

## Feminist Sexual Ethics Project

*Gail Labovitz* Senior Research Analyst, Feminist Sexual Ethics Project

### Female Homoerotic Sexual Activity – Sources:

The sources addressing female homoerotic sexual activity in rabbinic literature ([link to glossary](#)) are very few, and far less clear than those regarding sexual activity between men. There is a great deal of ambiguity in these texts as to what activities are forbidden, the consequences for women who engage in them, and the nature (that is, the source and/or the authority) of whatever prohibition does exist. Reading these sources suggests several potential reasons why rabbinic thinking on female homoerotic sexual activity is less developed than regarding male homoeroticism; these possibilities will be discussed in the course of the analysis of the texts below.

#### Tannaitic Midrash

There is no direct prohibition on female homoerotic sexual activity in the Hebrew bible, indeed, no explicit discussion of such activity at all. Biblical laws of forbidden sexual couplings (notably Leviticus 18 and 20) are generally addressed to male listeners/readers. With the exception of the prohibition against bestiality (Leviticus 18:23 and 20:15-16), in which the prohibition against women committing this act follows on the prohibition to men,<sup>1</sup> sexual acts which do not involve male participants are not discussed.

Nor do the Mishnah ([link to glossary](#)) or the Tosefta ([link to glossary](#)) discuss sexual acts between women in any way. Only one midrashic ([link to glossary](#)) text from this period addresses any form of homoeroticism between women. As midrash, that is, as a form of exegesis of scriptural text, to Leviticus 18:3, this passage thus invokes the authority of scripture for its discourse on female homoeroticism; it links marriage between two women to the practices of the Canaanites and Egyptians, which this verse and numerous others explicitly forbid, as well as to a number of other sexual/marital connections explicitly or implicitly forbidden in scripture [*cite the verse?*].

#### **Sifra Acharei Mot, parashah 9:8**

“According to the doings of the Land of Egypt...and the doings of the Land of Canaan...you shall not do” (Leviticus 18:3): Can it be (*that it means*) don’t build buildings, and don’t plant plantings? Thus it (*the verse*) teaches (*further*), “And you shall not walk in their statutes.” I say (*that the prohibition of the verse applies*) only to (*their*) statutes – the statutes which are theirs and their fathers and their fathers’ fathers. And what did they do? A man got married to a man, and a woman to a woman, a man married a woman and her daughter, and a woman was married to two (*men*). Therefore it is said, “And you shall not walk in their statutes.”

---

<sup>1</sup> And note that the prohibition to the male listener/reader in Leviticus 18:23 is given in the 2<sup>nd</sup> person (“you shall not lie with any beast”), while the woman is spoken of in 3<sup>rd</sup> person (“neither shall any woman stand before a beast to lie with it”).

As the rabbinics scholar Michael Satlow has observed, “Of the four liaisons mentioned” in the Sifra passage, only marriage between women “is nowhere hinted at or mentioned in Lev. 18.”<sup>2</sup> By juxtaposing the pairing of two women with the other three groupings, then, the Sifra passage rhetorically creates the impression that this prohibition is of equal stature and authority to the prohibitions on the other marital arrangements, each of which are expressly forbidden in the scriptural text. Satlow also notes that the Sifra text only explicitly mentions and implicitly forbids *marriage* between two women, but does not directly comment on female homoerotic sexual activity.<sup>3</sup> Nonetheless, in each of the other cases, it is sexual activity between the listed people, and all the more so marriage, that is forbidden; the implication thus would be that female homoerotic sexual activity is forbidden, and all the more so marriage between two women.<sup>4</sup> Moreover, since the overwhelming tendency of rabbinic law and ethical teaching is to sanction sexual activity only in the context of a legally binding marriage, one could argue that it would be counter-intuitive to suppose that in the case of female homoeroticism sexual activity would be permitted (or overlooked) only so long as there was no marital arrangement between the participants.

