

Numbers 25 and Beyond: Phinehas and Other Detestable Practice(r)s

Introduction

In Ezra 9, having returned to Jerusalem from captivity in Babylon and finding that the ‘holy seed ha[d] mixed itself with the peoples of the lands’ (Ez 9:1), Ezra is appalled (9:4). His response takes the form of a lamenting prayer (vss. 6-15), which is really a sermon, addressing what he perceived as faithlessness on the part of the returned exiles and those who had not been deported. Ezra 9 three times uses the root תועבה, abomination, or as the NIV renders it, detestable practices. Ezra makes clear his view on the state of Judahite society and institutes a series of social reforms to purify the nation once more. The story that we read in Numbers 25, which tells of an Israelite man and a Midianite woman speared through on the occasion of their marital embrace is in effect a commentary on Ezra’s reform. It is clear through the way the story is told who we are to believe the detestable practice(r)s are.

While Ezra’s words, as translated by the NIV translation committee, are the inspiration for the title of this paper, it should be clear that I am interested in reading against the colonial ideology he brings to bear. The paper itself is guided by a story told by an Australian aboriginal elder. Indeed, it is a story told to him by his mother. It is a brutal story, bringing together three images of abuse and violence committed against Australian aboriginal people in the first half of the nineteenth century. These three images will be put in dialogue with three biblical texts with which there are clear resonances. In this sense, the reading is contrapuntal, to use Said’s terminology, and responds to Sugirtharajah’s call to place biblical texts in conversation with the experience of those who have suffered at the hands of colonisers.

In reading this way, it is important for me to be clear about who I am: a white, middle-class Australian man with a touch of English ancestry. As one with an interest in postcolonial studies, my whiteness is of course, an issue. With Daniel Smith-Christopher, I ask ‘What is a white liberal to do?’ And with him too, I respond, ‘...to listen to, engage and support our colleagues from more or less dissimilar backgrounds

or social locations.’¹ To be silent on these issues is to be complicit, so with a measure of humility, I offer my thoughts, hoping that they may in some way contribute to a conversation that leads to understanding, to reconciliation, to a better world.



*My mother would sit and cry and tell me this: they buried our babies in the ground with only their heads above the ground. All in a row they were. Then they had a test to see who could kick the babies' heads off the furthest [sic]. One man clubbed a baby's head off from horseback.*²

It seems implausible that there could be a more detestable act than the one described above. The actions of the settlers are despicably cruel and appallingly calculated. If anything could be worse than what is recalled above, it must surely be the trauma of having to remember it. This story is told because there was someone, an un-named mother, who was a witness to it, and whose life was lived haunted by the things that she had seen.

Atrocities against children in the theatre(s) of war are these days, a common practice. Genocide, ethnic cleansing and other such detestable acts have been widespread in the latter part of the twentieth century: from the killing fields of Rwanda, through to the Serbian carnage wreaked on Bosnia³, the child soldiers of the Tamil Tigers and the still untold stories of Afghanistan, Iraq and so on. Children, those who have no part in any battle or conflict, seem to be even more vulnerable than ever before. Even

¹ Daniel L. Smith-Christopher, "Abolitionist Exegesis: A Quaker Proposal for White Liberals," in *Still at the Margins*, ed. R. S. Sugirtharajah (London: T and T Clark, 2008), 132.

² J. P. Roberts, *Massacres to Mining : The Colonisation of Aboriginal Australia*, Australian updated ed. (Melbourne: Dove Communications, 1981), 19.

³ As I write, former Serbian General Radko Mladic is on trial at The Hague for war crimes. At a football match between Australia and Serbia just in the last few weeks, a banner was unfurled which cried for his release, a sure sign that violence lingers not far from the surface.

those who escape death do not escape the affects of war; orphaned, made homeless, destitute, disowned, they become a shame to their communities.⁴

But we are wrong to assume such actions are new in our world. There is a strong biblical tradition of violence against children, both real and imagined. 1 Samuel 15:3 records the King, Saul, ordering the ruthless slaying of the Amalekites, saying they are to be ‘utterly destroyed’, including the *יונק*, the suckling ones.⁵ The verb ‘utterly destroy’ here, is the root *חרם*, which lends the extermination a sacred element. Those things which come under the ban are devoted to Yhwh.⁶ Verse 8 records that all the people were put to the sword, though some of the more valuable sheep, cattle and fatlings were spared. As the narrative is told, it was in sparing the life of these animals that Saul’s Kingship began to unravel.⁷

