

## Trafficking and Prostitution: Lessons from Jewish Sources

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Nowhere is woman treated according to the merit of her work, but rather as a sex. It is therefore almost inevitable that she should pay for her right to exist, to keep a position in whatever line, with sex favors. Thus it is merely a question of degree whether she sells herself to one man, in or out of marriage, or to many men. Whether our reformers admit it or not, the economic and social inferiority of woman is responsible for prostitution (Emma Goldman, 1911).

If you showed yourself slack in time of trouble, wanting in power, If you refrained from rescuing those taken off to death, those condemned to slaughter---If you say, "We knew nothing of it," Surely, He who fathoms hearts will discern (the truth), He who watches over your life will know it, And He will pay each man as he deserves (Proverbs 24: 10-12).

### Introduction

The prostitution of Jewish women and the use of sex services by Jewish men, primarily through importation of non-Jewish women are not new phenomenon in Jewish history. In Talmudic times we come across a well-quoted text by R. Elai the Elder which says that "if a man feels that his sexual urge (*yitzro*) is overwhelming, he should go to a place where he is unknown, disguise himself with black clothes and do as his heart desires; in acting thus, he will not defame God's name in public" (*B. Kiddushin* 40a).<sup>1</sup>

This text has been understood by many to imply that using commercial sex services, although not desirable, is preferable to masturbation and the wasting of seed and that if one must, one

should go where one is not known. However, attitudes towards this famous text, as well as to prostitution and trafficking vary, depending on time and place.<sup>2</sup> Among Jewish commentators, throughout many time periods, there are those who are matter of fact about the human need for commercialized sex and there are those who deny or claim ignorance of the fact that Jewish women engage in prostitution or that Jewish men use sex services. Thus Emma Goldman wrote categorically “that to state that large numbers of Jewish girls are imported for prostitution, or for any other purpose, is simply not to know Jewish psychology.”<sup>3</sup>

Most sources condemn trafficking in women; there are those who would place the blame on the poor character of women, while blaming the moral fabric of society and/or pointing to adverse economic conditions as its root cause. There are also those who introduce an ethnic or cultural twist and are lax about Jewish men frequenting non-Jewish prostitutes.

In order to understand the blight of trafficking of foreign sex workers that exists in Israel today, it is important to understand its historical roots and the occasional permissible attitudes expressed towards prostitution in Jewish sources. This paper will focus on the stance of Jewish texts towards slavery, prostitution in general and trafficked sex workers in particular in order to understand the Jewish stand on these issues. We argue that there is long-standing latitude towards the use of non-Jewish prostitutes in the Jewish tradition that might be reflected in Israel’s current legal approach to these issues.

Most laypersons and even involved social reformers such as Emma Goldman have found it difficult to acknowledge that Jewish women were purposely brought across borders to work in prostitution or that Jewish men may have been involved in trafficking of women for the purposes of prostitution. This practice of closing one’s eyes to a social phenomenon with distressing overtones helps to create a smokescreen of denial that prevents the establishment of an effective response to the trafficking of women.

In the last decade, there has been increasing attention and concern from non-governmental organizations, governmental agencies, as well as the United Nations to the health, social and

economic implications of the large number of women moved across borders for the purpose of working in the provision of sexual services. This is in part due to the massive influx of women, many from the republics of the former Soviet Union (FSU), who are struggling to find income in economies decimated by the move toward a free-market and the pressures of competing with Western economies (Zimmerman et al, 2003).

Trafficking in women, as defined by the United Nations Palermo Protocol of 2000, refers to the transport of persons, using deception, fraud, threats or forceful coercion for the purpose of prostitution or other forms of sexual exploitation.<sup>4</sup> Whether the woman consented to enter the trafficking contract is not relevant to this definition if the traffickers used any type of deceit or financial pressure applied, which is almost always the case.

The actual numbers of women and children moved across borders for these purposes is very difficult to estimate, since this is an underground and mostly invisible transfer of persons. However, estimates suggest that between 700,000 to 2 million women and children are trafficked each year (Raymond, 2001). Between 3000 and 5000 of the 200,000 women who originate in the countries of the former Soviet Union (FSU), in particular Moldavia and Ukraine end up being illegally brought into Israel for work in the sex industry (Lehti, 2003; Katzir, 2001; Vanderberg, 1997). Granted, these women are for the most part non-Jews, yet their traffickers, employers who own the brothels where they work, and clients often are Jewish or Israeli citizens (Cwikel, et al. 2003:809-815; Chudakov, et al. 2002: 305-15). Some of them do marry Israelis, or obtain Israeli passports and thus attain citizenship and remain in Israel. For the most part, trafficked women work in the sex industry without access to documents of basic identification, civil rights, police protection, or health care for their own needs. They dare not protest their work conditions for fear of retaliation against themselves or their loved ones in their country of origin (Cwikel, et al. 2003:809-815; Chudakov, et al. 2002: 305-15). These flagrant abuses of human rights are still the norm in the Israeli sex industry.

In the late 1990s, trafficking to Israel was so ubiquitous that in 2001 the United States Department of State rated Israel as a

country where trafficking in women was endemic without any adequate law-enforcement response (Gold, 2004). This situation changed somewhat in response to social action on the part of women's rights organizations and the establishment of a Knesset Committee that was charged with developing an adequate political response, chaired by MK Zehava Galon.<sup>5</sup> Before 2000, the Israeli public was blithely oblivious to the presence of this social phenomenon and the Israeli government did little to combat it.

One possible explanation for this lackluster, *laissez-faire* response stems from the fact that these were not Jewish or Israeli women being trafficked, and that these foreign women were in fact, stemming the demand for Jewish Israeli women to work in sex work as prostitutes (personal interview with a trafficker, 2003).

This paper takes a critical look at Jewish and historical sources, in order to examine why the Israeli public in general and lawmakers in particular have developed this apathetic attitude toward trafficking in women. What is the mother lode of culture, history and tradition with regard to the Jewish and non-Jewish women who work in providing sexual services to Jewish men? How do these concepts form the basis of today's response to the current trafficking situation? The first part of the article will deal with primary Jewish texts such as the Bible, Midrash, Talmud and Responsa literature on these issues. The second part will touch on historical time periods in which Jewish involvement in the White Slave Trade (both as pimps and prostitutes) in the Western World was widespread. Finally, we will relate to current research on women who are being trafficked in the State of Israel in the twenty-first century and will show how Jewish approaches have shaped Israel's response to the issue of women trafficked into Israel for work in the sex industry. The data indicates how this industry affects the health of women, both the sex workers and the partners of men who use their services. We will end by viewing the topic of modern day trafficking of women through the lens of human rights approaches derived from Jewish texts.

## **BIBLICAL ORIGINS**

### ***The Zonah***

The major reference to a woman in the bible who prostitutes herself is in Genesis 38. Tamar, Judah's daughter-in-law disguises herself so that her father-in-law will meet her on the road and deposit his seed in her. Tamar was briefly married to Judah's two sons who died and the third brother, Onan, did not want to "fertilize her" and thus masturbated.<sup>6</sup> When Judah met the disguised Tamar he thought she was a *zonah* (harlot) or a *kedeisha* (prostitute).<sup>7</sup> In the context of this story, Tamar is usually praised for her act of seeking out the seed of Judah in order to carry out the family lineage. In fact, Perez, one of Tamar's children is listed as the direct ancestor of David at the end of the *Book of Ruth*.<sup>8</sup>

Another reference to a *zonah* in Genesis is at the end of the story about the rape of Dinah. In this story, the brother's avenge their sister's abduction and rape by plundering and slaughtering all in the city of Shechem. They seized the cattle, "children, and their wives, all that was in the houses, they took as captive and booty" (Genesis 34:29). Her brothers, Simeon and Levi, famously answer to their father Jacob's complaint, as justification for the trouble they have brought upon him, "Should our sister be treated like a whore?" (Genesis 34:31) This might also be the first documented example of trafficking in women and children.