### **Talmudic Sources – “Women Who Rub”**

Talmudic ([link to glossary](#)) sources on female homoerotic sexual activity are extremely sparse – indeed, the sources which do exist are all variants of a single tradition. Several points are worth noting about these sources: first, the critical verb describing the activity engaged in by the two women appears in several different, though similar and most likely related, forms. Moreover, since none of the forms represent a particular common verb in the rabbinic vocabulary, determining what act is being designated is further complicated. The most common English word used in translations of these sources is “rub.” Finally, these texts do not discuss female homoerotic sexual activity in its own right, but in terms of the effect participating in such activity might have legally on a woman’s future marriageability (in, of course, a heterosexual relationship), particularly to a man of the priestly caste. Such men are forbidden to marry a “*zonah*,” which the rabbis define as a divorcee, a convert, a freed slave woman, or a woman who has had sexual contact (not necessarily consensual) with an inappropriate man (such as a non-Jew, a relative prohibited by the laws of incest, or men who have been disqualified from the priesthood).<sup>5</sup>

#### **Palestinian Talmud, Gittin 8:10 (49c)**

---

<sup>2</sup> Satlow, *Tasting...*, p. 189

<sup>3</sup> *Ibid.*

<sup>4</sup> Moreover, as is evident in the discussion elsewhere on this site of rabbinic attitudes towards same sex marriage, the rabbis find homosexual marriages in particular abhorrent, but this by no means implies that they approved of homosexual activity so long as the social recognition of marriage was not extended to the participants.

<sup>5</sup> Indeed, the divorcee, convert, and freed slave woman may be presumed to have had inappropriate sexual partners; that is, non-Jews are regularly portrayed as promiscuous, the slave is presumed to have lacked control over her sexuality during her enslavement, and the divorcee is suspected of having been divorced by her husband for a lack of proper sexual faithfulness.

A woman who rubs (*m'saledet*) with her (*minor*) son, Beit Shammai declares her unfit (*to marry a man of the priestly caste*), and Beit Hillel declares her fit. Two women who had rubbed (*m'saldot*) each other, Beit Shammai declares her unfit (*to marry a man of the priestly caste*), and Beit Hillel declares her fit.

To declare the woman who “rubs” with another woman “fit” to marry a priest means that this activity has not rendered her a “*zonah*” – although the Palestinian Talmud does not explicitly use this term – as certain heterosexual activities would. Whatever these two women have done together, then, does not, in the opinion of Beit Hillel, have the same legal implications as does heterosexual intercourse. Why this should be so, and similarly why Beit Shammai would equate this act with heterosexual intercourse, is not clear. It is possible that two different definitions of what “rubbing” entails exist, leading to the two different rulings, but this too is not clear.

The two views are also presented in the Babylonian Talmud, but in a somewhat different fashion. First, the position that a woman who engages in this activity is thereafter forbidden to marry a man of the priestly caste is attributed to an amora (*link to glossary*), a talmudic authority, rather than to an early, tannaitic (*link to glossary*) source (i.e., Beit Shammai). Moreover, this restrictive view is from the outset presented as *not* the binding view legally, and the text explicitly suggests that only heterosexual, penetrative sexual activity could possibly carry the potential for legal consequences.

#### **Babylonian Talmud, Yevamot 76a**

Rava said: the law is not like...(*that which*) Rav Huna said: “Women who rub (*mesolelot*) with each other are (*thereby*) made unfit to (*marry into*) the priesthood.” [*This is so because*] even according to Rabbi Elazar, who said that an unmarried man who had sexual intercourse with an unmarried woman without the intent of marriage has (*thereby*) made her a *zonah* (i.e., *a woman unfit to marry a man of the priestly caste*) – these words apply to a man (*who had sexual intercourse with the woman*), but (*but in the case where she participated in sexual activity with*) a woman, it is only licentiousness.

Rav Huna, a Babylonian amora, claims that women who rub with each other are unfit to marry priests; such a woman is classified as a “*zonah*.” That this is the fundamental issue under discussion is made explicit refutation of Rav Huna’s position based on the opinion of Rabbi Elazar, who held that heterosexual intercourse between two single people rendered the woman a “*zonah*,” unfit to marry a priest. This is an extreme position, held, according to Talmudic tradition, particularly by Rabbi Elazar, but disputed by most other rabbis. Moreover – and this is the reason Rabbi Elazar serves as a refutation of Rav Huna – even Rabbi Elazar held his strict position only in the case of heterosexual intercourse. Therefore, as Rava claims, the law cannot be in accordance with Rav Huna’s view that homoerotic contact between two women results in one or both participants being deemed a “*zonah*.” Certainly, this passage does not present a favorable or neutral view of female

homoerotic sexual activity – it is deemed “licentiousness” – but it also does not attach any legal penalty to such activity, unlike male homosexual intercourse.<sup>6</sup>

This tradition is cited once more in the Babylonian Talmud, not independently, but in the context of the discussion of a potentially related topic. Again the tradition is attributed to Rav Huna, and again it is rejected as relevant or binding.

