

## Chapter 4

### The Daughter of Jephthah (Judges 11: 29-40)

*She has no name, has neither face nor eyes*

*they were drowned in blood*

*they were burnt*

*by fire*

*She is a garden shut, a fountain sealed*

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### Introduction

The third text chosen for analysis is the story of Jephthah's daughter. Just as the texts about Lot's and Zelophehad's daughters have never been included in the lectionaries of the Church, the story of Jephthah's daughter is also excluded and thus virtually unknown within the Christian community.<sup>2</sup> Yet since the Middle Ages, a small group of biblical scholars along with the creative world of artists, dramatists, musicians have been fascinated by the story of Jephthah (Judg. 10:6-

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<sup>1</sup> Alicia Ostriker, "Jephthah's Daughter: A Lament," in *On the Cutting Edge: The Study of Women in Biblical Worlds*, ed. Jane Schaberg, Alice Bach and Esther Fuchs (New York: Continuum, 2004), 240.

<sup>2</sup> For example, a recent popular publication entitled *Lost Women of the Bible* fails to mention any of the daughters studied in this thesis. Carolyn Custis James, *Lost Women of the Bible* (Grand Rapids, Mi.: Zondervan Publishers, 2005). Not only are the *b'tuloth* stories lost to the general public, they are even ignored in a book with this title. Jephthah's daughter is even overlooked by some Jewish scholars. For example, Abraham Malamat devotes sixteen pages to Jephthah's exploits without one word about the judge's daughter. Abraham Malamat, "The Period of the Judges." *The World History of the Jewish People: First Series: Ancient Times* (Israel: Jewish History Publications Ltd.; [New Brunswick], Rutgers University Press, 1971), 3:156-61.

12:7).<sup>3</sup> The significance of Judges 11 lies in its ‘status’ as the sole biblical story about an Israelite sacrificing a human being. In 1984, Phyllis Trible, almost certainly the first feminist to focus feminist scholarly attention on Jephthah’s daughter, remarks that “throughout centuries patriarchal hermeneutics has forgotten the daughter of Jephthah but remembered her father, indeed exalted him.”<sup>4</sup> Although literature on this topic - particularly feminist literature - has grown over the last twenty five years, interest is still confined to academic spheres. According to Rabbi Dr. Patricia Kopstein, “It sure is a tiny forgotten footnote in our history.”<sup>5</sup>

While Jephthah’s story begins at Judges 10:6 and finishes with his death at Judges 12:7, the verses selected for this analysis (vss. 29-40) focus on the scenes of Jephthah’s judgeship which are pertinent to the judge’s relationship with his daughter.<sup>6</sup> Within this pericope are at least two strands of narrative which various scholars believe were originally women’s oral traditions based on the events surrounding the sacrificial death of Jephthah’s daughter.<sup>7</sup> The following analysis

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<sup>3</sup> David Marcus, *Jephthah and his Vow* (Lubbock, Tx.; Texas Technical University Press, 1986), 7. Marcus refers to the work of Wilbur Owen Sypherd who, in 1948, compiled a list from medieval times to the mid-twentieth century of 300 literary works pertaining to the Jephthah story.

<sup>4</sup> Trible, *Texts of Terror*, 80.

<sup>5</sup> Rabbi Dr. Patricia Kopstein <[bshalom@bshalomadel.com](mailto:bshalom@bshalomadel.com)> “Re Jephthah’s Daughter” [e-mail to] <Rev Dr Anna Grant-Henderson> <[gran0096@flinders.edu.au](mailto:gran0096@flinders.edu.au)>, October 2005. Permission to use granted.

<sup>6</sup> Since the Hebrew Bible’s unmarried daughters are the primary protagonists in this thesis, only the section of Jephthah’s narrative pertaining to his daughter (Judg. 11:29-40) will be analysed.

<sup>7</sup> van Dijk-Hemmes, “Traces,” 88-90; J. Cheryl Exum, *Tragedy and Biblical Narrative* (Cambridge: Cambridge University Press, 1993), 61; Miriam Therese Winter, *Woman Witness: A Feminist Lectionary and Psalter* (North Blackburn, Vic.: Collins Dove, 1992), 238; Israel

aims to examine the plot, patterns and people for clues to the origins, nature and purpose of what may be the story's layers of tradition, and to review it through a feminist lens.

## **Narrative Analysis<sup>8</sup>**

### **Narrative Context**

The book of Judges records Israel's traditions of the period between the settlement of Canaan and the advent of the monarchy. The narrator documents the spiritual, social and moral decline of Israel during the period of the judges, and in so doing implies that the decline is caused by Israel's repeated apostasy (e.g. Judg. 2:10, 13; 3:12) and intermittent and increasingly inadequate leadership (e.g. Judg. 17:6; 21:25). The narrator outlines an established pattern of events in which Israel turns from YHWH to worship foreign gods, suffers oppression from another nation, and then cries to YHWH for deliverance. YHWH responds by sending a judge to rescue his people: twelve judges in all, including one woman. Jephthah is Israel's eighth judge, and is listed, along with Ehud, Deborah, Gideon, Samson and Samuel, as one of Israel's 'major' judges.<sup>9</sup>

The immediate narrative context of the story of Jephthah begins in Judges 10:6-18. After Israel has suffered eighteen years of Ammonite subjugation (Judg.

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Mehlman, "Jephthah's Daughter," in *Jewish Bible Quarterly* 25, no. 2 (1997): 77-78. Mehlman, however, does not name these oral traditions as women's traditions.

<sup>8</sup> For a semi-literal translation of the pericope, see "Appendix 6," pp. 502-504.

<sup>9</sup> C. F. Kraft, "Judges, Book of" in *The Interpreter's Dictionary of the Bible* (Nashville, Tn.: Abingdon Press, 1962), 2:1016. Kraft, however, does not mention that Samuel is a judge.

10:14), YHWH - who is tired of the cycle of apostasy - finally relents (literally, “becomes impatient” (*qatsar* קצר)) over Israel’s misery, and Jephthah is appointed judge.

Having explained the background, the narrator provides a brief history of Jephthah’s life up to the time his fellow Gileadites call him to lead them (Judg. 11:1-11). At an early stage in his life, Jephthah, the son of Gilead<sup>10</sup> and a “prostitute” (*zonah* זונה),<sup>11</sup> is ostracised from his father’s house, stripped of his *nachalah* by his half-brothers and learns to survive as an outlaw. Living in the land of Tob, Jephthah gathers a band of ruffians, becomes a raider and is known as a “mighty warrior” (*gibbor chayil* גבור חיל) (Judg. 11:1a) before being called to lead the Gileadite army against the Ammonites. He settles on terms to secure his appointment as army commander and, if victorious against the Ammonites, as ruler (*ro’sh* ראש) of Gilead. The deal is sealed at an oath ceremony “before the Lord at Mizpah” (Judg. 11:11c). Judges 11:12-28 presents Jephthah’s eloquent speech to the Ammonites in which he reveals his excellent grasp of Israel’s

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<sup>10</sup> Tribble follows Robert Boling in surmising that Jephthah’s father is unknown and that he is simply known as a “son” of the district of Gilead. Tribble, *Texts of Terror*, 68; Robert G. Boling, *Judges* (Garden City: N.Y.: Doubleday & Co. Inc., 1975), 197. Yet it is just as likely that his father was named Gilead after his ancestor Gilead, the grandson of Manasseh (Num. 26:29).

<sup>11</sup> *Zonah* does not necessarily mean “prostitute” for it is often used simply to distinguish a secondary wife from the wife who is mother of the household. Matthews and Benjamin, *Social World*, 14. Because Gilead is known to be Jephthah’s father (contra Tribble and Boling fn.10), and because a prostitute is unlikely to be able to identify her child’s father, perhaps *zonah* is used primarily to insult Jephthah’s mother. Mieke Bal, *Death and Dissymmetry, the Politics of Coherence in the Book of Judges* (Chicago, Il.: University of Chicago Press, 1988), 112. Note that Josephus simply refers to Jephthah’s mother as “a strange mother.” Josephus *Antiquities* (trans. Whiston) 5.7.8.

history and YHWH's role in the establishment of the Israelite nation.<sup>12</sup> This attempt to resolve tensions via diplomacy fails, and once again the Israelites prepare for war.

After making a vow to YHWH to increase his chances of victory, Jephthah defeats the Ammonites and sacrifices his daughter in fulfilment of the vow. The Ephraimites - angry over their exclusion from the war - threaten to burn down the judge's house,<sup>13</sup> but Jephthah crushes them in what is Israel's first civil war (Judg. 12:1-6). A coda states that Jephthah dies and is buried in Gilead after a judgeship of six years (Judg. 12:7).

### Story Outline

#### Act 1: Jephthah's Vow and Victory in Battle

<u>Setting:</u>	The districts of Gilead and Manasseh; Mizpah; Ammon	
<u>Time:</u>	Unknown length of time during Jephthah's judgeship	
<u>Catalyst:</u>	Jephthah receives the Spirit of YHWH	
<u>Response:</u>	Jephthah travels through to Ammon	(vs. 29)
<u>Complication:</u>	Jephthah vows that he will sacrifice the first "one" emerging from his house to greet him if YHWH gives him victory over the Ammonites	(vss. 30-31)
<u>Resolution:</u>	YHWH gives Jephthah's army victory in Ammon	(vss. 32-33)

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<sup>12</sup> Adrien Janis Bledstein, "Is Judges a Woman's Satire of Men Who Play God?" in *A Feminist Companion to Judges*, ed. Athalya Brenner (Sheffield: Sheffield Academic Press, 1991), 45.

<sup>13</sup> Ironically, since Jephthah's only child has been burned as a sacrifice, he has no more "house" to burn. Exum, *Tragedy*, 53.

## Act 2: Jephthah Returns Home to Fulfil His Vow

<u>Setting:</u>	Mizpah; the mountains; Mizpah	
<u>Time:</u>	Two months during Jephthah's judgeship	
<u>Catalyst:</u>	Jephthah arrives at his house in Mizpah	
<u>Response:</u>	Jephthah's daughter is the first to greet him	(vs. 34)
	Jephthah blames her, but cannot revoke his vow	
	His daughter agrees that he must sacrifice her	(vss. 35-36)
<u>Complication:</u>	Jephthah's daughter asks for a two month reprieve	(vs. 37)
<u>Response:</u>	Jephthah gives his permission, and his daughter	
	retreats to the mountains with her friends	(vs. 38)
<u>Resolution:</u>	The daughter returns, and Jephthah fulfils his vow	(vs. 39)
<u>Coda:</u>	Yearly Israel's women "recount" Jephthah's daughter	(vs. 40)

### **Plot Analysis**

#### **Setting**

#### ***Spatial Setting***

Every scene in this story takes place in the open countryside which in ancient times is regarded as a zone of danger.<sup>14</sup> Indeed, the countryside is dangerous for Jephthah as he wages war, and his daughter's life is placed in peril as soon as she steps outdoors from her home in Mizpah, a marginal place between the lands of Israel and Ammon.<sup>15</sup> Leaving Mizpah for two months, the daughter and her women companions (*re'yoth* רעיות) retreat to the mountains which become a place of temporary refuge for the doomed *b<sup>e</sup>tulah*.

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<sup>14</sup> Fields, *Sodom and Gomorrah*, 88, 93, 99.

<sup>15</sup> Exum, *Tragedy*, 62.

This tale of a father and his daughter is marked by almost constant movement.<sup>16</sup>

The opening verses map a number of changes in location as Jephthah “passes through” (*abar* עבר) Gilead and Manasseh in the region of the River Jordan.

From there, presumably with the troops he has gathered, Jephthah moves to Mizpah where he has made all his speeches “before the Lord” (Judg. 11:9-27, 30-31, 35), and from there into the land of the Ammonites in the south east.

The ensuing war takes the judge to various locations within the land of Ammon where he slaughters his enemies in a series of battles. Afterwards Jephthah returns “in peace” (*beshalom* בשלום) (vs. 31d) to his home at Mizpah. Any hope of peace, however, is destroyed when his daughter dances out of his house in welcome. As father and daughter come and go, Mizpah emerges as the narrative’s pivotal location: the scene of declarations, distress, discourse and finally, death. It is clear that the narrator uses Mizpah’s liminal position to accentuate the uncertain social status of Jephthah and his *b’tulah*.

### ***Temporal Setting***

The key scene in which father and daughter meet takes place over a short period of one day, while the narrative’s only specified unit of time is the two month period during which Jephthah’s daughter is in the mountains. The Coda of Act Two reports the inauguration of an ongoing annual women’s four-day ritual

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<sup>16</sup> See “Contrasts,” p. 295.

following Jephthah's sacrifice of his daughter, but it does not indicate when the yearly event eventually ceases.

### ***Social Setting***

Since YHWH is again reconciled with Israel, the clans of Gilead are now in a position to confront their oppressors, the Ammonites. Jephthah has been endorsed as Gilead's defence chief, but after his failed effort at diplomacy, war seems inevitable. His agreement with the Gileadites means that without success in battle, Jephthah once again would be without legal rights, without a position or property and without honour. Socially the defeated leader would return to the status of *ger* and his daughter's marriage prospects would be reduced.<sup>17</sup> Although the narrator does not give a reason, Jephthah's vow to YHWH in pursuit of victory may be due primarily to these fears.

Meanwhile the daughter of the newly-appointed judge has women friends in the community, but if her father were to fail in his mission her social position would be jeopardised. Therefore, for the Gileadites and for Jephthah's family in particular, much hangs on the outcome of the war. Triumphantly for Gilead the war is won, but disaster awaits the judge and his daughter. When the conquering hero returns to his house in Mizpah the terrible terms of his vow to YHWH condemn him to slaughter his only child, thereby losing his family and all hope of

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<sup>17</sup> Richard E. DeMaris and Carolyn S. Leeb, "Judges – (Dis)Honor and Ritual Enactment: The Jephthah Story: Judges 10:16-12:1," in *Ancient Israel: The Old Testament in its Social Context*, ed. Philip F. Esler (London: SCM Press, 2005), 186.



*toledoth*. In carrying out this deed, Jephthah emerges as yet another leader whose judgement is demonstrably flawed. He too, contributes to the narrator's view that during the pre-monarchic period Israelite society slips into ever-deepening waters.

### **Events**

The story of Jephthah's daughter is a deeply disturbing legend.<sup>18</sup> After eighteen years of Ammonite oppression, the king of Ammon rejects Jephthah's diplomatic attempts to negotiate a peace settlement. Jephthah now faces war and the test of his reputation as a mighty warrior (Judg. 11:1a). The catalyst for military action comes with the pericope's opening words, "There came upon Jephthah the Spirit of YHWH" (literally "was upon" *qal* imperf. 3fs of *hayah 'al* היה על) (vs. 29a).

Apart from witnessing the legal agreement between the Gileadites and their new leader, this is the first time that YHWH takes an active role in Jephthah's story.

As on other occasions during the period of the Judges, the Spirit of YHWH presumably "establishes divine sanction for events that follow and forecasts a successful outcome."<sup>19</sup>

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<sup>18</sup> See discussion about traditional material in "Retrieval," pp. 340-45.

<sup>19</sup> Phyllis Tribble, "Jephthah," in *The New Interpreter's Dictionary of the Bible* (Nashville, Tn.: Abingdon Press, 2008), 3:216. Contra Tribble, DeMaris and Leeb brush aside the significance of the coming of YHWH's Spirit: "Yahweh, who controls the outcome of the battle, has promised nothing." DeMaris and Leeb, "Judges," 187. Admittedly there is ambiguity regarding the bestowal of YHWH's Spirit on some judges (e.g. Samson in Judges 13:25a), so it is reasonable to respond cautiously to Tribble's assertion.

So Jephthah acts. Presumably to mobilise troops and reinforce the men's commitment to YHWH,<sup>20</sup> Jephthah travels through Gilead, Manasseh and back to Mizpah. The kernel event<sup>21</sup> of the pericope's war narrative is a complication to the plot. In his only attempt to communicate with his God,<sup>22</sup> Jephthah makes a binding vow that if victorious over the Ammonites he will make a burnt offering ('*olah* עלה) to YHWH of "the one coming out" (*qal* perf. 3ms of *hayah* היה; active participle of *yatsa'* יצא) of the house to meet him on his return (vs. 31a-b).<sup>23</sup> Jephthah's avowal - pivotal to the story - has a profound impact on his relationship with YHWH and a deadly impact on his relationship with his only child.

As Jephthah goes to war YHWH ensures that the judge wins it "with a very great slaughter" (vs. 33e). In the pericope's second kernel event,<sup>24</sup> the most detailed in the narrative, Jephthah's triumphant return to Mizpah is shattered by grief when his daughter leads a women's celebratory ritual to welcome home the victorious warrior with music and dancing.<sup>25</sup> The words of her song are wiped out by the narrator's grim aside: "And only she, she alone; he had no other son or daughter"

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<sup>20</sup> Barry G. Webb, *The Book of Judges: An Integrated Reading* (Sheffield: Sheffield Academic Press, 1987), 62.

<sup>21</sup> See "Structure," p. 283-84, and "Suspicion," 323.

<sup>22</sup> Webb, *Judges*, 66.

<sup>23</sup> "The one coming out" in Jephthah's vow is masculine and therefore generic. His promise to sacrifice "the one" (vs. 31a) is non-specific, so it could mean any being which can move.

<sup>24</sup> See "Structure," p. 283-84, and "Suspicion," 323.

