed upon by the role players.

⁵⁶. Soga (1931:227) explains that the assegai (*umkhonto*) is a sword which is left inside the *kraal* to pass a message to the members of the household that a marriage proposal is being made to the family. However, the question of the significance of the assegai is left unexplained by Soga. In other words, what does the assegai signify? In the house of Phalo, the *umkhonto* (assegai) has a special significance in that it represents the family. It is used to slaughter the animals used in all traditional rituals and it is identified with the head of the family. If the assegai would be used by another person, the family has to slaughter an animal to inform the ancestors that the assegai would now be used by another person. To the family of the prospective bride, the assegai represents not only the family of the bridegroom, but also the ancestors of that family, and the spot where the assegai is placed by the messenger is also significant, that is, the place where the house of Phalo believes that ancestors reside with the cows. The assegai is a symbol of the custom and identity of the family (Mndende 2010:19), and only an appointed heir who is a man can use it subject to approval by the ancestors.

marriage in the house of Phalo. Marriage is not based on love but on prosperity and building a relationship between two families and ancestors. The woman marries first and loves afterwards, unlike in the West, where the norm mostly is that you love first and then get married. If there is love, it is from the family of the man towards the family of the girl because of certain norms, but intended couples are not in love, as they normally do not know each other. This is one of the issues that Soga viewed with the lens of Western culture. Soga could not comprehend that a couple may get married without previously knowing each other. As Mtuze (2004:149) has pointed out, in the house of Phalo, no deviation from the rule is tolerated, as one's love for the family according to its social standards is enough. Mndende (2010:56) agrees with Mtuze against Soga that love was not an issue between two young people who were engaged to marry. They believed that marriage is not built on love, but on family as well as social and ancestral relations. In agreement with Mndende and Mtuze, Dwane (2002:13) states that in the amaXhosa context, there is no right partner because no woman is wrong for an amaXhosa man.⁵⁷ These women whose behaviour astonished Soga only expressed their world-views, and said nothing outside what they knew. It would be unfair to blame them for endorsing patriarchy against themselves. Their actions were based on a culture of which they were not even aware; their only right was to serve and please men and to be proud of doing so.

The success of a marriage depends on whether it was accepted or rejected by both families. If the family of the bride considers that the groom's family is respectable and honourable according to their own standard, they would agree to the union. The marriage negotiators, called emissaries, are appointed to take charge of the negotiations, and in the whole process, the family is not compelled to consult the girl (Dwane 2002:20). Dwane (2002:21) explains that, "The reason for this is that amaXhosa believes that she (bride to be) is that the wife is

⁵⁷. Dwane (2002:13) justifies the practice of *ukuthwala* in which a woman is abducted by men on behalf of another man. Parents also decide for their son the family he should marry into, because there is nothing like a right partner in the amaXhosa culture. All women are right for all men and love is not an issue because all women have the potential to love all men and men also are able to love all women. Dwane further states that as the relationship grows deeper, the partners express their love for each other in mutual understanding and trust and continue to exchange gifts with one another. Love is not the basis for marriage, but it grows with the marriage and with time. Hence, many of our mothers entered into "arranged marriages" to men whom they had never seen before and basic natural love eventually developed into marital and intimate love. I asked an old man about the place of love in marriage and he answered, "Why would a person not love a human being? All love starts from loving a human being first; human beings love each other and therefore other loves develop from there". In line with this statement, Dwane (2002:14) says that marriage among the amaXhosa is the realisation of humanity, thus, an unmarried person is regarded as somewhat incomplete. This act of being human is then consecrated by slaughtering a cow to confirm the covenant the spouses have with each other, families, ancestors and the society.

more married to the clan not to husband". The wife would say, "I am rooted into the Phalo clan", and a husband would also not refer to her as "my wife" but "the wife who belongs to my family". It is notable that women are not part of the delegation of negotiators; the head of the family appoints trusted and eloquent men who can handle the delicate nature of the negotiations with dignity (Mtuzze 2006:32). The value of the *lobola*⁵⁸ is discussed by men and no woman, including the mother of the bride, participates in this process. The men know the demands of the family and value is according to the worth of the family and not of the girl. Therefore, negotiations can take place even when the groom's family has never met the girl.

Although marriage negotiation is between the two families or the parents, it is unlikely that the bridegroom would be unaware of the arrangement. Before the first step is taken, he is informed of the plan which he could comment on, but the final word is his father's.⁵⁹ There

⁵⁸ Dwane (2002:15) confirms the *lobola* is valued only in cows which join not only the living members of the two families in a permanent bond but also their departed ancestors and that bond is forever. The *lobola* negotiators introduce themselves to the bride's family saying, "We are here to request to be born into this family" (*Sizokucela ukuzalwa*). Those who are not familiar with this practice could misread it from the perspective of their own cultures. Mtuzze (2006:33) quotes Maclean (1906:70) who wrote that, "Marriage among Kafir has degenerated into slavery, and is simple the purchase of as many women by one man as he desires, or can afford to pay. The price or dowry paid for a wife is left very definitely". However, to the insider, *lobola* has to do with the value of a woman, as it bestows respect on her, and the woman whose *lobola* has not been offered feels incomplete and devalued in a sense. The *lobola* indicates the strength of a family whether or not its members and especially the bridegroom have the means to maintain the bride. It joins the two families in a strong cultural bond together for life. Mtuzze (2006:33) says that the *lobola* is an essential contract in any marriage which also legitimises the children born by the couple. The idea behind the *lobola* is definitely not that of selling a person. The family exchange is valued in *iinkomo* (cattle) even if it is in cash and the negotiation takes place inside the kraal. The first people to be joined are the ancestors, and the cattle belonging to both families represent the ancestors who reside in the kraal. The cattle are the sign of the permanent marriage between the two families through the ancestors, and once this deal is made, it cannot be undone. However, one cannot ignore the fact that today, the *lobola* is used sometimes for commercial purposes which is what critics who know very little about the custom and its original purpose focus on. Mndende (2010:57) explains that the bringing together of the ancestors through the *lobola* is for the benefit of the children which would be produced from the union of the two families. Thus, it is important to unite the two ancestors first in order to create space for the upcoming members of the family. Mndende strongly opposes the idea that the *lobola* is the value or price of the bride. She sees this as an insult which contradicts the principles of *Ubuntu*. Mndende rejects the idea of translating the *lobola* to dowry. In Mndende's view, the dowry is the gift that comes from the bride's family which differs from the *lobola* or from what it signifies (2010:59). Mndende also notes that the *lobola* (erroneously called bride price or dowry by Westerners) was certainly one of the most hated customs, and certainly the most misunderstood Xhosa custom. Its intrinsic value did not lie in how many heads of cattle parents received for their daughter, but in the bond that the *ikhazi* (heads of cattle paid) sealed between the two families. Mtuzze also correctly stresses that the *lobola* is indispensable because it legitimises marriage and gives the children's father parental rights to the children. As far as the woman is concerned, the *lobola* is designed to compensate her parents for the loss of her productive and reproductive contributions to her family. Soga (1931:263) strongly supports the efficacy of this custom in Xhosa social life by pointing out that the custom gives the woman status and protection against physical abuse. What is significant about the custom, according to Soga, is that it gives a woman complete protection outside a court of law. It upholds the woman's self-esteem, making her feel important and honoured.

⁵⁹ Mbiti (1969:132) shows that among other African peoples, the choice of a groom for a young girl is made by the father, and in some cases, this is done even before the girl child was born. Once a woman is pregnant with

is no stage at which a bridegroom is blind to the process of marriage. In most cases, he suggests the family and the bride to his parents. The girl becomes the victim of the whole process, as she only comes into the picture at the final stage of the process and her opinion does not count because the parents, that is, the male elders of the family decide on what is best for their daughter. The girl has to be careful not to disgrace her parents by rejecting the marriage offer. By the time the girl is formally informed of the marriage proposal, the negotiations are already concluded. In most cases, the girl is taken to the man's family without having any clue about the identity of her husband-to-be. She would only be informed on the first night or find out when the man joins her on the bed at night. Women in the house of Phalo are not treated the same way as men when it comes to marriage. The understanding is that marriage is between two families which are joined together in the interest of their children. Parents know and decide what is good for the future of their children.

In the act of *ukuthwala*, which is a different form of marriage arrangement, the girl is the target. According to a newspaper report, a female Chief from the amaMpondo region where *ukuthwala* is practised said that some young girls who escaped from the houses where they were confined whilst awaiting marriage were "embarrassing our village". The women who supported the practice did not want to be seen as contradicting the patriarchal culture even though they were aware that the culture embarrasses young girls. This female Chief made the statement in order to secure her cultural position as Chief. Such statements imply loyalty to a custom which oppresses other women. Some people rightly believe that women who endorse such patriarchal cultural laws in positions of power probably contribute more to women's oppression than men. If the policies and culture that govern Chiefs are patriarchal, even women in those positions will make no meaningful move against patriarchy.

They oppress other women to justify both culture and patriarchal laws. Hence, Thompson (2001:89) claims that feminism exposes ways in which women are dehumanised under situations of male sovereignty, while endeavouring to rectify that dehumanisation by encouraging women to take their lives into their own hands and to create their own meaning

a child, families start to indicate interest in proposing marriage in the event that the child happens to be a girl. This I assume is based on the status of the family of the unborn child in the society which is the case in the house of Phalo. The family of the girl is considered in making a choice in marriage. In the house of Phalo, a boy's parents may not go as far as submitting an application as described by Mbiti, but they already bear in mind that they would like to get a wife for their son from a decent and honourable family in the society.

which is not within the male-defined institutions, but outside the control of patriarchal circles and societies.

Ukuthwala legitimises the abduction of girls and those who support it, mostly men, do so within the context of accepted cultural norms. The girls who go through *ukuthwala* are extremely violated by the young men who abduct them and use excessive force to achieve their mission. The main aim of *ukuthwala* is to force the girl's family to enter into negotiation for a customary marriage. The opinion of the girl means nothing, but her abduction means that her family is forced to quicken the *lobola* negotiation. Mtuze (2006:35) explains that there was an obligation on the part of the family who practised *ukuthwala* that the girl should not be touched or be asked to perform any kind of duty until her parents give their consent to the practice and agree to enter into negotiation with the man's family. In cases in which it becomes impossible to reach an agreement, the man would forcefully have sex with the abducted girl to compel her family to enter into negotiation. This happens when the girl is caught unawares and abducted without any prior plan and agreement by the parents. However, the point of this discussion is not about the wrong and right of *ukuthwala* but about the attendant patriarchal practices which exclude women from issues that affect them.

Marriage is the pride of most amaXhosa women, but because it is arranged according to patriarchal norms which are against women, it leaves the women with bad experiences and memories. Kambarami (2006:78) has argued that the pride that comes with marriage is not completely harmonious with the women's experiences. She says women are discriminated against because eventually they marry out and join another family whilst the male child ensures the survival of the family name by bringing additional members into the family. It is assumed that the house of Phalo copied many customs from the house of Jacob with the adoption of Christianity. However, the text of Matthew 19:5 which says, "For this reason a man will leave his father and mother and be united to his wife, and the two will become one flesh" (Genesis 2:24), is certainly not applicable. Otherwise, married men would have stayed with the families of their wives, like Moses and other patriarchs (Von Rad 1975:268). This is difficult to resolve. The norm was for women to join the husband's family (Rebecca and Isaac) but Jacob and Moses, being refugees, initially stayed with their wives' families. In the case of Phalo this will not happen unless under extreme circumstances. We also acknowledge that in Israel there were groups that were matrilineal.

Young men in the house of Phalo have been taught to believe that marriage entails a girl's capacity to bear children and if a marriage produces no children, the woman becomes frustrated. Since she cannot prove her womanhood, she has failed the entire family. Mtuze (2004:17) notes that it is assumed that a childless marriage is the fault of the woman and it could mean that the marriage is rejected by the ancestors. No one would ever think that the problem could come from the man, and even if it is discovered that the man is sterile, it remains a family secret and the blame would be carried by the man's wife.

3.7.1. Culture Endorsed as Patriarchy

In the following discussion, it will be shown that patriarchy controls every aspect and stage of women's lives in the house of Phalo since it is masked as culture in many cases. We have shown that girls are treated differently from boys and the girl child is never free from the bondage of men. At home, she is under the strict control of her father and brothers, and once she is married, she comes under the authority of her husband and father-in-law and the patriarchal rules of the new family. Even in death, the woman is dominated by *male* ancestors⁶⁰ because the ancestors in the house of Phalo are presumably men. To address the ancestors, one has to praise them first and thereby one makes intimate contact with them. In the house of Phalo, it is assumed that ancestors are men and they are addressed as Mkwaiyi, Ngconde and Togu – these were all kings (Makuliwe 1990:24). We shall consider briefly the final rite of passage for a girl to graduate to a wife, that is, marriage as well as the patriarchal laws that govern the marriage of girls.

3.7.2. Bride in Marriage

Once consensus has been reached by parties involved in the process of a marriage negotiation, the floor is open for the exchange of gifts and advice by those who are present including the two families. The families and other members of the community offer advice to the newly-weds. Soga (1931:272) is surprised that other young women also give gifts to the bride but he underestimates the power of the custom which completely brainwashes women. Women who speak in such situations against other women speak on behalf of

⁶⁰. The house of Phalo believes that ancestors are spirits who live in the spiritual world and have no gender. Mndende (2010:29) confirms that the image of ancestors as male is a product of the imagination of men, and the male language used when ancestors are addressed is also the product of a patriarchal system which aims to suppress and oppress women in all areas of life. This image of ancestors as male is used to intimidate women in the house of Phalo. As Daly (1973:67) has argued, "If God is male, then male is God". The image of ancestors as male also tends to bestow on men the same authority or legitimacy as ancestors.

culture and submit to societal norms and values. They say what the members of the society would like to hear and what would please the ancestors. Therefore, they do not disappoint those who subscribe to that particular custom. Patriarchy has penetrated deep into the minds of women of the house of Phalo, and they believe that to respect men is to obey them. In fact, the rejection of patriarchy is the rejection of men; women cannot reject patriarchy and still be in harmony with the society. The women who counsel the young women instruct them about how a woman, particularly a wife, should behave in order to please her man. The newly wedded bride should learn to disassociate herself from unmarried women completely. The point here is that the success of any marriage in the house of Phalo depends on the obedience of the wife to her husband and the patriarchal laws which are embedded in the culture.

The families and other experienced women also remind the bride of the teachings during the *intonjana* and use that time to purge her of every idea that could hinder her from obeying her husband. Thus, she must dissociate herself from unmarried friends who could influence her negatively. Mndende (2010:67) reports that after the advice, the woman would be issued with a new vocabulary of respect (*ukuhlonipha*)⁶¹ and names that she would use in her husband's family. Mndende provides a list of the new vocabulary which includes *amanzi* or *imvotho* (water), *inkwenkwe* or *ityhagi* (boy), *inkomo* or *inombe* (cow), *iphoba* (head), and many others that are regional or named according to the district. The bride is introduced to these new names after she has been introduced to a new dress code, which covers her completely. Any deviation from the new names and dress code constitutes disrespect for the family and the ancestors, as most of the names are linked to the ancestors.

We should note that the advice given to the new bride is different from that of the groom, as it is thought that the woman goes into her new family to build a warm home for all. This responsibility can only be achieved when the wife is submissive and humble toward the husband and his relatives. It appears that the bride is not allocated any time to enjoy the ceremony because the marriage is for the benefit of the two families and not a personal event. She is only reminded of her place in the house of Phalo. Soga (1931:272) quotes one of the idioms of the amaXhosa which says, "*Umzi ngumzi ngomfazi*" (A home is a home by

⁶¹. Bongela (2001) states that the word *ukuhlonipha* – to respect, to reverence, to be bashful – is used in connection with these various renderings, according to the circumstances of the case. It is usually applied to the custom whereby a married woman is debarred from using the name of her father-in-law (*usondoda*) and must avoid any word whose initial syllable is the same as the initial syllable of her father-in-law's name or indeed any word that includes the whole of the father-in-law's name (Soga 1931:208).

virtue of the wife). The question is how the person would build the home when she has no authority or say in almost anything, especially in matters that have to do with the family economy.⁶² According to Mtuze (2004:111) and Balkema (1963:54), the family economy depends on cattle which are also associated with respect. Mtuze further notes that the more cattle the head of the family possessed the more respect he earned from the community. This means women would never earn respect in the community since they did not own cattle.

3.7.3. Patriarchal Duties of a Wife

Van Tromp (1947:97) identifies the duties of a wife as marital, domestic and social. These duties are considered important and should a wife neglect any of the duties, the husband has the right to repudiate her, which may result in the dissolution of the marriage. The primary marital duty of the wife towards her husband is to be faithful to him and to cohabit and have sexual intercourse with him only. She is to serve the husband and the elders in his family. She is the last to go to bed at night, and in the morning, the first to wake up. It is the duty of the wife to serve the in-laws including her unmarried brothers-in-law. Her duties also include cooking and washing clothes for all the family members, fetching water, childcare, getting firewood, and cleaning the house. The image or state of the family home is used to rate the ability of the new wife.

Only a man has the right over the sexuality of his wife; the wife does not have the same right over her husband. The husband has all sexual rights over the woman at all times except when she is pregnant or is breastfeeding a child. Should she commit adultery, it may not as a rule lead to the dissolution of the marriage but the adulterer will be fined and the woman would be beaten publicly and called an adulterous wife. It is important that the wife prepares food for her husband, and amaXhosa wives are told that the way to a man's heart is through his stomach. Moreover, a clean house says much about the character of the wife and the

⁶². Balkema (1968:54) notes that the "*Kaffir*" live principally on cattle breeding. For the well-being of the family, a sufficient number of cattle is required, whose attendance and treatment are the sole responsibility of the father who is assisted by his sons. The term *Kaffir* used by Balkema could offend some readers, but one should consider the time when the book was written and understand that in that context, the name was used to distinguish the amaXhosa from the whites. There is no doubt that the name undermined the people it referred to and had derogatory connotations even at the time the book was written. However, it is also good to keep history alive so that we can learn from and cultivate a better future on it. Balkema's point about the importance of cattle as the foundation of the economy is supported by Mtuze (2004:111), who affirms that cattle play a vital role in the life of the amaXhosa and their value transcends the social life, affecting also to the spiritual life. The *lobola* relates to the dignity of the entire family, as it represents the power and respect held by the men of the family, and cows are used as compensation in the case of an offence. The point here is that patriarchy excludes women from such powerful economic privileges that the *lobola* confers on men.

upbringing she received from her mother. The parents-in-law have the right to enjoy certain services from their daughter-in law including helping out in the field, and if she pleases her parents-in-law especially her mother-in-law, she would earn respect from the family. Some wives would strategically bribe the mother-in-law in order to gain favour with the family. The shortest route to the heart of a husband is by pleasing his mother. Wives are important in the house of Phalo, but there are also many other things which are considered of more value than wives. For instance, legend records that when King Gcaleka⁶³ first saw a plough, he was greatly impressed and said, “*It is worth ten wives*”. The comment points to the value placed on women by the house of Phalo. In spite of the limited value she has, a wife has the obligation to conduct herself with dignity in the society, and a quarrelsome wife who disturbs the peaceful relations between the families may be spurned. One of the most important duties of the wife is to give full respect to the *kraal* and its surrounding areas, as the place where the ancestors of the family supposedly reside. The neglect of these duties, wilfully or otherwise, is punishable and a wife can be labelled a witch if she refuses to honour the ancestors, and the marriage may be dissolved.

3.7.4. Rights of a Wife over Her Husband and Husband’s Rights over His Wife

According to Van Tromp (1947:103), “The general idea is that a Xhosa wife has no rights so significant that they are worth mentioning, that she herself is the property of her husband and is treated as a chattel by him”. The rights of a wife according to this statement is attached to and approved by her husband. No wife has rights that are contrary to the rights of the husband and society; the rights of wives are designed by the society for the benefit and peace of mind of men and the entire society. The right of a woman that contradicts the right of a man is invalid. It is the right of the wife to be protected by her husband from others. If she is assaulted and injured by her in-laws or her husband, she has the right to go home to her parents and the husband would be fined a cow for assaulting her. However, that cow does not belong to her; it is a penalty for wrongdoing paid by a man to his father-in-

⁶³. The Xhosa royal bloodline is traced from Xhosa, whose successor was Tshiwo, the father of Phalo. Phalo had two “firstborn” sons, Rharhabe, the elder from Phalo’s Right House and Gcaleka, the firstborn from the Great House. Gcaleka ka-Phalo ruled from (1775-1792). According to Bongela (2001), the Xhosa language derived its name from King Xhosa who ruled the Xhosa nation. King Xhosa was the ancestor of several notable kings such as Malangana, Nkosiyamntu, Tshawe, Ngcwangu, Sikhomo, Togu, Ngconde, and Tshiwo but one of the most popular kings who is associated with the emergence of Transkei and Ciskei territories is King Phalo who was the son of Tshiwo. Phalo was born in 1702 and he died in 1777 (Makuliwe 1990:28) Phalo was the last Chief to have ruled over the entire united and wholly undivided Xhosa nation. In his prime, he was presented with two royal princesses on the same day – one from the Pondo clan and the other from the Tembu clan (Soga 1937:13).

law. One could argue that men enrich themselves through the assault and tears of a woman and under the pretext that the fine is the right of a wife. As long as the husband does not pay the fine, the wife has a customary right to remain in her parents' house. It is interesting however that the man is not judged for the delay or refusal to pay his fine. Rather, the wife is seen as one who has failed to endure the hardships of marriage. Van Tromp (1947:103) says once the fine is paid, the family has no right to keep the woman; they must immediately release her to her husband. This means that her right to remain at home is determined by the payment of the fine; once the fine is paid, the right ceases. The cow means that the husband is sorry for what he has done, and in most cases, the fine is paid not because the husband is remorseful but because he and his family cannot cope with the domestic chores without the wife. The fine is not determined by harm done to or the permanent injury inflicted on the wife by the man, the penalty of the cow fixes all that happened irrespective of the level of the damage done to the woman.

The husband is obligated by customary law to maintain his wife and to maintain law and order in his house but that is often sustained through physical force. The wife has the right to a plot of land which she may cultivate, but there is no obligation on the part of the husband to cultivate it for her. The crops planted on that land is food for the family, but the access to the land is merely a domestic arrangement. As we have indicated, the wife has no right to own land as she is under the guardianship of her husband and is the subject of the family courts. The aim is to make a woman feel like owning something while in reality she does not. The right of the husband is to build a house for his wife, that is, to erect a wooden structure on the piece of land, but it is the duty of the wife to complete the building and turn it into a good home. The belief is that husbands build houses but wives' build homes. Van Tromp notes that it is the duty of the husband to take the wife to a doctor when she is sick as long as that sickness is not linked to her family such as the need to perform the customary ritual of *intonjana*. If this is the case, the husband will send her back to her parents.

3.7.5. Patriarchy, Sex and Sexuality of the Wife

In the house of Phalo, sexual behaviour is controlled by cultural norms and values adopted mostly from the patriarchal system. Sexuality and sex are articulated differently by men and women. The violation of the rules that govern sexual acts could have a harmful impact on the social standing of the individual concerned. It is an accepted norm for a man to have more than one extramarital relationship, as that man would be considered clever and he

would be proud also of his many mistresses. Kwatsha (2002:58) confirms that men get away with this practice because patriarchy helps them to eliminate the voice of women who are made to believe that their success depends on men, and that a woman without a man in her life is not woman enough. In contrast, a woman is forbidden to have many partners and any woman who is involved with two men at the same time will be seen as a whore, who has no manners. That woman would be blacklisted by the society and not recommended to any man as wife. This shows that the sexuality of a woman is controlled and defined by the society and by cultural norms and values of patriarchy. A woman's duty is to preserve her sexuality in order to attract a good suitor.

One would believe that marriage grants certain rights to the wife especially of sexual intercourse with her husband. As noted above, a girl's sexuality is defined for her during *intonjana* and it is understood that it is for the benefit of the man. It is regarded as a taboo for a woman to initiate sexual intercourse with her husband. In fact, some amaXhosa men are not aware that women have sexual needs and drive; as far as they know, sex is meant for the satisfaction of the man. The sleeping arrangement is that the couple would share the same room but not the same bed or mat, and the woman would be called to cross the fireplace, which is usually in the middle of the room when the man has a sexual urge. The expression *ukutsiba iziko* (to jump the fire place) is used to describe the sexual act, which normally takes place in the middle of the night when the man is sure that the children are fast asleep and the woman could join him under the blankets for intercourse. The wife has no right to join the man if he does not call for her and it is taboo for a woman to show signs of enjoying sexual intercourse. The woman is expected to cry and pretend that she is experiencing pain, as this makes the man to feel powerful and it nurses his ego. Immediately after the act, the wife must return to the children. Dwane (2002:19) states that in the amaXhosa culture, a married man is at liberty to decide with whom to share his body while a woman is tied to her husband.

Women who show signs of enjoying sexual intercourse with their husbands are depicted as immoral. The woman should not be an active participant in sexual activity. I was told by an elderly woman that most women in the house of Phalo have no idea what orgasm is about, as they have never experienced it. They have been taught to hide their feelings completely even though they also have more or less the same sexual drive as men. Their orientation is that they are there to serve men sexually, and when the man is pleased, that means she has

offered a good service. The sexual liberation of today's women, who are free to state what they want, and how they want it, erodes the delicate ego of men.

3.7.6. A Man's Right to Discipline His Wife

It is an accepted norm that from time to time a man should discipline his wife. The practice is not only encouraged in the house of Phalo, it is accepted. The way to correct and stabilise the family is to correct one's wife; therefore, the man administers discipline for his own sake and for the sake of the family and the society as a whole. An undisciplined wife would not maintain the home or perform her duties properly, and it is the duty of the husband to correct her always and to maintain his stance as the head of the wife. When a man disciplines his wife, the members of the family are not allowed to interfere unless the wife runs to her parents' home. If this happens, the matter would be discussed and if the husband were found to be in the wrong, he would be fined a cow; but if the wife is found to be wrong, the family will rebuke her and ask her to go back to her husband. A woman may be spanked if she questions the ways of her husband for instance if the man sleeps out and returns home the following day or if he drinks too much African beer and comes back home drunk. The man then tries to correct and teach her, while also reminding her that she should respect and obey her man.

3.8. Infringement of Women's Rights by Culture and Patriarchal Laws

The point in this section is to show the extent to which wives are excluded from participating in certain activities because of culture and patriarchy.

3.8.1. Culture and Customs Strengthen Patriarchy in the House of Phalo

We shall consider at this point the role of women in the circumcision⁶⁴ of their sons and ways in which patriarchal laws supported by culture exclude women from this crucial and dangerous stage in their sons' lives. It is possible that things go terribly wrong in the process of circumcision to the point of fatality. Marck (1997:338) reports that if a boy happens to die during initiation, little or nothing is said about the matter. His mother and family members simply get a message that they no longer need to send him food. This means that he has been buried in the bush by the men, and the witnesses would console themselves by saying

⁶⁴. According to Mtuze (2008:119), male initiation serves as a doorway through which the amaXhosa adolescent male must step in order to become a respected member of society or as the amaXhosa would say, *to attain manhood*. Obtaining this status bestows rights, privileges and obligations on the individual concerned.

that he died because he would not have made it in life after all. The family should be happy that he died as a man because ancestors would welcome him fully. Marck further notes that the death of a boy in the bush must be kept secret sometimes until the last day, that is, the mother would only notice that her son is missing when the others return from the ceremony. Women are excluded from the initiation process in compliance with culture and patriarchal laws which are set against women. A mother is not even allowed to ask her husband about the condition of her son in the bush, and if the son happens to die, the man is not allowed to tell his wife the news until the final day when others return home from the bush. She would not actually be informed of the incident; she would only notice that her son is missing from the group. Custom dictates that whatever happens in the bush must never be recounted at home. The woman would never be told where her son was buried or what caused his death. If the men of the family decide to inform the mother of the death, they would be doing so contrary to tradition. Rather, they would simply ask her to stop sending food to him in the bush. She would then have to read in between the lines to know that her son is no more. One can imagine the trauma and pain that the mother goes through in such a situation and the anxieties that develop when a boy is due for circumcision.

It is clear that the emotions and opinions of women are not considered when their children undergo circumcision. They are expected to show understanding and ask no questions. The social orientation of boys also does not permit them to associate closely with women including their mothers. Both culture and the patriarchal system try to cut the emotional attachment between a boy and his mother and any boy who clings to the apron strings of his mother would be known as a sissy, as Mandela has reported. The amaXhosa culture severs such ties through various practices and norms. The son would never tell his mother about his experience during the initiation; it is a secret that he must keep from her for life. Ngxamngxa (1968) says that culture cuts the emotional power of the umbilical cord between the son and his mother. A young man becomes embarrassed by the thought that he came from his mother through the birth canal and that he fed on her breast milk or that she changed his nappies and his complete nakedness was seen by her. Culture teaches the boy child not to be proud of the fact he was born of a woman through the birth canal and that he sucked her breast milk.

Circumcision further functions as the license for these young men to practise patriarchy fully and without fear. It helps them to perform their obligations to the society and to fulfil

the norms of the society. If a boy has not been circumcised the traditional way, he would be ostracised by the society. He is forbidden from going to the hospital or taking Western medication for his pain. The process of fulfilling societal norms excludes the boy's mother completely. Furthermore, only those men who have undergone the process of circumcision are respected in the society, and women would turn away from marrying an uncircumcised male because the society disapproves of such a union. The women refrain from defying tradition because of the fear of negative consequences on their children and of being marked as a rebel against patriarchal norms and culture. If an amaXhosa woman complains about the custom, she could be punished and her husband could be dishonoured in the society and regarded as a weak man. However, the man might redeem his dignity by punishing the wife, in some cases, in public.

The pain felt by the mothers of boys who are being prepared for traditional circumcision could be unbearable and traumatic especially if the son dies without the mother knowing and she could not attempt to save him or she is prevented from seeing his grave. The possibility that the son might not come back could be more traumatic than what the boys go through in circumcision school. The trauma that women suffer is made worse by the fact that the ancestors are all portrayed as men who do not listen to women or empathise with their pain during the circumcision of their sons.

3.8.2. Bridegroom

The main advice that elders offer a bridegroom is that he must learn to exercise self-control. Soga (1931:272) explains that self-control implies that the young groom must learn to keep the rod and the *sjambok* outside of his family life. This is based on the belief that an amaXhosa girl is already well trained by her family to be submissive and there is really no need for the husband to use the rod or *sjambok* on her. If a man has to use the stick and *sjambok*, then, it means the parents of the girl failed to discipline her while growing up, and it is now the duty of the husband to correct her by using the cane and the *sjambok*.

The elders also counsel the young groom that he must ensure that his wife does not become thin, as that would suggest that all is not well in their relationship. The bridegroom however is not given too much advice; the assumption is that he is a man and he was born with "man's wisdom", that is, the wisdom that naturally comes with being a man. In contrast, the girl is given much counsel on how to adapt to the transition from girlhood to being a submissive wife who is ready to put into practice everything that she learnt from childhood.

The emphasis to change and transform a young man to a husband is not there and the transition is not properly done. Therefore, the young man remains a hard man who believes that force and power would get him anything he wants. He has not been transformed into a husband, which is, based on the understanding that a husband is more gentle and accommodating to the wife than an ordinary man would be. The young groom is thus one of the men that the society has produced to preserve the customs and laws which promote patriarchy. He is the agent of patriarchy for the society, which means no matter how gentle or soft he is, he cannot act below the accepted patriarchal norms otherwise he would be labelled as a weak husband who is controlled by his wife. Mandela (1994:13) confirms that his life was shaped by those rituals and customs that the society practised even though he does not explicitly state that the rituals were patriarchal in nature or that they made him into a patriarchal man. Thus, rituals and norms are the firm foundation on which the world of men is built in the house of Phalo. The system of patriarchy is rooted in the norms and rituals of the society (Ackermann 2003:90).

3.8.3. Polygamy

Polygamy⁶⁵ is one of the oldest patriarchal customs in the house of Phalo which have disadvantaged women in many ways. We shall investigate critically how polygamy is used to further patriarchy in the house of Phalo. It is believed that the reason for polygamy among Africans was to produce more children who were regarded as the sign of a wealthy and healthy family. Thus, the main role of a wife was to produce children. Feminists share the view that polygamy was established to legalise the unending sexual demand of men who cannot control themselves. Polygamy is seen as one of the customs which embrace patriarchy and erode the dignity and self-esteem of women. It creates unhealthy competition amongst the wives and Sabalele (2010:34) argues that it can never be managed in a harmonious atmosphere.

⁶⁵ Phalo himself was a polygamist and he had two sons, Rharhabe, the older son born into the right hand house and the second son Gcaleka who was born into the great house. Sabalele (2010) states that polygamy among Africans was important for cementing the tribal unity as it fostered strong political alliances between influential individuals and the families of their wives. Polygamous marriages were also entered into for social reasons. The ability to raise and support a large number of wives, children especially boys, and servants was seen as a high status symbol. A man with many wives and children was deemed greatly favoured for ensuring continuity of the family name, which the society and men in particular valued highly. Boys were regarded as an important economic asset in cattle farming. They usually played a leading role in the management of the cattle posts. However, some children do not get to see their fathers regularly and fathers sometimes forget their names. The situation is worse when both the father and the mother are quarrelling with each other because the children become enemies rather than friends.

Polygamy is generally reserved for men of high economic, political and social status and power. It is a symbol of manhood and shows that wealth belongs to men, while women are fully dependent on their husbands (Okure 1994: 23). The women are the property of this one man and all of them are controlled and managed by him for his benefit. Polygamy was designed for only wealthy and powerful individuals, who were able to afford more than one wife. It is said that polygamy is practised based on the wealth of the man, not the love of the women or their interest. Sabalele (2010:67) argues that the polygamous marriage leads to conflict, jealousy, competition and stress. Soga (1931:138) notes that the husband plans visitation to all the wives to minimise conflicts and jealousy but women still suffer all the wrongs of polygamy, and the system has survived because women have sustained it with their tears and pain. Polygamy victimises women in many ways and it is a highly manipulative system. For instance, a complaining and quarrelsome wife does not get regular visits from the husband.

The best way for a woman to be favoured in a polygamous marriage is to be a slave of the husband and other wives. Soga (1931:138) argues that polygamy was never a normal thing; it is abnormal in the sense that it creates disharmony and women suffer severely from this arrangement. Nonetheless, polyandry⁶⁶ is not an option in the African context as it is perceived as promiscuity and the woman who engages in it will be judged and ostracised by the society. Men in the house of Phalo would not enter into such an arrangement since men

⁶⁶. Polyandry is the practice in which one woman is married to two or more husbands. The custom evolved in human cultures where resources, particularly land and food, were scarce, and/or where women were allowed to own property or ancestral titles of rank. In some parts of the world, it occurred in areas where women themselves were scarce, for example in cultures where female infanticide was routinely carried out or where females were less likely to survive to adulthood. Polyandry allowed men to pool their resources and live comfortable lives that might otherwise be denied to them and their children. In such relationships, the women often enjoyed a very high status. See <http://www.kashgar.com.au/articles/Polyandry-or-the-practice-of-taking-multiple-husbands>. On the local television channel, SABC 1, a popular Television Series called “Generations” aired an episode (2016/02/28 at 20:00-20:30) in which a woman Cornie Fergusson played the role of Karabo who was in love with two men and planned to marry both of them. The episode caused much uproar on the social networks and on many radio shows. Devotees of African tradition commented on it and claimed that the actors are promoting disobedience of African culture and its foundations. The Legacy has started a national debate on why men in South Africa can take multiple wives but women cannot have more than one husband. Karabo Moroka told her husband that she would take her lover as a second husband. She said, in a series of statements, “This hasn’t been an easy decision to make, but it’s the only sensible decision. I want to take Zola to be my second husband... My lawyer says I can marry Zola under the rules of customary law. You know I love you both, but it’s the only solution. Our South African constitution allows customary marriage and a central tenet is gender equality. And polygamy is legal so...” When told it was not culturally acceptable because she was a woman, Karabo defended her stance. “If a man can do it, why can’t a woman? Culture is not set in stone. It must change with the times.” In the following episode, Karabo was hit by a backlash from her family including her lover’s son. Her own three sons made mockery of the proposal, and her stepchild shouted at her, asking whether she could be trusted after the issue <http://www.iol.co.za/tonight/tv-radio/soapie-sparks-two-husbands-debate-1977064>.

want to control a woman and earn dignity from the act of control. Day (1989:78) confirms that this occurs in all patriarchal societies.

3.9.Role of Religion in Patriarchy in the House of Phalo

Christianity and Islamic religion are major in South Africa, and it is crucial for this study to briefly evaluate how they deal with patriarchy in their practices and furthermore, the house of Phalo does not operate in isolation; it is influenced by other African cultures and religions. The patriarchal norms in the house of Phalo could be strengthened by common practices that occur in other cultures in South Africa and in Africa at large. Religion has used culture and culture also has used religion to further patriarchy. It is helpful to consider in brief some of the religious practices that have strengthened patriarchy in the house of Phalo. Various religions⁶⁷ intermingle with many practices in the house of Phalo, and these include Islam, Christianity and African Traditional Religion.⁶⁸ Ikechukwu (2013:123) argues that whoever controls the religious life of a people has taken total control of every aspect of their lives. In some cases, religion is used as a vehicle to further patriarchal practices against women. Chitando (2012:72) points out that since 1960, male scholars have been shaping the direction of religious studies in Africa. The dominance of men in religious studies is in keeping with the general absence of women in higher education in Africa. The situation has infringed on the rights of women in various aspects of life. It will be helpful to consider at this point how religion has been used to further patriarchal motives or as a powerful reference point in the house of Phalo (Bird 1987:121).

3.9.1. African Traditional Religion

Some of the practices in African Traditional Religion (ATR) resemble certain customs in the house of Phalo, but some people have criticised the ATR for promoting culture, arguing that it does not qualify to be called a religion. Many ATR rituals are also replicated in the practices of the house of Phalo. For instance, Ikechukwu (2013) affirms that the status of

⁶⁷. Omadjohwoefe (2010:89) argues that whatever exists today as religion is a process designed by man to relate with supernatural beings. Within its formation, patriarchy was accommodated as part of ritual to elevate men above women.

⁶⁸. Ikechukwu (2013:90) explains that ATR has to do with the veneration of divinity using rituals, which are related to the sacred as opposed to the profane. Such rituals help the worshippers to communicate with diviners. The belief is that God is supreme and so far away from the world that one can only approach him through intermediaries.

women in the ATR is not equal to that of men, and that the menstrual blood⁶⁹ has remained the sole reason for excluding women from the priesthood in ATR. The house of Phalo also forbids a woman from approaching the *kraal* where the ancestors and living-dead reside because of the menstrual blood. The power of religion is used as a controlling factor in the house of Phalo because those who support religion do so because it justifies some of the patriarchal norms and values. Obiechina (1975:45) claims that while there was a god of adultery whose duty it was to visit adulterous women with cruelty and death, there was no penalty the adulterous man. This explains why the society gets so disturbed when a woman is found to be involved in adultery; it is assumed that she must have disturbed the god of adultery. Additionally, the usual interpretation in the ATR is that an infertile woman is either a witch who eats fetuses in the womb or one who must have led a corrupt life as a youth. In the house of Phalo, women are often accused of being witches and some old people are lynched by the society because they are accused of practising witchcraft (Bourdillon 2000).

According to Dwane (2002:18), the position of men in ATR is clear and not distorted; women may not cross or trespass men's territory for it is strictly forbidden by culture and religion. The husband has priestly powers and leads all religious rituals for the family which makes him "holier" than his wife who is prohibited from the cattle *kraal* and the surrounding areas, which are regarded as a holy place and the dwelling place of the ancestors (Mosala 1983).

3.9.2. Islam

In the Islamic religion, the position of women is made lower by religious principles. There is a thin line between religion and culture in Islam, as the Surah 4:34 states that men act as caretakers of women and the righteous women are obedient to Allah. It states that the right of women is linked to men who have functional authority over them. Men did nothing to obtain this authority and no one can do anything to remove it because God gave it to them according to his grace and wisdom from creation. This argument is similar to the belief in the house of Phalo which honours a boy child and grants him special patriarchal privileges from birth. Thus, the Quran grants full power and authority to men over women. The best

⁶⁹. According to McMaster Cormie and Pitts (1997:98), women especially in a polygamous setting were barred from sleeping in the same room with their husbands during their menstrual period. The belief is that menstrual blood is toxic to sperm and it could cause infertility not only in the woman but also in other wives of the man and it could weaken a man. McMaster also reports that when women bled, it was a taboo for them to carry a new-born female child because that baby would have heavy menstruation when she grew up.

woman, according to the Quran (Surah 4:34), is one who pleases and obeys her husband. It also says that the husband is in charge of his wife. When the man is absent, she guards his house and his belongings. The point is whoever is authorised should have the mental and physical capability to carry out the demands of authority and that capable person can only be a man, according to the Quran. The Quran⁷⁰ (Surah 4:35) also permits a man to correct or punish the uncooperative wife, for example, by refusing to sleep in the same bed with her. As in Islam, patriarchy is supported by culture among many people groups including the house of Phalo and clearly, the war against patriarchy is a universal war that all societies should engage in.

3.9.3. Church and Patriarchy

When Phalo men become members of the church, the tendency is that they would use church structures to continue to promote patriarchy from the pulpit. In the book titled, *Men in the pulpit, Women in the Pew?* (2012), Mambo and Joziase (2012:184) ask a fundamental question about why women are few in the pulpit. The reason is that many theological seminaries are opened only to males, which gives men access to the pulpit. Even some men who have not undergone any theological training have access to the pulpit because they are preferred to women. In some churches, if women are alone in the worship service and an unknown man comes in, they would offer him the pulpit. Even if he is unfamiliar with the doctrines of that particular church because he is a man, he is considered more qualified to preach than a woman. Mambo and Joziase further acknowledge that some churches refuse to ordain a few women who show interest in theological studies and undergo training of their own volition.

One of the reasons women are not ordained has to do with specific conservative interpretations of the Bible in patriarchal contexts as already noted in this chapter. Churches in such contexts also support and give a divine blessing to the patriarchal system. Mambo and Joziase (2012:191) view the church as a place of pride and pain. They point out that in some churches, rich people are elected to occupy key positions but obviously, women do not qualify for such positions since they have little or no access to family economy.

⁷⁰. "So blameless women are sincerely obedient, defending in the husband's absence what Allah would have them protect. But those wives from whom you fear arrogance, first counsel them; then if they persevere, forsake them in bed; and lastly, strike them. But if they submit to you once more, seek no means against them" (Surah 4:35).

Unfortunately, some patriarchal societies tend to produce patriarchal churches, and these churches resemble and serve the customary needs of the society but their influence is even more powerful because they are backed by divine authority (Bird 1987:127).

Some of the laws which promote patriarchy in the church emanate from culture, and in the house of Phalo, as observed in this study, women are prohibited from entering into the holy place, the *kraal*, which is the place of the ancestors. Likewise, in the church they cannot approach the altar near the pulpit because it is the higher place that is reserved for men. The argument that women are restricted from walking inside the *kraal* because of menstrual blood is made in conservative churches which forbid women from serving as ministers because they cannot conduct sacraments during their menstrual periods. If a person dies due to an accident, some families would not allow females including female ministers to proceed to the graveyard at the funeral, this is also the case among conservatives Muslims.

3.9.4. Bible and Christianity

The house of Phalo is exposed to the Bible and many of its members are using it as a brick to build the wall of patriarchy. Ayanga (2012:85) describes the Bible as the most controversial document in Africa. It is used by parents to discipline children and the most crucial and dangerous part of the Bible is that answers are found after it has been interpreted. Even those who do not subscribe to the Christian faith quote and use the Bible for their benefits. Missionaries and colonisers used it to exploit Africans, and apartheid theology in South Africa was developed from the Bible. Ayanga (2012:86) argues that the *natives* also used the Bible to try and resist the colonisers, which means that the Bible is an integral part of the colonial discourse, as some believe that it contains a message of liberation while others see it as carrying the message of the oppressors. The Bible was powerful enough to validate the colonial activities of the oppressors and remained powerful enough to liberate the oppressed from their colonisers.

3.9.5. The Bible “Supports” Patriarchy

The main point in this research is that the Phalo interpreter takes advantages of some legitimate similarities between the house of Phalo and the house of Jacob when reading the biblical text. Most of those similarities found in the Bible are used to support patriarchal practices in the house of Phalo. For instance, 1 Corinthians 14:34 says, “Women should

remain silent in the churches”.⁷¹ They must not speak but must be submissive. As the law states, they were not created by God but were made from the rib of a man: “Then the Lord God made a woman from the rib he had taken out of the man, and he brought her to the man” (Gen 2:22). Several other biblical texts are used to validate patriarchy, the most powerful being the text that shows God as the God of the patriarchs, Abraham, Isaac and Jacob. For example, God introduced himself to Moses saying, “I am the God of your fathers, the God of Abraham, the God of Isaac and the God of Jacob” (Exod 3:16). God the *Father* who is the God of fathers speaks to another father, Moses. The favourite verse by the men of the house of Phalo is “Wives, submit yourselves to your own husbands as you do to the Lord, for the husband is the head of the wife as Christ is the head of the church” (Eph 5:22-33). Thus, the fact that the Hebrews as well as the Bible belonged to a patriarchal society and preserved the androcentric elements of their culture cannot be disputed (Bird 1987:167).

Lockyer (1967:34) shows that a daughter was the property of her father and she could be sold as a slave if the purchaser intended to make her his own or his son’s concubine (Lev 21:1-11). Lockyer illustrates this point with the story of Lot and his daughters whom he offered to wicked men to rape. He was ready to protect his guests but said to the intruders, “Do whatever pleases to you to my daughters” (Gen 19:18). It appears that the patriarchal norms of the house of Phalo are nothing compared to what obtains in the Bible. Von Fauhaber (1995:24) confirms that in ancient Israel, the legal and social positions of women were often lower than those of anyone else in the society and women were completely dependent on their fathers and husbands. The text of Numbers 30:2-12 shows the complete dependence and subordination of a daughter or wife not only in cultural affairs but also in religious matters (McNutt 1999:78).

Similarly, Israel is portrayed in a negative way as God’s unfaithful wife in order to censure her for her apostasy and philandering with the mythological cults of Canaan. Tribble (1973:34) argues that the marriage metaphor is employed to describe Israel’s relationship with God in order to describe her actions negatively as adultery, fornication and whoredom.

⁷¹ The amaXhosa believe that God ordained separate gender roles for men and women as part of the created order. The man as the head of the family has the power to control its members. The family is an institution created by God and the husband is the lord of that family. The woman was created to be a helper and she was not supposed to work outside the home hence the saying, “*The place of a woman is in the kitchen*”. She must bear children, look after them and nurture them at all times. This kind of divine patriarchy is behind all forms of abuse against women in the house of Phalo and everywhere else where patriarchy is the norm.

According to Trible, such language and imagery associate women not only with sexual misconduct but also with unfaithfulness and idolatry (Von Rad 1975:268). In Hosea 2:2-3, God says Israel is not his wife, and he is not her husband. God is pictured as a loving husband and Israel as an unfaithful wife who in the history of theology perpetuated the subordinate role of women and portrayed them as whores and adulterers who are also prone to apostasy and idolatry (Trible 1973:35). The reader should note that the biblical interpretation depends on many things applied by the reader to come to his/her conclusion.

3.9.6. Biblical Table Talks within the Phalo Patriarchs

As stated earlier, the Bible is an open public⁷² book used by even those who do not fully subscribe to it. I have collected some of the casual comments which are often used by men to defend patriarchy in the house of Phalo. Some of these discussions have no theological basis but the point here is that the Bible is used by the house of Phalo to further patriarchy in a way that works for the men (Bird 1999:23).

For instance, men argue that God created Adam first and not Eve, since Eve was created after God had created the animals. Their point is to show that the position of women is lower than that of men, and even animals were created before the woman immediately after Adam. Furthermore, men sometimes argue that God made covenants only with men and not with even one woman. For example, God made covenants with Noah, Abraham, Moses and David. God did not speak to women, He only made promises, and He introduced himself as

⁷². One of the Reformation demands of Martin Luther (the Reformer) was that the Bible be accessible to all, which does not seem to be a very good idea. The Bible is a dangerous weapon which should not be in the hands of the public. In South Africa, it has been used to cause much havoc. One could argue on the other hand that the problem is not with the Bible but the interpretation. According to Lawrie (2005:2), no one reads without interpretation and every new interpretation is always based on prior interpretation, we never approach any text with a clean slate. It is important that only those who are equipped to interpret adequately should interpret. Until that time, the Bible must be kept privately and the public must have access to the interpretation of the Bible and not to the Bible itself. We have witnessed on SABC News 2015 incidents in which a so-called pastor induced his congregants to eat grass, snakes or rats and to drink petrol in the name of biblical interpretation. The following year (2016), a pastor in the same church was bitten by a snake and he died (SABC News 2016). Luther rejected the idea that the Bible was for Priests only and it must be written only in Latin, Hebrew and Greek. I understand that this view is not within the convictions of my own faith (Reformed) but the Roman Catholic Church (RCC) used the Bible to oppress people and keep false teachings alive hence Luther advocated that the Bible be placed in the hands of the ordinary believer and translated it into German. It appears that the false teachings that now emanate from the Bible are even worse and more harmful than those the RCC tried to prevent by restricting the use of the Bible to the clergy. One of those harmful norms is patriarchy and in order to understand the factors behind patriarchy, one has to understand concepts such as submission, compliance and leadership. The Bible including the name of God has been used to cast women as inferior. The commoditisation of women in the Old Testament culture is also evident in their stories of military exploits. During wars with neighbouring communities, women could be taken as booty, along with sheep and goats. This affects women's view of the church and the interpretation of the Bible is considered detrimental to women.

the God of men—Abraham, Isaac and Jacob. These men were the heads and executors of God's plans and they had wives who played only inferior roles to their husbands.

In the Old Testament, God instructed Moses to elect seventy elders to assist him in his work (Num 11:16). The emphasis is on men, no woman was selected. The argument is that Miriam and other women were there and if God wanted to create an exception, he could have done so. He could have instructed Moses to nominate both men and women, but he never did. This could only mean that only men in the house of God should be priests. It is further believed that in all the generations, God called only men. In respect of the priesthood, he called the sons of Aaron, and not his daughters. The twelve tribes of Israel took the names of the sons and not daughters of Israel. Similarly, the angels in the Scripture appear in the image of men and not women; the apostles of Jesus were also men and they bore the image of God which was revealed to them by Jesus who came in the image of the Father. Only the son of man died for our sins and not the daughter of God.

Again, the message of God in all the books of the Bible was written by men. The command in the New Testament is not that men should submit to their wives, but that wives should submit to their husbands. One of the popular arguments in the house of Phalo is that anyone who believes that the Bible discriminates against women weakens the authority of the Holy Book. Those who share this idea do believe that God has a great place for women, but to say that place is equivalent to that of men that is completely unbiblical. Such casual conversations cannot be underestimated as they contribute powerfully to how the ordinary reader understands and applies the Bible. On the treatment of women, the men would cite the story of the concubine who was gang-raped in Judges and killed or the story of Lot who offered his daughters to strangers to be raped in order to save his visitors. They claim that such incidents were endorsed by God since they are found in the Holy Bible. The story of Hagar is also used to justify polygamy and to mistreat women who are pregnant with their children outside wedlock. In their view, these are confirmations of the status of women before God and of the way that the society should treat them (Schneider 2004:59).

