

From to

Acknowledgements

I would like to firstly thank all my professors this year who have helped me develop and improve as a graduate student; specifically:

My supervisor, Mari Réthelyi, for always being willing to help and talk things out throughout this year; for giving me moral support throughout my computer crisis; and for trying so desperately to convince me to get Facebook.

My second reader and program coordinator Pamela Dickey Young, for her constant support and

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Introduction

In an article entitled “Rethinking Canada’s Prostitution Laws,” Kate Heartfield discusses some of the debates and speculations with regards to prostitution laws in Canada. Through highlighting the possible different avenues Canada can explore,¹ she concludes that no matter what the interim or permanent decision reached regarding Canada’s prostitution laws, the one apparent issue that needs to be addressed is problematic generalizations and biases surrounding women and sex.² Furthermore, even more than challenging preconceived assumptions, she prominently and applicably describes what is at stake if an individual, or the populace as a whole, homogenizes those who practice prostitution. According to Heartfield,

Many sex workers are exploited and harmed. Many do need help or want options. But there are some who say they are not victims,

and subsequently their humanity. These sentiments are constructed through a Judeo-Christian morality bias that deprives these individuals of their voice, as it perpetuates that they are all denigrated and exploited. By presenting a disparaging view of the life of a prostitute, this is not only a problematic, erroneous depiction of all prostitutes, but also one that fails to respect those individuals who choose to become prostitutes. Furthermore, portraying their lives as one of denigration dismisses women's agency, paternalizes them, and reduces them to minors who cannot think for, or make 'good' choices for themselves.

These are common problems and motifs prevalent when analyzing the rhetoric and debates around prostitution; it is specifically evident when examining prostitution in Judaism.⁴ Throu

according to Naomi Koltun-Fromm and Philip Gardner, both of whom have done extensive work on hermeneutics.⁸ Furthermore, and according to Daniel Patte, exegesis elucidates the discourse of the text, focusing on semantics, emphasizing that the text is a “closed system of signs.”⁹ After using exegesis, Patte iterates that hermeneutics allows one to clarify what the text means in the context of the individual interpreting it.¹⁰ In other words, and to borrow a sentiment from Phyllis Tribble, through exegesis and hermeneutics, “though mute, a text speaks to attentive hearers in particular contexts.”¹¹ Thus, through hermeneutics and biblical exegesis, narratives of prostitution in the Bible can be analyzed and contextualized, highlighting the underpinnings prevalent in contemporary Israel. The significance behind examining biblical passages on prostitution shows how, although not favoured in the Bible, nor in discussion by the rabbis, prostitution not only existed, but also, while not viewed as morally sound, was not seen or discussed as a prohibited act of denigration; these sentiments however, are not palpable in Israel today. Furthermore, over three thousand years, the voice of the prostitute has been marginalized, remained silent, as prostitutes are always the ones being discussed, never able to speak for themselves, having their voices heard. Allowing these voices to go unheard generalizes and distorts views on prostitution, and the research done on this subject matter.

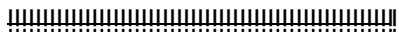
Angela Campbell demoe

Bountiful.” Although Campbell’s research is on polygamy for Status of Women Canada, she articulates how, when she was able to interview women in polygamous relationships who wanted their voices to be heard, her perception and research of these women’s lives greatly changed.¹² After conducting these interviews, she saw how important their voices are, specifically how key their voices are to a researcher.¹³ Without their voices, then she realized how the expectations and judgments of the researcher could distort the portrayal of the lives of these individuals.¹⁴ Contemplating the limitations and biases of the researcher she asks:

whether academics and policy makers can credibly assess and write about polygamy without hearing from those who abide by this practice...should we not focus specifically on accessing the experiences of associated with this way of life?¹⁵

Although Campbell’s apprehensions are towards researching polygamy, using

why ‘a nice Jewish girl’ chooses to sell sex toys, replies, “perhaps a better question is why wouldn’t a nice Jewish girl get into this business.”¹⁶ Framed alternatively, why cannot prostitution be ‘a possible choice for a nice Jewish girl?’



¹⁶ N.A. “What It’s Like to Be a Jewish Woman Who Sells Luxury Sex Toys,” (Jan. 2013).