<sup>25</sup> Although the narrative does not mention other women taking part in the ritual, it is probable that they did, for similar rituals are mentioned in Exodus 15:20-21 and 1 Samuel 18:6. "It may have been customary for women to celebrate military success in such a manner" Exum, *Fragmented Women*, 30; Beth Gerstein, "A Ritual Processed: A Look at Judges 11:40," in *Anti-Covenant: Counter-Reading Women's Lives in the Hebrew Bible*, ed. Mieke Bal. Sheffield: Almond Press, 1989, 175-76. Victor Turner writes about rituals as "social dramas" which have the three stages of separation (detachment from everyday events), liminality (a different and ambiguous state in which boundaries have been crossed), and reincorporation (the consummation of the process). Turner, *Ritual Process*, 80.

(vs. 34d).<sup>26</sup> Jephthah's shocked reaction implies that his daughter's emergence from his house is either anticipated with great dread or totally unexpected.

The ensuing dialogue between Jephthah and his daughter reveals Jephthah's horror as he pours his distress and anger onto the *b<sup>e</sup>tulah*. She calmly reminds her father that it is he who made the vow to YHWH, that YHWH did fulfil his part of the vow, and that the vow must be fulfilled. Having accepted her fate, Jephthah's daughter introduces a complication: she requests - and Jephthah grants to her - a two month reprieve with her friends to attend what may have been a coming-of-age ritual for girls who have reached menarche and readiness for marriage (*b<sup>e</sup>tuliyim* בְּתוּלִיִּים).<sup>27</sup> It is possible that there the girls mourn the loss of childhood before facing the uncertainties of marriage and childbirth to come.<sup>28</sup> Jephthah's daughter also has another deeply compelling reason to lament, for she is to die without fulfilling her potential as a sexually mature woman.

The daughter returns to her father as promised and at the appointed time. The final event in the life of Jephthah's daughter is her death as Jephthah's *'olah* to

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<sup>26</sup> According to van Dijk-Hemmes, the muting of the daughter's song portends the muting of her voice in her soon-to-be-executed sacrificial death. Van Dijk-Hemmes, "Traces," 37-38.

<sup>27</sup> Barbara Miller, *Tell it on the Mountain: The Daughter of Jephthah in Judges 11* (Collegeville, Mn.: Liturgical Press, 2005), 86-87; Bird, *Missing Persons*, 119 n. 43.. See also "Retrieval," pp. 342-43. In this context, *b<sup>e</sup>tuliyim* (בְּתוּלִיִּים) is translated as "nubility" or "readiness for marriage." J. Cheryl Exum, "Feminist Criticism: Whose Interests are Being Served?" in *Judges and Method: New Approaches in Biblical Studies*, ed. Gale A. Yee (Minneapolis, Mn: Fortress Press), 75; See discussion on *b<sup>e</sup>tulah* in the "Introduction" pp. 7-8, fn. 17.

<sup>28</sup> DeMaris and Leeb, "Judges," 187; Peggy L. Day, "From the Child is Born the Woman: The Story of Jephthah's Daughter," *Gender and Difference in Ancient Israel*, ed. Peggy L. Day (Minneapolis, Mn.: Fortress Press, 1989), 66.

YHWH. An *'olah* is the only Israelite sacrifice - usually an unblemished ram or bull - which is totally burned to ash as an offering or gift to the deity.<sup>29</sup> Jephthah vows to offer the *'olah*, and as the most radical of all sacrifices it is a sign of his wish to make a “total consecration to the service of God.”<sup>30</sup> Jacob Milgrom describes the *'olah* as “all encompassing: it answers to all the emotional needs of the worshipper.”<sup>31</sup>

The narrator’s report of the sacrifice itself is not easy to describe because the audience is told simply that Jephthah fulfilled his part of the vow. Indeed, the *'olah* is described so briefly and euphemistically that it appears scarcely an event at all.<sup>32</sup> Structurally, however, the human sacrifice is underscored by the women’s rituals of celebration, lament and remembrance surrounding it.<sup>33</sup>

What is not glossed over is the young girl’s status as a virgin expressed in the text as “she had not known a man” (vs. 39c). Although no definitive answers are possible, Bal proposes that this otherwise puzzling aside by the narrator is because Jephthah is offering his virgin daughter to YHWH who, as the military

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<sup>29</sup> Carl Schultz, “Olah” in *Theological Wordbook of the Old Testament* ed. R. Laird Harris et al. (Chicago, Il.: Moody Press, 1980), 2:557.

<sup>30</sup> The *'olah* is also a means of expiating a wide range of sins. Gordon J. Wenham, *Sacrifice in the Bible*, ed. Roger T. Beckwith and Martin J. Selman (Grand Rapids, Mi.: Baker Book House, 1995), 84; Bal, *Death*, 96.

<sup>31</sup> Jacob Milgrom, “Sacrifice and Offerings, Old Testament,” in *The Interpreter’s Dictionary of the Bible* (Nashville, Tn.: Abingdon Press, 1962), supp. vol.:769.

<sup>32</sup> Anne Michelle Tapp, “An Ideology of Expendability: Virgin Daughter Sacrifice in Genesis 19:1-11, Judges 11:30-39 and 19:22-26,” in *Anti-Covenant: Counter Reading Women’s Lives in the Hebrew Bible*, ed. Mieke Bal (Sheffield: Almond Press, 1989), 158. See “Ambiguity,” p. 297.

<sup>33</sup> See “Structure,” p. 284.

victor, “is entitled to the chief’s daughter as a bride.”<sup>34</sup> Other possible reasons for the focus on Jephthah’s daughter’s virginity may be that either the narrator is associating the sacrifice with the Levitical law that only an unblemished ‘*olah* can be made to YHWH (Lev. 9:2-3),<sup>35</sup> or he is connecting the sacrifice to the daughter’s retreat at which she ritually mourns the loss of her *b<sup>e</sup>tuliyim* and her future as a sexual being (vss. 37-39). These suppositions cannot be resolved until more is known about ancient Israelite practices. However, a primary purpose of the narrator is to record Israel’s descent into near anarchy during the time of the judges, and the use of ambiguity appears to be one way in which he exemplifies the confusion prevailing at that time.<sup>36</sup>

The narrator adds a coda, indicating that this ‘*olah* has significance for the women of Israel: in an annual four-day ritual or memorial the women “recount” (*tanah* נָחַת) (Jephthah’s daughter (vs. 40c)).<sup>37</sup> The women do not allow her death to pass un-marked, and she becomes an Israelite custom (*choq* חֹק).<sup>38</sup>

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<sup>34</sup> Bal, “Dealing,” 320. Apparently a virgin is the appropriate gift: it would not do to give a non-virgin to a war hero. In Judges 1:12-13, Caleb gives his daughter Achsar to Othniel as reward for the latter’s victory over Debir.

<sup>35</sup> Exum, “On Judges 11,” 142.

<sup>36</sup> See “Ambiguity,” pp. 296-99.

<sup>37</sup> According to Alicia Ostriker, the Coda contains “the earliest example in recorded history of the fact of women gathered together in an annual ceremony.” Alicia Ostriker, “A Lament,” 231.

<sup>38</sup> See discussion on what is meant by “she became a custom” (vs. 39f) in “Suspicion,” p. 332, and “Retrieval,” 344-45.

### *Narrative Tension and Conflict*

This is an ancient tale about national and personal conflict. For the most part, however, the narrative is too cursory for the audience to become engaged or concerned about the welfare of the warriors and/or the communities which are destroyed in the conflict between Gilead and Ammon. Instead it is Jephthah's vow to YHWH - recorded word for word - which becomes the focus of suspense. If Jephthah is victorious, who will be the victim, "the one coming out" of his house (vs. 31a)? Why does the vow not stipulate who - or what - the judge will offer to God? It is not until the vow's very last word, *'olah*, is uttered that the audience realises just how terrible this offering will be.<sup>39</sup>

The narrator's failure to give a reason for the dangerous wording of the vow is likely to increase audience unease about the outcome of the war and the consequence of Jephthah's promise, for he has staked his entire future upon two equally unacceptable outcomes (Judg. 11:9). Will Jephthah suffer defeat and its associated humiliation, or will he be victorious and be compelled to offer an unknown and possibly unacceptable *'olah*? I concur with DeMaris and Leeb's estimation that Jephthah has not made a rash vow. On the contrary, "It is precisely the *possibility* that his daughter might be the victim that gives honor to Jephthah in making this vow. The costliest sacrifice brings the highest honor."<sup>40</sup>

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<sup>39</sup> Exum, *Tragedy*, 50.

<sup>40</sup> DeMaris and Leeb, "Judges," 184-85. DeMaris and Leeb quote the anthropologist Ahmed Abou-Zeid's observation that in Bedouin society, the greater the danger, the higher the honour. Ahmed Abou-Zeid, "Honor and Shame Among the Bedouins of Egypt," in *Honor and Shame: The Values of Mediterranean Society*, ed. John G. Peristiany (Chicago: University of Chicago

The account of the ensuing war is appropriately brief, but as Jephthah wins battle upon battle and victory draws near, the uncertainty surrounding the outcome of the vow means that a ominous atmosphere is created. Alas, it is the worst possible ending for Jephthah who returns home to be greeted by his daughter - his only child - whose existence hitherto has not been disclosed.

The tension, however, is assuaged by the victim herself. The *b<sup>e</sup>tulah* calms her father with her words of filial duty, she arranges for the sacrifice to be delayed but not overturned, a date is set, and the potential for further disturbance decreases as the girl retreats to the mountains. Yet some apprehension remains: surely there will be a last-minute reprieve as there is for Isaac (Gen. 22:11-12)? When the *b<sup>e</sup>tulah* returns as promised, however, Jephthah fulfils his vow and the hoped-for remission does not transpire. Perhaps the narrator uses this event's contrast with the outcome of Isaac's near sacrifice to remind his audience that this is indeed an increasingly dark period of Israel's history.

### *Narrative Time*

The narrator presents most of the pericope as a summary of events, except for the two pivotal scenes in which Jephthah's vow and the discourse between Jephthah and his daughter slow the narrative pace. In this way the audience is alerted to the portent of the protagonists' words.

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Press, 1966), 243-59. However, a number of scholars view the vow of Jephthah as "rash." Norman K. Gottwald, *The Hebrew Bible: A Socio-literary Introduction* (Philadelphia, Pa.: Fortress, Press, 1985), 237; Matthews, *Judges and Ruth*, 126; Boling, *Judges*, 207; C. Smith, "Challenged," 126. See also "Ambiguity" p. 296, and "Character Portrayal: Jephthah" p.306.

## **Discourse Analysis**

### **Narrative Patterns**

#### ***Structure based on Narrative Content***

Judges 11:29-40 can be structured as two acts, each of which is a chiasm. The first act sketches Jephthah's preparation for war - of which his vow to YHWH is presented as the key moment - and summarises the ensuing battle. The second act records the events which have been set in train by the vow. Overall, the structure highlights the narrative focus on the vow and its outcome.

#### **Act One**

- 1 Report of Jephthah's preparation for war. Jephthah receives the Spirit of YHWH, and travels through Israelite lands to Ammon (vs. 29)
- 2 Jephthah vows that if YHWH gives him victory over Ammon (vs. 30)  
then the one coming out -
- 2<sub>1</sub> whoever comes out from his house to greet him on his victorious return from Ammon will be a burnt offering for YHWH (vs. 31)
- 1<sub>1</sub> Report of Jephthah's battles against Ammon in various places (vss. 32-33a-d)
- Coda: The outcome of the war: the Ammonites are defeated by Jephthah's forces (vs. 33e-f)

#### **Act Two**

- 1 Report of Jephthah's homecoming and his daughter's appearance (vs. 34)
- 2 When he sees her, he tears his clothes and accuses her of bringing him down, for he has opened his mouth to YHWH and is unable repent (vs. 35)
- 2<sub>1</sub> The daughter says that he has opened his mouth to YHWH and that he must do what his words have promised since YHWH has wrought vengeance on Jephthah's enemies. Then she asks for a two month retreat to the mountains with her friends (vss. 36-37)



1<sub>1</sub> Report of Jephthah's daughter's departure from home for the mountains;  
her reappearance in order to be sacrificed as an *'olah* (vss. 38c-39d)  
Coda: The outcome of the sacrifice of Jephthah's daughter: an annual  
women's memorial to her (vs. 40)

In Act One, the structure demonstrates that Gilead's war preparations are interrupted by the central or kernel event in which Jephthah's vow is recorded in direct speech (2 and 2<sub>1</sub>). The narrative then resumes with a summary of Jephthah's battle movements and victories over the Ammonites.

Act Two also begins with a flurry of activity as it tells of Jephthah's coming to Mizpah and his daughter's dancing out of the house to welcome him home. Here the kernel event is the direct discourse between Jephthah and his daughter (2<sub>2</sub> and 2<sub>3</sub>). The dialogue slows the narrative pace and throws into relief the vow's awful consequence. Apart from the tearing of Jephthah's clothes in Act Two, the only movement in the centre of each act is the opening of mouths in speech.<sup>41</sup>

Into the moment of stillness at the centre of Act One, Jephthah utters words of potential destruction of enemy and family. Midpoint in Act Two Jephthah utters words of anguish as he realises the deadly personal consequence of his vow. His two speeches effectively disrupt the narrative flow and thereby emphasise the

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<sup>41</sup> The importance of "opening" is discussed in "Leitworten" p. 286 and "Names," p. 318. Jephthah's cry, "You have truly brought me to my knees" (*hip 'iy*l infinit. absolute of *kara* 'כרע) is probably metaphorical. He is saying that his daughter has caused him to plunge into the depths of misery. See William L. Holladay (ed), *A Concise Hebrew and Aramaic Lexicon of the Old Testament* (Grand Rapids, Mi.: Wm. B. Eerdmans Publishing Company, 1988), 165.

vow and its consequences. In a military narrative the usual climax is the outcome of the battle, but here the making of the vow and its result overwhelm the other events.<sup>42</sup> It is in these pivotal ‘speech-act’ scenes that the fates of Jephthah and his daughter are sealed,<sup>43</sup> and the positioning of the *‘olah* between the two women’s rituals gives it terrible poignancy.

The two codas add finality to each act, setting the story of Jephthah and his daughter into the context of Israel’s history. The Coda of Act One records the consequences of violence for Ammon, while the Coda of Act Two recalls - via a women’s ritual - the consequence of violence upon a young woman of Gilead.

### ***Leitwort***

In the opening paragraph (vs. 29), “pass through” (*‘abar* עבר) is repeated twice and in verse 32 *‘abar* occurs once again as Jephthah begins his campaign to regain from the Ammonites the land which Israel had won from the Amorites three hundred years earlier (Judg. 11:21-26). The repetition of *‘abar* promotes Jephthah as a dynamic warrior through whom the Spirit of YHWH prepares Gilead and Manasseh for war.

Another repeated *Leitwort* is “come out” (*yatsa* יצא). The critical phrase of Jephthah’s vow is “the one coming out who comes out” (participle of *yatsa* ; *qal*

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<sup>42</sup> Webb, *Judges*, 62-63.

<sup>43</sup> “When a narrative event in the Bible seems important, the writer will render it mainly through dialogue.” Alter, *Art*, 182.

imperf. of *yatsa'*) (vs. 31a). This phrase recurs when Jephthah's daughter comes out (participle of *yatsa'*) to greet him (vs. 34b). The word appears once more when the *b<sup>e</sup>tulah* reminds her father that he must honour that which has gone out (*qal* perf. of *yatsa'*) from his mouth (vs. 36b). In this way the double repetition of *yatsa'* - both in the actual vow and in the daughter's reference to the vow – forms an *inclusio* for the daughter's fateful coming out of the house and underscores the deadly significance of her decision.<sup>44</sup>

The *Leitworten* “open” and “mouth” which refer only to Jephthah, along with the *Leitwort* “do,” recur repeatedly in the discourse between Jephthah and his daughter. A step-parallel structure highlights the role played by these words:

- 1 Jephthah admits that he opened his mouth (*ptsh* פָּצַח; *piy* פִּי) to YHWH  
and he cannot take it (the word uttered) back (*shub* שׁוּב) (vs. 35c-d)  
His daughter accepts that he has opened his mouth to YHWH (vs. 36a-c)
- 2 She tells her father to do (*qal* imperat. of '*asah* עָשָׂה) the deed (vs. 36d)
- 1<sub>1</sub> because of the words going out from his mouth ( '*asah* עָשָׂה; *piy* פִּי)(vs.36e)
- 2<sub>1</sub> and because YHWH has done (*qal* perf. of '*asah* עָשָׂה ) for Jephthah  
vengeance on the Ammonites (vs. 36f-h)

In each instance Jephthah opens his mouth to YHWH. Both father and daughter believe that opening one's 'big mouth'<sup>45</sup> to YHWH has irreversible consequences, with the gravity of this acknowledgment evident in the daughter's repetition of

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<sup>44</sup> This matches Dinah's going out (*yatsa'*) from Jacob's house and the deadly consequences of that act (Gen. 34:1, 25-26). The deadly effect of words is also evident in the Gileadites' defeat of the Ephraimites for whom the mispronounced “*Shibboleth*” exposes the identities of thousands of Ephraim's warriors who are duly slaughtered (Judg. 12:5-6). Exum, *Tragedy*, 53.

<sup>45</sup> In the English-speaking world today, to open one's big mouth implies that the words have negative consequences for the speaker, the listener and/or a third person.

“you opened your mouth” (vs. 36a-c) and “what has gone out from your mouth” (vs. 36e).