A key story about a *zonah* is the story of Rahav the prostitute, or innkeeper in *Joshua* (chapters 2 & 6) who gave sanctuary to the Israelite spies and allowed them to penetrate Jericho and bring its walls down. Rahav, whose name implies width (rahav), or street (rehov), a place where prostitutes are to be found, is a "good prostitute." So much so that according to the midrash she is rewarded by her marriage to Joshua although their children are daughters and not sons!<sup>9</sup> This suggests that in certain circumstances, a former prostitute can come back into the fold and become the mother of prophets and important people. Furthermore, in times of war or national crisis, prostitutes can be useful allies and their shaky moral status can be overlooked.

The word "zonah" comes from the root "zun" meaning provide or nourish as in the word "*tezuna*" or nutrition. Though it is usually translated as "prostitute" or "harlot," i.e., a provider of

sexual services, when it is used in connection with Rahav it is translated “innkeeper” i.e., a provider of board and lodging who literally “feeds” her visitors. By contending that Rahav was not a prostitute at all but an innkeeper, generations of teachers have been able to clean up the story.<sup>10</sup> The word later is used for those who “go astray” either after false gods as well as after random sexual partners. *Zenut* thus means adultery, actions of a dubious moral nature as well as prostitution. A zonah can be an adulterer or any woman of loose morals.<sup>11</sup>

*Zenut* also implies general depravity as was the case in the generation of the flood:

R. ‘Azariah et al say: We find that the Holy One, blessed be He, is long-suffering towards every offence except whoredom, and there are numerous texts to bear this out; as it says, And it came to pass, when men began to multiply on the face of the earth ... that the sons of God saw the daughters of men ... and they took them wives ... And the Lord saw that the wickedness of man was great ... And the Lord said: I will blot out man (Genesis 6:1 ff).<sup>12</sup>

The consequences of prostitution in the Bible are considered dire and include *mamzerut* or the birth of bastard children, as seen in a commentary on a passage from Leviticus: “Do not degrade your daughter and make her a harlot, lest the land fall into harlotry and the land be filled with depravity” (Leviticus 19:29).

Whoever hands his unmarried daughter (to a man) not for the purposes of matrimony,” as well as the woman who delivers herself not for the purposes of matrimony, could lead to the whole world being filled with *mamzerim* since from his consorting with many women and not knowing with whom, or if she has had intercourse with many men and does not know with whom—he could marry his own daughter, or marry her to his son.<sup>13</sup>

The state of *zenut* contaminates and for this reason it is written that priests cannot marry harlots:

Priests shall not marry a woman defiled by harlotry, nor shall they marry one divorced from her husband. For they are holy to their God and you must treat them as holy, since they offer the food of your God; they shall be holy to you, for I the Lord who sanctify you am holy (Leviticus 21:7-15).

Furthermore, a woman who converts to Judaism is considered a probable *zonah*: i.e., it is assumed that she is not a virgin and has had previous sexual relationships. That is why a convert, like a divorcee or harlot, cannot marry a priest.<sup>14</sup>

In general, even though *zenut* describes depraved behavior for both men and women, it is usually the woman who is the contaminator or the contaminated. Thus the onus is on the woman and the role of the man in creating the moral quandary is ignored. The example of the sin brought about by the great flood is an exception in that we do see that men are included in the blame.

### **The Slave**

It is our contention in this paper that the conditions of women trafficking into modern Israel for work in the sex industry are akin to slavery or indentured work and thus it is important to look at the attitude of Jewish texts to slaves and workers, both Jewish and non-Jewish. We will see that there is differential treatment of slaves in the Bible based on their religious or cultural origin. This attitude toward Jewish and non-Jewish slaves appears in Leviticus 25:

If your kinsman under you continues in straits and must give himself over to you, do not subject him to the treatment of a slave. He shall remain with you as a hired or bound laborer; he shall serve with you only until the jubilee year. Then he and his children with him shall be free of your authority; he shall go back to his family and return to his ancestral holding.— For they are My servants, whom I freed from the land of Egypt; they may not give themselves over into servitude. You shall not rule over him ruthlessly; you shall fear your God (Leviticus 25:39-43).

It is clear that an Israelite has to be treated as one of God's people who having been released from slavery in ancient times (just as the owner has), has human rights and must never be permanently reduced to slavery. However, it is a different picture for non-Israelites, as we see in the continuation of Leviticus 25:

Such male and female slaves as you may have—it is from the nations round about you that you may acquire male and female slaves. You may also buy them from among the children of foreigners' resident among you, or from their families that are among you, whom they begot in your land. These shall become your property; you may keep them as a possession for your children after you, for them to inherit as property for all time. Such you may treat as slaves (Leviticus 25:44-46a).

It is reiterated that Israelites are not to be treated in the same way as non-Israelites: "But as for your Israelite kinsmen, no one shall rule ruthlessly over the other" (Leviticus 25:46b). Thus one might argue based on these sources that "the other" or non-Jew can be treated in a less humane fashion than the Jew.

But in the case of the *Eshet yefat toar* (the beautiful captive woman) in Deuteronomy 21, we see a more humane approach:

When you take the field against your enemies, and the Lord your God delivers them into your power and you take some of them captive, and you see among the captives a beautiful woman and you desire her and would take her to wife, you shall bring her into your house, and she shall trim her hair, pare her nails, and discard her captive's garb. She shall spend a month's time in your house lamenting her father and mother; after that you may come to her and possess her, and she shall be your wife. Then, should you no longer want her, you must release her outright. You must not sell her for money: since you had your will of her, you must not enslave her (Deut. 21:10-14).



The law of the beautiful captive was certainly in force, according to the Talmudic rabbis, at the time of the Kingdom of Israel. The sages were uncomfortable with certain aspects of this law. Most sources take a middle of the road position, seeing cohabitation with the beautiful captive during war as malfeasance. But since it is included in the list of commandments it has the potential to prevent more wrongs. In the Talmud (B. Kiddushin 22a) and other texts we learn about many restrictions on having sex with the beautiful captive in the Torah verses. Their intent is to eliminate completely the permission to take the beautiful woman captive, or at least to minimize its negative consequences.

### **Prisoners**

Alyssa Gray, writing about “Halakhic Sources on Human Trafficking” refers to Talmudic stories about the “sexual servitude” of captured women in Rome after the destruction of the Temple in 70. She emphasizes that the Talmud’s discussion of the redemption of captives was “rooted in a real awareness of the human tragedy involved.” She sketches out the sources that pertain to the prohibition against “stealing human beings,” in the bible and then the talmudic injunction to redeem captives. In her discourse she also relates to the “biblical injunction not to stand idly by one’s brother’s blood.” There is a rabbinic tradition that interprets Exodus 20:13, the Eight Commandment as stealing human beings (*Mekhilta de-R. Yishmael, Yitro 8, Mishpatim 5*). Maimonides writes: “Whoever steals a human soul transgresses a negative commandment, as it is said (Exodus 20:13), ‘Do not steal.’ This verse which is said in the ‘Ten Words’ is a warning to the one (who would) steal living souls” (*Mishneh Torah, Hilkhoh Geneivah 9:1*). He adds that redeeming captives is more important than supporting the poor, because captives are in danger of their lives (*Mishneh Torah, Hilkhoh Matanot Aniyyim 8:10*).