Chapter 1: From disputing ‘prostitution is not a job for a nice Jewish girl’ to locating discussion of prostitution in the Bible and Talmud

Although Baskin may definitively argue that ‘prostitution is not a job for a nice Jewish girl,’ the rabbis in the Talmud did not reach such a conclusion or a consensus for that matter on what exactly constitutes a person being rendered a prostitute, or . It is clear, that through examination of the Bible, and through analysis of the Talmud, there is not one specific definition of . Furthermore, and as we shall see in this chapter, not only is there no definitive explanation of who is a in the Bible, or the Talmud, but prominent scholars and feminists, such as Rachel Biale, struggle with defining as well. We can begin to see the complexity of in the Bible with examination of the laws in Leviticus on prostitution.

1.1 Defining

I have chosen to examine Leviticus 19:29, Leviticus 21:13-14, and Leviticus 21:9 in the JPS Hebrew-English TaNaKh, because the first two highlight the exclusive case in which prostitution is prohibited, and the third acts as a bit of an anomaly. The three rulings in Leviticus are the following:

“Do not degrade your daughter and make her a harlot, lest the land fall into harlotry and make the land be filled with depravity” (Leviticus XIX: 29, JPS Hebrew-English TaNaKh).

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“He may marry only a woman who is a virgin. A widow or a divorced woman, or one who is degraded by harlotry-such he may not marry” (Leviticus XXI: 13-14).

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“When the daughter of a priest defiles herself through harlotry, it is her father whom she defiles; she shall be put to the fire” (Leviticus XXI: 9).

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partners, the ruling given that “they must be kept apart for three months,” in case the woman is pregnant, highlights general views of prostitutes.²¹ Within this context came forth the discussion of: if three months should apply to all women; to which the response was:

All these women, with the exception of a proselyte and an emancipated slave who were of age, must wait three months. An Israelitish minor, however, need not wait three months. But how? If by a declaration of refusal, surely Samuel has already stated this one! And if by a letter

This passage emphasizes that while permitted, the language used to discuss prostitution is distasteful and convoluted.

We see that when looking at biblical passages on prostitution, that _____, hereafter cited as _____, similarly to when we analyze Leviticus and select Talmudic passages, can possess various meanings beyond just the contemporary understanding of a prostitute.

_____ can be used in a figurative way; for example, a passage that was the catalyst for the discussion by the rabbis as to who constitutes a _____ : Hosea IV: 10: “Truly, they shall eat, but not be sated; They shall

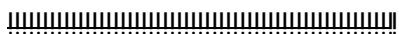
of whether priests are permitted to marry minors, the discussion of those in attendance turns back to debating Rabbi Judah’s assertion that “a woman incapable of procreation is regarded as a harlot.”³⁶ While Rabbi Eliezer concurs with Rabbi Judah, he further elaborates the definition of who is a alongside Rabbi Akiba. Quite divergent from Rabbi Judah, Rabbi Akiba, along with Rabbi Eliezer³⁷ state: “ implies one who is a prostitute.”³⁸ Rabbi Akiba’s and Rabbi Eliezer’s discussion with those present on what classifies one a , continues as the following:

Rabbi Mathia b. Heresh said: Even a woman whose husband, while going to arrange for her drinking, cohabited with her on the way, is rendered a . Rabbi Judah said: implies one who is incapable of procreation. And the Sages said: is none other than a female proselyte, a freed bondwoman, and one has been subjected to any meretricious intercourse with an unmarried woman, with no matrimonial intent, rendered her thereby a !³⁹

This Talmudic passage highlights how Rabbi Judah, Rabbi Mathia b. Heresh, Rabbi Akiba and Rabbi Eliezer have many varying views as to who constitutes a .

Not only did the rabbis contemplate the meaning behind centuries ago, but it is also a discussion that contemporary scholars such Biale have apprehensions with as well. In her work on studying Jewish law from a gender-conscious perspective,⁴⁰ Biale highlights the complicated definition(s) of promiscuity, harlotry and .⁴¹ Throughout her analysis of women, and subject matters such as marriage, divorce, and promiscuity, she shows the connotation, and often consequence of on women’s lives. The

reason to integrate her analysis alongside the passages from the tractate Yebamoth is, and



³⁶ Ibid.