In 2 Kgs 8:12, Elisha predicts that young men, little ones, and even pregnant women will be put to the sword by a rampant Hazael. This instance is slightly different from the example in Samuel, in that the Samuel example comes to us as a direct order from the King, and an unspoken assumption that his orders are followed. In Kings, Elisha is speaking of something that may come to be, rather than issuing an order. Nonetheless, Hazael goes onto to become a King, as Elisha predicts and is responsible for the oppression of Israel. Again, we are left to assume that Elisha’s predictions come to pass.

Moving to the writing prophets the nature of the delivery changes once again. Hosea 14:1, in an oracle against Israel declares that their ‘little ones will be dashed in pieces and their pregnant women ripped open.’ This is the second instance of this image in Hosea, the first coming at 10:10⁸, though in this instance there is no ripping open of pregnant women, just dashing in pieces of little ones. So too in Nahum 3:10, a

⁴ See Anastasia Boniface-Malle, "From Violence and War to *Shalom* in the Hebrew Bible," in *Validating Violence - Violating Faith? Religion, Scripture and Violence*, ed. William W Emilsen and John T Squires (Adelaide: ATF Press, 2008), 77.

⁵ BDB, 413.

⁶ See Susan Niditch, *War in the Hebrew Bible* (New York: Oxford University Press, 1993), 28-55.

⁷ See 1 Samuel 15:10-35

⁸ See also, Isaiah 13:16

remembrance is made of infants dashed in pieces as a result of the exile of Thebes. Surely, Nahum seems to suggest, Nineveh should expect the same.

Clustered together in his fashion, it is clear that the image of children being killed in such cold-blooded fashion was simply a part of the practice of ancient warfare,⁹ or perhaps, a part of the rhetoric that surrounded warfare. Either way, the idea is detestable. This tradition takes a cruel twist in Psalm 137.

*O Daughter Babylon, you devastator!
Happy shall be they be who pay you back
what you have done to us!
Happy shall they be who take your little ones
and dash them against the rock.*
(Psalm 137:8-9, NRSV)

The style of discourse here is telling. The psalm is an act of remembrance, of recollection, and looks forward to recompense. But as a psalm, its language is metaphorical, poetic. The previous examples talk of the killing of children in similarly poetic forms. While this psalm takes up the oracular imagery of the prophets, the examples which form part of the narrative account of Israel's history contain no such concrete descriptions of the murder of the children.¹⁰ Keel points out that Middle Eastern writing much prefers such concrete imagery, but that such images often signify something far greater than reality. The suggestion is that 'the little ones' or 'children' actually represent the ruling class that perpetuates the dynasty and so that the verse may be rendered "Happy is he who puts an end to your self-renewing domination", which is far less troubling than the actual image offered.¹¹ Yet it is the image offered which is what concerns us. Why this image? Why this sick fantasy of violence against children?

Allen suggests that the 'spiritual framework of the psalmist' provides a key to understanding this image.¹² These images are inextricably linked with the theological

⁹ John Goldingay, *Psalms*, ed. Tremper Longman III, 3 vols., vol. 3, Baker Commentary on the Old Testament Wisdom and Psalms (Grand Rapids: Baker, 2008), 609.

¹⁰ *Ibid.*

¹¹ Othmar Keel, *The Symbolism of the Biblical World* (New York: Seabury, 1978), 9.

¹² Leslie C. Allen, *Psalms 101-150*, Word Biblical Commentary (Waco: Word, 2002), 309.

concepts of the chosen nation, of the territory possessed by divine right, of the holy city and its corollary, holy war. Such passionate nationalism is considered a virtue in the Old Testament record. The desolation of Jerusalem, the ignominy of the exilic experience is an affront to Yhwh, and so the psalmist's lament is related not only to those things the community has experienced, but of the sin committed against Yhwh,¹³ the killing of the children coming in some way to represent 'satisfaction of divine justice'.¹⁴ The act of speaking the psalm, of performing the remembrance, is an act of clinging to historical identity, in the face of humiliation and distress. It is in the expression of such violent fantasy that the lust for revenge is sated and that such hopes are committed to the god of [presumed] universal justice, so that even those who mouth such things submit themselves to it.¹⁵ Actually, as Goldingay suggests, this is even more than hopefulness: in the end, this is an expression of confidence in Yhwh's willingness to fulfil the promises made by the prophets.¹⁶

