

○ FAMILY IN THE POLITICAL ECONOMY OF MONARCHIC JUDAH

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Family in ancient Israel was shaped by the political economy. In the domestic mode of production of early (pre-monarchic) and post-exilic Israel, the social relations of production were fellow kin, and the nuclear family was embedded within the context of a large kinship network. The monarchic state was characterised by a shift from a domestic mode of production to a mode in which the social relations of production were structured by patronage. Because kinship relations tended to undermine patron-client relations, the biblical texts produced by the state function to strengthen the conjugal, 'nuclear', family at the expense of the 'extended' family.

INTRODUCTION

The Bible presents a conflicting portrait of the composition and significance of the family in ancient Israel. Some biblical texts that have their origin during the period of the monarchy (eg, Deuteronomy) place the focus of the family on the man and his relationship to his wife and their children, but give little attention to his obligation to the larger extended family (clan and tribe). In contrast, other biblical texts that have their origin in early Israel or the post-exilic period (eg, the Covenant Code and the Priestly Writer) embed the husband, wife and children in the extended family (clan and tribe) and emphasise their familial obligations to it.

These competing portraits of the family are presented in the Bible's two creation stories. In the earlier version of the story, often attributed to the Yahwist, God creates a helper for the man from his own bone and flesh. In the setting of the garden, the woman is created for the man, so that he will not be alone. They are identified as husband (*ish*) and wife (*ishshah*) and set forth as an exemplar or even as an archetype of marriage – 'Therefore a man leaves his father and his mother and clings to his wife, and they become one flesh' (Gen 2:24) – but reference to their roles in procreation is absent. The human couple at best is only a nascent family. They are like children, sexually unaware and lacking the knowledge necessary for family life. Only after the human couple disobey God's prohibition and eat the fruit from the tree of the knowledge of good and evil do they become aware of their gendered family roles. They now know how to create 'like God'. Once they are expelled from the comfort and security of the garden, the husband and wife proceed to build the first family by having sexual relations and giving birth to Cain and Abel (for a fuller reading of this creation story, see Simkins 1998).

The presentation of the family in the first creation story is ambiguous at best. The role of children oddly plays no role in God's creation of man and woman in the garden. God appears to make no provision for children, and indeed, without the prohibited knowledge of good and evil the human couple seems to be incapable of procreation. The lack of concern for children is mirrored by the man's detachment from his own parents: He leaves his parents to join with his wife in marriage. Although leaving one's parents to get married seems wholly natural in our society, it is quite odd in the patrilineal and patrilocal society of ancient Israel. In marriage a son brings his wife into his 'father's house' (*beth ab*), and they physically reside in or near his parent's

house after marriage (Meyers 1988 pp. 37–40). However, in the garden the human couple stands alone with no connection to their parents or their children. The story highlights the significance of marriage at the expense of the family. Whereas marriage is clearly presented as a divine institution, instituted by God at creation, the family is presented as a *human* institution, created as a result of human disobedience to God.¹

The date of the first creation story is debated and uncertain. Whereas scholars thirty years ago could assert with confidence that the garden narrative belonged to the Yahwist source of the Pentateuch and that it dated from the early period of the Judean monarchy, such a consensus no longer exists (for a synthesis of recent scholarship on the composition of the Pentateuch, see Van Seters 1999 pp. 20–86). Without taking a position on the several current competing compositional models, it is reasonable to argue that significant portions of the non-Priestly material in Genesis – most notably the primeval history and the Jacob narrative – have their origin in the monarchic period of ancient Israel.² During the post-exilic period, after the collapse of the Kingdom of Judah, the Priestly Writer revised the earlier primeval narrative to communicate a new message to the Judean community. Specifically, the Priestly Writer prefaced the story of the garden with a new account of creation, and thereby shaped how subsequent readers would read the original tale. In this new creation account, God creates humans male and female in God's own image, and commands the humans to be fruitful and multiply (Gen 1:26–28). That which the earlier story attributes to human disobedience, the Priestly Writer attributes to God's acts and directives. In this presentation of creation, the human couple is created for family; procreation is the first of God's commands. The Priestly Writer's revision of the creation story thus redeems the role of the family in God's purpose for creation.

The two competing views of the family represented in the two creation stories express a tension in the political economy of ancient Israelite society regarding the loyalties and obligations of the man within the Israelite family. In the domestic mode of production of early Israel, the social relations of production were fellow kin, and the few biblical texts reflecting this period present the family within the context of an extended kinship network – the man's brothers, father, uncles and cousins.³ Israel's transition from a tribal society (chiefdom) to a monarchical state was accompanied by a similar shift from a domestic mode of production to a mode in which the social relations of production were structured by patronage. Because kinship relations tended to undermine patron-client relations, the biblical texts produced by the state, such as the first version of the primeval history and Deuteronomy, emphasise the primacy of the marital unit and the resulting nuclear family at the expense of the extended family. This transition in the political economy was gradual, reaching its peak in monarchic Judah only in the late eighth and seventh centuries.⁴ Finally, with the collapse of the monarchy and the state, the domestic mode of production re-emerged along with an emphasis on extended family relations. Texts produced during this period, such as the revision by the Priestly Writer, again place the human couple within the context of an extended family. This paper will focus primarily on the period of monarchic Judah and will argue that the loyalties and obligations of the family man during this period were shaped by the political economy of the state.