³⁷ The reader may find it contradictory that Rabbi Eliezer is of the same opinion as Rabbi

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as Biale articulates, looking at sexual relations outside of marriage is, and to quote Biale, “complicated.”⁴² Wishing to further illustrate these , Biale ends her discussion on the definition of by highlighting that disputes on who is a , on issues of promiscuity, are imbedded in and rabbinic discussions on sex, specifically sex outside of marriage.⁴³ While at the same time Biale emphasizes this sentiment, she earnestly acknowledges, “sex outside of marriage was is [sic] a complicated, perhaps intractable historical problem...[however] not a new phenomenon.”⁴⁴ Biale’s quotation, her examination of rabbinic discussions and their implications for

his disciples.⁴⁷ After being acquitted, Rabbi Eliezer went back home to one of his disciples, who told him of an encounter he had with a man on the street.⁴⁸ The disciple informed Rabbi Eliezer that the man quoted Deuteronomy XXIII: 19: “You shall not bring the fee of a whore or the pay of a dog into the house of the LORD your God in fulfillment of any vow, for both are abhorrent to the LORD your God” (JPS Hebrew-English TaNaKh):

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Rabbi Eliezer’s disciple continued to convey to him this encounter by stating that, after he gave no reply to the man, the man then quoted Micah I:7⁵⁰; the quotation is:

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 (JPS Hebrew-English TaNaKh), or in Hebrew:

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As we can see from this example, the connection drawn between the harlot and
'intimacy'⁵³ wi

theological stance of being bound in an exclusive relationship with Yahweh.”⁵⁵ She explains, certain biblical extra-prophetic texts in the Bible use terminology associated with sexuality to figuratively highlight the relationship between Yahweh and the Israelites.⁵⁶ The figurative appropriation of not only emphasizes the relationship between Yahweh and the Israelites in the Bible, but also serves a further purpose of showing the intrinsic link between sexual morality and the vocabulary of biblical Hebrew; this is a link that Louis M. Epstein discusses in

as well. As Epstein articulates, in the Bible “all words denoting sexual sin also denote other kinds of sin.”⁵⁷ Through discerning that also means the “faithless one,” just as unfaithfulness () and wantonness () are also used to describe idolatry, and a disgusting act, respectively, deeper analysis is obtained on views, not only on prostitution, but on general views on sex and sexuality.⁵⁸

Examining the figurative appropriation of reveals views on sex and sexuality. When we analyze the incidences when infers a woman of a distinct social standing,

as the rape of Dinah by Shechem. While many hold this interpretation, others however, such as Riegner in VHH, iterate that, !,¶⁶² means to “humble,”⁶³ or “humiliate.”⁶⁴

Furthermore, according to Tikva, Frymer-Kensky !,¶ refers to social status, and/or intra-family relationships.⁶⁵ Therefore, and with Frymer-Kensky and other scholars’

memory; Michal daughter of Saul by her appearance.”⁷⁴ Furthermore, as Rabbi Isaac divulges, “Whoever says, ‘Rahab, Rahab,’ at once has an issue;⁷⁵ to which Rabbi Nahman responds: “I say Rahab, Rahab, and nothing happens to me!”⁷⁶ To this epigrammatic response, Rabbi Isaac retaliates with: “I was speaking of one who knows her and is intimate with her.”⁷⁷ She is clearly a woman of prominence, but also one, as Rabbi Isaac and Rabbi Nahman’s discussion illustrates, of ambiguity. However, the one thing that is apparent in their discussion is that they view Rahab as a prostitute that would fit with the definition of prostitute held today, illustrated in Rabbi Isaac’s description of the lust she causes, and further reiterated in his discussion of when one had been with her.

While the rabbis’ discussion about Rahab seems to render her a ‘traditional’ prostitute, or harlot, some

narrative to examine appears to be one in which this phrasing is present. Since ‘come to her’ is customarily used to reveal a sexual encounter that involves a transaction of some monetary element, it would appear as though Genesis XXXVIII, or the story of Judah and Tamar is an irrefutable example of prostitution. Alas, even in examining what transpires between Tamar and Judah, many scholars simply describe Tamar as merely ‘playing the harlot.’ One such scholar who describes Tamar in this fashion is Phyllis Bird, and her article, “To Play the Harlot”: An Inquiry into an Old Testament Metaphor.” Therefore, although Tamar is called a prostitute⁸⁰ it should be noted that even this narrative has a lot of ambivalence as well.