Of course, such arguments can only be made by those who have such atrocities in their sacred texts and they are presumably of shallow comfort to those who exist within the communities who are the supposed victims of such imagined violence. As we have established, this psalm does not devise in itself the most detestable image it can fathom. Instead, it borrows from prophetic tradition¹⁷ which in turn develops an older, less graphic narrative tradition in which children become the target of imperial aggression. It is surely no surprise that such brutal, now canonised images continue to cause tension and violence as they are held up as sacred and authoritative.

To this point we have been consumed by the image of the murdered children. As awful as this is, it is at least matched by the description of the perpetrators. אֲשֵׁרִי is an important word in the psalter. Indeed, it is the first word of the psalter, an instance where it is traditionally translated a 'happy' or 'blessed', so in the NRSV, 'Happy are

¹³ Ibid, 310.

¹⁴ Allen, *Psalms 101-150*, 237.

¹⁵ E. Zenger, *A God of Vengeance? Understanding the Psalms of Divine Wrath*, trans. L.M. Maloney (Louisville: Westminster John Knox, 1996), 48.

¹⁶ Goldingay, *Psalms*, 610.

¹⁷ Goldingay, 610, notes that this prophetic tradition also images Judah's children as the victims of Babylonian violence. See Jer 13:14 and 51:20-23.

those...’ Mowinckel saw no difference between אֲשֶׁרִי and the more common term for blessing, בָּרוּךְ,¹⁸ though Kraus discerns a more secular tone in the former. Happiness never refers to god, whereas blessing demands certain behaviours.¹⁹

Athalya Brenner, who reads this psalm with Jan T. Gross’ book *Neighbours*, a story of the total destruction of a Jewish community in Poland in 1941, argues persuasively for a translation of אֲשֶׁרִי as ‘Praised’.²⁰ Indeed, she argues that the choice of ‘happy’ or ‘blessed’ as the first word of the psalter is ideological, despite a long-honoured tradition. However, either of the traditional choices presents a significant ethical dilemma for readers of Psalm 137. Are we content that those who murder children can be either happy or blessed? Even as an act of revenge, surely there is nothing uplifting in the destruction of innocents. Brenner’s choice of ‘Praised’ softens the extremity of this outburst, noting that a verbal assault on the most defenceless of the enemy constitutes affirmation, in the sense of ‘righteousness’ perhaps (see Psalm 1), and/or is praiseworthy for the avenger, but, that this does not in any way solve the moral problem. Nonetheless, it is altogether different to suggesting that the perpetrator of violence may actually be ‘happy’ about his cruel actions, or in some divine way ‘blessed’ on account of them.²¹

Of course, what we are speaking of is a verbal or textualised fantasy of violence. It is one thing to talk about, or to write about committing such horrors, another thing altogether to carry it out. The verses that conclude Psalm 137 are a call for revenge, but there appears to be little if any evidence that such atrocities were committed against Jewish children.²² The textualised image of the crushed children then, serves as a symbol to remember the catastrophe of the exilic experience and the desire for

¹⁸ S. Mowinckel, *The Psalms in Israel’s Worship* (1962), 47, in Henri Cazelles, “‘Ashrê,” in *Theological Dictionary of the Old Testament*, ed. G. Johannes and Ringgren botterweck, Helmer (Grand Rapids: Eerdmans, 1974), 446.

¹⁹ H.-J Kraus, BK, X/1, 3, in *Ibid.*

²⁰ Athalya Brenner, “‘on the Rivers of Babylon’ (Psalm 137), or between Victim and Perpetrator,” in *Sanctified Aggression*, ed. Jonneke Bekkenkamp and Yvonne Sherwood, *Bible in the Twenty-First Century* (London: T and T Clark, 2003).

²¹ *Ibid.*, 91.