Gray points out in her uses of these sources that Maimonides continues to rule that one who “hides his eyes” from the redemption of another violates a number of biblical prohibitions and fails to fulfill other biblical commands. In the order in which Rambam presents them, these are: Deut. 15:7 (“do not harden your heart and shut your hand”), Lev. 19:16 (“Do not stand idly by your brother’s blood”), Lev. 25:53 (“He

shall not rule ruthlessly over him in your sight”), Deut. 15:8 (“you shall surely open your hand to him”), Lev 25:37 (“Let your brother live by your side”), Lev. 19:18 (“and you shall love your neighbor as yourself”), and Prov. 24:11 (“If you refrained from rescuing those taken off to death”). He also insists that the one who “hides his eyes” from redeeming captives violates “many (other verses) like these.”<sup>15</sup>

### **The Pimp**

There are several cases of what we could refer to today as pimping, or procuring a woman for the purpose of monetary or other gain, in biblical texts. One can argue that it begins in Genesis 12.

There was a famine in the land, and Abram went down to Egypt to sojourn there, for the famine was severe in the land. As he was about to enter Egypt, he said to his wife Sarai, “I know what a beautiful woman you are. If the Egyptians see you, and think, ‘She is his wife,’ they will kill me and let you live. Please say that you are my sister, that it may go well with me because of you, and that I may remain alive thanks to you. When Abram entered Egypt, the Egyptians saw how very beautiful the woman was. Pharaoh’s courtiers saw her and praised her to Pharaoh, and the woman was taken into Pharaoh’s palace. And because of her, it went well with Abram; he acquired sheep, oxen, asses, male and female slaves, she-asses, and camels (Genesis 12:10-16).

This cavalier attitude to the use of one’s women folk continues in Genesis 19 with Abraham’s nephew Lot:

They had not yet lain down, when the townspeople, the men of Sodom, young and old—all the people to the last man—gathered about the house. And they shouted to Lot and said to him, “Where are the men who came to you tonight? Bring them out to us, that we may be intimate with them.” So Lot went out to them to the entrance, shut the door behind him, and said, “I beg you, my friends, do not commit such a wrong. Look, I have two daughters who have not known a man. Let me bring them out to you, and you may do to them as you please; but do not do anything

to these men, since they have come under the shelter of my roof” (Genesis 19:4-8).

This method is to offer women’s sex services to avert harm to men – both in the case of Abram and in the case of Lot and his men.

It is not only the man who uses his child for monetary gain. One can argue that Naomi used her daughter-in-law Ruth when she sent her off to Boaz to redeem her land, in Chapter 3 of the *Book of Ruth*.

Naomi, her mother-in-law, said to her, “Daughter, I must seek a home for you, where you may be happy. Now there is our kinsman Boaz, whose girls you were close to. He will be winnowing barley on the threshing floor tonight. So bathe, anoint yourself, dress up, and go down to the threshing floor. But do not disclose yourself to the man until he has finished eating and drinking. When he lies down, note the place where he lies down, and go over and uncover his feet and lie down.”

Ruth does this. When he wakes up he gives her a present and she goes back to her mother-in-law, who asked,

“How is it with you, daughter?” She told her all that the man had done for her; and she added, “He gave me these six measures of barley, saying to me, ‘Do not go back to your mother-in-law empty-handed.’ And Naomi said, “Stay here, daughter, till you learn how the matter turns out. For the man will not rest, but will settle the matter today” (Ruth 3:16-18).

What is of passing interest is that like with the story of Tamar, Ruth’s son becomes the ancestor of King David. Thus the objectification of women to further a cause gets its justification in both of these stories.

### **The Trafficked Women of Yabesh Gilead and Shiloh (Judges 21)**

Judges 19 relates a story of a woman who is a victim of circumstances, the unnamed concubine-wife (*pilegish*) from the

Judean town of Bethlehem, who deserted her Levite master-husband in Mt. Ephraim to go back to her father's home and is persuaded by her husband to return with him. On the way back to Bethlehem they are offered shelter for the night and in the middle of the night are woken up by a mob who wants to be intimate with the stranger. His host offers his daughter and the concubine instead: "Rape (*an-nu*) them, do to them what you want. But don't do this outrageous (*nevala*) thing to this man" (19:23-24). The husband is silent. Toward morning the woman came back. She collapsed at the doorway of the man's house where her master (*adon*) was (sleeping) until it was light (19:26).

The cold-heartedness of the husband, who is now referred to for the first time as master (*adon*), is now revealed. Before this he was husband (*ish*), but from this point on he is only the master. The narrator writes that the master "gets up" in the morning, apparently having slept calmly and without dreams throughout the night. He prepared to leave and then discovered the woman, his concubine, fallen on the doorstep with her hands on the threshold (v27). When he commanded her "get up, let's go," she doesn't answer. So he picked her up like a sack and put her on his donkey and without any remorse or apologies set out for home. When he came home, he picked up the knife and took hold of his concubine and cut her up limb by limb into twelve parts. He sent them throughout the territory of Israel. The members of the assembly in true male-bonding fashion arise as "one man" (Judges 20:1) against their brothers, the Benjaminites, after hearing the Levite's speech. Further atrocities are committed, 400 more women are raped and 200 young women are abducted in the course of this civil war. In fact, the elders of Israel end up by behaving as abominably as the men of Gibeah and the Levite.<sup>16</sup> In a classic cross-cultural study, Peggy Sanday showed that in cultures where the abduction and rape of women is part of war or inter-group conflict, rape of women is a common practice in every-day life as well.<sup>17</sup>

The woman's role in this story is object, victim, and ultimately sacrifice. Her role exemplifies violence against women and hammers home the message that women's bodies are men's property. Not only that, but her resistance to her "master" through returning to her parents was punished by first allowing her to be

gang raped and then murdering her in a demonstrative fashion, as though to warn other women not to try to escape their “owners” on pain of torture and death. This situation is analogous to the beatings and terror inflicted on trafficked women if they “dare” to leave their work contracts. The police collaborate in returning them to the brothel owner and they are severely punished and their families in their countries of origin can also be contacted and threatened. Though the sacrifice of innocent women is indefensible, there is a long history of offering up one’s wife or daughter to protect oneself.<sup>18</sup>

Although the Bible’s ostensible purpose in telling this story is to show how Israeli society was lawless and needed a king, we can read this story as does Phyllis Trible, as a story which “depicts the horrors of male power, brutality, and triumphalism; of female helplessness, abuse and annihilation” (Trible, 1984: 65). The woman, dead or alive, raped and tortured, is in the power of men from beginning to end. No one intervenes to save her. She is not human. She is property, object, and tool. She has been passed back and forth. She has been obliterated and dismembered (Trible, 1984: 80-81). In short, she is woman as meat, not eaten, but with body butchered, cut up (*natach*) into parts like an animal, and distributed as a message to the tribes. No burial of her parts are mentioned in the text; this is a far cry from traditional Jewish respect for the dead (Trible, 1984: 81).