THE POLITICAL ECONOMY IN ANCIENT ISRAEL

The Marxian concepts of mode of production and social formation provide an effective model to evaluate the role of the family in the political economy of monarchic Judah (for the use of Marx in an anthropological political economy, see the introduction and essays in Léons et al. 1979; this discussion builds on my earlier work in Simkins 2001). A mode of production is a historically determined combination of the forces and relations of production that make up the society's economic base. It is defined by the way in which the surplus is drawn-off, allocated and utilised. A mode of production is also a dynamic concept; changes in the environment, technology, or new social relations result in the configuration of new modes of production (see Godelier 1977; Friedman 1974). As a result, complex societies are organised by social formations that are a combination of at least two modes of production, one of which is dominant. The secondary modes of production are either vestiges of an earlier period or newly emerging modes that serve a subsidiary function. In either case, the dominant mode of production subjects the functioning of the other modes to the requirements of its own reproduction (see the discussion in Terray 1975 p. 91).

The value of the Marxian model is that it treats the economic base in connection with a political and ideological superstructure, but the relationship between the economic base and the superstructure is complex.⁵ The economic base does not simply give birth to the superstructure, nor is the superstructure a mere reflection of the economic base. Rather, the mode of production reproduces the social relations through which production is possible. The goal of social activity is not simply the creation of surplus but also the maintenance and consolidation of the social relations through which it was produced. As a result, the superstructure provides 'the political and ideological conditions of the orderly reproduction of the relations of production' (Terray 1975 p. 90). In other words, the continual reproduction of a society's mode of production is dependent upon a determinate superstructure.

The relationship between the economic base and the superstructure is configured differently in pre-capitalist societies than in the capitalist societies to which the Marxian model is usually applied. In capitalist societies, for example, conflict is inherent in the relations of production, and is expressed as conflict between social classes. The political and ideological superstructure functions within this conflict to justify and reproduce the relations of production. In many pre-capitalist societies, such as ancient Israel, the social conflict is 'not between social groups that are denied access to the means of resources or socially segregated into classes and exploited, but rather in the activity of individuals who attempt to increase their political power at the expense of kin members' (Tuden 1979 p. 27). This social conflict may thus be expressed as a tension between an existing economic base and a newly evolving superstructure. The new superstructure will eventually reproduce a new economic base and thus a new mode of production, but the existing mode of production will endure and remain in tension with the new mode.

In order to understand the political economy of monarchic Judah, we must begin with the dominant mode of production in early Israel, for this mode of production continued to function in a subordinate role throughout the monarchic period. The dominant mode of production in early Israel may be termed the domestic (Sahlins 1972) or the household (Meyers 1988 p. 142) mode of production. The primary productive unit in early Israel was the family unit known as the *beth ab*, consisting of several nuclear families covering as many as four generations, and

linked in an extended kinship unit, the *mishpahah* (see Bendor 1996 pp. 121–204; Lemche 1985 pp. 245–290; Gottwald 1979 pp. 237–341). The *beth ab* was a self-sustaining unit, which owned the means of production – primarily, the land (*nahalab*), which was shared in common by the members of the kinship unit. Kinship relations served as the social relations of production and distribution, regulating access to the means of production and determining the distribution of the products of labour. However, within the domestic mode of production, the kinship system functioned simultaneously as the superstructure. The kinship system formed the condition for its own reproduction by regulating marriages. It provided the social framework for political and religious activity, and it functioned as an ideology expressing the relationship between kinsmen and between men and women (compare the discussion in Godelier 1975).

Early Israel has often been characterised as an egalitarian society, as have many other societies structured by kinship relations. According to the ideology of the domestic mode of production, competition for resources among kin is unnecessary. All members of the family benefit from the social product even though only some of the male members of the family control its production and distribution. The assumption often made is that these kinship relations function to regulate and diminish social and economic inequalities. However, this assumption is not supported by ethnographic studies. Although tribal societies maintain egalitarian principles through their ideology, social and economic differentiation is the common experience of the people. The rich maintain and increase their wealth, often at the expense of the poor, and the poor inherit the poverty of their parents. Moreover, it is not uncommon for a kinsman to exploit his own kin for his personal or patrimonial advantage (see Black 1972). Social and economic inequalities are common even within extended kinship units. The domestic mode of production in early Israel undoubtedly reproduced and generated social and economic inequalities. In fact, the rise of the monarchy presupposed significant inequalities across Israelite society. The Bible itself attests to such inequalities (for social inequalities in the Covenant Code, see Marshall 1993 pp. 113–130).

The increasing social and economic inequalities that resulted from the domestic mode of production in early Israel gave rise to a new mode of production. The social conditions for the existence of this mode of production were in fact these inequalities and the relative weakness of corporate kinship groups to neutralise the effects of these inequalities (Eisenstadt et al. 1984 p. 206). Some households produced surpluses beyond the needs of subsistence (the archaeological evidence is discussed by Holladay 1995 pp. 376–379); others tended toward underproduction. The inequalities were largely due to differential access to fertile land and material resources, size of the labour force, and ability, effort and opportunity. Although the kinship system undoubtedly served to mitigate some of the inequalities between the nuclear families within the *beth ab* and the *mishpahah* through a generalised exchange based on familial loyalty and obligation, it was unable to prevent the growing social and economic disparity within the extended family and across the society. In order to compensate for this disparity, the formation of social and economic relations across kinship boundaries was necessary. These relations were also based on a generalised exchange, but the inequality between the two members in their access and control of resources resulted in the formation of patron-client relationships (compare the discussion by Wolf 1966).