### **Babylonian Talmud, Shabbat 65a-b**

The father of Shmu’el<sup>7</sup> did not allow his daughters to...sleep next to each other...Let us say that this supports (*the view of*) Rav Huna, as Rav Huna said: “Women who rub with each other [65b] are (*thereby*) made unfit to (*marry into*) the priesthood.” No (*this is not the reason for Shmu’el’s father’s rule for his daughters*), (*rather,*) he thought (*to make this rule*) in order that they not become accustomed to a strange body.

Rav Huna’s ruling is proposed as a reason to forbid young women from sleeping together – they might engage in the activity of “rubbing” and thus be disqualified to marry priests – but is rejected in favor of a different reason. The meaning of this last phrase is somewhat obscure, and there are two primary possibilities for interpreting it. The most common explanation is that Shmu’el’s father fears that his daughters might become accustomed to sharing a bed and this will lead them into forbidden heterosexual activities. This could mean seeking (forbidden) sexual intercourse outside of marriage (as Rashi suggests), or wishing to share a bed with their future husbands even during their menstrual periods when sexual contact is prohibited and a number of restrictions are placed on the couple prohibiting physical contact between them to prevent the temptation towards sexual activity.<sup>8</sup> Another possibility is that the “strange” body is that of another woman – strange in a system that sanctions only heterosexual contact.<sup>9</sup> Yet even if this latter possibility were the case, Rav Huna’s ruling is nonetheless explicitly discounted in this passage.

In order to better understand the nature of the activity being described in the talmudic sources, it is helpful to compare them to an earlier source/parallel from the Tosefta (*link to glossary?*). This source is not about female homoerotic sexual activity, but clearly uses the term “rubbing” with a sexual connotation. Moreover, an important phrase which appears in this source, but not in the talmudic sources, hints at a possible reason why the talmudic sources do not stigmatize female homoerotic activity with anything like the vehemence devoted to male homosexual intercourse.

---

<sup>6</sup> As Satlow observes, “conceptually, the rabbis appear not to have had a category equivalent to our ‘homoeroticism’ or ‘homosexuality,’ a group categorized by their preference of same-gender sexual partners. Male homoeroticism was prohibited biblically, and female homoeroticism might be seen as lewd, but no talmudic rhetoric links these two activities.” *Tasting*, p. 192. See also 221.

<sup>7</sup> This man appears quite frequently in the Talmud with this “name.” Shmu’el is a very prominent figure in talmudic literature, active in or just after the transitional period from the redaction and promulgation of the Mishnah into the amoraic period. It should be noted that the word “*zonah*” can also mean “prostitute,” or “whore” (including the broadened connotations that this latter term often carries).

<sup>8</sup> A possibility suggested by Biale, *Women and Jewish Law*, p. 195.

<sup>9</sup> See Satlow, *Tasting*, p. 191

### **Tosefta Sotah 5:7**

The woman who “rubs” (*m’salselet* or *m’salelet*<sup>10</sup>) with her minor son, and he penetrates her, Beit Shammai declares her unfit (*to marry a man of the priestly caste*), and Beit Hillel declares her fit.

The most important phrase in this source that can help explain the talmudic sources is “and he penetrates her.” This phrase indicates that the activity in question has a sexual nature, or can result in some sort of sexual contact. Note, however, that Palestinian Talmud eliminates this phrase when presenting the two cases (the minor son, the two women) as parallel. The Babylonian Talmud, on the other hand, preserves the mention of penetration when discussing the woman and child,<sup>11</sup> but presents this case in an entirely different location from that of the two women. As Satlow notes of the Palestinian text, “This omission is crucial, as ‘rubs with’ now becomes so ambiguous that it can be taken to refer to sexual acts that do not involve penetration. Only from this omission can [the ruling about women who ‘rub’ with each other] follow.”<sup>12</sup>