The story continues: Although the men of Israel took an oath not to give their daughters in marriage to a Benjaminite, they later relented toward their kinsmen, saying, “This day one tribe has been cut off from Israel! What can we do to provide wives for those who are left, seeing that we have sworn by the LORD not to give any of our daughters to them in marriage?” Their solution was ingenious: raid another tribe. Since no one from Jabesh-gilead had participated in the military intervention, they dispatched 12,000 of the warriors, instructing them as follows: “Go and put the inhabitants of Jabesh-gilead to the sword, women and children included. They were told to bring the 400 maidens who had not known a man carnally to the camp at Shiloh and offered them to the Benjaminites together with terms of peace. But there were not enough virgins. So the elders told the Benjaminites to seize wives from the girls of Shiloh: “And

if their fathers or brothers come to us to complain, we shall say to them, ‘Be generous to them for our sake.’”

The Benjaminites did so. They took to wife, from the dancers whom they carried off, as many as they themselves numbered. Then they went back to their own territory, and rebuilt their towns and settled in them. Again, this further shows the cultural context for which rape, war and violence against women are intertwined in Jewish history. Although one can argue that this is not really trafficking in women, since the Benjaminites take these women for the purpose of marrying them, it is akin to state-sanctioned cross border trading of mail-order brides for the purpose of forced sex and procreation.

### **The Talmudic Period**

The sages did not in general endorse sexual intercourse outside the confines of marriage. Yet, it is the Jewish woman working in prostitution who is viewed more negatively rather than the man who buys sex services. The rabbis were aware that the Romans had “commercialized” sex services – putting them in marketplaces and special districts. One of the issues discussed in the Talmud was in regard to the prostitute of the Bible, both concerning her hire and her marriage to a priest. Some were of the opinion that these references apply only to a professional prostitute, but there were also other opinions. It is clear that the term “intercourse of prostitution” (*be’ilat zenut*)<sup>19</sup> was applied to any intercourse not expressly for the purpose of marriage and even to a marriage not celebrated in accordance with the *halakhah*.<sup>20</sup> With regard to her hire it was not forbidden except to those for whom “cohabitation is a transgression.”<sup>21</sup> With regard to the unmarried woman who engages in prostitution, however, “her wage is permitted.”<sup>22</sup>

In general, the sages condemned prostitution. The penalty for both parties is flogging although some stressed that this law applies only to the woman “who is ready to prostitute herself to every man.”<sup>23</sup> The rabbis condemned the prostitute and her business, but also condemned licentiousness in general. They warned about passing by a harlot’s door<sup>24</sup> and through a “harlots’ market”<sup>25</sup> which were present in the big cities of the Land of Israel, where the Romans “built marketplaces in which to set harlots.”<sup>26</sup> Indeed,

recent excavations of sites in Beit Shean reveal the presence of a brothel, set up in the same configuration as the known brothels in Pompeii, where frescoes on the walls left no doubt as to the use of the buildings found in the ruins. During the Talmudic Period, Beit Shean was a town where Jews and Romans mixed, suggesting that “good Jewish boys” were also frequenting these establishments. Similarly, brothels have been found in excavations of the ruins of Ashkelon.

The scrupulousness of rabbis in avoiding prostitutes was well known. Rabbi Hanina and Rabbi Hoshai, who were poor cobblers, dwelt in a street of harlots for whom they made shoes. The prostitutes were so impressed by these rabbis who would not look at their customers that they swore “by the life of the holy rabbis of Eretz Yisrael!”<sup>27</sup> There is even a well known case of a prostitute who converted to Judaism because she was so impressed by his religious zeal.<sup>28</sup>

Not only were there prostitutes in the Talmud, there are also Jews who are pimps.<sup>29</sup> One source appears in the Jerusalem Talmud:

In a dream that appeared to R. Abbahu he saw Mr Pentakaka who prayed that rain would come and it rained. R. Abahu sent for him. He said to him: “What is your trade?” He said, I commit five sins every day: **hiring whores**, cleaning up the theater, bringing home their garments for washing, dancing and banging cymbals before them.”

Although it is difficult to know what the attitude towards these pimps is, and if the whores in question are Jewish or not, in a nineteenth century responsum, it is clear that there is a difference between the use of Jewish women as prostitutes and that of non-Jewish women:

Question: What happens when there is only one Cohen in town and he happens to be a Shabbat violator, can he be called up to the Torah? And what happens if in this small town there is only one Levi and he is a pimp, can he be called up to the Torah for an aliya?

R. Joseph qualifies the question: it wasn't stated if this is a pimp who practices exclusively among "goyim" or among Jews as well. "I will relate to both cases." In the first case, if the clientele is non-Jewish the bottom line is that it is possible to honor the pimp. But in the second case, (if Jews are involved) if he brings a non-Jewish prostitute to Jews or Jewish women to non-Jews, he cannot be called up to the Torah.

But it is not easy to deny a Levi his honors and so R. Joseph in his final judgment writes that despite the fact that the profession of pimping is frowned upon, if it is just alleged that he deals in prostitution with Jews, he can still be honored.<sup>30</sup>

### **The White Slave Trade: Nineteenth and Twentieth Century Prostitution**

Thousands of women were shipped to North and South America in the mid 1800s and 1900s from Europe in what was then called the "white slave trade," to distinguish it from the African slave trade. The public outcry against the white slave trade began in England, spearheaded by public reformers such as Josephine Butler. Their social movement led to the Criminal Law Amendment Bill in England in 1885. The British social movement had its European and American counterparts, which led to early anti-trafficking legislation such as the 1910 Mann Act in the United States (Miers, 2003).

However, feminist reformers of the time, such as Emma Goldman roundly criticized the claims and positions of these do-good social reformers, saying that their moral outrage eclipsed the real issue, which was that women were manipulated both by ignorance of sexual behavior and prudish morals and that prostitution largely resulted from economic pressures on working class women. She expressed her position in a 1910 essay entitled "The Traffic in Women."

What is really the cause of the trade in women? Not merely white women, but yellow and black as well. Exploitation, of course; the merciless Moloch of capitalism that fattens on underpaid labor, thus driving thousands of women and girls into prostitution (Goldman, 1910: 120).



It would be one-sided and extremely superficial to maintain that the economic factor is the only cause of prostitution. ... It is a conceded fact that woman is being reared as a sex commodity, and yet she is kept in absolute ignorance of the meaning and importance of sex. Everything dealing with that subject is suppressed, and persons who attempt to bring light into this terrible darkness are persecuted and thrown into prison. Yet it is nevertheless true that so long as a girl is not to know how to take care of herself, not to know the function of the most important part of her life, we need not be surprised if she becomes an easy prey to prostitution, or to any other form of a relationship which degrades her to the position of an object for mere sex gratification (Goldman, 1910: 122).

