

Acharei Mot Leviticus 18:22 אחרי מות

Context: Leviticus's laws of prohibited sexual relations are found in Chapter 18 and then repeated in Chapter 20. Chapter 19, what many consider one of the most important chapters in Leviticus, is surrounded by these two chapters on forbidden sexual unions. Chapter 19 speaks specifically about holiness. "As the holy is bounded and separated from the profane, so must the body adhere to boundaries when approaching the holy" (TAWC, 688). Regarding Leviticus's structure in chapters 18 through 20, Mary Douglas says that "These two chapters are more like two massively carved pillars on either side of a shrine, or like a proscenium arch. The laws on each side against incest, sodomy, and bestiality are backed by twice-repeated warnings that the land will vomit the people out if they follow these cults. The anathemas are not laws about everyday affairs. If they were intended to provide guidance for the organization of marriage, the choice of marriage partners, or about wrong and right conduct of family life and sex, they would have to be judged strangely inadequate. They say nothing about inheritance, divorce, or succession. The context is inescapably cultic... The formality of the context cannot be overlooked. These laws are about defilement by idolatry. They refer directly to filthy foreign cults. The verses start with Egypt and Canaan, so it is to be presumed that they refer to Egyptian and Canaanite cults... Incest is readily associated with the religion of the Egyptian Pharaohs. Foreign rites involving sexual congress with animals was cited for surrounding regions... The effect of using these unedifying sexual deviations framing chapter 19 is to show up the concepts of righteousness, liberty and justice which it expounds in the middle. These chapters contrast the pure and noble character of the Hebrew God with the libidinous customs of the very strange false Gods" (Mary Douglas, *Leviticus As Literature*, 237-238). The laws found in chapter 18 can be divided into two boundary maintaining principles of *she'er* or blood relations and *ervah* which literally means nakedness and is generally understood as a euphemism for sexuality (Baruch Levein, *The JPS Torah Commentary: Leviticus*, 117). 18:22 will deal with the category of *ervah*.

Questions for Discussion

1. How does the context for 18:22 help you to interpret its meaning?
2. How do you explain the term *mishkave isha*? Why do you think the Bible calls it "an abomination?"
3. What principles govern this verse? What can we learn, if anything, that could help us to create a contemporary sexual ethic?

Commentary: The common denominator of all the prohibitions, I submit, is that they involve the emission of semen for the purpose of copulation, resulting in either incest and illicit progeny or, as in this case, lack of progeny. In a word, the theme (with Ramban) is procreation. This rationale fully complements (and presupposes) P's laws of 15:16-18. Semen emission per se is not forbidden; it just defiles, but purificatory rites must follow. But in certain cases of sexual congress, it is strictly forbidden. (Jacob Milgrom, *Leviticus: A Continental Commentary*, 207)

Mishkave isha. Referring to vaginal penetration, i.e., defloration; hence, in this case it must indicate anal penetration. It is a technical term. The plural is always found in the context of illicit carnal relations (Gen 49:4, Lev 18:22; 20:14). Contrast *mishkav* (Numbers 31:18), the singular implying licit relations. (Milgrom)

Mishkave isha. The problem arises when someone treats a male body like a female one. Indeed, such distinctions between the male and the female body define women as those who are penetrated during sexual intercourse and dominated during intercourse. While treating a man in this manner is odious behavior, it is construed as the natural way to engage women. (Rachel Havrelock, *TAWC*, 692)

Mishkave isha. What does it mean for a man to lie with a man with the "lyings of a woman?" The Talmud derives from the plural construct that there are two forms of sexual intercourse between a man and a woman, vaginal and anal. (Sanhedrin 54a). The Sages understand these two verses to prohibit anal sex between men without any exception... The Torah forbids anal sex between men, nothing more, and nothing less. (Elliot N. Dorff, Daniel S. Nevins and Avram I. Reisner *Homosexuality, Human Dignity and Halakhah: A Combined Responsum for the Committee on Jewish Law and Standards*)

it is an abomination. That is, homosexual sex transgresses the boundary between male and female by penetrating the male body as one does the female body (Rachel Havrelock, *TAWC*, 692)

וְאֶת-זָכָר לֹא תִשְׁכַּב מִשְׁכַּבֵּי אִשָּׁה תוֹעֵבָה הוּא

Do not lie with a male in the manner of lying with a woman. It is an abomination.