The ambivalence surrounding if Tamar is a prostitute or not is attributed to many factors in the narrative; one of these is the relationship between Tamar and Judah⁸¹ before their sexual encounter and certain obligations because of the rules surrounding Levirate marriage.⁸² The ambivalence in the narrative is illustrated through reading about the encounter of Judah and Tamar cited below:

When Judah saw her, he took her for a harlot; for she had covered her face. So he turned aside to her by the road and said, “Here, let me sleep with you” -for he did not know that she was his daughter-in-law. “What,” she asked, “will you pay for sleeping with me?” He replied, “I will send a kid from my flock.” But she said, “You must leave a pledge until you have sent it.” And he said, “What pledge shall I give you?” She replied, “Your seal and cord, and the staff which you carry.” So he gave them to her and slept with her, and she conceived by him. Then she went on

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⁸⁰ She is actually called both a

her way. She took off her veil and again put on her widow's garb. Judah sent the kid by his friend the Adullamite, to redeem the pledge from the woman; but he could not find her; moreover, the townspeople said: There has been no prostitute here." ...About three months later, Judah was told, Your daughter-in-law- Tamar has played the harlot; in fact, she is with child by harlotry." "Bring her out," said Judah, "and let her be burned." As she was being brought out, she sent this message to her father-in-law, "I am with child by the man to whom this belong." And she added, "Examine

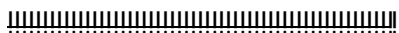
In the Tractate Megillah, in the discussion of Rahab, Tamar is mentioned in a compelling way. A

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found uttered in the same story, in reference to the same individual.⁸⁷ Thus, Good finds it ironic that when Judah approaches Tamar and then later sentences her to death, he calls her a _____; yet, when he sends out his friend to inquire about his rendez-

sexual encounter with Judah, (and somewhat because of his treatment of her after Er's passing), she is a woman of very low social standing.⁹² Yet, she lowers her standing even more, dressing as a prostitute to trick Judah, obtain what she wants from him, and then remove herself from being sexually available to him.⁹³ Arguably, Tamar is able to do all of this simply by 'playing the harlot.' It is significant to use the precise phrasing to 'play' or 'playing the harlot' to describe Tamar, because that is, after all, how Judah's friend described her in Genesis, and also, and as significantly, it is the designation of Tamar's actions by other scholars such as Johanna van Wikj Bos and Melissa Jackson. In her article, "Lot's Daughters and Tamar as Tricksters and the Patriarchal Narratives as Feminist Theology" Jackson describes Tamar as a "trickster."⁹⁴ Similarly, in her article "Out of the Shadows," Bos also describes Tamar as a trickster as a way to challenge any negative stigma attached to Tamar for being called a prostitute.⁹⁵ More specifically, Bos argues that Tamar is not a prostitute; that she only 'tricked' Judah by 'playing' one.⁹⁶ In this manner, and speaking back to Jackson, "if ever a fool was, he was Judah in Genesis 38."⁹⁷ Through analyzing the irony found in Genesis XXXVIII, focusing not only on Judah, and his friend, like Good does, but by highlighting Tamar, Bos, Jackson and Sharp all emphasize the very ambiguous and quite dubious nature of Tamar as the 'harlot.'



⁹² Ibid., 92.

⁹³ Ibid.

⁹⁴ Melissa Jackson, "Lot's Daughters and Tamar as Tricksters and the Patriarchal Narratives as Feminist Theology," *Journal of Feminist Studies*, vol. 26, issue 4. (June 2002), 29-46.

⁹⁵ Johanna van Wikj Bos, "Out of the Shadows: Genesis 38; Judges 4:17-22; Ruth 3." *Journal of Feminist Studies*, (January 1989), 38-67.

⁹⁶ Ibid.

⁹⁷ Jackson, "Lot's Daughters and Tamar as Tricksters and the Patriarchal Narratives as Feminist Theology," 40.