Patronage is a system of social relations rooted in an unequal distribution of power and goods, and expressed socially through a generalised exchange of different types of resources. The structure of these relations is hierarchical. Patrons are those who have access to goods and the centres of power, whereas clients are in need of such access. In fact, patronage is most prominent

in those societies that are characterised by ‘highly elaborated hierarchies of rank and position, often related to the differential access of various groups to the center’ (Eisenstadt et al. 1984 pp. 209–210). In spite of the social and economic hierarchy, the exchange between patrons and clients is based on reciprocity, and the relationship between them is idealised as friendship and expressed in terms of kinship. The patron is a ‘father’ to his clients, who honour him as ‘sons’ and faithful ‘servants’. For example, David claims to be a faithful client to Saul, even though Saul is pursuing to kill him, by acknowledging Saul as his ‘father’ (1 Sam 24:11). After David spares his life (a second time), Saul also acknowledges this relationship, repeatedly addressing David as his ‘son’ (1 Sam 26:17–25). Elisha addresses Elijah as his patron by calling him ‘father’ (2 Kgs 2:12). The servants of Naaman similarly address their patron as ‘father’ (2 Kgs 5:13). Patron-client relations are foremost personal bonds to which one’s identity and honour is committed. The bonds are held together by mutual commitments of loyalty, though rarely ever formalised.⁶ The patron commits himself to protect and support his clients, and the client commits himself to serve his patron. By means of these interpersonal obligations, exercised through a generalised exchange, patron-client relations function to regulate and mitigate the effects of economic inequalities.

Patron-client relations constituted the social relations of this new mode of production. The condition of their existence entailed an inequality of wealth and power between individuals who had social interaction and would mutually benefit from a generalised exchange (Eisenstadt et al. 1984 pp. 216–218). The patron usually controlled access to the means of production, to the major markets, and to the administrative centre of the society, whereas the client was in need of such access. The generalised exchange that characterised these relations took place on two distinct levels. On one level, the patron and client exchanged different types of resources, goods, or services. For example, the patron might secure for the client a ‘fair’ exchange for his agricultural surplus, or grant him access to land for grazing his flock, or provide him seed for planting. The client in turn might give to the patron a percentage of his surplus, or provide the patron with his labour. Although framed as a reciprocal exchange, the patron was in a position to receive the best possible benefit for himself through his monopolisation of needed resources or access to the centre of power. The material imbalance of the exchange was concealed by the patron’s frequent displays of generosity, even though the product of his generosity had been appropriated from the client. On another level, however, the patron and client exchanged intangibles. The client offered loyalty, honour and support to the patron in exchange for protection, loyalty and the promise of reciprocity.

The client ‘buys,’ as it were, protection, first, against the exigencies of markets or nature; second, against the arbitrariness or weakness of the centre, or against the demands of other strong people or groups. The price the client pays is not just the rendering of a specific service but his acceptance of the patron’s control over his (the client’s) access to markets and to public goods, as well as over his ability fully to convert some of his own resources (Eisenstadt et al. 1984 p. 214).

By simultaneously exchanging tangibles and intangibles, the patron-client relationship mitigated the effects of the inherent social and economic inequalities between the members of society, while at the same time reproducing those inequalities. Moreover, the addition of intangibles to

the exchange reinforced the ideological framework of an equitable and balanced exchange (i.e. reciprocity), despite the fact that the patron generally benefited materially at the client's expense. Based on generalised exchange as the mode of surplus appropriation,⁷ the dominant mode of production in monarchic Judah can be characterised as a clientelistic mode of production.

The formation of patron-client relationships and the subsequent rise of the clientelistic mode of production in monarchic Judah stood in conflict with the earlier domestic mode of production, which it eventually subsumed under its own functioning. Although the primary productive unit in monarchic Judah continued to be the family, its social configuration was different in relation to each mode of production. Under the domestic mode of production the family in early Israel was configured along extended kinship lines – the *beth ab* and the *mishpahah*. The relations of production and distribution were kinship relations, further strengthening familial bonds and one's loyalty and obligation toward family members. With the formation of patron-client relationships, the relations of production and distribution cut across kinship boundaries. Patrons and clients were determined not by kinship relations but by control and access to needed material resources. Only those who entered into patron-client relationships were able to benefit directly from them. Kinsmen were no longer the primary recipients of one's loyalty and obligation. The structure of patronage placed kinsmen in competition with one another – for access to resources by those in the lower social strata, and for control of large client bases by those in the upper social strata. The political superstructure of patronage – expressed most clearly, first through the establishment of kingship in Judah, and then through the growth and expansion of Jerusalem as the royal administrative centre of Judah, culminating in the seventh century (Halpern 1991) – produced a new economic base and ideological superstructure in monarchic Judah by transforming the social relations of production and distribution. This ideological superstructure included a new understanding of the family, conceived primarily as a nuclear family, which is expressed in the biblical texts that were produced by the state.