Indeed, many scholars agree that one of the primary reasons why homoerotic activity between women does not carry penalties in rabbinic legal discourse is because the rabbis do not imagine such activity to involve physical penetration, either vaginal or anal.<sup>13</sup> Moreover, penetration is for the rabbis the defining element of what legal constitutes sexual intercourse (get some sources here). Female homoeroticism is thus, to the rabbinic mind, not to be understood as sexual intercourse. Scholars also point to the lack of an explicit biblical prohibition against female homoerotic contact as a reason why rabbinic texts do not devote significant attention to this question.<sup>14</sup> Yet another possibility is that the male authors of these texts were not very interested in or aware of women’s erotic attractions to each other, heterosexual marriage being primary in their thinking.<sup>15</sup>

### **Medieval Sources on Female Homoeroticism**

Medieval sources – in the form of commentary to the relevant rabbinic passages, and in the rules promulgated in legal codes – attempt to define the activities which are being discussed in rabbinic sources, and to clarify the legal status of such acts. They thus specify that female homoerotic activities are non-penetrative, but also nonetheless forbidden. The possibility of penetrative activity between women is not considered.

---

<sup>10</sup> See Lieberman, *Tosefta*, p. 178 on the variant readings of this word in manuscripts of the Tosefta.

<sup>11</sup> The toseftan tradition appears in the Babylonian Talmud, without reference to female homoerotic activity, at Sanhedrin 69b.

<sup>12</sup> p. 189

<sup>13</sup> For examples of this scholarly view, see Biale, *Women and Jewish Law*, p. 194; Satlow, *Tasting*, p. 192 (similarly 221); Broton, pp. 68-9. Broton, however, suggests that the views of Beit Shammai/Rav Huna might be based on the presumption that some form of penetration does take place when women “rub.” At least one rabbinic text does imagine a woman being deliberately penetrated (indeed, penetrating herself) by something other than a penis (see Babylonian Talmud, Avoda Zara 44a).

<sup>14</sup> See Alpert (?) and Biale, p. 196.

<sup>15</sup> Biale, *ibid.* (and note several other suggestions made by Biale there).

Not surprisingly, talmudic commentaries focus more on defining the nature of the activity described in the relevant passages. In his commentary to Yevamot 76a, Rashi ([link to glossary](#)) defines “*m’sollelot*” as follows:

In the way of sexual intercourse of male and female – they rub their female parts (*i.e.*, *genitalia*) against one another. And similarly the woman who rubs with her minor child in Sanhedrin (69b).

He gives a similar different definition on Shabbat 65a:

They rub (*or “scratch”*<sup>16</sup>) out of desire for sex.

Rashi thus clearly views female “rubbing” as homoerotic and sexual in nature. It appears, however, to be in his view only imitative of (or a substitution for) heterosexual sexual intercourse. It does not, apparently, involve penetration. Most other commentators follow Rashi’s explanation.<sup>17</sup>

Several things which had been implicit in earlier texts first become explicit in the legal code of Maimonides (also known as the Rambam), the *Mishneh Torah* (written from 1177-1187). Thus, Maimonides states explicitly that this activity does not involve penetration, but he also explicitly forbids women to engage in this kind of homoeroticism. Moreover, Maimonides brings together, for the first recorded time, the passage in Sifra forbidding homosexual marriage between women and the talmudic passages on “rubbing”:

#### **Mishneh Torah, Laws of Sexual Prohibitions, 21:8**

Women who rub with one another, (*this*) is forbidden. And this is the practice of Egypt which we have been warned against, as it says (*in Scripture*): “According to the doings of the Land of Egypt...you shall not do” (Leviticus 18:3). The sages said (*in explanation of this verse*): “What did they do? A man would marry a man and a woman would marry a woman, and a woman would marry two men.” Even though this practice is forbidden, we do not give lashes for it, because there is no specific prohibition (*in Scripture*) against it, and (*moreover*) there is no intercourse there at all. Therefore, they (*women who have done this*) are not prohibited to (*marry into*) the priesthood because of forbidden sexual intercourse (“*zenut*” – *that is, neither woman is deemed a “zonah”*), and a woman is not forbidden to her husband (*as a woman who had committed adultery would be*) by this, because there is no forbidden sexual intercourse here. But it is fitting to flog them for rebelliousness, since they have done something forbidden. And a man

---

<sup>16</sup> As Jastrow notes, this term (*mit\_Ṣakhakhot*) is also used for an animal which scratches itself by rubbing against an object such as a wall; p. 462.