Furthermore, a brief consideration of the patriarchal practices in the Johane Marange Apostolic Church in particular could help to clarify the relationship between the church practices and the customs of the house of Phalo. The doctrines and practices of the church are regarded as divine and they are not to be questioned by the congregants. Vengeyi (2013:63) states that in Johane Marange Apostolic Church (JMAC), women are forced to

marry without their consent, in line with the custom of the members of the church. An under-aged girl or even an unborn baby could be given in marriage to a particular man with the consent of the parents, but it is the father and not the mother who decides who the girl should marry her. In the JMAC, the bride to be is coerced to accept the marriage proposal that is endorsed by the church prophets and her parents particularly her father. Vengeyi (2013:63) notes the marriage is arranged by the men in the church for financial gain and the girl has no say in the matter. If the girl rejects the marriage proposal, great force is applied on her and she could be beaten until she conforms. Vengeyi reports that women in this church are not allowed to use family planning methods. A male elder in the JMAC is quoted by Vengeyi as saying,

When a woman has many children, she will be naturally pouring out what would be inside her. There are human souls inside her spirit, so if she has only three children when she was destined to have ten, it means she has actually sinned against the other seven souls.

Such views represent some of the dangerous influences that the church could have on the cultures of the people among which it is located. In Christianity, the subordination of women's religious identity is built on biblical mythology about the creation of women. This is an idea taken from Genesis (2:7-12, 3:16) that the Lord God took some soil and formed a man out of it, and he made a woman out of the man from one of his ribs thereby subjecting the woman to the man. Omadjohwoefe (2010) points out that this creation myth is used to justify the subordinate status and role of women and that religion is used to legitimise the subordination of women and other roles of women in the society. Eve is not regarded as God's creation or an original creature of God; her creation was an after-thought and she was created from the spare rib of Adam. Such verses could be used by cultures as a strong *divine* reference point to justify their patriarchal practices (Von Rad1975:268).

It has been argued in this chapter that even converts to the church or Christianity do not disapprove of patriarchy; hence, they often take advantage of the similarities that are observed between the patriarchal practices of the church and of the house of Phalo. Patriarchs in the house of Phalo have modified⁷³ Christianity to ensure that it accommodates

⁷³. African authors describe enculturation as a situation in which culture is transformed by faith, imported into the church, and converted to Christianity. It is also important to consider the situation where faith is totally transformed by culture, for instance, what we see in cultures today where patriarchy is practised and has been adopted by the church as part of the commandments. Church members are cultural patriarchs who see no difference between the patriarchal culture in the society and in the church. We understand the debate on this

Phalo's culture rather than allow their Phalo culture to be Christianised or to co-exist with Christianity. In some churches, one would discover that some of the patriarchal rituals which exclude women are difficult to justify, theologically. Hence, there is a debate about whether an African can be both Christian and African with all his/her rituals without hurting some Christian principles. "It is always a struggle to maintain a smooth marriage between Christianity, the rituals and beliefs of the amaXhosa" (Pauw 1975:81).

Many churches including the JMAC have been fully acculturated and they serve the interests of patriarchy which is embedded in culture. Patriarchy in the church co-operates with the patriarchy in the Phalo house to achieve one objective which is to dominate women.

3.10. Summary and Conclusion

In the present chapter, we have examined the presence of patriarchy within Phalo's family structure, noting that patriarchy is well sustained by Phalo through strong structures in the family, society and tradition. Patriarchy is viewed as part of the identity of the Phalo nation. An analysis of several amaXhosa novels including Tamsanqa (1998) and Jordan (1940), which critique patriarchy, shows that patriarchy operates within a cultural norm. Almost all the stories reach a climax by trying to show the seriousness and dangers of patriarchy in the house of Phalo. The data shows that Phalo has a strong system that sustained patriarchy from birth to death. In the house of Phalo, culture and religion are at the centre of patriarchy which is a way of life that is linked directly to and reinforced by culture and religion. Children are conceived and born into a patriarchal culture.

Patriarchy in the house of Phalo is also connected to domains (religion and culture), which restrict women and prevent them from liberating themselves. Although children are important in marriage, boys are valued more since they are the channel for advancing patriarchy in the family. They guarantee the marriages of their mothers and they are seen as a permanent bond that confirms those marriages. This is important because there is no room for divorce in the house of Phalo. The Phalo marriage is unlike the Western marriage; it is not between two people, but involves the ancestors who are addressed as *males* and God who is also *male*, the families and the community at large (Preston-Whyte 1974:189). The

subject. Due to the limitations of this study, it is not willing to swim in that river, which is full of well-experienced crocodiles in the field.

birth of a boy child connects all those sectors of family and society to his mother, and confirms that the woman is no longer married to only her husband, but to the entire clan or nation.

Furthermore, boys have more privileges than girls and the birth of a boy child creates a strong foundation for and bestows authority on the mother within her marital family. The birth of the boy child joins the mother to the ancestors of the family by blood and only the boy child could connect the mother to the spiritual world and to the ancestors of the family. The boy child is a solid and permanent marriage *certificate and ring* for the mother. Boys confirm the authority and inheritance on behalf of their mother in the family, and they are regarded as gifts from the ancestors⁷⁴. The boy child is the liberator and restorer of the dignity of his mother in marriage and he bestows status and honour on the family. Even though the girl is a part of the family, the possibility that she also comes from the ancestors is not accentuated.

Issues of authority, identity and inheritance are key in the house of Phalo and these are supported and sustained by patriarchy. Boys represent the link between the living and the dead through patriarchal rituals that are performed to connect the family with ancestors. It is believed that in the circumcision of the boy child, the child's blood serves as atonement and it registers him with the ancestors. On the other hand, the menstruation blood of the girl child is regarded as a curse. The girl child is not a permanent member of the family since she would marry and have no say in ancestral matters of the family. The permanent home of the girl child is in her marital family (Wilson 1981:137).

Thus, girls are orientated from childhood to submit to men and they have commercial value for their fathers. The Phalo culture does not encourage the oppression of girls by boys, but tolerates it. What was unacceptable was when girls bullied boys. Such an attitude which eliminates the power of patriarchy was not condoned because the hard-headed girl would not make a good and obedient wife in the future. A childless marriage is considered unfortunate; it is a dead end, but the marriage that produces only girls is not a fulfilled or happy marriage not only in the sight of the man and his wife but also of the society. The world of ancestors is controlled fully by men; only men have the key to that world. That world determines the life and prosperity of men, and women have no space in it. Girls are

⁷⁴ "The mood of ancestors manifest itself through the living" (Mndende 2010:67).

regarded as children of disappointment and this is sometimes evident in the names given to them which show that the girl child is not appreciated at all times, especially as a firstborn who is seen as taking the *place of a boy child*. All these show the strength of patriarchy in the Phalo nation.

In one of the letters he wrote to Winnie Madikizela-Mandela (his wife then) while in prison, Nelson Mandela lamented that they did not have time to try and have a boy child, “We couldn't fulfil our wishes, as we had planned, to have a baby boy” (Mandela 1994). The culture of having a boy child was so strong that even a liberated Nelson Mandela succumbed to it. Mandela (1994:12) is further quoted as saying that in his time, boys were separated from girls and were taught about the economy of the nation as well as strengthening their patriarchal power through cattle herding and ploughing. Cattle and the land meant everything to the house of Phalo and these were always under the control of men. Owning many cows was a mark of masculine dignity and identity; men who had no cows had no say in issues affecting the society. If only the men who owned cows had a voice in society, then, the women would ever remain silent because they did not own cows.

This chapter confirms that males in the house of Phalo ruled over females and even if the male was not the firstborn in the family, he would receive blessings from the ancestors and the living-dead. In the olden days, a wife was not given the family's acceptance name until she bore a boy child, and that means a family was incomplete without a boy child even if the woman already bore girls. The discussion above describes some of the ways patriarchy is transmitted in the house of Phalo. It is argued that patriarchy is not ultimately responsible for the abuse of women, but that the major problem is culture and from the two men benefit. This is evident in the case of King Sarhili who in 1858 appointed his daughter to be the Chief of a village. The king assigned men to support her but unfortunately, cultural barriers prevented her from functioning effectively. The king could not amend cultural norms to accommodate his daughter's new role. Culture, unlike patriarchy, is bigger, older and stronger than the king. The focus against patriarchy in the house of Phalo should be directed to culture, which changes in favour of men. The sooner and faster culture changes in favour of women, the weaker the power of patriarchy becomes as the two feed on each other in the house of Phalo. Where the strength of culture is diminished, patriarchy is weak, which means the concern of those who are disturbed by patriarchy should not be on patriarchy but

on the rapid transformation of culture. Only culture has the power to stand against religion⁷⁵ and other historical references that support patriarchy in the house of Phalo. This point is confirmed by Dwane (2002:18), who states that the African culture and cultural embeddedness in favour of maleness hinders the full expression of female potential and, accordingly, does havoc to mutuality and independence in marriage.

From childhood, both boys and girls are orientated to respect culture as their pilot through life. In the house of Phalo, whatever is linked to culture has a chance to survive. However, culture is also linked to the living-dead and ancestors who are highly respected and honoured in the society. Problems with the ancestors disrupt the entire society and an offender in this respect would be judged as having sinned against the entire society. The oppression of women through patriarchy also has roots in the belief in ancestors which is why the oppression of women is extremely difficult to eradicate. Ancestors are permanent entities which are unchangeable, and those who try to contact them outside the accepted norms would be cursed by the society. The ancestors are supported by families and the society for they are known to be very vicious when they are disturbed and it is expensive for the society and a particular family to make peace with them. In the house of Phalo, disturbed ancestors are destructive to the society and the family or woman concerned is not willing to face their wrath.

The danger is that patriarchy is made the only accepted way of life that sees life outside it as unacceptable. Patriarchy dictates that the behaviour of girls, women and wives should reflect the highest standard of submission to patriarchy while boys, men and husbands should reflect the ability to execute patriarchy and observe cultural norms and values. The idea is that women should not see patriarchy as a tool of oppression but as a system that works for their benefit. However, women themselves become agents of patriarchy that oppress other women. We have shown in this chapter that the *intonjana* is performed by women only. During the *intonjana*, the sexuality of the woman is defined for her for the benefit of men, and she is taught how best to serve men with her sexuality. Sexual harassment was never an issue in the house of Phalo, unless the woman felt violated sexually by a man. Women were made to believe that their sexuality was created to serve

⁷⁵ Religion and culture in the house of Phalo are two problematic concepts; it is not always easy to find the grey area between the two. The interplay between the two fields of culture and religion is a discussion for another study.

men and they have no right over it but their husbands do. Hence, some social scientists argue that HIV is a gender pandemic because women especially in rural areas have no right over their sexuality which is controlled by men. There is no organised structure in the society of Phalo where patriarchy is not in controlled.

Transmission of patriarchy in the house of Phalo is carried out through a meticulous and effective system which leaves no stone unturned. Patriarchy is part of the identity of the people and the source of harmony and peace in amaXhosa homes. The patriarchy in the house of Phalo was ruthless but its cultural foundation is the major enemy. Thus, the women in the house of Phalo should channel their energy to finding ways to relax socio-cultural laws that promote patriarchy in their society and also find a way to draw the line between the two, namely, patriarchy and culture.



CHAPTER FOUR

TRANSMISSION OF PATRIARCHY IN THE HOUSE OF JACOB

4.1. Introduction

The aim of this chapter is to investigate the transmission and perpetuation of patriarchy in the house of Jacob. The two versions of the stories of the creation of human beings in Genesis 1-3 seem to ignite the debate about the status of women in ancient Israel. The notion of patriarchy also stands or falls according to the interpretation of the story of the creation of Adam and Eve. Thus, this chapter will consider the different interpretations that could lend credence to the power of patriarchy not only from the book of Genesis but also from other parts of the Bible especially in the Old Testament. Tribble (1984:3) states that overall interpretations of the creation story do not favour women and many of the issues that relate to the abuse of women in the Bible come from Genesis.

Thus, the discussion will consider how different interpreters from antiquity have read the Genesis story in ways that endorsed patriarchy, this is not exegetic reading as explained before. Other issues that will be examined include the treatment of women based on societal structures, the status of women in the family in the house of Jacob, the cultural norms and values, religion and the image of God in relation to women as preached and seen by ordinary readers. Although the Hebrews believed that God was beyond all human definition and limitation, including sexuality, they continued to describe God in terms that made sense in their particular cultural context. Since their culture was patriarchal, the use of masculine and male images for God abounds throughout the Old Testament. God is described as king, warrior, father,⁷⁶ shepherd and a jealous God. He is God who is over all and anyone who *assumes* his position would be over all, but the first set of people to experience the negative power of that *god* are women.

⁷⁶ Tribble (1984:67) and other feminists have scrutinised the image of women in language and claimed that language encrypts a culture's values, and in this way, reflects sexist culture. However, instead of seeing language as a reflection of society or as a determining factor in social change, it could be seen as a carrier of ideas and assumptions which become established, through their constant re-enactment in discourse. God is known as father, and this emanates from a particular culture's norms and values. Language has a huge impact on how we interpret and perceive things; it is connected to human spirit and culture. We use it to interpret what is in our brains and to support our mental capacity. One of the uses of language is to communicate and influence others. There is nothing in language which is not intended to be spoken or written. Women are also oppressed through language use. Language is connected to the past and carries the legacy of that particular culture. It is used to perpetuate the particular culture in which it is found.

In the conversation with Moses by the Burning Bush, God introduced himself, saying, “I am the God of your father, the God of Abraham, the God of Isaac and the God of Jacob” (Exod 3:6). Does this mean that the culture of that day had power to limit God, or does God honour the culture within which he communicates with people? Daly (1973:13) explains that the element of *father* in God is the symbol that is spawned in the human imagination and sustained as plausible by patriarchy, and it has in turn rendered service to this type of society by making its mechanisms for the oppression of women appear right and fitting. Daly does not explain why God calls himself God of the *fathers* and not of mothers in the Bible. Even Jesus who is in the lineage of Jacob confirmed this masculine image when he taught his disciples how to pray, saying, “This, then, is how you should pray: “Our Father in heaven, hallowed be your name” (Matt 6:9). Jesus’ utterance in the verse could easily suggest that if in heaven, the father rules his people, then, it is the natural order of things and the divine plan and order of the universe that society be dominated by males following the role of God the father⁷⁷ (Dube and West 2000).

In the present chapter, the goal is not to analyse patriarchal terms outside their general meaning and practice, but to consider the views of feminists, Church Fathers and other theologians regarding selected texts that endorse patriarchy in the Bible and to determine whether they interpret the Bible to the detriment of women. This chapter will not delve into theories about the origin of patriarchy but it will consider data from the houses of Jacob for similar or different trends in patriarchy as well as the continuation and discontinuation in different patriarchal social, religious and family practices (Howell 1986:89).

The patriarchal nature of family life in the Old Testament dictated that women live in obscurity rather than in the light of life. A woman in the Old Testament was first under the guardianship of her father, then, her husband after marriage and, in the eventuality of his death, her husband’s brother or heir. The subordination of all aspects of a woman’s life was symbolised somewhat by the fact that though she was a member of the covenant community, she possessed no sign of it, as did the male in circumcision. The Old Testament does not mention the circumcision of girls but some African countries do/did practise

⁷⁷ Daly (1973:13) argues that the domination of wives by husband is properly done to represent God the father. Any change to this religious norm will threaten the credibility of the religious symbols and our culture. The maintenance of God the father is the strategy to maintain the authority of male and permanently suppress females. The masculine power is disguised behind the name of God. Such a situation would be described by the amaXhosa as, *Yingcuka kwifele legusha*, meaning, “It is a wolf in sheep's clothing”. According to Daly, feminist interpretation should seek to unmask the masked God in order to see the real face of God who operates for the benefit of all humanity and not for males only.

female circumcision, which does not have any religious significance but only fulfils a cultural objective and no less authoritative objective than the Israelite circumcision.⁷⁸ Female circumcision will not be discussed here but since the subject matter in this chapter will not benefit much from it. Circumcision in the Old Testament was a male initiation rite (Deut 16:16; Bird 2015:27). On account of this rite, only males were allowed to attend the three annual pilgrim feasts and serve as priests because the issue of female uncleanness discriminated against women with respect to this religious ritual (Williamson 2003:118). This is the normal situation but not the case in the entire Old Testament. In some Deuteronomy law women do attend the festivals, this is stipulated in Deut 12 ad 16 which explicitly includes women. Laws did not remain unchanged, in most cases biblical texts are contextual and contexts are always different.

Male circumcision confirms the belief that a male is superior to the female and that this hierarchy was ordained by God. Two biblical stories, of Tamar (2 Sam 13) and of the Concubine (Judg 19), are selected to illustrate the extent to which patriarchy could be used to mistreat its victims. However, more women in the 21st century need to engage in theology and contribute meaningfully to the dialogue (Kanyoro 2001:30). The two stories will be analysed in detail later in this chapter.

4.2. The Bible

The question one should ask is why do feminists seek biblical justification of women from a book which is formulated against women?⁷⁹ The Bible is regarded as a document that is

⁷⁸. Female genital mutilation refers to the removal of all or part of the external female, genitalia, or other mutilation (cutting) of the female genital organs. The act is generally carried out under the belief that the girls must be 'cut' in order to prepare them for marriage. The majority of girls are cut before they turn 15 years old. The purpose is to subdue a woman and make her more submissive but it is a clear reflection of gender inequality in the societies that practise it. Female Genital Mutilation is a controversial practice that is based on the ideal that women should be asexual; it is therefore meant to cut down their sex drive and delineate further distinctions between male and female. It is horrifically cruel to girls as it causes loss of sexual pleasure even before the girls know the meaning of sex.

⁷⁹. Reuther (2005:114) asserts that feminist biblical interpretation is necessary in order for women to see that the Bible has a message that does not devalue but rather empowers women. The Bible should be used by women to effect the healing of emotional trauma of abusive relationships with men. Feminist interpretations also differentiate between obeying the culture that produced the Bible and the word of God contained in the Bible. Fiorenza (1985:55) confirms that in traditional hermeneutics, man was the paradigmatic subject of scientific knowledge and interpretation, while women were defined as the *other* or the subject of male interpretation. Today, however, feminist interpreters insist on the re-conceptualisation of language and the intellectual frameworks so that women as well as men are subjects of interpretation. Fiorenza states that the Bible has been used for centuries to authorise abuse, exploitation and derision of women by men in the name of God. Hence, Ackermann (1997:10-20) notes that feminists are not out to take revenge on men on behalf of any race, group, or class for what they have done to women, but their response is about a different consciousness, a radical transformed perspective which questions our social, cultural, political and religious

steeped in patriarchy and some scholars have argued that it would be difficult for feminists to find any satisfaction in the Bible since, to a large extent, the biblical text is set against women. To Christians, the Bible is the most powerful book on earth and even those who do not practise Christianity do respect its influence over many people. However, the Bible is the source of various abusive attitudes toward women, which means that the Bible also is central to the liberation of women since it is regarded as the Word of God and divine instruction by many. This study focuses on contextual hermeneutics and argues, therefore, that it is important for feminists to align their fight for gender equality with the Bible, seeing that they demand fair biblical interpretation that favours all parties equally⁸⁰ (West 2000:60).

traditions and calls for structural change in all these spheres. She explains that, “A feminist hermeneutic, like all hermeneutics, is grounded in experience, and more particularly in women’s experience of oppression... It is essential to acknowledge that experience itself is interpreted and filtered through our cultural matrix, which in turn is formed by the race, class, time and histories of our lives. There is no universal experience for all people or even for all women. Yet, while accepting the particularity of experience as a hermeneutical category, we must acknowledge the universal fact of discrimination against and oppression of women”.

⁸⁰. We are not sure what the reaction of biblical women to what we call patriarchy today would have been were they aware of such systems since they had no access to another system that could be compared to what they had that would help them to reject the negative aspects of patriarchy. In some instances, feminists appear to liberate biblical women from a system which the women did not consider oppressive. For instance, it is stated in Deuteronomy that a man could take the wife of his deceased brother (Deut 25:5-6). This act, according to Pressler (1993), shows that women were clearly the properties of males. The women had no say in the matter and we do not hear their voice. In our days, such a situation could be easily interpreted as rape. What evidence proves that this law was totally against the women of the biblical society? Pressler’s comments come from the mind of a modern reader who is disconnected from the mind of the people of the biblical society. This *fighting for others’* attitude in the Bible has two sides. In South Africa, the assumption is that some ministers or comrades and top government officials who try to behave as if they fought for liberation of others better than others and deserve top positions as a reward for *fighting* on behalf of others. Vuyane Vellem who was a professor of Public Theology at the University of Pretoria denied that anyone fought for the freedom of others in the country. One wonders what the attitude of biblical women on patriarchal attitudes was—did they feel the patriarchal oppression? Do our views of these women represent them well? Would they endorse the fight for their liberation that we are engaging in? It is doubtful that they would agree that they were oppressed by the patriarchal system? Women admire the women who spoke in the text such as Tamar (2 Sam 13) but the violence against her and the woman in Judges 19 is clear. In the case of Hagar and Abraham, for example, we are not sure of what exactly happened because the Egyptian woman had no voice in the story (Gen 16). It would be premature to conclude that Hagar was raped since she did not speak in the story and there is no way to know that she did not consent to the sexual interaction with Abraham. Did the act benefit Abraham and Sarai more than Hagar or was Hagar a total victim of the act?

The second example is the daughter of Jephthah in Judges 10. The daughter seems to agree with her father and said to him, “Let this thing be done for me; let me alone two months, that I may go and wander on the mountains, and bewail my virginity, I and my companions”. To the modern reader, the act remains cruel despite the response of Jephthah’s daughter, and the tendency is to want to fight for her even though she herself showed no signs of resistance to the act. Fuchs (1989:1, 2) claims that Jephthah’s vow is foolish, rash and faithless. However, because of the respect she had for Yahweh and her father and the Israelite nation in general, the daughter agreed to be a sacrifice. In this way, she not only obeyed and honoured her father but also Yahweh. Alroy Macrenghe rejects Fuchs’ argument in an article titled, “A Response to Esther Fuchs: An Evangelical Appraisal of Her article, Marginalization, Ambiguity, Silencing: The Story of Jephthah’s Daughter”. He argues that Jephthah’s vow is very much in line with other war vows, pointing out that Fuchs’ claim that the text tries to blame the daughter is ambiguous. Since Jephthah was committed to Yahweh and kept his vow, Yahweh rewarded him by causing his name to be remembered forever not only in the Scriptures but also through a custom that celebrated the daughter. He regained his position which he lost to his brothers earlier in the story. However, Fuchs’ feminist reading claims that the description of the daughter as a virgin and an only child was to portray Jephthah as a victim. This statement suggests that all biblical authors and

The Bible is the product of a patriarchal society;⁸¹ it was fashioned by patriarchs and disseminated in a male-centred culture. On the suitability of the Bible for defending women, Tribble states that the Bible is not a safe space for women. Other feminists also argue that there is an intersection between biblical violence and violence against women in contemporary societies. Hence, we argue that it is important for feminists to liberate women in the Bible first before liberating women today. Phyllis Tribble relates the stories of women in Judges which she refers to as “texts of terror”. Tribble (1984:4) affirms that the book of Judges portrays a picture of women as victims of male abuse, violence and oppression. Thus, in *Texts of Terror*, Tribble retells what she calls “sad stories” of Scripture, those biblical narratives of terror that are generated against women. West (2012:120) suggests that we should also consider how and from whom we receive the Bible and what the primary intention of that person was. All those questions according to West have serious impact on how we interpret the Bible. This idea of reading the Bible in contemporary light is also supported by Masenya (1997:45) who claims that feminist interpretation of the Bible should read the text in light of the context and if it does not talk to the context of the reader then it cannot talk to the reader. This requires special hermeneutical skills because of the ethical distance, geographical context, language, culture and many other things. This conundrum is better highlighted by Osborne who talks of the fusion of the world of the reader and the author (1991:78).

commentators should be aware of what Lawrie (2015:39) calls *being biased* in your own way and in some other ways that are completely not known and cannot be known to yourself.

⁸¹ Lawrie (2015:46) has warned about the danger of generalising from the text. One has to find a *prima facie* evidence when reading the Bible without prematurely forcing the evidence. It is dangerous to view the Bible as the book that emanated from a culture that was against women; that presumption has the potential to blind the reader to smaller details that could lead to a different conclusion. On this point, Lawrie illustrates with the case of a judge who needs to determine whether a case of murder was an act of self-defence, murder or culpable homicide. Bird (1997:13) maintains that the Old Testament is a collection of male writings from a society dominated by males; these writings depict a man’s world. They relate events and activities carried out primarily by males. To Bird, that presupposition helps the reader to arm him/herself for what is coming, and to read appropriately. The text comes to us incomplete in the sense that the world that created it cannot be accessed; we can try to re-imagine the world of the text, but we need to remember that the author had his world and ideology imprinted in the text and that world of the text is completely impossible to conceptualise. Thus, a question arises, are the women of the biblical society always represented by the biblical authors and editors? Holladay (1994:138) shares Lawrie’s view that the text should not be read in connection with other texts since it is understood to have its own voice and autonomy and since it is not essentially connected to its historical settings. He supports the view noted above about the relationship between the Bible and its social settings. He further says that, “The finished text has a life of its own, as such, it can be thought of as possessing meaning or as a message-bearing voice in its own right, but neither its meaning nor its message has a life apart from the text” (Holladay 1994:138-139). Again, a text can and should be understood only in the light of the historical context from which it originates (Jonker 2005:27-58). However, this point could make the application of the text extremely difficult since the context of the original authors and recipients are quite different.

The Bible will be used to investigate what we call patriarchy in the house of Jacob. It is important for the reader to acknowledge that the world of the Bible is dramatically different from the world in which we read the Bible. The world of the Bible (text) is changeless and our world is ever changing. Moreover, the distance between the two worlds is so enormous that it affects the imagination and how to forge a connection between the two worlds. The magic of imagination is the only means of establishing a connection between our time and space and the time of the Bible. The people of the Bible think of themselves as households as we think of ourselves as individuals. The world of the Bible is probably 3 000 years older than our world and the difference in years significantly affects our ability to understand it accurately. Van der Walt (2012:183) agrees that the modern cultural norms and values have removed the modern reader completely from the world of the Bible. Even if we can recall the events and become familiar with the stories of the Bible, the context will remain different; even the world of assembling the Bible and the editing world could be far different from each other (Howell 1986:87).

Hence, we shall use some biblical texts to uncover what could be viewed as patriarchy in the household of Jacob. The house of Jacob was founded on and sustained by many cultural beliefs, traditions, societal norms, laws and values that did not favour women, as will be shown in what follows. Despite the huge difference between the two worlds—the world in which the Bible developed and the world in which it is read—a common search for life draws these two worlds together. The core of this research focuses on such common grounds between the world of the house of Jacob and the world of the house of Phalo. How could such dissimilar worlds show sameness and similarities in their treatment of women and other value systems? Although the two worlds are different, stories of people bring both worlds together. In this chapter, we shall consider how females were treated in the world of the Bible, specifically in the house of Jacob, how the patriarchal system that shaped that world was transmitted and understood throughout the generations of the Bible and how it is copied and interpreted by the world outside the Bible (James 2000:57).

4.3.Patriarchy in the Bible

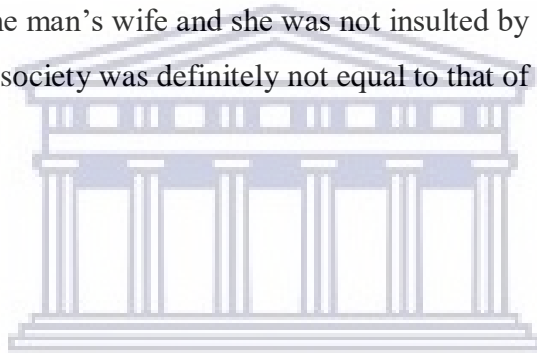
The patriarchal form of family life which existed in the Old Testament caused women to live in the shadows and not independently. As argued in the previous chapter with respect to the house of Phalo, a woman in the house of Jacob was under the authority of her father, her husband and after marriage and in the eventuality of death, her husband's brother. The

subordination of women in the house of Jacob was symbolised by the fact that although women were members of the covenant community, they possessed no sign of it, as did males through circumcision. This meant that the man had a strong hold over a woman and her essence was linked to the authority of a man.

In the house of Jacob, circumcision was not only a sign of covenant but also a sign of authority which is linked to the divine authority that placed circumcised males above women. Females in the house of Jacob could share the same clan names, as they were part of the covenant with the house of Jacob but circumcision created a wide gap between females and males in both the house of Jacob and the house of Phalo. The ultimate purpose of circumcision in both houses is not the same, but both forms of circumcision have the same capacity to transmit patriarchy and endorse power and authority. We shall probe this matter further under the continuation and discontinuation of similarities and dissimilarities in the next chapter. The man was master in the house of Jacob and this seems to be the accepted norm throughout the Old Testament. In the house of Jacob, it is believed that the negative role of the woman in the fall of the human race placed the man above her. Genesis 3:16 shows that the Old Testament endorses the woman's subjugation to the man after the Fall and over the years, this has been accepted as divine through the covenantal sign of circumcision.

According to Vos (1968:44), the social status of women caused them to have few rights or no rights at all. A woman was simply the possession of her husband and was priced along with his cattle. Thus, "The reverence paid to the head of the family was due not so much to his superiority and strength as to his position as priest of the house" (Vos 1968:45). The man was regarded as the link or mediator between his family and God, and the woman was fully subordinate to the man. Patriarchs were the masters of the family, but the idea of matriarchate has also been attested in the Old Testament. The notion of matriarchate which is debatable has little relation to our subject matter and it is assumed that throughout the Old Testament the patriarchal structure shaped the society. Therefore, the notion of matriarchate will not be advanced here. Bird (2015:22) confirms the position of men in ancient Israelite society and that the socio-political and religious structures created liability for women of the Old Testament, imposing on them the status of dependents in the religious, political and economic spheres. These societal structures promoted discrimination against the women in the name of patriarchy (James 2000:59).

Vos agrees with Bird that patriarchy is older than constituted religion, and if that is true, then, religion is not one of those weapons that can be used to minimise the effects of patriarchy.⁸² This explains why religion does not seem to be winning against patriarchy. It can be assumed that the Old Testament presents patriarchy as the divinely instituted structure of the society. Whether this suggests that the power of man was autocratic or arbitrary makes no difference. What matters is that patriarchy promotes the advantage of men over women. Vos (1968:34) states that patriarchy was such a strong system because it caused a widowed mother to be placed under the authority of her eldest son. It should be noted that as much as patriarchy bestows a superior status on a man that makes him to appear despotic, exercising capricious and unyielding authority was definitely not the case in the Old Testament where there are rare cases of men physically abusing and assaulting⁸³ their wives. In the Judges 19 story, but one should bear in mind that the nameless woman was a concubine and not the man's wife and she was not insulted by her husband. Therefore, the status of women in the society was definitely not equal to that of men.



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⁸². The concept of patriarchy has been probed adequately in the previous chapter and in relation to the topic of this research. The discussion in the previous chapter suggests that in the context of the house of Phalo, culture promotes patriarchy more than religion, as the particular culture is found to be older and stronger than patriarchy; hence, culture is used to fuel patriarchy in the house Phalo. Vos (1968:49) also seems to suggest that in the house of Jacob, religion did not hinder but helped to further patriarchy, since patriarchy seems to be older than religion. This argument gives the impression that religion in the context of Jacob as well as culture in Phalo could not be used as weapons to minimise the power of patriarchy in both houses. It seems that there is a connection between patriarchy in the house of Jacob and God; it is executed to favour God but in the house of Phalo, patriarchy is connected to the ancestors which serve as the divine power. This argument will be explored further in the next chapter on the continuation and discontinuation between the two forms of patriarchy.

⁸³. Peet van Dyk notes that, "Women often endure many forms of non-physical violence against them. This was especially true in the patriarchal society of the Old Testament where women were disempowered by their lack of social status or by the severe limitations on their freedom of choice in terms of occupation, marriage, social status, and etcetera" (Van Dyk 2003:6). Non-physical violence probably ranged from subtle forms of coercion to severe psychological brutality. This is an assumption since this was never tested and approved to be so. We actually use our own experiences as human beings to support such an assumption. Those more subtle forms of violence were problematic in ancient patriarchal societies, especially when we use the laws of modern society to evaluate the laws of ancient Israel which disfavoured biblical women. Olojede (2015:24) argues strongly that in the Old Testament there is no evidence of a husband battering his wife. She says, "If patriarchy could be graded, one would not hesitate to conclude that the Old Testament world was more patriarchal in outlook than most modern societies. In spite of the high degree of privilege and the sheer amount of power that was available to the men, it is remarkable that the men of Israel did not physically assault their wives even in situations that would typically call for a fight today". I would not completely agree with Olojede but would say that the matter was omitted by Old Testament authors probably for reasons that are hidden to us today.

4.3.1. Women as Interpreted in Genesis⁸⁴ 1-3

Vos (1968:45) notes that nowhere else in the Old Testament is the position of women's gender illustrated in a general and fundamentally significant way as in Genesis 1-3. Bird (2015:156) agrees but further notes that Genesis is not the only Old Testament book that speaks of creation, but the creation texts are unique in that corpus because they give explicit attention to gender or sexuality as an essential and constitutive element of human creation. Based on Bird's argument and for the purpose of this study, it is reasonable to consider Genesis 1-3 as the major text that is interpreted to support arguments in favour or against women. The depiction of women and the way they should be treated are based primarily on the depiction of Eve in Genesis. Bird (1997:13) confirms that the image of women in the Old Testament is the image of Eve. The woman was a vigorous contributor to the Fall. Her initial sin began when she listened to the serpent, which deliberately used deception to communicate with her.

Women therefore are treated as inferior because Eve was deceived by the serpent (Gen 3:13). For that reason, Daly (1973:44) suggests that Eve be exorcised.⁸⁵ For instance, the

⁸⁴. According to Kassian (1990:14), Genesis 1 gives a summary of the act of creation, including the creation of male and female. Chapter 2 describes the events of the sixth day, detailing the creation of the sexes. The former presents the creation of male and female as simultaneous, while the latter puts the creation of the sexes into a particular time-frame. The man was created first, and then the woman was created from the man's side to be a "suitable helper" for him. Chapter 1 focuses on creation from an angle that is slightly different from Chapter 2. Unfortunately, some interpreters focus on one account and exclude the other. Genesis 1 has been cited as teaching the absolute, unequivocal equality of the sexes, while Chapter 2 has been used as rationalisation for the inferiority of woman. Both accounts complement each other, and the true picture of the role of the woman at creation emerges only when both narratives are viewed together as a whole. Genesis 1 shows the uniqueness and equality of human beings, while Genesis 2 balances the equality with role distinctions. These concepts are compatible. Equality and distinction coexist in the roles of the male and the female at creation.

⁸⁵. Daly's (1973:44) point that unless women in the Bible are liberated using any system of interpretation we cannot find comfort in the liberation of all the women in our world makes sense. Women in the Bible serve as role models to modern women and therefore oppression of women is justified because the women of the Bible were also oppressed. There is a link between the oppression of women in the Bible and the abuse of women today. For example, regarding the David-Bathsheba episode, it is important to assert that King David was wrong and selfish. As a king and as a man of God, it was irresponsible of him to commit adultery with Bathsheba. We need to support Bathsheba and not David. The world needs to know that David abused his power when he abused Bathsheba. If we do not speak out, those in power today may keep doing exactly what David did because no one condemns them. Although David did great things for the Lord, he also erred gravely and abused his power when he laid with Bathsheba and subsequently killed her husband. The greatness of David should not minimise what he did to this poor woman. How many preachers today condemn what David did to this woman? If we praise David or are silent about his wrongdoing, we will be forced to remain silent about the actions of today's Davids who use their power to abuse women sexually (Lockyer 1967:89). We also need to say "no" to the kind of domestic violence that occurred in Abraham's household, (the house of terror, according to Trible) and to declare that Abraham was wrong to follow Sarah's suggestion that he should take Hagar without her consent (Gen 16). If we keep silent, domestic violence committed by powerful men in our societies will continue unchecked (Bograt 1988:23). We need to ask why the men who found a woman in the act of adultery in John 8 brought only the woman and not the man to Jesus for judgment since the woman did not act alone. If we do not ask such questions, women will continue to be raped, abused and blamed; and men

account in Genesis 1 says that on the sixth day, God made the land, the animals and man. Women should be completely subservient because God made her a weaker vessel, a form of property in the creation. Some have attempted to minimise or abolish altogether the sexual distinctions in the Christian fellowship, only to find that the order of creation could not be set aside (Vos 1968:2). This confirms our statement above that the order of creation was key in the execution of patriarchy in the house of Jacob.

For instance, Tertullian is quoted as stating that woman is the devil's gateway, as she easily destroyed the image of God in man and because of her action even the Son of God had to die (in Daly 1973:44). Daly shows that the destructive image of woman that was reflected in and perpetuated by the creation story of the fall retains its hold over the modern psyche. It is therefore assumed that the house of Jacob treated women based entirely on its view of the position of women in the order of creation. In connection with man, the premise is that "God created man in his own image, in the image of God created male and female". The question that arises is whether the woman was part of that "image" or whether it was in a different manner and to a different degree from the man. Clearly, what this image of God consists of in humankind is a difficult question.

The idea of the "image" of God is crucial to the task of this chapter because it has a bearing on the question of the comparative status of man and woman. For instance, if the image of God is described as the ability to rule and to exercise authority, then, the issue will be whether the man rules the woman and whether the man has a greater part in the image of God than the woman. Genesis 1 speaks of dominion but it is not clear whether that dominion comes from the image of God or is the consequence of it. The dominion is exercised over the fish of the sea and every living thing that moved upon the earth but

will continue to say it is because the women wear short skirts or because they ask to be raped. We need to condemn the son of David, Amnon, for raping his sister Tamar in 2 Samuel 13 to demonstrate that it is unacceptable for girls to be raped and abused by their relatives and for society to say it is a family matter and refuse to expose the perpetrator. We need to condemn Absalom the elder son of David for suggesting that the issue was a family matter, which must be discussed only by the family because rape is not a family matter; it is a public matter. It is important to educate men out there that the Samaritan woman was not promiscuous (John 4). She divorced five times probably because she had no children. If she had children, she probably would have sent them to fetch the water for her. The husbands were impatient with her because they did not understand that children come from God. According to the Law of Moses, the woman had no right to divorce a man. If we do not liberate this woman who has been destroyed, abused and badly hurt by preachers, many women will continue to be ostracised and labelled as bad and promiscuous because of erroneous interpretation. It *seems* as if the woman had no right to divorce the husband. Actually, the law does not clearly say that. It simply says the husband, if he divorces, should give a letter to allow the wife to marry again. This would not apply to the wife, because the husband may marry another woman even if he is already married.

nothing in that paragraph excludes the woman from exercising the same dominion or allows the dominion to be exercised over her.

4.3.2. Image of God and the Woman's Position in Creation

The discussion of the image of God is not meant to answer epistemological questions but to consider the position of the woman from the perspective of the creation story, that is, whether the woman was created in the image of God. According to Kassian (1990:8), not only did the creation and fall of humankind lay the foundation of how women were treated in and outside the Old Testament, it has also influenced the perception of women in the New Testament. Some of the reasons are offered by those who consider the male specie as the only image of God are based on the creation story. For example, Vos (1968) shows that the only explanation that may be used to support the view that man has a greater or prior participation in the image of God is that the male was mentioned and created first, immediately after God declared that man would be made in his image. Was Eve then created second in the same original image God? It fair to state that General 1 does not separate the creation of male and female.

The issue of who was created first is however, not the crucial point. Church Fathers such as Augustine (1958:123) strengthen their point with the claim that God first created a non-gendered intellectual essence of humanity in the image of God found equally in all humans, male and female. However, in the actual production of humans, the male was created first and then the female was taken from his side to indicate superiority of the male and subordination of the female in their relationship to each other in the social order. For Augustine, therefore, gender hierarchy was part of the original creation; it did not just appear after the fall into sin.

Augustine said several other things which confirm that a woman is inferior; it is not only about the image of God. Vos (1948:67) differs slightly with Augustine that in Genesis 1, there is also no reason to think that the woman partook in the image of God in any way that was different from the man, but to Augustine, being *created first* signifies authority, power and the only image of God. The text says, "This is the book of the generations of Adam on the day that Elohim created man, he completed him in the likeness of Elohim. Male and female he created them, and he blessed them and called them Man on the day of their creation" (Gen 5:1–2). This passage suggests that God created a couple from the scratch, according to the divine model, but it was a couple that was one, just as the divinity itself

comprises plurality as unity, in the sense that the principle of plurality is an extension of the principle of duality, of a couple that is no longer one (Benyamini 2006:57).

Augustine (1958:231) believed that the fact that man was created first was a strong enough basis to establish his superiority. One wonders whether being created last could not also imply superiority using the same argument that is used for being created first. The first has become a norm in the house of Jacob where the firstborn assumes power over others. It is not only the first creation which renders a woman inferior but also the idea that she was “taken from” the man. The woman was created for the sake of the man and not the reverse. The man was taken from God therefore he is the image of God, but because the woman was taken from man, she is the image of man. Furthermore, some interpreters also claim that man assisted passively in the creation of the woman and that since she was drawn from man, she owes all her existence to him.

In Genesis 2, God initiated the creation of woman saying, “It is not good that a man be alone” and that He would “make him a helper”. The word “helper”, according to Vos, does not suggest being less human, which has been used traditionally to favour the subordination of women. Augustine further saw the subordination of women in the word *helper* as he argued that being created second and as a helper to the man meant that the woman was less rational, closer to the bodily lower self and therefore easily deceived by the tempting serpent. Adam, in Augustine’s (1958:221) view, was not deceived; the serpent could not deceive him, but he went along with Eve in an act of kindly companionship lest she be left alone outside of Paradise. Authors have offered various reasons why the serpent attacked Eve and not Adam. Some views agree with Augustine but others do not. Kassian (1990:22) notes that some expositors say that Eve was deceived because she was weaker and inferior to man. Some argue strongly that the deceiver was actually directed at the stronger partner but if the serpent deceived Adam first, his plan would not have succeeded. Had the serpent tempted the man first, humankind would not have fallen (McConnell 2006:99).

The role of the wife as the ‘helper’ of her husband (Gen 2:22-23) should not be interpreted in purely patriarchal terms of managing the household, but in more spiritual terms of being wise, reputable, and righteous (cf. Deut 1:15-17), and of forming together with the husband a close, personal, intimate, and dialogical community (cf. Gen 2:18.24-25). Genesis 2:23 (cf. 2:18) shows that only in the presence of the woman does the man begin to speak eloquently. Some other interpreters who differ with Augustine argue that the serpent went to

the woman first because she was the final perfecting element in creation. A fourth possibility is that the serpent approached Eve because of the difference in the woman's personality which made her more vulnerable to attack. Bird (1997:47) rejects Augustine's interpretation of the word, helper. She argues that in the creation drama, the man recognised the woman as his equal, and helper means "fit for him, *opposite* not his servant". Augustine argued that Adam's consent was decisive for the fall into sin since he represented the higher self or intellect. Adam and Eve were both culpable, but in different ways. Adam's sin was that he obeyed his wife or his lower self, rather than making her to obey him as her "head" who was created first. Adam ignored the power which goes with being created first by God hence he found himself in sin with Eve. Although Augustine (1958:190) claimed that both male and female possess the intellectual soul or "image of God", women in their femaleness are treated as inferior and unable to represent this image of God fully. He argued that men should not obey their wives to avoid a repeat of what happened in the Garden of Eden Mein (2006:98).

4.3.3. Patriarchy in the House of Jacob

Bird (1997:13) attempts to show that the image of women in the Old Testament mirrors the image of Eve. She agrees with Vos that the interpretation of the portrayal of women in the Old Testament emanates from the image of Eve. In other words, women in the Old Testament are judged and treated in line with the understanding of the image of Eve. She argues that the Old Testament is a man's "book" in which women appear for the most part simply as adjuncts of men, and they are significant only in the context of men's roles. Further, Bird (1997:13) points out that the Old Testament is a collection of writings by males from a society dominated by males; these writings portray a man's world. If Bird's view is accurate, then, it is appropriate to say the image of women in the Old Testament is divinely ordained, and to apply patriarchal laws against women is to fulfil the law of God who is also seen and described in terms normally used for males. However, if we read the Bible from the viewpoint of the author, we may not be able to see beyond his lens even though sometimes, there is some distance between the view of the author and the social setting of the Bible.⁸⁶

⁸⁶. The question is do the women cited in the Bible fully represent the women who were not mentioned in the society which produced the Bible? It is obvious that the society in which the Bible was set was smaller than the society which produced it. Bird (2015:53) attempts to address the question by arguing that the biblical society was patriarchal and "more specifically, of a literate, urban elite of male religious specialists". She further states that the ultimate origin of its traditions in family worship, clan wisdom, popular songs tales, or

The Bible is also the product of the traditions and culture of the house of Jacob which treated women and the feminine as inferior (MacHaffie 1997:5). Therefore, one cannot state with assurance that the Bible is the appropriate book to use in defending the rights of women. In the course of this chapter, the discussion will focus on incidents in the biblical text in which women are raped⁸⁷ and murdered or explicitly regarded as the possession of

songs of women was from male authors and editors. Israelites wanted mainly sons to perpetuate the family line and fortune, and to preserve the ancestral inheritance. The Decalogue includes a man's wife among his possessions, and all her life she remained a minor. Therefore, a husband could divorce his wife; but a woman could not ask for divorce. The wife called her husband Ba'al or master. Sarah also called Abraham *adon* or lord; in fact, as a slave addressed his master or a subject his king. Sarah said, "After I am worn out and my *lord* is old, shall I have pleasure?" (Gen 18:12), and 1 Peter 3:6 says that Sarah called her husband lord, which indicates her full submission and obedience to him. The difficulty here is that we do not have physical access to the society that produced the Bible in order to confirm who the authors are and whether the position of women in the Bible adequately represents the position of all the women in Israel. The authors and editors of the biblical era were influenced by the norms and social values of the time, but it is difficult to determine the extent of the influence and of the social norms of the time regarding women, that is, based on the text before us. The women in the Bible only provide primary clues about women behind the text. It could be unfair to use those intimations as conclusive evidence about the general status of women in ancient Israel. Exum (2007:67) argues that the Bible was written for men and by men, and the Bible is not interested in and has no mercy on women. It is the male world-view that is dominant in the Bible. Furthermore, the history of interpretation also follows a male agenda. This suggests that radical feminist interpretation is the key to bridging the gap between feminist and male interpretations.

⁸⁷ The question of what constitutes rape by modern definition is not so straightforward. Rape is more than just forcible sex. According to Gravette (2004:7), in the Old Testament, rape is considered sex without consent between a man and a female ward of non-consenting male guardian, who were generally her father and brothers. "There is evidence/acknowledgement of the societal trauma suffered by female victims as a consequence of the violation. The Old Testament narratives evaluate the crime, as well as, relate the occurrence. The depictions of rape intrinsically translate the destructive, powerless, helplessness, humiliation, worthlessness, self-blame and the ruined lives in its wake". Thus, "If a man meets a virgin who is not engaged, and seizes her and lies with her, and they are caught in the act, the man who lay with her shall give fifty shekels of silver to the young woman's father, and she shall become his wife. Because he violated her he shall not be permitted to divorce her as long as he lives" (Deut 22:28-29). Hiebert (1994:65) points out that the punishment is for the violation and not for rape. It seems that the Old Testament did not have our concept of rape since the people did not seem to understand the impact of trauma and the psychological damage to the victim. There is nowhere these two aspects are addressed in any punishment of rape in the Old Testament. The law did not address the impact of the trauma of the rape on the victim but it forced her to stay with the rapist and continue to be his sexual fodder (Jones 2001). This exemplifies how women were perceived primarily as tools. In Judges, a man gave a woman to strangers to be raped in order to save another man. Tribble (1984:12) notes that "If done to a man, such an act is a vile thing; if done to women, it is 'the good' in the eyes of men... conflicts among male can will be solved by the sacrifice of females". Hence, there was virtually no consideration for their right to choose especially when it came to their own bodies and also the fact that the Old Testament authors misunderstood rape. The question is, were women of the Old Testament aware of rape and did the men also have the same understanding of rape as we do today? If women in the Old Testament were the properties of males, then one cannot violate his own property. Perhaps rape has more to do with the violation of something that is not yours. This brings to mind the rape case brought against President Zuma of South Africa in the Johannesburg High on 6 December 2005. On 8 May 2006, the Court dismissed the charges, as the judges agreed that the sexual act in question was consensual and Zuma was not aware that he was committing an act of rape at the time of the incident. What if some of the victims in the Old Testament were not aware that they were being raped and the men did not realise that they were committing rape? In the case of Tamar and Amnon, the account relates that Amnon used force to rape Tamar but in some other cases of violation, the details are not reported. If rape is informed by patriarchy which is an oppressive system that confirms authority on the male, as Daly has argued above, then, it means that all men are under the influence of patriarchy, even though some are able to keep it inactive in certain circumstances. However, Daly's argument could imply that any woman who has had sexual contact with a man was raped even if the

men. Brenner (1994:17) states that women experienced oppression because the house of Jacob forbade a woman to enjoy any institutional position of influence which would enable her to defend herself. Rather, women were regarded wholly as extensions of men. Their duties were primarily to produce and nurture children, aimed at building up the households for the men. In many cases, women had no control of how they were treated socially or domestically. In fact, a woman's social status was often determined by a man's willingness to marry her. The above statement was especially true in the case of rape. For instance, if a woman was raped and lost her virginity in the process, she lost her social status. She could only redeem that status if her rapist came forward and married her (Mein 2006:33). Hence, Tamar appealed to Amnon to marry her and rape her within rather than outside marriage. It was clear that Amnon intended to rape Tamar but to protect her dignity and status in the society; she preferred to be raped within marriage. Van Dyk (2003:6) argues that the social status of women in the Old Testament invited rape and abuse by men. He further explains that within the Israelite patriarchal society, women were largely disempowered and their fates linked to those of their husbands or fathers (Bright 1959:67). Widows or single women were also vulnerable and often exposed to severe poverty; many of them had no social status and were sometimes dependent on the alms of their neighbours. Women were not protected against abuse and rape.

As noted above, the assumption was that women were *created to fulfil the sexual needs of male*. Van Dyk (2003:6) notes that events in the Old Testament took place in different contexts. In some cases, rape occurred within the same clan or tribe and it can therefore be classified primarily as a form of interpersonal violence, although an element of intergroup violence – male versus female violence also formed part of the act. In other cases, rape took place within the context of a group (e.g. gang rape) and it could have been motivated primarily by male group aggression towards a member of an outside group (that is, a member of the female group). Van Dyk further notes that such forms of group rape may *inter alia* serve the purpose of strengthening the bonds between members of a gang or may be an expression of aggression between groups. Within the context of group-on-group conflict (e.g. war), rape becomes purely an act of intergroup violence. The story of Tamar is further probed to identify possible elements of patriarchy in it.

intercourse was consensual. In Daly's view, patriarchy is rule of the penis, and the assumption today is that even within marriage which traditionally issued legal consent to sexual intercourse, rape is possible.

4.3.4. Tamar, Victim of Rape (2 Samuel 13:1-22)

Tamar⁸⁸ pleaded with Amnon to marry her instead of raping her. Even though he was her half-brother, marrying him was more acceptable to her than rape. “But he refused to listen”, the storyteller reported. In fact, she suggested that the king could arrange for the marriage to happen. To Tamar, the king had the power to change and amend laws. Tamar was Amnon’s half-sister (v. 1), and the relationship, according to Leviticus 18:9, would be unlawful. I assume that to Tamar, breaking the law and being married to her half-brother would be better than being raped, considering what sexual violence meant in her culture. She did not have enough strength to resist Amnon who refused to listen to her. Tamar was in a way Amnon’s property by virtue of his being male. Unfortunately, we know nothing about the life of Tamar after the incident other than that she became a desolate woman in the house of Absalom.