When the state and the monarchy of Judah collapsed in 586 B.C.E., the clientelistic mode of production lost the political and ideological superstructure necessary for its reproduction. Judah became a province of the Babylonian and then the Persian Empire. The archaeological and textual evidence indicates that this period was characterised by a ruralisation of the society and an increasingly crumbling economy. Most of the surplus seems to have been extracted for taxes to the Babylonian and Persian courts through a tributary mode of production. This mode functioned as a parasite on the local political economy. It functioned to benefit only the Babylonian and Persian administrations, and perhaps also a few local elite who were loyal to and supported by the imperial courts. Although we are unable in this context to reconstruct fully the social formation of Judah (Yehud) during this period, we can simply note that the society was organised by ancestral houses and the domestic mode of production, though now subsumed into the tributary mode, characterised the political economy of Judah (McNutt 1999 pp. 195–200; Cataldo 2003). The political and ideological superstructure of this social formation was expressed through the biblical exilic and post-exilic literature, which places emphasis on the extended family within the context of an acceptance of Babylonian and Persian rule.

FAMILY IN THE POLITICAL ECONOMY

The inability of the kinship system to neutralise social and economic inequalities provided the social conditions for the existence of the patronage system and the clientelistic mode of production. In order to provide for its own reproduction, the patronage system exploited the weaknesses of the corporate kinship groups through its ideology. Moreover, because the patron benefited disproportionately from the exchange with his clients, the abatement of his clients' loyalty and obligation to their *beth ab* and *mishpahab* was in the patron's own best interest. By undermining the kinship bond, the ideology of patronage functioned to increase both the number of clients dependent upon the patron and the value of their dependence on him.

Yet the patronage system could not just simply undermine the kinship system with impunity, for the clientelistic mode of production was also dependent on the production of the family unit. But unlike the domestic mode of production, which was dependent on extended kinship bonds, the clientelistic mode was dependent only on the production of the nuclear family. Indeed, extended family bonds posed an obstacle to the development of the patronage system. They provided the nuclear family with a network of relations and access to resources that minimised an individual's contact with other social strata and impeded the formation of patron-client relations. As a result, the inherent contradiction between the clientelistic and the domestic modes of production took the form of a conflict between the interests of the nuclear family, which supported the patronage system, and the interests of the extended family – the *beth ab* and especially the *mishpahab*. The successful functioning of the social formation of monarchic Judah was dependent on the resolution of this contradiction through the ideological superstructure.

At the core of the resolution of the contradiction between the clientelistic and the domestic modes of production was a redefinition of the family and the man's loyalties and obligations. The process by which the ideological superstructure resolved this contradiction was expressed through several biblical texts produced by the state. These texts suggest that the ideological superstructure functioned to resolve the contradiction and redefine the family in four ways. First, the ideological superstructure functioned to weaken extended kinship bonds, especially relations to one's *mishpahab*, by extending the structure of kinship relations to incorporate all Israel so that all Israelites – patrons and clients – were considered kin, descendants of the family of Jacob. The genealogy of Jacob (Gen 29:31–30:24), for example, functions to incorporate all the Israelites, irrespective of their clan and tribal loyalties, within a single kinship group. Segmented genealogies, which are usually fluid in their configuration, function to express social relations between persons and to rank the status of groups and individuals. Indeed, the earliest lists of Israelite tribes differ in number and order depending on the prominence of the individual tribes and regions.⁸ At some point during the monarchy, presumably early in the monarchy, the genealogy of the traditional twelve Israelite tribes was frozen in form. Rather than functioning to rank one tribe over another, it functioned in the religious or ideological sphere as an expression of the ideal Israel (see Wilson 1977 pp. 193–195). All Israelites were presented as equal members of the family of Jacob. By giving precedence to the unity of Israel, the genealogy and narratives of Jacob function to diminish tribal and clan loyalties.

In the post-exilic period the extended family again became important in the political economy of Judah. The post-exilic Priestly Writer placed the family of Jacob, first, within the extended human family descending from Adam and Noah, and then within the extended family of Terah.

He also included the lineages of Ishmael, Esau, Moses and Aaron.⁹ The Priestly writer was concerned to define Israel as a distinct people among the peoples of the Persian Empire (see Crüsemann 1996) and the priestly families within Israel. The Chronicler, on the other hand, similarly developed an extensive genealogy of Adam and the families of Israel, especially the Judahites and Levites, concluding with the prominent families of Jerusalem who were taken into exile (1 Chr 1–9). This genealogy bolstered the claims of the descendants of the exilic community who had returned to Judah over against the Samaritan community. Only the families of Judah and Benjamin who had gone into exile were the true representatives of Israel in the post-exilic community (Albertz 1994 pp. 545–547). In both cases, the post-exilic writers define the family in terms of extended relationships.

Second, the political and ideological superstructure functioned to weaken the influence of the extended family on the nuclear family through a process of political and religious centralisation, beginning at the end of the eighth century during the reign of Hezekiah and culminating late in the seventh century during the reign of Josiah. At the political level, the state replaced tribal and clan leaders with state appointed judges and officials (Deut 16:18). The extended family would no longer be the domain in which the issues of justice were decided. Individuals would thus take their cases directly to the state and its officials. At the religious level, the state prohibited sacrifice to Yahweh outside of Jerusalem. All tithes, sacrifices, donations and votive offerings should be brought to the temple in Jerusalem (Deut 12:5–7). The traditional family festivals of unleavened bread (Passover), weeks and booths should also be held in Jerusalem (Deut 16:1–17). The family's worship of Yahweh is now under the sponsorship or patronage of the state (see Levinson 1997 pp. 53–97).