<sup>17</sup> The Tosafot ([link to glossary](#)), in their commentary to Yevamot 76a, offer another suggestion for what activity “*m’sollelot*” designates, but only in order to reject it: “They pass (*between them*) semen which they have received from their husbands.” The Tosafot reject this explanation by reference to the case in Shabbat 65a-b: the women in that case are still in their father’s house (he forbids them from sleeping together) and thus presumably not yet married, yet the text posits that they might “rub” with one another.

should be strict with his wife in this matter, and prevent women known for this from entering to (*visit*) her, or her from going out to (*visit*) them.

Maimonides' legal writing here is complex, both synthesizing and expanding on the rabbinic sources. He acknowledges that the treatment of this topic in the Babylonian Talmud indicates that women who "rub" are not to be prevented from marrying priests, and moreover derives from this that no actual intercourse, that is, penetration, is involved. This leads to the further conclusion that a woman who participates in this homoerotic act with another woman has not, legally, committed adultery against her husband. However, by conflating the women who "rub" with the "Egyptian" practice of women marrying women, he is also able to categorically state from the outset that female homoeroticism is forbidden. He admits that this prohibition is not explicit in Scripture, and therefore cannot be punished with any scripturally mandated punishment. Rabbinic law does, however, allow for lashes to be administered to those who violate rabbinic decrees, and Maimonides suggests this as a fitting punishment for women who participate in homoerotic acts with each other. Maimonides' passage is also highly interesting in that it imagines the possibility of women known for this sort of activity, something like our modern day conception of the "lesbian," yet also assumes that women will be in heterosexual marriages, such that a man is expected to monitor his wife's contact with other women and prevent her from associating with women suspected of homoerotic behavior.

Later legal codes broadly follow Maimonides, though with a few interesting variations. Rabbi Jacob ben Asher (early 14<sup>th</sup> century), author of the *Arba' Turim* (commonly referred to as the Tur), for example, adds a definition and slightly expands the possibilities for censuring female homoerotic behavior:

**Tur, *Even Ha-Ezer*, Laws of Procreation, 20**

Women who rub with one another – meaning they join with each other in the manner of sexual intercourse – (*this*) is forbidden. And this is the practice of Egypt...Even though this practice is forbidden, we do not give lashes for it, and a woman is not forbidden to her husband (*as a woman who had committed adultery would be*) by this. But it is fitting to excommunicate her or flog her for rebelliousness, since they have done something forbidden...

Rabbi Jacob ben Asher does not explicitly cite Maimonides' comment that this act does not constitute intercourse, but the definition which he provides suggests, as Rashi's comments did, that it is only imitative of actually intercourse. His ruling that a woman who has engaged in this homoerotic act is not forbidden to her husband on the grounds of adultery (the Tur does not mention the case of her marrying a man of the priestly caste) further confirms this understanding. His one notable addition is the suggestion that excommunication, that is, social ostracism, is a suitable punishment for a woman who commits this act.

Yosef Caro (1488-1575), author of the *Shulḥan Arukh* (completed 1563), perhaps the most authoritative Jewish law code, summarizes even further. What he leaves out is

potentially telling, however. He does not note, as does Maimonides specifies very explicitly, that there is no direct prohibition on this act or that it is not strictly punishable based on Torah law. Nor does he address the nature of the act; it is left to the commentary of Moshe Isserles (which appears in printings of the *ShulḲan Arukh* as parentheticals interlaced with Caro's text and which is presented here in bold smaller print) to provide a definition of the forbidden activity:

**ShulḲan Arukh, *Even Ha-Ezer*, Laws of Procreation, 20:2**

Women who rub with one another (**meaning they press and rub with each other**) – (*this*) is forbidden, from the practice of Egypt which we are warned against. And it is fitting to flog them for rebelliousness, since they have done something forbidden. And a man should be strict with his wife in this matter, and prevent women known for this from entering to (*visit*) her, or her from going out to (*visit*) them.

The rhetorical thrust of Caro's passage is to emphasize the forbidden nature of female homoerotic activity. He omits any material which explicitly or implicitly suggests that this act is not considered to be forbidden intercourse. He also presents the permission to administer lashes for rebelliousness by itself, without any of the complicating information provided by Maimonides or the Tur.

<http://www.brandeis.edu/projects/fse/>