The connection between *ptsh piy* and *‘asah* is also important because it calls attention to the power of the performative word.<sup>46</sup> The verb “to do” (*asah*) appears four times during and after the encounter between father and daughter. Initially the *b<sup>e</sup>tulah* states that since YHWH has done something for Jephthah, now Jephthah must do something in return – that is, he must perform an *‘olah*. She then asks her father to do something for her by allowing her to retreat to the mountains. At the end of two months she returns to Jephthah, who is then able to “do to her according to his vow” (vs. 39b). An active verb, the daughter uses *‘asah* only in reference to the activities of Jephthah and YHWH. Repeatedly connected through *‘asah*, Jephthah and the deity are the ‘doers’: they have the power to make things happen.

The double repetition of the *Leitwort* “go back” or “repent” (*shub* שׁוּב) has ironic significance. In verse 31c, Jephthah promises to offer up a sacrifice to YHWH on his return (*shub*) if he is given victory in battle. Yet when he arrives home he cries that he cannot take back (*shub*) his vow once he has opened his mouth. After leaving her father for two months, the daughter dutifully returns (*shub*) so that the unreturnable vow is fulfilled.

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<sup>46</sup> See Chapter 1 “Methodology,” p. 20, fn. 20.

In a story in which words are crucial, two significant words at the end of the narrative indicate the reverence shown by the women of Israel towards Jephthah's daughter after her sacrificial death. Through their memorial to her, the *b<sup>e</sup>tulah* herself becomes a "custom" or "statute" (*choq* חוק) in Israel (vs. 39e),<sup>47</sup> and the women's yearly ritual is described in one word: *l<sup>e</sup>tannoth* (*pi'el* infinit. construct of *tanah* תנה) (vs. 40c).<sup>48</sup>

## ***Motif***

### The Motif of the Vow

Judges 11:29-40 appears to have no over-arching theme, but crucial to the direction and outcome of the story is the motif of the sacred vow and the 'awful' power of words.<sup>49</sup> In a tragic tale, an imprudent and unnecessary vow becomes the word of death, a despairing father cries that he cannot return his vow, and a daughter does return because she chooses not to - or cannot - challenge the words that if the war is won the one greeting the victor will be his '*olah*.

The significance of the vow is underscored by its introduction into the text as an intrusion,<sup>50</sup> and by the repetition of the vow's words in the description of Jephthah's victory (vs. 32c). "Once the vow is introduced it takes over, as it were,

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<sup>47</sup> For discussion on *choq*, see "Suspicion," p. 332, and "Retrieval," p. 344-45.

<sup>48</sup> The only other instance of *tanah* in the Hebrew Bible is in the ancient (dated at about 1125 BCE) song of Deborah in which the Israelites "recount (*tanah* תנה) the acts/triumphs of YHWH" in battle (Judg. 5:11). Judges 11:40 has the infinit. construct of *tanah* (*l<sup>e</sup>tannoth* לתנות).

<sup>49</sup> Exum discusses "the awful and sustaining power of words," in reference to Jephthah's vow. Exum, *Tragedy*, 60-61.

<sup>50</sup> See "Structure" pp. 283-84.

dominating the episode and subordinating to itself material which would otherwise have been climactic in its own right.”<sup>51</sup>

Invested in the vow is the belief that it has a power which overrides all other moral, intellectual and spiritual considerations. According to L. J. Coppes, when *nadir* (נָדַר) and *neder* (נִדֵּר) are used together (“he vowed a vow”) it means that a person who swears to God with an oath is bound to the words of that oath.<sup>52</sup> Given Jephthah’s life experience there is good reason to believe his vow is a carefully crafted piece of rhetoric.<sup>53</sup>

The judge and his daughter evidently believe that this vow to YHWH is irrevocable and cannot be subverted or circumvented by anyone or anything.<sup>54</sup> Once made it is sacrosanct; even the life of an only beloved child who has not yet fulfilled her life’s purpose is forfeit to the vow.<sup>55</sup> Also forfeit is Jephthah’s house: his *toledoth* is sacrificed for what the judge perceives to be a greater cause.<sup>56</sup>

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<sup>51</sup> Webb, *Judges*, 63.

<sup>52</sup> L. J. Coppes, “*ndr*,” in *Theological Wordbook of the Old Testament*, ed. R. Laird Harris et al. (Chicago, IL: Moody Press, 1980), 2:557. This exemplifies the notion of the “performative word,” see Chapter 1 “Methodology,” p. 20, fn. 20. Like Jephthah, Jacob (Gen. 28:20-22) and Absalom (2 Sam. 15:7-11) also use the “sacred institution of the vow to further their own interests.” Tony W. Cartledge, *1 & 2 Samuel* (Macon, Ga: Smith & Helwys, 2001), 562.

<sup>53</sup> See “Narrative Tension and Conflict,” p. 281, “Ambiguity,” p. 296, and “Jephthah,” p. 306.

<sup>54</sup> This belief is also evident in Saul and Jonathon’s reaction when they discover that Jonathon - like Jephthah’s daughter - has become entangled with the stipulations of his father’s vow (1 Sam. 14:44).

<sup>55</sup> A. C. Thiselton, “The Supposed Power of Words in the Biblical Writings,” *Journal of Theological Studies* 25 (1974): 293-96.

<sup>56</sup> Bal, *Death*, 172.

The Torah gives various instructions and warnings about vows made to YHWH (e.g. Num. 30:2; Deut. 23:21), while other biblical texts also underscore the serious nature of a vow to God (e.g. Ps. 66:13-14; Eccles. 5:4-5). The vow becomes binding when its intention is expressed in words, because “to the Israelite a word is...a reality that has an existence of its own, a ‘word-thing.’”<sup>57</sup> The word becomes holy when the vow is directed to YHWH, so the breaking of this performative word becomes an act of desecration.

Although Numbers 30: 3-16 announces that a man can nullify his wife or daughter’s vow if he chooses, Numbers 30:2 forbids a man from nullifying his own vow. Yet Leviticus 27:1-8 states that a vow to the deity can be redeemed via a monetary payment,<sup>58</sup> an alternative which is apparently unknown to Jephthah and his daughter.

Jephthah’s vow with its “useless and destructive words”<sup>59</sup> is indeed shocking. A few commentators suppose that Jephthah means that “the one coming out” would be an animal,<sup>60</sup> but if the animal were to be unclean (e.g. a dog) the sacrifice

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<sup>57</sup> A. Noordtzijs, *Numbers*, trans. Ed van der Maas (Grand Rapids, Mi.: Zondervan Publishing House, 1983), 267.

<sup>58</sup> For a man between twenty and sixty years of age the vow’s redemption costs fifty sanctuary shekels (Lev. 27:2).

<sup>59</sup> Exum, *Tragedy*, 62. The vow is unnecessary because Jephthah already has the gift of YHWH’s Spirit. Tribble, “Jephthah,” 216. See also, “Character Portrayal: Jephthah,” p. 306.

<sup>60</sup> Boling, *Judges*, 208-209. This is also Harry Wendt’s comment in a video presentation on Chapter 15 of *See Through the Scriptures*. Harry Wendt, *See Through the Scriptures* (Minneapolis, Mn.: Crossways International, 2003). However, Victor Matthews believes that Jephthah is influenced by Canaanite practices. “It seems quite clear from the text that his intent was to make a human not an animal sacrifice.” Victor H. Matthews, *Judges and Ruth* (Cambridge: Cambridge University Press, 2004), 125-26; Jione Havea, *Ellusions of Control: Biblical Law on the Words of Women* (Atlanta: Society of Biblical Literature, 2003), 102.

would be unacceptable to YHWH.<sup>61</sup> Moreover, the word “to greet,” “call,” or “summon” (*qal* infinit. construct of *qara* ’קרא) invariably applies to people.<sup>62</sup> Yet YHWH’s repeated decrees against human sacrifice (e.g. Lev. 20:2; Deut. 12:31) mean that the deity views the *’olah* of a human being as abhorrent and sacrilegious.<sup>63</sup> Is this a cautionary tale about opening one’s mouth to the deity whose ways are not human ways? Or is the story an extreme example of human fallibility? Perhaps it is both.<sup>64</sup>

### The Motif of Death

Although the word “death” (*maveth* מוֹת) does not appear in the narrative, nevertheless death touches every scene: from Gilead’s preparation for war, Jephthah’s vow to offer a sacrifice, the narrator’s summary of “a very great slaughter” in a series of battles (vs. 33c), the deadly topic of Jephthah’s conversation with his daughter which reveals that they both regard her untimely

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<sup>61</sup> “Based on purity laws,” the rabbis (*Gen. R.* 60.3; *Num. R.* 37.4) do not believe that Jephthah would risk sacrificing an unclean animal. “What if the ‘one coming forth’ had been a camel, a donkey, or a dog.” Exum, “Judges 11,” 142. Instructions regarding the kinds of animal acceptable for sacrifice are detailed in Leviticus 9:1-4, and unclean animals are listed in Leviticus 11. In Pseudo-Philo’s *midrash* of Jephthah, the Lord is angry that Jephthah’s vow could lead to the offering of a dog. To punish the judge, the Lord says, “Now let the vow of Jephthah be upon his firstborn.” Pseudo-Philo, *Antiquities* (trans. James) 39.11. If this is a correct interpretation of Pseudo-Philo, it is appalling that he thinks that if Jephthah’s vow makes it possible to sacrifice an unclean animal to God his punishment should be to sacrifice his child.

<sup>62</sup> Holladay, *Hebrew and Aramaic Lexicon*, 323.

<sup>63</sup> “The practice of human sacrifice and of ritual mourning for the dead reflect the strong influence of Canaanite religious practices upon early Israel.” Leslie Hoppe, *Joshua, Judges: with an Excursus on Charismatic Leadership in Israel* (Wilmington, De.: Michael Glazier), 1982), 174. Josephus states categorically that this sacrifice is not acceptable to God. Josephus *Antiquities* (trans. Whiston) 5.7.10. Matthews interprets God’s non-intervention as censure of Jephthah whose folly inevitably causes his family’s suffering. Matthews, *Judges and Ruth*, 124. So too Rabbi Dr. Patricia Kopstein <[bshalom@bshalomadel.com](mailto:bshalom@bshalomadel.com)> “Re: A Request” [e-mail to] <Margaret Hunt> <[jhunt@senet.com.au](mailto:jhunt@senet.com.au)> 29 January 2006. Rabbi Kopstein states, “In Judaism the commentary on Jephthah’s daughter is a stern condemnation of the father.”

<sup>64</sup> See discussion, “Character Portrayal: Jephthah,” pp.306-10, and “Suspicion,” pp. 323-25



death as inescapable, her period of lament for the ‘demise’ of her *b<sup>e</sup>tuliyim*, to the fulfilment of the vow. When the dread moment arrives the daughter’s fiery death is confined to the terse: “He did to her his vow which he had vowed” (11:39b). Even during a period of Israel’s history which is awash with killings, this death is too terrible to describe.

### The Motif of Relationships

This motif is linked with the book of Judges’ overall purpose of illustrating Israel’s slide into anarchy and apostasy with tales of destructive relationships.<sup>65</sup> In Jephthah’s story, the sacred vow profoundly affects the relationship between Jephthah and YHWH and it extinguishes Jephthah’s relationship with his daughter.

At the outset there is evidence of a positive relationship between YHWH and the judge, for the Spirit of YHWH comes upon Jephthah. Coupled with the Gileadite leaders’ belief that Jephthah has the skill to command the Israelite army, the deity’s gift seems more than enough to ensure victory.<sup>66</sup> Yet Jephthah decides that he must make a dangerous vow as extra insurance against failure. Jephthah’s assumption is that the relationship between him and his God is predicated on bartering words for an exchange of ‘benefits.’ Human sacrifice is the judge’s

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<sup>65</sup> Examples of other destructive relationships depicted in Judges are: Samson and his women in Chapters 15 and 16, and the Levite and his concubine in Chapter 19.

<sup>66</sup> The Israelites, having repented of their apostasy, are again serving YHWH (Judg. 10:15-16). Although YHWH still feels impatient - or irritated (*qatsar* קצר) - with them, he supports their cause by blessing Jephthah with his Spirit.

signal to YHWH that he is willing to give whatever it takes to gain divine favour.<sup>67</sup>

The conversation between Jephthah and his daughter after he returns from battle discloses a number of ambiguities and complexities in this relationship.

Jephthah's agonised cry on discovering that his daughter- rather than someone else - is destined for the sacrificial altar implies that father and daughter have emotional ties. Yet this closeness does not extend to finding a way to circumvent the terms of the vow. Perhaps Jephthah's fear of dishonour and/or death if he fails to fulfil his vow - as ruled in Deuteronomy 23:21, 23 - overrides all other considerations such as his duty of care for his daughter, his paternal attachment and the knowledge that this action will erase his family line.<sup>68</sup> Unlike his ancestor Abraham, whose robust relationship with YHWH means that he feels confident enough to argue with God to save Sodom if there are but ten righteous people there (Gen. 18: 23-32), Jephthah says and does nothing to find a way to avoid making the avowed sacrifice.<sup>69</sup> He chooses instead to kill his own child and to

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<sup>67</sup> There has long been scholarly contention regarding the origins and purpose of sacrifice in "primitive religion." René Girard is drawn to the hypothesis that "the objective of ritual is the proper re-enactment of the surrogate-victim mechanism [and that] its function is to...keep violence *outside* the community." René Girard, *Violence and the Sacred*, trans. Patrick Gregory (Baltimore, Md.: The Johns Hopkins University Press, 1979), 92. Based on Victor Turner's study of rituals Gerstein has another view regarding the sacrifice. She sees Jephthah's sacrificial ritual as his means of raising his status "to become endowed with additional power to deal with his new position (that of judge and leader)." This means that he must first have his status reversed and stripped, and that is achieved via the death of his only child. Gerstein, "Ritual," 183. Gerstein may have a valid point, but her argument does not account for Jephthah's apparent shock when he realises that he will have to sacrifice his daughter rather than someone else.

<sup>68</sup> DeMaris and Leeb, "Judges," 188.

<sup>69</sup> To be fair, Abraham does not argue with YHWH about the sacrifice of his son either, but admittedly the circumstances in Genesis 22 are different: YHWH is testing Abraham's faith.

take the enormous risk of offending his God.<sup>70</sup> This is a man who may have been a successful warrior, but who nevertheless makes a vow which has the potential to destroy his family and *toledoth*.

Remarkably, Jephthah's daughter insists that he must keep intact his connection with YHWH even though it means the destruction of their family when she dies. It also appears that she has learned from Jephthah the skill of bargaining in relationships, for while she is portrayed as the obedient child who acquiesces to the terms of a paternal vow, she nonetheless negotiates a two-month retreat away from her father. While the *b<sup>e</sup>tulah* deepens her relationship with her friends with these arrangements, she creates spatial distance between herself and her father before the day of the sacrifice when all her relationships cease. What happens subsequently to Jephthah's relationship with YHWH is less clear, although Jephthah - ostensibly without any further consultation with God - does win an inter-tribal battle against the Ephraimites (Judg. 12:4-6).<sup>71</sup>

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<sup>70</sup> For YHWH's abhorrence of human sacrifice, see "The Motif of the Vow," p. 291, fn. 61, and "Irony," p. 302, fn. 102.

<sup>71</sup> After Jephthah sacrifices to his God, Jephthah refers once to YHWH in his speech to the Ephraimite soldiers (Judg. 12:3b). The deity, however, remains silent, even when 42,000 Ephraimites are slaughtered by their tribal kin, the Gileadites (Judg. 12:5-6).

### ***Contrasts***

The most marked contrast in this narrative is between father and daughter and the support they receive. Jephthah is portrayed as a friendless and isolated man, whereas his daughter has women companions in life and to mourn her death.<sup>72</sup>

The other disparities are connected with movement and sound. Jephthah's constant movement as he prepares for and then wages war contrasts markedly with the pivotal event in which he stops to make his vow to YHWH.<sup>73</sup> Like Jephthah, YHWH is active in Act One, but in the second act YHWH is absent and Jephthah's activity is confined to his return to Mizpah and later to his offering of the *'olah*. In contrast, his daughter is on the move in Act Two, dancing out of the house to meet the war hero before travelling to the mountains and back again.

The narrative of Judges 11:29-40 also moves disquietingly between words and soundless-ness,<sup>74</sup> from Jephthah's unwise words of the vow to YHWH's silence, to the daughter's surprising words of advice, to her two months of lamentation, and from there to Jephthah's wordless act which silences his daughter forever. On that dark day there are no voices at all. Yet flowing from this unspeakable event are the voices of Israel's women as they "re-count the daughter of Jephthah the Gileadite" (vs. 40b-c).

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<sup>72</sup> Exum, *Tragedy*, 51. See "Character Portrayal: Jephthah," p. 311-12.

<sup>73</sup> See "Spatial Setting," p. 274.

<sup>74</sup> Exum, *Tragedy*, 63.

Thus contrast is used effectively throughout the narrative to focus attention on action versus inaction, and speech versus silence, thereby drawing the audience's attention to Jephthah's triumphant control of the events in Act One versus the movement of events away from his control in the second act. As events spiral downwards the judge's one 'achievement' in Act Two is to perform the *'olah*.

### *Ambiguity*

The most important instance of ambiguity in this text is the wording of Jephthah's vow. His promise to sacrifice "the one coming out...of my house to greet me" is so poorly defined that it could mean any living and moving being.<sup>75</sup> The frighteningly open-ended nature of the vow is compounded by the uncertainty regarding YHWH's attitude towards it. How can sense be made of the event when Jephthah purportedly makes an ambiguous vow under the influence of the Spirit of YHWH?<sup>76</sup> Or is the significance of YHWH's Spirit disregarded by - or unknown to - Jephthah?<sup>77</sup> Does Jephthah regard this kind of vow with its inherent danger as honourable, as DeMaris and Leeb suggest?<sup>78</sup> Surely the vow and Jephthah's sacrifice must be unacceptable to the God who declares all human sacrifice an abomination.