The effects of centralisation on the family can be illustrated by examining the laws regarding a man who has sexual relations with an unbetrothed virgin. In the Covenant Code, which reflects the customary practices of early Israel, the law is stated:

When a man seduces a virgin who is not engaged to be married, and lies with her, he shall give the bride-price for her and make her his wife. But if her father refuses to give her to him, he shall pay an amount equal to the bride-price for virgins (Exod 22:16–18).

According to this law, the father should be compensated for the loss of his daughter's virginity – an economic commodity to the father (see also Pressler 1994). The father is also in control of whether or not the daughter is given in marriage to her seducer. In the Deuteronomic Code, however, the law is revised in accordance with the ideological superstructure of the social formation of monarchic Judah. The new law states:

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 22:28–9).

According to this formulation, the role of the father is taken out of the equation. He will still be compensated for his economic loss, but his compensation is fixed by the state and he appears

to have no say in whether the seducer marries his daughter. Emphasis is placed instead on the requirement that the man marry the woman he seduced, and that he never divorce her.

Several other laws similarly reduce the power of the *paterfamilias* over his kin (see also Stulman 1990; Stulman 1992). In Deut 21:15–17, a man who is married to two wives, each with sons, must designate his eldest son – whether or not he is born from his favourite wife – to be his firstborn. The law was promulgated to protect the rights of the eldest son to the double portion share of the inheritance, but the law also undermines the power of the father to determine his own heir. Deut 21:18–21 states that if a father and mother have a rebellious son, they must take their case before the elders of the town who will decide his fate. Likewise, if a wife is accused of not being a virgin at marriage, the father and mother of the wife take their evidence to the city elders who determine the merits of the charge (Deut 22:13–21). In both cases, issues of justice are taken out of the context of the family and assigned to state appointed officials.

A third way in which the ideological superstructure weakened extended family loyalties was by prohibiting the practice of consulting the dead. The dead in ancient Israel offered both benevolent and malevolent powers; they were deified and sources of knowledge. The deified ancestors of the family, if properly attended through feeding and cult, secured the future prosperity of the family. Moreover, the practice of the cult of the dead provided potent symbols of the solidarity of the extended family. The family's connection to their dead ancestors was integral to the future cohesion and success of the extended family, and thus a threat to the social formation of monarchic Judah. The archaeological evidence suggests that the state had little effect on a family's care and treatment of the dead.¹⁰ The mortuary practices and beliefs were too embedded in the society to be significantly challenged.¹¹ Instead, the state focused on the role of intermediaries (see Bloch-Smith 1992 pp. 109–132). Several laws in the Deuteronomic and Holiness Codes¹² prohibit necromancy and threaten its practitioners with death (Deut 18:10–11; Lev 19:26, 31; 20:6, 27). On the one hand, such a prohibition, along with the process of centralisation, secured for the temple cult in Jerusalem a monopoly on divine intermediation. The prohibitions in the Holiness Code continued to serve this function for the post-exilic temple cult as they were incorporated in the Priestly composition. On the other hand, the prohibition against consulting the dead minimised the role that the deceased could play in the politics of the extended family. The post-exilic writers' emphasis on genealogy perhaps compensated for this loss. The extended family's connection to their ancestors was established through genealogy, not necromancy.

Fourth, the ideological superstructure functioned to strengthen the nuclear family at the expense of extended kinship relations by emphasising the importance of the conjugal bond between a husband and his wife (see also Steinberg 1991). The ideology of the so-called Yahwist creation myth discussed above, for example, emphasises the affective ties between husband and wife and thereby undermines the husband's bond to his consanguineous kin. The husband and the wife are 'one flesh'. The message is clear: A man's loyalty and obligation to his parents, his siblings and his extended kin – his *beth ab* and *mishpahah* – should be secondary to his devotion and responsibility to his wife. The man's independence from his parents that is highlighted in the primeval myth is also expressed negatively in the Deuteronomic Code:

Parents should not be put to death for their children, nor shall children be put to death for their parents; only for their own crimes may persons be put to death (Deut 24:16).

Like the emphasis on the conjugal bond, the importance placed on individual responsibility and guilt functions to weaken the ties of the extended family.¹³

The conjugal bond of the nuclear family was also strengthened at the expense of the extended family through laws regulating sexual relations and prohibiting adultery. The Deuteronomic Code carefully defines the different circumstances that result in adultery (Deut 22:22–7). At its root, adultery takes place when a man has sexual relations with another man's wife. Both the man and the woman should be executed. Adultery also occurs when a man has sexual relations with a woman betrothed to another man. Under these circumstances, if the sexual relations take place in the town, then both the man and the woman should be stoned to death. If the woman cries out for help, however, the assumption of the law is that only the man should be killed. She is a victim of rape rather than an adulteress. By a similar logic, if the sexual relations take place out in the open country, only the man should be executed. The woman receives no punishment, for no one would have heard the woman if she had cried out. Another law in the Deuteronomic Code prohibits the restoration of a marriage if a man's former wife has married and divorced another man (Deut 21:10–14). The logic of this law implies that such a remarriage would be comparable to adultery. In regulating sexual behaviour, these laws remove the matter from the jurisdiction of the *paterfamilias* or the extended family, where it traditionally belonged, and place it in the hands of the central authority.