²² *Ibid.*, 84-85. This, as Brenner points out, stands in stark contrast to commentators’ assertions that child killing was a part of the mechanics of ancient warfare.

revenge, without carrying with it the actual intention of fulfilling the detestable wish that the symbol represents.

The great tragedy of this image is that in our story of aboriginal re-collection, the brutality moves from the fantasy of one's²³ mind, from the pages of a book, to cruel, calculated execution of a barbaric crime.²⁴ The grim reality of this story is that the various understandings of the psalmist's אשׁרי appear to resonate within the performance of the psalm in colonial Australia. This story inverts the relationship of the psalm. The Psalm speaks from the position of the subject, desiring revenge against the imperial aggressor. This story, however, is about the unbridled expression of colonial aggression; a clear statement of presumed superiority. The depravity of the action is in the game that it becomes. Not content with the destruction of innocent lives, not content with committing this atrocity in the faces of the childrens' family, the killing becomes a contest. One can imagine the banter and laughter that accompanies sporting contests – the urging on, the sledging, the laughter. In a sick, detestable way, these murderers enjoy their work, they are אשׁרי, happy. Sadly, as we will see in the following section, community attitudes towards aboriginal death was at best ambivalent. Many statements were made about the uselessness of the aboriginal people. Many wished for their extermination. So again, these men may well have been אשׁרי, praised. And as Mark Brett has shown, colonial attitude towards Aboriginal people, even amongst the missionary movement reflected a belief in the colonisers' divine right to their land and the extermination of aborigines as a people.²⁵ Perhaps in a sick way, these men had a sense of being אשׁרי, blessed.



Then they spent most of the day raping the women, most of them were then tortured to death by sticking sharp things like spears up their vaginas until they died.

²³ Albeit a 'collective' one.

²⁴ This too is the case in Brenner's paper, where the fantasy of the violence is played out against the Polish Jews of Jedwabne.

²⁵ Mark G. Brett, *Decolonizing God, The Bible in the Modern World* (Sheffield: Sheffield Phoenix, 2009).

The sexual abuse of indigenous women is highly documented in the history of colonial Australia. Roberts notes that similar events to the ones found in this story (from NE Victoria) occurred throughout the interior of New South Wales, where communities were spread out and isolated. With no equitable recourse to the law, such crimes were largely ignored, the victims left to suffer both the savagery of the detestable crime and the injustice of the legal system which likened their evidence to the chattering of the ourang outang.²⁶

This view of Aboriginal people as chimps was widespread. A letter to the Australian in 1838 says this very thing: 'I look on the blacks as a set of monkees'.²⁷ Of course, this blatant lack of respect for the aboriginal people both forms and informs white attitude towards them in a cruel circularity: we don't respect them and so we treat them with disrespectfully, or using our terms: We think they are detestable, and so we treat them detestably. The letter goes on, '...the earlier they are exterminated from the face of the earth the better. I would never consent to hang a white man for a black one.'²⁸ In November 1838, men were tried in the Supreme Court in Sydney for the murder of 28 Aboriginal people. The evidence was overwhelming, the chief justice acknowledged that a heinous crime had been committed, referring to the aboriginal people as 'fellow creatures', and reiterating that the life of a black person was as precious and valuable under the law as a white person. In just fifteen minutes the jury found the men not guilty. Thankfully, some of the men were retried, and with the same evidence and were later found guilty and sent to be hanged. They confessed their crimes, their moral defence resting on their ignorance to the fact that killing aboriginals was illegal. On the street, it seemed that the citizens of New South Wales agreed with them.²⁹

But we return to the matter of the rape and cold blooded execution of these aboriginal women. Most commonly, 'rape' is used in discussion of forced intercourse; it describes an act of overpowering and domination. The effects upon the victim are of

²⁶ Roberts, *Massacres to Mining : The Colonisation of Aboriginal Australia*, 20.

²⁷ Cited in Bruce Elder, *Blood on the Wattle : Massacres and Maltreatments of Australian Aborigines since 1788* (Frenchs Forest, N.S.W: Child & Associates, 1988), 83.

²⁸ Ibid.

²⁹ Elder, 92-94.

course, catastrophic on all levels. The act is a violation of human dignity, an act of de-humanisation, so perhaps we should be unsurprised to find such acts in the history of colonisation, itself a project built on assumed power and superiority.