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<sup>75</sup> See discussion on possible sacrificial victims in "Motif of the Vow," pp. 290-91.

<sup>76</sup> Exum, *Tragedy*, 48.

<sup>77</sup> In Samson, the gift of the Spirit also appears to be undermined by Samson's foolish decisions (e.g. Judg. 14:2-3, 14; 16:1, 4, 17).

<sup>78</sup> DeMaris and Leeb, "Judges," 184-85. See "Narrative Tension and Conflict," p. 281.

Yet YHWH does not censure Jephthah in any way, so the issue of whether or not Jephthah does wrong in making such a vow remains ambiguous.<sup>79</sup> “Either the sacrifice is legitimate and necessary or... something is deeply awry in the Israelite community.”<sup>80</sup> Perhaps, as Pseudo Philo suggests, the deity does view Jephthah as guilty of murder and punishes him with the loss of his only child.<sup>81</sup> The narrative provides no answers to these difficulties.

Nor are the circumstances clear regarding the behaviour of Jephthah’s daughter. The narrator is as equivocal about the daughter’s knowledge or lack of knowledge of the vow as it is about her motives.<sup>82</sup> Her father cries out in anguish, but he does not tell her the terms of his vow. Yet the *b<sup>e</sup>tulah* unhesitatingly tells him not to break his sacred promise. Immediately afterwards she makes what appears to be a premeditated request to go into the mountains for two months. Is the narrator implying that she already knows about the vow? Or is she, in contrast to her father, a quick-thinking and self-assured young woman who knows the story of Isaac’s rescue from being sacrificed and believes that she too will be saved?<sup>83</sup> Whatever the reason for her behaviour, the question which hangs over the scene

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<sup>79</sup> In contrast, YHWH is openly antagonistic towards Saul (1 Sam. 15:1-16:2) for disobediently sparing the lives of war captives. Saul fails in his agonising attempts to restore his relationship with the deity (e.g. 1 Sam. 28:5). W. Lee Humphreys, “The Story of Jephthah and the Tragic Vision,” in *Signs and Wonders: Biblical Texts in Literary Focus*, ed. J. Cheryl Exum ( [Atlanta, Ga.]: Scholars Press), 1989: 92. See also “Character Portrayal: YHWH,” p. 313.

<sup>80</sup> Nicole Wilkinson Duran, “Jephthah’s Daughter,” in *The New Interpreter’s Dictionary of the Bible* (Nashville, Tn.: Abingdon Press, 2008), 3:218.

<sup>81</sup> Pseudo-Philo, *Antiquities* (trans. James) 39.11. Pseudo-Philo is a 1<sup>st</sup> century biblical interpreter. See “Motif of the Vow,” pp. 290-91, fn. 61; “Feminist Introduction,” p. 322, fn. 165.

<sup>82</sup> Esther Fuchs, “Marginalization, Ambiguity, Silencing: The Story of Jephthah’s Daughter” in the *Journal of Feminist Studies in Religion* 5:1 (1989): 40; DeMaris and Leeb, “Judges,” 186.

<sup>83</sup> This latter possibility was suggested by Professor Norman C. Habel in conversation 25<sup>th</sup> Sept. ’09. Bledstein believes that the daughter does not have prior knowledge of the vow but has “presence of mind.” Bledstein, “Is Judges?” 46.

is: how much responsibility does the daughter carry for the way the vow is fulfilled?<sup>84</sup>

Even the description of the event following the return of the *b<sup>e</sup>tulah* is unclear. The sacrifice is euphemistically reported as “he did to her his vow which he had vowed” (vs. 39). Probably the narrator wants to spare the audience a description of a human sacrifice, but a few exegetes believe that the words are obscure enough to propose that Jephthah finds an alternative way of fulfilling the vow.<sup>85</sup>

Uncertainty also surrounds the sketchy outlines of the two women’s gatherings. Having travelled to the mountains, in what kind of ritual does the judge’s daughter take part? Perhaps she wishes to prepare for her death by mourning the loss of her nubility and potential motherhood since bearing a child is the one way an Israelite woman can find fulfilment in life.<sup>86</sup> Or perhaps she simply wants to attend a life-transition ritual in which nubile *b<sup>e</sup>tuloth* lament the passing of childhood as they enter the adult world.<sup>87</sup>

In the Coda, the pivotal word *tanah* is difficult to interpret because it only appears twice in the Hebrew Bible: here and in Judges 5:11.<sup>88</sup> In Judges 5, *tanah* appears

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<sup>84</sup> See “Suspicion” pp. 327-28.

<sup>85</sup> See “Suspicion” p. 329-30 where I agree with the majority of scholars who find it highly unlikely that Jephthah does not sacrifice his daughter as an *’olah*.

<sup>86</sup> John H. Otwell, *And Sarah Laughed: the Status of Woman in the Old Testament* (Philadelphia, Pa.: Westminster Press, 1977), 71, 192-93.

<sup>87</sup> Barbara Miller and Peggy Day explore all these possibilities. Miller, *Tell*, 86-87; Day, “From the Child,” 58. See “Retrieval” pp. 341-43.

<sup>88</sup> Brown, *BDB Lexicon*, 1072.

in a paeon of praise to YHWH's righteous acts (*tsadaqoth* צדקוֹת) and in that context it means "recount" or "celebrate." Yet most English texts translate *tanah* in Judges 11:40 as "mourn" or "lament" to accord with the Septuagint's translation of *tanah* as *threnein* (θρηνειν "lament" or "sing a dirge"). Over the four days are the women singing her praises, lamenting her loss, recounting the tragedy and/or celebrating her life?<sup>89</sup> If the women sing her praise, perhaps the 'olah of a human victim may once have had a degree of acceptability. This suggestion is based on Janzen's premise that the narrator chooses to present Jephthah's sacrifice, the daughter's cooperation and the women's commemoration of her as indictments of Israel's recurrent apostasy and declining morality during the period of the judges.<sup>90</sup>

Finally, what does it mean when the Hebrew text reads, "So she became a custom/statute (*choq* חוק) in Israel" (11:39c)? Perhaps the story of Jephthah's daughter once had greater significance than the narrative now allows.<sup>91</sup>

### **Irony**

Throughout the extended story of Jephthah's life, each stage is touched by irony. During the early stage of his life, Jephthah's half-brothers strip him of his entitlement to *nachalah*<sup>92</sup> and banish him from Gilead (Judg. 11:2). However,

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<sup>89</sup> See "Retrieval," pp. 343-45.

<sup>90</sup> Janzen, "Why," 348-49.

<sup>91</sup> See "Retrieval" p. 344-45.

<sup>92</sup> Since *nachalah* is inalienable, this may simply be a threat by Jephthah's half-brothers (Num. 36:7). However, the narrator may be making the point that in the anarchic days of the



when Israel is restored to YHWH's favour it is Jephthah - the very man who had been ostracised and disinherited - whom the Gileadites beg to command their army against the Ammonites in order to restore their tribe's divinely-bestowed *nachalah*.

Surprisingly, the ex-outlaw and raider initially chooses the word over the sword in his new role as YHWH's saviour of his people. Tragically, however, Jephthah's faith in the power of the spoken word eventually destroys his family line. As his daughter points out, Jephthah is a man who opens his mouth, but he appears to do so with a strange disregard for the consequences. His early success in negotiating with the Gileadites and the sealing of the covenant in an oath ceremony "before the Lord at Mizpah" (Judg. 11:9-11) perhaps imbues him with excessive confidence in words and what they can achieve.

However, Jephthah's second series of negotiations - this time with the Ammonites - fail. Following this failure the judge is given the Spirit of YHWH presumably to guide him through the battles ahead. Ironically it is soon after this that Jephthah opens his mouth to YHWH to make an unnecessary vow.<sup>93</sup> With victory in the ensuing battles and the end of "a very great slaughter (vs. 33d) Jephthah returns home, absurdly *b<sup>e</sup>shalom* (בשׁלום) (vs. 31e), the sacred vow must now be

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judges, inalienable land rights are among the laws which are disregarded or manipulated. That is, either the son of a *zonah* is regarded as inferior and therefore denied his rights, or simply because he is one man against a group of brothers, Jephthah has no means of gaining his entitlement at a time when Israel is without a social structure to enforce the law.

<sup>93</sup> Three other judges - Othniel, Gideon and Samson - receive YHWH's Spirit (Judg. 3:10, 6:34, 7:22; 14: 6, 19; 15:14). Like Jephthah, Gideon needs extra assurance but chooses to gain this assurance by testing YHWH through the laying out of a fleece (Judg. 6:36-40).

honoured with one more act of bloodshed. In horrible recognition of a situation of ghastly irony, the daughter knows that because of her father's own doing his life-giving victory for his people means deathly defeat for his family. In bitter anguish Jephthah cries that she has brought him down, but two months later he brings her down too - in death.<sup>94</sup>

In contrast to Jephthah's agony over the promised sacrifice, his daughter - with her calm response - appears to be the stronger character.<sup>95</sup> She implies that failure to fulfil the vow would lead to a curse on Jephthah.<sup>96</sup> Yet to be without descendants to preserve the father's inheritance in his name is a curse in itself.<sup>97</sup> Absurdly, by fulfilling his vow in order to avoid God's curse that failure to do so might bring, Jephthah realises that he is 'cursed' with the loss of his only child. Yet this very child - whose speech shows that she is intelligent and articulate - unquestioningly accepts the necessity of fulfilling the vow. Paradoxically, "the girl can only become part of the story by erasing herself, and she is remembered for precisely that act of erasure."<sup>98</sup>

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<sup>94</sup> Mikael Sjöberg, *Wrestling with Textual Violence: The Jephthah Narrative in Antiquity and Modernity* (Sheffield: Sheffield Phoenix Press, 2006), 67.

<sup>95</sup> Matthews, *Judges and Ruth*, 127.

<sup>96</sup> Anthony Phillips, "Some Aspects of Family Law in Pre-Exilic Israel," in *Vetus Testamentum* 23 (1973): 361.

<sup>97</sup> O. J. Baab, "Barrenness," in *The Interpreter's Dictionary of the Bible* (Nashville, Tn.: Abingdon Press, 1964), 1:359. Note that because of the determination of Zelophehad's daughters to protect their family from the curse of annihilation, they win the right for daughters to inherit *nachalah* (Num. 27:4). This is also the motivation for Lot's daughters' decision to break the incest taboo in order to ensure the survival of their father's line of descent.

<sup>98</sup> Duran, "Jephthah's Daughter," 218.

Poignantly, Jephthah does not see his dancing daughter at all during a two month period which she chooses to spend far from her father. It is a period in which she is surrounded by friends while he is alone. Yet this man who previously opened his mouth at every opportunity now does not use the two months of grace to open his mouth to plead with YHWH for his daughter's life.<sup>99</sup> In her speech, Jephthah's daughter repeatedly reminds her father about his open mouth and his ability to get things done,<sup>100</sup> so it is deeply ironic that Jephthah's piety - which leads to the making of the vow and "precipitates his disaster"<sup>101</sup> - apparently prevents him at this crucial time from doing anything - least of all opening his mouth - to persuade God to release him from the vow to spare his daughter. Instead he remains faithful to the vow by offering YHWH a human sacrifice, an act which YHWH has expressly and repeatedly forbidden.<sup>102</sup>

The pathos of the situation is underscored by the narrator's melancholy repetition that Jephthah has but one child, "And only she, she alone; he had no other" (vs. 34c).<sup>103</sup> On hearing the sombre emphasis on aloneness in these words, the audience is led to believe that Jephthah - in contrast to judges and their abundant

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<sup>99</sup> Barry G. Webb, "The Theme of the Jephthah Story," in *The Reformed Theological Review* 45, no. 2 (May – August 1986): 42.

<sup>100</sup> See "*Leitwort*," pp. 286-87.

<sup>101</sup> Exum, *Tragedy*, 58.

<sup>102</sup> YHWH's abhorrence of human sacrifice is expressed in, for example, Leviticus 20:2, Deuteronomy 12:31, Psalm 106:37-39.

<sup>103</sup> Note the similarity with Isaac, whom God calls the "only" son of Abraham (Gen. 22:2).

progeny who ruled immediately before and after him<sup>104</sup> - remains childless until his death six years later.

The final irony is that Jephthah - as Gilead's victorious army commander - now is made head of the Gileadites and regains for his non-existent descendants the *nachalah* which his brothers had stolen. Because of his unnecessary vow he is now childless and at his death after six years as judge (Judg. 12:7a), Jephthah's *nachalah* devolves to one of the brothers who originally disinherited him.<sup>105</sup>

### **Character Analysis**

There are only three identified actors in this text: Jephthah, YHWH and Jephthah's daughter. Those who people the background are two groups of narrative agents: first, the armies of Ammon and Gilead/Manasseh and second, the women of Israel. Of the latter, some are companions of Jephthah's daughter, while those who remember her are described as the daughters of Israel.<sup>106</sup> These groups are narrative agents and their primary function is to carry out the commands and wishes of the protagonists. In the case of the daughters of Israel, however, they carry out their own wish to "recount" Jephthah's daughter (vs. 40).

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<sup>104</sup> Jair had thirty sons (Judg. 10:3-4) and Ibzan had thirty sons and thirty daughters (Judge. 12:8-9). Further irony drips from Sirach's poem in praise of Israel's Judges. Sirach writes, "The judges... May their bones revive from where they lie, and may the name of those who have been honoured live again in their sons!" Sirach 46:11-12.

<sup>105</sup> The law of inheritance of *nachalah* is described in Numbers 27:8-11. Don C. Benjamin, *The Old Testament Story: An Introduction with CD ROM* (London: SCM Press, 2004), 154.

<sup>106</sup> It is probable that the women who accompany Jephthah's daughter are among those who remember her each year. For a discussion on the roles of the groups of men and women, see "Suspicion," pp. 326-27, 331.

## *Character Portrayal*

### *Jephthah*

The motifs of the sacred vow, relationships and death are closely connected with Jephthah. He is a fully-fledged character and the pericope's principal protagonist throughout the narrative until verse 37 when the daughter begins her speech. After briefly assenting to her request for a reprieve he appears just once more as he offers his *'olah* to YHWH (vs. 39b). The pivotal moment of Jephthah's term as a judge of Israel is the utterance of his vow to YHWH, and it is the vow's fulfilment for which he is infamous. Sjöberg underlines the importance of analysing Jephthah because scholarly evaluation of Jephthah's character is probably "the key to the understanding of this particular narrative."<sup>107</sup>

The first episode of Jephthah's life (Judg. 11:1-28) describes a man who has been disinherited and banished from the *bet 'ab* because he is "the son of another woman" (Judg. 11:2c).<sup>108</sup> Jephthah escapes Israel, but as man who gets things done he makes a name for himself by leading a raiding band of wastrels (*reyqiym* ריקים) (Judg. 11:3)<sup>109</sup> - ironically, in the land of Tob - and developing his skills as a "strong warrior" (*gibbor*) (Judg. 11:1). Perhaps the narrator supplies this background information to show that Jephthah's ostracised life as an outlaw has

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<sup>107</sup> Sjöberg, *Wrestling*, 48. Sjöberg may be correct, but I see the characters of YHWH and Jephthah's daughter as also essential to the understanding of this pericope.

<sup>108</sup> Jephthah's mother and father may have had a metronymic or patrilocal marriage where the woman remains with her family of origin. This would mean that she is spatially separated from Gilead's other family. Earle Bennett Cross, *The Hebrew Family: A Study in Historical Sociology* (Chicago, Il.; University of Chicago Press, 1927), 119.

<sup>109</sup> Literally, "hollow men." Exum, *Tragedy*, 48.

contributed not only to his fighting survival skills but also to his character flaws.<sup>110</sup>

Thus it is Jephthah's fame as a *gibbor* and leader which draws the Gileadites to Tob to ask Jephthah to rescue them from Ammonite oppression. Having made the point to these men that they had once rejected him, Jephthah makes good use of his newly-powerful position and negotiates to assume the headship (*ro'sh* רֹאשׁ) of all the clans of Gilead - which presumably includes the restoration of all his clan rights - along with control of the army.<sup>111</sup> To ensure that he is not ostracised again, Jephthah then announces that he will only become chief if God gives him victory against the Ammonites.<sup>112</sup>

Given his life experience he is wary of the Gileadites' glib promises: he will only ratify his agreement with them with YHWH as witness so that "any victory he gains will be seen as divine affirmation of his position of leadership."<sup>113</sup> Small wonder that the former outcast is desperate to gain YHWH's affirmation, for every aspect of his restoration to Israelite society now depends entirely on winning this war. When Jephthah's diplomatic effort with the Ammonites fails, Jephthah gathers support for battle by travelling throughout Gilead and Manasseh.

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<sup>110</sup> I acknowledge that this information about Jephthah is found outside the parameters of the chosen pericope, but the difficulties encountered in the analysis of Jephthah's character mean that all narratorial information about him is important.

<sup>111</sup> In this skill he approximates that of his ancestor Joseph who is also expelled by his brothers only to become a leader in exile and a clever negotiator with his kin when they come to him for aid (Gen. 37-45). Benjamin, *O. T. Story*, 153.

<sup>112</sup> Webb, *Judges*, 64.

<sup>113</sup> Matthews, *Judges and Ruth*, 119.

At this crucial point he receives divine support as the recipient of the Spirit of YHWH (vs. 29a). Victory in battle seems assured.