In Lev 18:6–18 and 20:10–21 the Holiness Code specifies those women with whom a man may not have sexual relations. Although the distinction is not always clear in the text, sexual relations with some of the women are prohibited because they would be adulterous (eg, 'You shall not uncover the nakedness of your brother's wife; it is your brother's nakedness' [Lev 18:16]), while others are prohibited because they would be incestuous (eg, 'You shall not uncover the nakedness of your father's wife's daughter, begotten by your father, since she is your sister' [Lev 18:11]). It is interesting that the Deuteronomic Code gives no attention to incest; its focus is on the integrity of the nuclear family and the prohibition of sexual relations with members of one's nuclear family could be assumed. In the Holiness Code the incest prohibitions are placed in the context of the extended family where it is more complicated with whom one may have sexual relations. Thus, a man may have sexual relations with his first cousin or with his niece, but not with his aunt, his wife's sister (while his wife is living), or his daughter-in-law (see Rattray 1987). A man's sexual activity was restricted in order to preserve the integrity and relations of his extended family. The Priestly Writer's inclusion of these incest prohibitions in his composition thus functioned to redefine the family and the man's loyalty and obligation in terms of the extended family in the post-exilic period.

The conjugal bond and the nuclear family are also strengthened through laws that regulated marriage and divorce. We have already noted above the law regarding a man who has sexual relations with an unbetrothed virgin (Deut 22:28–9). By requiring the man to marry the woman, the law creates a new conjugal bond outside the jurisdiction of the *paterfamilias*. Moreover, by prohibiting the man from divorcing her, the law protects the social and economic security of the woman who might not otherwise be able to marry. In a similar way, Deut 21:10–14 regulates how a man may treat a woman captured in war. He may marry her, but he must first allow her one month to mourn her father and mother. If he is not satisfied with her, he must let her go free; he cannot treat her as a slave or sell her for money. As with the previous law, this law protects

the woman by preserving the integrity of the conjugal bond. A man's sexual relations with a woman belong in the context of marriage. By restricting divorce, the law stresses the importance of the conjugal relationship. Elsewhere, the importance of the conjugal bond is stated directly:

When a man is newly married, he shall not go out with the army or be charged with any related duty. He shall be free at home one year, to be happy with the wife whom he has married (Deut 24:5 – compare Deut 20:7)

This law distinguishes the conjugal relationship from the larger extended family on which the burden of war or some other obligation might fall. A man's loyalty and obligation belong first and foremost to his wife, and the development of this relationship supersedes other commitments.

The relationship between the nuclear and the extended family is highlighted in the law of the Levirate marriage (Deut 25:5–10). The context of this law is the extended family, where 'brothers reside together' and have not yet divided the family estate. Within this context, if one brother dies and leaves a childless widow, his wife should be given in marriage to another brother. The child that is born from that union will then represent the deceased brother (literally: 'stand on the name of his dead brother') so that 'his name may not be blotted out of Israel'. At issue in this law is the deceased brother's inheritance of the family estate. His 'name' refers essentially to the possession of his land (see the discussion in Pressler 1993 pp. 66–69). Without a descendant, a man cannot pass on his land in his name, and his share of the land would be divided among his brothers. Thus the law makes this provision for a man who dies prematurely without an heir: his brother will father an heir for him.

A brother might not want to act as a Levir under some circumstances. At the very least, he may not want the family estate divided up into one more parcel for his deceased brother. Indeed, it is in the interests of the family to have as few heirs as possible to reduce the division of the estate. Thus, the law provides a mechanism in case the brother refuses to act as a Levir. First, the widow, for whom the Levirate marriage custom also provides social and economic security, takes the case before the elders of the city. Then the elders confront the brother to persuade him to do his duty. Finally, if the brother still refuses, the widow of the deceased publicly shames the brother and his house. The law of the Levirate marriage functions to protect the deceased's brother's right to maintain his name with his land. Moreover, the deceased's right outweighs the interests of the extended family and receives the support of the state.

The law of the Levirate marriage supports the interests of the individual family member, and hence the nuclear family, over the interests of the extended family. This conflict also lies behind the stories of the daughters of Zelophehad (Num 27:1–11; 36:1–12). In the story in Numbers 27, the five daughters of Zelophehad bring their request to inherit their father's land before Moses and the leaders of the people:

Our father died in the wilderness; he was not among the company of those who gathered themselves together against the LORD in the company of Korah, but died for his own sin; and he had no sons. Why should the name of our father be taken away from his clan because he had no son? Give us a possession among our father's brothers (Num 27:3–4).

As with the law of the Levirate marriage, the daughters' concern is the continuation of their father's name – or more precisely, the possession of his land. Without a male heir, Zelophehad's land would be given to his brothers, one of the *mishpaboth*, 'clans,' of Manasseh. If his daughters inherit the land, however, his name will continue for the land will be registered in the name of his nuclear family. In other words, Zelophehad's share of the land will be divided into five parcels and registered in the names of Mahlah, Noah, Hoglah, Milcah and Tirzah, daughters of Zelophehad. It is interesting that Moses and the leaders of the people do not decide the case themselves. Rather, Moses takes the case to the LORD, who decides in favour of the daughters' petition. The ideological superstructure roots itself in divine sanction. A new law is thus instituted at the command of the LORD that if a man dies and has no son, his inheritance shall be given to his daughter. Only if he has no descendants should his inheritance be given to members of his extended family (Num 27:8–11).