On a broader scale, rape is a weapon of war and conquest. It destabilises, even destroys the community that suffers from it. The children born of the illicit unions are routinely ostracised from their communities and families and create significant problems for family systems, particularly those based on patriarchal figures. Discussing the rape of Dinah in Gen 34, Sivan notes that a woman's great power is the ability to generate patriarchs, and so to perpetuate or disrupt patterns of succession.³⁰ Aboriginal society is based around clearly defined intra-familial behaviour, requiring certain categories of kin to avoid each other.³¹ For example, brothers and sisters must avoid social contact, or behave in formal, patterned ways. So too, the relationship with the mother-in-law, a well established taboo through much of Australia.³² Marriages were generally contractually organised, partners brought together who met certain kinship rules.³³ Acts of rape therefore cut a swathe through these family systems, doing untold damage to women and their communities, completely dismissing the importance of cultural values and norms.

The sexual exploitation of aboriginal women, in its violent and degrading form, fits neatly within the postcolonial concept of ambivalence. The idea that an Aboriginal woman could be married to a white man was almost implausible, given that the prevailing wisdom was that it would 'degrading to the man, even in the instance where the man was of a very low type.'³⁴ Such views were common in contemporary

³⁰ Helena Zlotnick Sivan, "The Rape of Cozbi (Numbers Xxv)," *Vetus Testamentum* 51, no. 1 (2001): 74.

³¹ Ian Howie-Willis, "Family," in *The Encyclopaedia of Aboriginal Australia*, ed. David Horton (Canberra: The Australian Institute of Aboriginal and Torres Strait Islander Studies, 1994).

³² P. Duncan, "Shame," in *The Encyclopaedia of Aboriginal Australia*, ed. David Horton (Canberra: The Australian Institute of Aboriginal and Torres Strait Islander Studies, 1994), 979.

³³ Ian Howie-Willis, "Marriage," in *The Encyclopaedia of Aboriginal Australia*, ed. David Horton (Canberra: The Australian Institute of Aboriginal and Torres Strait Islander Studies 1994).

³⁴ Evans, Saunders and Cronin, *Exclusion, Exploitation and Extermination: Race Relations in Colonial Queensland* (ANZ, 1975), p. 103, in Roberts, *Massacres to Mining: The Colonisation of Aboriginal Australia*, 26.

Scientific Journals. One such journal, *Science of Man* declared in 1907 that ‘hybrid and mongrel mixtures of mankind are as unsatisfactory as those of the lower animals and they usually degenerate and become extinct.’³⁵ A mother to such children bore no rights to them and had them almost universally taken from her. It was thought that the white blood in their veins gave the children some cause for hope, but only away from the degrading influence of their mother.³⁶ Despite this, the absence of white women in the early days of settlement seemed to ensure the enslavement of aboriginal women, who were often locked up for the use of their owners and their owner’s staff, traded between cattle stations, forced into labour and isolated from their communities. In every way, they are put to shame.

Raping women from outside your group is not a practice confined to the classical colonial period. It is an ancient practice and ‘speaks to one of the most basic dilemmas in human social relations – namely, how to steer the proper course between endogamy and exogamy.’³⁷ Here is the ‘them-us’ dualism which is so destabilised by the theory of ambivalence. The difference which is meant to keep us apart is in some way alluring. Desire and derision are never too far apart, and when issues of power are involved, that is, when there is not an embrace of the Other, the consequences, for the colonised, are tragic. Just as proper marital relations are constructive for peacemaking, relations formed by rape... are destructive.³⁸

Our story of Aboriginal experience doesn’t merely end with the rape of women though. The story quite graphically describes acts of murder; the women are literally raped to death, reminding us of the story of the Levites concubine in Jdg 19. The murder is accomplished by the spearing of women’s vaginas, and here we come close to the story of Cozbi, Zimri and Phinehas.

Now, a man from the sons of Israel came, and he brought a Midianite woman into his brothers in view of Moses, and in view of the entire congregation of the sons of Israel. They were weeping at the entrance of the tent of meeting.

³⁵ Ibid.

³⁶ Roberts, 27.

³⁷ Niditch, *War in the Hebrew Bible*, 107.