Yet Jephthah - perhaps burdened by uncertainty about his new role, shaken by the failure of his diplomatic mission and/or unsure about the power of the Spirit of YHWH - is so insecure that he is unable to rely on what he already has going for him. He decides to invoke the deity to achieve power and success.<sup>114</sup> So Israel's judge "vows a vow" to YHWH: a dangerously ambiguous vow.

The narrative gives no reason for Jephthah's equivocal reference to "the one coming forth" as the potential sacrificial victim. The negotiation skills of the former outlaw demonstrate that he is not impulsive, so it is likely that this vow is a shrewdly calculated gamble. Perhaps the judge believes that if he makes an ambiguous and therefore personally-dangerous vow, the greater the risk to himself and his family, the more likely the vow is to be successful.<sup>115</sup> YHWH will be impelled to honour the vow, and he, Jephthah, might just escape with the loss of a mere slave.<sup>116</sup> After all, it is the slaves' obligation to greet their masters when they return home. On the other hand, it is also the practice of women to welcome

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<sup>114</sup> Bal names this a "devotion to the speech-act of and for power." Bal, *Death*, 162. Exum calls Jephthah "a victim of words - his own words," and Gunn aptly labels this pericope, "the story of the excess word." Exum, *Tragedy*, 64; David M. Gunn, "Joshua and Judges," in *The Literary Guide to the Bible*, ed. Robert Alter and Frank Kermode (London: Collins, 1987), 117.

<sup>115</sup> This is DeMaris and Leeb's assessment. See "Narrative Tension and Conflict," p. 281.

<sup>116</sup> Webb, *Judges*, 64. But as discussed in "Motif of the Vow" (pp. 290-91) there are a few possible "greeters" from Jephthah's household that, according to Israelite law, would be wholly unacceptable to YHWH. See also "Identification," pp. 333-34, for a discussion about the possibility that she makes a not dissimilar decision to influence YHWH towards favouring her father.

home a victorious army,<sup>117</sup> so it is highly possible that a woman from his own household would lead the welcoming party and thus become the sacrificial victim.

Yet for an Israelite leader to present a person as *'olah* to YHWH almost beggars belief. Even if Jephthah is ignorant about YHWH's abhorrence of human sacrifice, how can he contemplate such a deed? Musing on all that Jephthah says and does, Exum concludes that "there is something excessive about him, which disposes him to tragedy."<sup>118</sup> Perhaps this disposition develops from the rejection and expulsion by his brothers earlier in his life followed by brutal years of struggle while living on the margins of society. Bledstein reckons him "a man of little faith" whose lack of self confidence makes him desperate for certainty.<sup>119</sup>

If Jephthah's fear of failure is so great, it will neither be assuaged by the Gileadites' show of confidence nor relieved by the gift of the Spirit of YHWH.<sup>120</sup> Jephthah believes that the only way of gaining absolute acceptance from his clan is to win the war. If he loses, the consequences are so dire - no rulership over Gilead, no *nachalah* and a return to social oblivion - that Jephthah is willing to risk even his family in order to secure success. Evidence of this insecurity is

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<sup>117</sup> 1 Sam 18:6 provides an example of this practice.

<sup>118</sup> Exum, *Tragedy*, 54.

<sup>119</sup> Bledstein, "Is Judges?" 46.

<sup>120</sup> Webb, *Judges*, 63-64. I disagree with Matthews who thinks that Jephthah's hubris makes him like the "heroes who attempt to force the god/gods to their will." Matthews, *Judges and Ruth*, 127. More apposite is Exum's insight that Jephthah's lack of hubris means that, unlike Saul, the judge does not struggle with his fate (e.g. 1 Sam. 15:24, 19:20-24). "We pity Jephthah, but we do not at any point admire him." Exum, *Tragedy*, 57.



found in his early speeches as well as in his vow to YHWH.<sup>121</sup> “Jephthah... has the power of his s/word, but he lacks some other power, the power that would give him security, certainty about his victory.”<sup>122</sup>

Nevertheless the question remains: what makes Jephthah assume that human sacrifice is acceptable to YHWH?<sup>123</sup> His exile in Canaan may have contributed to this assumption, but it is an enigma that a mighty warrior, chosen and affirmed by his people, cognisant with the history of Israel<sup>124</sup> and endowed with the Spirit of YHWH, risks the life of a member of his household by offering an “illegal bribe” to YHWH in order to secure the deity’s support.<sup>125</sup> There is verity in Fewell and Gunn’s assessment that “Jephthah, a prisoner of his childhood, is destined to repeat and to inflict the sorrow of his youth.”<sup>126</sup>

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<sup>121</sup> For example, Jephthah says, “If you bring *me* home again to fight with the Ammonites, and the Lord gives them over to *me*, I will be your head” (Judg. 11:9) [my italics]. See a similar self-focus in verse 27. It is this self-centred insecurity which Matthews interprets as hubris. Matthews, *Judges and Ruth*, 126-27.

<sup>122</sup> Bal, *Death*, 162.

<sup>123</sup> E. O. James explains the ancient belief (which continues in some traditional cultures today) that “The ritual shedding of blood... is the sacred act whereby life is given to promote and preserve life, and to thereby establish a bond of union with the supernatural order.” E. O. James, *Origins of Sacrifice: A Study in Comparative Religion* (Port Washington, N.Y.: Kennikat Press, 1933, reissued 1971), 33. See also Martin S. Bergmann, *In the Shadow of Moloch: The Sacrifice of Children and Its Impact on Western Religions* (New York: Columbia University Press, 1992), 47.

<sup>124</sup> Lillian Klein thinks Jephthah is ignorant about Israel’s traditions, but I disagree. Jephthah’s knowledge of Israel’s history is evident in the long message he sends to the Ammonite king (Judg. 11:14-27). Lillian Klein, *From Deborah to Esther: Sexual Politics in the Hebrew Bible* (Minneapolis, Mn.: Fortress Press, 2003), 11.

<sup>125</sup> David Janzen, “Why the Deuteronomist Told about the Sacrifice of Jephthah’s Daughter,” *Journal for the Study of the Old Testament* 29, no. 3 (2005): 345.

<sup>126</sup> Danna Nolan Fewell and David M. Gunn, *Gender, Power and Promise: The Subject of the Bible’s First Story* (Nashville Tn.: Abingdon Press, 1993), 127.

Does this mean that Jephthah is a tragic figure? In Exum's view "the characterisation of Jephthah as a negotiator whose virtue is also his weakness shows his potential for tragedy... (but he) fails to attain genuinely tragic proportions."<sup>127</sup> I agree with Exum's contention that Jephthah's words - which seal the fate of his only child even as he recognises the enormity of the vow's demands - reveal a character weakness. Jephthah fails to struggle with the impending atrocity brought about by "the word-idol of his own creation,"<sup>128</sup> he fails to wrestle with the deity.<sup>129</sup>

The contradictions of Jephthah's character emerge in Act Two with evidence of the ambivalent relationship he has with his only child. When he encounters the dancing girl, Jephthah's anguish is expressed in crying out and tearing his clothes, revealing that for him this outcome is either unexpected or anticipated with dread.<sup>130</sup> The judge admits that he has opened his mouth to YHWH and that his words are unredeemable. His first reaction at the sight of his daughter however, is to blame her for this tragedy, not once, but twice. Reproach is unmistakable in his first two emphatic utterances, "you have truly brought me low" (*hip 'iy*l infinit).

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<sup>127</sup> J. Cheryl Exum, "The Tragic Vision and Biblical Narrative: The Case of Jephthah," in *Signs and Wonders: Biblical Texts in Literary Focus*, ed. J. Cheryl Exum ([Atlanta, Ga.]: Scholars Press, 1989), 76.

<sup>128</sup> Gunn, *Joshua and Judges*, 117.

<sup>129</sup> In contrast to Jephthah, other troubled protagonists - Jacob and Saul - wrestle with their demons and/or their God (Gen. 32:24-31; 1 Sam. 15:24-25, 16:14; 19:23-24).

<sup>130</sup> Most commentators state that the daughter's greeting is unexpected, but it is just as likely that Jephthah anticipates that she might greet him but hopes that YHWH or his daughter - aware of the terms of the vow which may have been common knowledge - would rearrange the outcome. See also, "Narrative Tension and Conflict," p. 281.

absolute of *kara* ' (כרע),<sup>131</sup> and “you yourself ( 'ath את) have become a calamity to me” (vs. 35d-e). Jephthah’s honesty leads him to own the vow and perhaps his piety prevents him from implicating YHWH in the whole debacle. Yet his outburst against his daughter for being the first to greet him reveals that all too human trait of projecting one's own guilt onto someone who is relatively powerless.

The one hint of fatherly compassion is glimpsed when Jephthah gives his daughter permission to leave him for two months. Here the narrator demonstrates his skill in complex character portrayal, for Jephthah is presented not only as a person whose eagerness to prove himself jeopardises the life of the only member of his family, but also as a person who shows the audience a glimpse of graciousness in granting his child a reprieve to prepare herself for her death-day.

During his daughter’s absence in the mountains, it is strange that Jephthah does not take the opportunity to at least attempt to re-negotiate his vow. On every other occasion Jephthah ‘words his way’ towards the resolution of a situation but when his daughter’s life is at stake he fails to say or do anything.<sup>132</sup> Given that the fulfilment of the vow means that Jephthah loses his only child and thus destroys his *toledoth*, it is difficult to imagine that a decision against fulfilling the vow could be much worse for him than this horrific outcome. The judge’s failure to

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<sup>131</sup> The infinit. absolute of *kara* ' indicates that this word is emphasised.

<sup>132</sup> See “Irony,” p. 302.

seek advice or support may be because the once-rejected man fears YHWH's rejection. Just as Jephthah's piety - or fear - prevents him from blaming YHWH for the turn of events, perhaps his piety or fear also prevents him from approaching God with an alternative to the *'olah*.

Jephthah is an accomplished debater and commander of men, but the narrative implies that he is a solitary person. The narrator establishes an image of Jephthah as isolated with the words chosen to describe the war preparations and battles, for in every instance the third person singular is used.<sup>133</sup> Even earlier as an outlaw his men are described as "wastrels" or "hollow men" (*reyqiym*) (Judg. 11:3) rather than companions. Without confidants to give advice he utters unwise words; words which destroy his only child.

Like most of his fellow judges, the narrator implies that this man is limited in his ability to help his nation towards stability.<sup>134</sup> Regularly overlooked as a reason for his behaviour, Jephthah's friendlessness may explain an otherwise incomprehensible act of murder disguised as an act of honour. When Jephthah returns to Mizpah there is no mention of anyone accompanying him; nor is there a description of a welcoming crowd of women to greet the conquering hero.<sup>135</sup> On the fateful day when Jephthah enacts his avowed promise, the narrative implies

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<sup>133</sup> Judges 11:9, 12, 27a, 29-31, 32, 33a.

<sup>134</sup> Exum, *Tragedy*, 48.

<sup>135</sup> There may have been other dancing women following Jephthah's daughter but the narrator gives no indication that there were.

that he is alone with his daughter.<sup>136</sup> Unlike Abraham and Saul who are also about to kill their children in obedience to God or a vow (Gen. 22:10-12; 1 Sam. 14:43-45), Jephthah has no-one to stay his hand. So Jephthah presents his burnt offering to YHWH, and after the deed is done the only human being with whom he has a relationship - at least the only one the narrative reports - is gone forever.

The remainder of Jephthah's story is consumed by another battle, on this occasion against fellow Israelites. Yet the narrator gives no hint of any inner battle for Jephthah. The audience is not told how the *'olah* affects him except for the epilogue's terse statement that he dies after a brief term of six years as judge.<sup>137</sup>

The pivotal events of this story take place in Mizpah, the place which symbolises the liminality of Jephthah's position in society.<sup>138</sup> In keeping with his choice of Mizpah as his home, Jephthah remains marginalised to the end.

### ***YHWH***

In this pericope YHWH is confined to the role of agent. Before the once-rejected Jephthah is called to lead Israel YHWH – who is more than once rejected by his people - at last responds to Israel's repentant pleas for salvation from the oppression of Ammonite rule (Judg. 10:10-16). After Jephthah is chosen to lead

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<sup>136</sup> Exum, *Tragedy*, 51.

<sup>137</sup> Tribble extrapolates from the textual silence that "Jephthah neither laments nor regrets. Instead he returns to fighting." Tribble, "Jephthah," 217. But who can really assume that? Men's grieving is often expressed in physical activity. Thomas R. Golden, *Swallowed by a Snake: The Gift of the Masculine Side of Healing* (Kensington, Md.: Golden Healing Publishing, L. L. C., 1996). 81, 96.

<sup>138</sup> See "Spatial Setting," pp. 273-74.

Gilead's army, YHWH acts for the first time by giving Jephthah his Spirit. Following Jephthah's utterance of his vow to YHWH, the latter acts to secure victory over the Ammonites by delivering them "into Jephthah's hand" (vs. 32c). This victory paves the way for the death of Jephthah's daughter.

On the day that Jephthah kills his daughter and places her body on an altar as a burnt offering to his God, YHWH says and does nothing to save the young woman. There is no staying of the father's hand as in Genesis 22:11-12, no divine protest that this is an unnecessary death, and no condemnation of the perpetrator. If actions speak louder than words, YHWH's activity is volubly in favour of Jephthah. In contrast, the divine silence at the time of the sacrifice implies divine indifference towards the judge's daughter.<sup>139</sup> In the song of Moses YHWH proclaims, "There is no god beside me. I kill and I make alive; I wound and I heal" (Deut. 32:39b-d). For Jephthah's daughter there is no divine healing. Is there no-one to heal her, and no-one to make her alive?

The narrator gives no hint of what he thinks about God's absence as Jephthah returns to Mizpah and his child. Perhaps the indifference YHWH shows towards the *b<sup>e</sup>tulah* and her fate prepares the audience for what is to come later in the book of Judges.

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<sup>139</sup> Exum, *Tragedy*, 60.

### *Jephthah's Daughter*

The daughter's conduct in the story is both interesting and perplexing. She is not a fully-fledged character for three reasons: her appearance in the narrative is brief, only some of her personality is revealed, and her role in the story is partially restricted by her father's actions and decisions.<sup>140</sup> As an obedient child who reassures her father and readily accepts her fate she is a type character, but her rapidly precise assessment of the situation, her subtle censure of Jephthah, and her demand to leave home for two months do not conform to 'type' behaviour either.

Perhaps to guard herself against Jephthah's accusations, the young woman immediately reproaches her father by reminding him that it was his mouth which brought about this dread scene.<sup>141</sup> Her next sentence is a gentle rebuff for she has decided to spend time away from Jephthah before she dies. Her words, "Let this thing be done for me" (vs. 37a) and, "Let me alone" (vs. 37b) show that she expects compliance.<sup>142</sup> Just as Jephthah distances himself from the *b<sup>e</sup>tulah* by blaming her for coming to greet him, so his daughter distances herself from him with a plan to have her own time and space in the mountain wilderness.<sup>143</sup>

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<sup>140</sup> Fuchs, "Marginalization," 37.

<sup>141</sup> See "*Leitwort*," pp. 286-87.

<sup>142</sup> "Let this thing be done" (*ye'aseh liy hadabar hazeh* לִי הַדְּבָר הַזֶּה) is *nip'al* imperfect, but when paired with the *hip'yil* imperative of "Let me alone" (*harppeh mimmeniy* הֲרַפֵּה מִנַּמִּי) both phrases have the force of the jussive, that is, a command. This phrase also appears in 2 Kings 4:27 when Elisha commands Gehazi to leave the Shunammite woman alone.

<sup>143</sup> Exum, *Tragedy*, 63.

It is clear that in just a few lines the narrator has presented a surprising amount of information about Jephthah's daughter. Not only does the audience learn that she is respectful, empathetic, and gracious in the most terrible of circumstances in which there are no other family members to turn to - there is no mention of her mother and the narrator has explained that the *b<sup>e</sup>tulah* is Jephthah's only child (vs. 34f-h) - but she is also portrayed as level-headed, assertive and in control. The narrator, it seems, is ambivalent about this young woman.<sup>144</sup> He recognises the importance of the daughter's role in the story, but this is Jephthah's story after all.

In past centuries various commentators have admired Jephthah's daughter for her filial obedience.<sup>145</sup> There is something in her calmly courteous manner which reveals an inner strength and dignity. The narrator presents her as a foil for the distressed Jephthah, stuck as he is in the quandary into which his words have led him.<sup>146</sup> Jephthah has invoked YHWH, so his daughter accepts her fate as inevitable and necessary.<sup>147</sup> Nevertheless, like her father, she is a negotiator. Her ability with words is evident when she takes the initiative and outlines her plans for the next two months. The *b<sup>e</sup>tulah* does not use her verbal skills to plead for her

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<sup>144</sup> For further discussion about the daughter's role in the narrative, see "Suspicion," pp. 325-28.

<sup>145</sup> Gunn's examples include the Rev. John Howard (c.1865) and Florence Bone (1915). David M. Gunn, "Cultural Criticism: Viewing the Sacrifice of Jephthah's Daughter," in *Judges and Method: New Approaches in Biblical Studies*, ed. Gale A. Yee (Minneapolis, Mn.: Fortress Press, 2007), 215-16, 219, 231-32.

<sup>146</sup> Bledstein, "Is Judges?" 46-47.