Van der Walt (2012:193) affirms that the attack on Tamar was mainly one incident in the enthralling plot of Absalom’s revolt against David. It is noted earlier that the story of the rape of Tamar and its consequences in chapters 13 and 14 serve as a prologue to the account of Absalom’s rebellion. This view suggests that Tamar was just a victim of the author’s plot to take the narrative forward; hers was a “*rape by the pen*”. The two chapters mentioned above focus chiefly on Absalom. Amnon’s only wrongdoing was that he raped an unmarried woman and not that he committed incest. The only restriction was that Tamar was a virgin otherwise to rape a woman who had been raped before or was a prostitute⁸⁹ was not at all a

⁸⁸. Tamar was the daughter of David who was sexually violated by her half-brother Amnon. In the story, Tamar appeared on the scene to be raped and thereafter nothing is said about her. Unlike the concubine in Judges 19, however, Tamar still had a voice which Amnon did not heed. We are able to hear Tamar’s feeling about the rape and the violence against her. On the other hand, one could argue that there would be no point for the patriarchal author who carried out “*rape by the pen*” to give voice to the victim because his aim would not be achieved. “Has Amnon your brother been with you?” raises debate but Tamar handled the matter well. She treated the act as a tragedy and did not hide the fact that a terrible crime had been committed against her by succumbing to shame. It seems that, as one who was privy to the operations of patriarchy, Absalom knew before Tamar could answer his question that she was raped by Amnon. Tamar was raped by her own brother in a place where she was supposed to be safe and by the person who should be protecting her. This reminds one of an incident that happened at Gcuwa in the Eastern Cape in June 2014 in which a man raped his own seven-year-old daughter, and which was reported by the South African Broadcasting Corporation. The ordeal of the concubine of the Levite in Judges 19 and the daughter of the old man who was offered to be gang-raped to save the guest clearly show that no place is truly safe for women in this world.

⁸⁹. The prostitute is not the property of any man; therefore, she is not rapeable. The rape of a woman hurts and offends the father of the victim. The rape of Tamar, for example, deeply hurt David and further undermined his power, as Tamar was his property. It was not easy for Amnon to rape Tamar because she was a virgin and that means she was valuable property to her father: “For he thought it an impossible thing to approach her since she was a virgin” (2 Sam 13:2). In their time, the value of a woman was defined by the society based on her sexuality. Hence, Tamar asked, “Where would I go and hide my disgrace?” Tamar knew that her status in the society would change after the rape. The image of women was defined by men and that made women always less and have no voice on how they are demarcated (Bird 1974:61).

crime. This could mean that if any man later raped Tamar, he would not be guilty since she was no longer a virgin. This is how women are portrayed in the Old Testament. Hence, Bird (1974:56) advocates for the transformation of the image of women in the Old Testament.

The Amnon-Tamar story like the story of the concubine in Judges 19 is a tale of woe. The two stories could be used to measure the extent of patriarchy in the house of Jacob. Unlike the editor of the concubine story, Tamar's voice⁹⁰ is heard as remarks made by the editor to moralise the story, but the incident appealed to no moral ears at all. The popular view among the commentators on the story is that Tamar was the victim of the Davidic reign; her story was a way of advancing the plot. Tamar was a punishment for David according to Nathan's judgement over his adultery with Bathsheba. However, the question is why did Tamar suffer the punishment that was to go to her father? David put the future of his family at risk by his greedy seizure of Uriah's wife. The unresolved matter of the succession in the house of David troubled the whole family, particularly David's sons. Thus, Tamar became the vehicle and the victim in the bid to take the battle of the succession of the house of David forward.

4.3.4.1. Tamar and Her Rapist

David, Amnon, Jonadab, the Servants, Absalom and the Community

It has been argued that Amnon was not the only guilty party in Tamar's rape; all the role players in the story who subscribed to patriarchy should be found guilty. No doubt, Amnon was guilty of rape, but so was David for being so unwise as to send Tamar who was not a medical practitioner to a sick Amnon as well as for doing nothing after being told that Tamar was raped. Jonadab (a shrewd man) devised a plan for Amnon to rape Tamar (Ackermann

⁹⁰ Birch's (1974:62) comment on Tamar's story shows that the voice of Tamar was taken seriously and that the same voice should be used to empower modern women and help in unmasking similar situations of rape and violence against women. That the silence of victims of violence and rape strengthens violence against women is noted by Van der Walt in her article, "Hearing Tamar's voice", and by Gerald West and Mabizela-Zondi in their article, "The Bible Story that Became a Campaign: The Tamar Campaign in South Africa (and beyond)". These scholars all suggest that the experience of the destroyed, abused and raped Tamar be used to teach and empower others, and to counter the suggestion by Absalom that she should do nothing about the matter since Amnon was her brother. Even after the rape, Tamar did not remain silent. She continues to argue with Amnon, trying to persuade him not to abandon her to her fate (13:16). West and Mabizela-Zondi (2004:79) say that the male ego in Amnon refused to hear the cry of Tamar and he ordered that she be forcefully removed from his house. Birch (1974:78) and other commentators approve Tamar's public acknowledgement of her rape (13:19). Tamar should be applauded for going public and refusing to care about the cost of such a public statement in a patriarchal society. They find some comfort in Absalom's offer of sanctuary, but reject his act of silencing her (13:20). To Tamar, rape is not a private matter as suggested by Absalom, and in some African traditions, the tendency is that such matters are discussed within the family, the rapist is made to pay a fine and the people vow that the matter be buried. Tamar's response therefore fashions a theology for women who has been raped, that it is acceptable to cry "to God through the public".

2001:35). Absalom also cannot be absolved of blame because he ignored Tamar's pain, telling her not to worry because Amnon was her brother. He said, "*Do not take this thing to heart*" (2 Sam 13:20). The *royal people* who were in the house when Tamar arrived and who asked no question when Amnon ordered them to vacate his residence were also culpable. Van der Walt (2012:183) notes that the community also refused to listen to or assist Tamar. Her voice faded away and became lost in the community which is also guilty of the same crime. Zondi-Mabizela (2004:54) agree with the view that all the men in the narrative including the community raped Tamar in different ways. We do not exactly know or can even imagine what was in the mind of Tamar. First, Jonadab lured Amnon who was the potential heir to the throne of David (2 Sam 13:4) to rape Tamar. He reminded him that as a prince, Amnon could have whatever he wanted, and he therefore helped Amnon to hatch a plan to rape of Tamar. On the other hand, David the man of God and king who occupied a position of responsibility was unable to detect that Amnon's request was a deception, and unwittingly sent Tamar to be raped by his son. Amnon's servants also respected the prince to Tamar's detriment. It seems they also shared Jonadab's view that Amnon had the right to take whatever he wanted. He exercised his power as a prince by ordering everyone to leave the house. No one could rebuke him and Amnon was probably urged by Jonadab to continue with his devious plan.

4.3.4.2. Tamar Confronts Amnon

The Capital Letter "NO" by Tamar

Most female victims of rape are assaulted by people they trust and relate to, as in the case of the concubine in Judges 19, who was betrayed by her husband. The daughter of the old man in that incident was sold by her father while the daughters of Lot were handed over by their own father to be raped. Tamar went to help her brother, and when she found she was trapped, she tried to dissuade him from carrying out the act (13:12). In most cases of rape, the rapists would argue that the victim did not say "no" clearly enough. A man who was accused of rape once said that the victim only said "no" in "small letters" when he wanted to have intercourse with her. Tamar clearly said NO, and in this sense, we can say Tamar's "NO" was in capital letters. That NO⁹¹ should have been more than enough to make Amnon to retreat.

⁹¹. Clowes (2003:213) has argued extensively on the effect of saying "No". In her view, it is important how "No" is said. A real "No" or definite "No" is distinguished from a "NO" said in the last minute or a "NO" that means "No" to sexual intercourse. Regarding the action and force applied, one could assume that Tamar said "No". Clowes suggest that a girl who does not want sex with a boy ought to say a clear and definite 'no'. I

Tamar tried to talk Amnon out of the act by reminding him of the cultural values and norms of the society. She told him clearly that his action would be seen as evil and dreadful, “for such a thing is not done I Israel” (13:12). She tried to appeal to his emotions by helping him to imagine the impact of the act on her life and on his life, for society would consider him a fool. As a last resort, she offered to give herself to him in marriage if only he would ask the king who as the most powerful man in the land could change laws and endorse their marriage (Brueggemann 1977:69). Tamar must have fought to save herself from the situation but Amnon used force. The law quoted above says if a woman is raped in a house with people and she did not cry she should be punished because it is assumed that she enjoyed the act. A girl threatened with rape was required to scream (Deut 22:23-27).

It is clear that, at that point, Tamar was not pleading with a rational human being, but to one whose mind was taken over by the drug of patriarchy and who would not let *his* victim escape. On the other hand, the rape did not disorient Tamar’s mind; rather, she continued to confront him even after the rape. On her way out, she signified to the public that she was raped and cried so that the entire community could hear what happened. In many abusive families, the blame is on the victim, but Tamar refused to be made blamed for her pain: “Now Tamar put ashes⁹² on her head, and rent her garment of many colours that was on her; and she laid her hand on her head, and went her way, crying aloud as she went” (2 Sam 13:19-20). We are not told of the reaction of the servants outside the house when they noticed that Tamar was raped. The reaction of the community also is not mentioned hence its members can also be accused of being party to the crime.

The major challenge feminists have encountered in defining rape in the Old Testament is that the definition of rape does not convey the weight of the crime and its impact on the victim. Some feminists consider rape as torture and that a rapist should be defined as a

disagree with Clowes’ idea of ‘no’—whether in lower or upper case, ‘no’ is not ‘yes’. To say a girl must be clear about her ‘no’ is to say that there is a ‘no’ that suggests ‘yes’. However, “The way in which “No” is said, therefore, appears to be something that girls can control and also something girls are responsible for” (Clowes 2003:213). This could assist Tamar and other young girls who are victims of rape in Africa. Those who say ‘no’ while wearing miniskirts are not saying a ‘no’ which means ‘yes’. It must be strongly emphasised that ‘No’ is ‘no’ and cannot be ‘yes’.

⁹². It seems to me Tamar does not separate herself from her sexuality. The ashes on her head signify that she condemns herself also: she is as damaged as her sexuality. Her act raises few questions such as, is her sexuality equal to or representing herself? How far is her being a human being from her sexuality? Is the damage to her sexuality equal to the damage to the whole body? She put the ashes on her head, which in that context, presumably, represented the whole body. This could be interpreted as “damaged sexuality equals a damaged human being”. Even though the virginity is damaged forever, a human being could recover from such damage. In the light of patriarchal rapes in our modern societies, it is important to separate the two as a strategy to save the lives of raped victims.

terrorist. For example, Griffin (1977:329) agrees with the definition of rape as a form of terrorism as it forces women to depend on men or forces a girl to grow; it takes the freedom of women and renders them passive (Magona 1992:12). The women have no control over themselves as they belong to others in everything. This was the idea of patriarchy in the Old Testament; it enabled men to have full control over women on behalf of God, the *male*.

In the Old Testament, the sexuality of a woman belonged to a man and her value and dignity were determined by men. Therefore, rape was seen as the violation of the property of the woman's father or husband. However, the raped woman was regarded as worthless since her sexuality has been violated (Burgess-Jackson 1996:44). This could be the reason Tamar put ashes on her head after being raped by Amnon as a symbol of worthlessness and to show that she had lost social status, which she could only regain if Amnon stepped forward to marry her (2 Sam 13:19). In the case of Tamar, it was in a sense David who was raped, and not Tamar, because she was the property of her father. The narrator reported that David was hurt when he heard what happened but he said nothing. David's silence is outrageous because the rape of Tamar was a violation of David's economic rights.

4.3.4.3. Power and Duties of Women under Patriarchy

MacHaffie (1997:7) states that women did have a certain degree of power within their households. For example, mothers dedicated their sons to the service of God (1 Sam 1:11), and attempted to influence the choice of their sons' wives (Gen 27:46-28:2) or could have the favourite son declared the principal heir to his father's estate. These were some of the few privileges a woman enjoyed but if she was barren, she was under a dreadful curse as, barrenness deprived her of economic benefits and of an important source of authority and respect. Women were permitted to participate in religious observances but with notable restrictions. Some laws completely closed the door against women. For instance, women who were menstruating or who had recently given birth were considered unclean for a specific period after which they had to undergo the ritual of purity (Lev 12:1-5; 15:19-30). This act is confusing given that the house of Jacob depended solely on God for children.

In the Old Testament, a woman's sexuality was controlled by a man. Bird (2015:61) shows that in ancient Israel, sex was not free, which means it was not only controlled by men it was the property of men and it confirmed their authority. Bird further states that patriarchy required that men have exclusive right to their wives' sexuality. The woman's sexuality was guarded before marriage by her father (Deut 22:13-21, 28-29), and when married, by her

husband. The observation implies that women were sexually independent, and this confirms men's authority and power in several ways. A woman is victimised by a man because of her sexuality and Old Testament patriarchs believed that they needed to control women in order to protect their male interest. The above discussion is informed by the position of man in the creation order. What is it then about the creation order which gives the patriarchs in the house of Jacob such enormous power over women? We shall engage with some commentators in order to answer this question.

4.4. Position of the Male according to the Creation Order

God put the man in the Garden of Eden to work and take care of it and commanded him, saying, "You are free to eat from any tree in the garden" (Gen 2:16; Kassian 1990:13). The responsibilities God gave to Adam clearly show that his power and authority were far greater than Eve's, based on the creation order. Kassian suggests that one could also observe how Adam was created. God formed man from the dust of the ground and breathed into his nostrils the breath of life but Eve was formed from the created Adam, which implies that Adam could not have shared equal status with Eve. Adam was a direct creation of God but Eve was an indirect creation of God. The purpose of their creation was definitely not the same.

Kassian affirms that Adam was given unlimited authority over all other creatures which did not exclude Eve. He was ordered to give names to the animals.⁹³ Kassian (1990:16) explains that the naming of someone or something by a person was a statement of lordship or authority. This is not a blanket statement, since in some cases in the Old Testament text women named their children: Hannah and Samuel.

When Adam saw the woman for the first time, he said, "This is now bone of my bones and flesh of my flesh; she shall be called 'woman,' for she was taken out of man" (Gen 2:23). The naming confirmed that Adam had authority over Eve. God could have named Eve himself, but He gave that authority to Adam. In Genesis 2, the chronological act of creating

⁹³. Throughout the Old Testament, naming of places was under the authority of the chief officials of armies who changed the names of peoples or territories they had conquered (Dan 1:7; Num 32:38, 42; 2 Kgs 23:34; 24:17). God named the light, the darkness, the firmament, the dry land, and the gathered waters to show His sovereign dominion over creation. He called them Day, Night, Heavens, Earth, and Sea, respectively. Adam's naming of the animals demonstrates his sovereignty and authority over them. Although dominion over the earth was given to him in general, the male was given the responsibility to tend the garden and the authority to name the animals. The woman had not yet been created. She came into an already established authority and God never revised it because of the presence of Eve.

the male before the female cannot be ignored or trivialised. It is significant that God confronted Adam first and not Eve. Adam was not punished for being deceived by the serpent, but for listening to Eve. To Adam, God said, “Because you listened to your wife and ate from the tree about which I commanded you, you must not eat of it” (Gen 3:17). The sin of the woman was not that she desired knowledge, but that she misused and violated God’s created order by disobeying both Adam and God. Thus, Eve was divinely placed under the authority of and made to submit to Adam.

4.4.1. Why Eve Should Submit to the Man

Augustine believed that the source of evil could be traced to the mind of the woman. The fact that God demanded an explanation from the man suggests that he was considered the head of the family and held responsible for its affairs. Thus, in God’s judgement, the woman received more severe punishment than the man, which could imply that she was charged with more guilt and could be the reason for decreasing her eligibility to function in the cult (Num 25:10-25). Augustine’s main point could be found in the final judgement against the woman which says, “Your desire shall be your husband and he shall rule over you”. Vos explains that the woman was in a dilemma; she had a sexual desire, but the fruit of its gratification was bitter and painful. The desire of the woman is towards the man, but Augustine (1961:21) did not mention the desire of a man towards the woman. The argument is based on the incident that the serpent approached the weaker vessel. The Old Testament does not give a clear indication of why the serpent approached the woman instead of the man. Would the man have resisted the serpent? This question cannot be answered without speculation.

It seems that two basic concepts are inherited from the creation order namely authority and submission. The general understanding is that women are born cursed and this is because they failed to obey authority and submit to God and those whom he placed over them (Kassian 1990:30). The curse on women did not originate from the sin of man. The curse on women was brought about by a woman. It does not have to do with the subordination of women, but rather with the rebellion against women’s subordination. Women are cursed in that they rebel against the created order. They can minimise that curse by obeying man who is ordained by God as the only image of God before them. It is also important for man to stop disobeying God by listening to Eve. The woman’s insubordination to the Adams of today activates the curse of God on them and shows that women are not apologetic about their stance against God and men.

God himself wove the hierarchical structure into his overall design for creation. God is the source of the idea of authority and submission, and He allowed and ordained hierarchical relationships in which one party has authority over another. God is the source, not simply of all authority; He is the source of the very concept of authority (Rom 13:1). That the universe should be ordered around a series of hierarchical relationships is His idea, a part of His original design. Although the Scripture stresses that each individual is equal and precious in God's eyes, it also reveals that God has established relationships within the framework of authority and submission. Equality in terms of spiritual privilege does not nullify the principles of authority and submission in human relations. Biblical equality and hierarchy are compatible concepts which occur simultaneously in Scripture. The insubordination of today's Eves is the continuation of Eve's action in the Garden of Eden. In the case of Adam and Eve, submission implied inferiority as argued by Aristotle who claimed that being created second means being inferior in all respects. Westermann (1984:47) observes that all the narratives in Genesis 1-11 are concerned in some way with crime and punishment. In Westermann's view, therefore, there was no way that Eve could escape punishment for her sin, and the punishment confirmed that she was the guilty partner. Adam was also punished, but his punishment was less than Eve's punishment.

It is assumed here that laws which regulated the roles of women and men were created based on the way women are viewed in relation to men in the creation order and in the ancient biblical society. Those laws are known today as the patriarchal laws of the Bible. A few of such laws in the Old Testament which could be viewed by the modern reader as promoting patriarchy are cited below.

4.4.2. Patriarchal Laws in the Bible

One of the chief aims of ancient Israelite laws is to assure the integrity, stability and economic viability of the family as the basic unity of the society (Bird 2015:23). At the centre of every family and the interests of the family was the male. Laws were defined to protect the rights of males, and a wife's primary contribution to the family was her sexuality which was regarded as exclusive property of her husband, that is, in respect to both its pleasure and its fruit. This is demonstrated by the statement, "Her husband is respected at the city gate, where he takes his seat among the elders of the land" (Prov 31:23). The husband of the woman referred to in the statement seems to be respected because of the good deeds of the wife. Bird further shows that the duty of the woman was to "build up" the

“house” for the man to fulfil his primary role as the *paterfamilias*. Thus, an act of adultery involving a married woman was a crime of first magnitude in Israel (Lev 20:10; Exod 20:14), ranking with murder and major religious offences as a transgression demanding the death penalty. The seriousness of the crime was not about having extramarital relations which was tolerated in certain circumstances. It was about property and authority. Adultery by a wife violated the rights of the husband to her sexuality and was an attack against his authority as the family head.⁹⁴ It further exposed the man’s authority to another man, implying that the woman was involved sexually with the other man because her husband was not good enough for her.

Furthermore, the patriarchal system seems to be against women from birth. The moment the girl child was born, the oppressive laws of patriarchy began to work against her. Leviticus (12:1-5) states that if a woman gave birth to a boy,⁹⁵ she would be unclean⁹⁶ for seven days but if the baby was a girl, then the mother would be unclean for fourteen days. Childbirth made a woman unclean, but giving birth to a baby girl made the mother twice as unclean. Uncleaness could be linked to the vaginal discharge; but is the discharge during the birth of a boy is different from that of the girl? This question is not answered, in fact, it is not asked. The text states that on the seventh day, the boy was to be circumcised while the mother remained in her unclean state, and was not to touch any hallowed thing or come into the sanctuary until the days of her purifying were completed (Lev 12:3; Vos 1968:54). After the completing the purification days, the woman was brought to the priest with a lamb or pigeon for the burnt offering to remove her sins before Yahweh and make atonement for her. This indicates that the cleanness or uncleanness of a woman was of concern to the covenant community.

⁹⁴. The adulterer robbed the husband of his essential honour, while the unfaithful wife defied his authority because she offered another man that which belonged only to her husband. The killing of the wife found in such an act was meant to restore the authority and honour of the man. Bird (2015:25) confirms that many laws in the Old Testament protected the family, but most of those laws were designed to protect the authority of male.

⁹⁵. According to Kennett (1931:7), the ordinary child received a name at birth, mostly from the mother, sometimes from the father or to whom the child was presented, and the name did have a certain meaning. In some cases, the narrator informs the reader what a name means or the person will do in future, and sometimes the name was given to the person few hours before his/her death. The meanings of the names of some famous biblical figures such as Adam, Cain, Seth, Noah, Abraham, Isaac, Jacob and his twelve sons are explicitly stated in the Bible. Their names tell the story of why or how they were born.

⁹⁶. In Luke’s account of the birth of Christ, Mary went to the temple only after the days of her purification were fulfilled, which shows that she was considered unclean after childbirth. However, Leviticus 12 suggests that the child was not the cause of the uncleanness but that the secretion accompanying childbirth was in a way the cause.

The puzzling issue⁹⁷ in the whole verse is the difference in the requirement for purifying the uncleanness of a mother based on the sex of the child. Could it be that the number of the days of purification in the case of a boy child was reduced by half because of the requirement to circumcise the boy on the eighth day? However, until some other convincing evidence surfaces, this assumption could be accepted because it throws light on the workings of patriarchy. The matter could be probed further but it is not part of the objective of this chapter. The reason for doubling the time of purification is a matter of speculation. He (Mishnah) notes however an aetiological explanation sometimes given to account for the difference, which is that Adam was created at the end of the first week of creation and entered Eden on the forty-first day, while Eve was created at the end of the second week and was finally admitted into the Garden of Eden on the eighty-first day. The explanation appears speculative, and at the core, it also offers a solution that benefits the man. Some of the Rabbis have also tried the biological explanation which also benefitted male. It is said that male embryo is completely formed in forty-one days but the female in eighty days. Aristotle argued that the male was formed in forty days, but the female in three months. This seems to be one of the biblical problems which Lawrie (2015:39) says cannot be resolved without speculation.

Deuteronomy 22:28-29 states that, “If a man happens to meet a virgin who is not pledged to be married and rapes her and they are discovered, he shall pay the girl's father fifty shekels of silver. He must marry the girl, for he has violated her. He can never divorce her as long as he lives”. This law seems to protect the rape victim and to restore her dignity. However, it does not consider the trauma caused by the rape as it forces the victim to stay with her rapist and continue to be his sexual fodder. It makes it easy for rapists to marry their victims and confirms that women were men's property and controlling their sexuality was the right of males. Women were objects of rape and their main task was to produce heirs. The only way to ensure that the first child belonged to the man was for the woman to remain a virgin until she married and after that, she had to remain faithful in order to protect the authority of her husband. These were “laws of death” that were designed to keep women faithful to men, and the laws suggest that a woman could only have one sexual partner for life, and even if she was raped, she had to marry the rapist.

⁹⁷ It is believed that Rabbis associated the requirement with the belief that it took forty days for the male foetus to develop and eighty days for the female. This does not help us much because it is difficult to find a direct connection between the development of a foetus and the uncleanness of the mother.

A number of other regulations govern marriage but do not consider the interests of the woman. For instance, Deuteronomy 22:28-29 states that in the case of the rape of a young single woman, the father should receive compensation. The compensation for the injury of the young woman was received by her father; nothing was done to alleviate her pain. If a young girl was accused of not being a virgin after her husband had lain with her, the husband would take her to the gates to be charged. However, if the charge was true, and “evidence of the young woman's virginity was not found, then, they shall bring the young woman out to the entrance of her father's house and the men of her town shall stone her to death, because she committed a disgraceful act in Israel by prostituting herself in her father's house. So you shall purge the evil from your midst” (Deut 22:21-22; Clements 1994:76). I assume that the worth of her sexuality is determined by her father's house. As the amaXhosa would say, the price for the sexuality of a woman is her father's cattle. The strange laws against adultery by women show that a woman could only have one sexual partner.

The laws of Deuteronomy 25 on the rights and recognition of women are extremely outrageous to the modern reader. For example, when brothers resided together and one of them died without producing any son, the widow of the dead man shall be taken in marriage by his brother. He would perform the duties of a husband's brother towards her, and her first child from that union would bear the name of the deceased brother, so that his name may not be blotted out of Israel (Deut 25:5-6). This act shows that women were clearly the property of men. The woman had no say in a Levirate arrangement, and today, this could easily be interpreted as rape (Pressler 1993:45).

Deuteronomy 22:23 addresses laws relating to adultery. If a married man engaged in sex with an unmarried woman, the act was not considered adultery. Married men were even free to visit prostitutes, but I do not know whether prostitutes were free to visit married men. The man who committed adultery with his neighbour's wife acted wrongfully against his neighbour (a man), and not against his own wife. His wife had no sexual rights over her husband only the man had rights over his wife. Verse 23 states that, “the woman will be punished because the woman did not cry for help in the town.” This implies that the woman should have cried and called out for help until someone heard her. If no one heard her cry, it meant she willingly participated in the act and she should be stoned to death. The act of stoning the woman who committed adultery was also another way of protecting her husband from having children with questionable paternity.

Bird (2015:22) explains that these laws benefitted men. The husband who suspected his wife of infidelity but had no proof could require her to submit to a test. If she is proved innocent by this procedure, the husband incurred no penalty for the false accusation (Num 5:12-31), and infidelity by a man did not constitute a crime. Men were allowed to divorce their wives and it was their prerogative to do that. However, it is not clear whether divorce was initiated due to infidelity. Some authors also suggest that divorce was executed in cases of barrenness. Bird (2015:26) points out that a woman who did not produce children for her husband did not fulfil her duty as a wife. The major role of a wife in the Old Testament was to give birth to children, primarily to a male child. As stated above, producing a male child (the heir) was the seal on her marriage and confirmed the man's authority as father. A woman's barrenness was regarded as a terrible situation and a curse from God. Barrenness was a good enough reason for a man to divorce his wife, which was why childbearing was so crucial to Israelites wives. Women sometimes went to great lengths to conceive and to ensure that their husbands had sons, even if the children were fathered by other men. The point was to make a man happy, as in the case of Sarai and Hagar (Mbuwayesengo 1997:29). In Genesis 16:2, Sarai wondered, "Perhaps I can build a family through her". The building of the family, particularly a son, was going to be a seal of Sarai to Abraham. Sarai was not building a family for herself; it was to fulfil the main purpose of the marriage.

Leviticus 27:6 states that a boy child aged one month to five years' old was worth five shekels but a girl child was worth three shekels. The reason for the difference in price is unclear but it is clear that the boy child was worth more than the girl child: "And if it be from a month old even unto five years old, then thy estimation shall be of the male five shekels of silver, and for the female thy estimation shall be three shekels of silver". Bird (2015:28) compares this difference to the monetary equivalent vows of a 20-60 years' old male which was valued at 50 shekels, while that of a woman in the same age bracket was worth only 30 shekels.

Thus, the difference in value started from birth and the case of the vow shows that the value of a male of any age was higher than of a female. The impact can only be imagined, as the difference must have been enormous in economic and psychological terms. The same patriarchal style of excluding females is noticeable in population censuses in which only males over the age of one month were counted. For example, God commanded Moses to "number the children of Levi after the house of their fathers, by their families, every male

from a month old and upward shalt thou be number them” (Num 3:15). According to this verse, girls and women were not considered worthy of being counted as human beings. Only men represented the society and were worth counting.

It is interesting that Moses told the children of Israel that, “If a man dies and has no son, then you shall cause his inheritance to pass unto his daughter” (Num 12:3). The daughter inherited her father’s property only when there was no son, and the wife did not inherit from the husband. If the man had no children, then, the estate was given to his brother but his sister got nothing. If he had no brothers, the inheritance went to the closest male relatives and the closest female relatives got nothing. The laws of inheritance also point to matters of authority, power and male benefits. They were used to secure families against the alienation of family property, that is, the essential property, which assured each father’s house a place in Israel (Bird 2015:26). If a daughter married into a different family, she would receive no inheritance since the property carried the name of the male head of the family. This confirms that, under normal circumstances, females did not inherit land. In Ruth’s classic statement to Naomi for instance, she never mentioned land as part of what would be hers. Rather, she said, “Your people will be my people and your God my God, where you die I will die, and there I will be buried” (Ruth 1:17).

Moreover, Deuteronomy (21:10-13) permits a soldier to force a female captive into marriage without any regard for her wishes. The verse shows clearly that women had no rights at all, and men had power to control and to own them as property. It is disconcerting to note that Israelite traditions probably viewed sexual violence against foreign women (that is, rape) during war in a less serious light! Alice Bach calls this an expression of the “standard cultural myth... that rape is an unavoidable consequence of war. This practice probably also existed among Israelite soldiers, as may be implied by the attacking and taking (raping?) of the virgin women of Jabesh-Gilead (Jdg 21)” (Bach 1998:5). The existence of this custom is also illustrated by the fact that Israelite soldiers could take virgin women from among the ranks of their defeated enemies (Num 31:18).

A comparable incident is found in Genesis 16 where Abraham slept with the slave woman named Hagar⁹⁸ who was captured from Egypt without her consent. Hagar's voice was not heard in the matter (O'Connor 1997:23). His action was in line with the law which states:

When you go to war against your enemies and the LORD your God delivers them into your hands and you take captives, if you notice among the captives a beautiful woman and are attracted to her, you may take her as your wife. Bring her into your home and have her shave her head, trim her nails and put aside the clothes she was wearing when captured. After she has lived in your house and mourned her father and mother for a full month, then you may go to her and be her husband and she shall be your wife. If you are not pleased with her, let her go wherever she wishes. You must not sell her or treat her as a slave, since you have dishonoured her (Deut 21:10-14).

Deuteronomy 22:13-21 also requires that a girl be found to be a virgin when married.⁹⁹ If she had sexual relations while she was single in her father's house, then, she would be stoned to death. Conversely, a man could have sex before marriage without any law punishing or restricting him. However, if the accusation of sexual immorality against the bride were proven to be untrue, then, the male would be fined and ordered to remain with his wife. Incidentally, one is yet to find any law that sanctioned a sexual offence that a man committed against a woman that was punishable by death.

Deuteronomy 22:28-29 also requires that a virgin who was raped marry her attacker, regardless of her feelings towards the rapist. It says, "If a man find a damsel that is a virgin,

⁹⁸. The story of the Egyptian woman Hagar is one that Tribble calls a story of terror which was told from the perspective of the narrator who probably knew nothing about Hagar and her background. Teubal (1990:36) points out that the problem with many biblical stories is that they are told from the perspective of a male author and a *male God*. Hagar's background was different from that of Abraham, but her story was told from the perspective of Abraham which did not at all benefit Hagar. In this chapter, the aim is to probe the stories of women told from the perspective of men who regarded them as their *properties* and of God who is also portrayed as *male*. The androcentric attitude expressed by biblical authors is not only detrimental to the female characters that it portrays, it also misrepresents the nature of the society in which women lived (Teubal 1990:44). It is unfortunate that the issues are more complex than what bridging the gap between the modern reader and the ancient biblical text can resolve. The view that the text is far from the modern reader is accurate, but more importantly, the accurate meaning of the text is also missing. It is beyond the imagination and understanding of the modern reader; the modern reader can neither smell it nor feel it.

⁹⁹. "If a man takes a wife and, after sleeping with her, dislikes her and slanders her and gives her a bad name, saying, 'I married this woman, but when I approached her, I did not find proof of her virginity,' then the young woman's father and mother shall bring to the town elders at the gate proof that she was a virgin. Her father will say to the elders, 'I gave my daughter in marriage to this man, but he dislikes her. Now he has slandered her and said, 'I did not find your daughter to be a virgin.' But here is the proof of my daughter's virginity.' Then her parents shall display the cloth before the elders of the town, and the elders shall take the man and punish him. They shall fine him a hundred shekels of silver and give them to the young woman's father, because this man has given an Israelite virgin a bad name. She shall continue to be his wife; he must not divorce her as long as he lives. If, however, the charge is true and no proof of the young woman's virginity can be found, ²¹ she shall be brought to the door of her father's house and there the men of her town shall stone her to death. She has done an outrageous thing in Israel by being promiscuous while still in her father's house. You must purge the evil from among you" (Deut 22:13-21, NIV).

which is not betrothed, and lay hold on her, and lie with her, and they be found; Then the man that lay with her shall give unto the damsel's father fifty shekels of silver, and she shall be his wife". Clearly, raping the damsel was not a punishable act as the man was only forced to marry her and he could divorce her later if he wished as stated in Deuteronomy 24:1 which describes the procedure for obtaining a divorce thus:

When a man hath taken a wife, and married her and it come to pass that she find no favour in his eyes, because he hath found some uncleanness in her: then let him write her a bill of divorcement, and give it in her hand, and send her out of his house.

The divorce could only be initiated by the man and not by his wife. It seems women had no right to divorce their husbands. The divorced woman was always *wrong*, and a man could never be wrong to the point of being divorced by his wife in that context. Oduyoye (1992:56) in this regard asks, "What is the genuineness of being African, woman, and Christian?"

Again, Deuteronomy 25:5-10 states that if a woman became widowed, she would be required to marry the brother of her deceased husband. Pressler (1993) notes that this is the first part of a more complicated law. It treats the wife as a piece of property. Instead of considering what the woman wanted for herself, the law assigned her to marry someone else in order to remain in that family in what was called a "Levirate" marriage. The man could refuse to marry her but the woman had no say in the matter. This act is also a form of masked rape. The law states that:

If brethren dwell together, and one of them die, and have no child, the wife of the dead shall not marry without unto a stranger: her husband's brother shall go in unto her, and take her to him to wife, and perform the duty of a husband's brother unto her (Deut 25:5).

It seems that most laws in the Old Testament regarding women treated them as sexual beings whose sexuality had to be controlled. The law did not view women as equal human beings who had the right to justice and social equality since it was designed to support patriarchy.

Furthermore, if two men were fighting, and the wife of one of them grabbed the other man's testicles, her hand was to be chopped off (Deut 25:11). However, no penalty was stated if a male relative were to grab the other man's testicles. No doubt, a woman would consider it necessary to support her husband if he was struggling to win a fight, but the Hebrew law forbade her to help her husband in distress, if that support entailed grabbing the opponent's

genitals in an effort to stifle his onslaught. The penalty would be amputation of the hands that fondled the genitals. Such laws could only have been created by males who did not place much value on women. Even the man who was helped by his wife could join in cutting the wife's hands. Thus, the law was designed in a way that the man remained superior to his wife.

Other sexist laws include Leviticus 15:19 and 24 which state that:

If a woman has an emission, and her emission¹⁰⁰ in her flesh is blood, she shall be seven days in her menstrual separation, and anyone who touches her shall be interpreted as ritually unclean commonly by people until evening... And if any man lies with her at all and her menstrual separation will be upon him, he will be unclean for seven days.

The punishment would have been worse in the case of a woman who slept with another woman (lesbian) in her emission, than the case of a man who slept with an unclean woman. Leviticus 18:19 warns, "Also you shall not approach a woman in her menstrual separation, to uncover her nakedness". Leviticus 20:18 in addition says, "And if a man lie with a menstruating woman and reveal her nakedness, and she revealed the fountain of her blood, both of them will be cut off from among their people". The question is was this really about the menstrual blood or an additional excuse to punish a *less important person*? Certainly, if a man were to be in a similar situation, the laws would not have been the same, as noted in the laws regarding the birth of girl and boy children. Bird (2015:55) states because of the patrilineal structure of the society, women were to some extent treated as either aliens or transients within their family of residence. Married women were outsiders in the households of their husbands and sons, while daughters were prepared from birth to leave their father's household and transfer their loyalty to their husband's house and lineage.

Judges 19:16-30 describes an episode similar to that in Genesis 19. Some men in the city wanted to "know" (to rape) a visiting Levite. The owner of the house offered his virgin daughter and the Levite's concubine to be raped by the men. Perhaps the two women were considered lesser human beings who did not bear the image of God according to the creation order, as mentioned above. The two women were offered as the equivalent of one man: "Behold, here is my daughter a maiden, and his concubine; them I will bring out now, and humble ye them, and do with them what seem good unto you: but unto this man do not so vile a thing" (Judg 19:24). In the laws examined earlier, it is stated that a male was worth

¹⁰⁰.Vos (1968:20) states that the emission of sperm did not make for uncleanness of the same intensity or degree of contagion as menstruation.

twice the price of a woman. Judges 19 therefore narrates the story of a father who offered his virgin daughter to a drunken mob. When the father says, “unto this man do not so vile a thing”, he makes clear that sexual abuse should never befall a man (meaning his guest), but a woman, even his own flesh and blood, or the concubine¹⁰¹ of a perfect stranger could be assaulted by men for no reason at all. Such attitude against women persists to this day and to a certain extent, we have the Bible to “thank” for it. Verse 25 describes the all-night long gang rape of the poor concubine. The narrator did not give any hint of compassion or concern for the raped girl. Considering that many people believe that every word in the Bible comes from God, it should not be a surprise that some people still use these verses to justify similar atrocities today.

Like Lot who tried to defend the strangers with his daughters’ lives, the old man in Judges 19 defended only his male guest without much thought for his two daughters and the concubine of the guest. The Levite shoved his own concubine to the gang outside, who proceeded to rape her serially. Perhaps as a concubine, she was considered less than a virgin and less than a wife in the eyes of the society. The man only learned of her death when he tried to leave the house in the morning and stumbled on her body. Clearly, the woman was considered expendable and of little or no value at all and the value of a woman was measured by her sexuality. Lawrie (2015:37) quotes Bal who refers to the narrative as “the most horrible scene in the entire Bible” in which the enormous power of patriarchy is exposed. Later in this chapter, the acts of rape in the book of Judges will be probed further to show the extent of patriarchy in the house of Jacob.

In the Old Testament society, the sexuality of a woman was the essence of her being and according to the rules of the men of the Bible, if anything violated her sexuality, the ultimate punishment was death. In other words, the rule was “*no sexuality, no woman*”. If a woman’s

¹⁰¹. Smith (2006:17) states that it is not unusual in the Hebrew Bible for a woman, especially a concubine, to be taken (e.g., Gen 16:3; 20:2-3), and for the narrator to be silent especially during the sexual act. This act of mistreating the concubine is attested in to the story of Hagar who was the concubine in Abraham’s household. The Old Testament society seems to reduce the status of unmarried women who were “half wives” to that of non-human beings which made it easy for men to be unafraid of hurting a human being. Many women were not named, and some had derogatory appellations, for example, Hagar was called an Egyptian woman and a slave woman (Gen 16:1). All the characters in the story of Judges 19 are also unnamed. The concubine was anonymous, even while in her father’s house. Smith affirms Exum’s view that her anonymity is a literary strategy used to distance the reader emotionally from the character so that the character would not evoke sympathy from the reader. The biblical author used this strategy in the case of Hagar by saying she was an Egyptian slave woman, and that Abram and Sarai had stayed together for ten years without a child, thereby justifying the exploitation of Hagar. In other words, Abraham had the right to exploit Hagar sexually, just as the Levite also prostituted his wife.

sexuality was faulted by a stipulated law, then she no longer existed. A woman was one purely in terms of her sexuality. The Judges 19 story is believed to be one of the crudest illustrations of the operations of patriarchy in the Bible, and the story could throw more light on the status of women under the patriarchal laws of the Old Testament. The story will not be used to measure the general status of women in the Old Testament, but only the extent of the viciousness of patriarchy in the house of Jacob. The text of Judges 19¹⁰² is seen as the most scandalous patriarchal text in the entire Bible. We shall discuss some scholarly views on this text to determine the extent of patriarchy in the house of Jacob. Smit (2009:15) reports that the story of the concubine from Bethlehem of Judea is a life-threatening case of violence and ruthlessness against a young woman whose social position and familial relationships afforded her no protection against wicked men who were governed solely by their own insatiable lust.

4.4.3. Patriarchal Rape in Judges 19

The text of the mob rape and mutilation of a Levite's concubine in Judges 19 is a problematic text to read; it is indeed a "text of terror", as Phyllis Trible has argued. This text of terror constitutes, for some, the essential narrative for explaining oppression and violence executed against women and their victimisation. The texts both reflect and critique everyday life and serve as a mirror for the world to debate. Texts of terror contain vivid and ordinary images of women's oppression and brutality by men. They reflect and critique our ignorance, complicity, and culpability in the brutality and victimisation of women and others. We resist the idea that the perpetrators of monstrous acts could be one of us, anyone like us, or anyone familiar to us. It will benefit no one to close the story as bad, as if it talks about animals and not human beings.

The book of Judges exposes the stories of women who are raped, betrayed and dismembered, and whose voices were never heard. Trible (1984:65) has described powerfully the violation of the concubine in Judges 19 as "the extravagance of violence". The story reveals the dreadful and harshness of male power as well as female

¹⁰². Problematizing the text, Teubal (1990:11-12) argues that we have no conclusive evidence for the dates and origin of events, nor indeed ambiguous evidence that the characters in biblical narratives existed, nor do we have documented knowledge of original sources for the stories told in the text. We do not know what the route the story travelled to get us, who first told it and who edited the story. How was the original text transmitted to us, and how much of the original text is left in the present form? How much is left of what was transmitted by word of mouth to many generations, and what happened to the first edition and the first author? Who told the story that was told with an androcentric bias, was it the editor or the original author? If we could obtain reliable evidence about these questions, we could come closer to the truth behind the ancient text of Judges 19 and have a better understanding of how to approach the narrative.

vulnerability, abuse and annihilation. Lawrie (2015:37), taking a cue from Tribble, sees Judges 19 as a trying text and the act as outrageous terror. Lawrie therefore calls for the restoration of human dignity in the text. He acknowledges that the text went far to relate the extreme violation of human dignity. Lawrie (2015:38) who wonders whether this is not the “naked face of patriarchy” further quotes Mieke Bal who classifies the text as the most horrible scene in the entire Bible. If the incident happened in the *holy* book, then patriarchy has the potential to go farther than what we have seen in this text.

Thus, the text of Judges 19 could be used as a secondary tool to measure the highest point of patriarchy which could even be worse than what the text portrays. As Lawrie (2015:39) has shown, it is important to “*unmask the text to see our beautiful face*”. The text must be unmasked for us to see the patriarchal capabilities that we possess but it will be erroneous to try to condemn the incident from a distance, rather than use the text as a mirror to unmask the patriarchy that is inherent in us.¹⁰³ That could be the key message of the text. A view of the male characters in the text suggests that patriarchy is a silent poison which cannot be identified easily by men because they benefit indirectly and directly from it. The religious status of men in the society did not help them to overcome patriarchy, as the text has shown. The Levite was a religious person, yet he had no respect for women.

Importantly also, the reader should unmask the author and editor of the text, who are also guilty of outrageous acts through their pens. Lawrie (2015:41) quotes Exum’s statement that the woman was “*raped by the pen*”. The authors of the text silenced the voice of women in the text and did not describe the actual rape of the concubine or mention the number of men that committed the act but only described them as a mob. The reader is left to wonder whether the omission of the voice of the concubine was because the concubine had already died or because she was so badly injured that she was unable to speak. How did she manage to get to the doorstep?

¹⁰³ Tribble (1984:67) affirms that women today are still subjected to the same treatment; they are captured, betrayed, raped, tortured and murdered. In the process of being raped by the text of Judges 19, we should confess that even though the story is horrific, it represents us and reflects the potential in us. We should be careful not to enter into the trap of condemning the story while at the same time we are faced with similar situations in our own contexts. For Tribble, the story of the concubine should force us to recognise our own experiences in the ancient story. This story cannot be rejected as if no positive message could be gained from it. Van der Walt (2012:194) says there is an empowerment that comes from recognising that such stories speak to current realities as well as those long passed. If such stories are read as part of our own biblical tradition, similar issues in our own lives can be confronted.

Sebastian (2009:125) notes that, “Women are only rarely given a voice in the biblical narrative”. In the case of Sarah and Tamar, the two women who are also partly mentioned in this study, we indeed find them making a few intercessions, but these are always only short ones. In Genesis 16:2 and Genesis 21:6–7, 10, Sarah is signified as speaking unswervingly to Abraham. This shows that not all women in the Old Testament were voiceless and we have noted that the voice of patriarchy is minimised in such a case. In the case of Tamar, we have records of her arguments with her father-in-law Judah, both before and during their encounter by the wayside (Gen 38:16–17). We do not use a blanket approach here but admit that certain women aired their views in the Old Testament. Most notably for instance, Jephthah’s daughter (Judg 11:36), added a long lamentation to the list of female voices in Judges, a book which also gives voice to a number of minor female characters such as Sisera’s mother (Pseudo-Philo 31:8) and Elkanah’s wife Peninnah (Pseudo-Philo 50:1–2). It is difficult to say that these voices mean that these women protested against the patriarchal laws of their day (Sebastian 2009:134).

Van Dyk (2003:6) reports that feminist interpretations condemn the narrator’s silent acceptance of the practice of using women (the concubine and the daughter of the host) as shields to protect men (cf. Bach 1998). Van Dyk’s criticism of the narrator seems appropriate in the light of other higher ethical principles in the Bible. It is easy to criticise the narrator’s acceptance of such an atrocious act but one should also take into account the socio-historical context of the time. Given the patriarchal society of the narrator and the audience, the horrible incident had to be tempered somewhat by characterising the woman (who was raped) as a concubine and as a faithless woman. She was therefore not entirely “innocent” and did not really deserve the sympathy of the listeners (that is, from the male perspective of the narrator) (Bach 1998).

I concur with Lawrie at this point that the principles of human dignity could be used to restore the text but it also seems that the impact of patriarchy is far deeper than what the text portends. It is clear from the present discussion that wherever there is evident patriarchy, rape is possible; the ugly head of patriarchy is seen more clearly in acts of rape. In fact, no woman can read Judges 19 without feeling raped emotionally, and the reaction could be worse in women who have been gang raped in the past. The text raped the concubine and continues to rape its readers today especially those who have previously been raped physically. The text is supposed to warn us to be conscious of the harmful societal forces

that were sponsored by political and religious parties. Furthermore, it is important to recognise that female oppression that is sustained by the power of the penis creates terror and it is extremely difficult to abolish. Thompson (2001:84) states that:

Masculinity condenses men incapable of the mutual acknowledgement necessary for reaching out to other people when penis-possession stands as a barricade between the male self and others. Men are powerless to relate to women when men are complicit with the Phalocratic prerequisite that women be preserved as non-human.

Trible (1984:65) maintains that the story shows the horror of male power. However, she does not distinguish between patriarchy and male power, which could imply that patriarchy is embedded in male power or that male power and patriarchy are the same since patriarchy needs men to function. If we only talk of patriarchy, we distance men from such atrocious acts as found in Judges 19 and open a space for men to escape culpability. At any rate, it is important to relate patriarchy to male power. The crime cited in Judges 19 was committed by men who were under the full influence of patriarchy. Trible argues that women in the story have many enemies –the author who is probably a male and God who also speaks in a male voice. Trible relates the story to Genesis 22. Even though God intervened when Abraham was about to kill Isaac, in the case of the concubine, God did nothing. Similarly, in the story of Hagar who was mistreated in the house of Abraham, God stood on the side of the perpetrators and commanded Hagar through the Angel of the Lord to, “Go back to your mistress and submit to her” (Gen 16:9).

The nameless concubine in this text endured much horror. Her husband sacrificed her to keep his own life and the household head tried to sacrifice his daughters to protect a stranger. Masenya (1996) notes that the virgin daughter expected to get temporary protection from her father, the head and protector of members of the patriarchal household. Rather, she was betrayed not by a boyfriend or a close girlfriend, but by the one who fathered her. It was not in a deserted place but in the "safety and comfort" of a home. It is unfortunate that most men who hurt women are often known to them. Masenya's view implies that not everyone is safe in patriarchal homes;¹⁰⁴ some people especially males are safer than others. The attitude

¹⁰⁴. In Masenya's opinion, the old man could just as well have invited the mob to harass the daughter right inside the "home" seeing that such a violent, deadly instruction ironically came from inside the home. In this way, the truth would have been revealed clearly – that which was supposed to be a place of safety, was as a matter of fact, a place of horror. However, the daughter by chance (?), perhaps also privileged by her being "purer" than the concubine in terms of sexuality (virginity), was not thrown out. Masenya asks, "How many daughters are caused to flee to our 'streets' in search of a 'home' because of the sexual abuse which they have experienced, not only from members of the extended families such as uncles and cousins but also from their fathers?" Another moot question is: how many of our daughters continue to go into prostitution because we

of this old man confirms our argument above that there is no patriarchal system without males; patriarchy is constituted by males in the Old Testament. There is no excuse for inflicting such horrendous violence on this concubine and on women (Cochrane 1991).

It is not unusual to characterise concubines as unnamed, as females in the Old Testament were often identified in relation to their husbands or fathers. By calling her a concubine, the author in a way blinds the reader to her plight and tries to justify it. In the Old Testament world, a concubine did not really have respectable social standing (Schneider 2004:45).

Only two categories of females appear to have status in the society namely a wife and a virgin daughter. The concubine was treated as less than a wife and very close to a prostitute, that is, as the prostitute of only one man. Thus, on the one hand, the author blinds the reader by reporting that the woman was a concubine, and on the other, he minimises the severity of the incident by explaining that it happened when Israel had no king: “In those days, when there was no king in Israel the people did what was right in their own eyes” (Judg 19:1). The inference then is, if the action was right to the people, then it cannot be wrong. The verse suggests that there was no social order in the land, and no moral or ethical responsibility. The author did not offer any comment to indicate that the act was against certain norms and values of history, society or God at that time. This could be the reason that some commentators argue that the original script was edited later to offer reasons that would help minimise the horrific incident.

It would have been helpful to know whether the act contradicted the norms of that time. Just as the reader is given no clear details about the characters, so is there no presence of God to exact moral judgement and no narrative statement to affirm or reject any of the characters or their actions. Was the behaviour of the Levite towards his fallen concubine wrong? Did the concubine err by running away from him? The reader is unable to answer any of these questions based on the narrative. Hudson (1994:18) finds that the absence of both names and moral judgement in Judges 19 creates “a shadowy world... of alienation and

have failed to provide homes for them? If the virgin daughter in our text, a female at the margins of patriarchal society, had been raped and she had survived the ordeal, what could have become of her? It is also noticeable that the perpetrators of group-on-group violence are often judged less harshly in ancient communities. In the gang rape cases in both Genesis 19 and Judges 19, we do not read of harsh condemnation of these acts by the law or the narrator of the stories. Mob rape becomes “acceptable” when it takes place within the context of intergroup conflict or war. It also shows that the perpetrators from group-on-group violence are often excluded from any personal guilt after such group conflicts. This perception of war was at least present to some degree in Israel’s view of warfare, especially in the case of so-called holy wars (Niditch 1993:109).

annihilation,” where the readers cannot orient themselves to understand the narrative. In this way, the author uses the incident to exemplify the chaotic world in which the events of the story unfold. On the other hand, Masenya claims that patriarchal cruelty has absolutely no boundaries and limitation (1995:34).

The general understanding is that this incident of rape was an act of inhospitality to foreigners, as in the case of Lot’s guests. It is possible that the aim of those rapists was to humiliate the Levite, as the Egyptians would have done to Abram if he had not said of his wife Sara, “She is my sister” (Gen 20:2). If raping his concubine was to humiliate the Levite, then, it can be classified as an act of inhospitality. In the case of Abram, Sarai was not raped and in the case of Lot, his daughters also were not raped. It is therefore clear that the old man regarded only the Levite and not his concubine as his guest because he offered her to the men of the city alongside his virgin daughter in the same manner that Lot offered his own daughters to the mob to be raped.

The old man already made it clear to the concubine that the mob would ravish her and do to her whatever they wished; no one would try to stop them. Even if there were no further descriptions, it is a given that whoever ends up in the hands of the mob would suffer a terrible fate, but the narrator continues nonetheless. The old man seemed to legitimise the act by offering his daughter and the concubine in place of the Levite, and one wonders why the mob took only one of them. In the next horrific scene, the author introduces the dismembering of the concubine’s body by her lover, “And he came into his house and took a sword and took hold of his concubine and divided according to her bones, into twelve pieces and sent them to every tribe of Israel” (Judg 19:29). The author did not explain this act or this part of the incident. Tribble suspects that the concubine was probably still alive when the Levite cut up her body but because the focus of the patriarchal author was not on the concubine, he failed to report this important clue in the story.