Although the story of the daughters of Zelophehad is preserved by the Priestly Writer, the tradition dates much earlier to the period of the monarchy. The tradition is also preserved, for example, in the Deuteronomistic History (Josh 17:3–6), and might have its origin in explaining why the tribe of Manasseh possessed land on the west side of the Jordan in addition to the lands of Gilead and Bashan on the east side (see Snaith 1966). In any case, by the time of the compilation of the book of Numbers in the post-exilic period, the precedent set by the daughters of Zelophehad raised concerns for the extended family, now living under a new mode of production – the resurgence of the domestic mode. Therefore, a new story was added as an addendum to the book (Numbers 36) in order to mitigate the effects of the case law established in Numbers 27. In this story, the heads of the Manassite clans bring their case to Moses and the leaders of the people. In regard to the daughters of Zelophehad inheriting the land of their father, they complain:

If they are married into another Israelite tribe, then their inheritance will be taken away from the allotted portion of our inheritance (Num 36:3).

If the daughters of Zelophehad marry outside of the tribe of Manasseh, then their father's land would be passed down to their heirs who would belong to another tribe, resulting in the reduction of the land apportioned to the tribe of Manasseh. As in the previous case of the daughters, this case is decided directly by God, who revises the original legislation. The daughters of Zelophehad will continue to inherit the land that would be apportioned to their father, but now they must marry into the clan of their father's tribe (Num 36:6–8). During the post-exilic period with the resurgence of the domestic mode of production, it was no longer possible to ignore the interests of the extended family. The revised form of the legislation thus ensured that no land would be transferred from one tribe to another. At the same time, the legislation balanced the interests of the individual family member and the nuclear family, which were inherited in the tradition, with the interests of the extended family.

SUMMARY

At the centre of the Israel family was the man – the Israelite family was both patrilineal and patrilocal, and the needs of the family largely corresponded to the needs of the man – but the relationship between the man's nuclear family and extended family was shaped largely by the political economy of the period. The pre-monarchical and post-exilic periods were dominated

by a domestic mode of production in which the social relations of production were fellow kin. A man's loyalties and obligations were first and foremost to his *beth ab* and *mishpahah* – to his brothers, father, uncles and cousins. The interests of his nuclear family were placed within the context of the interests of his extended family. During the period of the monarchy, however, the family man was subject to competing demands for allegiance. His extended kinship network continued to demand his loyalty and placed obligations upon him, but these demands were usurped by a new mode of production. The formation of patron-client relations placed new loyalties and obligations on the family man by providing him with access to resources, goods and services that he was unable to obtain through his kin relations. However, these new loyalties and obligations were in conflict with the former social relations of production. Therefore, in order to ensure the reproduction of these new social relations, the political superstructure sought to weaken a man's ties to his extended family by: 1. incorporating all Israelites into a fictive kinship network; 2. centralising political and religious institutions; 3. prohibiting necromancy; and 4. strengthening the conjugal bond between the man and his wife.

ENDNOTES

- ¹ Although commentators early this century commonly argued that this passage reflects memory of an earlier matriarchal society, recent commentators have rightly rejected this interpretation as untenable. Nevertheless, this passage seems to be in conflict with the recognition that ancient Israel was a patrilocal society. What does it mean for a man to 'leave' his parents and 'cling' to his wife? Because a son physically remained in or near his parent's house after marriage, scholars have interpreted the Hebrew verbs figuratively in terms of the man's loyalty and affection. Gerhard von Rad argues: 'The alliance of one sex to another [in marriage] is seen as a divine ordinance of creation' (Rad 1972 p. 85). Claus Westermann suggests that this verse 'points to the basic power of love between man and woman' (Westermann 1984 p. 233). Gordon Wenham recognises that this verse signals a shift in the man's obligations: 'On marriage a man's priorities change. Beforehand his first obligations are to his parents; afterwards they are to his wife' (Wenham 1987 p. 71). Anthropologists have recognised that the strength of the conjugal bond is in inverse proportion to the strength of the bonds between extended kin (see Cohen 1969 p. 665). By emphasising the affective ties between husband and wife, the myth undermines the husband's bond to his consanguineous kin.
- ² Van Seters (1992) argues that the non-P material of Genesis was composed by the Yahwist during the exile, but his focus is primarily on the literary activity of the 'Yahwist,' who produced the final composition of the non-P material. He gives less attention to the origin of the Yahwist's source material. In contrast, Carr (1996) has uncovered the multiple layers of the non-P material, and has argued sufficiently that the primeval history and the Jacob narrative were first composed during the monarchy (see especially pp. 233–289).
- ³ Although the composition of no biblical text can be dated to the premonarchical period, a number of texts are rooted in this period and reflect the socio-economic conditions of this period. Most notably, the so-called Book of the Covenant or Covenant Code (Exod 20:22–23:19) reflects a family-based, agrarian society that could be characterised as a chiefdom (see Marshall 1993). The books of Joshua and Judges are composed from numerous pre-Deuteronomistic sources that also reflect the premonarchical period (see Gottwald 1979 pp. 150–187).
- ⁴ Although when Judah should be classified as a state is a matter of heated debate (see the essays in Fritz et al. 1996), Jamieson-Drake (1991) has demonstrated that scribal activity was not a feature of the Kingdom of Judah until the late eighth and seventh centuries. Halpern (1991) argues that political events of the seventh century in particular shaped the Judean understanding of the family. This study

agrees largely with Halpern, but places this new understanding of the family within the context of Judah's political economy.