Goldman goes on to reject the claim that thousands of Jewish girls are being trafficked into the United States for the purposes of prostitution. She claims that anyone knowing Jewish culture would scoff at these claims:

No one but the most superficial will claim that Jewish girls migrate to strange lands, unless they have some tie or relation that brings them there. The Jewish girl is not adventurous. Until recent years she had never left home, not even so far as the next village or town, except it were to visit some relative. Is it then credible that Jewish girls would leave their parents or families, travel thousands of miles to strange lands, through the influence and promises of strange forces? (Goldman, 1910: 12)

Is Goldman being too naïve and defensive? Was she unaware of the work of the European Jewish social activists, such as Bertha Pappenheim (1859-1936) whose major efforts were directed against white slavery, prostitution, and illegitimacy? At the Jewish International Conference on the Suppression of the Traffic in Girls and Women, held in London in 1910, Bertha Pappenheim offered a comprehensive explanation for the problem at hand:

Undoubtedly economic need is a great factor in the question. It appears to me that spiritual poverty and the decay of the family is yet greater and infinitely more momentous. But I have observed still other grounds, educational grounds, queer views

of honor and shame, the concept of the inferiority of the female sex (Bristow, 1982: 102).

At this conference the participants voted to remind the leaders of Jewish communities in Eastern Europe of the problem by mailing them a copy of the following letter written in 1898:

... The sad tidings have come to us that evil men and women go about in your countries from town to town and village to village and induce young maidens, by false representations, to leave their native land and to go, by their advice, to distant countries, telling them that they will find there good and remunerative situations in business houses.

In some instances these wicked men add to their iniquity by going through the form of religious marriage with the girls. They then take them on board ship to India, Brazil, Argentina or other countries in South America and then sell them to keepers of houses of evil repute ...

This letter was written by the chief rabbi of the British Empire, Dr. Hermann Adler and was co-signed by the chief rabbis of France, Berlin, Hamburg, Frankfurt, Vienna and Rome and was addressed to the rabbis and officers of the towns in Eastern Europe (Mirelman, 1984: 148).

Edward Bristow describes how “procurers from Buenos Aires sometimes brought along the Jewish marriage contract, the *ketubah*, which traditionally was part of the religious betrothal. On these contracts the procurer’s name was already filled in, along with those of two witnesses. The schemer would then arrange to meet the daughter of a poor family and explain that there was no time to lose before getting back to his business across the ocean. Or, he would claim to be acting on behalf of the eligible groom who was too busy to leave America” (Bristow, 1982:105).

Bristow goes on to describe the *stillah chuppah*, a clandestine betrothal in which poor families knew what was going on when they gave their daughters to these overseas grooms. The assumption was that the daughters would then support them with her earnings

from prostitution (Bristow, 1982: 106). This is similar to the economic role played by young women in Thailand today where women work in prostitution in order to support their families, which is an accepted expression of cultural and religious gender roles.

Bristow devotes an entire chapter “The Road to Buenos Aires” to the women he refers to as the “unclean ones.” They are also known as Polacas or the Ladies of the Night. From the 1880’s through the 1930’s Jewish women of European descent came through European ports as immigrants to Argentina, Brazil, and Uruguay and became prostitutes there. Most of the trafficking took place between the 1880s and the 1930s.

Sometimes they arrived under false pretenses of promises of marriage, and sometimes, to escape the despair of their lives in Europe. (Some were already prostitutes in Europe or knew they were destined for the bordellos of South America.) ... The Polacas were also continually shunned, ostracized, and harassed within their own Jewish communities, even though some of them had been duped into prostitution or had become prostitutes because they had no other means of support or communal assistance for their sustenance. Thus, they were victims of anti-Semitism, as well as gender bias. Jewish prostitution was largely controlled by a multinational crime syndicate founded in Poland that evolved into the *Zwi Migdal*. This syndicate began operating in Buenos Aires in the 1880s and in Brazil soon afterward, and lasted until the 1930s.<sup>31</sup>

According to Victor Mirelman, the Jewish traffickers organized their own community life, synagogues, burial societies, cultural and social institutions. They had two main guilds, one of Poles, the largest and the other consisting of Russians and Rumanians. They participated in Jewish ritual ceremonies. The women were almost exclusively Jewish. The pimps, brothel keepers and prostitutes were referred to as *tmeyim* (impure ones) by the rest of Buenos Aires’ Jewry who waged a constant war against them and tried to excommunicate them. Yet these traffickers insisted on identifying themselves as Jews.<sup>32</sup>

According to Bristow, the problem of commercial prostitution in Jewish life narrowed geographically in the generation after 1914.

In the U.S., Britain and South Africa the subject disappeared as a community issue ... mainly because young Jewish men and women ... had better ladders to climb (as a result of) the prosperity of the war years. ... The most telling evidence is that the number of Jewish women recruited to prostitution in N.Y. fell sharply in the decade beginning in 1914 (Bristow, 1982: 283-284).

[While WWI helped the working girls of NY, London and Chicago], it was an unmitigated disaster for the 7 million Jews in the East caught among the Russian, German, Austrian, and Romanian armies, and for others who suffered economic calamity in the Ottoman Empire. ... In 1916 relief workers estimated that nearly half of 6 million Russian and Polish Jews were without means of support (Bristow, 1982: 284).

Margalit Shiloh has written about Jewish prostitutes in British Palestine in this journal. She mentioned a June 1918 session of the Municipal Committee which was devoted to a discussion of prostitution, whose existence not a single member of the committee disputed. In this session a physician claims that “this was due not so much to economic distress as to the indifference of the city’s rabbis. Pointing to a well known brothel whose owner was “specifically from among the ultra-orthodox,” he claimed that the attitude of Jerusalem’s rabbis both to prostitution and to missionizing differed from that of rabbis everywhere else; they simply denied reality.” In her article Shilo makes it clear that the level of prostitution in Jerusalem during the years 1918-1919 constituted an “epidemic” and that most adolescent girls who fell into prostitution as a means of survival, readily turned to alternative pursuits when presented with another option (Shilo, 2003: 72-83).

During the Ottoman Empire, commercial brothels existed around Jaffa owned by both Arabs and Jews. Commercialized sex services grew gradually around major cities during the Mandatory period, and particularly burgeoned during the two world wars in order to provide services to the troops and police forces. The siege

conditions that existed during the 1948 War of Liberation and the waves of impoverished immigrants that came to Israel led many women to join the prostitute ranks in order to supplement meager incomes. This situation was maintained until the enormous immigration from the FSU began in 1989. The breakup of the FSU and the deteriorating economic situation led to the development of commercial ties between FSU countries and Israel. Taking advantage of the growing globalization of the sex industry, traffickers began to move women illegally into an expanding Israeli sex industry.

### **State of Israel – Twenty-first Century**

In 2001, routine monitoring of sexually transmitted infections by the Ministry of Health showed a logarithmic increase in the rate of new gonorrheal infections, mostly from the Tel Aviv area. Closer study revealed that over 95% of these new cases were among men and at least half of them had recently visited a brothel in the area (Shohat, 2002). At the same time, women's rights organizations began to publish reports of women trafficked into Israel to work as prostitutes and the dismal conditions under which they lived and worked (Vanderberg, 1997).

However, there was a lack of valid data collected directly from the women who were trafficked about their health and social conditions. This is largely due to the social "invisibility" of this population, partially because they are afraid of drawing attention to themselves. They cross borders illegally, work without permits or access to workers' rights and often do not have access to their passports or other personal documentation. They are fearful of Israeli government authorities, fearing deportation and possible retribution against them or their families in their countries of origin. This prompted a research group to undertake a study to collect data directly from the women themselves, in order to hear their voice in the public discourse.