4.4.4. Patriarchal Influence on the Church

Since the church is one of the organisations that play a meaningful role in executing patriarchal norms of the Bible and the Bible is central to the functioning of the church, we deem it important to discuss briefly how the Early Church Fathers interpreted the Bible in relation to women. There is evidence that some visible aspects of patriarchy in the modern church could be traced back to some of the ideas of the Church Fathers whose interpretations have impacted whether negatively or positively how the church interprets

some of the patriarchal texts today. It is true that not all churches subscribe to those ideas currently, but it is also true that the patriarchal treatment of women in the church today is traceable mostly to the writings of the Church Fathers (Scholer and Johnson 2002:132).

Patriarchal approaches towards women have continued throughout the entire life of the Church all over the world. Even though women were vigorous in the initial missionary activities of the church, they were progressively excluded from leadership positions. Reasons given were that women were sexually impure, intellectually incomplete and inactive. Even today, some churches say that women are psychologically unequipped for ordination. The church has also maintained that women should focus on the home because of their natural roles as caregivers, since they give birth. Although many older church leaders no longer admit these arguments as valid, many of the perceptions about and attitudes toward women continue today. Often this is not a conscious undermining of women, but the result of an uncritical patriarchal reception of social assumptions about women and men. In various ways, these thin explanations of Scripture continue to undermine the equality and dignity of both men and women in churches. Since the church remains the major interpreter of the Bible, we will consider briefly some of the ideas of those Church Fathers who interpreted the Bible before us, and created the foundations of what is known as the church today.

4.5. Augustine, Aquinas and Aristotle on Women

In his treatise on the Trinity, Augustine interpreted Paul's statement in I Corinthians 11:7 that the man is the "image and glory of God, while the woman is the glory of man" thus:

Separately in her quality as a helpmeet, which regards the woman alone, then she is not the image of God, but as regards the man alone, he is the image of God as fully and completely as when the woman too is joined with him as one.

In the above statement, we see ambivalence in Augustine's (1961:34) view of the image of God in women. Although she has the image of God as a non-gendered intellectual soul, and so can be baptised and redeemed, she cannot represent it in her social roles as a woman in the society where she displays the lower self or body. Augustine's argument is based on the view that the serpent approached the weaker vessel. The Old Testament does not explain why the serpent approached the woman rather than the man. Perhaps the man would have withstood the serpent; no one knows (Von Rad 1975:96). Augustine claimed that the argument between the woman and the serpent happened in her mind. It was a battle between

her will and her innocence. The serpent attacked the weaker partner because she did not have the same divine strength as Adam. Eve did not have the power of the image of God in her, only Adam did.

Vos would not limit the desire of the woman mentioned in the curse to sexual desire; it could mean that the woman would need the man to protect her since they could no longer remain in the Garden of Eden. Vos asserts that not only did her desire depend entirely on the man she could do little or nothing besides him. Earlier, Thomas Aquinas upheld the paradigm of women's subordination inherited from Augustine (1961:190) by adopting the philosophy of Aristotle which saw women as biologically inferior, defective in mind, body and will, and thus are, in Aristotle's¹⁰⁵ words, "natural slaves". As female, woman was created not as an end in herself, but as a help-meet to the male in the work of procreation (not as a friend or companion to the male, as Aquinas followed Augustine's assumption that another male, not a female, would have been more appropriate for Adam in that case).

Thomas Aquinas (1225-1274), in his *Summa Theologiae*, acknowledged that both men and women possess the image of God, which was their mind and intellect. The man in the image of God was both the beginning and the end of the woman because the woman was created solely to serve the man. The woman was made to perpetuate the human nature manifested in man. A common view of theologians in the middle Ages was that women were their husband's possessions and were dependent on men for everything. Aquinas believed that the general status of the woman was not only lower than that of men, but was also in some ways below that of a slave, noting that a slave was *not* a human being in that context.

Thus, Aquinas combined his Augustinian views with Aristotle's notion of woman as defective in her bodily, volitional and intellectual capacities. In Aristotle's biology, the male seed provided the form and active power in procreation, while the female only provided the "matter" that was formed. Normatively, every male seed should produce another male but women were produced by accident or a defect in the process in which the female matter was incompletely formed by the male seed, resulting in a defective human or female. Thus, women are inherently incomplete or lacking full humanity. Aquinas, following Aristotle,

¹⁰⁵. This is from a belief that inferior and described them as "deformed males". For example, in his *Politics*, Aristotle stated that, "as regards the sexes, the male is by nature superior and the female inferior, the male ruler and the female subject". Aristotle further claims that women have fewer teeth than men and that a female is an incomplete male, which could be interpreted to mean that there is only one person and that person is a male. The woman is an incomplete male, which makes her weaker than man (Vos 1961:190).

asserted that the woman is by nature weaker in physical strength, in willpower and in intellect. This defect means that women are incapable of exercising sovereignty over self, much less over anyone else. The social hierarchy in which the male rules and females are ruled by males is biologically necessary, and parallels the relation between the active mind and passive matter. Aristotle is described as the founder of sex polarity¹⁰⁶ because he was the first philosopher to argue consistently that there are philosophically significant differences between men and women and that man is by nature superior to woman. His theory of sex polarity states that the male is the provider of fertile seed, and the female as the passive receptacle.

Aristotle argues that during conception which he calls *generation*, the woman through the menstrual fluids provides the foetus but the man provides greater and more necessary part which is confirmed later by circumcision. The woman is the symbol of sense and the man the symbol of mind. The woman/mother is identified, according to Aristotle, with the lower part of the foetus' soul and the man with the higher part. However, Aristotle did not explain how this happens, at what stage of conception it happens and the method he used to arrive at his conclusion. He only argued that, among humans, only women are defined as biologically inferior and defective in relation to men. His view of women as imperfect influenced Aquinas' Christology and understanding of ordination to the priesthood. Christ not only happened to be male he was incarnated as male to represent the headship of the New Adam over regenerated humanity because only the male possessed "perfect" or complete humanity in soul and body. This meant only males could be priests since only males represented the image of Christ. Women¹⁰⁷ were therefore barred from juridical and priestly ordination. It is

¹⁰⁶. Aristotle's sex theory claimed that polity is developed in the *generation of animals, metaphysics, Nicomachean ethics* and politics. Sex polity is the separation of the public and private spheres of activity for men and women, respectively. The argument on generation claims that the female provided only the passive material to the foetus, while the male provides the active seminal cause. This is linked to the argument that women are rational beings but without authority. However, to Aristotle, both reason and authority are inherent in men. Aristotle had implicitly argued that a woman was capable of only true opinion, but did not have authority to exercise deliberative faculty (Vos 1961:204).

¹⁰⁷. Augustine (1953:89) assumed that the authority of the order of creation meant that women were excluded from any public role in government. This also meant that women in the church could not hold any public leadership positions as ordained ministers, teachers or preachers including prophets, even though there were female prophets in the Bible. This relation was intended to be one of dominant and subordinate "partners" with the male as the head of the household. The relation originally would have been completely harmonious since both man and woman would have accepted their place in the divinely appointed order. However, with the Fall, "marriage became filled with strife, sorrow and dissension" primarily due to the woman's insubordination and failure to accept her role. The good Christian wife, by contrast, understands both her spiritual capacities and her subordinate role in society, and accepts both without complaint. In Calvin's description of the Fall, he played down the notion that Eve was approached by Satan because she was morally or intellectually weaker or that Adam was less guilty. The basic sin of both was unbelief or apostasy from God's command and authority

important to note that even after the Reformation, interpretation continued to promote patriarchy. The transformation of the church did not focus much on patriarchal liberation but on doctrinal hermeneutics (Vos 1961:221).

4.5.1. Image of Women during the Period of Reformation – Luther and Calvin

To Martin Luther, the subordination of women was the result of the woman's sin (in MacHaffie 1997:64). Before the divine punishment, both man and woman had equal privileges. There was nothing special about the first creation of man in terms of authority but sin separated the man from the woman. Calvin interpreted the issue differently and in line with Paul's statement that the woman was created in subjection to the man since she was made his helper. Calvin noted that the woman was made after the man and for the man, but that sin only aggravated the situation and confirmed that the woman did not have what it took to exercise man's authority.

It should be noted that Lutherans supported the practice that midwives could baptise babies on the verge of death but they do not explain what should be done if the judgement of the midwives was wrong and the child survived after the baptism. Would that baptism be recognised or what is it only for the process of death? Calvin disagreed with the practice based on his view of the administration of sacrament which says that women could not administer baptism or assume any priestly function. Calvin cited discussions of various councils which debated this matter. Although Luther believed in the priesthood of all believers, all Christians have some obligations to carry out certain priestly responsibilities.

Luther believed that the life before the fall was rosy and that because of sin our minds are unable to conceptualise what life was like between Adam and Eve. He added that even before the fall, the female was inferior to the male. It was not sin that made the woman inferior, but creation and sin confirmed her inferiority, since the devil¹⁰⁸ attacked the inferior

from which flow all other sins and evils. Although both sinned equally, they were punished differently, each in the context of his or her different responsibilities – he as a tiller of the soil and she as wife and child-bearer. Thus, painful childbearing and forceful domination by her husband were Eve's particular punishments.

¹⁰⁸. Daly (1973:45) agrees that the story of the fall caused severe damage to the justifiable interpretation of the Bible. The story was an attempt to cope with the confusion experienced by human beings trying to make sense of the tragedy and absurdity of the human condition. To Daly, using the creation story was the greatest achievement in attempts to reinforce the problems of sexual oppression in the society, as it doubly justifies women's inferior place in the universe. The woman is known not only as the inventor of sin but also as the cause of man's downfall and all his miseries. Using the story of creation against women is akin to blaming the victim, but the fault does not lie with the woman but with demonic structures which induce individuals to internalise false identities.

and weaker partner. Luther maintained that the devil would never have defeated Adam. This means that the woman was not equal to the man in glory and prestige. He argued that the woman does not have what it takes to represent the full image of God.

Luther noted that Eve before the fall was not the same as Eve after the fall. The state of Eve before the fall was far better and more admirable than the latter and she was in no respect inferior to Adam, in the qualities of body and mind. Luther believed that the woman would have given birth to much more numerous offspring, in multiple births of twins, triplets and quadruplets. However, he did not offer any evidence to substantiate his claim other than to say if Eve had persisted in the truth, she would not only have been subjected to the rule of her husband, but she would have been a co-partner with the man in ruling. Luther supposed that Adam would have defeated Satan completely but he could not explain why Adam was defeated by Eve who was less deceitful than Satan. Why did he not resist the pressure from Eve if he would have defeated Satan?

Luther's argument only confirmed the authority of man in order to sustain the oppression of women. Both excuses that God's image is male¹⁰⁹ and that the devil attacked Eve and not Adam showed that the most powerful forces in the spiritual world did not favour Eve (Kassian 1990:9). She was rejected by the devil she served; she came under the severe authority of man and she was judged by God who created her. The woman should therefore continue to live that way, as the heavy burden she carried could not be eliminated without committing a further sin of disobedience. Kassian (1990:20) claims that a woman is born cursed and that means the divine judgement over the woman is permanent and cannot be reduced. This understanding of the curse makes it easy for men to grab women without

¹⁰⁹ Daly (1973:45) argues that, "If God is male, then the male is God", and that the predominantly male imagery deployed for God in Judaeo-Christian traditions inevitably led to a patriarchal society in which women were multiply disadvantaged. The proper ethical response, in her view, is to reject all Judaea-Christian religious traditions as demonstrably immoral and unworthy of belief (Miller & Hayes 1986:34). The main daunting challenge however is to rid God of maleness so that God stands alone and speaks with a voice that is neither male nor female. God in the image of a male speaks with the voice of a male and understands female issues through male eyes. Such a situation is hard on women and hard to transform. Daly therefore calls for a reconstruction of the gender of God, which would demolish the male gender in God first and then reconstruct it. No doubt, Daly recognises the power of God in the image of male; hence, she suggests that the image first be demolished so that a new building could be erected on a clean slate. Kassian (1990:42) states that if feminists accepts the God who manifests in the skin of male and who demands the submission of women as Paul stated, then, all should accept slavery and government by kings as universally necessary as well as all other authorities over us.

permission. The curse on the women makes them less human beings and therefore they must be under the authority of males who are not cursed. Based on the interpretation of the order of creation and the Old Testament laws and norms, women could not be free from men and they had no home of their own without the headship of the male.

4.6. Summary of the chapter

In this chapter, we have attempted to understand the status and patriarchal treatment of women in the Old Testament from the comments and thoughts varies authors, the focus was not on exegesis. Those who are using biblical verses to suppress others they don't test such verses exegetically before they apply them. The discussion in the chapter also shows that patriarchy is understood as a means of fulfilling the divine mandate to man and that the interpretation of the creation order is one of the factors used to justify the abuse of women. The oppression and subjugation of women emanated among other issues from notions that man was created first, that woman was created as helper, that the original sin was committed by Eve, and that the woman's menstrual flow rendered her unclean.

Consequently, in the Old Testament world, the rape of women was sometimes justified by the mind-set that a woman was the property of the man and her sexuality belonged to a man. Young women brought economic benefits to their fathers who also received compensations for the injuries of their daughters who were regarded as their properties. Women were excluded from cultic rituals because of the menstrual flow and some of the excuses for certain practices cannot be explained satisfactorily. Sexual laws were designed to control women to the advantage of men, in the Old Testament society, polygyny was recognised, as a man had the right to have several concubines and to divorce them (Deut 24:1-4).

The image of God was also key in determining the status of women. It was clear that the authors of the Old Testament were biased against women, as they used women's sexuality to highlight certain issues in the biblical narratives. The worth of women was equated with their sexuality which was considered more important than the person. Based on this "divine" understanding of women in the Old Testament, women were oppressed and, as females, they were born into oppression. Some feminists say girls were born *cursed* in the eyes of men. Women had no social, religious or legal power; they could only fulfil the sexual and reproductive needs of men. Another issue highlighted in this chapter relates to the depiction

of the image of God as masculine. The God of the Old Testament spoke in the voice of a male and showed preference for males.

Feminists assert that the biblical text, which is rooted in patriarchal tradition, was written from an androcentric point of view. Therefore, they strive to show the positive stories of women in the Bible, what they call “her-story”. Feminists try to retell biblical stories from the perspective of women in order to liberate women from biased masculine interpretations. The retelling of Genesis 1-3 from a woman’s perspective as Tribble has noted shows that the story of creation is against women. Feminists call for balanced and unbiased interpretations in order to avoid the impression that God is sexist or is an idol who speaks with male voice and appears in the image of a male. Daly has argued that God cannot be male; otherwise, all males must be God. If there is a God in a male who is not in a female, surely, that God must be patriarchal.

It is also important to note that the works of feminists consulted in this chapter have an appeal to modern readers because they expose the outrageous acts of abuse and rape that are reported in the Bible. Their feminist hermeneutics have the potential to benefit not only women but also God’s entire creation. This interpretation assumes that a link could be forged between the rape and abuse of women today and of biblical women. Hence, it is suggested that feminists should strive to liberate the women of the Bible before liberating women today, many of whom endure abuse because of the understanding that biblical women also accepted abuse. It is therefore important for contemporary women to disassociate themselves from certain kinds of treatment that biblical women experienced.

4.7. Conclusion

The biblical texts and passages treated in this chapter can be and have been read in different ways. The purpose was not to reach the finality of the best interpretation of them. It was sufficient to show that many readers, both ancient and modern, have taken them to endorse patriarchy and a patriarchal view of the role and status of women. If Phalo readers argue that the Bible (at least in these texts) supports patriarchy and regards women as less important than men, they are repeating what many modern feminist interpreters also say. The only difference is that the Phalo interpreters often regard these texts positively because they find support in them for the traditional patriarchal views and practices in the house of Phalo. Are they wrong to do so?

In chapter four, we have probed the status and treatment of women in the house of Jacob. The discussion shows that patriarchy is understood as a means of fulfilling the divine mandate to men and that the interpretation of the second creation order is one of the factors used to justify the furtherance of patriarchy. The patriarchal system was regarded as a “hymn-book” in the divine service of the house of Jacob. The original sin was committed by Eve and the woman’s menstrual flow rendered her unclean before men and before God who is also *male*.

In the house of Jacob, all atrocities against women were seems to be founded on the idea that women were the property of men. Young girls brought economic gain to their fathers. Sexual laws were created to control them and to show that their sexuality was under the control of men. Women had no rights or had limited rights and limited social, religious or legal power; they could only fulfil the sexual and reproductive needs of men. God was male—father, shepherd, jealous God, warrior and king who related to male ancestors—Abraham, Isaac and Jacob. Women were controlled fully by men and were used by men on behalf of God, to protect men. They were prohibited from having more than one sexual partner.

Thus, boys were preferred to girls in the deeply patriarchal house of Jacob. Leviticus 27:6 states that a boy child aged one month to five years’ old was worth five shekels, but a girl child of the same age was worth three shekels. The reason for the difference in pricing is unclear but it is clear that the boy child was worth more than the girl child, and this point was legislated. The issue of being *created first* was enough reason for men to subjugate women in the house of Jacob. The patriarchal system was endorsed by the culture and religion of the day. Lerner (1989:27) says it is created to favour men in all circumstances. Tamar was raped by Amnon her half-brother but the patriarchal society did nothing to the perpetrator since Amnon merely took what belonged to him. David their father also did nothing; he was probably more concerned about the lost dowry than the emotional damage to his daughter. Patriarchy disregarded the emotional and intellectual being of women. In the house of Jacob, the sexuality of a woman was also controlled by the man. Deuteronomy 22:28-29 states that in the case of the rape of a young single woman, the father should receive compensation. Additionally, the interpretation, which claims that the serpent went to Eve because she was a weaker partner than Adam, is used to justify patriarchy by those who subscribe to Jacob’s patriarchy. God confirmed men’s position by creating Adam first, while the serpent also confirmed the weakness of the woman.

CHAPTER FIVE

PATRIARCHAL SIMILARITIES AND SAMENESS IN THE HOUSE OF PHALO AND JACOB

5.1. PATRIARCHAL RELIGION: SIMILARITIES AND SAMENESS

5.1.1. Similarities and Sameness

Like many others before it, this research may not succeed in producing full and substantial reasons for the similarities between the ancient Israelite families and some African families. Nevertheless, the focus of the research is not on the reasons for such similarities, but on identifying the patriarchal¹¹⁰ hermeneutics of the house of Phalo in interpreting the house of Jacob. The selected Phalo hermeneutical verses in Jacob are themed under the following topics: Patriarchal Religion, Marriage and Sexuality, Children and their Upbringing and Property and Inheritance.

I have consulted few materials on the similarities between Africa and ancient Israel (Adamo 1998; Bediako 1999; Soga 1931; 1976; much of the information available borders on speculation and assumption on how similarities emanated. Mugambi (2001:56) warns the readers that the relationship between ancient Israel and Africa should not be taken lightly, but one should be careful not to jump into conclusions.

Lawrie (2015:39) has noted that certain subjects in the Bible cannot be resolved without appealing to speculations, assumptions and rules of probability. It is assumed here that the

¹¹⁰ Patriarchy has been defined in the previous chapter. A common belief is that patriarchy emerged due to the sin of Eve for which women are punished, according to Daly whose view is cited in the previous chapter. However, one wonders whether patriarchy did not exist before the sin of Eve. The serpent's statement, "For God knows that when you eat from it your eyes will be opened, and you will be like God, knowing good and evil" (Gen 3:5) probably made Eve to feel powerless already. God and Adam, in their communication, already made her feel dominated by probably excluding her from the matters around the Garden: "Then the man and his wife heard the sound of God" (Gen 3:8). This suggests that God visited them often and they recognised his sound. Whom did God contact first when visiting and how did Eve view that? The actions of Eve could have been a reaction to a patriarchal act. Eve was frustrated by God and Adam therefore the serpent came and promised her power. She sinned no doubt, but more importantly, I think she wanted to have power so that she could be like God and Adam. If this argument is adequate, then, it suggests that the system of patriarchy did not emerge because of the sin of Eve, but the sin of Eve was a reaction against patriarchy.

question of *similarities* between the two houses fall directly under the category of issues which cannot be resolved without taking recourse to speculation. Adamo (2001:32) acknowledges that scholars generally recognise that Africans have a special interest in the Old Testament because of the observed similarities with African norms. The question of why such similarities exist has not been addressed satisfactorily, as noted above. Therefore, the question of why similarities exist between the house of Phalo and the house of Jacob is related to the subject of this research but is not at its centre.

This chapter will attempt to determine whether the claim of patriarchal similarities between the house of Phalo and the house of Jacob is relevant and legitimate. If there are legitimate claims of patriarchal similarities, how far should the house of Phalo go in appropriating those similarities? According to our hypothesis, sameness is not possible between the two families because of the distance between them. The two horizons namely our world and the world of the Bible cannot be fused together. The culture and traditions of the house of Phalo have also completely removed even the chance of imagining the patriarchal practices of the house of Jacob. That which looks the same or similar could be the grossest dissimilarity and it could also be deceptive to the house of Phalo reader of the biblical text. Our task is to identify the similarities as well as the grey areas which could imply dissimilarities between the two houses. Specific themes have been selected in identifying similar patriarchal tendencies between both houses. If the supposed similarities are found to be precise, the hermeneutical problem, which is the distance¹¹¹ between the house of Phalo and house of Jacob, will be minimised, as the similarities would then bring the two houses together, hermeneutically.

We assume that the patriarchal culture in the house of Phalo is older than the arrival of the Bible among the people. The Bible only endorsed Phalo's patriarchy and the norms of the house of Phalo which are similar to those of the house of Jacob could not have emanated from the Bible. In most nations, culture is always older than religion and in fact, religion is designed from culture in most cases. Thus, most religions including the biblical religion have cultural norms and values entrenched in them.

¹¹¹. The major challenge of hermeneutics is what Hans Gadamer calls the fusion of two horizons. When an interpreter reads the text in the past and understands it, then, he approaches the past stage of the tradition from the present time through the fusion of the two horizons – the world of the text and the world of the modern reader. If the similarities are proven, it will contribute to bringing the two horizons closer to each other (Gadamer 1960:45).

Since both houses share a patriarchal history, the authority of patriarchy regulated the degree of attentiveness to females; what was said about females and how it was said depended on the ruthlessness of patriarchy in each particular house. Females in both houses were important because of their sexuality and the economic benefit they brought to their fathers. In the house of Phalo, the children of the unmarried woman belonged to the woman's father and not to the biological father of those children until he married the woman or paid for "damages" in the form of a cow (Soga 1937:6). The point is that the father must not be deprived of the cattle that he would have gotten from the *lobola* because of his daughter's pregnancy outside wedlock; he must get some benefits somehow. In the house of Jacob, "if a man seduced or raped an unmarried woman he had to marry her and couldn't divorce" (Perdue 1997b:186). This is not to protect the raped woman but to secure economic benefits for her father. How do you marry a person who terrorised you by violating the privacy of your body and your dignity? This is not marriage but permanent rape.

This chapter creates an avenue for raising crucial questions that pertain to the two families. For instance, are there patriarchal similarities found between the two families? We have noted that not many books are written on the subject of patriarchy in the house of Phalo. The reason could be that patriarchy is so deeply embedded in culture such that it successfully hides behind cultural norms and values and it is no longer clearly recognisable or easily separated from culture. To cover the gap of the limited literature material on patriarchy among the amaXhosa,¹¹² we shall examine novels and dramas that reveal the depth of patriarchal culture in the house of Phalo. The novels include Jordan's (1940) *Ingqumbo Yeminyanya*, Tamsanqa's (1958) *Buzani kuBawo (Drama)*, and Jongilanga's (1960)

¹¹². Soga (1931:8) states that the origin of the amaXhosa has completely eluded academic certainty and any attempt to answer this question will be purely speculative. He further notes that no reliable historical data on the matter exists. According to Soga (1931:18), the birth or origin of the amaXhosa clans of the older stock could be dated to approximately 1610 A.D., and began with the Ama-Cira, Ama-Jwara, and Ama-Tshawe. The clans of the pure amaXhosa stock which form the tribal structure include the Ama-Cira, Ama-Jwara, Ama-Tshawe, who are the ruling lineage, Ama-Kwemnte, Ama-Qwambi, Ama-Kwayi, Imi-Dange, Ama-Ntinde, Ama-Hleke, Ama-Gwali, and Ama-Mbalu. The formation of these clans preceded the division of the tribe into two great branches namely the Gcalekas and the Rarabes. Soga also asserts that the original homeland of the amaXhosa is difficult to determine but evidence points to a Northern Natal origin. The earliest known name of the amaXhosa tribe was *abe-Nguni*, derived from a progenitor in the royal line called Mguni. Soga shows that due to certain circumstances, the name was overshadowed by that of a successor, Chief amaXhosa, from whom the tribe subsequently derived its name. While the term *abe-Nguni* remains in use, it has receded into the background and the term amaXhosa is regarded as the more intimate tribal appellation. The amaTshawe are the ruling clan within the tribe. Soga makes an important observation which is very much closely related to the core of this study regarding "the similarities between some religious observances of amaXhosa and those of the Jews, which cannot be set aside and mere coincidences". A number of African theologians (including Adamo) have attempted also to trace a connection between Africa and ancient Israel, but their arguments appear to be based mostly on speculation. The major question which is not clearly answered by those researches is: through which source could these Jewish ceremonies have come to the amaXhosa?

Ukuqhawuka kwembeleko. These novels and dramas were produced from the patriarchal culture of the house of Phalo and aimed at revising certain cultural and patriarchal standards.

Buzani ku Bawo is drama written by WK Tamsanqa, dated 1958. Tamsanqa mentioned in his biography two incidents which motivated him to write the novel – a man who killed his wife and three children because he claimed that he was not the biological father of those children. Tamsanqa does not provide details about who the real father was. We have reasons to assume that it was either the man's brother or the father-in-law, according to the custom. The second incident had to do with Tamsanqa's own aunt (his mother's sister) who was forced to marry a man she disliked. Tamsanqa notes that this incident nearly killed his aunt. He wrote the drama to show how detrimental patriarchal cultural laws could be, particularly to women. It is possible that most novelists who write on issues of culture know of similar true stories that motivated them to write. In other words, the novels and dramas possibly emanated from real life situations. We have observed that the stories, which describe how patriarchy operated among the amaXhosa, were best told in the novels and dramas cited above. Of course, there are other sources in the form of graduate thesis and other essays.

5.1.2. Patriarchal Hermeneutics of Genesis 1-3 by the House of Phalo¹¹³

Few, if any, of the passages of the Old Testament have been more significant historically to Christian theology than the story of Eve and Adam in the Garden of Eden in Genesis 2–3 (Moberly200:70). We have stated above that Genesis 1-3 is viewed by some feminists as the anchor text on which women's oppression hinges, and on which early church leaders base their view of women in the Bible. It is adequate to say that in the house of Phalo, the

¹¹³. According to Mbiti (1969:90), human beings are at the centre of existence and African people see everything else in relation to this central position of humans. God has the explanation for human origin and sustenance. It is as if God exists for humans. Every African society has its own myth or myths about the origin of humans and the creation order. The creation of power between male and female is also explained, but in a way that renders the female inferior. Mbiti states that some nations in Africa have adopted the creation myths from indigenous religions that appear older. As noted earlier, the house of Phalo existed before the Christian religion came to South Africa, therefore, it would not be correct to say that patriarchy in the house of Phalo came from the Bible. It is also assumed that in most African nations, patriarchy is far older than the arrival of the Bible in Africa even though the matter cannot be confirmed without resorting to speculation. Setiloane (1986:3) agrees with Mbiti that all nations struggle with the question of their origin. For approximately a century now, biblical scholars have argued that the much-cherished Old Testament stories about Adam and Eve in the Garden are in fact myths. It is fortunate that this account is universalised but that does not mean that it is the only account that must be believed and the fact that it is in the Bible does not make it better than others. Christianity is the vehicle that has been used to drive this myth faster than others. The common mythology about the genesis of things in Africa is that the first appearance of people shows a group in company (Setiloane 1977:34).

oppression of women is not different from the historical interpretations derived from Genesis 1-3.

The control that Phalo men wield over women confirms that they share the understanding that the man participated passively in the creation of women, and since the woman was taken from the man, she owes man obedience. In the house of Phalo, women are considered inferior to men and this is because she was created last. In most situations, women receive instructions from men and have little or no voice. The reader is reminded that we have retrieved only fragments from the ancient time of Phalo even though we acknowledge the progress made by women in modern societies, in particular, in the areas of biblical hermeneutics and with respect to social justice. We have also observed that not all those patriarchal attitudes are demolished even in our modern societies. Women still suffer due to ancient ideologies that are used to suppress them. These patriarchal similarities could help in identifying particular verses that are normally used to subjugate others.

For example, when a Phalo man is ready to get married, he would go to his parents and say, "Father, it's time I got someone to help my mother as she is getting old". This follows Genesis 2 that says that the woman is the helper of the man and that the woman was named by him. In the Phalo culture, when woman is married, her name is changed and she is called a new name. The naming of a person shows the authority of the one naming over the named (Barrett 1980:67). It is not the man who names the woman in the house of Phalo, but the family, usually the sister of the man. The meaning of those names mostly reflect and encourage obedience to the man and his family.

According to Barrett (1980:69), Adam (*'ādām*) named Eve and that gave him power over her. We have noted that in Genesis 1:26-28 a woman is depicted as dignified and equal to man, but in Genesis 2, she is made a mere afterthought. This is the attitude one clearly sees in the way women are treated in the house of Phalo. Phalo's thoughts are that (*'ādām*) was condemned not for sinning against God directly but for obeying his wife, and that men should avoid that trend at all costs. Hence, being a man is to have full control of one's wife. The man who is controlled by his wife is known as the one who is controlled by his nose (*uthiwe ngqo ngempumlo*). The one who has no voice over his wife disgraces other Phalo men, and his action is seen as transgression against his ancestors. One would not say that these contradictions come from Genesis 1-3 but they should be regarded as sameness and similarities. Men of the house of Phalo understand the name *'ādām* as the name of the first

man, the husband of Eve, and not as referring to humankind. It should be recalled that we stated under the methodological statement that focus of the study is on how the text is received and used to oppress others rather than on the exegetical meaning of the text.

The term man (*'ādām*) does not include both male and female or humankind in the context of Phalo. The full meaning of the term (*'ādām*) is realised only when both male and female are not far from each other, argues Bryson (1999:89). Bryson's argument that the statement, "God said, it is not good for a man to be alone", could mean that a man is made equal to a woman, had no place in the house of Phalo. The Phalo culture does not consider that a woman is not the subordinate of the man, but then, being created first does not confirm the superiority of one sex in the creation order. There are two creation orders in Genesis, but the patriarchal men of the house of Phalo, only recognise the one in Genesis 1:26, and because the two are irreconcilably contradictory, they only speak of the man who was created first and as the head of the woman.

The man is also considered a better representation of the image of God because he is created first. He should then be the main person to speak to the ancestors and God. Hence, in the house of, Phalo women are not allowed to walk or stand in the holy place (*enkudleni*) because only the man is the image of God. The men of Phalo further say that *'ādām* (man) was charged with responsibility over the woman, hence, God asked him to account for what happened in the Garden including the sin of Eve. In this regard, the power of the firstborn (heir) in the house of Phalo means control over others and property.

There is no superiority or inferiority in this passage of creation, but that is how it is received (Whelehan 1995:56). As stated earlier, it may be inaccurate to say that Phalo got these patriarchal interpretations from the Bible, as patriarchy is older than the arrival of the Bible in the house of Phalo. Thus, we could say that the Bible was used to endorse and further patriarchy. The patriarchal connotations in Genesis 1-3 are attested in many patriarchal cultures, which confirms that patriarchy is older than the Bible. Tribble has therefore called for the depatriarchalisation of Eve and, in this sense, we could call for the depatriarchalisation of Genesis 1-3.

Collins (1990:67) states that the blessings (*'ōtām*) of God is upon both men and women, but in divine traditional rituals of the Phalo, men represent women before the ancestors who are also addressed from male perspective as they are believed to be men. Both men and women do not share the same blessings from God. The instruction to rule and to subdue the earth in

the Genesis of Phalo is given to the man. Thus, in the house of Phalo, children take the clan name of the men; they basically belong to the men (Dwane 1998:14). The part that was taken from Adam and given to Eve is seen as the *lobola*—the man paid for the woman, therefore, the destiny of a woman whose *lobola* has been paid lies with the man. The *lobola* is not the purchase price of the woman as already noted, but the fact that the man has presented cattle to the woman's family gives him some kind of power over a woman. Connell (1995:78) shows that the male (*zākār*) is given rulership by God overall including the female (*neqēbāh*). However, critics of patriarchy argue that the rulership does not mean exploitation.

It is not unusual in the house of Phalo for a man to strike his wife. This is not encouraged but it is tolerated. This power of rulership in Genesis was given to both male and female, but it is not the understanding of the house of Phalo to share the power with a woman. In Genesis 1, the man (*'ādām*) was created last, as male and female and made rulers. Why then was Eve who was created last, according to the second version of the creation story, not a ruler over Adam and other creatures. The last created is able to rule others as Adam did, argues Connell (1995:45). The image of God, according to Phalo, featured only the man and not Eve who was taken from the man. God gave the man divine authority when he breathed into him and since Eve was taken from Adam, that suggests that she is the image of Adam (man). The man (*hā'ādām*) was the first to be created or formed and God breathed into him the breath of life. He was given power to take charge of the Garden of Eden for and on behalf of God. This means he was conferred with power and authority over all. In the house of Phalo, the man has power over his own house including everyone in it. It is not difficult to see that the man in the house of Phalo is the ruler as the power is vested upon him by the ancestors, and everything is centred around him.

Barton (2012:45) notes that God placed man in the Garden of Eden in order to till and to tend it (Gen 2:15). However, because tilling and keeping of the field is an activity identified with the male (Gen 3:17-19), the men of Phalo would qualify this by saying that the place of a woman is in the kitchen and with the children. The power comes from the understanding that the infusion of breath by God into man meant that man received a divine soul or spirit from God directly and he is better representative of God who can also speak on behalf of others before God. The fact that all creatures were named by man shows that they are under his authority (Gen 2:20). The woman was created after Adam named all creatures, but she was also named by the man. The men in the house of Phalo are in the centre of the culture

and authority and they drive those patriarchal rituals to strengthen their patriarchal system. The woman was created after the man had finished naming the animals (Gen 2:20). A far-reaching thought grew out of this experience—there is no “*helper suitable for him*” (Creswell 2006:90).

The understanding or argument of the Phalo interpreter is that the man should lead and the woman should help him accomplish whatever he has initiated (Soga 1931:34). Thomas Aquinas is quoted above as stating that the woman's dangerous act of disobeying God in the Garden led to the death of Jesus on the cross. This suggests that the woman should be kept as helper and in this context, it means assisting the head of the family in whatever he has initiated.

Barton (2012:78) states that the term “helper” does not suggest inferiority or superiority of any gender. As we have stated above, the patriarchal point is not about the exact meaning of the word or the text in its original form, but its reception by those who intend to oppress others. In fact, we all should be humbled by the fact that the original meaning and context of the Bible have escaped us completely. We can only rely on speculation, probabilities, presuppositions and our world-views to get to any form of interpretation and answers from the biblical text. It is through such speculations that many nations including Phalo are able to locate themselves in the text of Genesis 1-3. Tribble is quoted above as defining patriarchy as the religion of the world. In the house of Phalo, a wife is taken to help meet the needs of the man, one of which is bearing children. Hence, we noted above that the goal of marriage in the house of Phalo is to produce children and marriage without children is a dead end. In such a marriage, it is supposed that the woman has failed in her role as the helper of the husband (Van Tromp 1947:23).

Whether these views stress equality or inferiority is an exegetical consideration for further study. The term *æezer* (“helper”) has different connotations, including the adapted and suitable person for the man, and also used often of God. The woman must be suitable for the man but nothing is said about the man being suitable for the woman. According to Mtuzi (2004:108), in the house of Phalo, the woman is married off even without her consent because the family of the man finds the family of the woman and the woman herself suitable for their son. The suitability of the man for the woman does not matter; the assumption is that all men are suitable for women. The man could meet the needs of any woman.

The term helper, however, is used in many different ways. God is known as the helper of Israel (Gen 35) and in Hosea 13:9 there is a question as to who will be Israel's "helper". The term does not specify the role of the parties in a relationship as the Phalo man understood it and it does not imply, in any way, inferiority. We have emphasised our concern about how the patriarchal texts are received by those who wish to oppress others. What the text is, how we interpret it and how we use it are sometimes disconnected from one another. How we interpret a text is often not connected to the text. The difficult part of interpretation is trying to answer the question, whose interpretation must be prioritised and why? The Genesis of Phalo says that the woman was created last and for Adam, and this happened when God declared that it is not good for Adam to be alone. The justification is that Eve was created for Adam and Adam named her to confirm his power over her.

According to Daly (1973:44), women are considered inferior because of the sin of Eve in the Garden of Eden. It is arguable that the *sin* of Eve must have influenced the negative treatment amaXhosa women received from their men. We have affirmed that religious values are mostly found in many cultural values and customs in Africa (Adamo 2001b:34). Therefore, it is not surprising to find some of the religious practices of the amaXhosa in other cultures in Africa. It is also important to consider Mbiti's (1969:93) observation that all Africans have their creation myths about the original status of men and women but, unfortunately, all those stories have patriarchal undertones, as they place men on a pedestal above women and portray women as weaker vessels. Setiloane (1986:3) agrees with Mbiti in her chapter titled, "Genesis in Africa", that no culture is without its genesis.

The Bible also cannot claim to have a better creation story than other nations, based on the canon. The Bible must be seen as an equal negotiating partner at the table where the stories of creation are being discussed. All creation stories including that of the amaXhosa have the same divine power which the Bible claims to have and whether or not the treatment of amaXhosa women is the legacy of old religions makes no difference since most, if not all, creation stories take a cue from patriarchal paradigms.

Daly suggests that Eve be exorcised to remove all her sins in order to save other women in the world and not only those who subscribe to biblical religions. Daly recognises that the influence of Eve's portrayal in different societies is worldwide. Tertullian is quoted as stating that women are the devil's gateway, as she easily destroyed the image of God in man and because of her action even the Son of God had to die (in Daly 1973:44). However, Daly

reasons as if the sin of Eve is responsible for all the different faces of patriarchy across the world. Arguably, before the Bible which contains Eve's story arrived in Africa, patriarchy was already there. The question is was there a time in the history of human beings where patriarchy was non-existent? Daly should also have acknowledged that there are Eves in other cultures whose existence predates the biblical Eve. Solving the mystery of the image of Adam's wife will not be a universal solution to the problems that all women who suffer the patriarchal fate face. Clearly, the Bible is used to endorse patriarchy in other cultures outside the world of the Bible, and this research aims to determine whether patriarchy in the house of Phalo is biblically justified.

We shall consider instances in the house of Phalo in which women are treated as inferior in a similar way by those who base their treatment of women on a Genesis 1-3 interpretation. We shall show through sayings that portray women as *inferior* that the patriarchal laws of the house of Phalo are similar to those that are based on the Genesis 1-3 interpretation. It is unfortunate that we do not have full access to Phalo's equivalent of Genesis 1-3. However, women in the house of Phalo clearly suffered the same patriarchal fate as those women under the stigma of *sinful Eve*, and sometimes even more. The stigma of the sin of Eve is found in various cultures of the world and it affects all women regardless of race or colour (Day 1989:34).

This chapter considers a possible link between the house of Phalo and the book of Genesis with respect to the treatment of women. Soga (1937:50) states that the image of women in most cultures and among the amaXhosa comes mostly from the Bible. One could disagree with Soga on that point since many such images existed even before the Bible was introduced to the amaXhosa most of whom could not read and write at the time the Bible came. Also, he excludes the vast Chinese and Indian cultural worlds where the Bible's influence is minimal. However, it is also indisputable that the two families in question here show similar traits in gender relations. For instance, Perdue (1997:237) reports that individualism was not known in ancient Israelite families; they were communal people. Similarly, from the African perspective, Oduyoye sees the African family as the symbol of ecumenism (1991:479).

The communal life is governed by the concept of *Ubuntu*¹¹⁴ which is central to amaXhosa family relationships and which places more emphasis on “us” and “others” than on “I” and “me”. The dictum is, “I am, because of others, therefore we all are”.

5.1.3. Phalo’s Patriarchal Conduct¹¹⁵

Tamsanqa (1958:83) relates a conversation in which a young woman called Thobeka is told that she would marry a man Gugulethu (the husband chosen for her). She knows the person but not as a potential husband. The young woman therefore rejects the idea but she is told that she can do nothing to change the decision. It has been finalised by the elders, which means by men. Only men handle such matters in the house of Phalo and inside the kraal from where women were banned. Women were banned from setting their feet on that “holy ground”.

This situation is not peculiar to the house of Phalo. When Abraham’s servant was sent to find a suitable wife for his son Isaac (Gen 24), he negotiated with the parents of Rebekah according to his master’s instruction. However, Isaac was not part of the process. The matter was initiated by patriarchal parents for and on behalf of their children. In both families of Phalo and Jacob, parents made decisions regarding marriage on behalf of their children, who had little or no say in the arrangements (Soga 1931:56). Perdue (1997:183) confirms the existence of a similar practice in the house of Jacob based on several Old Testament passages (Gen 21:21; 34:4-6; 38:6; Josh 15:16; 1 Sam 18:17-27; 25:44; 25:44).

Taking a decision on the marriage of one’s children was first practised by God. God, in Her¹¹⁶ capacity as parent never discussed with Adam that She planned to organise a wife for

¹¹⁴. The understanding is that of putting value more on the community than on the individual, which means, “I am because you are”. This view contradicts Descartes’ “I think, therefore I am”, as the African would say “I belong, therefore I am, I am others and others are me” (Tutu 1982:35). My face is the face of others: no one has ever seen his/her face, even in the mirror which is just a reflection. I can only know my face by knowing the face of others. My nose is your nose; your forehead is my forehead. I can only see my face in your face.

¹¹⁵. This sub-heading emanates from Daly’s view that the Genesis 1-3 story undermines women. In all cultures and religions where patriarchy is alive, a patriarchal understanding that is similar to that in Genesis 1-3 can be observed. We cannot confirm that the patriarchal laws of the house of Phalo come from Genesis 1-3, but it is understood that the Bible has some influence on many patriarchal cultures. In fact, it is the only available written document that can be associated with the patriarchal laws of the house of Phalo. It is easy to trace the similarities between the two sets of patriarchal laws in question to Genesis. Women were treated the same way. Could one infer from Daly that institutionalised patriarchy emanates from Genesis 1-3 even though in Africa there is clear evidence that patriarchy was there before the Bible arrived through missionaries? As we have said, the Bible is the only authentic written document available at the time of this research which can be used to support the nature of our study.

¹¹⁶. Neither female nor male pronouns for God are not accurate since God has no gender. I see no reason why I cannot use both of them indiscriminately. The Old Testament talks about God by using many metaphors. When

him, and without consulting anyone said, “It is not good for a man to be alone” (Gen 2:18). She continued with the arrangements in the same way Abraham and patriarchs of Phalo would have done. The only difference here is that Rebekah was called and asked whether she would go with Abraham’s servant after he reached an agreement with her parents. It is unclear what would have happened if she had refused to go but she was at least given a chance to respond, unlike Thobeka in Tamsanqa’s drama who had no say in her own marriage because of her patriarchal culture which considered a woman inferior. Rebekah was asked, “Would you go with this man or not” (Gen 24:58). Is this a strategy by the narrator to downplay the power of patriarchy in the eyes of the reader, as if a “no” from Rebekah could change the agreement? The narrator wanted the reader to believe that proper consultation was made with Rebekah and that there was mutual agreement among the parties in order to minimise patriarchal influence. However, we believe that Rebekah was in the same situation as Thobeka even though she was asked in the form of a question to get ready to go with the man. In the first place, she was raised by her father to serve another man in marriage. The voice of the bride did not count in the Abrahamic culture and that is why the voice of Hagar was silent when Abraham and his wife decided that she should become Abraham’s concubine (Gen 16). She had no say in the serious decision taken on her behalf by her “*foster parents*” – Sarai and Abraham.

The men in the house of Phalo have the cultural right to decide formally for and on behalf of women. What is strange in the house of Phalo which is not that clearly visible in the house of Jacob is the fact that some women were convinced that patriarchy is culture. This observation also came as a surprise to Soga and no doubt, other women would be influenced by that view. All patriarchal laws are designed to suppress women, but most women in the house of Phalo accept those laws willingly as they confuse them with cultural laws (Soga 1931:220). I thought that in the house of Jacob most women did not challenge all patriarchal laws because they were convinced that the laws were constituted on behalf of God. In the Old Testament, there is clear evidence that women respected God more than they respected

God appears to individuals, we see fire, cloud, glory and even a still small voice. The Israelites were keen to record that their God is the ‘I am’, *Yahweh*. The people of Israel also wanted to express that God was in relationship with them, speaking to them, fighting battles for them, showing them compassion, kindness and making a covenant with them. To describe a meaningful relationship, language is needed to convey the personal nature and it is not surprising that the pronoun he is therefore used for God. In a world in which power, authority, inheritance, order and leadership was male, this then becomes the most appropriate language to use for the all-powerful Yahweh of Israel.

men. Religion was then used in the two cultures to fuel patriarchal laws against women. However, Old Testament women did not seem to challenge all the strange laws against them such as laws against girl children, menstruation and many others, mentioned in Chapter Three of this study. Perhaps this was because the people believed that those laws were endorsed by God, that some of the laws were associated with worship and that the laws were divinely created to ensure order among the people of God. According to Meyers (1997:39), in the house Jacob, family religion was at the core of the religious culture. Religion was intertwined with culture; what was culturally unacceptable was possibly divinely inappropriate.

Again, in the story of Thobeka, it was her mother who told her that the decision to marry her off was final and there was no room for further negotiations. The mother delivered the message because she was also probably convinced that the daughter's forced marriage was culturally approved since she herself was probably forced into marriage. She told her daughter that she had to obey the rules and tried to persuade her to submit to the dictates of a patriarchal culture (Tamsanqa 1958:84). The story calls to mind the case of Hagar and Sarai who engaged in conflict in order to further the agenda of men (Gen 16). We see Sarai co-operating with a male agenda¹¹⁷ because she probably thought that it was her duty to bear an heir for Abraham. At a point, Sarai involved God in the matter saying, "The LORD has kept me from having children. Go, sleep with my slave; perhaps I can build a family through her'. Abram agreed to what Sarai said" (Gen 16:2). In other words, children were from God who was depicted as *male*, and it was God who answered the prayers of barren women by giving them only male children.

The mother of Thobeka reminded her that she was completely under the power and authority of men who had the full right to decide on her marriage (Tamsanqa 1958:82). This idea of female inferiority has been explored in the previous chapter and it is the argument proffered by those who interpret Genesis 1-3 against women. Thobeka contested the

¹¹⁷. This shows how deeply patriarchy influenced the women of the house of Jacob. Sarai diagnosed her condition, saying God had closed her womb. If she was not brainwashed by patriarchal law, she probably would have suggested that she sleep with another man to see whether she would produce a child through him. In her time, that act would probably be regarded as adultery and Sarai could be killed for it. Why did the woman who was found in the act of adultery in John 8 commit such an atrocious sin knowing very well that she could be killed? Was she trying to conceive through another man in order to assist the husband who was not able to impregnate her? It is unfortunate that matters that are not properly explained by the biblical authors are left to speculation. Strangely enough, in the story, the crowd spoke for the woman's husband who was not even in the picture. Lawrie is quoted in the previous chapter as stating that some biblical texts cannot be read without resorting to speculation.

decision and requested her mother to convey her objection to her father whom she could not approach directly because of patriarchal laws. However, the mother also refused to do so because she had no strength to face the men who had already taken a decision as heads of the family (Tamsanqa 1958:84). The mother's response compares with the observation in the previous chapter that in the house of Jacob, women also had no voice in matters of their sexuality; men formally made decisions for them. Both the literature from Phalo and Jacob speak of women characters in a negative form (Opland 1983:56).

The idea of man as the *head* is meant to oppress women forever. In the house of Phalo, that title is bestowed on men by culture which favours patriarchy and is endorsed by the ancestors.¹¹⁸ Daly (1973:45) has questioned the idea of man as the head and that God as male¹¹⁹ is aimed at oppressing women forever. The view examined in the previous chapter is that the woman was created to help the man, which means the *real* person is the man. The woman was created to assist him to remain the image of God; therefore, the woman is inferior. Man was not created to help the woman. The "*place of a woman is in the kitchen*" –

¹¹⁸ Indeed, death to the amaXhosa does not mean extinction. The soul lives on, the continuity of the family is preserved, the spirit of the departed have direct communication with the living; the living minister to the wants of those who have gone before and the latter punish the shortcomings of their friends in the flesh, by sending sickness or death upon them. These, in turn, offer sacrifices to appease the offended spirits (Soga 1931:318). Those in the spiritual world who are known as ancestors live in the land of ancestral spirits. They come back to the people in the form of anything—rain, cattle, horse, wind, etcetera, and can be destructive when offended.

¹¹⁹ We have stated that in both the families of Phalo and Jacob, God and ancestors appeared to be men. All the angels that appeared to people as messengers of the Lord seemed to be men, speaking in the *voice of men and understood to be men*. For example, we read, "That the sons of God saw that the daughters of men were beautiful" (Gen 6:2). It is assumed that those sons are angels. The gender of spirits is an issue that will be explored another time. The general understanding of ancestors in the house of Phalo is that they are men and they are addressed as such. In the Bible, angels are portrayed as men, for example, Gabriel, Michael and others. It is important to understand the use of ancestors in the context of Hodgson's (1987:34) explanation that ancestors are the spirits of the members of the family and were the focus of religious activity in daily life. He notes that, "The Xhosa had their God, Qamata, but he was only approached in times of national crisis such as prolonged drought, war or epidemic disease". Setiloane (1986:17) faults missionaries for preaching confusing messages about the role of ancestors in Africa. The belief was that ancestors continue to take interest in their families on earth and make their wishes known through dreams and illnesses. It was a world in which no distinction was made between the sacred and the secular. All was divine and man's well-being consisted in maintaining harmonious relationships with his fellow men, living and dead, the spirit world and the natural order. The African knowledge of God is expressed in proverbs, songs, prayers, names, myths stories and religious ceremonies. These are all passed on to the next generation. Mbiti stresses that God is no stranger to African people and there are no atheists among the people. He quotes the Ashanti proverb which says, "No one shows a child the Supreme Being" (Mbiti 1969:29). This means there is no one who does not know God almost by instinct, and even children know him. It is incorrect to say that God was made known to Africans by missionaries. Some attributes of God such as his omniscience or omnipresence are the same in African religions as in the teachings of the missionaries. This shows that when Africans especially members of the house of Phalo talk of ancestors, the ancestors do not replace God and it also does not mean that the people have no knowledge of God.

that was the patriarchal understanding of the role of the woman in the house of Phalo. Outside the kitchen was the territory of the man, where the women had no voice. Meyer (1997:25) calls the task of women in the house of Jacob “indoor work” which implies that the meaningful duties of women were inside the house. Although they also helped with harvest (Ruth) and sometimes tended flocks.

Having women do indoor work sounds like men were being kind to women but it was mostly an oppressive act. Women in the house of Phalo lost many privileges because their place was in the kitchen. The idea of remaining in the kitchen reminds one of Sarai who prepared food for guests in her tent in Genesis 18:6-9. Blenkinsopp (1997:78) states that in ancient Israel, women also engaged in traditional feminine tasks such as making linen clothes and preparing food (De Vaux 1961:57). In Judges 6:19 however, we see that women also worked in the field periodically like the women of the house of Phalo even though during their menstruation, they were not allowed in the field.

