

She Is More Righteous Than I: Sex Work, Gender & Justice *D'var Torah - Parshat Vayeshev, 5776*

Rabbi Laurie Green
Bet Mishpachah

My Sunday School teachers told us scary, violent stories from the Torah – Abraham almost killing his son, Joseph’s brothers selling him into slavery. But the story that comes after Joseph is thrown in the pit, in the very same Torah portion, *Vayeshev*, which we read this week – that was off limits for children and ignored by adults because it was about sex.

Left with no other economic, social, political or sexual options, Tamar takes matters into her own hands and seduces Judah (who is to blame for her plight) who assumes she is a prostitute and negotiates a payment for her services. Months later, when Tamar’s pregnancy is discovered, she is assumed guilty of a grave sin. Nobody considers that she might be a victim of sexual violence. Nobody considers that she might have a right to have sex with whom she pleases. And nobody cares who the guy was.

Yet, this time, the story has a happy ending. Upon receiving evidence that he is the father, Judah declares , “*tzadka mimeni, she is more righteous than I.*” (Gen. 38:26) Torah, at least in this case, acknowledges that it is wrong for the powerful to judge the powerless, to hold different genders to different standards, to ignore the circumstances of the ‘crime,’ to rush to judgment.

Sex work flourishes in our own time. As in Tamar’s time, sex work is largely the choice of those who have few other options. As in Tamar’s time, our society condemns these women (and men and gender non-conforming people), but not those who create their circumstances or those who take advantage of their vulnerabilities.

Most sex workers are just like Tamar. Given their socio-economic circumstances, sex work was a rational, necessary, and even appropriate choice. Consider this perspective from Ruth Messinger, the President of American Jewish World Service:

I traveled to Thailand where I met a sex worker. A 37-year-old mother of three, she very succinctly told me about her life: “these were my options,” she said: “I could be apart from my children for 10 hours each day working in a sweatshop sewing buttons on shirts for \$2 a day. Or I could spend the day with my kids and, at night, talk to an interesting western man, lie down with him for 20 minutes in a familiar, safe place, and make a lot of money. Which would you choose?”

Like many Americans in my generation, I was taught that prostitution is immoral and coercive... And as a feminist of a certain age, I could initially only see sex work as oppression.

But in recent years, I've heard countless stories from sex workers themselves. When you listen to the story of a sex worker, you begin to understand the difference between a girl or a woman who is forced into trafficking—which is horrific and oppressive to its core—and a woman who sells sex to support her family because she has deemed it her best choice.

I learned in Thailand that these women are much like me: they work hard and they care about their kids...In both developed and developing countries, discriminatory policies enable police to rape and beat sex workers and confiscate their money and belongings, including condoms, which increases their risk of contracting HIV and other sexually transmitted infections. I would have never known any of this had I not listened—really listened—to these sex workers' stories.

Listening can be an antidote to judgment. Listening matters.

To say it differently, *tzadka mimeni*, she is more righteous than I. From Judah and Tamar, we should learn to listen more and judge less.

As a society, we need to have a conversation about sex work – and we need to have it with sex workers themselves. We need to distinguish sex trafficking and sexual slavery from consensual employment. We need to separate the sexual exploitation of children who need social services (not arrests) from the adult choices of those with agency. We need to put all our resources into fighting real sexual slavery and real child abuse – rather than shutting down websites that allow consenting adults to work more safely than walking the streets. And we need to discuss the possibility of decriminalization, not because we condone selling sex but because prohibition doesn't work, and because countless experts suggest that sexual health will improve and sexual violence and sexual exploitation be more easily prevented when adult sex workers have rights. Decriminalization of adult sex work, combined with serious efforts to end sex trafficking and the sexual exploitation of minors, is supported by many institutions, including the World Health Organization, UNAIDS, Lambda Legal, Gay and Lesbian Advocated and Defenders (GLAD), and the Transgender Law Center.

In honor of Tamar, join me in supporting the women of WONETHA, an organization of Ugandan sex workers who organize to access healthcare services, and SANGRAM in India, a feminist group led by sex workers and LGBT women which fights sex trafficking and the sexual exploitation of minors, while defending adult sexual and gender expression. And support current and former sex workers right in your own backyard.

Tzadka mimeni!