To summarize, the excerpts from the Bible and the Talmud reveal that prostitution is not prohibited. Of course, there are clear stipulations and views towards it, but unless it involves a priest, prostitution is permitted. It is clear, that unless explicitly outlined as forbidden, as in the specific cases from Leviticus XVIII, as well as Leviticus XIX, prostitution is “not a criminal, sexual or religious offense.”⁹⁸ Furthermore, and as analysis of prostitution in the Talmud illustrates, while prostitutes are viewed unfavorably, evident in the language of ‘she will be despised by all,’ prostitution, again, if not forbidden under laws in Leviticus,

Unfortunately, and as is prevalent in discussion of prostitution in Israel today, these two key attributes: emphasis on choice, and a myriad of discussion, are not prevalent when analyzing the discourse of prostitution in modern Israel. This discourse has become problematically reduced to one narrative, which paints all prostitutes in Israel as victims of human trafficking. As victims, their lives are belittled and their sense of agency completely negated. Not only is the motif of discussing prostitution, or the prostitute without bearing in mind the actual voice of the prostitute prevalent in the Bible and the Talmud, but also, and regrettably, what we see in Israel today. Prostitutes are still always being talked about, never allowed to be part of this conversation, belittled as human beings. They are no longer viewed as human beings, only as victims and prostitutes; in other words, each prostitute is not seen as an individual, but is seen and always depicted as a . The dire, and problematic reality is that not only has prevailed throughout approximately three thousand years, the motif of the silent has been just as palpable in Israel today.

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an estimated seven hundred brothels in Israel with two hundred and fifty in operation in Tel Aviv alone, it is conspicuous that prostitution, or at least prostitution in these more 'secular' centers was growing.¹⁰² Clearly, prostitution in Israel has not been a static phenomenon; but has been shaped by its history and the various historical responses to it throughout the decades. The various historical stages and responses to prostitution in Israel have changed over the years, similarly, the various responses by Jewish communities to this ever-changing phenomenon have changed and varied over time as well.

Before delving into some of the responses of the Jewish communities, I want to emphasize that because my paper is only specifically examining Judaism, I am only focusing on Jewish male responses and actions towards prostitution. I am not examining any other clientele or male views,

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sexually/physically abstain from their wives.

human trafficking. Not only are all prostitutes cast as victims, but also, this is actually conveyed as a positive step towards the discourse of prostitution in Israel.

The 'positive' reduction of all prostitutes as victims of human trafficking is found in an interview in - , in which

with human trafficking.¹¹⁸ Yet, and examining the definition, or specifically where the heinousness of 'trafficking' comes from, provided by Gershuni, one not only sees how overtly detrimental it is to discuss prostitution in Israel solely in these terms, but also how, through discussing this phenomenon in this light, mirrors the detriment done to a human being who has been trafficked. This sentiment becomes apparent through analysis of the definition below of:

trafficking is a modern form of slavery that uses people as objects, passing them from hand to hand like commodities and disposing of them when no longer needed. The heinousness of this practice lies in its violation of the essence of the human personality, in its taking away or severely limiting human choice.¹¹⁹

When one reduces analysis and discussion of prostitution in Israel to the narrative that all prostitutes are victims of human trafficking, t

their voice and leaving them unheard. Women who do not fit the victim construct remain voiceless in the discussion of prostitution in Israel today; in actuality and what is quite disparaging is that all prostitutes are being talked about and are not actually the ones who are able to be vocal in the discussions, which is a similar motif seen in the Talmudic passages on prostitution as well. Furthermore, the same characteristics/attitudes towards the subject matter is located both in contemporary Israel and in the Bible and Talmud.

paraphrase ‘Rona,’ work as prostitutes during the day in order to provide for their children.¹²² Sharing this sentiment with the reporter, she informs him quite emphatically that, “I do five or six johns, maybe seven. For me it’s not a lot. I don’t know, maybe it’s a lot for you...I choose what I do and I choose the clients.”¹²³ While it is clear that ‘Rona’ does not view her situation as ideal, she nonetheless still stresses the autonomy she has being a prostitute; a sense of autonomy that often gets ignored in the general narrative on prostitution. The themes prevalent in Rona’s life: enduring hardship and choosing to turn to prostitution are prevalent amongst the other women interviewed in the article. For example, just like Rona, ‘Chen’ describes how her financial worries were so extreme that she turned to prostitution in order to survive.¹²⁴ For Aline, under the subheading of ‘loss of faith,’ she describes how her dependency on alcohol created hardships that led to her working as a prostitute for eight years.¹²⁵ Although their interviews, the trajectory of their lives that resulted in them turning to prostitution is generally quite somber, their accounts do not resemble the

and yes, there are common motifs of desperation and depression; however, the passages and sentiments do not present all these women as victims of human trafficking, nor that their agency has been completely removed; similar sentiments which are deducible from reading the memoirs of two ex-prostitutes: Leah Vincent and Maimie Pinzer.