Additionally, women’s social role included nurturing and caring for their children and managing the day-to-day domestic matters of the household as well as caring for their husbands (Prov 31:10-31; Perdue 1997:181). They trained their children early in life and daughters were taught to obey the tradition. The woman of Proverbs 31 indicates that not all women of the Old Testament were extensions of men. In this study, we do not suggest that at all. In Proverbs, women are depicted as good and providing hope and wisdom for the nation. It is also true that the Old Testament world was patriarchal. In Thobeka’s story, (Tamsanqa 1958:78), we see also that her mother taught her to respect the family tradition and to obey men’s instructions. It is also true that women had some influence on their husbands in ancient Israel. Sarah told Abraham to cast out Hagar (Gen 21:10) while Rebekah helped Jacob to steal the birth right from Esau. Soga (1931:235) says women took up the hoe and imitated hoeing the land and gathering firewood.

In the house of Phalo, it is common to hear a young man who wants to marry say, “I need someone because my parents, especially my mother, is getting old, or her health condition is not good”. This idea of the wife as a helper is popular among the amaXhosa. In the case of Abraham, he was old when he appointed his servant to go and get a wife for his son. The marriage is for the entire family especially the parents of the groom. A Phalo father would approach his son about getting married saying, “Your parents are (or mother is) getting old they need someone to help them”. Women in the house of Phalo would attest that marriage

is the place where patriarchy and patriarchal laws are mostly experienced by women. In both families, we have seen that marriage was the final place where the freedom or liberty of women was totally denied. They were completely under the laws of the family and clan.

The understanding of the amaXhosa and many African nations is that a woman is inferior to man, that is why sometimes a man would beat his wife just to confirm his superior position in the family (Dickson 1969:89). In previous chapters of this thesis, we have noted the assumption that women who were not beaten by their husbands were considered not loved enough. It is unfortunate that some women accepted the abusive treatment in both houses as normal and part of culture (Mahlangu 1999:45).

The idea of taking decisions on behalf of the *inferior* person is based on the same understanding that women are inferior and men are superior which emanated from the debate about who was created first and the cultural privileges given to men in house of Phalo. Even if a boy was born after the girls in a family, he was culturally superior to them and the girls must respect him. He would enjoy the privileges of the firstborn and heir and he would be treated differently, as noted above. Joseph was probably born after daughters (Dinah and others) but he was more popular and loved by his father than the girls.¹²⁰ The verse, “All his sons and daughters came to comfort him” (Gen 37:35) shows that Jacob had sons and daughters but it is remarkable that he was identified with his twelve sons and not daughters. The dignity of a man was revealed by the number of sons he had, and not daughters; daughters had *little value* except as their father’s commodities. A daughter was a lifetime servant of men.

In the previous chapter, we have shown also that Old Testament women were completely under patriarchal authority. Similarly, the men of the house of Phalo controlled their women officially through cultural norms which were equally patriarchal in nature (Tamsanqa 1958). In Tamsanqa’s drama, Gugulethu ran away because he blatantly refused to marry Thobeka who was not his choice, but the choice of their parents. Clearly, Gugulethu did not subscribe to the patriarchal culture; and he left his home for twelve years. The patriarchal authority over Thobeka prevailed; patriarchy survives where men are in power. Later, Thobeka is seen with three children who were not fathered by Gugulethu her *husband* and it is clear that her

¹²⁰. The opposing argument would say, but his father loved him more than his brothers, and at least his brothers are mentioned and played prominent role in the narrative. His sisters are not mentioned, and they play no meaningful role in the narrative.

father-in-law was the father of those children. The voice of Thobeka is not heard in this matter, like the silent voice of Hagar in the arrangement in which she was handed over to Abraham (Gen 16). The man who slept with Thobeka must have done so based on patriarchal authority and cultural laws. In the same way, Abraham slept with Hagar based on the patriarchal culture of their time (Drey 2002:75). Hagar was a slave woman without any rights. To be a slave and a woman meant double oppression and disadvantage for Hagar who was also a foreigner (see Deut 21:10-25:19).

These show that women were considered inferior¹²¹ and placed under the authority of men who were empowered by patriarchy and culture. Both women, Thobeka and Hagar, foreigners in a foreign land or family, were forced to have sex with heads of those families for the men's benefit. This proves that in both houses, patriarchal laws were designed and legislated in the absence of women for men and against women. The primary objective was for men to take advantage of the women for sexual benefits at all costs.

Sarai complained to Abram about Hagar, but we are not sure why she complained since she authorised the process at this point. Sarai felt threatened and said, "It is your fault that she despises me" (Gen 16:4). If Abraham slept with Hagar once in keeping with Sarai's suggestion, Sarai would not have complained at all. Hagar was not a wife but Sarai's female slave. However, it seemed Abraham treated her as he would a wife, causing Sarai to feel threatened by her. The author probably would have us blame Sarai for making a suggestion to Abraham and complaining about it afterwards. The author textually discredits Sarai by not telling us how often Abraham slept with Hagar. Even the suggestion from Sarai that Abraham should sleep with Hagar raises many questions. Did the thought of sleeping with Hagar occur to Abraham before Sarai was pressured to suggest it? It was the custom for barren women to propose that their husbands take a concubine;¹²² therefore, Abraham (or

¹²¹. According to Soga (1931:272), the inferiority of women is affirmed by some women as a sign of respect. During the marriage exhortation given to the bride on the day of her marriage, the older women emphasise that the wife must submit to her husband, as she is inferior to him. However, the person who does not know that she is being oppressed cannot be blamed for not liberating herself. The women operating in the patriarchal shadows are completely blinded by the culture which supports patriarchy.

¹²². Soga (1937:171) states that in the house of Phalo, a barren woman would be given a child from another mother if the man was polygamous and that child would be hers in all respect. The idea was to save the woman from the pressure of not *fulfilling* her duties of giving birth for her husband. The duty of the woman was to give birth to a son for the man who paid *lobola* (Soga 1937:172). The pressure on the woman was how to make the man happy by giving him an heir. It is said that the amaXhosa avoided divorce even when a woman was found committing adultery which was a legal reason for a man to divorce his wife. In such a situation, however, the woman would be given 40 stripes and be forgiven. Some believe that polygamy was a way men avoided divorcing women who were barren. This is a strange remedy though because in some cases, the

the biblical narrator) made the suggestion come from Sarai. We do not hear any question or comment from Abraham on this matter but he quickly agreed to Sarai's suggestion. It seems that the author decided to use Sarai to voice what could have been Abraham's wish in order to neutralise any possible moral judgement against the *great man* of God.

The narrator gives the impression that Hagar became pregnant after Abraham slept with her only on one occasion. Similarly, in the case of the daughters of Lot, the narrator would like us to believe that two pregnancies occurred in the course of the two nights that each of them slept with their father. The narrator tried to cover up for Lot and in the process, uncovered himself. He did not have enough facts to support his claim. The narrator would not have been able to stand before even a junior modern prosecutor if questioned about the case he presented. It is clear that a patriarchal narrator was only trying to defend another patriarch. Why did Lot sleep with his daughters? That is a moral question requiring investigation. The narrator blamed the daughters of Lot for what happened. However, can one really blame the girls and alcohol, as the narrator would want us to do? Lot impregnated his two daughters on two successive¹²³ days under the *influence* of alcohol but the author stressed that Lot was unaware of what happened in each case. It is amazing that patriarchal narrators could go to such lengths to change facts in order to cover up for their fellow men. How can a man experience erection and ejaculation when his mind was completely shut down by alcohol to a point that he could not remember what happened?

The case of Lot and his daughters seems to leave a moral grey area. We thought that at some point, Lot participated in the sexual activity consciously, which would then render him guilty of abusing his own daughters if this was not a normal practice. It appears that the narrator in this story was trying to justify Lot by smearing his two daughters and Israel enemies, the Moabites and Ammonites convincing the reader to do the same. One could also

problem of barrenness actually came from the man. An internal arrangement could therefore be made for another man to help the woman conceive without the husband's knowledge. Sometimes, the discovery is made when the woman has already had a child for another man before marriage and then failed to conceive but her husband had no child before marriage. However, many women were accused of not conceiving when the problem came from their husbands. It is interesting to note that at the time of the Old Testament, there was no talk of a man having a low sperm count, as we know it today.

¹²³The biblical authors seemed to be on a mission to protect men and their sexual escapades blindly. They would have us to believe that Abraham had a once-off sexual intercourse with Hagar and she became pregnant (Gen 16) and that Lot had a once-off sexual intercourse with his two daughters which got them both pregnant (Gen 19) or that the once-off sexual intercourse between David and Bathsheba led to conception (2 Sam 11). I would like to believe that all these men had continuous sexual encounters with these women. The mission of the patriarchal authors was to protect the moral and ethical dignity of the men.

conclude that Lot was not as drunk as Noah: “When he drank some of its wine, he became drunk and lay uncovered inside his tent (Gen 9:21). Noah could not help himself or cover himself and in that state he could not have performed any sexual activity. The author covered Lot the same way he saw nothing wrong in Abraham sleeping with Hagar. He simply justified the action by implying that Abraham had stayed in the land for ten years without a son.

Similarly, in the story of Tamsanqa, the author did not condemn what the father of Gugulethu did to his daughter-in-law because in the amaXhosa culture, the daughter-in-law is regarded as his own daughter through his son. This is the power of patriarchy. In the case of Tamar the daughter of David (11 Sam 13), we noted in the previous chapter that the patriarchal penis does not discriminate against anyone including the Phalo, all cultures have incest taboos. Likewise, in the case of Lot, we can say that the patriarchal penis does not discriminate against daughters and in the case of Thobeka and Tamar of Genesis 38, the patriarchal penis does not discriminate against daughters-in-law. It has no boundaries; all women are in danger regardless of their relationship to a man. In the book of Judges 19, a daughter is offered up to be gang raped by her own father just as Lot was ready to give his two daughters to be gang raped to save his guests.

We have shown in the last chapter that rape was ingrained in culture in the house of Phalo. A man would abduct a woman but if her family refused to enter into negotiations for *lobola*, then, he would force himself on her and family of the girl would be forced to negotiate with his family. In the house of Phalo, men had unfettered access to the sexuality of women through cultural laws and norms which were designed to benefit them such as *ukuthwala*, abduction, forced marriage, *ungeno* among others. Thus, sexual abuse of women by men occurred in various forms in both cultures.

It is interesting that in the Old Testament case in which a woman was impregnated by her father-in-law, the daughter-in-law Tamar plotted the act (Gen 38:11-30). We are not told whether this was normal practice or not, and if it was not a norm, how could this vulnerable woman have thought of it? The narrator of this story did not condemn her for the act but rather justified her: “Judah recognized them immediately and said, “She is in the right rather than I, because I did not arrange for her to marry my son Shelah”. And Judah never slept with Tamar again” (Gen 38:26). Why did the narrator stress that Judah never slept with Tamar again? May be that would not have been accepted? Or was the statement meant to

protect Judah, as the author of the story of Lot and his daughters tried to do? He reported that Lot was not aware of what happened that night (Gen 19:30-36). Is it fair to assume that the story was told to the detriment of the people involved?

Philip (2009:31) states that any reading of the story of Tamar and Judah in Genesis 38 is, on the surface, hardly a very enlightening one. Tamar dresses up as a prostitute in order to seduce her father-in-law, an action for which (according to Lev 20:12) both participants should have been put to death—yet the biblical narrative offers no suggestion of any reproach. Here too, as in Genesis 22, it is the silence of the biblical text that speaks, or rather, invites interpretation. How did ancient exegetes make sense of the chapter and meet the challenge its silence imposed? We have stated in this study that any method of exegesis cannot claim to be absolute.

If the ancient Israelites had the heart to accept the situation of Lot and his daughters, then the case of Tamar and her father-in-law was not a major issue. We are not told that anyone was punished. Judah acted as the judge, he clears Tamar but does not condemn himself, possibly because a man who sleeps with a prostitute is not committing adultery. For example, if Lot's daughters were found guilty, as the narrator would make us to believe, why were they not punished? In fact, there is no significant difference between the roles of brothers-in-law who were required to marry her after the death of their brother and of the father-in-law (Gen 38). In the house of Jacob, a wife was taken to help build the man's family, but if he died, the woman's mission did not die. In any case, she probably came to the family not knowing who her husband would be. Rebekah had never met Isaac before she married him and Thobeka stated that she never thought Gugulethu could be her husband.

Tamsanqa's (1958:139) point is that the sexuality of the woman was violated by another man to the extent that she got pregnant three times. The sexual power that Abraham had over Hagar is the same power that Zwiakhe exercised by sleeping with his daughter-in-law and impregnating her three times. It was male power. In addition to the above observation that women were men's sexual property, Soga (1937:78) mentions the great men who accompanied the king to the house of *intonjana*¹²⁴ and started having sex with the young women. The author describes the act as one of the most evil and immoral customs of the

¹²⁴. The concept of *intonjana*, which is described in Chapter Two, refers to the custom observed when a girl reaches the age of puberty (Soga 1931:216). It derives from *ukutomba* which is a girl's first menstruation.

amaXhosa (Soga 1931:222). He notes that exposing these girls to the Chief and his attendants compelled them to submit to the desires of their “temporary husbands”.

In the house of Phalo, an adage that relates to the concept of *ubuntu* says, “Your child is my child, I am a person through other persons” (Boesak 2017:121). However, it is clear that this only applies to boys not girls; the patriarchal penis does not know its own *child*. The position of these men as royal escorts means that they are like parents to these children and to the nation. However, in the house of Phalo, one can say that the patriarchal penis knows no boundaries. Such sayings only benefit patriarchal men. The two fathers-in-law (Judah and Zwilakhe) of the house of Jacob and Phalo impregnated their daughters-in-law. In the case of Judah, the arrangement was made by Tamar, the daughter in-law. During the hearing of the rape case against the former President of South Africa, Jacob Zuma, on 6 December 2005, Judge Willem Van der Merrow of the Johannesburg High Court asked “Why did you sleep with someone who is the same age as your daughter?”. The same question could be asked of Judah. In fact, he condemned himself for the act. The circumstances could be different because the arrangement was made by Tamar, but that does not change the fact that Judah had a child with his daughter in-law, like Thobeka the wife of Gugulethu, the son of Zwilakhe.

The writers conclude the stories with six people dead because of the patriarchal laws of the house of Phalo which were founded on cultural norms and values. In Judges 19, we read of the worst patriarchal murder in the Bible which Tribble (1984:65) describes as a story that shows the horror of male power, that is, patriarchy. In both houses, patriarchy had serious consequences. Tamsanqa (1958:140) tries to show similar horror that emanates from patriarchal control in relating Gugulethu’s murder of his wife Thobeka and their three children. Due to the shock of the murders, Gugulethu’s mother and Nomampondomise (the woman Gugulethu wanted to marry) both committed suicide and Gugulethu was sentenced to death by the court of law. Like Tamsanqa, the author of Judges 19 also unwittingly warns of the dangers of patriarchy. One can assume that both Tamsanqa and the author of Judges 19 wrote for similar audiences and viewed things from similar perspectives.

Tamsanqa (1958:85) shows that the primary motivation behind forced marriages was the economic benefit for the fathers. Thobeka was forced to marry Gugulethu because the *lobola* was already finalised as also noted in the case of Nomampondomise who rejected the cattle offered by Mcunukelwa (Tamsanqa 1958:88). In this drama, it is clear that the issue of

cattle is more important than any other aspect of the marriage arrangement, even more important than the bride-to-be herself. The cattle constituted marriage in the house of Phalo; without cattle, there was no marriage and the cattle benefitted the father of the girl who was seen as his property. Vos (1968:44) confirms that women in the house of Phalo were valued along with the cattle; all were the possession of the men of the house. The payment of the *lobola* was a formalised process in the house of Phalo. The elders negotiated the value of the sexuality of the girl as well as how disciplined she was, and the higher the value, the more the number of cattle her father would get. This formal process does not appear to be the case in the house of Jacob, for how would King Solomon have negotiated the *lobola* for 700 wives and 300 concubines (1 Kgs 11:3)? He must have simply used his royal power to take some of the women like his father David did to acquire Bathsheba (2 Sam 11). In the house of Phalo, on the other hand, the community helped¹²⁵ to contribute *lobola* to help secure a wife or wives for the king.

The *lobola* shows the importance of cattle in the amaXhosa culture. However, if a girl chose to reject the cattle contributed for her *lobola* or the man chosen by their parents she would have to bring cattle from the man she loved. Tamsanqa confirms that a girl's marriage is mostly about the economic benefits to "the owner" of the girl, which is the father. We have shown exhaustively in the last two chapters that the sexuality of the girl child in both houses was formally the property of the father, and after marriage, that of the husband. Thus, "Counted among man's assets was his wife and girls, while she called her husband master, lord" (Perdue 1997:181). The ideal situation was that girls in both families should get married as virgins which would increase the value and number of cattle for their fathers in the case of Phalo. The virginity requirement was not about sexual impurity but economic benefits, that is, more cattle. The virginity of the girl protected the ego of the man, and in both houses, the point of keeping the girl a virgin was to protect the man. Being the only or first man to know the woman sexually qualifies him to be known as a "virgin breaker". That is why in both houses, female adultery was a major crime. In the process of having sex with the wife of another man, psychologically, you are having sex with the woman's husband.

¹²⁵ As of the time writing, King Mswati III of Swaziland had 13 wives and King Zwelithini Kabhekizulu of KwaZulu Natal had six wives, and in the past, many amaXhosa kings had many wives. The belief is that the wife of the king is the mother of the nation therefore the nation assists in paying the *lobola*. In the case of King Zwelinzima of the amaMpondo, the nation paid the *lobola* for him to marry the mother of the nation (Jordan 1940:98).

The girl was often reminded that she was her father's *cattle*, and if she engaged in sexual activities before marriage, she would be regarded as one who opened the *kraal* of her father from behind. In other words, there would be a loss; the cattle would wander away from the *kraal* unnoticed. The loss meant that the value of the young woman had depreciated. In the house of Jacob, that young woman would be stoned by men of the village for committing a disgraceful act in Israel by prostituting herself in her father's house. Therefore, stoning her because of adultery really had nothing to do with sexual impurity but it was meant to protect men.

Deuteronomy 22:21-22 stipulates that, "So you shall purge the evil (woman) from your midst". The charge was that she had prostituted and used what belonged to her father illegally. In the house of Phalo, the practice is similar if one understands the cultural importance of cattle. To enter that cattle *kraal* from behind is to violate tradition and incur the anger of all the ancestors of the family and clan. In the house of Phalo, the woman was not stoned for such an act, but she would be made to feel the punishment and indignity of not acting as a woman. The girl would be excluded from friends and the child she bore would belong to her parents so that she would not bond with the child in case she got married after the *fall*. Her predicament is called "a fall", as it resembles the fall of Eve, the disappointment and the act of shame (Dwane 2000:56).

Tamar put ashes on her head to show that she was no longer a valuable woman. The girl who got pregnant out of wedlock would be made to feel the same way. In the house of Phalo, the man who impregnated the girl would be forced to marry her and pay the damages to the father of the girl in the form of cattle. In the case of Tamar, the only way to save her was for her rapist Amnon to marry her (2 Sam 13). In the house of Phalo, if he was not willing to marry the girl, he would pay damages in the form of cattle to the father of the girl.

The economic aspect of giving away daughters in marriage has been discussed above. We have also seen that in the house of Jacob, young women brought economic benefits to their fathers; monies or fines that pertain to them were paid to their fathers who were formally their owners.¹²⁶ Tamsanqa's (1958) drama exposed the oppressive power of patriarchy among the amaXhosa and, in particular, how that mode of doing things disregarded women and minors who had no say in matters of marriage and the choice of marital partners.

¹²⁶. I refer the reader to Chapter Three of this study for further discussion on this matter.

Women in the house of Phalo were subject to men, but this was not physical inferiority but inferiority dictated by culture which the women could not change or avoid. Women in the house of Phalo were not inferior to men by nature, but they were made inferior by a patriarchal culture which socialised them into subordination. Their rights belonged to men, and whatever was right in the sight of men was right to them. As the old man in the Judges 19 story said, do “what is right to you”; what was right to the rapists was good enough for the concubine and his daughter (Judg 19:22). Lot also said concerning his daughters: “Do what you like, what is good in your eye” (Gen 19:8).

It is fair to mention that in a way women were also regarded as important especially when it comes to marriage. She would bring in *lobola* to her father, bear children,¹²⁷ notably the heir to the new family and help her ageing parents-in-law. The woman was created to *help* the man in the first place. The marriage therefore was about what the woman would contribute to this new family, not what she would benefit from it, for in the house of Phalo, women did not inherit property. This matter has been exhausted in the previous two chapters of this study. Cultural and tribal laws were regulated in ways that undermined women. For example, cattle left by a dead man would be inherited by his brother if the deceased did not leave a son behind (cf. Num 27:8-11).

In both families, therefore, women preferred a male child to a daughter in order to seal their marriage and earn some benefits, as illustrated by the case of Hannah who cried, “O LORD of heaven’s Armies, if you will look upon my sorrow and answer my prayer and give me a son”(1 Sam 1:10). Hannah knew that only the birth of a son could restore her dignity in her husband’s family, confirm her womanhood and fulfil the primary reason for that marriage (Brueggemann 1990: 89). Sarai called this experience of having a son, pleasure. She said, “I now have this pleasure” (Gen 18:12). Hannah appealed to a male God for a son, as she probably got the idea from the experience of Eve: “Adam made love to his wife Eve, and she became pregnant and gave birth to Cain. She said, “With the help of the LORD I have brought forth a man” (Gen 4:1). There is much to observe from the statement of Eve and her understanding of God. The birth of a boy child did not only seal a marriage; it also caused a

¹²⁷. The statement made by the amaXhosa when going for the first time to negotiate a marriage proposal is *Sizokucela ukuzalwa*, which means, “We want your daughter to extend our family”. The objective is clear which is that the bride’s primary duty is to give birth to children. That is why when a marriage is childless, the whole marriage or the process that led to it is considered a dead-end, as reported by Mbiti, Mtuze and Dwane.

man to respect his wife: “Then Leah said, “God has endowed me with a good endowment; now my husband will honour me, because I have borne him six sons” (Gen 30:20).

As discussed in previously, producing an heir is the most important part of the marriage. In fact, a successful marriage produces an heir. In both families, it confirmed the dignity of the man, the father, and as mentioned earlier, it restored the dignity of the woman, the mother. Mbiti (1969:130) states that marriage and procreation in the African context are a unity. Marriage is arranged in order to produce children; therefore, a childless marriage is incomplete. Children in both families are the glory of marriage; the more there are, the greater the glory (Mbiti 1969:138). This explains why in both families there are no restrictions to the number of children—the patriarchs had many children, especially sons. Blenkinsopp (1997:66) explains that “the *raison d’être* of the family in Israel, as elsewhere, was the procreation and nurture of children”. But it is clear that children were valued beyond their economic worth (Perdue 1997:171). The announcement of pregnancy was a time of great rejoicing and the day of birth was an occasion for celebration among family members.

5.1.4. Headship - Jacob and Phalo

The man’s headship was unveiled when he named his wife “woman” in Genesis 2:2. Prior to that, the man gave names to all the birds and cattle. God gave Adam dominion and authority which he then exercised over Eve. In Genesis 3:9, 11, God is seen addressing and receiving a response from Adam who appears to be the head of the human relationship. In Genesis 3:17, Adam is punished by God for listening to¹²⁸ or obeying a woman. Adam ignores his role as head of the relationship. The book of Genesis is explicit about the hierarchical relationship between a woman and a man based on the order of creation which placed the woman in a subordinate position.¹²⁹ Soga (1931:8) seems to agree with Hoernle (1937:69) that loyalty, in particular, loyalty to the head of the family is the breath of life to the amaXhosa. Disobedience to elders is seen as disobedience to culture and the ancestors, because family heads are custodians of culture and the voice of the ancestors. Hoernle (1937:71) states that in the amaXhosa culture, the father was undoubtedly the head of the family and had complete authority over his children as long as they remained in his

¹²⁸. Some people also argue that when God instructed Hagar to listen to the voice of Sarai in Genesis 21:12, she was no longer obeying the voice of Sarai and Abraham but of God (Schneider 2004:79).

¹²⁹. Stitzinger (1981:24) says that it is difficult to deny that Apostle Paul used the creation story to support the argument that women are subordinate to men (1 Cor 11:9; 1 Tim 2:13). This hierarchy places man above woman.

household. Meyers (1997:31) reports that in the house of Jacob, family heads had power to adjudicate over family matters and resolve internal conflicts. Meyers further notes that their homes were called *bet'ab* (father's house) which gives the impression of male dominance in the economic and entire family life.

In Genesis 18:12, Sarai asks, "How could a worn-out woman like me enjoy such pleasure, especially when my master also is so old?" The man acted as the priest of his home and everything under his roof including his wife was under the authority of the husband, as stated above. He was the master of the family. We may not know what Sarai meant by calling Abraham master, but it is clear that she was putting him above herself. Hannah also addressed Eli as "my lord" in 1 Samuel 1:15 and Rebekah said to the servant of Abraham in Genesis 24:18, "Drink, my lord". It seems women addressed men in that manner.

Thus, the man in the house of Jacob was the head of the family and that was seen as being divinely ordained. Tamsanqa (1958:64) writes about Zwi lakhe (meaning, *his word*) the man who forced his son to marry the wife he chose for him. He could not be convinced otherwise and said, "I am not going to be convinced by anyone, no matter what" (Tamsanqa 1958:65). Zwi lakhe believed that as the head of the family he was bound to uphold the tradition of his ancestors. His headship was ordained by the ancestors and to stand by his word was to obey them at all costs. In the house of Phalo, wives were bound to respect their husbands and never call them by their first names, as exemplified by Magaba¹³⁰ who called Zwi lakhe by his clan name Rhadebe (Tamsanqa 1958:45). Mndende (2011:67) states that no one in the family calls the head of the family by his first name so that children sometimes end up not knowing the real name of the head of the family. Soga (137:117) further comments on women's dressing, noting that as a mark of respect for the male members of the family, wives must cover their heads and a daughter-in-law was not allowed to touch her father-in-law. The respect sometimes is demanded by violence and intimidation which to a point became a norm and tradition in the family.

The headship of the family is reinforced by patriarchal and cultural laws. The man of Phalo, when talking about his house, would say, "This is the house of my father" (*Umzi kaBawo*) and not "the house of my mother", as used in the Old Testament. Zwi lakhe said that in the

¹³⁰. The Magaba is the wife of Zwi lakhe who confused culture with patriarchy. However, how do you blame someone who knew no other custom but the one in which she grew up? To the women of old, to obey a man was to obey culture and culture was linked directly to ancestors. There was no way a woman would disobey a man without violating culture and disrespecting the ancestors.

house of Rhadebe, he would not associate with those who violated family traditions (Tamsanqa 1958:62). The father of the house was the head of the family, the Alpha and Omega of the family, as long as he lived. This is also confirmed by Mndende's (2011:67) observation that the father of the family is the connection between the living-dead and the ancestors. As stated earlier, some amaXhosa family heads enforce their authority by means of violence. One man reportedly said, "I do not understand why I am arrested for beating my own wife, because she must submit herself to me since I paid *lobola* for her, I am the head" (City Press, 18 Feb 2007). Those who are under a man's authority, by all means, are intimidated to submit to him as head. However, in the house of Jacob, the situation appeared different. Olojede, quoted in the previous chapter, shows that no instance is found in the Old Testament in which a man beat his wife. Rather, men used religious laws to enforce their headship, for instance, they supported their position with the order of, as discussed earlier.

In the house of Phalo, beating one's wife to enforce certain patriarchal laws was known but discouraged. Thus, the proverb "*Induku ayinamzi*" (The stick has no *kraal*, which means, the abuse of authority destroys home life and breaks up the family), is used to discourage wife-beaters (Soga 1931:332). The existence of this proverb suggests that some men in the house of Phalo beat their wives to affirm their authority as head of the family. This proverb must have come as a warning after a long observation of what wife battering could do to the family. Even then, it protects the head of the house and not the woman; the proverb says beating one's wife destroys the home but ignores what it does to the woman physically and emotionally.

5.1.5. Patriarchal Possession

In the Bible, God is known as the Shepherd of Israel, and Psalm 23 shows the importance of animals particularly of sheep to the people of Israel. Soga (1937:182) remarks that the calling of David and of Saul was to shepherd the sheep, that is, the people. Absalom was a great shepherd (2 Sam 13:23) and Nabal the husband of Abigail had lots of sheep. Many kings and great men of the Bible were reported to have many sheep, and their daughters and sons had to shepherd them. Job was another rich man; "he owned seven thousand sheep, three thousand camels, five hundred yoke of oxen and five hundred donkeys, and had a large number of servants. He was the greatest man among all the people of the East" (Job 1:3). What made Job a great man was his possessions. In Genesis 29:9, we are also told that, "While he was still talking with them, Rachel came with her father's sheep, for she was a

shepherd”. The narrator specifically notes that she was just a shepherd as the sheep belonged to her father. God himself is known as the Shepherd of his sheep, Israel (Jer 23:4; cf. Ps 80:1). All those who worked for him were also known as shepherds of God’s sheep (Soga 1937:183). The point here is that the head of the family in the house of Jacob possessed all the family assets – the sheep and other domestic animals such as camels—were all used to measure the wealth of men in those days.

Soga (1937:184) concludes his comparison by reporting that the value and dignity of the head of the family in Israel were measured in the same way as that of amaXhosa. The more possessions a man had, the more he was respected by the society and regarded as a great man.

In the house of Phalo, the cattle belonged to the head of the family who had authority over all things. The cattle contributed for *lobola* belonged to the father. Tamsanqa (1958:74) narrates that Nomampondomise committed suicide because she rejected the *lobola* cattle with the hope that Gugulethu would marry her. She felt that she disappointed her father who did not get the cattle because Gugulethu married another woman. In the house of Phalo, even the cows that a man paid as a fine for beating his wife were given to the woman’s father and not to the woman. Sons in a family also worked for the head of the family, built their houses on the same property as the family head and were subject to his authority. Everything on that property belonged to him even after death, and the eldest son introduced the family as his father’s house when speaking in an official family gathering, reprimanding a relative or talking with ancestors. For example, he would say, “this will never happen in the house of my father” when rebuking a family member who exhibited a strange behaviour (Tamsanqa 1958:54).

5.1.6. Religious Role of Women in the House of Phalo and of Jacob

According to Perdue (1997:2015), women in the house of Jacob were excluded from the official priesthood and from performing the role of priests in the household. In the house of Phalo, the participation of women in issues of religion and spirituality was also minimal. Issues of religion and spirituality, traditional rituals and culture were linked to ancestors, slaughtering of animals and cattle, as stated earlier. These rituals were performed by those who exercised power on behalf of others. Performing spiritual rituals like animal sacrifices, slaughtering of goat in order to register children with ancestors and the entire society is the

duty which confirms their position in the spiritual world and in the society. In the house of Phalo, women did not perform rituals or speak to ancestors directly.

A similar situation is attested in the house of Jacob. Elkanah went to Shiloh to worship (1 Sam 1) and we are made to believe that Hannah did something unusual outside the religious norm hence the priest believed that she was drunk. It has been argued in the previous chapter that women were formally prohibited from performing or attending certain cultic rituals. However, God¹³¹ tolerated Hannah and never punished her for breaking the religious norm. In both families, the power of religion was vested upon men as they were considered superior to women. Those who ministered at the altar could not be on the same level as those in the congregation, on whose behalf they spoke to God. Religion in both families was used as a vehicle to justify patriarchy.

Thus, it is clear that the power of patriarchy is sustained through religion and culture. Religion is often used to marginalise women for it provides a conducive platform for men to dominate women. The likelihood is that the more religious a society is the more patriarchal it becomes. Religion is essentially an androcentric sphere. Ackermann (1997:57) states that, by nature, religion is the enemy of women; it affects women economically and socially. It dictates how women should approach God, that is, through men. Daly (1973:58) describes patriarchy as the religion of the planet. It means patriarchy has captured the world and it is worshipped by all the inhabitants of the world. It is found everywhere. Patriarchy is the worship of power and its parallel devaluing of women is pervasive.

5.2. MARRIAGE AND SEXUALITY

5.2.1. Adulterous Women in the House of Phalo and Jacob

Soga (1937:118) notes that in both ancient Israel and the house of Phalo, women were culpable in cases of adultery. The snag however is about the appropriate patriarchal punishment. In the house of Phalo, if a newly born child refused to suck the mother's breast-milk, then, the mother would be forced to confess to the sin of adultery. If she refused to confess, then, pain was inflicted on her until she did so. Soga reports that the focus in the case of adultery was on the woman; nothing much was done about the man. After the

¹³¹. Perdue (1997:229) states that *Yahweh* is occasionally presented as a mother who conceived, carried to term and gave birth to Israel (Num 11:12; Deut 32:18). The author notes that the divine compassion of God who has a womb to host souls, that is, the mercy and tender feelings for Israel are akin to that of a mother for the child who came out of her womb. Similarly, in the book of Proverbs, divine Wisdom is personified not only as a teacher but also as a daughter, wife and child.

confession, a cow was slaughtered to atone for the sin and the family would appease the ancestors.

In John 8, a similar example occurs in which a woman is found guilty of adultery but no one talks about the man. In cases of adultery, women in both houses are more culpable and receive the harshest punishment. It was men who brought this woman for judgement before Christ who was also a man. However, Jesus reversed the whole situation when he declared, “He who is sinless must cast the first stone” (John 8:7). In other words, whoever did not commit any sin or was guiltless of the kind of sin the woman committed could proceed to stone her. The problem with patriarchy is that it first renders the person executing patriarchal punishment blameless of sin and places him in a position to judge others from the seat of judgement. Patriarchy gives room for selfishness and arrogance; it justifies self and despises others.

Soga (1937:177) notes that if a woman committed adultery in a patriarchal society, it was a good enough reason to dissolve the marriage. However, if the marriage was not dissolved, then, the woman was beaten with 40 lashes while the man paid a fine of one fat sheep for sleeping with another man’s wife. If one reads John 8 from the perspective of an adulterous woman from the house of Phalo, it would be unnecessary to bring her male partner before Christ. The judgement for the man was clear; it was a fat sheep. However, who knows whether the man paid the fine to those who had the authority to receive it or whether he was allowed to escape because in the first place the law was never meant to punish him. Similarly, in the house of Jacob, the law was clear: “If a man is found sleeping with another man’s wife, both the man who slept with her and the woman must die” (Deut 22:22); and “If a man commits adultery with another man’s wife—with the wife of his neighbour—both the adulterer and the adulteress must be put to death” (Lev 20:10).

However, for some patriarchal reasons, some of these laws were applied randomly. For instance, when David slept with the wife of Uriah, the prophet said to him, “Why have you despised the word of the LORD by doing evil in His sight? You have struck down Uriah the Hittite with the sword, have taken his wife to be your wife, and have killed him with the sword of the sons of Ammon” (2 Sam 12:9). David and Bathsheba were never sentenced to death for that act. In fact, a close reading of this verse indicates that David’s major crime was killing Uriah; it was not that he misused his royal power to sleep with Uriah’s wife. In this verse, it is easy to assume that when a powerful man committed adultery with a married

woman it was not as adulterous as that which was committed by the woman who participated in the act.

The question is: was the woman brought before Christ in John 8 not under the same Law of Moses as her partner? Why did the man escape the punishment of death in this case? Could men circumvent the death penalty or any punishment for sexual offence while women could not? For instance, Amnon was not punished according to the law for what he did to his sister Tamar (2 Sam 13). As stated earlier, some of the patriarchal laws in the Old Testament were not implemented especially in cases where men were perpetrators. One would be justified to say some laws were written to prevent certain things including women from using their sexual power against men. In the two families under investigation here, it seems that the perception was that women had more power in certain areas of life than men, and that could be the reason that their punishment was more severe. If women had no power at all over men in sexual matters, then, the mother of Lemuel would not have advised, "O my son, do not spend your strength on women" (Prov. 31:3). Perhaps the mother of Lemuel the king advised him based on her own experiences as a woman. What women could use to disempower men was more than the power that the king possessed. King David could not withstand the power of Bathsheba. In this study, we do not imply that all women in particular societies are powerless but show that patriarchy as a system aims at oppressing women everywhere. Those individual cases of women who won wars against certain men should be used to encourage others to fight patriarchy and not men.

According to the Law of Moses quoted in Matthew 19:9, a man had the right to divorce his wife if she committed adultery. That law said nothing about the man who committed adultery. The law seems to suggest that a man could commit adultery but could not be divorced by the woman. If that is the case, then, the law is not about protecting the institution of marriage but about protecting men. Adultery offends only the man in marriage. Soga (1937:79) notes that in the house of Phalo, a woman had limited or no rights to divorce a man. Perhaps the heavy punishment for women who committed adultery in both houses was to prevent the act and to keep the institution of marriage pure, since a man cannot cope psychologically with a wife who has been with another man sexually. That could be the reason they killed the woman or gave her 40 stripes – it was not only to prevent her from comparing the two men but also to restore the dignity of the husband and to send a message to other women. It was about securing men's power and authority. When a man sleeps with

another man's wife, it is as if he sexually violated her husband at the same time, as argued above.

Soga (1937:80) cites Jesus Christ's statement in Matthew 5:32 that a man has a right to divorce his wife if that woman committed adultery. It appears that this verse supports women, just as the *lobola* is seen by others as protecting the dignity of women. However, the verse actually legitimises patriarchal power and authority. It is ironical that God in Christ is the same God of Moses who can be rightfully accused of supporting men against women by protecting patriarchy; or was Jesus trying to save himself from this accusation when he said "Neither do I condemn you" (John 8:11). Why does a woman have no right to divorce a man on the same grounds of adultery?

Leviticus 20:12 stipulates the punishment for a man who slept with his daughter-in-law. However, when Judah slept with his daughter-in-law in Genesis 38, neither was his case discussed nor was he found guilty in a court of law or was the incident before law, if so what about the moral law? Admittedly, he did not know she was his daughter-in-law. Subsequently, Judah had children through his daughter-in-law but he was both the judge and accused in the same case, and he found himself guilty but was not punished. This indicates that not all punitive laws in Leviticus and Deuteronomy were implemented against men. Most of the laws were meant to restrict women and sustain the authority and power of men.

It is fair to say that in both houses, women who were caught in adultery were punished severely. If we consider how punishment was executed in the two houses, it seems that society believed that women were to blame in cases of adultery. In John 8, the punishment was death, and in the house of Phalo, a man caught in the act of adultery received 40 lashes and paid a fine of one fat sheep. In both houses, the law against adultery was patriarchal as it was designed to further suppress and intimidate women. The law against adultery was one of the patriarchal laws created to limit and control the sexuality of women. The punishment has nothing to do with promoting sexual ethics and morals, as argued earlier. It was to merely protect and endorse the authority of men (Kunhiyop 2008:96).

Adultery by women raises many questions about their male counterparts and to save many from answering those questions, the woman must be killed or given 40 stripes by the same men who ruled the society. Why would the woman in John 8 risk her life, knowing very well that if found she would be killed? What drove her to commit the act? It is unfortunate that

the patriarchal author had no interest in her story, even Jesus who was placed as judge over her failed to ask questions.

5.2.2. Lobola

In the house of Phalo, the *lobola*¹³² is designed to confirm the power and authority of men over women or the total ownership of a woman by men. The *lobola* has nothing to do with buying a woman, but the one who paid the *lobola* could regard the woman as his property¹³³ because he presented cattle to her family to marry her. The one who paid the money has power. On the side of the woman, she is also bound to obey the man because of the *lobola* that he paid. *Lobola* takes away the power of a woman and strengthens the patriarchal power and authority of men. It is clear that the man who did not present the *lobola* to the girl's family would not have full legal power and authority over the woman. The payment of the bridal fee is made to the father or any male who had authority over her for it is the price of the transfer of the authority from the father to the husband (Collins 1997:113).

Soga (1937:60) states that the payment of the *lobola* and the process of arranging a wife for a young man which took place between the families are closely related. Soga further notes that in the Old Testament, there are cases in which a marriage arrangement was totally the business of the parents as in the cases of Abraham and Judah who arranged wives for their

¹³². Soga (1931:263) notes that, "In no country civilised and uncivilised is there any custom so powerful, I believe, to secure the status of married woman and protect her from physical abuse". The point of offering the *lobola* was to protect women from abuse. However, it is surprising that Soga could not recognise that its ultimate aim is to have power over women. The power men get from the *lobola* is far greater than the protection that women get from it. Soga's (1931:289) claim that the protection of the woman is central to the *lobola* is questionable. He remarks that, "the idea, lying at the root of this custom is that the father suffers loss by the marriage of a daughter" (Soga 1931:264). Soga claims that the *lobola* protects women from abuse. However, the protection may only be partial since men who paid *lobola* would only be fined for abusing a woman which means those who have more cattle could continue to abuse their wives because they can afford to pay the fine to their father-in-law. Today, women whose families receive the *lobola* can appeal to the family courts about the behaviour of their husbands. The *lobola* is an African custom by which a bridegroom's family contributes in cattle or cash to the bride's family shortly before the marriage. The number of cattle is negotiated according to the sexual value of the bride. We have explained in previous chapters that the *lobola* is not a payment but a contribution which joins the two families together. This is done through exchange of cattle; it is believed that a family's cattle reside with the ancestors; therefore, the cattle of the family of the groom join those of the family of the bride to seal the two families in the spiritual world. Over time, the payment of *lobola* has shifted from livestock and beads to cash payments. Nonetheless, the money is called cattle to keep the original objective alive. It is true that the recent commodification of the practice has led to social tension and as a result, critics argue that the contribution of the *lobola* is made in order to legitimise the hierarchy of marriage. Any union between a man and a woman that is not constituted by the *lobola* is just a casual sexual union with no blessings from the ancestors.

¹³³. As noted earlier, Van Tromp (1947:103) reports that when King Gcaleka first saw the plough, he was greatly impressed by how it works and said, "It is worth ten wives". This statement from the king shows the value of women in the house of Phalo. Not only does the statement confirm that wives were the property of women, it also indicates the kind of work women were expected to perform within the family – one plough was equal to ten women.

sons (Gen 24:3; 38:6). The examples show how patriarchal power disregarded the women in marriage arrangements. However, Hagar was the first single parent in the Bible who organised a wife for her son (Gen 21:21). Her situation is understandable since Abraham deserted her and the child; therefore, she had to assume the role of both mother and father to her son. In other cases, sons also had the right to approach their fathers to arrange their marriage, as in Genesis 34:4, 8 and 26:35 or Judges 14:2. In all the Genesis cases, Soga (1937:62) believes that a certain contribution was paid in the form of *lobola* to the bride's family. Mndende (2011:58) rejects the claim that the *lobola* is a payment¹³⁴ for the bride. She further notes that the bride belongs to her family until death and that is why she does not change her clan name. The *lobola* brings the two families and communities together; it has nothing to do with the price of the bride. However, issues that are put on the table when the *lobola* is negotiated may suggest that profit is sought. For instance, "the young woman's father may express himself as dissatisfied with the smallness of the number of cattle, and argue that the social position of the woman is worth better than what he has offered" (Soga 1931:266). This shows that the *lobola* really has to do with the father who would benefit from it. There is no fixed number of cattle for the *lobola* among the amaXhosa which means there is no time limit for completing the payment. The idea is that it does not end, so that the son-in-law can keep up paying until he dies (Soga 1931:267).

Blenkinsopp (1997:60) calls the equivalent of the *lobola* in the house of Jacob a marriage fee; it was a set price but there was room for negotiation. It was not equal to the price of the bride, but the price was related to the punishment for violating the bride. Shechem for example offered to pay any amount to marry Dinah: "Make the price for the bride and the gift I am to bring as great as you like, and I'll pay whatever you ask me. Only give me the young woman as my wife" (Gen 34:12). In Genesis 24, Abraham's servant gave gifts of silver and gold to Rebekah so that she would become Isaac's wife. These gifts, whatever they meant, came from the Isaac's family and that alone confirms and endorses patriarchal power. Adam also paid something:

So the LORD God caused the man to fall into a deep sleep; and while he was sleeping, he took one of the man's ribs and then closed up the place with flesh. Then the LORD God made

¹³⁴. Soga (1931:276) cites the Commission of 1903 which was appointed to investigate the status of *lobola*. The Commission reported that the "contract is not one of purchase and sale". The husband may not sell her, may not kill, injure, prostitute and maltreat her on the basis on *lobola*. The rights the person has for something he bought does not apply to a woman whose *lobola* has been received.

a woman from the rib he had taken out of the man, and he brought her to the man (Gen 2:21-22).

Adam contributed his rib for Eve to be his wife, and said, “This is now bone of my bones and flesh of my flesh; she shall be called 'woman,' for she was taken out of man” (Gen 2:23). The “bone of my bone” could mean, “this is now my woman, completely”. God did not give even Adam a free wife; Adam had to give his rib as a form of *lobola* to confirm his power over Eve. The one who gives has more power than the one who receives; the giver is above the receiver.

Thus, the patriarchal contribution a man made in order to have a wife was an old tradition in both houses. In Genesis 29, Jacob was ordered to work for Laban his father-in-law for fourteen years before he could marry Rachel. This contribution no doubt placed a man above the woman and it was meant to confirm that a woman is taken by the man to be his wife. The one who does the taking is obviously more powerful than the one who is being taken. The phrase “*his* wife” is the key and though it could be said also of the wife “*her* husband”, the phrase is not strong enough since she made no contribution and that female pronoun carried no power in a patriarchal family. Soga (1937:61) confirms that, in the house of Phalo, men who had nothing were bound to go and work for their father-in-law as in the Old Testament.

For instance, we read that, “Now Moses was tending the flock of Jethro his father-in-law, the priest of Midian, and he led the flock to the far side of the wilderness and came to Horeb, the mountain of God” (Exod 2:21; 3:1). Like Jacob, Moses had also worked in order to make a contribution to Jethro for a wife. Soga believes that Moses and Jacob had to work for those families because they were poor and had nothing to contribute to obtain a wife. In the house of Phalo, it is difficult to recall any situation in which a man worked for his father-in-law as contribution to the *lobola*. Rather, a young man would work hard for his father who would then assist him to pay the *lobola*.

Additionally, Saul vowed to give his own daughter to anyone who could obtain 100 foreskins of the Philistines (1 Sam 18:25). This proves that getting a wife in the house of Jacob was not free; there was always a price to pay on the part of the groom. Soga states that the custom that a father must choose a wife for his son was an old one in both houses. We have seen that Zwi lakhe chose a wife for his son without the son’s knowledge. Soga (1937:67) comments that at the time that fathers chose wives for their sons, the marriages

lasted forever even though he offers no reason for the comment. Soga (1937:270) further notes that there is no fixed number of cattle for the *lobola* in the house of Phalo. However, like in the house of Jacob, the virginity of the woman increased the value of the *lobola* and in the house of Phalo if the woman already had children, then, that reduced the number of cattle to be contributed. The virgin woman boosted the ego of the man. It was good for a man to know that he was the only one in the woman's life. He was a "virgin breaker" and he would contribute more cattle because the woman was fresh; no man ever touched her.

5.2.3. Ungeno – Patriarchal Benefit

The Old Testament levirate (the word is from Latin, because the Romans had a similar practice, as did other peoples) was not necessarily perceived as a benefit by men. The law in Deut. 25 envisages that the brother, not the widow, would object to the arrangement. The brother may refuse, but then he is publicly shamed by the widow. In Gen 38, Onan marries the widow but ensures that she would not become pregnant. If the *qerē*' is followed in Ruth 4: 5 (see below), the other redeemer refuses to redeem the property if he also has to marry the widow, saying that it would harm his inheritance.

Why is this? Scholars speculate as follows (based on some evidence): If a man dies without a son but with daughters, the daughters may inherit (Nu. 27:8). If he had no daughter either, the inheritance goes to his brother(s) (Nu. 27: 9). Thus on the death of a married but childless man, the brother(s) would inherit anyway. If, however, the brother has to marry the widow, he has to pay for her upkeep and that of her children. If the widow has children from this marriage, they inherit the property *in the name of the deceased brother*. It was easier to inherit the property outright, without such tags attached to it. That would explain Onan's conduct: he wished to keep the property in "his" family.

The purpose was clearly to maintain lineages (and was in this sense patriarchal), not to award sexual privileges. What the widows thought is not said. Much also depends on the claims a widow would have on her deceased husband's property, about which we know nothing. Many speculate that she would have some claim on it *during her lifetime* (thus often in Europe in earlier times), though she never fully owned it. Younger widows *may* have wanted such marriages for various reasons: in loyalty to their husbands, because they may have found it hard to find a husband elsewhere, or because they wanted sons (internalised patriarchy). That they did not choose the second husband may not have mattered, because they probably did not choose the first one either. Later on, the rabbis

strongly disapproved of such marriages because in their view it amounted to incest (cf Lev 18: 17). The practice died out.

Soga (1937:50) states that the *ungeno*,¹³⁵ a custom in which a man inherited the wife of his deceased male relative, can only be traced to the time of the Bible, not because it comes from the Bible or that other nations got it from the Bible but because the only available and reliable written reference at the time Soga wrote his book was the Bible. Soga notes that the people of the Bible had similar practices to those of the amaXhosa on *ungeno*. This practice is well known in the house of Phalo. It is unfortunate however that at the time of writing, I could not find any study that documents the feelings and experiences of women who were married through *ungeno*. Most authors simply state their opinions about the practice. No one wrote from the perspective of the person who is or was “*ngeno-ed*”. Many authors draw conclusions from a westernised, one-sided perspective that the custom was and remains wrong. Anyway, this study is not about the custom being right or wrong. The emphasis is on the patriarchal similarities between the practices in the two families of Phalo and Jacob. For instance, Soga cites Genesis 38:8 which says, “Go to your brother’s wife and marry her”. No love was required to “have” the brother’s widow.

It appears that the patriarchs might have been directed by God to carry out *ungeno* in cases when a man died and left no children. The Law states that, “If brothers are living together and one of them dies without a son, his widow must not marry outside the family. Her husband's brother shall take her and marry her and fulfil the duty of a brother-in-law to her” (Deut 25:5). This custom is widely attested in the Old Testament. For example, in Ruth 4:10, Boaz says, “I have also acquired Ruth the Moabite, Mahlon’s widow, as my wife, in order to maintain the name of the dead with his property, so that his name will not disappear from among his family or from his home-town” (following the *ketib*). The woman is used as an object to keep the family of the dead man alive. Soga (1937:68) says this was done to avoid the curse of childlessness, and it was for the benefit of the widow and not that of the brother

¹³⁵. Soga (1931:139) translates *ngeno* as “to go in unto”. When a man dies without having children from his wife, the elder brother or any other brother can *ngeno* (have sex with) her. The idea is to bear children through the widow on behalf of the deceased brother. If their father was alive, he would be responsible for all the children, and they would bear the name of the deceased. Zwilakhe, the father of Gugulethu, was correct according to the custom to send the children to Gugulethu, who was not their real father; the deceased is assisted by the brother or closest relative to have children on his behalf. This is because the wife in the house of Phalo is married more to the family than to the individual man. It is unusual to hear a man of the house of Phalo say, “This is my wife”. Rather, he would say, “This is the wife of our clan (*umfazi wakuthi*)”. Marriage among the amaXhosa begins with the two families and involves the entire community; it is not a private matter as in Western societies.

of the deceased. In the house of Phalo, some claim that it was done to preserve the *lobola* that was paid to marry the woman. She could not go back home to her parents because the cattle contributed for the *lobola* would be lost. Soga cites several biblical verses that relate to this custom. For example, Jesus Christ came from the house of David through the custom of *ungeno*. He came through the lineage of Ruth whom Boaz acquired through *ungeno* (Soga 1937:51). Soga is convinced that the custom of *ungeno* originated from the house of Phalo but it was later supported and legitimised by the biblical practice.

The custom which is practised even today has its advantages and disadvantages because a different civilisation has overtaken some societal norms and transformed them. Even in the Old Testament, the custom had both advantages and disadvantages although some feminists completely deny that it benefitted women in any ways. In the house of Phalo, a woman married the man's family and clan. Dwane (2002:21) notes that the amaXhosa believe that the bride is married to the clan rather than to her husband alone. The wife would say, "I am rooted into the Phalo clan", and she is called *umfazi wakuthi*, which means, "the wife of our clan".