In the first study, we collected data in 2001 from 55 women working in brothels in three different cities, 82% of whom had been trafficked. Concerned that accessing the women for interview through the brothel owners had created a bias toward cooperative or non-traumatized women, we interviewed a second sample of 47

women who were in detention awaiting deportation for working illegally. The trafficked women in both samples were predominantly from countries of the former Soviet Union (FSU), mostly Moldavia and Ukraine, although women are also trafficked from Brazil, and occasionally other countries (Chudakov, et al. 2002).

Our first study examined the variety of motivations for entering sex work (Chudakov, et al. 2002) and risk-factors for occupational health risks among trafficked women in the sex industry (Cwikel, et al. 2003). While the vast majority knew that they were slated to work in the Israeli sex industry on entering the trafficking situation, for the most part they did not know the conditions under which they would be forced to work including high numbers of clients per day and long working hours.<sup>33</sup> While women universally reported economic pressures enter the trafficking experience, often to meet family's debts, we were surprised to discover that approximately one-third of the women were mothers who were working to support their children, generally left behind in the FSU. Only a minority reported choosing prostitution as a profession. At least a third had suffered neglect or abuse before the age of eighteen and this sub-sample were more likely to have symptoms of occupationally-related health problems than women who did not have this background. The longer they had worked in the sex industry, the greater the chance that they had suffered traumatic incidents at work such as being physically or sexually assaulted by a client or employer. Those who were trafficked consistently worked under more difficult conditions than women who had citizenship or working papers. The majority of women felt that their health had worsened since beginning work in prostitution and a third reported a current health problem. While some women were taken for HIV and gynecological tests, they were unable to access health care for their own needs. Consistent with a trafficked status, only a small portion of the women had their passport in their possession.

### **Modern Rabbinic Responses to Trafficking**

Recently, there has been an interest in rabbinic circles of the need to address trafficking in women. The Reform movement had a workshop about this problem in NYC and Alyssa Gray addressed

some of the halakhic sources on human trafficking. She looked at the issue from the perspective of the need to redeem captives.<sup>34</sup> She traced the Jewish concern from the bible through the classical Jewish legal sources. Her message was that of Maimonides's who writes that we should not stand by idly and close our eyes to those who are captive.

We can model an approach to this problem based on some of the other sources we have looked at: one is the compassionate approach that we looked at in connection to the *eshet yefat toar*. We have seen that the "Canaanite slave," the gentile slave of a Jew, enjoyed better conditions than other slaves throughout the world. On the Sabbath he did no work, he had to be released if he were bodily injured by his master, he could be released if someone paid his worth, his owner was not entitled to sell him to a gentile (lest he become an idolater), and he could not be turned in even if he were fleeing from Israel abroad. We need therefore to develop a more compassionate human rights approach to women who have entered into the trafficking experience.

What exactly do we mean by a human rights approach? The United Nations began with the Universal Declaration of Human Rights of 1948.<sup>35</sup> This has expanded over the years with a series of conventions, protocols (such as the Protocol on Trafficking in Persons, 2000) and resolutions that outline and detail human rights. All countries of the United Nations are expected to conform to these guidelines, while in practice, unfortunately, many countries shirk their human rights obligations. In the past few years, voluntary organizations have pushed to increase the social consciousness and sense of responsibility of the government of Israel and employers about the human rights abuses that are the lot of migrant workers, whether legal or not, including trafficked women (Levenkron and Dahan, 2003).

Human rights advocates emphasize that rights exist in the civil, political, economic, social and cultural spheres and that women's and children's rights are an integral part of human rights. Human rights support the principles of **universality** (everyone has rights, regardless of nationality or religion, which should be protected), **inalienability** (no government or person can take human

rights away) and **indivisibility** (rights are interdependent and complementary, so that the right to live, work and have adequate health care are related) [Pearson, 2001]. Thus, if Israel supports a human rights approach, the government is obligated to fight trafficking in an effective fashion AND to provide services to meet basic human rights such as health, protection of workers' rights, legal representation, and the right to carry documents and personal identification. Furthermore, since women can claim that the government turned a blind eye to their plight, they may demand rehabilitation and job re-training.<sup>36</sup>

We need to provide them with a way to return to their countries and to leave the trafficking experience to pursuits that allow them to retain their human dignity. We need to shake off the indifference of the Jewish lawmakers who have been too lenient up until now regarding trafficked women precisely because they are not Jewish. A human rights perspective suggests that if some of them wish to remain in Israel, or marry Israelis, we should not be putting obstacles in their paths. Some lawmakers and government ministers have been pro-active in both cracking down more seriously on the traffickers and creating at least some services that meet the needs of this too often neglected population. Others have been outspoken about demonstrating the Jewish moral and legal basis for supporting the human rights position, by showing the connection to the teachings of Abraham Joshua Heschel and Rav Kook (Ronen, 2005:205-30). MK Zehava Galon headed a parliamentary committee that helped to bring more "teeth" into the police efforts to stop trafficking as well as creating services such as a hostel for women awaiting deportation instead of incarcerating them in prison.<sup>37</sup> Health Minister Nissim Dahan, was instrumental in setting up two anonymous health clinics (in Haifa and Tel Aviv) to provide health services to this population.<sup>38</sup> Atzum, which has a Task Force on Human Trafficking is coordinating a special petition called Pidyon for Rabbis of all denominations in countries throughout the world. It is asking all rabbis to address the problem of selling human bodies and appropriately is entitled: A Human Body is Not for Sale!<sup>39</sup>

In this era of globalization, we need to bring the laws, mores and behaviors in the Jewish state into line with the human rights



position that is ratified by all member nations of the United Nations. If we want to belong to the club of Western, developed, democratic nations, we need to discard outdated modes of thinking and develop both our human rights repertoire and more effective means of preventing trafficking of women.

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## **Endnotes:**

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<sup>1</sup> On the other hand in *Sefer Orhot Tzadikim, Sh'ar ha-teshuva*, it is written that it is convenient for a man to sin in private and not to defame God's name in public, so that no one will learn from his actions. To this R. Elai adds: "If a man sees that his *yetzer* gets the best of him, he should go to a place where no one knows him, wear black clothes and wrap himself in black, and do what his heart desires, but not to defame God's name in public." R. Hananel disagreed and said that going far away with the purpose of sinning will bring the man to his senses and he will avoid sinning, for God forbid should he do what is forbidden, absolutely not. Thus Hananel interprets R. Elai as a preventive measure and not as permission.

<sup>2</sup> See the discussion about this text in the entry on *hilul hashem*, the defamation of God's name in the *Encyclopedia Talmudit* volume 15 (Hebrew).