<sup>147</sup> Mieke Bal, "Between Altar and Wandering Rock: Toward a Feminist Philology," in *Anticovenant: Counter Reading Women's Lives in the Hebrew Bible*, ed. Mieke Bal (Sheffield: Almond Press/Sheffield Academic Press, 1989c), 218.



own life, but she negotiates time to be with her women companions in order to lament the loss of her nubility (*b<sup>e</sup>tuliym* בַּתּוּלִיִּים).<sup>148</sup>

Unlike her father, Jephthah's daughter has friends to support her during this crisis. Instead of spending her last days with her father the *b<sup>e</sup>tulah* leaves him to be with her peers, an act symbolised in the speech where her first words are "my father" and her last words are "my friends."<sup>149</sup> At the end of the two months of separation, Jephthah's daughter returns to him. In this she is like her father, for when she makes a promise, no matter the terror it holds, she keeps it faithfully.

It is significant that alongside these similarities there are also marked differences between the fretfully accusing father and his serenely-spoken daughter.<sup>150</sup> Thus the narrator skilfully depicts the complexities of family relationships.

### **Point of View**

For the first two thirds of the narrative Jephthah is given the dominant point of view. At the beginning of the chapter the narrator provides some of Jephthah's personal life history which serves to build interest in him, and by verse 29 the audience is already engaged by Jephthah and the challenges which face him.

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<sup>148</sup> Lamentation has long been the role of women in traditional cultures. According to Goitein, "the most important genre of Arabic women's poetry was the lament." Goitein, "Women as Creators," 5. See "Suspicion" for a discussion on another possible reason for the two month ritual, p. 329.

<sup>149</sup> Exum, *On Judges*, 40. See "Motif of Relationships," p. 294 and "Contrasts," p. 295.

<sup>150</sup> See "Suspicion," for a discussion on the narrator's decision to portray Jephthah's daughter as more than a dutiful daughter. pp. 326-28.

From this point he prepares for war against the Ammonites before making his binding vow to YHWH.

After his victory in battle Jephthah continues to be the story's main protagonist via the narrator's use of *hinneh* as the judge approaches his home in Mizpah.<sup>151</sup> In this instance *hinneh* indicates point of view, so the audience witnesses what Jephthah sees, says and suffers as his daughter comes to greet him.

The pericope of verses 29 to 40 opens with YHWH accepting the Gileadites' choice of leader by giving his Spirit to Jephthah. Further evidence of YHWH's viewpoint is evident in the divine favour shown to Jephthah following his vow when YHWH "gave them [the Ammonites] into his [Jephthah's] hand" (vs. 32c). In Act Two, although Jephthah's daughter mentions YHWH twice in her speech, God is absent from these events.

From verse 35 the narrator shifts to the daughter's viewpoint. She expresses no emotions about the horrifying situation but she does give her assessment of Jephthah's predicament. She tells him that she is aware of his vow and its consequences and immediately gives him instructions. Her speech makes it clear that in her opinion Jephthah must fulfil the vow because YHWH responded to it by arranging the victory. Only after these words does the *b<sup>e</sup>tulah* speak for herself

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<sup>151</sup> Fuchs endorses the view of Shimeon Bar-Efrat that "*hinneh* (is) a transformer [*sic*] from objective omniscient narration to a character's subjective point of view." Fuchs, "Marginalization," 37, fn. 7.

and her modest hopes by asking for a two-month stay of proceedings to go away with her friends to mourn her *b<sup>e</sup>tuliyim*. While the import of these words is obscure, it appears that the daughter has found a way to prepare herself for death.

### *Names*

Because a name is “an integral part of existence,”<sup>152</sup> the narrator’s decision to leave Jephthah’s daughter nameless not only distances her from the audience but also reflects YHWH’s apparent indifference towards the *b<sup>e</sup>tulah*. Over the years she has been remembered not as an individual but as a representative of - and model for - other dutiful daughters.<sup>153</sup> Indeed, the narrative device of leaving Jephthah’s daughter without a name marginalises her so well that the Bible never refers to her again.

The name of Jephthah (*Yiptach* יִפְתָּח) means “God opens” as in opening the womb to give birth,<sup>154</sup> but in this story the significance of “God opens” is found in the open mouth (*peh* פֶּה) of Jephthah. Perhaps Jephthah trusts that it is God who opens his [Jephthah’s] mouth and endorses his words.

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<sup>152</sup> Noordtzi, *Numbers*, 253; Mieke Bal, “Dealing/With/Women,” in *Women in the Hebrew Bible: A Reader*, ed. Alice Bach, (New York: Routledge, 1999), 319.

<sup>153</sup> Exum, “Feminist Criticism,” 76; Michael J. Smith, “The Failure of the Family in Judges, Part 1: Jephthah,” *Bibliotheca Sacra* 162 (July – September 2005): 298.

<sup>154</sup> C. F. Kraft, “Jephthah,” in *The Interpreter’s Dictionary of the Bible* (Nashville, Tn.: Abingdon Press, 1962), 2:820. *Patach* (פָּתַח) “to open” is a more common word for “open” than *ptsh* (פָּצַח). However, the latter word is used for Jephthah’s open mouth.

### **Narrator's Purpose**

The story of Jephthah, an apparently effective leader and warrior, could have been confined to the triumph of his battles with the Ammonites and the Ephraimites (Judg. 12:1-6) followed by a reference to Jephthah's six years as judge before his death in Gilead (Judg. 12:7). Instead, the narrator chooses to include an excursus in each act to tell the story of Jephthah's vow and its consequences (vss. 30-31 and vss. 34-40).

There are political as well as religious reasons for presence of the excursus. The narrator of Judges repeats the refrain, "In those days there was no king in Israel; all the people did what was right in their own eyes" (Judg. 17:6, 21:25), warning that Jephthah's story and other horrifying tales of the pre-monarchic period expose the various problems which arise in a state without a tradition of royal succession. While monarchies have their own defects, it seems that the narrator believes that a country governed spasmodically by 'emergency warlords' has more problems than does a monarchic state in terms of the maintenance of social order and religious practices.<sup>155</sup> Jephthah's decision to kill his daughter in order to keep a binding vow to his God is just one of many shameful and bizarre events which arise in Israel during the chaotic period of the judges.

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<sup>155</sup> Miller, *Tell*, 91. Three judges whose stories are related in relative detail - Gideon, Jephthah and Samson - are all flawed characters and, in the narrator's eyes, their problems contribute to Israel's downward spiral.

Yet the Yahwist narrator may be more concerned about cultic irregularities than the above assessment suggests. In Janzen's opinion, the narrator uses Jephthah's story to warn his audience that "when Israel worships like foreigners, it will act like foreigners."<sup>156</sup> He draws attention to other biblical passages which repeatedly condemn the beliefs and behaviour of Israel's neighbours as detestable to YHWH, especially in matters such as child sacrifice (e.g. Lev. 18:21; Deut. 18:10-12; 2 Kgs. 17:17). This means that Judges 11 can also be regarded as a cautionary tale about one of Israel's judges who presents his child as an *'olah* because a cultic belief of neighbouring nations has infiltrated the practices of YHWH's people.

## **A Feminist Re-reading**

### **Introduction**

Jephthah's daughter is the first of a tragic group of young women in the book of Judges who are treated as pawns, burned to death, or pack-raped and/or murdered.<sup>157</sup> Traditionally these events have been regarded as signs of Israel's failure to be faithful to YHWH.<sup>158</sup> From a twenty-first century perspective, however, the suffering of the women in Judges is also due to the entrenched patriarchy which rules the communities of ancient Israel.

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<sup>156</sup> Janzen, "Why," 341.

<sup>157</sup> The pawns are Samson's Delilah, the concubine of Jabesh-Gilead and the *b<sup>e</sup>tuloth* of Shilo (Judge. 16:5; 21:12, 19-23). The woman burned is Samson's wife (Judg. 15:6), and the pack-raped and/or murdered women are the Levite's concubine and Jephthah's daughter (Judg. 11:39; 19:25-29).

<sup>158</sup> Kraft, "Judges," 1022.

As the third text analysed in this dissertation, Judges 11:29-40 poses ideological and ethical challenges for exegetes. Jewish scholars such as Pseudo-Philo and the compilers of the *Aggadah* usually censure Jephthah and most refuse to tolerate the possibility that God might have accepted a human *'olah*. Some of these sources conclude that because Jephthah makes such a dangerous vow that God is moved to punish him with the loss of his only child.<sup>159</sup> But does YHWH really allow an horrendous act against a girl to take place simply to teach the judge a lesson?<sup>160</sup>

Unlike the rabbis, the implied author of the book of Hebrews refrains from criticising Jephthah and places him in the honour list of men “who through faith conquered kingdoms, enforced justice, received promises...” (Heb. 11:33). Reviewing the Hebrews text, Tribble protests that “Jephthah is praised, his daughter is forgotten. Unfaith becomes faith. Thus has scripture violated the ancient story.”<sup>161</sup> Since the narrator of Judges 11 also appears to protect the judge’s honour and authority, perhaps the portrayals of Jephthah in Judges and Hebrews are more apposite than Tribble allows.<sup>162</sup>

Over time there have been other writers and artists who not only praise Jephthah as a judge, but actually endorse the sacrifice of his daughter to YHWH. A seventh century marble panel in St Catherine’s monastery at Mt. Sinai depicts “Saint

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<sup>159</sup> Sawyer, *God*, 72. See also “Motif of the Vow,” p. 291, fn. 61.

<sup>160</sup> Sawyer, *God*, 72-73. YHWH, it seems, does not differentiate between father and daughter. If the father must be punished, then naturally the daughter must also be punished.

<sup>161</sup> Tribble, *Texts of Terror*, 81.

<sup>162</sup> For the narrator’s effort to portray Jephthah as less culpable, see “Suspicion,” pp. 325-26.

Jephthah” about to sacrifice his daughter, and the early Christian Syriac writer Ephraem exclaims, “Praiseworthy also was the deed of Jephthe...upright was the priest who sacrificed with blood his own offspring so that he may be an example of his Lord, who sacrificed with his own blood.”<sup>163</sup> Even as recently as twenty four years ago male Christian commentators were still finding excuses for Jephthah’s behaviour.<sup>164</sup>

Attitudes such as these have contributed to the misery experienced by countless unnamed and forgotten women throughout the West and Middle East for many centuries. Jephthah’s daughter may be unnamed, but it is important today and into the future that her story continues to be told and her death lamented on behalf of all women whose unseen and unrecorded suffering at the hands of violent men has never been acknowledged.

A name for Jephthah’s daughter first appeared in Pseudo-Philo’s *Biblical Antiquities*.<sup>165</sup> He called her “Seila,” possibly meaning “she who is demanded”

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<sup>163</sup> Bernard Robinson, “The Story of Jephthah and his Daughter: Then and Now,” *Biblica* 85, no. 3 (2004), 346.

<sup>164</sup> For example, Jephthah is defended by C. F. Kraft (1962) and David Marcus (1986). Kraft, “Jephthah,” 2:821; Marcus, *Jephthah*, 25-26. Among others who exonerate Jephthah are the 17<sup>th</sup> Century scholars Junius and Sir Thomas Browne. Bernard P. Robinson, “The Story of Jephthah and his Daughter: Then and Now,” *Biblica* 85, no. 3 (2004): 337.

<sup>165</sup> Pseudo-Philo *Antiquities* (trans. James) 40.1; Cheryl Anne Brown, *No Longer be Silent: First Century Jewish Portraits of Biblical Women* (Louisville, Kn.: Westminster/John Knox Press, 1992): 95-117.

from the root *sh'l* (שׁל)'.<sup>166</sup> Along with other Jewish scholars who chose names for her, in the feminist analysis below I will refer to her as “Seila.”

### **Suspicion of Patriarchal Biblical Authority**

The structure of Judges 11:29-40 highlights two kernel events: the first is Jephthah’s bargain with YHWH, and the second is the discourse between father and daughter about the terrible consequences of that bargain.<sup>167</sup> The narrator records the judge’s promise that he will present the deity with a burnt offering of a person who greets him if YHWH will “give the Sons of Ammon into my hand” (*qal* imperf. of *natan b<sup>e</sup>yady* יִדִי נִתְּנָב) (vs. 30b). Significantly, as soon as Jephthah crosses over to Ammonite territory, YHWH gives them into Jephthah’s hand (*natan b<sup>e</sup>yado* יָדוֹ נִתְּנָב) (vs. 32b). When the vow is repeated word for word to describe YHWH’s victory, it appears that not only is God the silent recipient of the vow but that he also orchestrates its fulfilment. In other words, the narrator presents YHWH as a deity colluding with an act of human sacrifice.<sup>168</sup> With the atrocity of Seila’s untimely and unnecessary death in mind, it is difficult to

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<sup>166</sup> According to M. R. James, Dr. L. Cohn (a 19<sup>th</sup> Century scholar) proposes that “Seila” means “she who is demanded,” based on Jephthah’s cry in *Antiquities*, “Rightly is thy name Seila, that thou shouldest be offered for a sacrifice.” Pseudo-Philo *Antiquities* (trans. James) 40.1. “Seila” is the feminine of “Saul.”

<sup>167</sup> See “Structure,” p. 283-84.

<sup>168</sup> See also “Ambiguity,” p. 297. Some commentators (e.g. Richard Bowman) justify YHWH’s inaction on behalf of Seila as an example of the deity refusing to compromise human freedom. Richard G. Bowman, “Narrative Criticism of Judges,” in *Judges and Method: New Approaches in Biblical Studies* ed. Gale A. Yee (Minneapolis, Mn.: Fortress Press, 1995), 39.



reconcile Jephthah's God with Alter's assessment that ancient Israel exists "under the overarching dominion of an ultimately unknowable but ethical God."<sup>169</sup>

Another famous vow in the Hebrew Bible is made to YHWH by a woman, Hannah (1 Sam. 1:11). The contrast in the fulfilment of the two vows could not be greater. Hannah's vow leads to the birth of a son, Samuel, who is dedicated to YHWH for life; Jephthah's vow leads to the 'unbirth' of a daughter, who is dedicated to YHWH in death. That the latter event is embedded in the Hebrew Bible and raises no cries of outrage on Seila's behalf elsewhere in Scripture speaks volumes, says Bellis, about "the low status of women in ancient Israel."<sup>170</sup>

Despite the ghastly success of Jephthah's vow, the narrator downplays Jephthah's flaws by portraying the judge as a multi-faceted character. The narrative tools he employs include presenting Jephthah's point of view for most of the story, making use of repetition (e.g. of 'abar אבר and 'asah עשה) to show that the judge is a capable man of action, keeping important matters ambiguous (e.g. just who is responsible for the vow's outcome?) and omitting important details (e.g. no motive is given for Jephthah's vow, and neither YHWH nor the narrator comment

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<sup>169</sup> Alter, *Art*, 87.

<sup>170</sup> Bellis, *Helpmates*, 130. Bellis' assertion, however, requires an addendum. According to Carol Meyers, the status of women is low during Israel's monarchy, but in the pre-monarchic period of the judges - where subsistence living in village communities means that women's contributions to the family economy have value - women's status is somewhat higher. Meyers, *Discovering Eve*, 187.

on the vow). These various tools work together to “understate the father’s culpability at the expense of his daughter.”<sup>171</sup>

While the narrator may underplay some of Jephthah’s personal failings, they are not entirely overlooked. The meeting of father and daughter shows Jephthah, although in great distress, at least admitting responsibility for the vow. This may mean that the narrator is seeking audience sympathy for Jephthah,<sup>172</sup> yet the kind of sympathy that Jephthah’s situation generates is not for a tragic hero struggling against his fate, but it is sympathy for a pathetic man who neither envisages another course of action nor asks for assistance to find an alternative to the sacrifice of his child.<sup>173</sup>

The narrator’s most important means of preserving Jephthah’s honour and reducing his accountability, however, is through Seila’s reassurance and compliance.<sup>174</sup> The father-daughter dialogue also “reinforces the impression that the father is the victim rather than initiator of the unfortunate circumstance.”<sup>175</sup>

Jephthah is portrayed as the God-fearing leader who - having done his utmost for his country - can only lament when Seila brings his *toledoth* to nought.

Just before the discourse between Jephthah and Seila, the narrator seeks audience compassion for Jephthah’s plight with the poignant words, “And only she, she

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<sup>171</sup> Fuchs, “Marginalization,” 36.

<sup>172</sup> Fuchs, “Marginalization,” 37. Wilfred Harrington is one writer whose sympathy is gained: “One feels for Jephthah.” Wilfred J. Harrington OP, *Heroes and Heroines of the Way* (Dublin: Gill and Macmillan, 1988), 27.

<sup>173</sup> Exum, “The Tragic Vision,” 76.

<sup>174</sup> Susan Ackermann, *Warrior*, 116; DeMaris and Leeb, “Judges,” 188.

<sup>175</sup> Fuchs, “Marginalization,” 43.

alone; he had no other son or daughter” (vs. 34). It is Jephthah’s pain which the audience is invited to enter, not Seila’s. Unlike that “only” boy Isaac (Gen. 22:2), she is truly alone, for “no-one protects her – no God, no mother, no father.”<sup>176</sup>

While it is difficult to understand Seila’s compliance, Pilch reminds his readers that in ancient Israel a man’s authority as the head of his household is close to absolute.<sup>177</sup> Excluding slaves, the person with least power to question a man’s actions is his unmarried daughter who is, in effect, the property of her father. “Indeed, the destiny of women...in the family circle is to serve the men and obey them.”<sup>178</sup> In Seila’s subordination of herself to her father, “the narrator has the young woman speak against her own interests”<sup>179</sup> as she acquiesces to patriarchal power.<sup>180</sup>

Since “male authority is clearly preeminent in this strongly patriarchal society,”<sup>181</sup> it may partially explain why the community does not reprimand or punish Jephthah for killing his daughter.<sup>182</sup> When Jephthah decides to sacrifice Seila as an *’olah* no-one, not his fellow soldiers, tribal leaders, the narrator or

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<sup>176</sup> Bal, *Death*, 60.