Consequently, when Gugulethu refused to marry Thobeka because he was influenced by Western marriage, another man in his family, probably his father, fathered Thobeka's three children. There is no indication that Thobeka complained about this (Tamsanqa 1958:140), possibly because it was an accepted norm at that time; it was not viewed as rape since it was done to *redeem* the woman from shame. In the case of Tamar, the pregnancy appeared to be ordained by God, as the brother who refused to participate in the Levirate marriage was killed by God himself. This brings us back to the question we raised earlier, which is, how innocent were the God of Jacob and the ancestors of the amaXhosa with respect to such patriarchal practices?

The two houses practised this custom which is governed by patriarchy, according to modern feminists who view *ungeno* as a formalised way of raping and taking advantage of a defenceless woman. In the case of Tamar who was no longer a virgin, she could not marry or have children. Her life unfortunately ended immediately after the rape. The author showed no interest in her after using her to develop his plot. She would also lose the benefits and respect which came with having children, especially producing an heir for the family.

In the house of Phalo, the practice of *ungeno* had existed since the creation of the amaXhosa nation (Soga 1937:51). It was instituted in the interest of the family and the widow. It was not customary for the amaXhosa to send a woman back to her father's house because her husband died. The goal of marriage from the beginning was to build the family and often the man and the woman did not even know each other before their marriage. For instance, Thobeka claimed that she never knew Gugulethu or thought of him as her husband (Tamsanqa 1958:83). She had no emotional attachment to him and that could be why it was easy for her to sleep with another male member of his family. Soga (1937:51) uses an idiom, *ngumcephe-ucandiwe*, to describe the similarity between the amaXhosa practice of *ungeno* and the Levirate marriage in the house of Jacob. The idiom means something that comes from another, that is, very much the same. Thus, the Jews could facilitate the process of *ungeno* of the amaXhosa and the amaXhosa would do the same for the Jews, Soga argues.

According to Soga (1937:52), any of the brothers of the deceased had the right to take the late brother's wife, as in the case of Tamar in Genesis 38. The brothers-in-law all had the right to take her but the right to choose was reserved for the oldest in line and if he refused, the next to him would be asked to take the widow. Soga stresses that this custom was firmly established among the amaXhosa, which means, it was fixed. This was important to keep the name of the deceased alive, as the children that were born from the new union were named after the deceased. This could be the reason the sons of Judah refused to give seed to Tamar because they knew that the children would belong to their deceased brother. The amaXhosa would slaughter a goat to introduce the new husband when the brother is deceased. In the same way, in the story of Tamar 38, God intervened in line with the custom and killed the one who tried to disregard the custom. It is interesting that in the case of the amaXhosa, even if the deceased died before marriage, the family could get a wife for him and pay the *lobola* so that one of his brothers could perform *ungeno* with the woman on behalf of the deceased brother to keep his name alive.

5.2.4. Marital Love in the House of Phalo and of Jacob

In both families of Jacob and Phalo, nothing is said about love before marriage. Perhaps if love was a criterion then the woman would reserve the right to say 'yes' or 'no' to a suitor which could compromise patriarchal power. Overlooking the element of love ensures that the woman had no say in the matter whatsoever. Soga (1937:70) confirms that, "Another charge made against *lobola* is said to be that it rules out love in the marriage contract". As

discussed above, the arrangement is made by parents on behalf of their children. Isaac did not love Rebekah before he married her (Gen 24) and in Tamsanqa's book, Thobeka said, "I don't even know the person" (Tamsanqa 1958:83). It does not seem that the two houses completely dispute the need for love in the constitution of marriage, but they protect patriarchal power that would be compromised if a woman expressed her opinion. Love is not the normal central issue in the constitution of marriage in the two houses, especially in the Old Testament.¹³⁶

In the New Testament¹³⁷ command, "Husbands love your wives, just as Christ love the church and gave himself up for her" (Eph 5:25), it is clear that love is emphasised between husband and wife. The verse does not say that a man must love the person he wants to marry; rather, he must love the person he has already married. Mndende (2011:56) seems to agree with this verse that love will grow in marriage; marriage was not for and about love but about building relationships between two families. The *ukuzalwa*,¹³⁸ meaning, "to give birth to" by the family of the bride, is used by the delegates to the bride's family to ask for the girl's hand in marriage. The understanding is that the primary goal of marriage is procreation and building a home and that has little or nothing to do with love.¹³⁹ Soga (1931:270) states that one of the criticisms against the *lobola* is that it rules out love in the marriage contract. This is because marriage is arranged by parents without the input of the children.

Biblical evidence of many men who loved their wives is reported and in the house of Phalo, it is not difficult to find similar evidence. AmaXhosa men are taught to love and not to maltreat their wives (Soga 1937:16). It will be inaccurate to say that patriarchal men from both houses did not love their wives. However, the element of love is often brushed aside because of the authority, power and social position of men over women. Cattle made men in

¹³⁶. "So Jacob served seven years to get Rachel, but they seemed like only a few days to him because of his love for her" (Genesis 29:20). There are intermittent cases like these, they are not disputing the norm.

¹³⁷. The research focuses on the Old Testament, but the concept of the house of Phalo refers to the entire people.

¹³⁸. Marriage is a union between two families and the community. The groom's family uses the strong term *ukuzalwa* which means, "we want your family to give birth to our children through your daughter that will be married to us"; that way your daughter is giving birth to us.

¹³⁹. Soga (1937:189) observes that Westerners criticise the amaXhosa marriage as barbaric because a man "buys" a wife with *lobola* without love. Soga further notes that in the marriage between Adam and Eve, there was no mention of love. Soga refuses the argument that bases marriage on love. He asks, "What happens when that love ends?" The amaXhosa marriage is not between two people as the Western marriage; it is not a private event. It is a matter involving the society, ancestors and the living dead. When a man takes wedding gifts to the bride's family, the demands would also be made for people who died long ago.

the house of Phalo; the number of cattle in the *kraal* determined the measure of dignity that men deserved in the society. Thus, “The greed of gain on the part of parents finds a place no doubt under *lobola* custom” (Soga 1931:271). The gain in the house of Phalo was the cattle, which signified power, recognition and authority in the society.

Soga debated the point that love was not an issue between two young people who were engaged to marry among the amaXhosa. Mndende (2010:56) agrees with Mtuze against Soga that love was not an issue at all, as marriage was not built on love but on family as well as social and ancestral relations. Dwane (2002:13) also affirms that in the amaXhosa context, there is no right partner because no woman is wrong for an amaXhosa man. In fact, there is no one wrong individual but sometimes a family could be the wrong family. For instance, if the father had no cattle or the mother is disobedient to her husband, that fact could hinder their girls from getting married. A bad family is only disadvantageous to young women as no one would want to get a wife from the family that is known as lawless in the society; the young men of that family would still be able to marry. However, love is not a prerequisite for marriage. Marriage is primarily for procreation, as stated before, and for the sexual fulfilment of men.

5.2.5. Sex and Sexuality

In the house of Phalo, sexual behaviour was controlled by cultural norms and values dictated mostly by the patriarchal system. Sexuality and sex are articulated differently by men and women. In both the families of Phalo and of Jacob, the violation of sexual rules which were patriarchally designed resulted in death. Polygamy implies that men have access to more sexual partners than women. It was acceptable in both families for men to have as many sexual partners as they desired and men of influence used some of their power for sexual fulfilment, as in the case of King David, Solomon, Jacob or several other patriarchs in the Bible. In the house of Phalo, a similar situation is found as the examples of King Phalo, Gcaleka and many others who were polygamous men show.

Women in both houses were forbidden formally to use their sexuality as they desired; it was regulated by men for men. Perdue (1997:183) says their sexuality was protected on the pain of death (Deut 22:23-29). One’s sexual contact with another depreciates one’s value in both families. The value of the woman was determined by her sexuality especially in the house of Jacob. Tamar was raped which means her whole body was *raped*. She put ashes on her head.

Why did she not put the ashes only on the violated part but on the whole body? Her whole body represented her sexuality too. Dwane (2002:19) states that in the amaXhosa culture, the male spouse is at liberty to decide with whom to share his body while a woman is tied to her husband. The man decides how and when to have sex with his sexual partner.

In the Bible, we are also told that a certain man made love or knew his wife (Gen 4:1). Adam knew his wife and Elkanah knew his wife (1 Sam 1:19). It is said of Judah in Genesis 38:26, “And he did not know her again”, that is, his daughter-in-law; but then, what is already known cannot be reversed. This means men initiated sex and they also *took* wives (Deut 21:13). The *taking* makes a man the master, as Sarai addressed Abraham; and the woman was made the property of the master. In the house of Phalo, as stated before, men were the initiators of marriage and they *took* the women in marriage, which means they had all sexual rights over them. If the man found the woman to be indecent, he had the right to divorce her (cf. Deut 24:1-4). Love was not a licence to have sex with a woman, *lobola* was, and paying for damages with cattle was a licence to have sex with a woman in the house of Phalo. Whatever the man did to the woman, he had to pay a fine of cattle to the father of the woman as compensation.

The man always had the upper hand as marriage or sexual transaction was from man to woman and not the other way around. The woman is “known”; but the man made love or had sex with the woman. In Chapter Two, it is stated that women who showed signs of enjoying sexual intercourse with their husbands were depicted as immoral. The woman should not be an active participant in sexual activity. Both families of Jacob and Phalo controlled the sexuality of women; they used violent *divine laws* to instil fear and to convince women that their sexuality was the property of men. All the laws favoured men against women and it was believed that women were created for men since they were created from men. Only men had the right to know the women sexually, which means that the one who did the knowing was the one in control of things.

5.2.6. Polygamy in the House of Phalo and of Jacob

Genesis 29:31-30:24 records the history of the birth of the children of Jacob. These children were offspring of four different women namely Leah, Rachel, Zilpah and Bilhah. Polygamy was also a norm in the house of Jacob and Phalo; King Phalo himself had two wives (Soga 1937:78). The practice is also well documented in the Old Testament beginning with the

first bigamist, Lamech from the lineage of Cain. The act of taking concubines was also very common in the Old Testament. Although the Old Testament did not frown on polygamy, its adverse effects were clear to see, as in the case of Hannah and Peninnah (1 Sam 1:6), as will be shown later in this study. It is reasonable to assume that in the Old Testament and in the house of Phalo, polygamy was considered legal. However, Africans who were influenced by Western interpretation of the Bible opposed polygamous marriages in the house of Phalo. For example, after studying in Scotland, Tiyo Soga returned home and removed his mother from a polygamous relationship with his father (Chalmers 1877:89).

Interestingly, Soga (1931:5) reports that polygamy is a universally established institution among the amaXhosa. Every man had the right to have as many wives as possible as long as he was able to pay *lobola* on them. The women were ranked according to their position in the family. The first was the senior wife and the other was the junior wife. They were referred to as the left and right houses of the man. The heir naturally came from the right house which is the first house. This categorisation¹⁴⁰ of women created tension¹⁴¹ among the women but it also showed the society that the man could afford to keep the women and he would be respected for that. According to Perdue (1997:185), there is no explicit evidence on how the ranking was managed in the Old Testament but the favourite wife probably enjoyed special status. Women were treated as men's property and were used to display men's wealth. Mbiti (1969:139) notes that in most African societies, one of the factors that prompted polygamy was childlessness in a marriage. The message to the childless woman was that she failed and was not a complete woman; therefore, another woman was chosen to replace her. Hagar was used to replace Sarah in a way, which made Sarah inflict pain on her to put her in her place (Gen 16). In the end, both Hagar and her son suffered (Gen 21).

¹⁴⁰. Soga (1931:54) explains that there was a great house and a minor house and the minor house supported the greater house. Then, the right-hand house was supported by the left-hand house. Based on all these categories of houses, the law of inheritance worked. To read about how the houses were arranged, see Soga (1937:130-133). The heir came from the greater house if the father was king or chief unless something went wrong, for example, if the wife of the greater house gave birth to only girls or if the male died, then, the son from the right-hand house would inherit the father. Otherwise, if the father were not king or chief, all the older sons would inherit from their own houses where they were born. Obviously, the son from the greater house usually got the greater share of the inheritance, which created conflict and unhealthy competition among the women.

¹⁴¹. Perdue (1997:185) quotes Deuteronomy 21:15-17 to show some of the rules which governed polygamy in ancient Israel. It says, "If a man has two wives, and he loves one but not the other, and both bear him sons but the firstborn is the son of the wife he does not love,¹⁶ when he wills his property to his sons, he must not give the rights of the firstborn to the son of the wife he loves in preference to his actual firstborn, the son of the wife he does not love.¹⁷ He must acknowledge the son of his unloved wife as the firstborn by giving him a double share of all he has. That son is the first sign of his father's strength. The right of the firstborn belongs to him".

Polygamy is another patriarchal custom which confirms that men have almost unlimited power over women and have a variety of choices because of their control over the sexuality of women. In contrast, the women have no power over men. In both houses, there is clear evidence that the custom of polygamy existed not for the benefit of women but of men. Soga (1937:61) quotes Abraham and Sarai who suggested that Abraham should take Hagar. It is interesting that in the house of Phalo, the first or older wife gives *permission* to her husband to take another wife, as in the case of Sarai who allowed Abraham to go in to Hagar (Soga 1937:62). However, in the house of Phalo, the older woman was only informed about her husband's decision to take a new wife; she had no right to disapprove of the marriage. In fact, there is no recorded account in which the older woman opposed her husband's decision to take a new wife and his decision did not stand.

In the case of Rebekah, by the time she was asked, "*Will you go with this man*",¹⁴² her fate was already decided. However, the process of polygamy was carried out in a way that seemed the custom was accepted by women. Mbiti (1969:140) confirms that several problems are associated with polygamy including quarrels and fights among co-wives or the husband neglecting some wives because he favours others. One wonders how King Solomon managed all his 700 wives and 300 concubines. That situation only confirms that polygamy was a system designed to favour and endorse the power of men but it totally ignores the views and feelings of women. On the observation that the permission of the first wife was important before a man could marry a second wife, a good example is the case of Sarai who asked Abraham to go in to Hagar. Soga (1937:56) also asserts that the first wife's permission is important when a man wished to go into a polygamous arrangement among the amaXhosa. Would the same argument stand in the case of King Solomon? Did his first wife approve of all the other 999 women? Or is true that in the case of kings marriages were intertwined with politics?

Is it fair to say in the contemporary society that the process is humiliating to women? In Chapter Two, we have noted that the older wife was informed of her husband's plan to take a new wife when he has already concluded his arrangements (Soga 1931; Mtuze 2004). The custom benefits only the men sexually but oppresses women and subjects them to emotional competition and hatred for each other. Polygamy is a fully patriarchal custom, which was

¹⁴². Judging from the culture of patriarchy, the statement, "You will go with this man", rather than the question, "Will you go with this man?" is very close to a command, but this is probably a Western translation.

designed for the enjoyment of men. The tension between Hagar, Sarah and Abraham (Gen 16) or between Hannah, Peninnah and Elkanah (2 Sam 1) was caused by the man. The stories also show that women often *approved* of polygamy even though they are informed about the decision and not asked, as Soga also confirms regarding the house of Phalo. In the Sarah-Hagar story, we do not have a truly polygamous situation because Sarah did not ask Abraham to take Hagar as second wife but to have sex with her so that she could have a child. I understand the debate about whether was Hagar a legitimate wife of Abraham or not?

The conclusion of the matter could only be reached through speculation since even the contemporary Hebrew words do not fully assist us to reach a unanimous conclusion due to our different understandings. The Hebrew words that mean “wife” and “concubine” are dissimilar, but the word for “wife” has a comprehensive variety of connotations and can be interpreted as “woman,” “wife,” or “female.” Moberly (2000:57) says the term is not always used with precision. Hence, in Genesis 16:3, both Sarah and Hagar are called the “wife” of Abraham, using diverse forms of the same Hebrew word. The broad meaning of the word in question means we have to use context evidence more to define it. In Hagar’s case, her status as Sarah’s slave meant that she was a “wife” of a lesser class. In biblical times, there were several rankings of wives, but the first wife always maintained superiority (Moberly 2000:87).

She was to act as a surrogate mother and not a wife: “Go, sleep with my slave; perhaps I can build a family through her” (Gen 16:2). However, Hagar undermined Sarah when she became pregnant with Abraham’s child. As stated above, women often take advantage of one another in a polygamous marriage, especially in the house of Phalo where the first wife was regarded as superior to the other wives in authority and power. We have seen that in the Old Testament, Peninnah took advantage of Hannah’s situation and inflicted emotional pain on her, just as Sarai did to Hagar. In these cases, we see women co-operating with patriarchy to torment fellow women in order to secure their place. It is interesting that King Phalo himself was the second son of King Tshiwo but his brother Gwali was from the second or junior wife and Phalo was in line for the throne. In the house of Phalo, women in a polygamous marriage did not have the same status. The first wife had a superior status and even her children benefitted first from family resources (Peires 1976:56).

Soga (1937:62) states that what is practised by the amaXhosa as *isithembu* (polygamous marriage) is similar to the Jewish practice. He notes that in the Old Testament, Gideon and Saul had several wives while Solomon had 1 000 wives and concubines. The view of God regarding polygamous marriage is also not clear. Was it endorsed by God or did he only tolerate it? In the conversation between Nathan and David, the message from God was, “I gave your master’s house to you and your master’s wives into your arms... And if all this had been too little, I would have given you even more” (2 Sam 12:8). This proves that God was aware of the polygamous set up. The question is, if this practice was wrong, why did God not rebuke His servants for having multiple wives?¹⁴³ In the house of Phalo also, it was through the junior wives that the ancestors sometimes blessed the family with children (Peires 1981:34).

As stated earlier, polygamy promotes the status of men in the society. Smalley argues that in the Old Testament, “it is the means to gain social status” (Smalley 1978:259). The man who had many wives and properties was respected in the society as a powerful man. The question is was Solomon’s wisdom measured by his wisdom or by the number of wives he had? Mbiti (1969:139) says the idea of gaining social status is instilled in the minds of African people and the man with a large family earned great respect in the society. This is done at the expense of women, some of whom were forced into marriage to that one man.

The question one would ask is, was King Solomon popular because he had a thousand women? In a sense, the answer may be ‘yes’ because Solomon is often identified with the number of wives he had, which supposedly placed him in a privileged political position, above others. Why would Solomon marry such a *community* of wives? Was it about his sexual drive or gaining social status? We think he benefited from both, feeding his unending sexual drive and also enjoying the status which confirmed his power over other men in the society. He used his patriarchal royal power people have a desire for sex but men have a far stronger desire than women and this speculation could be proven otherwise.

In the house of Phalo, the tension, jealousy and competition among the women boost the ego of their husband. It makes the husband feel important. In his household, Abraham did

¹⁴³ It should be understood that this study does not aim to prove whether polygamy is morally right or wrong. But looking at how it is done, could be humiliating to some women. Rather, it argues that a patriarchal system operated in each of the two families of Phalo and Jacob. For Mbiti (1969:139), polygamy helps to prevent or reduce unfaithfulness especially on the part of the husband. Such an explanation simply makes men feel justified to practise polygamy. We believe that this was meant to fulfil men’s unending sexual drive.

not condemn the fight between Sarai and Hagar. Rather, he fuelled it by saying, “Thy maid is in your hands, do to her what is good in your eyes... Sarai dealt hardly with her” (Gen 16:1-7). Sarai inflicted pain on her maid. Olojède (2015:24) states that there is no evidence of a man battering his wife in the Old Testament. That claim could be true, but when Abraham handed Hagar over to Sarai in the manner he did, was he not guilty of battering Hagar through Sarai? Sarai got the authority to inflict pain on Hagar from Abraham, “See your female servant is in your hand, do to her what is good in your eyes, and Sarah treated her harshly” (Gen 16:6). In a polygamous relationship, the man will always favour one wife over the others, which means that *some* women will suffer severely in the same way Hagar suffered in the house of Abraham. As noted earlier, whether the position of Hagar in the house of Abraham was that of a legitimate a wife or not is a matter of assumption and the subject of another discussion.

5.2.7. Ukuthwala in Jacob and Phalo

According to Soga (1931:271), the term *ukuthwala*¹⁴⁴ is applied to forms of abduction of a woman for the purpose of marriage. If a young man desired a girl, he would lie in wait somewhere and abduct her. If her parents refused to negotiate a *lobola* payment with his family, then, he would force himself on her sexually so that the parents are forced to enter into negotiation. This custom bestowed no right on women. It was one of the customs in the house of Phalo that severely undermined the rights and dignity of young women as human beings. In the house of Jacob, similar patriarchal customs are also found. In the house of Jacob treating captive women's sex slaves was a common practice in ancient times. Judges 21 may refer to an old practice of abducting Israelite women-one probably regarded as barbaric by the time of writing.

In the process of the abduction, the girl is subjected to hurt and violence including sexual terrorism in order to cause her to submit to the act. This undermines the dignity of women as well as their rights to security, equality and freedom of movement. *Ukuthwala* causes

¹⁴⁴. *Ukuthwala* is the custom in which a girl is taken by force or kidnapped by a man and his friends to force her to marry the man. In the first and second quarter of 2009, the media reported that “more than 20 Eastern Cape girls are forced to drop out of school every month to follow the traditional custom of *ukuthwala* (forced marriage)” Girls as young as 12 years' old are forced to marry older men, in some cases, with the consent of their parents or guardians (Mwambene & Sloth-Nielsen 2011).

women to live like slaves and sometimes they are sold by their own parents who exhibit patriarchal tendencies.

Deuteronomy 21:11-13 states that:

If you notice among the captives a beautiful woman and are attracted to her, you may take her as your wife. Bring her into your home and have her shave her head, trim her nails and put aside the clothes she was wearing when captured. After she has lived in your house and mourned her father and mother for a full month, then you may go to her and be her husband and she shall be your wife.

From the above quotation, we see that a girl's beauty increased her chances of being a sexual victim. The case of "Tamar, the beautiful sister of Absalom son of David" (2 Sam 13:1) confirms this reality. Hagar a slave woman in the house of Abraham ended up having a son for Abraham (Gen 16). It can be assumed that even in the house of Phalo, beautiful young women were mostly abducted. The man, according to this verse, in Deuteronomy "may take her" which implies abduction. Thus, young women were taken by force for the sexual benefits of men who were strangers to them. This custom which was designed to benefit men in both families regarded women as emotionless. In a less or non-patriarchal society, such an act would be considered rape. From the verse quoted above, the situation in the house of Jacob was probably even worse than in the house of Phalo, for the parents could be unaware of the situation and might be unable to have any contact with their daughter. It was assumed that she would have finished mourning for the loss of contact with her parents within a month after which she would be ready for permanent patriarchal rape. In the same way, when the girl in the house of Phalo was abducted, she became the wife of her abductor, enduring permanent rape by him.

It is amazing that the custom of *ukuthwala* has survived until now¹⁴⁵ in spite of modern influence. Understandably, any custom that benefits patriarchal men sexually is not easily transformed, as the same men would try everything in their power to save it from extinction. Patriarchal men would do anything to legitimise or spiritualise patriarchy as we have seen in

¹⁴⁵ A newspaper report notes that the Hawks (the Special Investigating Unit, of the South African Police) saved a 15 year-old girl from a forced marriage after her relatives allegedly sold her to a stranger. Three men aged 26, 51 and 70 were arrested and appeared in Mthatha Magistrate's Court. According to Hawks Spokeswoman Captain Anelisa Feni, the two older suspects were relatives of the teenager while the 26 year-old had allegedly bought her to be his wife. Feni reported that the older men allegedly deceived the girl into undergoing the traditional practice of *ukuthwala* with the 26-year-old man (*Herald*, 10 January 2017). Any custom that benefits men sexually is not easy to change or abolish especially if the aim is to remove the sexual benefit for men.

the case of the house of Jacob and of the house of Phalo where the exclusion of women was part of the social laws and customs, and where God is presented as having no thought for women but for only men.

5.2.8. Menstruation in the House of Phalo and Jacob

In both the house of Phalo and of Jacob, it was thought that menstruating women were unclean. Ikechukwu (2013) explains that the menstrual blood remains the sole reason for excluding women from holy grounds such as the *kraal* where amaXhosa ancestors reside as well as other surrounding areas. Balkema (1968:129) confirms that menstruating women in the house of Phalo were sequestered in their own houses and prevented from moving around because if their blood touched the ground of the ancestors it would result in a curse and bring discomfort to the ancestors and the living-dead. This could have negative consequences for harvest and domestic animals such as goats, sheep and chickens which would not multiply, as the belief was that ancestors controlled all such things. The menstruating woman was made to feel that she was cursed and she could not approach God and the ancestors during her period.

Women were also banned from the fields during their menstrual cycle, as that would affect harvest production. Rather, they were secluded at home until the menstrual time was over. Thus, ancestors accept only the blood of circumcision from the genitals of boys to register them in the spiritual world; they do not accept menstrual blood. The biblical text does not seem to disparage male emission (of sperm) or the blood of circumcision of Israelite males. The number of cattle owned was central in measuring the wealth and dignity of the men in the society. Dwane (2002:45) reports that ancestors stay in the *kraal* with cattle and go with them to the grazing field. However, it was believed that menstruation not only disturbed and offended ancestors; menstruating women were considered unclean and were not allowed near cattle during this period. Women also were forbidden to speak about menstruation to anyone, as it was considered a shameful thing. It reminded women of the curse of Eve and their impurity. During their period, women were also restricted from other activities in the home, and participating in such was seen as a cultural taboo. Menstruation was a very private matter and it had to be managed in silence. In the house of Jacob, menstruating women were also banned from participating in certain religious cults.

Leviticus 15:19 and 24 state that:

If a woman has an emission, and her emission¹⁴⁶ in her flesh is blood, she shall be seven days in her menstrual separation, and anyone who touches her shall be interpreted as ritually unclean commonly by people until evening... And if any man lies with her at all and her menstrual separation will be upon him, he will be unclean for seven days.

Leviticus 18:19 warns: “Also you shall not approach a woman in her menstrual separation, to uncover her nakedness”. In addition, Leviticus 20:18 says,

And if a man lie with a menstruating woman and reveal her nakedness, and she revealed the fountain of her blood, both of them will be cut off from among their people. The man will be cut off because he has been contaminated by a woman; the man is impure and unclean.

In the house of Phalo, a woman stayed in a separate room for a period of ten days after childbirth and no man was allowed in that room or permitted to have sex with her for some time. It is not clear whether the restriction had to do with the uncleanness or emission, as recorded in the book of Leviticus, but the point is that after birth, the woman was isolated from men, as in the house of Jacob.

Clearly, both families had serious issues with menstruation and created patriarchal laws not only to restrict women and to make them feel impure and unclean but also to enable men maintain their power and patriarchal authority. The question is, was there a man who was not a product of menstruating women in both houses? How can men respond so cruelly to something that gave them life? In both houses, menstruation restricted women from many things including the altar and *enkundleni* (next to the *kraal*). Boesak (2017:168) says oppression is a sin, but for the oppressed to accept it as norm, is even a worse sin. The oppressed then sin more than the oppressor. Steve Biko once alluded to that idea, saying that the power of the oppressor is sourced from the oppressed.

Menstruation was one of the major things used to restrict and belittle women and make them feel inferior in both houses. It was a sharp-edged weapon used by men against women. The serious part is that both patriarchal families regulated those laws for *on behalf of God and the ancestors*, meaning any woman who violated these laws would be guilty of offending God and the ancestors, that is, of committing a crime against the divine. The writer of the biblical text gives the impression that menstruation offended God since women were

¹⁴⁶. An important point raised by Vos (1968:20) is that the emission of sperm did not make for uncleanness with the same intensity or degree of contagion as menstruation, for example (cf. Lev 15:19). This is similar to the understanding that ancestors accept the blood of males during circumcision as a sign of induction into manhood, but do not regard menstruation blood as a sign of transition into womanhood.

prohibited from participating in religious events. In the same way, Phalo women did not come close to the *kraal* because it was believed that ancestors, who were protectors of the family, reside there and that they are offended by menstruation. Any mistake was too costly to reverse, and to appease the wrath of ancestors, purify oneself and reconcile with angry ancestors, goats and cows were slaughtered. No member of the house of Phalo would in any way try to offend ancestors, who are regarded as powerful and destructive when angry. This can be witnessed clearly in the novel written by A.C. Jordan in 1940, *Ingqumbo Yeminyanya (The Wrath of the Ancestors)*. In the story, many people were killed because they disregarded the mandate of the ancestors showing clearly that the anger of ancestors was extremely dangerous and destructive.

There is a deep-seated abhorrence of menstrual discharge on the part of amaXhosa men (Soga 1931:299). As stated before, the blood is regarded as dangerous to the stock,¹⁴⁷ in particular to the cattle, and it defiled anything it touches; hence, the unmarried girl was strictly secluded from the early appearance of the menstrual discharge. Married women must not move around during their menstrual flow. Soga says that she could not step over the man's staff but always had to go around it. The staff is compared to the one Moses used to open the Red Sea in Exodus 14:16: "Raise your staff and stretch out your hand over the sea to divide the water so that the Israelites can go through the sea on dry ground". It carries the same power and women should respect it at all times. Sometimes, the man used it to drive the cattle, and in that way, it was linked with the ancestors.

The patriarchal understanding of menstruation caused many girls to feel embarrassed and ashamed during their period and they had a negative attitude towards menstruation, an act which actually confirms their uniqueness. I assume that the act of separating them was meant to show others that they were in an *embarrassing period*, which was a *taboo and* understood as a very private matter. However, menstruation was turned into a public affair in both families in order to lower the self-esteem of women. During the active period of their menstruation, women rubbed cow-dung on their throats (Soga 1931:300).

¹⁴⁷ It was believed that if a woman entered the *kraal* she would defile the *kraal* and weaken the bones of the cattle (*impahla ithambe amathambo*). Therefore, women were banned from the *kraal* (Soga 1931:300). Miscarriage is also a big issue, as we have noted that in the house of Jacob emission exclude women from the society. In the house of Phalo, miscarriage is regarded as defilement and infectious, so that cattle crossing a menstruating woman's tracks are likely to become weak and die.

Why should the whole family and clan know about a woman's menstruation if the aim was not to humiliate her? Soga (1937:118) reports that not only were menstruating women restricted to certain places; they could also not eat certain foods especially sour milk. The idea was to protect the cattle, as the people believed that eating milk during menstruation could have negative impact on the birth of the cattle. The cattle which were the major economic source *given* the by ancestors would not multiply. In some indigenous churches, menstruating women are forbidden at the altar because they would pollute the holiness of the altar just as menstruating women would disturb also the ancestors in the house of Phalo.

In the house of Phalo, women are also banned from the *inkundla*¹⁴⁸ and from coming near the cattle during their menstrual flow. *Inkundla* is the holy place for women especially those who are married into the family (Soga 1937:118). Girls born into the family were not restricted from walking into *enkundleni* and going inside the kraal. Although it was their home and they were known by ancestors, during menstruation, they must never step inside the kraal.

The woman who had delivered a child was secluded for a certain period until the *womb was dry*. In both Phalo and Jacob families, *divine* patriarchal laws were created to subjugate women forever, as women were made to believe that God and the ancestors detested menstruation. God and the ancestors also live forever, therefore, whatever they hate would be hated forever. God's mind is fixed and cannot be altered; what God has decided cannot be reversed. It is important however to gain correct understanding of the biblical and ancestral position on the issue of menstruation.

5.2.9. Divorce in the Houses of Phalo and Jacob

It is not clear whether women did or did not have the right to divorce men. In fact, there was no need for a woman to give a letter of divorce to a man, as men were required to give to women, and men had the right to marry more than one woman without obtaining consent from anyone in any case. In Africa, some Zulu and amaXhosa men would obtain consent from the first wife to marry more women. Whether it was possible for her to refuse, we do

¹⁴⁸ Mndende (2010:22) describes that *inkundla* as the place between the kraal and the house, that is, the place where people assemble when a traditional ritual is being performed by the family. It is a sacred place, the family's holy place. Ancestors are addressed by those who are appointed to talk to them in the *enkundleni*, that is, the place between the huts and the cattle kraal. It figuratively means the 'heir of the family' (Soga 1931:294).

not know. It seems this was just a licence to make men feel good and ease their guilty consciences; it looks like a strategy for legalising adultery.

In the house of Phalo, divorce was not as common as might be supposed but the husband held the power and right to separate from his wife (Soga 1931:283). No specific document is issued to divorce a spouse in the house of Phalo. The woman remained the wife of the man who abandoned her. According to Soga (1931:284), the law offered no punishment to the man who divorced his wife. The parents of the wife would demand the cattle of *isondlo* which is the equivalent of child support, and the woman went back home to them. The point we wish to establish is that only a man had the right to divorce his wife. If the woman ran to her people because of a dispute, a cow was paid as a fine if the man was at fault and the wife would be returned to him. As stated above, no similar law governed men.

Thus, in the house of Phalo, women were formally under the control of men and marriage was entirely the decision of the patriarchs. The woman could be married off against her will by her parents especially the father. In the case of Thobeka in Tamsanqa's novel (1958:76), the men of the family made all the decisions about her marriage and sexuality. Eventually, she had three children for a man she did not initially marry. In the house of Phalo, it is clear that women had no voice in matters of marital relationship. A marriage was wrong or right only in the eyes of men. According to Perdue (1997:183), the rights and authority of the husband dominated the marriage relationship completely. The right to divorce was not within the limited rights of women in marriage in ancient Israel.

In the house of Phalo, a woman could not divorce her husband under any circumstance. The husband had the right to send the wife back to her original home (Mndende 2000:40). In a conflict situation, if a woman was hurt by the husband and ran to her original home, the husband would be found guilty and fined and the woman would be forced to go back to her husband. The discussion was between the men of both the families of the man and his wife. The woman was not heard or accommodated in the negotiations. In some cases, the husband was not present during the negotiations, and if he was present, he would be reprimanded by the elders.

Jesus confirmed that in the house of Jacob, the rule was, "Whoever shall put away his wives, let him give her writing of divorcement" (Matt 5:31-32). This divorce letter did not protect the woman but gave her the right to remarry when that was possible. Without the

letter, she was bound to the first man even if he was no longer with her. If the man did not issue her the letter of divorce, then she could not be considered for remarriage in any way. Therefore, the man did her a *favour* by giving her the letter. Blenkinsopp (1997:65) reports that the divorce bill contained the statement, “You are not my wife”¹⁴⁹ and I am not your husband”. Isaiah 50:1 shows that the letter was required: “Where is your mother’s certificate of divorce with which I sent her away?” Additionally, if a man had reasons to accuse his wife legally of premarital promiscuity, her parents would be offered the chance to produce evidence that she was a virgin in the form of a bloodstained sheet from her first experience of marital intercourse (Perdue 1997:186). If she failed the test, she would be stoned to death and not divorced (Deut 22:20-21).

Perdue (1997:181) argues that the letter serves as the right of a divorced wife and a protection fee of marriage. This probably was what Abraham did when, “Early the next morning Abraham took some food and a skin of water and gave them to Hagar. He set them on her shoulders and then sent her off with the boy” (Gen 21:14). The protection fee was decided by the husband; but that water could not sustain Hagar in the wilderness: “When the water in the skin was gone, she put the boy under one of the bushes” (Gen 21:15). It is possible that Abraham did not give Hagar a letter of divorce because she was not his formal wife or that he did not divorce Hagar and she remained his “wife” until death.

Thus, divorce was initiated not only by men but the women had right to divorce their husbands in the house of Jacob. The law of divorce gave authority and power to men on marital matters and women would have fewer rights to object to that law because of the patriarchal norms of the time. From Deuteronomy 24:1-4 which stipulates that, “If a man marries a woman who becomes displeasing to him because he finds something indecent about her, and he writes her a certificate of divorce, gives it to her and sends her from his house”, it is clear that only a man could find fault with his wife and not the other way around. In the words of Blenkinsopp (1997:65), the man could find something improper, indecent or at least objectionable about his wife. The nature of the indecency that would provide the grounds for divorce is not clearly specified and whether it was limited to sexual

¹⁴⁹ Blenkinsopp (1997:65) agrees that occasionally some women left their husbands (Judg 19:1-2; Jer 3:6-7). It is not clear whether the woman of the Judges narrative had full status as a wife, for a concubine had a lesser status than a wife and if she left the man it would not be seen as divorce. For instance, when Hagar left the house of Abraham it was not regarded as divorce since she was not Abraham’s real wife. Jeremiah also spoke metaphorically in in 3:6-7. However, only a man had the right to initiate a divorce and not the woman.

indiscretion is not obvious (Perdue 1997:186). In the house of Phalo, a woman could also not divorce her husband, and even if the husband died, she was not free. The patriarchal law would pass her to a relative of her deceased husband.

The modern reader could consider it unfortunate that even God seemed to be in full support of divorce initiated by men. For instance, God approved Abraham's "divorce" of his slave-wife Hagar (Gen 21:8-14). In the text of Leviticus 21:7, 14 and 22:13, it is clear that a stigma was associated with divorced women because priests were required to marry only virgins. They were prohibited from marrying divorced women or even widows. Ezra a priest and scribe of God and an expert in the law convinced the Jews of his time to divorce their foreign wives (Ezra 9-10). Deuteronomy 21:10 allows an Israelite man to divorce a slave woman, when she no longer pleased him. It is not clear however, what the phrase "*please him*" means. Was this connected with to sexual pleasure or pleasing him by being a good servant? The narrator does not clarify this point. Abraham must have used such laws to send Hagar away.

Blenkinsopp (1997:58) asserts that in the house of Jacob, there were no clear reasons for the dissolution of a marriage. One of the observed reasons for divorce is if the woman found no favour with the man, that is, if the man disliked the woman (Deut 24:3). How could a man dislike a woman he never loved in the first place? Isaac never knew or loved Rebekah before their arranged marriage, and in both families of Jacob and Phalo, marriage was not based on love. We have noted in Chapter Two Dwane's observation that a wife was rooted (*wendele*) in her marital family through the *lobola* that her husband paid and other things. All the rules that governed marriage were designed to favour men and women had limited right to reject the cattle during a *lobola* negotiation. Her objection would be sustained only if those cattle are replaced by other cattle of the man the woman preferred. In the case of Nomampondomise, she rejected the cattle because she hoped to replace them by those from Gugulethu. Women were granted only that little privilege before marriage; but once married, there was no way out of the marriage for a woman in the house of Phalo (Tamsanqa 1958:65).

Divorce was extremely complicated in the house of Phalo since wives became rooted in their marital family especially after having children. Such a woman would always be connected by blood to the family through many rituals, the children and by virtue of being married into the family. A divorced woman would always be directly connected to the

previous husband's family, and for a man to divorce his wife is not an easy process like writing a letter. My point is not to compare the two divorce processes but to highlight the fact that divorce was designed in the interest of men, and women had little or nothing to do with it. There are enough valid reasons for men in both families to divorce their wives, no matter how weak are they. Divorce is valid if it was initiated by a man but women had no valid reasons to divorce their husbands. The Samaritan woman was divorced by men five times because she did not have a right to divorce them (John 4).

5.3.CHILDREN AND THEIR UPBRINGING

5.3.1. 5.3.1 Patriarchal Upbringing of Children in the Houses of Phalo and Jacob

Perdue (1997:181) reports that daughters were raised to leave their own families and join their husbands' families in order to have children and to educate the children on matters relating to the ethos of the family. It is shown in Chapter Two that the boy child is the preferred child in the house of Phalo, as Dwane, Mtuze, Mandela and Soga have all noted. It is said however that there is a sense in which a girl child is unofficially recognised as a *consolation* child, a child of *compromise*. She is taught from a young age how best to serve a man. The law of the house of Jacob also indicates that a girl child was worth less than a boy child. As females, they were recognised only in relation to men. Even the *stand-alone* female characters such as Deborah and Miriam, (they were also identified in relation to men: Deborah was called the wife of Lapidoth and Miriam was known as the sister of Aaron and Moses) were highlighted because they played male roles. Women were judged according to the standards of men in the Bible.

Otherwise, women appeared in the Bible to promote men's agenda. Tamar appeared in the succession story of David to be raped and afterwards, she disappeared (2 Sam 13). Hagar appeared in the story of Abraham to further the sexual agenda of Abraham. After she was rejected by Abraham and Sarah, she disappeared from the story (Gen 16). The Bible does not really indicate how girl children should be handled. We are told that the boy child is important and should also undergo the covenantal sign of circumcision at the age of eight. This *non-existence* of the girl child in the Bible appears only to fulfil certain patriarchal obligations; it shows clearly that the interest of patriarchal parents in both sets of children was not the same. It is fair to say that the patriarchs were mostly known by their sons not daughters, as we hear of the sons of Jacob, Abraham and Isaac, the sons of Korah and

others. In a way, the reader is made to believe that some of these patriarchs had no daughters.¹⁵⁰ We only hear about the daughters of Jacob when he was *bereaved* of Joseph: “his sons and daughters went to comfort him” (Gen 37:35). It is fair to say that in both houses, both boy and girl children were important, but it is also important to admit that male children were more important than female. Soga (1931:324) reports that among the amaXhosa, the surname was not the issue, as sons were known by their father’s name, as in “the sons of Ngconde”; but daughters were not formally addressed. In Job 42, it is interesting that the daughters of Job are mentioned and not all the daughters of Jacob.

Considering how important having an heir was in both families, we can assume that the boy child was treated differently from the girl child in the house of Jacob as well. The boy child was not only important according to the law, he was important to the mother also; he sealed the marriage of his parents. We have noted the case of Hannah who specifically asked for a boy child in order to fulfil and complete her marriage.

5.3.2. 5.3.2 Patriarchal Naming of the Child - Phalo and Jacob

The naming of the child in the house of Phalo was an important event, and the right to conduct this was reserved for the father alone (Soga 1937:294). The mother did not name her male child but she was given the privilege of naming a female child, a privilege sometimes shared with the father. Kassian (1990:16), quoted in the previous chapter, explains that the naming of someone or something by a person was a statement of lordship or authority. When Adam saw the woman for the first time, he said, “This is now bone of my bones and flesh of my flesh; she shall be called ‘woman,’ for she was taken out of man” (Gen 2:23). The naming confirmed that Adam had authority over Eve. God could have named Eve himself, but He gave that authority to Adam.

In the Old Testament, it is not clear whether the naming of the child confirmed the power of men because most women also named their children in the presence of their husbands just as many fathers named their children.¹⁵¹ Mothers who named their children include Eve (at least implied, Gen 4:1), Lot’s daughters (Gen 19:37-38); Leah and Rachel, Jacob’s free

¹⁵⁰. There are rare cases like the story in Numbers 27, Parashat Pinchas about *Zelophehad’s* five daughters Mahlah, Noah, Hoglah, Milcah, and Tirzah (Num 27:1-11). They also do not dispute the norm or how things were in general.

¹⁵¹. Cf. Genesis 4:26 (Seth), Genesis 5:28-29 (Lamech), Genesis 17:19, 21:3 (Abraham, at God’s command), Genesis 38:3 (Judah), Genesis 41:50-52 (Joseph; 2x), Exodus 2:22 (Moses), Judges 8:31 (Gideon), 2 Samuel 12:24 (David), Isaiah 8:3-4 (Isaiah, implied—at God’s command) and Hosea 1:3-9 (Hosea—at God’s command; 3x).

wives (Gen 29:31-30:24), Shua, Judah's wife (Gen 38:3-5, 2x), Pharaoh's daughter (Exod 2:10), Manoah's unnamed wife (Judg 13:24), Hannah (1 Sam 1:20) and Eli's daughter-in-law, wife of Phinehas (1 Sam 4:21). We also have instances where women were overruled by men in naming their children but it is rare to find a situation where a woman overruled her husband to name a child. Some scholars would argue that the common view is that mothers generally named their children in Israel. The case of Jacob was special, because Rachel had given "bad-luck name" (son of my sorrow) that he changed into a "good-luck name" – superstition.

When a man overruled a woman to name a child, it means that the power resided with men; it was a sheer privilege then for women to name their children in the house of Jacob and in the house of Phalo. In Genesis 35:18, Rachel was overruled by Jacob in naming Benjamin. One may conclude that naming of children confirmed patriarchal power when done by men but it was merely a privilege when done by a woman. When a father in the house of Phalo named a child, he named that son after himself. He was acknowledging himself through the boy; it was a patriarchal naming. Soga (1937:129) states that the child is given the name by his father or anyone by the authority of the father of the house. He also asserts that the father in the house of Phalo had absolute power to name the child and may share that power with females of the clan including the mother only if the child is a female and not a male child. Soga (1931:241) also notes that when a woman marries she is given a new name by a male member of her husband's family, primarily, the father-in-law. The naming of the bride is an important occasion and it could only be done by people who had more power than others in the family. Soga (1931:294) confirms that, "The naming of a boy child is an important matter, and is a right reserved for the father alone, the mother may not name her male child".

Naming a girl child by a woman could be regarded as a form of secondary discrimination against the female child. It is bad enough that the expectation during pregnancy or even before conception was that the child would be a boy and now when born she was given a name by less *powerful and less valued* people in the family such as her mother. Soga (1931:297) claims that the naming of the son by the father is like transferring the family's patriarchal power to the son. In that process, the father is identifying himself through the son. He imparts his beliefs to the son. A child's name shows what kind of person he will end up being. This idea is much clearer in the Old Testament. A name reflects the person or a person reflects his or her name.

5.3.3. Upbringing of Daughters of Phalo and Jacob

Blenkinsopp (1997:76) has rightly noted that daughters in the house of Jacob were under the authority of their fathers. When a man died, his brothers or a close male relative took charge of his affairs. A daughter was a valuable commodity for men as long as she lived (Deut 22:13-21, 28-29). Blenkinsopp says that the arrangement had nothing to do with sexual ethics but with economics and honour—her own and that of the household of origin. If a man who raped a young woman was killed by one of her relatives, the motivation would be economic. If the rapist married the victim and paid what was considered the value of the girl, the crime was no longer rape but it only valued the woman. Hence, Tamar appealed to Amnon to marry her: “Please speak to the king; he will not keep me from being married to you” (2 Sam 13:13). David’s ‘commodity’ was completely destroyed by Amnon and Absalom killed Amnon for that.

In the house of Phalo, daughters were treated similarly. The rape of a daughter was a damage to the cattle of the man of the house. In the house of Phalo, as discussed in Chapter Two, rape was downplayed, but the emphasis was more on the damage to the cattle. When a woman got pregnant before marriage with or without her consent, the man would pay a certain number of cattle for the sexual damage. Again, daughters were always under the control of their fathers. When a girl’s father died, his brothers and relatives would take over her guardianship. According Blenkinsopp (1995:77), in the house of Jacob, a girl was considered marriageable in her teens. Similarly, in the house of Phalo, girls were steered towards marriage at a very early age and taught to be good wives. In the teenage years, they were taken for *intonjana* where they were prepared for wifehood.

The point here is that daughters in both houses served as commodities; the primary duty was to get married and to bring their fathers financial gain. In the house of Phalo, it was commonly understood that educating a girl child was a waste of money since she would eventually get married and the father would lose her. In modern times, the cost of educating a girl becomes part of the *lobola* negotiations as it increases the number of cattle. It is clear that daughters in both families were treated differently from the sons; the aim was to prepare them to be wives of other men. The amaXhosa say, “*Ikhaya lentombi lisemzini*” (A girl’s home is in her marital family) and the girl should be taught accordingly.

5.4.PROPERTY AND INHERITANCE

5.4.1. Circumcision Confirms Patriarchal Power in Both Houses

Although the general purpose of circumcision in both the house of Phalo and of Jacob is slightly different, the dramatic action of removing the foreskin is the same. Circumcision in both instances conferred power and authority on the circumcised men which is confirmed by God and ancestors. It was a sign for men to exercise and constitute patriarchal authority and power over women. The covenantal sign in the house of Jacob and the sign of manhood in the house Phalo were both signs of authority. Men who were circumcised had certain privileges in the community which elevated them above certain groups of people, particularly, women. Abraham was at ninety-nine years' old when God commanded that he be circumcised (cf. Soga 1931:247). Obedience to any such command from God would render a man more powerful than others. The circumcision conferred on Abraham hierarchical power.

It is clear that though the purpose and manner of circumcision differed in both houses, authority and power were central. In the house of Phalo, circumcision was performed to fulfil the cultural obligation which qualified a man to communicate with ancestors and conduct certain important rituals within the family. It was an important step that enabled a boy to graduate to the stage of manhood.

Mbiti (1975:99) confirms that the cutting of the flesh is a symbol of jettisoning childhood and getting ready for adulthood; the foreskin represents childhood. The symbol of circumcision points to a good and responsible man who is expected to behave and conduct himself in an exemplary manner. Thus, adulthood comes with full patriarchal power. Mbiti (1969:118) also describes circumcision in Africa as a symbolic experience of the process of dying, living in the spirit world and being reborn. The rebirth is the act of re-joining the families, and it emphasises and shows that the young people now have new personalities; they have lost their childhood, and in the amaXhosa culture, they receive new manhood names. It is a sign that they are introduced to responsible adulthood and now privy to sensitive matters in the society.

Similarly, Westermann (1981:265) confirms that in the house of Jacob, circumcision makes a young man a full member of the tribe with all the rights and privileges. It is a covenantal obligation in the sense that no uncircumcised person could in any way communicate with ancestors. In the house of Jacob, it is also a covenantal sign between God and Abraham on

behalf of the nation (Gen 17). However, female circumcision or genital mutilation does not carry the same weight, as it subdues rather than empower females. It makes females to be submissive to men forever. This matter is probed in the previous chapter.

In the house of Jacob, circumcision was ordered by God and that alone bestowed on men certain divine¹⁵² privileges in the society which obviously placed them above women. It suggests that God had some form of direct communication with men through circumcision. In the same manner, the circumcision in the house of Phalo is directly linked to the ancestors; during circumcision, the blood must touch the ground to register the young man with his ancestors. In the house of Jacob, God did not speak with the uncircumcised, and in the house of Phalo, the uncircumcised also could not perform any ritual or act on behalf of the ancestors. Circumcision conferred *divine* privileges on men which could not be questioned, since it was ordained by God and ancestors, who could not be questioned by anyone, especially by the women.

In the house of Phalo, circumcised men also have a certain status in the society; they are respected and no longer called by their real names even by their sisters. They are promoted to a certain status not only in the society but also in the church. They can marry and exercise certain authority in the family over their sisters and younger brothers. Just as in ancient Israel, a woman could not marry an uncircumcised man, among the amaXhosa, the uncircumcised was also forbidden to marry and have children, as no woman would willingly marry such a man. Moreover, during the bridal party, a young man would be addressed thus: “You are no longer a child; we gave you manhood when we circumcised you” (Soga 1931:255). The uncircumcised male is regarded as unclean and a dog (*inja*) but circumcision elevates a boy to the level of manhood. That promotion went with much authority and power in the house of Phalo, as the man was given officially and legally the mandate to execute all patriarchal powers of the family. The circumcised has the right to speak with ancestors on ritual matters regarding the family. Soga (1931:250) affirms that the person who has gone through circumcision has passed from boyhood to manhood and that signifies power. All childish conduct must become discarded, and he must begin to act and speak with the dignity of men.

¹⁵². The wife of Moses decided to circumcise his son Gershom so that he would not miss the blessings that accompanied circumcision: “But Moses' wife, Zipporah, took a flint knife and circumcised her son. She touched his feet with the foreskin and said, ‘Now you are a bridegroom of blood to me’” (Exod 4:25). She saved Moses from being killed by God for not performing the rite. I admit that this text and its exact meaning are highly contested and as a result of the limitations of this study, will not enter into that debate.

One could suppose that in the house of Jacob, no uncircumcised would be allowed to speak with God since uncircumcision was regarded as an offence to God. Hence, the wife of Moses decided to circumcise her son by herself to avoid a situation in which God would take offence and punish her son Gershom for breaking the covenant (Exod 4:24-26). Westermann (1981:266) notes that in ancient Israel, circumcision served as a sign of the covenant and of a mutual event between God and his people. The people had to obey the command to circumcise all male children from generation to generation as a sign that they belonged to their God. Bevere (2000:256) points out that circumcision had a unique place in the worship and practice of the people of Israel. In the book of Genesis, circumcision was first practised by the patriarchs and involved all males of the household including slaves.