5 The relationship between the economic base and superstructure has been debated in Marxian scholarship. Many theorists have attributed to Marx a reductive and deterministic relationship such that the superstructure is simply founded on the economic base. Western Marxist theorists, however, have argued for a more dynamic relationship.

6 The formal suzerain-vassal relationship is an exception, for it is itself an expression of patronage. 2 Kings 16:5–9 describes such a patron-client relationship between Ahaz and Tiglath-Pileser. In order to gain protection against the assault of Rezin and Pekah, Ahaz sought to become the client of Tiglath-Pileser. He initiated the relationship by seeking military help from Tiglath-Pileser as his 'servant and son'. Ahaz then demonstrated his loyalty and friendship by sending gifts of silver and gold. Tiglath-Pileser reciprocated by rescuing Ahaz from his enemies (2 Kgs 16:5–9).

7 As a mode of appropriation, generalised exchange encompasses many forms of surplus appropriation under a single ideological superstructure that places the exchange in the context of reciprocity. Each party in the exchange receives some benefit – tangible or intangible. Although the exchange usually involves a material imbalance in favour of the patron, the ideology corresponding to this mode conceals the exploitation of the client (see Sahlins 1972 p. 134). Even state taxation could be interpreted as simply an institutionalised form of this exchange, representing the people's obligation to their great patron, the king (compare the priestly justification for the tithe in Num 18:21–24). By framing the exchange in terms of reciprocity, the ideology provides the conditions for the continual reproduction of the generalised exchange.

8 In the tribal list in the Song of Deborah (Judges 5), for example, only ten tribes are listed and Ephraim is listed first. Moreover, Judah and Simeon are not listed at all, though they could be included in Benjamin (which is listed second) as an inclusive reference to the southern regions of Israel. Gilead is named instead of Gad, and Machir is included instead of Manasseh. Because of the particular configuration of the tribes and the prominence given to Ephraim, Benjamin and Machir (listed third), scholars have argued that this tribal list reflects the political situation of premonarchical Israel. Other early tribal lists, in Deuteronomy 33 and Genesis 49, similarly reflect the political situation of early monarchic Israel (see the thorough analysis of Halpern 1983 pp. 109–164).

9 The genealogical system in Genesis as a whole belongs to the Persian period. The genealogical connection of the family of Jacob to the families of Abraham and Isaac perhaps also belongs to the Priestly writer, or to an exilic Yahwist, as argued by Van Seters (1992 pp. 197–214), who brought together earlier, independent family traditions.

10 Halpern argues that a shift in the construction of the widely attested bench tombs can be detected. Although multi-chambered tombs were still used in the seventh century, Halpern notes an increase in the use of single-chambered bench tombs, especially in the countryside. In Jerusalem these smaller tombs were being constructed in the eighth century or earlier. For Halpern, the single-chambered bench tombs placed the focus of the funerary cult on the individual, married couple, or the nuclear family in contrast to the extended family or clan, which was the focus of the traditional multi-chambered tombs (Halpern 1991 pp. 71–73).

11 A notable exception is that the Deuteronomic Code prohibits the use of the tithe in feeding the dead (Deut 26:14). Instead, the tithe was to be consumed in Jerusalem before the Temple priests and to be shared with the landless – the Levites, aliens, orphans and widows. In other words, the tithe functioned to reinforce an individual family's corporate solidarity with the nation at the expense of their connection to the extended family or clan through the funerary cult.

- ¹² Scholars disagree on whether the Holiness Code (Lev 17–26) was composed before the Priestly Writer incorporated this material into his composition. Although the composition of the text probably dates to the exilic period at the earliest, much of the material has its origin in the period of the monarchy.
- ¹³ Kaminsky cautions that the individualism of Deuteronomy should not be interpreted as being similar to the radical individualism that characterises contemporary Western culture. The individualism of Deuteronomy remains embedded in the collective responsibility of the nation (Kaminsky 1995 pp. 119–123; see Deut 26:16–19). A similar individualism has been attributed to Jer 31:29–30 and Ezekiel 18. In the context of the destruction of Jerusalem by the Babylonians and the subsequent exile, both texts seek to refute the commonly embraced parable: ‘The fathers have eaten sour grapes, and the children’s teeth are set on edge’. The exilic generation of Judeans were placing the blame for the national catastrophe on the sins of the previous generation. Both Jeremiah and Ezekiel use the language of individualism to challenge the people to recognise their own guilt in the catastrophe. They reject the notion of trans-generational retribution, not corporate responsibility per se (Kaminsky, pp. 139–178). Indeed, Ezekiel replaces responsibility for the catastrophe on the present exilic generation as a whole (see Joyce 1989 pp. 35–55).

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