<sup>3</sup>"In view of the above facts it is rather absurd to point to Europe as the swamp whence come all the social diseases of America. Just as absurd is it to proclaim the myth that the Jews furnish the largest contingent of willing prey. I am sure that no one will accuse me of nationalistic tendencies. I am glad to say that I have developed out

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of them, as out of many other prejudices. If, therefore, I resent the statement that Jewish prostitutes are imported, it is not because of any Judaistic sympathies, but because of the facts inherent in the lives of these people. No one but the most superficial will claim that Jewish girls migrate to strange lands, unless they have some tie or relation that brings them there. The Jewish girl is not adventurous. Until recent years she had never left home, not even so far as the next village or town, except it were to visit some relative. Is it then credible that Jewish girls would leave their parents or families, travel thousands of miles to strange lands, through the influence and promises of strange forces? Go to any of the large incoming steamers and see for yourself if these girls do not come either with their parents, brothers, aunts, or other kinsfolk. There may be exceptions, of course, but to state that large numbers of Jewish girls are imported for prostitution, or any other purpose, is simply not to know Jewish psychology.” Emma Goldman’s *Anarchism and Other Essays*. Second Revised Edition. New York & London: Mother Earth Publishing Association, 1911, pp. 183-200. On-line at

[http://dwardmac.pitzer.edu/Anarchist\\_Archives/goldman/aando/traffic.html](http://dwardmac.pitzer.edu/Anarchist_Archives/goldman/aando/traffic.html)

<sup>4</sup> UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the UN Convention against Transnational Organized Crime (adopted October 2000).

This protocol defines trafficking thus: a) Trafficking in persons shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.

Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs; b) The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used. Available from [www.undcporg/odccp/trafficking\\_human\\_beings.html](http://www.undcporg/odccp/trafficking_human_beings.html)

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It is important to note that Israel ratified this protocol along with 148 other countries.

<sup>5</sup> Martina Vanderberg, and Y. Erlich, for the Israeli Parliament. 2006. Follow-up Report: Application of the recommendations of the Parliamentary Investigating Committee on the fight against trafficking in women, MK Zehava Galon presiding (2000-2004). Jerusalem: The Israeli Parliament.

<sup>6</sup> Onanism, from Onan, is used to describe the sin of masturbation, that is, the wasting of seed. Perhaps the origin of the permissibility of using a prostitute is that it is better to deposit seed than to waste it.

<sup>7</sup> Mayer Gruber of Ben Gurion University writes: “kedeisha” is not a temple prostitute, not among the Israelites nor among the Canaanites. He came to this conclusion after performing an extensive analysis of ancient near eastern literature and the Tanakh and finds that the previously accepted opinion is false. According to him, the kedeshah is simply a prostitute. *The Motherhood of God and Other Studies*. Atlanta: Scholars Press, 1992. Later, Deut. 23:17-18 forbade any Israelite from using wages from work of a cult prostitute in order to pay a vow to the temple implying that such actions were known. In spite of these and other references in the Hebrew Bible, the actual existence of temple prostitution is difficult to prove.

<sup>8</sup>“This is the line of Perez: Perez begot Hezron, Hezron begot Ram, Ram begot Amminadab, Amminadab begot Nahshon, Nahshon begot Salmon, Salmon begot Boaz, Boaz begot Obed, Obed begot Jesse, and Jesse begot David” (Ruth 4:17-22).

<sup>9</sup> Rahav was one of the four most beautiful women in history. The mere mention of her name sufficed to excite desire (Meg. 15a). At the age of ten Rahav became a prostitute. There was not a prince or ruler who did not have relations with her. Because of this, she was well informed about events outside of Jericho (Zeb. 116b). “Rahav the Prostitute converted and married Joshua. . . . Joshua did not have sons, **but** he had daughters. Eight prophets who were also priests came from Rahav the harlot, among them Jeremiah and the prophetess Huldah” (Meg. 14b).

<sup>10</sup> This tradition (e.g., Rashi on Josh. 2:1) is based on the Targum’s rendering of *zonah* as *pundekita* (*pundikait* today means surrogate mother), the assumption being that this word means “hostess, innkeeper,” and the derivation of the word *zonah* (normally

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“prostitute”) from the same stem as *mazon* (“food”). This clean interpretation is less plausible since one would need to ask – how does a woman become property owner and a political mover and shaker if not through sexual services – she may have been a Madame but the stories of her beauty suggest otherwise. She is not the only woman of charm and beauty to use these resources in order to gain her political power. Penina Rosenbloom, a former Israeli beauty queen built up a cosmetics business and later entered politics.

<sup>11</sup> Terms connected with harlotry are used figuratively to characterize unfaithfulness toward the Lord. God is depicted as a powerful male and the people are depicted as female sinners. For example in Nachum 3:4-5 we read “Because of the countless harlotries of the harlot, the winsome mistress of sorcery, who ensnared nations with her harlotries and peoples with her sorcery, I am going to deal with you—declares the Lord of Hosts. I will lift up your skirts over your face and display your nakedness to the nations and your shame to kingdoms.” This derogatory use of the word harlot or prostitute as someone of loose morals who has strayed from righteousness, dates back to Biblical times and is still in common use today.

<sup>12</sup> Midrash Rabbah Leviticus 23:9.

<sup>13</sup> *Mamzer*; Sifra, Kedoshim 7, 1–5. See entry on “Prostitution” in Encyclopaedia Judaica.

<sup>14</sup> See Ramban commentary on Leviticus 19:2. Also in Rambam, Hilcot, Issurei Biya, 19:9, he writes that a priest who has intercourse with a presumptive zonah (*safek zonah*), such as a convert, or a freed woman, or a High Priest who has intercourse with a presumptive divorcee or widow, their issue are *safek hallal*. See also the responsa of Heichal Yitzchak, Even Haezer, 1:18,23 who tries to soften it by saying that the convert who is forbidden to the priest, is forbidden, not because she is a presumptive zonah, but because she is not the daughter of an Israelite.

<sup>15</sup> Alyssa Gray, “Halakhic Sources on Human Trafficking,” in an unpublished paper given at the 2005 Backman Symposium at Hebrew Union College-Jewish Institute of Religion, NY, on the topic of “Freeing the Captives: The Jewish Response to Human Trafficking” in December 2005.

<sup>16</sup> Indeed, the epidemic of violence against women appears in almost all cultures around the world and has many different variants

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(honor killing, wife immolation, killing of female fetuses), not only the types discussed in Jewish sources. See Zimmerman above.

<sup>17</sup> Peggy Sanday, *Female Power and Male Dominance: On the Origins of Sexual Inequality*, New York: Cambridge University Press, 1981. Cultures which displayed a high level of tolerance for violence, male dominance, and sex segregation had the highest frequency of rape (both individual and gang). These societal characteristics are the basis of what she calls “rape cultures.” Rape cultures lack the social constraints which discourage sexual aggression or contain social arrangements which encourage sexual aggression.

<sup>18</sup> This is not to equate the wife-sister story of Genesis 12 with this one. Susan Niditch in “The Sodomite Theme in Judges 19-20,” *Catholic Biblical Quarterly*, 44:3 (1982):370 points out that “Abraham does not hand over Sarah to an angry mob. Rather, he acts in fear for his life and in consultation with Sarah. . . . In contrast . . . the Levite does not consult with his concubine or even speak to her. The language conveys the unconsidered swiftness with which he gives her up and the harshness.”

<sup>19</sup> *Yevamot*. 8:5.

<sup>20</sup> TJ, *Gittin*. 7:448d; *Gittin*. 81b.

<sup>21</sup> *Tosef.*, *Tem*. 4:8.

<sup>22</sup> Maimonides. *Yad, Issurei ha-Mizbe'ah* 4.

<sup>23</sup> Abraham b. David of Posquilles in his gloss (*ibid.*) stressed that this law applies only to the woman “who is ready to prostitute herself to every man,” and he makes an express exception in the case of a woman “who gives herself solely to one man without benefit of marriage.” (Entry on “Prostitution,” *EJ*).