Meintjies (1994:45) states that a woman is undermined if she goes out with an uncircumcised man because his behaviour would not be considered as befitting of a husband. Therefore, among the amaXhosa, the practice of circumcision demarcates boys from men and plays a very important role in the culture. In Israel, circumcision was a very important sign that was used to distinguish the people of God from those who were not part of the covenant. This difference between male and female signifies differences in power and authority between the two. Not only did circumcision distinguish the Jews from the Gentiles, it was also a symbol of obedience to the entire covenant (Bevere 2000:256). The people of God, who are circumcised, therefore, must live as people of God.

Among the amaXhosa, a circumcised man is also expected to behave properly and be responsible in the society. The blood that is shed during circumcision is seen as a sign of the covenant between him and the ancestors who are believed to reside under the ground with full authority and power over the living. In both families therefore, circumcision separated the circumcised from the uncircumcised but it also confirms their power by virtue of God's command. The amaXhosa believed that God and ancestors commanded only men to undergo circumcision which conferred power and authority on them over those who were not confirmed by God (Soga 1931:249). Circumcision was thus a formal licence for men to practise patriarchy in the house of Phalo.

5.4.2. Heir in the House of Phalo and Jacob

Marriage in both the families of Jacob and Phalo was for procreation. As reported by Mbiti, a marriage without children was incomplete and the first child must be a male. In the play by Tamsanqa (1958), Thobeka was impregnated by another man who was not her husband

in order to fulfil and complete the marriage. Among the amaXhosa, a married woman without children is in a painful marriage (Mtuze 2004:17). In the house of Phalo and of Jacob, it was assumed that when a marriage was childless, the woman was at fault. Even if the couple had children but there was no male child, that woman has failed the family, her husband and herself. The law of inheritance in the house of Phalo is the same as that of Jacob; women did not inherit (Soga 1931:54). Perdue (1997:181) confirms that women¹⁵³ did not inherit the property of their husbands or fathers. Having a male child was a necessity in order to continue the lineage of the family. Blenkinsopp (1997:81) recalls that Absalom set up his own monument since he had no son to invoke or memorialise his name: “I have no son to carry on the memory of my name’. He named the pillar after himself, and it is called Absalom’s Monument to this day” (2 Sam 18:18).

Dwane (2002:21), quoted in Chapter Two above, observes that it is considered a disaster among the amaXhosa for a married person to be childless. It is a waste of the *lobola* and the woman would be considered a disappointment to herself, her family, society and the husband’s family. Having an heir is of utmost importance in both the house of Phalo and the house of Jacob, for he is the vehicle that would carry on the name of the family. The mother is unable to do that and the father will die physically one day. Sarai was so desperate for an heir that she made a huge sacrifice to leave her husband in the hands of another woman in order to get the heir. She said, “Take my slave-girl, maybe through her, I shall have a son” (Gen 16:2). Childlessness is like a dead end, and it was blamed on women. As noted above, marriage meant having children and there was no room for birth control in the house of Phalo (Soga 1937:289). This situation frustrates women because childlessness could result in polygamy in both houses although the authors of the Bible and the custodians of culture in the house of Phalo give the impression that polygamous marriages were acceptable to women.

¹⁵³. The exception is found in Numbers 7:1-11: “our father died in the wilderness. He was not among Korah’s followers, who banded together against the LORD, but he died for his own sin and left no sons. Why should our father’s name disappear from his clan because he had no son? Give us property among our father’s relatives’.⁵ So Moses brought their case before the LORD, and the LORD said to him, ‘What Zelophehad’s daughters are saying is right. You must certainly give them property as an inheritance among their father’s relatives and give their father’s inheritance to them’”. Moses appealed to God on behalf of the daughters to make their request to God legal. One is also reminded of Hannah who went to Shiloh and petitioned God by herself without any male accompanying her and God condoned that exception (Perdue 1997:181).

In both houses, the heir is the vehicle that ensures that patriarchal rituals, customs and ancestral names are carried to the next generation (Mndende 2000:56). The amaXhosa would do anything to heal a woman of childlessness. Mostly, they would try to consult the ancestors by means of rituals and there is a strong belief that children are decided in the spiritual world. Similarly, in the Old Testament, Sarai believed that the Lord had closed her womb (Gen 16:2). Hannah went to Shiloh to speak to God about her childless situation. Even though both families believed that children are the product of the spiritual world, the pressure was more on the women in marriages that produced no children. Soga (1937:289) confirms that procreation is a divine matter among the amaXhosa. The God of the house of Jacob also indicated that She is the maker of children, for example, in the statement, "Before I formed you in the womb I knew you" (Jer. 1:5). Sarai and Hannah were therefore justified to confront God about their childlessness.

The house of Phalo consulted with ancestors in many ways to try to unlock the womb of a childless woman. Her own family could also prescribe other rituals to reverse the situation (Vos 1968:15). Even if they suspect that the problem came from the husband, the amaXhosa would find a way to make the woman bear children, for example, through the man's brother or friend. This was done secretly to protect the man's ego. In extreme situations, an ex-suitor of the woman could also be approached especially if it was certain that the problem was from the husband because the wife had had a child before marrying him. Of course, the husband would never know about the arrangement (Mndende 2000:45).

The boy child was treated as the firstborn even if he was born after several girls. In that patriarchal culture, he was the heir and he got firstborn privileges. Vos (1968:34) confirms that patriarchy is such a strong system among the amaXhosa and it placed a widow under the authority of her eldest son or any of her sons if the firstborn is a girl. The issue is not about the child's age, he remains a first among girls even if he was born in between girls or last. The same was true of the house of Jacob. Jacob himself was known by his twelve sons, not by his daughters. Only the sons represented the father and mothers could inherit property only through their sons. Thus, in both families, marriage was important but only when it produced a boy child. In the previous chapter, one of the Church Fathers (Augustine) is quoted as saying that the birth of the girl is as a result of something that went terribly wrong in the womb. Otherwise, a woman should give birth to a man. What then will happen when all women are gone; who will produce those men? (Bryson: 1999:59).

As already noted, the girl child was important because of the economic benefit to the father, but she was less important than the boy child. In the house of Jacob, boys were worth more than girls in monetary terms. In Leviticus 27:6, a boy child from one month to five years of age was worth five shekels whereas a girl of the same age was worth three shekels. However, the basis of comparison in this verse is not clear. At any rate, the fact is that the boy child was worth more than the girl child. Thus, several patriarchs including Jacob, David, Jesse and many others had their sons named after them as if they had no girls. Tamar was the daughter of David but she came on the scene only to be raped and after that, we hear nothing of her again (2 Sam 13).

Girls are introduced in the house of Jacob in association with men. For instance, it is rare for the biblical author to focus on a girl child in the biblical narratives, unless she is used to further men's agenda, as in the case of Tamar who was used to further the succession plan of the sons of David—Amnon and Absalom. Hints from the book of the Law also show that girls were not regarded as serious or full human beings: "If a man sells his daughter as a servant, she is not to go free as male servants do" (Exod 21:7). In the house of Phalo, on the other hand, there is no indication that girls were sold as slaves to others although they were treated negatively to the advantage of men. Soga (1931:334) states that even the payment of a *lobola* does not permit a man to sell his wife.

The number of women in the Bible who acted independently are far less than those who are introduced as extensions of men. A random selection of some biblical texts shows that Miriam was commissioned by God to lead the people of Israel (Mic 6:4; cf. Exod 15:20-21) and Deborah was appointed a judge to save the children of Israel from their enemies (Judg 2:16, 18; 4:10, 14, 24; 5:1-31); she had authority to command the military. Esther the queen had great influence and authority to destroy the house of Haman (Esth. 7:1-10; 9:1-32). The Queen of Sheba (1 Kgs 10:1-13; 2 Chron. 9:1-12) and the Queen of the Chaldeans (Dan 5:10-12) were among the few women whose successes were not attached to men in the Bible. Ackermann (2001:79) sums up the attitude towards women as "better the wickedness of a man than the goodness of a woman", which means, in the sight of patriarchal men, very little or nothing good could come out of women. For instance, Jezebel assisted her husband King Ahab to occupy the vineyard of Naboth. It is surprising that she is not credited for her innovation (1 Kgs. 21).

In the house of Phalo, there are exceptional cases of women who ruled as Chiefs on behalf of their sons until the sons were mature enough to take over. It is unknown that a woman was born to be Chief. In the list of the house of Phalo chiefs from 1695 upward, only two women are listed and both of them were acting Chiefs. Nofikile Ngongo acted as a Chief from 30 March 1957 to April 1994 and Nonayithi Jali Mthathi also acted as a Chief at a time (Soga 1937:16). In Chapter Two, we mentioned that one woman who was the daughter of the king was made a Chief, but due to many patriarchal laws, she failed. In 2010, NomaXhosa made headlines by claiming that she was the legitimate heir to the Xhosa throne. She claimed that by virtue of being born into the Great House of Zwelidumile, she was supposed to be the head of the nation. Her case was disputed and Zwelonke Sigcawu was made king (Daily Dispatch, 27 July 2011).

It is unsurprising that Hannah prayed, “O LORD of heaven’s armies, if you will look upon my sorrow and answer my prayer and give me a son... (1 Sam 1:10). She specifically requested for a son because a daughter would not seal her position in the house of Elkanah and could not inherit the property of Elkanah who had sons by another woman. Hannah’s prayer shows that the oppression of women in both families began with the mind-set of praying for sons. What would happen if a girl child came instead? She would not be embraced with love. The girl child especially when she was a first child was accepted as a consolation price but not as the ultimate child. It is unfortunate that not even the mother preferred the girl child as a first child. Hannah and Sarai prayed specifically for sons not only in order to seal their marriages and produce heirs but also to fulfil the patriarchal obligations to their families. Sarai made it clear that Abraham’s inheritance would pass to her son: “Get rid of that slave woman and her son. He is not going to share the inheritance with my son, Isaac” (Gen 21:10). There are many similar prayers to Hannah’s and Sarai’s from the house of Phalo.

Mndende (2010:19) says that in the house of Phalo, boys are valued primarily because they are the *assegai* handlers in the family; they are known by the ancestors of the family and clan. That means the man is the mediator between the family, society and ancestors. It is believed that only boys are appointed to do this crucial work of communicating with the ancestors on behalf of the entire family, by conducting rituals in the *kraal* which is a sacred place. It has been argued that women were prohibited from many official religious rituals in the house of Jacob, for various reasons, for example, menstruation, which will be discussed

later in this chapter. Mtuze (2004:17) notes that every male in the house of Phalo enters into marriage for the sole purpose of producing children (preferably sons) so that the posterity of his lineage may continue.

The man without children in the house of Phalo would not regard himself as man enough amongst other men, especially if he had no boy child. The author of the Genesis narrative did not relate the feeling of Abraham before God promised him a son. We also read that Hannah's husband Elkanah comforted her, but we are not told how he felt about not having a child with Hannah except that he had another wife in order to have children (1 Sam 1:8). He demonstrated his love for Hannah, but I do not think he understood that his love was not able to replace the boy child that Hannah wanted. It is said that a boy child is important in fixing and sealing a woman's marriage to her husband's family. What a son meant to Elkanah was not what it probably meant to Hannah.

It is strange to notice that even God seems to concur with the idea of preferring a boy to a girl child. Hannah prayed for a son (1 Sam 1:9-28) and the patriarchal God did not give her a girl child. She promised Abraham a son in Genesis 17 and in Judges (13:3) the angel of Yahweh appeared to Manoah's wife and to her, "Behold, you *are* infertile and have not borne *children*, but you will conceive and bear a son". Hagar was also promised a son by God in Genesis 16. What exactly then is God's position regarding the culture that makes a boy child superior to a girl; is this endorsed by God? In the light of the above, can God be completely exonerated from the charge of being an androgynous being who was authorised by men who sought power through their own masculinity? Otherwise, is patriarchy so strong that God is also bound by it or did God himself ordain it?

In the Hagar narrative, God heard the cry of the boy but not of the mother. It was the mother who was crying, but the boy's cry carried more authority and appeal before God than that of the mother (Gen 21:17). However, because this study has little to benefit from these questions, they will not be probed further here than to say that the God of Jacob and of the house of Phalo are guilty of patriarchal bias. Daly states that patriarchy is the religion of the world. I would add that patriarchy is the world's religion because it seems to be endorsed by God. Patriarchy uses God as a vehicle to further its mission. It is also clear that the boy child was not only preferred by fathers, but mothers and the members of the society also favoured him. There is no occasion in the Bible when an angel was sent to give a message that a girl child would be born. In the stories about Hagar, Sarai, Manoah's wife, Mary the mother of

Jesus and many others, the message is always like the messianic prophecy, “She will give birth to a *son* and he shall be called Immanuel” (Isa 7:14).

5.4.3. Offering and Sacrifice¹⁵⁴ in the House of Phalo and of Jacob

Divine rituals in both the house of Phalo and the house of Jacob were performed only by men. Men established contact with the spiritual world and engaged in worship.¹⁵⁵ This confirms the authority and power that men exercised when they served as the link between God and the female world. In the house of Phalo, very few rituals associated with ancestors were carried out without blood. Even in circumcision, blood was the key element in registering the circumcised person with the ancestors. This represented the second birth of the child (Mtuze 2004:67), as the *imbeleko*,¹⁵⁶ the slaughtering of the goat to register the child with the ancestors and living dead, was performed. Burnt offerings were also compulsory during numerous cleansing rituals in the house of Jacob. After childbearing, a lamb was sacrificed (Lev 12:6-8); after cleansing of male bodily discharges or of abnormal flow of female blood (Lev 15:14-15, 29-30) and after defilement during a Nazarite vow (Num 6:10-11), a turtle dove or a young pigeon was offered; and after being cleansed from leprosy, a male lamb or a turtle dove (or young pigeon) was offered (Lev 14:10, 13, 19-22).

These rituals were performed mainly by men to confirm their status: that they were above women and mediated between them and the spiritual world. In the Old Testament, the rituals were performed by patriarchal priests who were positioned above others especially women. When something went wrong in a family where the members supposedly offended the ancestors, the family had to reconcile with the ancestors by slaughtering an animal (Mfusi

¹⁵⁴. According to Mbiti (1969:58), sacrifices and offerings constitute one of the commonest acts of worship among African people. He notes that sacrifices in this sense refer to cases in which animal life is destroyed in order to present the animal in part or in whole to God or a supernatural being. In the case of offerings which do not involve the slaughtering of an animal, an example would be with the African beer (*umqombothi*) in the house of Phalo.

¹⁵⁵. *Inkundla* was the place where most sacrifices were conducted, that is the place between the kraal and the main house, for in a typical family in the house of Phalo, there could be many houses on one property for children or sons and daughters as well as a main house where crucial rituals and many great matters are conducted. A man would go there to talk to the ancestors and worship God according to the custom of his family. Mbiti (1969:74) notes that in Africa, God is worshipped anytime and anywhere. Therefore, there is a strong belief that *inkundla* is the place where ancestors reside, that is, the place where the forebears in the family are buried. Since ancestors are spirits, this does not mean that one cannot worship them anywhere else even when with the cattle in the bush. Rather, the *inkundla* is the place for formal worship of God and of contact with the ancestors as well as of performing other rituals.

¹⁵⁶. Among the amaXhosa, a child is introduced to the ancestors as a member of the family by means of ancestral rituals which are also meant for protection. It is supposed that the departed protect the family and mediate on behalf of the clan with the spiritual world. People give offerings of food and libation to the living dead because they remain members of the family (Mbiti 1969:104).

1996:34). In the house of Jacob, it was believed that the blood of that animal had power to remove the curse (Lev 16:15). In the house of Phalo, both the spoken word and blood are used to communicate with ancestors of the house of Phalo whereas in the house of Jacob, blood constituted the most typical symbol and it was key in communicating with God. The cleansing power of the blood was associated or linked in a way with male power. These rituals were crucial to the members of both houses and they helped to maintain a good relationship between human beings and the spiritual world. However, the rituals also confirmed the superiority of men to women as well as their position as mediators between the spiritual world and human beings. That position demanded respect and it went with power and authority.

The sacrifices in the book of Genesis are described in general terms which are appropriate to a way of worship. The first sacrifices were those of Cain and Abel. The distinction between the two is not clear but God accepted the sacrifice of Abel which was an animal sacrifice. It was a thanksgiving sacrifice, and similar to that offered in the house of Phalo after receiving a good harvest. Thus, God accepted Abel's sacrifice with a sign. The heart of the person who was offering the sacrifice was also important as the case of Abel and Cain shows. However, God accepted the sacrifice from Abel, a man. One cannot think of a passage in the Bible in which God accepted a sacrifice from a woman. Women depended solely on men to offer sacrifices on their behalf.

In the house of Phalo, the person who was designated as the assegai holder would fast for a month before the day of the sacrifice. He was not allowed to engage in casual talk or sexual activities until the work of the ancestors was over. Moreover, the making of burnt offerings saturated the lives of the people of Israel. Life could not be imagined without burnt offerings. To disregard the burnt offerings was a catastrophe (cf. Dan 8:11-13 where the tribulation under Antiochus IV is pictured in terms of the removal of the burnt offering). For those interested in numbers, the total number of burnt offerings alone for one typical year was 113 young bulls and 32 rams. All these sacrifices were made by men to God in the house of Jacob. One cannot also imagine the house of Phalo without sacrifices of animals to the ancestors. Sacrifice was the foundation of their belief and faith; it was their life, and the children of Phalo believed that their lives were secured by ancestors for and on behalf of God. It was through those sacrifices that the family was secured, the land produced better

harvest, animals multiplied, rain fell, wives produced heirs and members of the society lived together in harmony.

These “for-men-only” animal sacrifices to ancestors excluded women. In the house of Phalo, slaughtering was done mostly inside the kraal where most women were forbidden to enter, especially those who were not related to the family or family members who had their menstrual flow. In both houses, women were completely prohibited from participating in these rituals which are related to worship and are sacred. Therefore, no one who performed such rituals on behalf of others could be on the same level as the others.

These sacrifices offered by men are another way of assuming patriarchal power and authority over women, for they are made in a way to make women believe that the sacrifices are endorsed in the spiritual world and cannot be questioned. However, Moses’ wife performed a ritual and God did not reject it: “Then Zipporah took a flint and cut off her son’s foreskin and threw it at Moses’ feet, and she said, “You are indeed a bridegroom of blood to me” (Exod 4:25). Under no circumstances would a woman circumcise a man in the house of Phalo; the person who is circumcised by a woman would not be regarded as a proper man and, more importantly, such a man would never be able to exercise any authority over women. To show how powerful the patriarchal laws that govern circumcision are, women are not even told about the activities that take place in the circumcision school. Even when a woman loses her son during circumcision, she would be informed only after the son has been buried that things went horribly wrong in the bush.

These “male-only” rituals suggest that God is far from women and women cannot talk to God directly without men. However, God himself spoke to Hagar, “The angel of the Lord found Hagar near a spring in the desert; it was the spring that is beside the road to Shur” (Gen 16:7). It is important to see that both families performed these rituals which confirm that men are the key mediators between God and women and that both God and ancestors do not listen to women in a ritual setting.

5.4.4. Men and Endless Living-dead

We have stated above that God and ancestors are depicted as male. In the house of Phalo, there is a strong belief that the departed ancestors are not altogether absent from the lives of the living (Mbiti 1969:190). This is the same sense one gets from reading the Bible in which only male ancestors are acknowledged. For instance, on the Mount of Transfiguration,

Moses and Elijah¹⁵⁷ are seen talking with Jesus Christ (Matt 17:1-13). In the house of Phalo, these figures would have been regarded as the living-dead¹⁵⁸ in male form. People who have joined the spiritual world can only come back in male form when communicating with the living. The point here is that even in the spiritual world acknowledged by both families, the patriarchal voice is dominant. The people who consult ancestors believe primarily that the ancestors would offer them good fortune and ward off misfortune.

Patriarchy is not only a world religion, it is, as Daly has argued, it is the norm in the spiritual world. There is more than enough evidence from the Bible that Israel recognised and worshipped ancestors. They acknowledged people who had influence over their living descendants. They preserved the names of their ancestors as in John 4:6, which says, "Jacob's well was there". Those who are not Jews but who have adopted Christianity as their religion therefore worship the ancestors of the Jews. The Bible is full of the mention of ancestors. When Moses and Elijah appeared on the Mount of Transfiguration (Matt 17:1-13), remarkably, women were not represented on that mount. Perhaps women such as Sarai, Eve, Hannah, Naomi, Ruth or Esther were not qualified to be ancestors or perhaps the power of patriarchy also operates in the ancestral world.

It is interesting that Christianity seems to recognise ancestors only within the biblical culture but not outside it. Nyirongo (1997:87) points out the distinction between ancestor cult, ancestor veneration and ancestor worship. This is important as some accuse the amaXhosa of worshipping ancestors. Nyirongo notes that, in Africa, ancestors are mediators between human beings and God. Africans worship God and believe that the best way to communicate with God is through ancestors who are in the spiritual world with God, just like Jesus in Christianity and Mohammed in Islam (1997:93).

¹⁵⁷. Blenkinsopp (1997:81) reports that dead kinsmen, especially those long dead, joined the ranks of the shades and in some obscure sense entered into the sphere of divinity, reflected in occasional references to dead ancestors as *Elohim*, divinities. A few scholars who are not quoted in this study believed that ancestor veneration was common in Israel

¹⁵⁸. According to Mbiti (1969:82), the living-dead are the closest link people have with the spiritual world. They speak the language of the spirits and of God to whom they draw nearer and relate ontologically. The living-dead connect with a man at the level of his spirituality. They are people and not *things*; they return to their human families from time to time and share meals with them symbolically. They know the needs of humans and also the needs of God; they communicate with God for and on behalf of people. During rituals, the living dead of the family are called upon to witness the occasion and to give their blessings to the new couple so that they can bear children and build the family (Mbiti 1975:109).

5.4.5. Endless Power of Men

Genesis repeatedly uses the language of family to refer to God. Jacob in particular invoked the God of his lineage – the God of Abraham and of Isaac, that is, God the father (Meyers 1997:39). Pagolu (1998:16) states that the God of the fathers of Israel was Yahweh and was always identified with fathers of Israel: “The God of your fathers has sent me to you,’ and they ask me, ‘What is his name?’ Then what shall I tell them?” “Say to the Israelites, ‘The LORD the God of your fathers, the God of Abraham, the God of Isaac and the God of Jacob has sent me to you.’ (Exod 3:13-15). Statements like these have helped to shape the masculine image of God. Both houses of Phalo and Jacob have successfully made God (and ancestors in the case of Phalo) male. However, the use of male language to refer to God is heavily criticised by Daly (1973:170). In the Bible, there is no reference to the physical gender of God,¹⁵⁹ but the masculine image is employed by those under the influence of patriarchy. Even the gender of ancestors is never discussed among the amaXhosa; it is assumed that they are men and they are addressed as men. Setiloane (1986:29) also confirms that the image of God as a physical man has much to do with authority, which also derives from patriarchy, not physical gender.

The maleness of God, that is, in terms of possession of genitals and sexuality is not mentioned in the Bible. This masculine image of God is aimed at helping men to maintain power and authority forever and to empower and justify biblically those who benefit from patriarchy. It eliminates sin in patriarchy.

In Chapter Two, we have noted that in the house of Phalo ancestors were addressed as men. Even in the house of Jacob, it is clear ancestors operate in the spiritual world and not as physical and sexual beings, but inside the *kraal*, men continue to address ancestors as men. The goal remains the same – for men to continue to enjoy power and authority over women forever, even after death. Rituals are done by the amaXhosa for deceased people known as *nokubuyisa*.¹⁶⁰ In the case of a deceased man, a cow is slaughtered whereas a goat is

¹⁵⁹ Mary is known as the God-bearer, *Theotokos*. It is not within the scope of this paper to go into the Eastern orthodox debate in ancient church history about whether Mary was the mother of God or not. The point here is that Jesus the son of Mary was a man, but God in Jesus was not a man.

¹⁶⁰ Mndende (2000:23) explains that slaughtering is done after the death of a person; the understanding is that the deceased is introduced to the world of the ancestors. It is believed that if the ritual is not done, that person will not be fully welcomed to the world of ancestors. It is unfortunate that biblical interpretation is aimed at changing African contexts and African beliefs (West 2000). The missionaries acted as if the living-dead in Africa were different from those recognised by the Bible such as Moses and Elijah who were seen on the Mount of Transfiguration (Matt 17). The members of the house of Phalo strongly believed that dead people only disappear physically but always remain with them. God says he is not was the God of the dead; Abraham,

slaughtered for a deceased woman. A cow is slaughtered to accompany (*ukumkhapha*) a man on his journey to the world of the dead and another cow (*ukumbuyisa*) for him to come back to them. Women are only accompanied by a goat or in some families by a cow but there are no rituals for them to come back.

Why is the male-God therefore not much concerned about the protection of women, but is concerned about men having power and authority over women? God does not listen to the plights of women but also solves women's matters in a man's way.¹⁶¹ It is clear that men in both families used metaphoric language to affirm patriarchal laws. It is unfortunate that in the house of Phalo, the people seem to have an imaginary picture of God the father in their minds. This is not only dangerous, but it also distorts and limits the same power of God as almighty. The unfortunate thing is that both God and ancestors operate through the mind of physical men who determine the fate of women. This *male* God is designed in a manner that associates him with ordinary men so that they speak in the same voice and with the same godly power and authority. Patriarchy wears a mask in the name of God. Both Phalo and Jacob families endorse a male God who confirms and approves the power of men. It is amazing that those who strongly believe that God is male do not imagine the same God with male genitals. To the male mind, God is for men and cares little for women. In the house of Phalo, even women address ancestors as men who have more power than physical men. Mbiti (1969:34) however sees ancestors as people who died a long time ago but are now spirits with no gender. The male God is conceived by both families to sustain patriarchy in all its forms, as suggested by Daly. He is created to intimidate, oppress and sustain the patriarchal power of men forever. The partnership between God and men to advance patriarchy is problematic. The sooner the two are divorced the better the situation will be for

Isaac and Jacob (Exod 3:16). Moses hid his face, because he was afraid. Phalo talks of the living-dead and believe that people do not die; instead, they disappear from sight. Hence, they honour them in many ways through their rituals. We have stated above that reading the Bible is the conversation or a dialogue with the dead, and that is so, Phalo should be in a better position to make us understand how best we should read and communicate with the dead in the Bible in a way that affects our lives positively. If God is God of the dead, this means that the dead have communication with God from their living-dead community. Members of the house of Phalo realised this from time immemorial, as they communicated with the dead in a special way. Our argument is that the experience of Phalo in dialogue with the dead could help us to dialogue better with the dead who are in the Bible. It is possible to enter into the text of Phalo in order to understand some of the issues of Jacob. We have asked Gadamer's question of the fusion of two horizons—can we not use Phalo as a means of bridging the gap between the two worlds? This is our bone of contention with the entire study that the Phalo reader is not advantaged when reading the Jacob text because of the similarities that are found between the two worlds; the world of the reader and the world of the text and the author. We do not want to assume that the world of the reader is the world of the text at this stage.

¹⁶¹. There are rare cases such as when God told Abram to listen to Sarai when she asked him to send Hagar away. Hannah prayed for a male child, God listened to her. In most of those cases, if not all, patriarchy still benefits.

those who are fighting the monster of patriarchy. The confusion is is it God who is masked as man or man who is masked as God to promote patriarchy? Do both God and men use each other to achieve one goal?

5.5. Summary

Chapter Four creates an avenue for raising crucial questions about the two families. For instance, are there patriarchal similarities between the two families, and if yes, how similar are they? It is shown in this chapter that the two families shared patriarchal similarities and their backgrounds are also the same with regards to some patriarchal sexual laws. The connecting point is that women are extensions of men; they are the property of men, as illustrated by the story in Judah in Genesis 38 and of Zwi lakhe, Buzani KuBawo. These two patriarchs of the house of Jacob and of Phalo impregnated their daughters-in-law. Although the circumstances that led to the acts are different and share few similarities, it is remarkable that a pregnancy ensued in each case.

Secondly, the virginity requirement for the bride was not about sexual impurity but the economic benefits, that is, more cattle for the father. The virginity of the girl protected the ego of the man (the father) in both houses. Female adultery was a major transgression and virginity was not to protect the sexuality of the young woman but to protect the ego of the man who would marry her. Thus, several patriarchal similarities between the two houses especially in the area of sexual laws have been established. This proves that women in both houses were sexual objects.

Deuteronomy 22:21-22 stipulates that, “So you shall purge the evil (woman) from your midst”. The charge against the woman was that she had prostituted and used what belonged to her father illegally. The violation of her father’s honour meant that her chances of getting married were narrow; the next man would be marrying the *wife* of another man. The woman would be in the position to compare the man to her previous lover. One wonders how the Samaritan woman would have survived such a charge (John 4). In the house of Phalo, the practice is similar but one has to understand the cultural importance of cattle. To enter the cattle *kraal* from behind is to violate tradition and incur the anger of all the ancestors of the family and clan. Men in both families established patriarchal laws to control women fully and connect those laws with religion and culture to establish them and make them absolute.

According to Perdue (1997:2015), women in the house of Jacob were excluded from the official priesthood and from performing the role of priests in the household. In the house of Phalo, the participation of women in issues of religion and spirituality was also minimal. In religion, there is power and that could be the reason women were excluded from religious rituals. This chapter has tried to prove that similarities and sameness do exist in the two families which advance patriarchy. The sexual laws in both families were created to suppress women and permanently sustain the power of men.

5.6. Conclusion

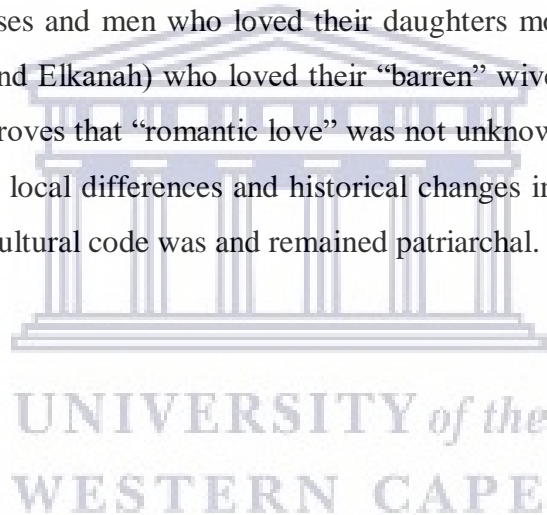
It is unfortunate that patriarchy is associated with manhood, with how a man should behave and do things. The danger is that a man who does not subscribe to the norms of patriarchy will not be considered man enough and will be ostracised by the society and by other men including the ancestors. This shows that patriarchy is deep and the solution is not on the surface. In other words, oppressive texts in both houses cannot be totally tamed or subverted into liberative texts (Mosala 1989a:30). The Bible, according to Mosala, is a complex text best understood as a “signified practice”:

It cannot be reduced to a simple socially and ideologically unmediated “Word of God”. Nor can it be seen merely as a straight forward mirror of events in biblical times. On the contrary it is a *production*, a remaking of those events and processes (Mosala 1989:3).

Using the language of redaction criticism, Mosala argues that each of the different “layers” uncovered by historical-critical work has a particular ideological code. Some layers of the Bible are cast in “hegemonic codes”, which represent social and historical realities in ancient Israel and the interests of the ruling classes. This is exactly how some patriarchal norms in the house of Phalo were formulated. Other parts of the Bible and of Phalo’s patriarchal culture are formulated in “professional codes”, which have relative autonomy, but which still operate within the hegemony of the dominant code. Then there are layers that are signified through “negotiated codes”, which contain a mixture of adaptive and oppositional elements, but which still take the dominant codes as their starting point. Finally, a few textual sites represent “oppositional codes” which are grounded in the interests and religious norms of the ruling class.

The purpose of this chapter was to show that the Bible does contain texts to which Phalo interpreters who wish to uphold patriarchy can refer. In conversation with the heirs of the house of Jacob, the churches, they can plausibly argue that the Bible itself upholds

patriarchy and, in fact, some of their own current or previous patriarchal views and practices. Two warnings are needed here. The purpose was not to endorse specific interpretations of the biblical texts. The majority of them (except perhaps Gen 2-3, not Gen.1) were not written to defend or justify patriarchy. For instance, Gen. 19: 30-38 is probably primarily intended to discredit the Moabites and Ammonites, Gen. portrays highly abnormal events and Judg. 19 is openly critical of a lawless time. These texts have, as Mosala would say, oppositional elements. Patriarchy, however, remains the hegemonic code: it is taken for granted. Secondly, culture is not a closed system that imposes itself automatically on all people in a group. That is why the real cultural pattern differs from the ideal cultural pattern (see Chapter One). Cultural norms do not erase personal traits or natural inclinations such as marital and parental love. In both houses were most probably women who asserted themselves, husbands who respected their wives and treated them as equals for practical purposes and men who loved their daughters more than their sons. We read of husbands (Jacob and Elkanah) who loved their “barren” wives more than the fertile ones; the Song of Songs proves that “romantic love” was not unknown in Israel. Apart from this, there must have been local differences and historical changes in the pattern. The point here is that the dominant cultural code was and remained patriarchal.



CHAPTER SIX

CONCLUSION: HERMENEUTICS OF PHALO

“Phenomenology is not to develop a technique of understanding but to elucidate the condition in which understanding takes place” (Gadamer 1975:263).

6.1. Spontaneous *Vorverständnis*, *Vorhabe* and *Vorsicht* of Phalo

From the discussion above, the idea of understanding in the interpretive process does place the Phalo reader of the biblical text in an advantageous reading position. *Vorverständnis*: *Why is the Phalo reader in a better position to understand Jacob’s text than those who have no patriarchal similarities with Jacob?*

The Phalo interpreter needs to appeal to that same pre-understanding to understand the text, that is, use what is familiar to link what he is wrestling with in order to attain understanding. It is reasonable to assume that the Phalo interpreter of the patriarchal text of the house of Jacob has an advantage. His/her scope of understanding is broadened by the similarities between his/her world and the world of the text. The similarities and sameness serve somewhat as the *fusion* of the two worlds. The cultural world of the patriarchal text is similar and sometimes we are tempted to say it is the same as social world of the reader. One way or another, such similarities would give a certain advantage to the reader from the house of Phalo. Lawrie and Jonker (2005:2) say that for some people, this pre-understanding could come from the stories of the Bible that they had heard previously in Sunday school teachings. In the case of Phalo, the presuppositions emanated from the cultural norms and societal values. Thiselton (1991:370) highlights another angle which is that understanding does not come only through methods of education but also through the experiences of life. This is exactly Adamo’s (2015:56) point—Africans come to the text with their experiences whilst Europeans come with the methods of interpretation. This suggests that the experiences of similarities and sameness that the Phalo reader comes to the text with make it easy or difficult for him/her to interpret the text.

The Phalo reader¹⁶² has built that pre-understanding from the practical experiences of life, and from the culture. The absence of the original author gives the house of Phalo reader the

¹⁶². Vanhoozer (1998:233) asks whether there is a reader in the text and responds that the reader is in and of the text. In the light of similarities between the two houses, Phalo is standing in a position where s/he could

advantage of comparing what is in the text with his/her present social and patriarchal culture. The Phalo interpreter endorses patriarchy the same way the characters in the patriarchal text of Jacob did, and both live in similar cultural patriarchal locations. The point we are trying to make is that the *Vorverständnis* of the house of Phalo is supported by similarities and sameness in the culture of the text and the interpreter. This applies only to the patriarchal hermeneutics in the context of this study as stated in the previous chapter. To understand, in Gadamer's view, does not mean primarily to reason one's way back to the past, but to have a present involvement in what is said. This is because the text does not ask to be understood as a living expression of the subjectivity of its writers.

The Phalo interpreter comes to the text with a consciousness of his/her pre-understanding influenced by similarities which helps him/her to ask questions about the text. The thought world of the text opens itself up and in the dialogue that follows and reshapes the questions of the interpreter (Thiselton 1991:370). The merging of the past and present—text and the interpreter—ensues. The intimate fusion of the world of Phalo with the world of the text is driven by the similarities between the two houses and it occurs when the text and the reader encounter each other as free entities, without the agenda of one overpowering the other. Pobee says the third world rejects the encounter with any text as a victim approaching the oppressor (1979:67). If it is true that the meaning of the text is the meaning of the author, the meaning of Phalo's patriarchy on matters like menstrual emission is the meaning of Jacob's patriarchy. It is true that there is no clear distinction between the two. There can be a text even if the author is not there (Hirsch 1967:67). The Phalo interpreter tries to recover and reconstruct the meaning of Jacob's patriarchal text without its author. The intention of the author is the matter of conscious "imaginative reconstruction of the speaking subject", Hirsch admits. We are using Phalo reading as a method of verification and a process of establishing relative probabilities.

6.1.1. Vorhabe

The Phalo male interpreter is the custodian and executor of patriarchy in his culture. Regarding the *Vorhabe* (fore-having), he is the source of the point of view of the patriarchal hermeneutics in his culture. The role of the interpreter of the house of Phalo is central to the patriarchal practices. He is patriarchal and that makes him look for and see himself in the

represent both the 'in and of' reader of the text of Jacob on patriarchy. We have argued that the text of Jacob, like all other texts, has both gaps and dynamic potential. It provides opportunities and hints and only the creative reader can unlock it. We have further placed the Phalo reader in that advantageous position of the reader because of the said similarities.

patriarchal text of Jacob because of the similarities to his own text that he finds. The patriarchal text from the house of Jacob is what the Phalo interpreter consults in his daily life. As in Buber's (1923:90) "I in thou", the Phalo reader finds himself in the patriarchal text, quicker than any reader who does not have the advantage of such similarities. Good reading in this context is the marriage of the minds of the Phalo interpreter and Jacob's author. The Phalo interpreter also sees himself in the patriarchal text of Jacob. In the case of Phalo, the reader is taken inside the text by the similarities that he finds between the two houses. The question one should ask is whether the context of the text is outside or inside the text or it is the context, that is, the text itself that needs interpretation. Our argument in this chapter is that Phalo is the context of Jacob and Phalo is standing in the position of bringing out the meaning of the patriarchal text of Jacob. We place Phalo as the possible ground, goal, and guide of meaning of patriarchal texts of Jacob.

Phalo stands in a more crucial position than a reader outside the patriarchal culture because of the advantages from the similarities between the two houses. If the ordinary reader of the Jacob text can therefore realise the intended meaning of the author, how much more is the advantage to the Phalo reader who is standing in a similar patriarchal position?

6.1.2. Vorsicht (Fore-sight) Read from Here

With *Vorsicht*, the understanding benefits more from the things that one has seen beforehand. It is the prior knowledge which adds power to understanding and gives advantage to the interpretation of the one who has seen something beforehand. The Phalo reader has not only witnessed but has also practised the kind of patriarchy found in the Jacob text. When the Phalo interpreter comes in contact with patriarchy in the text, it is not new; s/he has seen it before and is already familiar with it because patriarchy forms part of Phalo culture, norms and values. The Phalo reader therefore has an advantage in respect of all the elements—*Vorhabe*, *Vorsicht* and *Vorverständnis*. If similarities and sameness exist between the two houses, as shown in the previous chapter, then, we have good grounds to argue that the Phalo interpreter has some hermeneutical advantages. It is crucial to state that the Phalo interpreter has a modern moral obligation to read against grain of the patriarchal ideology of the biblical author of the time.

6.2. Fusion of Phalo and Jacob Texts

To Gadamer, the fusion of horizons occurs when the interpreter and the reader dialogue without the author, fuelled by the elements of the cultures that produced the text and the

reader. Gadamer refers to this as the horizons of traditions. In this study, we argue that the similarities and sameness serve as the traditional horizons that make the understanding possible. This argument is based on Gadamer's view that all interpretations are anchored in the anthropological location¹⁶³ of the text and of the reader. The Phalo reader reads the patriarchal text from his/her patriarchal social setting. The history and the pre-understanding influence the dialogue and Gadamer says there is no reading without them. The Phalo interpreter reads from his/her patriarchal text and dialogues with Jacob based on the similarities. It is understood that members of a particular society, within a historical period, share mutual meanings and clarifications and maintain them through ongoing interactions. The members of that society will have the same understanding of the sociological matters which inform and shape their lives.

Without the text, it may be impossible to understand the lives of the ancient people. For example, without the text of the house of Jacob, it would be difficult to compare their lives with ours as we have tried to do in Chapter Four of this study. The question of the meaning of the text should be considered therefore in its historical context. We have argued that the historical context of the patriarchal text of Jacob is well represented by Phalo. The text of the house of Phalo serves as a basis to understand the text of the house of Jacob and brings the two patriarchal worlds together.

Since the patriarchal anthropology and social settings of the two houses are similar, this advantage makes Phalo stand not only in the space of what the author of Jacob wants to say, but also what the author says. When one reads the patriarchal text of the house of Phalo, the person at the same time reads the text of the house of Jacob. The historical background has to do with the social and anthropological settings which produced the text. Derrida has asserted that the meaning of the past cannot be achieved by the present. What would happen if the traditions, culture and social settings of the past were similar to the present? If things are done in the same way using the same methods, the results will probably be the same. Ricoeur (1970:67) has warned us that the mental intention of the author is short-lived; the text launches out a career of its own. Short-lived does not mean it was not there and it is not important, especially if there is a possibility of achieving it. The life and the short-lived intention could contribute towards finding the meaning of the text.

¹⁶³. Here we mean cultural anthropology. The anthropology as the study of human beings or humankind, the way of life and common practices, the physical and emotional behaviours, social and cultural complexity, the culture and how it is practised, the norms and values of a particular people.

Further, people's thoughts and practices are informed by their environment. We do not imply that all the elements in the patriarchal environment of the house of Phalo are exactly the same as those of Jacob, but that the understanding of the environment which influenced the execution of patriarchy by the two families are greatly similar as shown above in this study. Ricoeur (1970:47) argues that to consider the common language is to forget the writer, whereas to understand an individual author is to forget the language. The Phalo reader is obligated to understand the language of Jacob since understanding comes through language, but the Jacob author is not influenced by language. What constitutes sameness in the two families is not the common language but what is *behind* the author. Ricoeur claims that distanciation is a necessary condition for understanding and that the text is historically fixed by writing. We have acknowledged that the role of history cannot be ignored, but in the present case, the similar patriarchal text, which is the *present* text of Phalo merges with the past of the text in the present. The distance, author and actual ostensive reference of the text are all absent but made present by the similarities that join the two families together.

It is clear that the text is central to our understanding of its nature and its historical background (the world *behind the text*). We have downplayed the myth that the text has only one meaning and that to understand is to identify with that one correct meaning. We support the argument that the meaning of the text is in the reader (cf. Thiselton and Osborne). The reader has the advantage of creating a meaning that is not even close to the idea of the author. This is what the house of Phalo stands to offer readers who use it to interpret the text of the house of Jacob. It is possible to develop or even go beyond what the patriarchal authors of Jacob meant when interpreting these patriarchal texts. If the meaning of the text is not in the in the text, then, no text has a fixed meaning, as we have argued that texts have no fixed meaning.

The question of the language of the text should not be overemphasised as if it can offer better solutions to hermeneutical problems. We have seen that the language of the author is mostly different from the language of the reader. Even if the reader learns the language of the author, the understanding of the author has escaped the modern reader permanently. It is undisputable that even people who speak the same language could understand things differently in their language. In South Africa, for example, we have what is called regional language within the same ethnic group. The amaXhosa of Cape Town will speak a different IsiXhosa from the amaXhosa in Transkei, Port Elizabeth and in East London. In the case of

the imaginary text of Phalo, we overlook the language and even the author, as we only consider the culture. If the two patriarchal contexts are deemed similar, then, the house of Phalo is not only the *Vorverständnis* of the house of Jacob, but also the text that one can read to understand the house of Jacob. However, even those who have never read the Bible before will be able to relate to it better through what they already have.

6.3. Hermeneutics of the Phalo Reader

“The process of disclosing new layers of meaning is unending” (Gadamer 1975:156).

6.3.1. Phalo Reader—“I in Thou”

Based on the patriarchal similarities which the house Phalo easily finds in the text of the house of Jacob, we have argued that if the outsider does not find him/herself in the text, it is impossible to get to the meaning. Therefore, reading is a vigorous development in which the reader establishes meaning from him/herself first, and thereafter from the text. The patriarchal text of Jacob’s house finds a comfortable chair to sit on in the house of Phalo. Thiselton (1991:59) claims that the text is autonomous and it speaks on its own terms. However, Derrida (in Osborne 1991:381) argues that the text is not completely autonomous; it can be linked with its history. Gadamer differs somewhat, adding that the idea that the self-sufficiency of the text, that is, the meaning of the text, lies in the structural components of the text available in the process of interpreting the text is not entirely true. To Gadamer, the interpretation of the text is never ending. The text’s agenda is not influenced by any interpretation. Where then is the agenda of the text, and how best can we access it?

Conflict occurs when the terms that constitute the meaning of the text are the terms of the reader, as we presume is the case in Phalo patriarchal interpretation which no longer focuses on the past but on the present. The author wrote and was influenced by a particular perspective just as the reader also reads and is influenced by a particular perspective and his/her pre-understanding. When the perspective of the author overlaps with that of the reader, then, we have a fusion of the two worlds—the world of the reader and the world of the author. The understanding of the text as noted above has more to do with the pre-understanding or *Vorverständnis* of the reader. Osborne (1991:371) says that every interpreter comes to the text aware of his/her pre-understanding which is then used to interrogate the text. The thought-world of the text opens itself up, and in the dialogue that follows, reshapes the questions of the interpreter. This is what Gadamer calls the hermeneutical circle—the fusion of horizons in which the *pastness* of the text and the

presentness of the interpreter come together familiarly. The triad between the author, the text and the reader leads to the projected meaning by the reader.

When the *Vorverständnis* of the author is similar to or the same as the reader's, the text and the reader are definitely brought closer to each other. Thiselton (1991:109) is of the view that there is no need to go behind the text. It is that world behind the text that produces the text. The argument is that the world *behind* the patriarchal text of the house of Jacob is comparable to the world *behind* the text of the house of Phalo; therefore, what is produced by the two worlds will definitely be similar, regardless of the distance. The elements that constitute and inform those two contexts are the same: patriarchal anthropology, culture, social norms and values. The same pre-understanding which influences the author when writing the text is the same pre-understanding that the reader uses to interpret the text. If we recall, the findings of the previous chapter show that the patriarchs ensured that men were positioned above women in every way.

Thiselton (1991:58) notes that in a way the reader is part of the text, that is, in the sense that life is given to the text by the reader. Moreover, the reader needs to find himself/herself in the text for the meaning to be uncovered. Regarding the house of Phalo, we argue that the reader is not only part of the text, but the Phalo reader is the text and probably the meaning of the text of Jacob. This has been made not only similar but also as a result of the patriarchal sameness between the two houses. The argument is based on the words of Thiselton (1991:63) that "a text does not have a single door nor a single key". Perhaps the Phalo patriarchal reader could be that door and key to the hermeneutics of the patriarchal text of the house of Jacob.

The Phalo interpreter could serve to a certain degree as the *Vorverständnis*, meaning, the one who understands Phalo's patriarchal text is hermeneutically in a better position to understand Jacob's patriarchal text. This means that the modern reader should use the patriarchal Phalo text as *the understood* text to understand the Jacob text. This possible elucidation could be the response to many writers after Schleiermacher who defined hermeneutics in terms of the problem of human understanding. What the Phalo reader is or understands is what the Jacob text practised and was. The self-understanding of Phalo

patriarchal norms is the understanding¹⁶⁴ of the house of Jacob. Thiselton (1980:18) claims that the words of Scripture were interpreted traditionally within a double context, that is, God's salvific action in the past and the contemporary application. Thiselton describes what hermeneutics meant traditionally which we would link with our assumption that Phalo patriarchal hermeneutics could be used to uncover the meaning of the patriarchal text of Jacob in the contemporary context. Phalo is the contemporary application of the Jacob patriarchal text. In some cases, the patriarchal practices of the house of Phalo claim to follow the Bible and in most cases, the purpose is the same as in the Bible.

Osborne (1991:367) affirms that getting the meaning of the text is the reader's responsibility. This does not mean that the author has no responsibility, but it comes from the point that the intention of the author cannot be retrieved. If that is the case, then, the Phalo reader has the key to the meaning of the patriarchal text of Jacob. The reader has the key to the meaning of the text, which means the reader is in control of the meaning of the text.

The Phalo text can be used as one of the many doors and keys to enter into the patriarchal text of Jacob. Gadamer quoted by Thiselton (1980:51) states that hermeneutics seeks and presupposes solutions to the problem of historical distance and the rise of historical consciousness. The challenge is how to close the gap without damaging it. It is like running with an egg on a spoon; even if the smallest crack on the egg falls, it will damage the egg. The patriarchal sameness between the two houses forges that method which aims to *close the distance* without damaging it. In the previous chapter, we have shown that sameness does exist between the two houses and it is produced by the world *behind* the text which serves as the pre-knowledge or pre-understanding of the house of Phalo reader.

In light of the historical consciousness that arose in the period of the Enlightenment, we wish to submit that Phalo could serve as that consciousness of history in the present since the patriarchal history of Jacob is parallel to the present of Phalo. This means that the Phalo interpreter who has read and understood his/her patriarchal context should not be concerned about the patriarchal distance *behind* the Jacob the text. We have stated also that the text is the product of the background, social systems, values and norms of that particular society.

¹⁶⁴. We have stated in the previous chapter that the reason for the patriarchal similarities in the two families is not part of our task in this chapter. Our task is to consider the patriarchal similarities if there are any and see whether the house of Phalo can use that as an advantage in interpretation.

No author writes without being influenced by those factors and no reader reads without being influenced by them. The authors of Jacob's patriarchal text wrote through similar influences and experiences as the reader of Phalo, because of similarities in their patriarchal practices.

6.4. The Phalo Reader and Thiselton

It is clear that there is no consensus among biblical scholars about how serious the problem of what constitutes the past really is. Some writers are content to ignore the issue since there is currently no scientific method that can be used to close or lessen the distance, that is, to fuse horizons. Some authors also see this as the major challenge of hermeneutics (Thiselton 1980:53). The contemporary hermeneutics of the patriarchal house of Phalo highlights the distance from the patriarchal text of Jacob in the sense that what is past in Jacob is the same as what is present in Phalo. The sameness as stated earlier is not only created by the practice, the Phalo reader could also put on the spectacles of the Jacob audience when reading the patriarchal text, helped by patriarchy.

When the two patriarchal systems are placed side by side, they are like two sides of one apple cut in the middle. In that sense, as argued before, the past of the patriarchal house of Jacob is the present of Phalo. This argument is conscious of Pannenberg's warning, quoted by Thiselton, (2009:56), that we must not *pre-judge* questions about the relevance of the past simply on the basis of theology or the present, neither must we pre-judge questions about the relevance of theology simply on the basis of prevailing cultural assumptions which belong to the present. Our argument here is the same—that the house of Phalo is a reflection of the past of Jacob. There is no risk of ignoring or disadvantaging the past in order to accommodate the present.

Thiselton further quotes Dilthey who shows that though hermeneutics is a challenge, there are positive solutions in the sense that we all share basic humanity with the biblical men and women who are like the men and women in our world. Therefore, that connection should not be ruled out because of the historical distance. In that sense, the people of the houses of Phalo and Jacob share basic humanity as well as similar patriarchal systems, which were influenced by or emanated from the same socio-cultural and anthropological backgrounds. Thus, we are dealing with two sets of people with common features in their family structures. Dilthey suggests that the contemporary people, *we*, should serve to a certain

degree as the method of interpretation of the past. The present human beings must see in themselves the past human beings (Gadamer 1975:133).