³⁸ ibid

*And Phinehas, son of Eleazer, son of Aaron the Priest saw, and he stood up from the midst of the congregation and he took a spear in his hand.
He went after the man of Israel, into the tent and he pierced through the two of them, the man of Israel and the woman, in(to) her stomach.*

(Num 25: 6-8)

On the surface, the relationship between Zimri and Cozbi appears to be that of the newly wed couple coming to their new home for the consummation of their new marriage. What we appear to have is a proper marital arrangement between two families. Such relationships were not unknown in Israel. Moses, Israel's leader was married to Zipporah, the daughter of a Midianite Priest. There is nothing in our tale to suggest that anything has happened out of order. So the rape of Cozbi is not affected by her new husband, but rather the zealous priest, Phinehas, who rapes Cozbi to death. The spear, a great phallic symbol if there ever was one, penetrates Cozbi and causes her death.

The physical point of Cozbi's penetration is an interesting conundrum. Different versions have translated the difficult *אֶל־קִבְתָּהּ* in a variety of ways. Most commonly, this is rendered 'through the/her belly' or 'through the body'. However, other translations see a more aggressively sexual act taking place. For example, the 1899 Douay-Rheims translation suggests 'through the genitals'. These choices are not without precedent. Reif's article, *What Enraged Phinehas*³⁹ alerts us to an ancient tradition stretching back to the Babylonian Talmud and other rabbinic sources that read this as a penetration of Cozbi's genitals. Other sources, Targum Onqelos, LXX, Peshitta and the Vulgate choose to render the word 'womb', which too has a sexual connotation. It is far different to penetrate a womb than a belly.

Phinehas' action, as we read, must be seen as more than an act of blind rage, or as the text puts it, zeal. Rather, the death of Cozbi in this manner is highly symbolic. Her textualised death, in such an act of sexual violence serves as an official, or perhaps better, ideological delegitimisation of her relationship with an Israelite. It tells its readers that it is acceptable to treat foreign women in this way.

³⁹ Stefan C. Reif, "What Enraged Phinehas : A Study of Numbers 25:8," *Journal of Biblical Literature* 90, no. 2 (1971): 202.

Controlling the sexuality of foreign women is an obvious ploy of the colonising power. If you control what, if any children, the women produce, you control the sort of society you wish to build. This of course brings Ezra's prayer *cum* sermon of Ezra 9 into focus, where foreign wives and their children are to be put away for the sake of the purity of the holy seed. Is this too far removed from the experience of Australian Aboriginal women and their children? Underlying the story of Cozbi, Zimri and Phinehas Sivan suggests, is a process of redefining family and society.⁴⁰ It illustrates perfectly the unspoken terror of Ezra's sermon. The same must surely be said of our elder's story. The tragedy is of course, that the 'putting away' of foreign women has continued to be far more difficult in practice than in rhetoric. It is exactly her foreignness which is so appealing, which sadly is a matter of tragedy for her. The irony of Cozbi's story, is that even though she suffers such a tragic, violent death, her virgin Midianite sisters are spared in the ensuing war against Midian. Derision and desire are never too far apart.

*I lived because I was young and pretty and one of the men kept me for himself, but I was always tied up until I escaped to another land to the west.*⁴¹



*They tied the man's hands behind their backs, then cut off their penis and testes and watched them run around screaming until they died.*⁴²

In recent times, it has become common, or perhaps better, less uncommon, to hear about women who have cut off the penis of men who have cheated on them. The dismembering of the offending man has become the ultimate act of female retribution. It is an enormously powerful statement about sexual control; the one whom was unable to control themselves, has the tool of their indiscipline forcibly removed. The result is that manhood; that is to say, the thing which makes one so obviously a man, is lost, or more specifically, taken.

⁴⁰ Sivan, "The Rape of Cozbi (Numbers Xxv)," 75.

⁴¹ Roberts, *Massacres to Mining : The Colonisation of Aboriginal Australia*, 20.

⁴² *Ibid.*, 19-20.

But the penis is more than the marker of manhood. It also plays a reproductive function. In an incisively symbolic way, the slicing off of a penis is a way of saying that this is a person who does not deserve the right to have children, or in another way, no child deserves this man as a father. Even more coarsely, we don't want the progeny of this man to be a part of our society. Unborn, even unconceived children are in some way condemned by this action.