<sup>24</sup> *Ber*. 32a; *Av. Zar.* 17a

<sup>25</sup> *Avot de Rabbi Natan*, ARN1 2, 14; ARN2 3, 13, *Pes*. 113b; *Ket*. 64b.

<sup>26</sup> *Shab*. 33b. Even the inns served as brothels. After the destruction of the Temple and during the Hadrianic persecutions, the Romans placed Jewesses in a brothel (*ARN1* 8, 37; *Av. Zar.* 17–18), and even men were taken captive for shameful purposes (*Lam. R.* 1:16). Some succeeded in maintaining their virtue and were ransomed; others committed suicide to avoid being forced into prostitution (Entry on “Prostitution,” *EJ*).

<sup>27</sup> *B. Pesahim* 113b.

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<sup>28</sup> In B. *Menachoth* 44a: “Once a man, who was very scrupulous about the precept of tzizit, heard of a certain harlot in one of the towns by the sea who accepted 400 gold dinars for her hire. ... She then went up to the top bed and lay down upon it naked. He too went up after her in his desire to sit naked with her, when all of a sudden the four fringes of his garment struck him across the face and he slipped off and sat upon the ground. She sat upon the ground and said, ‘By the Roman Capitol, I will not leave you alone until you tell me what blemish you saw in me.’ ‘By the Temple,’ he replied, ‘never have I seen women as beautiful as you are; but there is one precept which the Lord our God has commanded us, it is called tzizit, and ... (the tzizit) appeared to me as four witnesses testifying against me.’ (Impressed with him) she said, ‘I won’t let you go until you tell me your name, your town, your teacher, your school in which you study Torah.’ He wrote it down for her. Then she arose and divided her estate into three parts; a third for the government, a third to be distributed among the poor, and a third she kept. She retained the gold bedding. She then came to R. Hiyyah’s beit midrash and said: ‘Master, teach me, so I can convert.’ He asked, ‘My daughter, have you set your eyes on one of the disciples?’ She handed the paper to him. ‘Go,’ said he ‘and enjoy your acquisition.’ She now spread out the golden bedding which she had once used for prostitution, this time for a lawful purpose. This is the reward of the precept for tzizit in this world.”

<sup>29</sup> Jewish women who willingly engaged in prostitution (TJ, *Ta’an.* 4, 8, 69a) and Jews who were pimps appear in 63c (*ibid.* 1:4).

<sup>30</sup> My paraphrase of the responsa of Rav Pe’alim (Rabbi Joseph Chaim ben Elijah al-Chakam (b Baghdad, ca. 1835-1909).

<sup>31</sup> See Ladies of The Night: Trafficking and The Polacas of South America Project, Proposal For A Museum Exhibit And Catalogue On History Of Trafficking And Jewish White Slavery In South America

<http://www.rememberwomen.org/Projects/future.html#polacas>

<sup>32</sup> See Mirelman's article for a detailed description of the Jewish communities unremitting efforts to wipe out Jewish white slavery in Argentina.

<sup>33</sup> For a moving description of the consequences of trafficking in Israel, see the *NY Times* article from 1998, “Traffickers’ New Cargo: Naive Slavic Women,” by Michael Specter, [www.brama.com/issues/nytart.html](http://www.brama.com/issues/nytart.html)



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<sup>34</sup> The 2004 Convention of the Central Conference of American Rabbis adopted a resolution which condemned human trafficking and urged each of us to engage in fighting the ongoing tragedy of human slavery. With the co-sponsorship of the Women's Rabbinic Network, the topic of 2005 the Backman Symposium at Hebrew Union College-Jewish Institute of Religion, NY, was "Freeing the Captives: The Jewish Response to Human Trafficking." Dr. Alyssa Gray, Assistant Professor of Codes and Responsa at HUC-JIR in NY placed the Jewish response in its historical context.

<sup>35</sup> <http://www.unhchr.ch/html/intlinst.htm>

<sup>36</sup> We should keep in mind the case of the Korean, Chinese and Philippine women who were forced to serve as "comfort women" for the Japanese army in World War II. Only in old age, have some of these women raised their voices in protest and demanded compensation.

<sup>37</sup> Y. Erlich, for the Israeli Parliament. 2006. Follow-up Report: Application of the recommendations of the Parliamentary Investigating Committee on the fight against trafficking in women, MK Zehava Galon presiding (2000-2004). Jerusalem: The Israeli Parliament.

<sup>38</sup> On the other hand, things are not that rosy: "The Hotline made a number of approaches to the Ministry of Internal Security and to the Legal Advisor to the Government with the request that the issue be treated. As of yet, no answer of any sort has been received. MP Zehava Gal'on, has been promoting legislation which would ensure that the victims of these crimes are entitled to health services without any discrimination. However, the proposed law has not even got through the preliminary reading. In a meeting that was held with the Minister of Health in the Parliamentary Committee headed by Ms. Gal'on, the Minister of Health, Nissim Dahan, stated that the cost of the law to the Ministry of Health would be between 60–70 million a year, and would be a heavy burden on the state's budget. The Ministry of health, which refuses to provide any medical insurance for the victims, had found the budget to carry out tests in brothels in severe violation of the women's rights: Health authority representatives accompanied by the police, went to brothels with the aim of finding out to what degree these places constitute a danger to public health. 300 women were examined in a manner which violates the law regarding the rights of patients." Quote from:

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[www.hotline.org.il/english/pdf/Women\\_as\\_Commodities\\_Trafficking\\_in\\_women\\_in\\_Israel\\_2003\\_Eng.pdf](http://www.hotline.org.il/english/pdf/Women_as_Commodities_Trafficking_in_women_in_Israel_2003_Eng.pdf)

<sup>39</sup>See Atzum's website: A Human Body is Not for Sale!

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We, the undersigned, represent a coalition of Rabbis and Rabbinical students of all denominations, deeply committed to Jewish moral values and to the State of Israel.

We are appalled and outraged at the growing phenomenon of human trafficking in Israel. We consider it our Jewish responsibility to eradicate this modern phenomenon, just as we are obligated to remember our own slavery in ancient Egypt.

We call on Israel to declare its opposition to this horrific practice of sexually enslaving women. Israel must do everything in its power to abolish the imprisonment of women in the underworld of sexual slavery.

We refuse to allow the lives of society's weakest to be abused and traded for the use of those who have more money and power.

We condemn authorities that tacitly support this sexual violence by turning a blind eye and not taking decisive action to punish the perpetrators--traffickers, pimps and their accomplices.

We refuse to be silent when confronted with a policy which compromises the values of human dignity and treats certain people with contempt as if they were disposable.

We beseech leaders to oppose all forms of trafficking for sexual purposes, with or without consent of the victims. We oppose the fact that "clients" may exercise their sexual freedom by negating someone else's.

We oppose economic growth which relies on turning humans into products for consumption. We beseech Israel to declare: "The human body and human sexuality are not items of trade."

We expect Israel to pave the way, and become a model nation by proclaiming that there is no place for human trafficking in Israel or in the world.

We demand that Israel do its utmost to cut off the "supply" of enslaved women into the country, by closing its border with Egypt to trafficking.

We pray that Israel realizes its Jewish obligation to free slaves and hostages, rather than enslave them.

With blessings and hope for a better future,

*Pidyon* — The Rabbinic Coalition Against Slavery in Israel

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