<sup>177</sup> King and Stager, *Life*, 36; John J. Pilch, “Parenting,” in the *Handbook of Biblical Social Values*, updated ed., ed. John J. Pilch and Bruce J. Malina (Peabody, Mss: Hendrickson Publishers, 2000), 145-47; de Vaux, *Ancient Israel*, 20.

<sup>178</sup> Pilch, “Parenting,” 146-47; Hazel W. Perkin, “Family Life and Relations,” in *Baker Encyclopaedia of the Bible* (Grand Rapids, Mi.; Baker Book House, 1988), 1:769.

<sup>179</sup> Exum, “Feminist Criticism,” 75; Ohler, *The Bible*, 121.

<sup>180</sup> Exum, “Tragedy,” 67.

<sup>181</sup> Mark McVann, “Family-Centeredness” in the *Handbook of Biblical Social Values*, updated ed., eds. John Pilch and Bruce J. Malina (Peabody, Mss: Hendrickson Publishers, 2000), 76.

<sup>182</sup> Tapp, “Ideology,” 171. The narrator’s point that this is a period of near-anarchy is reinforced by the failure of the community to rescue Seila.

even YHWH, questions the right of this man to make a vow which leads to the death of a member of his household.<sup>183</sup>

As Jephthah meets his daughter her immediate response is “do to me according to what has gone out of your mouth” (vs. 36b). Jephthah has not told her what his vow entails, nor does she ask, but her calm instruction strongly implies that she possesses prior knowledge of the vow’s terrible codicil.<sup>184</sup> Fewell and Gunn declare that the terms of the vow would have been broadcast widely among the Israelites of Gilead.<sup>185</sup> If this is indeed the situation, Seila also knows the terms of the vow and therefore deliberately decides to be the first to come out of the house. Accordingly, her exit from the house may be construed literally as an act of self-sacrifice, making sense of Jephthah’s deep reproach of his daughter, “You have truly brought me very low. You yourself have become a calamity to me” (vs. 35).<sup>186</sup> If Seila has chosen to dance out of the house in order to be her father’s *‘olah*, her decision is almost as shocking as the vow itself.

In this encounter, “going out” (*yatsa* ‘צַץ’), whether associated with speech or dancing feet, has become a dangerous - but deliberate - activity shared by father

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<sup>183</sup> Other biblical daughters whose lives are blighted or lost by their fathers’ actions or neglect are Lot’s daughters (Gen. 19), Leah and Rachel (Gen. 29 –31), Dinah (Gen. 34), the Levite’s concubine (Judg. 19) and David’s daughter Tamar (2 Sam. 13). On the other hand, mothers work hard to protect their sons (e.g. Rebekah protects Jacob (Gen. 27:41-46), and Jochebed protects Moses (Exod. 2:2-10).

<sup>184</sup> Fuchs, “Marginalization,” 43; Today’s audience would expect the daughter to ask what the vow was about, but she does not. See “Ambiguity,” pp. 297.

<sup>185</sup> Fewell and Gunn, *Gender*, 127.

<sup>186</sup> See “Character Portrayal: Jephthah,” pp. 309-10, for a discussion about Jephthah’s criticism of his daughter for being the first to meet him.

and daughter. Indeed, Jephthah's first words are, in effect, "I had no choice but to allow the words of the irrevocable vow to come out (*yatsa* ' ) of my mouth. You knew that you could have avoided this situation, but instead you chose to come out anyway. You are responsible." Seila's insistence that her father must carry out - or "do" (*'asah*) - the *'olah* because of what YHWH has done for Jephthah implies that she does want to share the culpability for her own death.<sup>187</sup> "She has freely collaborated with her father,"<sup>188</sup> willing to become the 'sacrificial lamb' of his promised *'olah*.<sup>189</sup> What a team they are: the father minimising his responsibility while the daughter magnifies hers.

All in all the nuances of Seila's entire speech are difficult to decipher. The narrator presents her as too quick to reassure Jephthah and too certain that his vow to YHWH gives him but one choice, namely, to sacrifice her.<sup>190</sup> When she demands permission to attend a women's retreat Seila's words are again peremptory. She is looking for space and time, not sympathy.<sup>191</sup> Even during her time of lamentation in the mountains the narrator excludes the audience so none of her agony is heard. In contrast, Jephthah's grief is palpable: "Ah, ah, my

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<sup>187</sup> Davies, *Dissenting Reader*, 91; Fuchs, "Marginalization," 44.

<sup>188</sup> Fuchs, "Marginalization," 43.

<sup>189</sup> Janzen, "Why," 349.

<sup>190</sup> Seila's certainty decreases audience sympathy. Similarly, in 1980 sympathy decreased in the case of Lindy Chamberlain whose infant daughter was killed by a dingo at Uluru in Central Australia. Lindy was so self-possessed and "clinical" in talking about her baby's disappearance that the majority of Australians believed she murdered her baby. Adrian Howe, *Lindy Chamberlain Revisited: A 25<sup>th</sup> Anniversary Retrospective* (Canada Bay, NSW: LhR Press, 2005), 101, 169.

<sup>191</sup> For a reference to the use of the jussive in verse 37, see "Character Portrayal: Jephthah's Daughter," p. 314, fn. 142. Alice Laffey questions not the men's but the women's failure to challenge Jephthah on Seila's behalf. Alice Laffey, *An Introduction to the Old Testament: A Feminist Perspective* (Philadelphia, Pa.: Fortress Press, 1988), 99. My response is that culturally the women would not be in a position to challenge a male leader.

daughter” (*ahah bittiy* אההבִּיּוּ הַי) (vs. 35c).<sup>192</sup> Webb’s conclusion that “he finds he values her more, much more, after the battle than he had before” is strange:<sup>193</sup> if Jephthah values her so much, where are his words of fatherly compassion and contrition? The judge weeps for himself rather than for the daughter who must die to protect his male honour.<sup>194</sup>

While I have joined others in hypothesising that Seila’s two month retreat is a menarche ritual for *b<sup>e</sup>tuloth*,<sup>195</sup> there remains the possibility that the girls join her to mourn in preparation for the *’olah*. If Seila, like Achsah (Judg. 1:12), is to be offered to the victor of a battle, her virginity is an important component. Seila probably recognises “that if she were not a virgin daughter, her father could not sacrifice her.”<sup>196</sup> A victor requires a “pure” bride, and due to the terms of the vow, YHWH is the conquering hero who demands his reward from the vow-maker, Jephthah.

The idea of placing a virginal girl as a burnt offering to the victorious YHWH is almost certainly abhorrent to the narrator. Consequently he treads carefully when describing the *’olah*, shielding the audience from the horror of the act with the euphemistic phrase “he did to her his vow which he had vowed” (vs. 39b). By avoiding the word *’olah*, the narrator does not refer directly to the father’s act of

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<sup>192</sup> van Dijk-Hemmes, “Traces,” 37-38.

<sup>193</sup> Webb, *Judges*, 67.

<sup>194</sup> Tapp, “Ideology,” 171.

<sup>195</sup> See “Retrieval,” p. 342.

<sup>196</sup> Exum, “On Judges 11,” 142.

burning his child to ash. The explanation for this is possibly related to the narrator's overall purpose for the book of Judges. He may be working with a tradition about Jephthah's human sacrifice which is too powerful to be ignored, yet at the same time he does not want to present Jephthah too negatively. If so, the narrator may seek to modify the description of the *'olah* so that the worst excesses of the pre-monarchic years are confined to the later chapters (Judg. 19-21).

Various commentators - unable to reconcile the judge praised in Hebrews with the judge who sacrifices a human being - have used the euphemism in verse 39 to propose that Seila does not become an *'olah*, but instead is offered to YHWH to serve as a perpetual virgin in the tent of meeting.<sup>197</sup> This argument is flawed, because the laws on vows (Lev. 27:1-8) do not include celibacy as an option for the fulfilment of a vow, the Hebrew Bible has no record of such a practice, and overwhelmingly Jewish scholars do not accept the notion of Seila's perpetual virginity. Most acknowledge that Seila dies because of the vow, but wishing to protect Jephthah's reputation assume that he is ignorant of the law regarding monetary payment as a way to fulfil a vow (Lev. 27:1-8).<sup>198</sup>

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<sup>197</sup> Smith, "Failure," 285; Marcus, *Jephthah*, 25-26; Pamela Tamarkin Reis, *Reading the Lines: A Fresh Look at the Hebrew Bible* (Peabody, Ma.: Hendrickson Publishers, 2002), 123-25; Robinson, "The Story," 335-46. Robinson cites a range of scholars through the centuries who - due to the text's perceived ambiguity - have chosen to believe that Jephthah does not kill his daughter.

<sup>198</sup> J. Cheryl Exum, "On Judges 11," in *A Feminist Companion to Judges*, ed. Athalya Brenner (Sheffield: JSOT Press, 1993), 131, fn. 2. Rabbinic literature includes complaints that Jephthah could have asked Phineas the high priest for an annulment of the vow, but that the judge was too proud to do so. Brown, *No Longer*, 102.

While there is nothing in the text which describes how or why the women of Israel commemorate Seila after her death, Exum argues that the narrator has co-opted the women's ritual to further an androcentric agenda, namely, to honour Jephthah's daughter for her filial obedience.<sup>199</sup> Ironically Exum's caustic supposition is curiously aligned with the view of Alexander Whyte, a biblical scholar who in 1905 praised the outcome of the annual ritual in honour of Jephthah's daughter:

[They] came back to be far better daughters than they went out. They came back softened, and purified, and sobered at heart. They came back ready to die for their fathers, and for their brothers, and for their husbands, and for their God.<sup>200</sup>

Whyte has no evidence for his assumptions about this ritual, but when one considers how many men's rituals are described in biblical literature, it is vital that particular attention is paid to what little information there is concerning the world of women in ancient Israel. For Roland de Vaux, the narrator's reference to this as a four-day annual ritual means that the human sacrifice of an Israelite girl might be regarded as an historical event. "It is perfectly admissible that this custom.... recalled a real event."<sup>201</sup>

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<sup>199</sup> Exum, "Feminist Criticism," 75-76.

<sup>200</sup> Sawyer, *God*, 73.

<sup>201</sup> Roland de Vaux, *Studies in Old Testament Sacrifice* (Cardiff: University of Wales Press, 1964), 65. That the ritual lasts for four days rather than three (the favourite number of legends) implies that the ritual itself is a 'real event.'



One small piece of information about women's rituals is found in the appearance of the word *choq* (חוק) in verse 39e of the Coda. If *choq* is translated as "statute" or "custom," perhaps the women are celebrating Jephthah's daughter as a "statute in Israel" in praise of her filial obedience - a highly-valued virtue and legal requirement in Israel (Exod. 20:12; Lev. 19:3).<sup>202</sup> Bal asserts that "the daughter cannot but submit,"<sup>203</sup> yet the Hebrew Bible records a number of instances where Israelite women (e.g. Lot's daughters (Gen. 19:31-36) and Tamar (Gen. 38:15-19)) find ways of subverting the patriarchal order. If Seila has prior knowledge of the vow, why does she not find a way of escape? Why does she choose to come out of the house on the day of her father's return? In the process of identifying with her, one of my aims is to imagine the reason or reasons for Seila's actions and words.

### **Identification**<sup>204</sup>

The task of writing Seila's *midrash* has been a greater challenge than the other three in this dissertation, but as I progressed it became an emotional experience as well. Identifying with Seila has been difficult because there is virtually no background information about her. She is an enigma, and I remain puzzled by her behaviour. So I took time to imagine being a young woman whose father has long been an outcast. He must have built a powerful reputation as a warrior and the Gileadites must have been quite desperate to overcome their prejudices before

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<sup>202</sup> Herbert Wolf, "חוק," in *Theological Wordbook of the Old Testament*, ed. R. Laird Harris (Chicago, IL: Moody Press, 1980), 2:316.

<sup>203</sup> Bal, "Between Altar," 228.

<sup>204</sup> This section on "Identification" is based on the *midrash*, Appendix 7, pp. 505-510.

seeking Jephthah as their commander-in-chief. Yet surely he still carries the scars of rejection and Seila, like many daughters, would sense this. She grows up in the land of Tob, so coming to Mizpah would not be easy - especially as an only child whose mother is absent. In the *midrash* I have assumed that Jephthah is a widower, making the family's isolation more poignant.

Seila's remarkable speech in response to her father's distressed accusations makes sense if she already knows of the vow and has a plan of action. In my identification with her, I found that the most reasonable explanation of her speech is that she is determined to maintain Jephthah's honour as a man who keeps his vow to YHWH no matter what suffering both father and daughter must endure in the process.<sup>205</sup> Like her father, Seila is forthright. She reminds him that he chose to open his mouth to make the irrevocable vow to YHWH. Unlike her father, she is confident that what she has done in coming out of the house is the only honourable response to the deity who has granted victory to the vow-maker. Seila ensures that Jephthah cannot escape the terms of the vow: he must give his virgin daughter as an *'olah* to God. Anything less will bring Jephthah shame, and in Seila's eyes that is a curse worse than his loss of his daughter, the last member of his family.

Finally, Seila believes that Israel will remember Jephthah with honour for fulfilling his part of the vow at great cost to himself. Indeed, because of this the

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<sup>205</sup> "Where honor is the highest value, public humiliation is a fate worse than death." Plevnik, "Honor/Shame," 108.

most valuable of all gifts that her father could offer to God, Jephthah will be known as one of the great judges of Israel.

In identifying with Seila I find that she is a strong-willed girl whose ethical ideas may stem from having made her plans without guidance from a wiser person, and from a life-long awareness of Jephthah's past shame. This knowledge is so powerful that it propels her into believing that a supreme sacrifice on his part will win him honour both from God and, perhaps even more significantly, from those who once humiliated him so deeply.

Seila is young, idealistic and concerned with adult problems far too early in life. Without the adult support she needs, her father seems incapable of providing her with guidance and she is unable to face death with equanimity. Having heard about the victory and before her father's return, she realises the enormity of what she is about to do and what she is about to lose. So when she hears his cries of anguish, she cannot resist a small backlash, reminding him that it had been his big mouth which opened to make the vow in the first place.

Astonishingly courageous, Seila now faces her pending death and does not resile from her stratagem. Although she is ready to forfeit her life for her father's reputation, the *b<sup>e</sup>tulah* has already made plans to do something for herself before she dies. In taking part in the women's coming-of-age ritual, Seila finds a place to pour out her grief, mourn her losses, and to prepare for death. Although she longs

for her father's affection and affirmation, Seila knows that he cannot give it to her; it is as if she is the adult in their relationship. By arranging to attend the mountain retreat she hopes to be given the motherly and sisterly emotional care and comfort which she so desperately needs.

For all his faults, Jephthah does at least allow his daughter two months' reprieve. Seila knows that she has turned her back on him during this crucial time, but she has enough strength of character to allow herself time and a place to prepare for death in a way that is best for her. She does not ask of her father more than he is able to give.

Just as she binds her father to his word, Seila keeps her word and returns to Jephthah. Neither father nor daughter seeks a way to escape the obligations of his vow. They both believe that a promise made to YHWH is sacred: a performative word that cannot be broken.

Sadly this ancient story of family violence is a tale with modern connections: an inadequate man struggles with spiritual uncertainties, emotional pain and fear of failure and then abuses, blames and eventually destroys the person closest to him - the very person who nevertheless supports and protects the violator to her last breath. It is only in recent decades that ever increasing numbers of people have

learned to recognise the cycle of violence and understand it as a major social scourge that continues to damage so many lives world-wide.<sup>206</sup>

In writing the *midrash*, I was most moved by the last phase of Seila's life in the mountains with the women. With her, I wept for the life she never lives, for the future family she never loves. I felt thankful for the women who accept her into their community and soothe her in her loneliness. It is their care which makes it possible for her to die with serenity rather than terror. But why should Seila have died at all, and why should her death be in vain? Cannot Seila play a valuable role for peace even three thousand years after she is murdered? The Hebrew Bible is one of the world's most widely-known books, and Seila's story is there for all who have eyes and ears to read and/or hear it. Instead of today's readers searching for ways to justify Jephthah's behaviour, the possibility remains for this story to become the springboard for robust discussion and constructive action towards overcoming family violence.

### **Retrieval of Resistant Narrative Strands**

For an unknown period of time the women of Israel honour Seila by conducting an annual ritual which celebrates (*tanah* תָּנָה) her memory. At some stage their yearly tradition lapses. Over the millennia and always in the shadow of her famous father, Seila receives some attention from biblical commentators. Since

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<sup>206</sup> John Pilch reminds his readers that in a culture like that of ancient Israel, male control and honour are highly valued, and "family members put up with mistreatment and violence because this is the way the culture works. Pilch, "Family Violence," 323, 314.

feminist biblical scholars have revitalised her story, however, Seila's life and death have been the subject of more extensive discussions and a variety of interesting insights are emerging.

Jephthah is a judge of Israel to whom YHWH has given victory over the Ammonites at the expense of his daughter's life. This daughter has long been regarded as the Bible's epitome of filial obedience, and in one sense she is. Yet there is more to Seila than this. Despite the narratological limitations placed on her, Seila's words and actions demand that she be acknowledged for other, stronger qualities.