Colonial attitude towards Australian Aboriginals, as we have seen already, was contemptuous and violent. Already we have heard the story of the women, so dreadfully raped and murdered in such brutal, detestable, sexually violent ways. But here too, we have a story of sexual violence committed against the men of aboriginal Australia. What we have is a story of rape against men.

What differentiates this story from the example of the wronged woman exacting her revenge is that the aboriginal men were not perpetrators of violence against their assailants. Instead, the invaders of the colonial project mutilate the men in a way which sends the same symbolic message; their sexuality is controlled. Not only that, their women's children will not be their's. This is quite simply, a method of racial extermination. Once again, if you control sexual activity, you are able to go a long way towards shaping the society that you want to produce, or more pointedly, eliminating the parts of society which you find undesirable.

No one whose testicles are crushed or whose penis is cut off shall be admitted to the assembly of the LORD. Those born of an illicit union shall not be admitted to the assembly of the LORD. Even to the tenth generation, none of their descendants shall be admitted to the assembly of the LORD.

(Deut 23:1-2, NRSV)

These verses introduce a series of prohibitions against people who may enter the *יהוה קהל*, the 'assembly of the LORD' (verses 1-8). This is the group of people who are able to join together for worship, for reading and hearing the Law, for the celebration of religious feasts and so on.⁴³ In this sense, it is a smaller, more exclusive group than the entirety of the people of Israel, which necessarily includes people that fall outside

⁴³ BDB, 874.

the parameters set by this legal code. Indeed, the latter half of the chapter deals with concerns around the *מחנה*, the 'camp', in which the entirety of the population live together. Verses 3-8 go on to exclude other groups on purely national grounds with varying degrees of severity.⁴⁴ What seems clear is that what is being promoted is a 'holy seed' people, much like the society envisioned by Ezra. The standards once required only for the Priesthood (Lev 21:20) is now expanded and required across all of the assembly.

Why this prohibition? Why must Yhwh's men⁴⁵ be fully equipped? Most commentators see this as a regulation against those who have been mutilated in the context of the worship of other gods,⁴⁶ and so Craigie suggests that those who have suffered these injuries as a result of illness or accident are most likely not in violation of this law.⁴⁷ Consequently, their view tends towards interpreting this text using the holy seed ideology of Ezra; these men are disqualified because of prior allegiances to other deities. But of course, without functioning testicles or a penis, reproduction is impossible in any event, and so these men provide no danger to the holy seed of Israel. Perhaps, then, these prohibitions are more about purity and order, and are consequently closer to the Holiness code provisions from Leviticus. These men are to be excluded because of some injury which places them outside the realm of the 'whole'; they are blemished, permanently, and so they are excluded, permanently.

Jione Havea suggests another, simpler reason. These people are not real men.⁴⁸ They are unable to penetrate or be productive.⁴⁹ Having had their tools of productivity

⁴⁴ Of special interest to us is the harsh treatment to be levelled against the Moabites (See Numbers 25:1-5). Their welfare or prosperity are not to be promoted 'as long as you live' (vs 6)

⁴⁵ Clearly, this prohibition is relevant only to those who have or have had a penis and testicles.

⁴⁶ J.G. McConville, *Deuteronomy*, ed. David W. Baker and Gordon J. Wenham, *Apollos Old Testament Commentary* (Downers Grove: Intervarsity Press, 2002), 348. Also, Christopher Wright, *Deuteronomy*, ed. Robert Hubbard and Robert Johnson, *New International Biblical Commentary* (Peabody: Hendrickson, 1996), 247.

⁴⁷ Peter C. Craigie, *Deuteronomy*, ed. Robert Hubbard, *The New International Commentary on the Old Testament* (Grand Rapids: William B. Eerdmans, 1976), 296.