It will be incorrect to suggest that identifying the similarities covers completely all the problems of history and distance between the two nations, Phalo and Jacob. Thiselton has pointed out that matters of speech-act theories, science, sociology, religious language and many other aspects of life which have contributed vastly to the advancement of hermeneutics and which are also used to construct the mind of the author are not considered here since they are outside our mandate. Elsewhere, Derrida (1976:102) has argued that the past is gone forever and cannot be accessed, but this is in reference to a case where there are no similarities of history in the present case. One should keep in mind that what is similar does not necessarily mean the same, but what is the same is one with the other. In the previous chapters, we have uncovered similarities and sameness between the two houses of Jacob and Phalo. The task is established based on surface similarities which are influenced by both patriarchal systems.

One should also note that Schleiermacher construes hermeneutics not merely as an extension of psychology, grammar, biblical studies and theology but also as the very nature of human understanding and the science of thinking. Thus, our task in hermeneutics is exactly that—identifying the patriarchal thinking of the two houses and the sociology which influences their practices. Thiselton also has asked an important question: “Can the Bible mean whatever you want it to mean?” (1980:45). If we maintain that the meaning of the text lies with the interpreter, then, the pre-understanding will also constitute part of the meaning of the text. The major challenge is fusing not only the reader and the text, but also the pre-understanding of the reader and that of the text. Nietzsche seems to suggest that one should not assume that there is only one meaning of the text. It is not truth but truths which have to do with perspectives.

6.5. Nietzsche and Phalo on the Reader’s Perspective

Nietzsche (1967:134) asserts that our knowledge is informed by perspective and that perspective clouds our reading and the meaning of the text. If all things have to do with perspective, then, one cannot claim to be objective (cf. Nietzsche on objectivity). In the case of Phalo, the question of subjectivity is eliminated by the similarities it shares with Jacob. Our argument is that objective knowledge or reading of the text is impossible; subjectivity cannot be eliminated because they permanently form a part of the reader. A reader without

perspective is not a reader and cannot read. The Phalo reader comes to the text not based on perspective but on similarities and sameness which are shared with Jacob. This makes the Phalo reader a better reader of the patriarchal text of Jacob than any other reader who does not share those similarities with Jacob. Perspectives, according to Nietzsche, have different impacts and distort meanings differently. Nietzsche alerts the reader to be aware of his/her perspectival nature which would help him/her to improve in knowledge. The perspective is our world; it represents what made us. The world of Phalo brought to the text is not informed only by certain values and perspectives, but Phalo comes to the patriarchal text of Jacob with the similarities and sameness that connect the two houses. The similarities and sameness constitute the presupposition and prejudgement.

Nietzsche recognises that there is no single truth but various truths. Truth itself is a perspective and there is no universal truth. The interpretation and meaning of the text are as true as the perspective of the reader. What we know as truth is a perspective which emanates from our understanding but this does not mean that truth itself diverges amongst perspectives. Nietzsche claims that some perspectives are more deceiving and distorting than others. The Phalo reader, in interpreting the text of Jacob, does not have many truths or many perspectives, because the truth is limited by the similarities that exist between the two houses. There is no single and only perspective, as Nietzsche would say, or one perspective and one truth.

If that is the case, why are some perspectives regarded as better than others, if all are just perspectives and there is no singular truth? All perspectives should remain at the same level as simply perspectives—with or without truth. In the reading of the text, the meaning found by that particular reader is a perspective and one perspective should not be considered above another. It seems to me that the reader's locality does not allow meaning to be constructed by one perspective. The problem is that we take what is closer to us to interpret the text and we compare what we see and what we know in order to pronounce the meaning of the text.

Nietzsche claims that interpretation is an understanding of the text from our particular perspective; it appeals to our norms and values. Different perspectives imply different values, as views are perspectives informed by values. Perspective is fully represented by the similarities that exist between the two houses. Nietzsche also claims that the worst situation is to deny that your views are your own perspectives and your truth is personal. Then, how do we address the question of unlimited interpretation of the text, that is, if we say that all

perspectives are welcome in the interpretation of the text? Or do we then say that some perspectives are more valid than others, such that the strong perspectives obscure the weaker ones, represent the text better and reveal the truth? Nietzsche has faulted claims from philosophy and other fields of study that the text can be represented objectively without the interference of values of the reader and the reader. In fact, all of Nietzsche's arguments represent his perspective and they cannot be taken as the truth but one of many truths.

Nietzsche does not seem to reject completely the idea of truth. His perspective is about the reality of human life. Nietzsche does not restrict, hypothesise or thematise truth, nor does he think that truth is something that is waiting to be exposed, revealed, or opened. Truth according to him is not static but dynamic. It is a way of life. The truth of the text is dynamic and it is made dynamic by the reader's subjectivity and objectivity because in the process of reading all readers are writing their own text, which may be slightly different from the original text (Nietzsche 1967:56).

6.6. Fusion through Sameness and Similarities

"Our historical realisation is always occupied with a diversity of voices in which the echo of the history is heard" (Gadamer 1975:89).

6.6.1. Phalo as the Historical Context of Jacob

The reader¹⁶⁵ is the context of the text and the lung through which the text breathes. Some authors define the reader as the supplier of life to the text. The text without the reader is dead. This is what the patriarchal Phalo text offers the patriarchal Jacob text. The sameness of the patriarchal anthropology on the side of Phalo brings the Jacob text closer and provides real life to it. The sameness serves as the mirror and fusion to the reader of Phalo. The core of this discussion is about the assumed advantage of the Phalo reader when reading the patriarchal text of Jacob. Even the author is a reader in the sense that the author writes about what s/he has read; writing is the duplication of reading. The author writes from the position of pre-understanding, from the position of knowing something and that implies that the real author is constituted by the anthropological and social matters behind the text. Outside these controlling factors, authors cannot write (Fowler 1991:67). We have stressed

¹⁶⁵. Who is the reader? Does this refer to the actual person reading the text or the person that was intended to read the text, the original audience? The reader is a perfect and active participant in the creation of the text. S/he is the author and the reader at the same time and, as some scholars believe, the meaning of the text lies with the reader. The reader creates or writes many pages from one single page in order to seek the meaning of the text (Fowler 1991:37). The reader is complex. All readers are made weak by their constructs, what shaped them, that is, their pre-understanding is what makes them strong or weak readers.

that interpretation relies on the historical conditions that created the text, and this affirms that there is not absolute interpretation. This is the assumed advantage of the members of the house of Phalo who read with the lens of patriarchal similarities. The Phalo reader creates meaning in order to make the Jacob text come alive through the similarities between the two houses in terms of the location, culture and patriarchal tradition in which the text of Jacob was composed.

It is undisputed that all readers come to the text with an agenda. Lawrie affirms that readers interpret before they come in contact with the text. This suggests that the interpretation comes from the reader. What then do we make of the original reader? The reading and understanding¹⁶⁶ come from the reader and whatever does not make sense in the mind of the reader will not constitute a reading. Reading entails pre-understanding. If there is no relation between what one is reading and what is pre-understood, then, understanding is impossible. In the case of Phalo, the similarities with Jacob serve as that which is pre-understood and which links the two patriarchal families together.

It is impossible to connect with the patriarchal authors of the Jacob text, and even if we manage to identify them, it is impossible to know their minds. We have used the patriarchal anthropology of Jacob to reconstruct the readers and authors. Hence, we assume that the Phalo reader is in a position to represent those authors well because of the similarities in the patriarchal anthropologies of the two houses. In this context, the Phalo reader acts as a real reader who connects us with the historical patriarchal real reader of the house of Jacob. We no longer need to reconstruct the reader of the patriarchal text of Jacob since the Phalo reader has already replaced him/her through the similarities in their patriarchal systems. The real reader can be reconstructed in order to try to discover the historical moods of the first audience of the text (Bach 1990:56). The real reader can be known through the historical documents and reconstructed through anthropological and historical study.

In our context, we say it is possible to use the sameness and similarities that exist between the two houses in order to identify the real reader. The Phalo reader has the same advantage

¹⁶⁶. Gerner (2000:129) agrees with Gadamer that there is an impression within us that all understanding is an understanding of the texts. In all our transactions with the world, with others, and with ourselves, we deal with our understanding. Understanding is approximately that which we cannot get behind. All understanding is interpretation and comes from interpretation. Interpretation is essentially linguistic and stands within the happenings of a certain tradition (*Überlieferungsgeschehen*). Our interpretation in the world is sourced from our historical world.

that the real author had, of becoming part of the text. Through the sameness and similarities with the context in which the original author produced the text, the Phalo reader gains advantage. The Phalo reader is situated by patriarchy in a similar sociological context, sharing the pre-understanding which produced the text of Jacob. The Phalo reader is in a position to construct meaning according to the elements that created the text, that is, according to the perspectives which are formulated by the patriarchal pre-understanding of that particular community, as Nietzsche has advocated.

It is fair to state that our nature of reading is institutionalised, historical, and a cultural condition; reading is not impartial and with deconstruction one can easily realise this fact (Vanhoozer 1998:56). The interest in reading the text is not always from the text but from the reader. Vanhoozer says the text is like a dead woman and man; it has no rights, no aim and no interests. I would like to differ somewhat with Vanhoozer, and ask, why was the text written if it has no aim? The text aims at something, the fact that we struggle to find the intention of the author does not mean that the text aims at nothing. If that is found in the text by the reader, then there is also no point to the text. The interpretation is an aggressive act in which the interpreter victimises the text and it is not possible that the text can ever challenge the reader for inaccurate reading. Texts are subjects of interpretative ideas and interests of the readers. Vanhoozer (1993:67) asks a rhetorical question about nothing and something in the text, that is, “why is there something rather than nothing in the texts”? Is it because someone has narrated something about something to someone, not just anything, but a particular thing?

Gadamer (1975:123) has argued that hermeneutics is not a method for discovering the truth and the meaning of the text, but the practice of reading the text and trying to investigate its historical context. In the context of Phalo, we argue that hermeneutics helps to discover that the historical context in which the text of Jacob was created is comparable to that in which the text of Phalo was created. Hermeneutics is the method that makes fusion possible, in this case, the fusion of the texts of the house of Phalo and of the house of Jacob. The Phalo reader is outside the patriarchal text of Jacob and at the same time part of the continuing patriarchal text of Phalo. This guides the Phalo reader not to move away from the patriarchal views of Jacob, but to focus on the anthropology, the *Vorverständnis*. The Phalo reader is that kind of reader who is created by the anthropological similarities that are found between the two houses, which makes the Phalo reader an informed reader in the sense that s/he has

the pre-understanding and the ingredient behind the Phalo patriarchal text which is comparable to that of Jacob. The reader is informed by the sameness and similarities that are found and are fixed in both patriarchal texts.

These similarities make the Phalo reader to cherish the relationship between the Phalo and the Jacob texts more, as the reader sees him/herself in the Jacob text. In previous chapters, we have referred to Soga (1937:67) who stated that if the Phalo author were to write about certain patriarchal matters in the culture, s/he would come up with the same patriarchal rules and regulations as those of Jacob. The context of writing that is evident in the text is the same. The text has power to do something to the reader and the meaning¹⁶⁷ of the text is not far from what the text is doing to the reader. However, Lawrie (2015:56) cautions the interpreter not to jump into conclusion that the impact of the text on the reader is the meaning. The impact of the text on the reader is that it provokes and stimulates him/her and mostly comes not from the text but from the reader of the text. The presuppositions and prejudgements underscore the location of the reader and act as a lens to read the text. The presuppositions, pre-judgments, location and the experience of the reader should drive the reader to the meaning for the total intimate fusion of the reader and the text brings meaning to the reader. What helps one to find meaning in the text is not the text itself but it is what constitutes the text as well as the author who produced the text, who was also a reader of the text.

We have stated above that the meaning of the text is the product of the text in the mind of the writer which is also read by the same reader. Hence, we said all are readers and there is no original author and no original reader. We rely on presuppositions and pre-understanding, which are informed by our location in order to read and understand the text (Vanhoozer 1993:67). If the meaning comes from the location of the reader as well as the location of the text, then, Phalo is the locality of Jacob through similarities and sameness which exist between the two houses.

¹⁶⁷. The question of meaning is vastly debated and disputed by many, including Vanhoozer (1998:307), who resolves that the meaning is 'there', inscribed in the text before to and independent of reading and interpretation. The situation is what it is before the investigation of it, so is the meaning of the text. It just has to be discovered by hermeneutics. If the meaning is what the readers respond to in the text, the text could never be misinterpreted or misunderstood, and there would be never such a thing as incorrect interpretation. It is unavoidable to read our ideas back into the history of the text. The meaning of the text is the product of those ideas. The Phalo reader is using the same unavoidable mind to read back the patriarchal history of Phalo from the patriarchal history of Jacob, with similarities.

Fish states (1989:45) that one's perspective of a situation is indeed determined by one's location. The Phalo interpretation is not only informed by what the Phalo reader sees and reads in the Jacob text, but also by the patriarchal similarities in the two houses. It is not what is in the world of Phalo but only what constitutes patriarchy in the world of Phalo. We would respond that in the patriarchal text of Phalo, the patriarchal text of Jacob could be seen because of patriarchal similarities in the cultures. We have argued that the truth of the text is possible when the text and the reader meet and fuse their historical understandings. Thus, the historical text of Phalo and the historical text of Jacob converge to produce the similarities and the sameness which are central to this study. Heidegger (1963:64) notes that truth is understood in terms of a dialectic of concealment and non-concealment which conceals while it reveals at the same time.

6.7. Feminist and Phalo Hermeneutics

“All seeing is perspective; there are no realities, only interpretations, all things are subject to interpretation whichever interpretation prevails at a given time is a function of power and not truth” (Nietzsche 1967:89).

6.7.1. A Phalo Hermeneutical Response to Feminist Hermeneutics

Feminist criticism has presented a greater understanding of the political allegations of language¹⁶⁸ and interpretation than perhaps any other fashionable approach. Feminists do not name a specific method of reading, but rather a set of methodologies to the texts that counter-attacks patriarchy, the ideology that authenticates social structures that privilege men and disempower women. The reading and interpretation are ethical and done in a way that supports women today (Vanhoozer 1998:219).

Patriarchal Bible stories about women are extremely influential to the readers and interpreters of the Bible. They have a reflective consequence on women's self-understanding and the way in which women are perceived in the society, often, to the disadvantage of women due to the devastating patriarchal ethos in the stories. This is the conversation that this study encourages between Phalo and Jacob. Religious societies have affirmed over time that social systems internalise their inferiority and submissiveness. The challenge faced by women is how they interpret texts which have served as authoritative sources for the

¹⁶⁸. Those who formulate and control language and how language is used, controls the most powerful instrument for shaping consciousness. Language, according to feminist thought, has constructed an incorrect image of women. The mission of feminists is the deconstruction of that language which is placed in cultures, religion and many societal structures. Feminists further aim to deal with patriarchal hierarchical structures that dominate language and society.

justification of patriarchy as politics of male domination. Feminist and womanist critics have advanced a diversity of hermeneutical arguments to deal with the patriarchal bias of the ancient texts (Davies 2003:17-34). This biblical hermeneutics is aimed at altering the way the Bible is understood in order to transmute also women's self-understanding and the cultural designs of oppression (Schüssler Fiorenza 2006:83). However, Fuchs (2005:211) comments that all reading approaches are not similarly valid and Davies (2003:26-28) asserts that womanist and feminist critics scrutinise the Bible to find optimistic texts that are redemptive for women, such as nurturing metaphors for God.

It is argued that how a text is viewed is a construct of the mind of the viewer. As Nietzsche would say, "all seeing is perspective". It is about the role and the perspective of the reader in interpretation. Similarly, Ruether (2011:89) writes that human socialising is both the starting and the end point in the circle of interpretation. Schussler Fiorenza (1998:45) claims that understanding takes place in a circular manner. Interpretation and answers are to a certain extent determined by our presupposition and pre-judgement, and by the questions we ask, how we ask them, and the answers we give to those questions. Consequently, one could say that some Westerners view the Phalo patriarchal system from their own imposing lens which are coloured by their historical experiences. How do you judge someone according to norms that s/he is not even aware of when you know little about his/her socialisation? Who then has the power to set universal standards? Fish (1989:45) states that readers read with constructs that are formulated in their minds based on their location in time and space. The Western concept is constructed in the mind of some feminists and is biased against Phalo's patriarchal traditions and the reader who comes from a different location and has a different construct in his/her mind. It has been argued that there is no pure, blameless, objective reading of the text, for as Nietzsche has shown, all readings are interpretations and all readings are prejudiced. It is unfortunate that some Westerner thinkers consider anything that is African and that they do not understand as either non-existent or wrong (Fuchs 2000: 60).

It is unfortunate also that women outside the patriarchal narratives fight for those in the text without being given a mandate to do so by the women in the text. Women in the text are used to oppress our women today. It is widely attested that the Old Testament is a patriarchal narrative. The question is why did some Old Testament women not challenge the system in the way contemporary feminists do? If they did, why is it not recorded clearly? Is it possible

to liberate a person who is not aware of his/her oppression? In South Africa, for example, some black people actually believed that Nelson Mandela was a terrorist who was out to create unrest and who was therefore not needed in the South African society. How do you liberate people who do not *see* themselves as oppressed? Some women of Phalo were probably not aware of the oppression attached to their social status by the society in their time. All of us, to a certain extent, are oppressed but need to liberate others who are also oppressed but do not see that they are oppressed.

Biko stated that we are oppressed from the moment of knowing. Oppression is the conflict of knowledge between the oppressor and the oppressed. Henderson Soga was surprised to notice that during marriage ceremonies, it was the older amaXhosa women who instructed the younger women to obey the patriarchal men at all costs. Soga's observation was influenced by his Scottish education. Soga did not only judge these people from his own cultural position, he also saw himself in a better position than the people. He would be surprised that the same people would have found his viewpoint strange if they also had the opportunity to judge him (Baines and Kahana 2012:45). How can we understand right from wrong through other cultures? On such a controversial issue, some ethicists have argued that what is wrong helps us to understand what is right, what is wrong in this culture could be perceived as right in another. (Velasquez 1998:128). The discussion of hermeneutics focuses more on the pre-understanding which we bring to the text, meaning the act of judging others emanates from our own understanding, from our sense of what is right, from what shaped us (Peires 1981:71). Hence, we have argued that the differences in cultures and how patriarchy is executed is not easy to be understood by someone who is an outsider in that particular environment.

The question of right and wrong raises a more general question: how do we know what we think we know? The aim of the argument is not to elaborate on issues of absolute ethics and morals but to see how a culture may be super-imposed on and made to judge another culture. What is acceptable in one culture may be unacceptable in another, what is virtue in one nation may be seen as vice in another. History shows that around the 19th century, Christian missionaries used guns and intimidation to transform the customs of the people in some parts of Africa. They were horrified by customs of public nakedness, polygamy, working on the Sabbath and infanticide, to mention a few. They declared them wrong and used their power to eliminate such customs. How then do we determine what constitutes a

better life and how is it formulated? These questions do not deny that human beings have certain rational standards of living, but the question is who determines those standards and for whom? Morality is a matter of responsibility. We have a responsibility to do something which is right to do and to refrain from that which is wrong to do. Sometimes people do wrong in order to get what is right.

The missionaries clothed all of the naked people, as their culture could not stand that culture. They separated wives from husbands in order to create monogamous households, which in some cultures created social hatred. It is interesting that Moslem societies continue to practice polygamy while Christian cultures view it as immoral even when it was practised clearly in the Bible and endorsed by God in some texts: *“I gave you your master's house and your master's wives into your keeping”* (2 Sam 12:7-9). Whose culture then must determine right and wrong and carry the measuring tool for others?

The Bible has been introduced to Africans as an ethical way of life. The house of Phalo practises the same patriarchal customs found in the Old Testament but the patriarchal acts of Jacob are not regarded as deemed gruesome as those of Phalo because they are recorded in the Holy Bible. Our research has shown that in some instances the patriarchal stories of the house of Jacob are more gruesome than the patriarchal practices of the house of Phalo, as in the Judges 19 story and the story of Jephthah's daughter in Judges 11. Feminists point out that one of the most gruesome stories ever recorded in the name of patriarchy is the Judges 19 story.

Women in the house of Phalo did not feel oppressed by their cultures and customs, until they adopted spectacles of other cultures to look at theirs and I think this was seen as one form of liberation. What is diagnosed as patriarchy was accepted and regarded as their way of life. However, is there anyone who is not oppressed to a certain extent, that is, by things one is not consciously aware of and which one has no control over? This means that even the oppressor is oppressed in some ways whether consciously or unconsciously, as we said earlier or all of us are oppressed by life.

In the house of Phalo, many customs were deemed beneficial to women which were later diagnosed as patriarchal by feminist movements. *Ungeno*, for example, is one of the Phalo customs that was supposed to benefit widows. A similar practice is recorded in the Bible, for example, in Ruth and in Genesis 38. In the house of Phalo, widows were not married to their

husbands, but to their entire families and in order to minimise the pain of widowhood, a widow was inherited by her dead husband's male relative. We have shown previously that marriage in the house of Phalo was not arranged based on love. The focus was on building families and relationships between the two families. Relationship between the man and the bride-to-be before their marriage was not encouraged. This was accepted and had many benefits. However, feminists would see arranged marriages as problematic and as being founded on patriarchy. Marriages were arranged by parents of both the bride and the groom and there was no element of abuse in such arrangements. However, the feminist perspective on marriage which is not the truth is imposed on the Phalo people and their tradition is diagnosed as patriarchal. Western feminist interpreters criticise the cultural practices of Phalo. The point here is that all cultures are strange to some of those who were not born into them and they sometimes condemn cultures confusing them with patriarchy.

Divorce was not an option for the woman because even if her husband died, the marriage remained valid. Marital conflicts were not a licence for divorce unlike in most of the Western world. The Phalo marriage was not between two individuals but between their families. Women in the house of Phalo were executors of Phalo culture which is viewed as patriarchal by outsiders. To them, that was the only way of life they knew. People who have no choice hold on to what they have until they have options. What they had was good until something "*better*" was introduced to them (Morris 1993:23). Women in the house of Phalo did not see anything amiss with their culture or with patriarchy. We have stated above that the power of patriarchy in the house of Phalo is fuelled by culture, but that does not mean the Phalo culture is patriarchal.

6.8. Findings

This study has attempted to investigate the possible similarities between the house of Phalo and the house of Jacob and the extent to which the Phalo interpreter takes advantage of these similarities in interpretation. The study also considered whether the claims by a Phalo interpreter with patriarchal bias are legitimate, original, and valid, as well as the extent to which such claims should be taken seriously by the house of Phalo.

The Western world has recognised that hermeneutics presents the truth as open, dynamic and subject to reinterpretation and re-contextualisation. This is far from treating the text recklessly, but it supports our argument that the Phalo interpreter is able to re-contextualise the patriarchal text of Jacob within a hermeneutical circle. All the analyses of the text mostly

come to what the interpreter wanted or already knew even before s/he read the text. The Phalo reader encounters the text with a solid advantageous foundation of the similarities to the Phalo text that are present in the Jacob text. The hermeneutical circle will pause only or until the interpreter is happy with the results (Uka 1991:67). We argue that in the case of Phalo the search for and the research of the meaning of the text is made better by those similarities. Uka (1991:89) argues that understanding the text is not fixed in a single mind; the search for the truth and meaning is an open-ended process. We have noted also that Gadamer rejects the idea of the fixed methodologies which he says limits the scope of other avenues.

Life is mysterious and hermeneutics is the process which tries to explain this mystery. The multiplicity of texts and interpretations are proof that ultimately no hermeneutical method is above the other. The study's objective that findings from Phalo should be used to understand better the patriarchal text of Jacob is also an attempt to advance hermeneutics through the two houses. Ricoeur (1970:23) has stated that the dream of developing an ontological hermeneutics is not only impossible, but it also denies the open-endedness of human nature. Hence, we noted above that how the text is received mostly has less to do with its original context and the purpose of the author. It is contextual from the context of the reader and not of the author. Hermeneutics therefore is not the subject of solely the academia, but all people when communicating, listening and applying what they have heard, for example, from the text of a radio broadcast. Gadamer is quoted above as defining hermeneutics as the exercise of the ear.

Many disagreements about the correct method of interpreting texts continue to play crucial roles in hermeneutics, and in fact make interpretation interesting. Hence, in our study, we have proposed a Phalo hermeneutics, which we believe, to a certain extent, could make some meaningful contributions in the patriarchal context of Phalo. As Gadamer (1960:56) says, hermeneutics is the understanding of integration and mediation of the distance between the interpreter and the events from the past. We say that the Phalo interpreter could serve as a better lens only regarding the patriarchal similarities that are present in the Jacob text. Masenya is quoted in this study as proposing that *bosadi* hermeneutics should be used as a hermeneutical lens to interpret biblical texts, as we have also proposed a Phalo hermeneutics. Gadamer (1960:132) has also disagreed that the interpretation of the text could be concluded only on historical basis and purpose of the author. In this case, we ask

whether the patriarchal context of Phalo could complement the Jacob patriarchal text, only where there are sameness and similarities.

In this context, the past of Jacob is the present of Phalo; what Phalo is today is what Jacob was in the past. Phalo is obligated to consider the past of the text but the similarities serve as a fusion of the two. The textual interpretation cannot be completed, as Gadamer argues and we have stated under the methodology that there is no universal objective method of interpretation, otherwise, such a method would limit the science of interpretation. The Phalo interpreter is not obligated to reproduce or reconstruct the meaning of the Jacob text that is already personified in the content of the texts of both Phalo and Jacob.

We have also stated that the task here is not textual exegesis, but applying contextual hermeneutics to certain patriarchal texts that are selected for this study. The Phalo reader does not entirely seek the meaning of the text from the intention of the author, but probes how the text is applied to others. Gadamer (1960:190) states that we do not "rearrange ourselves into the author's attention, but we try to transpose ourselves into the viewpoint within which he has formed his views". Probing the Phalo struggle to use the similarities as a vehicle of hermeneutics to understand better Jacob's texts is our task and the core of the study.

Our next question is does the Phalo interpreter not support the views which formed the text of Jacob through the similarities? We also affirm the Gadamer's premise that the meaning of the text is the relation of the text and the interpreter: meaning the focus is Phalo and the text, and not Phalo and the author. We focus on the context of the text not the context of the author; these two are always different. We acknowledge those who strongly believe that the textual answer lies in exegetical methodology, but we subscribe to Gadamer's view that the historical text cannot be self-contained. The relation between the interpreter and the text is key. Phalo is related to the Jacob text based on patriarchal similarities and sameness and Phalo offers that advantageous key to its members.

Those relations are from the interpreter to the text and the text to the interpreter—one in other and other in one. The relation that the Phalo interpreters see in the hermeneutics of similarities gives Phalo the advantage of seeing himself/herself in the text and text in him/her—"I in thou". The interplay, which Gadamer sees between the tradition or the text and the interpreter is what in this context we call the hermeneutics of Phalo. It is what both

Gadamer and Thiselton call the hermeneutical circle. The Phalo interpreter's knowledge and understanding of her/his own patriarchal text then forms a part of the understanding of the whole of Jacob patriarchal text.

Gadamer does not support the opinion that the meaning of texts is unknown. The text is pointing somewhere, as Lawrie has also acknowledged. It has its own determinate meaning, but the hermeneutical question is in what direction does it point? If we are correct regarding the similarities between the two houses, and if Phalo points in a certain patriarchal direction regarding those similarities, then, Jacob, to a certain extent, could be pointing in that same direction. Phalo would agree with Gadamer that the text is understood only in its application to the condition of the reader. What then prompted the creation of the text?

The meaning of the text is less relevant than its action “meaning” is point “action” a direction. What a text does is not simply to mean something but to incite to certain views and actions, in that sense it points in direction; it makes an appeal.

The understanding of the text comes from the dialogue that transpires between the text and reader until they find each other. In most cases, this dialogue is led by the reader. It favours the reader but it emanates from the text. This is the conversation that we encourage between the two houses in the interest of those to whom the text is applied. We have stated more than once in this study that some Phalo interpreters do not consider what the author meant when applying the text and part of the focus of this study, which employs contextual hermeneutics is how the text is applied to people. Gadamer's view seems to agree with Phalo that the understanding of the text has nothing to do with the intentions of the author. In that view, it is not possible therefore to judge the reader of the interpreter based on the intention of the author of the text. The concept of self-sufficiency of the text applies in this situation.

We do not claim that the Phalo reader's approach is the key method in analysing the patriarchal similarities and sameness, but we argue for the recognition of the hermeneutics of the Phalo interpreter regarding the patriarchal similarities. Recognising that hermeneutics is a legitimate claim in this study, the interpretation of the text is therefore deemed a never-ending task. There is always a different meaning of the text when it is deconstructed and reconstructed, as Derrida has shown. We are aware of the interpretive gaps in any interpretation because of the lack of objectivity in textual interpretation and meaning.

It is true also that the understanding of humanities is increasing and along with the change in relationships across generations. This change affects how hermeneutics is applied and how it gives answers to the readers. In relation to the modern Phalo interpreter, one could say that how the text is applied often has little to do with the intention of the author and the context of the text itself, but it is influenced by the conversation between the reader and the text. In most cases, the reader's intention emerges and it is applied to the audience.

The fusion of the horizon of the reader and that of the text is a hermeneutical challenge. We admit that what we have proposed as the hermeneutics of Phalo is not without prejudice, but even prejudice belongs to the ontological structure of understanding. Moreover, even if the Phalo hermeneutics makes no sense, it will still be crucial and dialectically effective as a negative point of reference that would bring the interpreter closer to the meaning of the text. If we say Phalo's hermeneutical approach to the patriarchal text of Jacob is wrong, then, that would also be a hermeneutical contribution. The prejudices have their foundations in the mind of all interpreters including those of Phalo and how we test them is another hermeneutical challenge.

Who then qualifies to test the prejudices of others in relation to textual interpretation? This is the question we have asked under methodology; that is, whose exegetical method should be prioritised? The point in this study is that Phalo can learn from the ancient text of Jacob and also initiate a conversation that could save those who are disadvantaged by the text. It is not only the case that the meaning of a text arises in a mutual horizon fusion, but also correct and incorrect opinions about a subject matter came to light in this way. The point of Phalo hermeneutics is also to help identify the prejudice as well as the correct and incorrect interpretation of the perceived similarities and sameness between the two texts. Gadamer refers to the productive prejudices as separated from the unproductive ones as a moment of the breakdown of the natural covenant between the text and the interpreter.

We have argued that to a certain extent the Phalo interpreter can locate himself or herself in the patriarchal texts of Jacob and that even the negative elements in the text need interpretation. The hermeneutical exercise focused only on the similarities that are outlined in this study and not on all patriarchal practices of the house of Phalo and the house of Jacob. We considered some cases of extreme impact of patriarchy such as the narratives in Judges 19 and Judges 11, as illustrated by Jephthah's statement, "Whatever comes out of the door of my house to meet me when I return in triumph from the Ammonites will be the

Lord's, and I will sacrifice it as a burnt offering" (Judg 11:31). However, we observed that such gross effects of patriarchy have not been attested in the house of Phalo. Even in these cases, we did not apply exegetical methodologies to the text, but considered how these texts are received and used against others by Phalo interpreters.

In both houses, patriarchy and family are intertwined with religion and culture. It has been established that Africa and ancient Israel share some cultural similarities. The scope of this research has been narrowed-down to the house of Phalo whose members are Africans, and specifically, to the amaXhosa of South Africa who occupy mainly the region that was formerly known as the Transkei. Patriarchal, cultural and religious similarities and sameness have been observed between the two houses, and to a certain extent, even the contexts are found to be similar. The patriarchal similarities which causes the Phalo reader to have a reading and interpretive advantage over Jacob's patriarchal texts are the same as that of Phalo. The main part of the research focused on the legitimate advantages that a Phalo reader claims due to those similarities. It investigated the patriarchal anthropology of the two houses and discovered that in some of the selected similarities, the anthropological background which produced the patriarchal culture is the same and this serves as an advantage to the Phalo reader. The Phalo reader could see himself/herself in Jacob's patriarchal texts and with the similarities find better a lens to understand the patriarchy of Jacob.

Moreover, it was observed that not all patriarchal cases between the two houses are the same or similar. Some appear similar on the surface but have different cultural contexts and patriarchal backgrounds. We have also noted that how they are received is what prompted the gruesome application of some texts. We further noted that the Phalo reader could make legitimate claims on some texts, and that with texts that have the same anthropological background, the claim is more legitimate. With certain texts, the Phalo interpreters can claim a full advantage but with some texts, they can claim only a partial advantage.

However, the similarities between the sociological locations of the two houses (Phalo and Jacob) could confuse the contemporary Phalo interpreter of the Old Testament texts that relate to patriarchy. The interpreter of Phalo should consider those similarities that emanate from the same patriarchal intentions¹⁶⁹ and anthropological contexts since not all similarities

¹⁶⁹. Even if the view of the Derrida (1976:46) that the intention of the author must differ with text is considered valid, Phalo will stand in a different position because of the intention of the author which has no

are the same. In other words, he or she should ask, for instance, why menstruating women in the house of Jacob are prohibited from the place of worship and the *enkundleni* which is Phalo's holy place, and compare the reasons to determine whether they are the same or similar and whether the Phalo interpreter has an undue advantage. The analysis of the similarities in the background of the two patriarchal laws shows that Phalo indeed has a greater advantage when interpreting the patriarchal texts of Jacob than any interpreter who does not share such similarities.

Nonetheless, the Phalo interpreter should know precisely where to draw the line between the similarities in the patriarchal practices of the two houses. Those similarities that relate to women include menstruation, adultery, religion and culture, the idea of women being the property of men, laws of sexuality that were established against women in order to protect men. However, not all patriarchal cultural laws are the same; some were created with patriarchal intentions which differ from the patriarchy of Phalo. Even some of those that appear to be the same only share similarities and are not completely the same. If such nuances are not closely probed, a serious interpretative crisis could ensue. Hence, we have suggested a few questions that could uncover the background of established as well as specific patriarchal laws to the reader in order to identify the sameness or similarities.

These similarities place the Phalo interpreter in a position of advantage when dealing with texts that appear to be the same, but the advantage cannot offer an open-ended freedom without restrictions and those open-ended questions which aim at taking the reader to the background of the law, will then be able to restrict the Phalo reader from exaggerating the claim. The factors which separate the two nations are important, but the question is whether they are able to prohibit the legitimate similarities that are found between the two nations. We have noted also that the cultural and geographical distance between the two houses does not exclude the possibility that the two nations share certain patriarchal sameness and similarities. Furthermore, patriarchy respects no human boundaries, for it is a universal culture against women, and it operates possibly in all cultures. Thus, the house of Jacob is brought closer to the house of Phalo by the patriarchal similarities shared by the two houses. This testifies to the power of patriarchy, which crosses boundaries and joins houses that are

connection with the text. It is reasonable to think that the place the text is from is not the place the text is leading us to. The patriarchal text directs us to discriminate against women and some of those texts are not from the environment where women were abused. In the Old Testament, we do not find instances of women battered by their husbands, but one could say the implementation of what is in the patriarchal text may lead to that.

otherwise unknown or related to each other together.

We found that some patriarchal laws are the same but others are similar. The Phalo interpreter benefits fully from those that are the same, and those that are similar produce partial benefits. Although the similarities exist, they must not be denied because of the distance between the two nations as well as the differences in culture and religion as anticipated in our hypothesis. As Daly (1973:78) has said: “*Patriarchy is the religion of the world, it knows no nations, no distance between them and no race; it only needs men and women to survive*”. In terms of certain patriarchal practices examined in this study, it is inadequate to say that the house of Phalo could reprimand the house of Jacob regarding the treatment of women. The advantage of having its patriarchal narratives in a canonical form does not justify the wrongs and evils committed in the name of patriarchy by the house of Jacob. Therefore, the house of Jacob could learn a lot from the house of Phalo about how best to treat women, rather than the other way around.

The two houses are extremely patriarchal, and the gross treatment of women in the Holy Book should not be ignored simply because Jacob’s story is in the Holy Book. Conversely, the fact that the house of Phalo’s story is patriarchal and is not in the Bible should also not worsen their situation. Many exegetes argue that the horrific incident in Judges 19 is simply a narrative that warns others about the gross violation of women. Similarly, certain stories in the house of Phalo such as the acts of rape during *intonjana* are believed to be true. The assumption which is supported by findings from this study is that the way we interpret the Bible has much to do with what we understand it to be.

The assumption is that a person who has never heard about the Bible or its history and sources would probably read it differently. The person would probably say the Bible portrays a most vicious stance against women and it cannot be used to fight patriarchy or the church, which is also influenced by patriarchy. The patriarchal tendencies of the house of Phalo should therefore not be judged as ethically less than those of the house of Jacob because Phalo’s story is not in the Holy Book. Phalo suffers a disadvantage because its story is not found in the Bible; otherwise, Phalo would be found less guilty than Jacob in terms of patriarchal crimes. This research has shown that the claim of Phalo as the legitimate and advantageous interpreter of certain patriarchal texts of the Old Testament could be authentic. Phalo is better positioned to understand the patriarchal texts because of the legitimate similarities that exist between the two houses. Both the text and the authors are a product of

their social anthropological context (Scholer and Johnson 2002:85). Findings from this research also show that what is read in the patriarchal text of the Old Testament comes from the anthropological understanding of the authors of that time (Scholer and Johnson 2002:95).

How their patriarchal cultures treated women, what their traditions, beliefs and modes of worship are, and even how God is depicted to be against women are similar in some cases. That environment is what produces the authors and finally the text; the text is the direct product of that social life. The two houses shared the same patriarchal culture and their authors wrote under those cultural influences.

The Phalo reader represents a real reader in this context who connects us with the historical patriarchal real reader of the house of Jacob. What is history in the house of Jacob is contemporary in Phalo whereas what is current in the house of Phalo feeds on the history of Jacob. There is therefore no need to reconstruct the reader of the patriarchal text of Jacob, since Phalo readers have already replaced that part because of the similarities and sameness in the two patriarchal systems. The real reader can be reconstructed for trying to discover historical moods of the text and of the first audience of the text (Bach 1990:56). Anyone who understands Phalo's patriarchal culture and anthropology is likely to understand patriarchy in the house of Jacob (William 1982:180).

6.9. Hypothesis Disproved

We used the concept of hermeneutical tool to test our hypothesis and found that indeed the interpreter of the house of Phalo has an advantage to a certain point when interpreting texts of the house of Jacob that are the same and similar. The Phalo interpreters have a faster understanding vehicle because of their background which is similar to Jacob's. This is not a blanket¹⁷⁰ solution, as we have earlier noted that some of the similarities are not the same. We would like to believe that Phalo is standing in an ethical interpretative position. Behind every interpretative technique is an interpretative purpose and behind every interpretative aim is a conception of an interpretative good (Vanhoozer 1998:351). It is possible for the Phalo interpreter to contextualise certain patriarchal texts of Jacob.

¹⁷⁰. We are not in any way arguing that Phalo's interpretation of patriarchy in the house of Jacob is without flaws. There is no blameless reading, and it is awkward to read anything through eyes other than yours. Interpretation is unavoidably ideological; to interpret is to fulfil one's interest.

By sameness in patriarchy, we mean the context which created the patriarchal laws against women in both houses. The sameness is informed by the cultural anthropological settings of the two houses. We have shown that if the patriarchal cultures (the social settings) were similar, then, findings from the texts would be similar also. The patriarchal understanding of the house of Phalo emanates from the same patriarchal and anthropological settings of the house of Jacob, hence, the patriarchal sameness and similarities between the two houses. The present research is not about the reason for the sameness, but the advantage it bestows on the Phalo interpreter. In other words, Phalo can easily read her/himself in the text of Jacob and the text of Jacob can more easily read Phalo than those who do not have such similarities. We have stated in this study that the text reads the reader more than the reader reads the text (Vanhoozer 1998:341).

Furthermore, the real reader can be known through the historical documents, which are based on anthropological and historical studies. All texts in a way contain some historical elements. We have argued that it is possible to use the sameness and similarities between the two houses to know the real reader of Jacob. The Phalo reader has the same advantage that the real author had, that is, of becoming part of the text of Jacob. The original author produced the text in the context of the sameness and similarities, which give the Phalo reader the advantage. The Phalo reader is situated in the same patriarchal and sociological context with the similar pre-understanding which produced the patriarchal text of Jacob. The reader of Phalo is therefore well positioned to construct meaning according to the elements that were used to formulate the text and according to the perspectives which are formulated by the patriarchal pre-understanding of that community, as Nietzsche has advocated.

Thus, Phalo has the advantage of interpreting and understanding the patriarchal text of the Bible better than those readers whose cultures do not share such similarities with that of the text. The fusion which results in understanding is made easy because of the similar social backgrounds of the two houses. When Phalo reads the text of Jacob, it quickly appeals to what Phalo already knows; hence, we noted that Phalo reads him/herself in the text of Jacob.

The house of Phalo, for instance, is familiar with the practice in the house of Jacob which forbids menstruating women from approaching the holy place because it also prohibits women from the sacred place known as *enkundleni* for the same reasons of impurity. As in the house of Jacob where women who committed adultery must be killed, women who committed adultery in the house of Phalo were also severely punished even though the aim

was to protect men and not the institution of marriage. In both houses, women did not initiate divorce, but were divorced and severely punished when caught in adultery. The idea is to protect the man from being censored sexually by his woman or wife. The woman must have sexual dealings with only one man, respect him and compare him to no one else. These are patriarchal socio-anthropological influences and the authors from both houses wrote with those pre-understandings. The house of Phalo, according to the discussion above, has a legitimate hermeneutical claim on the selected patriarchal texts that are presented as similar in Chapter Four. Those selected patriarchal texts are the same and similar. We have come across views that claim that it is not possible to retrieve the intention of the author of Jacob's patriarchal text, but through the sameness that has been discussed and discovered in this study, we can use the intention of the author of Phalo to retrieve the intentions of Jacob author.

Furthermore, religion and culture are central to the Phalo world-view and are therefore not one of the options that can be used to minimise patriarchy. The Phalo patriarchal system uses religion and culture to implement and sustain patriarchy. To a certain extent, the ancestors who are the custodians of tradition, culture and religion are believed to be patriarchal and are worshipped and appeased through patriarchal rituals. This is not unlike the house of Jacob which depicts the gender of God as male in order to oppress women forever. The house of Jacob recognised that God has no gender and nowhere in the Bible did the authors address the gender of God. Perhaps the common understanding at that time was that God has no gender; hence, it was of no interest to the biblical authors. The house of Jacob sustains patriarchy through culture and religion (Maimela 1990:11). The God of Jacob, through the biblical authors, addressed himself as the God of the patriarchs. In both nations also, patriarchy is endorsed by powers in the spiritual world. Since the major custodians of patriarchy in both houses are religion and culture, the solution to the problem of patriarchy lies in the reformation of religion and culture. Any attempt to tackle patriarchy without focusing on the role of religion and culture is likely to fail. It is also important to reform the image of both God and the ancestors hermeneutically in order to distance them from the terror of patriarchy (Etkin 1993:134).

This research has affirmed that wrong interpretation of the Bible plays a major role in the abuse of women today. Having compared the patriarchal ills between the two houses and based on the similarities that are cited in this research, we conclude that patriarchy in the

house of Phalo is not as gross as in the house of Jacob. The grossness of Jacob's patriarchy is minimised only by the fact that it occurs in the context of the Holy Book while the mildness of patriarchy in Phalo is maximised by the fact that it is not in the Holy Book. The house of Phalo, to a certain extent, is found to be in a better position to teach the house of Jacob how best to treat women (Etkin 1993:139). This is not to suggest that the house of Phalo is 'patriarchally' holier than the house of Jacob, but it means that though they are both grossly patriarchal, the negative effects of patriarchy in the house of Jacob seem to outweigh those of the house of Phalo. No system of patriarchy, however, is too mild to be ignored (Ackermann 1997:57). For example, the patriarchal laws in the house of Phalo do not order the killing of women unlike in the stories in Judges 19 and 11 in which women were killed under patriarchal and other such laws.

Nonetheless, patriarchy in the house of Jacob is static in the sense that the biblical text is already fixed and cannot be developed further, but the house of Phalo has ample potential to further the patriarchal abuse of women. The characters in the Bible cannot abuse women further than they have already done except through the interpreters. The Enlightenment and other movements such as the feminist movement have influenced and minimised the gross effects of patriarchal cultures such as Phalo's.

It is crucial to re-emphasise that some incidents of violence against women that are cited in this study are no longer accepted as normal practises in the house of Phalo. Women of Phalo are making tremendous effort to minimise the impact of patriarchal power in their communities. This has been emphasised under the methodology. Patriarchy will always raise its ugly head, and its historical link has been discussed in this study extensively. We should note that Masenya (1997:34) has proposed an African hermeneutical lens for reading the biblical text termed *bosadi* (for women).

For example, the rape of young girls in *intonjana* has been abolished; but rape still occurs. Again, women now have a voice and though forced marriage continues, it is no longer a norm that is embraced by the house of Phalo. Today, wives can obtain divorce successfully, and they have a right to control their sex and sexuality which means that a man could end up in jail for raping his wife, but the jail term will not reverse the damages caused by the rape.

6.10. Personal Opinion

*Is the Bible a Good Weapon for Fighting Patriarchy?*¹⁷¹

“Feminists is one who seeks justice and equality for all people and who is especially concerned for the fate of women” (Mouton & Andrag-Meyer 2005:201).

The answer to the above question of whether the Bible is the appropriate weapon for fighting patriarchy is not a yes or a no but it depends solely on the hermeneutical findings by the reader, the patriarchal texts that one is dealing with, and what one already knows about the Bible. This question however is debated by Sampson (1991:45). Women are bound to overlook the severe message of patriarchy and substitute it with the idea of divinity in order to cope with it. Findings from the research show that one's subjectivity and motive for reading the Bible help to determine the outcome of the interpretation. Reading the Bible is a struggle¹⁷² that entails finding yourself in the Bible. It is crucial for women today to understand that there is a huge difference between the Bible and God and that how the authority is shared among the two is important.

This research agrees that patriarchy is sanctioned by the Bible in some cases. Hence, Phyllis Trible, in her 1973 article, “Depatriarchalization in Biblical Interpretation”, acknowledges that without depatriarchalisation, it would be difficult to see the Bible as a book that supports women. Mndende (2006:89) also appeals to the amaXhosa women to depatriarchalise cultural practices and draw the line between culture and patriarchy.

It is not rational to expect the Bible to fight against itself, as it is a patriarchal book. Guenther (1995:45) further states that patriarchy is an evil that God tolerated in the Bible. This is confirmed by Thompson (2001:67) who states that the patriarchal command means that the male epitomises the human standard at the expense of a human status for women

¹⁷¹ The negative answer to this question is normally identified with a radical approach to feminism. However, is a radical approach not an indication of how things should be in the first place? Even if this approach could be minimised, it would not change or manage to tame gross texts about women in the Bible. If those texts are radical regarding the abuse of women, why should the approach be moderate? (Thompson 2001:112).

¹⁷² Ricoeur (1970:56) says it a struggle because the reader is trying to understand the text in a way that is unsuitable and in ways that go against the textual grain, as it were. This can be true only if it is possible to understand the text in a suitable way. This view of Ricoeur raises more questions than answers. The first question would be whether anyone can read the Bible correctly or does one need to belong to a certain interpretative community to be able to read it? I do not think there is any reader outside his/her community of reading. The Bible is read by the community and understood by the community, and we believe that there is no individual reading. By reading in community, we mean no one reads in a vacuum; every reading is contextualised reading. We have stated also that there are no innocent readings.

and that in itself is evil. Oduyoye (1995), among others, also shows that cultural myths, proverbs, folk-tales that have been used in the socialisation of young women to preserve the norms of the society and the obedience to patriarchal values must be stopped. It is through those patriarchal norms that women are heavily oppressed. Reed (1996:201) quotes Banana who has proposed that oppressive texts be removed from the Bible, that religious experiences of the people should replace those texts and that other encouraging experiences be added to the Bible.

Thompson (2001:64) defines feminism as a women's movement in which women's liberation is at stake. She says it is women who are harmed, oppressed and subordinated. Some feminists would see the Bible as one of those oppressive books that subordinate women, hence, our question: Is the Bible a good weapon for fighting patriarchy? As Mndende has suggested, it is important to separate patriarchy and Bible. The Bible was produced in a patriarchal society, but does that mean it is all patriarchal, and must be fully condemned as some radical feminists argue?

The Bible was introduced to Africa as a moral compass and the perception of those who brought it was that all those who subscribe to it do not go wrong morally. This suggests that before the Bible arrived in Africa, there were no morals and there was no civilised way of life. However, it is unfortunate that the Bible is presented as the only way of life in Africa and those who read the Bible with divine understanding have also maximised the acts of violence against women. Mosala argues that, "Oppressive texts cannot be totally tamed or subverted into liberative texts" (Mosala 1989a:30). Why? It is because they have a conceptual grain and an oppressive context.

Mosala admits that, "texts that are against oppressed people may be co-opted by the interlocutors of the liberation struggle". He maintains that, "the fact that these texts have their ideological roots in oppressive practices, means that the texts are capable of undergirding the interests of the oppressors even when used by the oppressed" (Mosala 1989a:30). Oppressive texts that are not tameable are also uncovered by Tribble (1984) in her book, *Texts of Terror*. These texts have no consideration for women and it is not easy at all to tame them so that they speak outside their original purpose to meet the needs of the modern society. They were as cruel then as they are today. This could mean that cruel and patriarchal texts cannot be completely restrained or translated into liberative texts. If such biblical texts

cannot be tamed completely, then, it would not be easy to use the Bible which is the weapon to win the battle against patriarchy (Exum 1993:127).

Mombo and Joziase (2012:45) wonder why there are so few women in the pulpit. They conclude that, first of all, theological education seems to be a preserve of the male gender. On this, one could ask also that if patriarchy is endorsed by the entire church structure including the sitting arrangements, then, the task is huge. Those who used to claim that the house of Phalo copied certain patriarchal tendencies from Jacob need to understand that patriarchy in the house of Phalo is older than the arrival of the Bible in South Africa (LeMarquand 2000:56). It is also regrettable that the Bible is used in an autocratic manner in the sense that it is not brought into dialogue with other cultures at the same negotiating table. It enjoys the advantage of being a divine book and hides behind this privilege to hurt many. Some of the laws against Phalo women are endorsed by the Bible. It is noted that the Bible is not held in conversation with African cultures but used to replace and alienate them. Therefore, the concept of Africanising Christianity propounded by Mugambi and other African theologians becomes only a paper concept. On the ground where theology is practised, there is hardly any platform for a person to be African and Christian at the same time. Christianity is introduced as not only a religion but also a way of life that contradicts the African cultures and way of life. However, it should remain a religion and not interfere with indigenous cultures of African people (Maimela 1990:13).

In this study, it was a surprise to discover that while there are efforts to denounce the abuse of women, some interpreters still believe that the Bible supports women fully. In our journey between the two patriarchal houses, we have seen that Phalo treats women far better than Jacob, that is, better than the way biblical women were treated in some of the patriarchal texts that were identified (Masenya 2000:92). The ancient Phalo culture was far more lenient on women than the crude patriarchal culture that Jacob's was. Unfortunately, the content of the Bible cannot change. The Phalo culture is more lenient towards women but is easily influenced by modern objections to patriarchy which abuse women. However, Jacob draws from various approaches to hermeneutics to redeem the Bible from the patriarchal abuse of women.

The Bible was introduced to Africans as an ethical book but it was accompanied by Western norms of how life should be lived and what the accepted values of life are. All that is immoral in the Bible was overlooked while everything outside the Bible was condemned as

ungodly and immoral including the cultures of others. Incidentally, Phalo was found to be a victim of that unjust cultural judgement. In the case of the patriarchal abuse of women, the two houses should serve as mirrors to look at each other objectively and recognise each other at a round-table dialogue of cultures (Exum 1993:127). The interpreters of the Bible should stop pushing its patriarchal culture as if it must be better understood than that of Phalo. Both cultures are harmful because they affect people who are outside the pages of the Bible. Both the houses of Jacob and Phalo are also guilty of patriarchal tendencies, but the house of Jacob has much to learn from the house of Phalo when it comes to handling women. The house of Jacob should be willing to sit at the same negotiating table with the house of Phalo and stop putting itself on a higher pedestal, as it is not more divine the house of Phalo.



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