Throughout her personal memoir, -

(CML), Vincent discusses her life of growing up in a Yeshivish home, the rules of girls not being able to talk to boys, yearning to learn Gemara and other various examples throughout her childhood and adolescence of obstacles she faced in her ultra-orthodox home. In particular, some of the narratives that are exceptionally compelling include her discussion of how “there is little room for the single in Yeshivish life,” later recounting how, “Girls who left Yeshivish life always became sluts and whores.”¹³⁰ Thus, with that quotation in mind, she

Seeing how Vincent was ostracized, delving into her life as a prostitute one obtains one image of the life of a prostitute; another depiction is obtained from reading the “Maimie Letters.” The “Maimie Letters” is a collection of letters written by a former prostitute, Maimie Pinzer, to Fanny Quincy Howe. In these letters, Maimie documents her broken Jewish family, her despair growing up and her decision to turn towards prostitution in the early twentieth century.¹³³ Throughout these letters, she documents the ‘interesting’ sensation she experienced, as through prostitution she was able to protect herself, something that her family was unable to do.¹³⁴ As well as feeling unprotected, Maimie also conveyed to Howe how she had also felt unloved by her family.¹³⁵ She thus reveals that her ‘untraditional’ Jewish-American family, led to her turning to prostitution. While Maimie discusses how she believes her unconventional family life led to her somewhat unanticipated life as a prostitute, in reading her memoirs she also makes it quite apparent that many women near her, Jewish or not, “supplement[ed] their meager wages or survived seasonal unemployment through sporadic involvement in prostitution.”¹³⁶ Yet, and unlike Maimie’s narrative, these women’s involvement in prostitution, their voice has been undocumented and subsequently lost.

Finding the various lost voices of prostitutes, inserting them into the discussion in and outside of Israel greatly alters the discourse. The narratives of these women’s lives showcase that for the most part they are not victims of

voice. These voices are unfortunately not easy to locate; they are often on the periphery, and if divergent from the grand narrative of a victim living a disparaging life, then they remain unheard. Therefore, bringing these voices to the forefront, challenging generalized and simplistic narratives of the life of a prostitute in Israel shows the necessity of making the voice of the prostitute heard. In making these voices heard, my hope is, and to paraphrase a sentiment proposed by Campbell in, “Wives’ Tales: Reflecting on Research in Bountiful,” that this discussion has provided a snippet of ‘credence to women’s varied experiences,’ specifically the varied experiences of prostitutes.¹³⁷

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In lieu of a conclusion...

Campbell's article "Wives' Tales: Reflecting on Research in Bountiful" describes the importance of incorporating women's narratives, not only as a means to incorporate their voices into discussion on polygamy, but also as a means to challenge underling biases that dictate the research on it; research, which often, because of certain expectations, can erroneously, and sometimes inadvertently, propagate a static and monolithic problematic view of the lives of these women

accounts of prostitutes, reflected in inserting their voices, but also various responses to this phenomenon in Israel by Jewish communities as well.

The views on prostitution by the Jewish communities reflect how many of the opinions on prostitution in Israel today are based on Rabbinic Judaism, which is centered on discussion of the Talmud and the Bible. Highlighting the importance of this religious lineage reveals how essential it is to study prostitution in the Bible and the Talmud to understand contemporary prostitution in Israel. Analyzing biblical and Talmudic passages demonstrates a plethora of discussion and debate on prostitution. Throughout the debate on prostitution in the Talmud, it is apparent that while the Bible and the Talmud are not against an individual choosing a life of prostitution, the is still not held in high regard.

The term for prostitute, is not only found in the Bible and the Talmud, but is also still present in Israel today. Not only does the term for prostitute connect discussion of prostitution in the Bible and the Talmud to contemporary discussion of prostitution in Israel, but also consistent characteristics that have 'defined' the prostitute for approximately three thousand years. In the Bible and in contemporary Israel, the prostitute is generally marginalized and is a foreigner. Furthermore, and very problematically, in the Bible and Talmud, and in Israel today, the prostitute is always the one being discussed, always the one whose life is being commented on. While the prostitute's life is being analyzed by outside parties, the voice of the prostitute has remained silent and unheard for three thousand years.

Without providing the voice of the prostitute, analysis of prostitution, and in this case, Jewish prostitution is superficial. With that being said however, bringing the voice

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of the prostitute out of the periphery is not without its challenges. The silencing of the

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