⁴⁸ This echoes the idea of purity and wholeness mentioned previously. These men are 'blemished', they are not 'whole'

⁴⁹ Jione Havea, "Members Only," 11.

taken away, having been ‘dismembered’, these men are relegated to the sidelines of the Israelite community, never to penetrate the boundary of the קהל again, never to be fully functioning members. It seems unlikely that one with a sliced off penis would live very long anyway; certainly the aboriginal story suggests that this was an act of murder, though one who had suffered from crushed testicles almost certainly would not die immediately. Either way, these men were to be excluded from the worshipping community, unwelcome at the religious feasts, never to hear the very Law which made them outcasts.⁵⁰

Deuteronomy 23:2 deals with those born of an ‘illicit union’ (NRSV). Such people too, are barred from entering the קהל יהוה. The word used is ממזר, a form that is used in only one other place in the Tanakh, Zechariah 9:6, where the NRSV translates it as ‘mongrel’, suggesting some form of colloquial expression for a mixed race.⁵¹ Older translations render it here as ‘bastard’. Commentators are agreed that the expression involves the child born to a relationship that breaks the ‘prohibited degrees of relationship’⁵² and so goes beyond the notion of the bastard as the child born out of wedlock. This includes, as McConville recognises⁵³, marriage with foreigners, citing Deut 7:3. Craigie sees a cultic element; that is, the term might denote children born of cultic prostitutes, thereby conceived in an environment directly related to foreign religion.⁵⁴ For ten generations, the descendants of these ‘bastards’ are to be excluded. Again, what is evident is a concern to promote purity and wholeness and a lack of willingness to include those, nor the direct descendants of those, who fail to fit within established guidelines. Indeed, as Deut 7:4 suggests, any tolerance of intermarriage will lead to swift punishment, quick destruction.

All of this serves to bring us back to our aboriginal story. The aboriginal men have their penises forcibly removed. In the context of these verses from Deuteronomy, those who are inside take matters into their own hands and cutting off the men’s

⁵⁰ As Havea playfully notes, perhaps such individuals would, under the circumstances, have any desire to join such an assembly!

⁵¹ BDB, 561.

⁵² Wright, *Deuteronomy*, 245.

⁵³ McConville, *Deuteronomy*, 348.

⁵⁴ Craigie, *Deuteronomy*, 297.

penises, they make sure of their exclusion. Of course, what is at stake here is not membership in the קהל יהודה, but there certainly is a sense in which membership or participation in the community is at stake. The dismembered man, robbed of his (re)productivity, is no longer a 'real' man and is condemned to a life on the outside of the privileged community. The blemish, inflicted upon them by insiders, serves to keep them perpetually outside.

What is more, the children born of these aboriginal women will now inevitably be seen as a ממזר, born to illegitimate relationships and condemned to life as outsiders. They will be born of 'mixed' relations, as children of rape, as mongrels, as half-castes, as misbegotten children. Sadly, these children will be thought of as detestable, though it will be the actions of their fathers where the true crime lies. In a tragic way, like the foreign wives and children of Ezra 10, aboriginal children were 'put away', by which I mean taken away from their mothers to be cared for by the very people who looked down on them for their aboriginal blood. They too become excluded; their lives lived outside the privileged community, always looking forward to a time when perhaps, they may be allowed to enter.



We began with the words of Ezra 9 ringing in our ears: remove yourselves from the [results of your] detestable practices! Perhaps we have not come that far, seeing as though we end with Ezra 10, and the putting away of foreign wives and their half-caste children. I hope though, that the notion of both who and what is detestable has been subverted.

Cheryl Kirk-Duggan, in the introduction to *Pregnant Passion*, writes:

Violence is that which violates, destroys, manipulates, corrupts, defiles and robs us of dignity and true personhood. Violence is the use of thought and deed within a continuum of the physical, the philosophical and the psychological that oppresses and robs an individual or community of their gift of freedom and the sacredness of their person. Violence is a

practice of idolatry: that which defames God's
created order.⁵⁵

We have considered a number of texts that have had at their core, the very type of thing that Kirk-Duggan describes; acts of violence that have been intended to damage individuals and communities physically, philosophically and psychologically. We have read of innocent victims robbed of their dignity, of their personhood, who have had their sacredness demeaned. We have witnessed the defamation of the sacral nature of the created order.

It is this violence, which is the truly detestable thing. It is this violence which we must condemn. It is the victims of this violence that we must stand with, lest we too like Phinehas and the rest, become detestable practice(r)s.

⁵⁵ Cheryl Kirk-Duggan, "Introduction," in *Pregnant Passion: Gender, Sex and Violence in the Bible*, ed. Cheryl Kirk-Duggan (Atlanta: Society of Biblical Literature, 2003), 3.

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