When she enters the story, Seila's behaviour precipitating her terrible fate is simultaneously admirable and shocking. In the first of three women's rituals mentioned in Judges 11, Seila dances out of the house making music for the hero's homecoming. Yet when her father cries out against her and says that he cannot take back his promise to YHWH, she responds with astonishing composure. Even in the most stressful of all situations Seila, controlled enough to tell her father what must happen and to explain the arrangements she has apparently already made, delivers her words with a measure of practicality which her father's impassioned speech lacks.<sup>207</sup>

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<sup>207</sup> These words give weight to the contention - which I support - that Seila has prior knowledge of the vow. Note Seila's double repetition of "do" ('*asah* עשה) as she tells her father what he must do and why. Klein, *Deborah to Esther*, 11. See also "*Leitworten*," 286-87.

After Jephthah's bitter words of recrimination, Seila boldly reminds him that it is he, not she, who bears the responsibility for what has transpired. "My father, you have opened your mouth to YHWH" (vs.36a). In so doing the *b<sup>e</sup>tulah* plays the prophetic role which years later YHWH gives to Nathan as he famously tells David: "You are the man" (2 Sam. 12:7a).<sup>208</sup> Seila, with the authoritative tone of a woman of wisdom, tells her father that he has no option but to implement his promise because YHWH has fulfilled the first part of the agreement. In the opening of her speech, therefore, Seila demonstrates a characteristic of Goitein's "rebuke song" genre in which women admonish their menfolk.<sup>209</sup> Because she is so young, Seila does not fit the classic 'wise woman' category.<sup>210</sup> Yet there is enough in this young woman's speech to imply that although compliant, nevertheless Seila is a wise girl, capable of critiquing her father both through her words and her decision to leave him for two months.

In response to Seila's words in support of her father's stance feminists usually deplore her rapid compliance as evidence of textual androcentricity.<sup>211</sup> The text is indeed androcentric, yet feminists might also recognise Seila's acquiescence as that of a young woman who - within the confines of her social world - believes that her stance on this matter is the only honourable response to the horrifying

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<sup>208</sup> This connection between the words of Seila and Nathan was noted by Dr Annelie Brixius. [Written communication, 11<sup>th</sup> January, 2010].

<sup>209</sup> Goitein, "Women as Creators," 12.

<sup>210</sup> The classic 'wise woman' is older and usually a mother. See thesis "Conclusion," p. 479.

<sup>211</sup> Bellis, *Helpmates*, 127-31. Bellis summarises feminist criticisms of the daughter's compliant behaviour.

dilemma into which Jephthah has placed them.<sup>212</sup> While the narrator's intent may have been to dilute Jephthah's responsibility by indicating that YHWH and Seila are also complicit in the fulfilment of the vow, perhaps an unintended 'side effect' is the remarkably strong portrayal of a self-possessed and determined young woman whose competence contrasts with her father's distressed helplessness.

No reason is given for Seila's decision to pave the way towards her own death, yet her first spoken words indicate that she has an altruistic motive. In the *midrash* she is convinced that the continuing safety of her country and/or her father - along with the power and prestige he would gain from performing an '*olah* - is dependent on Jephthah sacrificing his only child to ensure the deity's favour.<sup>213</sup> She also believes and accepts that the sacred promise – namely, that victory demands the death of a human being on an altar - is non-negotiable.<sup>214</sup> Equally determined is her resolve to make the most of the time she has remaining to her.

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<sup>212</sup> Bal, "Between Altar," 218. Tragically Seila's belief means that she 'willingly' gives up her life. Day, "From the Child," 58.

<sup>213</sup> Gerstein, "Ritual," 182-83; Exum, *Fragmented Women*, 20. Exum notes David's avowal, "I will not offer burnt offerings to the Lord my God that cost me nothing" (2:Sam. 24:24). Similarly, Jephthah may have deliberately made a difficult promise to persuade YHWH to favour his cause. Is this a case of 'like father, like daughter'?

<sup>214</sup> Biblical exegetes have long connected the stories of the near-sacrifice of Isaac and the sacrifice of Jesus. But surely the connection between Jesus and Jephthah's daughter is closer yet? Both Jesus and Seila are obedient to their father's will, both are forsaken by the deity, both lament and both die terrible deaths. Note Jesus' cry, "My God, my God, why have you forsaken me!" (Mark 15:34). Deborah Sawyer also sees that Seila "in her virginal state and her mode of obedience... is the prototype of Mary of Nazareth." Deborah F. Sawyer, *God, Gender and the Bible* (London/New York: Routledge, 2002), 74.



Seila has chosen to attend a two-month retreat in the mountains - probably a regular place for women's rituals - to lament the end of her *b<sup>e</sup>tuliyim* and presumably to prepare herself for her death. Perhaps she seeks the comfort of other women, but at no stage is she presented as pitiable. On the contrary, in presenting her plan to her father her words are both respectful and strongly assertive: "Let this thing/word (*hadabar hazeh* הדבר הזה) be done for me" (vs. 37a). Seila has prepared this discourse with the expectation that her father will give her the "word" (*dabar* דבר) of assent for her retreat to the mountains. As a warrior, her father has left her on many occasions in the past; now it is her turn to leave him. She demands a positive response, and Jephthah does not refuse her. How could he do otherwise, when she has so graciously helped him to maintain the resolve to fulfil his vow?

"Symbolically through speech, she journeys from the domain of her father who will quench her life to that of her female companions who will preserve her memory."<sup>215</sup> What follows is a rare glimpse into the secret life of women in ancient Israel (verses 38-40). The references to women's rituals (vss. 34, 38b-c, 39c-40) which frame the ritual in which Jephthah immolates his daughter are remarkable because they are among the very few women's traditions which are even mentioned in the Hebrew Bible.<sup>216</sup> No words of the rites remain, so it is

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<sup>215</sup> Exum, *Tragedy*, 63.

<sup>216</sup> Other examples of women's oral traditions appearing in the Hebrew Bible are Miriam's song in Exodus 15:20-21, the song of Deborah in Judges 5, and the women's singing and dancing welcome for the victorious army in 1 Samuel 18:6-7.

probable that the biblical narrator has little idea of what the rituals are about.<sup>217</sup>

The absence of information about the women's activities implies two things. One that the narrator, living during a later period in Israel's history, has not fabricated content for the women's rituals and two, that they appear to be strands of legendary material which have remained in Israel's collective memory - albeit without the words of the rituals - and are eventually recorded by Jewish scribes for posterity.

The inclusion of these rites in Jephthah's story means that at least a memory of 'secret women's business'<sup>218</sup> in antiquity is preserved. Verses 37 to 40 indicate that such rites did once exist, that they were exclusive to women, and that they were a regular feature of the lives of some Israelite women at some stage in their history. A few lines in Jeremiah indicate that "women were central to expressions of mourning and lamentation," but again, no words remain.<sup>219</sup> In the context of the Hebrew Bible's patriarchal bias, the vignettes in verses 34 and 37 to 40 are a literary oasis for women who are looking for remnants or "wandering rocks" of

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<sup>217</sup> Marc Zvi Brettler, "Women and Psalms: Towards an Understanding of the Role of Women's Prayer in the Israelite Cult," in *Gender and Law in the Hebrew Bible and the Ancient Near East*, ed. Victor H. Matthews, Bernard M. Levinson and Tikva Frymer-Kensky (Sheffield: Sheffield Academic Press, 1998), 43; Bal, "Feminist," 218; Abu-Lughod, *Veiled Sentiments*, 26.

<sup>218</sup> The term 'secret women's business' became famous in Australia in 1994 in a dispute between land developers and Aboriginal women - who sought to preserve an area that was sacred to their language group - at Hindmarsh Island, South Australia.

<sup>219</sup> Jeremiah 9:20 reads, "Hear, O women... teach to your daughters a dirge, and each to her neighbour a lament." Murphy, "Word," 101. Jewish literature does not include the words of any women's rituals which were transmitted orally only among women. See Chapter 5, "Conclusions," p. 447, and "Methodology: Orality and Folklore," p. 83.

“her-story,” in this case female rituals, which have found their way into the pages of the Bible.<sup>220</sup>

The first ritual mentioned in this pericope is Seila’s welcome dance for the returning war hero - presumably also performed by other girls who follow her lead – which appears to be similar to the victory dances recorded in Exodus 15:20-21 and 1 Samuel 18:6-7. The second ritual which takes place in the mountains may be an established rite-of-passage for initiates: a rite which is bound by convention, spatial isolation and a time constraint of two months.<sup>221</sup>

This is the rite which makes it possible for the *b<sup>e</sup>tuloth* to lament the fleeting stage of nubility<sup>222</sup> and before they are taken from their family-of-origin to be married and subjected to the dangers of child-bearing.<sup>223</sup> “In the case of girls, the loneliness of the wilderness prepares her to accept the insecurity in confinement that her adult life will hold.”<sup>224</sup> In Seila’s case, she has more to lament than the loss of childhood, for awaiting her is death and the shadows of Sheol.

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<sup>220</sup> Bal, “Between Altar,” 218-19.

<sup>221</sup> Bal, “Between Altar,” 217. The stipulated time-frame of two months is more likely to mean that the retreat is regularly held for *b<sup>e</sup>tuloth* – perhaps following the harvest festivities at the end of the battle period of spring-summer (2 Sam. 11:1). Contra Bledstein’s proposal that this is a rite initiated by Jephthah’s daughter. Bledstein, “Is Judges?” 46.

<sup>222</sup> Gordon J. Wenham, “B<sup>E</sup>TŪLĀH,” ‘A girl of Marriageable Age’,” *Vetus Testamentum* 22 (1972): 333-335. Wenham contends on the basis of various biblical texts, that *b<sup>e</sup>tuliyim* are the ‘tokens of nubility’, that is, signs of menstruation. Bird suggests that if this event is associated with menarche it could also be a religious ritual. Bird, *Missing Persons* 118-19.

<sup>223</sup> Edith Turner reports her observations in the 1950s of three-month marriage preparation rites for nubile young women of the North Rhodesian Ndembu community. The rite-of-passage was conducted in secrecy by the women who “accompanied the girl to bring her into the world of adulthood....You die to the old life and are born anew.” Edith Turner, *Heart of Lightness: The Life Story of an Anthropologist* (New York: Berghahn Books, 2005), 67-70.

<sup>224</sup> Bal, *Death*, 110; Day, *From the Child*, 58; J. Cheryl Exum, “Whose Interests Are Being Served?” in *Judges and Method: New Approaches in Biblical Studies*, ed. Gale A. Yee (Minneapolis, Mn: Fortress Press, 1995), 76.

It is hardly surprising that Seila wants to take part in a life-stage ritual such as this.<sup>225</sup> Having displayed extraordinary courage and determination, Seila now allows herself time for sorrow, grief and terror. She also gives herself the opportunity to be cared for by her friends in preparation for death. Exum describes the women's event as a "counter-movement of resolution and repair" away from Seila's father and towards her friends.<sup>226</sup>

With Seila's death, Jephthah's family line is cut off and all hope for descendants is gone. It would be so easy for her memory to be extinguished along with her life.<sup>227</sup> But the Coda reveals that the women of Israel refuse to let her vanish from Israel's history. Their commemoration reminds audiences that the Bible carries some tenuous narrative threads which nevertheless ensure that a few women's stories continue to be told and heard. In the yearly rite in which the life of Seila is recalled, the women gather for four days to commemorate (*l'tannoth* לַחֲנוּת) the daughter of Jephthah the Gileadite.

There are various hypotheses about the meaning of the phrase *l'tannoth l'bat yiptach* (לַחֲנוּת לַבַּת יִפְתָּח) (vs. 40b). Perhaps the rituals involve lamentations for

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<sup>225</sup> A current equivalent of the ritual might be the *bat-mitzvah* for Jewish girls.

<sup>226</sup> The only direct speech from Seila's lips begins with the words "my father" (*'abiy* אָבִי) and concludes with the words "my [female] friends" (*ve'otay* וְרַעֲיִתַי). See "Character Portrayal: Jephthah's Daughter," p. 316.

<sup>227</sup> Exum, *Tragedy*, 61.

her death, but they might also praise her for obeying her father.<sup>228</sup> What is most significant, however, is that an ancient tradition initiated by “the daughters of Israel” to recount and/or celebrate the *b<sup>e</sup>tulah* herself has been preserved.

Unsurprisingly the retained narrative strands are sketchy and brief. The possibility of a male narrator having access to women’s songs and chants is remote when those songs relate only to women’s interests. Nevertheless the narrator of Judges 11 has retained two resistant strands of ancient women-only rituals. In contrast to the peace made by men when they cease fighting, the Coda’s record of an annual women’s ritual makes it possible to imagine another kind of peace-making through *tanah*, namely, the age-old tradition of story-telling.<sup>229</sup>

Two words provide a clue to the importance of the Coda. As already noted, *choq* and *tanah* are the words used to describe the women’s ritual (vss. 39c- 40).<sup>230</sup> The legal term *choq* is most frequently translated as “statute” or “ordinance.”<sup>231</sup> Consequently Seila’s memorial may be more important than exegetes have previously considered. At the very least Seila’s commemoration is an important occasion in the Israelite calendar. The word *tanah* (to recount) is also significant because it occurs in just one other text, the Song of Deborah (Judg. 5:11b), widely

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<sup>228</sup> The latter has long been an assumption of male exegetes. Sawyer, *God*, 731; Goitein, “Women as Creators,” 23.

<sup>229</sup> Exum, *Tragedy*, 168, fn. 47.

<sup>230</sup> See “Events,” p. 280, and “Ambiguity,” p. 298-99.

<sup>231</sup> See “Suspicion,” p. 332.

considered to be one of the oldest extant portions of Hebrew literature.<sup>232</sup> This connection between Deborah's song and the women's yearly ritual gives credence to my contention that this strand of resistance narrative in the Coda (vs. 40) has equally ancient origins. In the Song of Deborah, the Israelites celebrate (*tanah*) YHWH's victory, so the use of *tanah* as well as the powerful word *choq* in the narrator's description of the women's annual memorial for Jephthah's daughter "indicates something about the magnitude of the ritual.... She is commemorated by an official degree."<sup>233</sup>

It is just possible that this link between Deborah's song and the ritual was a factor in a narratorial decision to preserve the Coda. As Exum states, "This image [of the women's ritual] is too powerful to be fully controlled by the narrator's androcentric interests."<sup>234</sup> Goitein reminds his readers that "the ancients" had few memorial days. "How much more worthy of notice, then, is the story of the women who chanted dirges over Jephthah's daughter."<sup>235</sup> The ritual is surely more than a dirge: Bal calls it a "memorialization, a form of afterlife, [which] replaces the life that she had been denied."<sup>236</sup>

Just how long Israelite women continue to perform the annual ritual is unknown, but the retention of this one sentence in Judges 11:40 means that the women's

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<sup>232</sup> D. Harvey, "Deborah," in *The Interpreter's Dictionary of the Bible* (Nashville, Tn.: Abingdon Press, 1962), 1: 809.

<sup>233</sup> Sjöberg, *Wrestling*, 66.

<sup>234</sup> Exum, "Whose Interests," 76.

<sup>235</sup> Goitein, "Women as Creators," 23.

<sup>236</sup> Bal, "Between Altar," 227.

purpose in keeping Seila's story alive has been achieved in a way that would have been beyond their wildest imagining.

## **Conclusions**

Unsurprisingly this narrative analysis of Judges 11 reveals an androcentric bias which provides some protection for Jephthah's reputation. Because of the complicity of YHWH and Seila in the implementation of the vow, Jephthah does not have to bear the whole responsibility for its dread outcome. Furthermore, since YHWH and the victim herself are participants in the working out of the vow, the task of rescuing Seila from her horrifying death becomes exponentially difficult. Thus the narrative of Jephthah and his daughter, far from simply being an ancient tale of child abuse, portrays the child as sharing the responsibility for her own abuse: a scandalous element of family violence which continues today.

For those who maintain an image of YHWH as a benevolent and predictable deity whose justice is intelligible and fair, Seila's story is alarming and challenging. In another difficult story, Job is tested to the limits of his endurance by a deity who is abruptly and frighteningly unfaithful, unpredictable and unjust. Yet even there YHWH endeavours to ameliorate Job's suffering by blessing him with more children and restoring his fortune (Job 42:10). In Judges 11 Seila is not saved at the last minute; instead she is killed by her father and abandoned by her God.

For all these reasons, the recounting of Seila's story is important. It will always have a role in reminding its listeners that terrible things happen to 'innocent' people, sometimes without hope - at least in this life - of restoration or redemption. The Bible's retention of this account of a young victim of abuse alerts audiences to the dangers of family violence, the danger of being a woman in a world where men hold too much power, and the danger of having one's prayers answered by a deity whose ways are beyond understanding.

The desperately insecure judge, who goes too far in his desperate quest for acceptance and certainty, destroys his daughter with his words. Yet "if words can kill, they can also heal... To recount the story of Jephthah's daughter is to make her live again through words."<sup>237</sup> Ultimately it is the "daughters of Israel" who refuse to allow Seila to be marginalised or forgotten as each year they tell Seila's story to honour her in a subversive tradition of "feminist symbol-making."<sup>238</sup>

Seila is not "a garden shut, a fountain sealed," so the last line from the stanza of Ostriker's poem heading this chapter can be discounted. Instead the narrator - whether he is aware of it or not - shifts the story from the world of men and the violence of their wars to the world of women who memorialise Seila in a celebratory ritual. It is a ritual which "offers hope that women's solidarity can overcome tragedy."<sup>239</sup>

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<sup>237</sup> Exum, "On Judges 11," 132.

<sup>238</sup> Exum, *Tragedy*, 69.

<sup>239</sup> Miller, *Tell*, 92.