

*Respect and Responsibility Educator Cohort Curriculum*

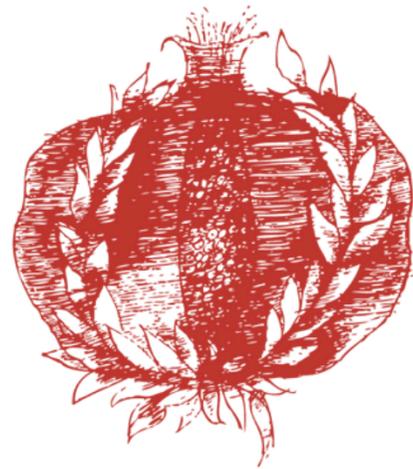


# Consent in the Torah

— Lucy Beckett, Hillel at UCLA

# About This Curriculum

- This curriculum was made possible, in part, by funds granted by The Covenant Foundation.
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# Source 1: Glossary of Terms

- **Sexual assault:** Any type of sexual contact or behavior that occurs without the explicit consent of the recipient. Falling under the definition of sexual assault are forced sexual intercourse, child molestation, incest, forcible or unwanted touching or fondling and attempted rape.
- **Domestic Violence:** A pattern of abusive behavior in any relationship that is used by one partner to gain or maintain power and control over another intimate partner.
- **Survivor:** Another way to refer to a victim of an assault, but places more strength and ability to move forward with the individual, as opposed to just viewing them as someone that something happened to. Different people who have experienced assault prefer different terminology, sometimes at different points in the healing process.



# Source 1: Glossary of Terms

- **Consent:** An agreement between participants to engage in sexual activity. Consent must be affirmative, freely given, conversational, can be withdrawn at any time and does not apply to all activities or all future activity. Consenting to one activity, one time, does not mean someone gives consent for other activities or for the same activity on other occasions. For example, agreeing to kiss someone doesn't give that person permission to remove your clothes. Having sex with someone in the past doesn't give that person permission to have sex with you again in the future.
- **Victim-blaming:** Holding the victim responsible in some way for the crime that occurred, or implying the victim could have prevented it had they acted differently. This shifts blame to the victim rather than the person who committed the crime. An example of victim-blaming is saying the individual would not have been assaulted had they not been dressed a certain way.



# Source 1: Glossary of Terms

- **Rape culture:** A setting in which rape and sexual violence is pervasive and normalized due to societal attitudes about gender and sexuality. Behaviors commonly associated with rape culture include victim blaming, slut-shaming, sexual objectification, trivializing rape, denial of widespread rape, refusing to acknowledge the harm caused by sexual violence, or some combination of these
- **Self-care:** Putting yourself first, taking proper care of yourself, engaging in healthy activities that promote well-being.

Sources: Religious Action Center and Meyerhoff Center for Jewish Education



# Nedarim 20b

- Rabbi Levi said: These are children of nine traits [from nine types of prohibited relationships]
- Children of fear (*eima*) when the woman was afraid of her husband and engaged in sexual intercourse with him out of fear; children of a woman who was raped (*anusa*) when her husband came upon her with force; children of one who is hated (*senua*) when a woman hated her husband; children of ostracism (*niddui*) when one of the parents was ostracized by the court; children of substitution (*temura*) when the man was thinking about another woman, different from the one he was having sex with; children of strife (*meriva*) who were conceived in the midst of quarreling; children of drunkenness (*shikhrut*) who were conceived when the parents were drunk; children of a woman who was divorced in the heart (*gerushat halev*) conceived by a woman when her husband had already decided he wanted to divorce her; children of mixture (*irbuveya*) when the man did not know which woman he was having sex with; children of a shameless woman (*chatzufa*) a woman that demands her husband have sex with her.



# Discussion Questions

- What surprises, resonates, or troubles you in your first reading of this text?
- What message do you think this text sends about sex, love, and/or relationships?
- These rules were written nearly 2,000 years ago for heterosexual married couples
  - How, if at all, do you think these concepts are still relevant in contemporary relationships
  - Do you see the concepts applying to sexual relationships that are queer and/or not situated within marriage?
- To what extent do the messages you have personally received (from friends, family, media, etc.) about the “do’s and don’ts” of sexual relationships reflect or differ from this list?



# Deuteronomy 22:23-27

(23) If there is a maiden that is a virgin who is betrothed to a man—if a man comes upon her in a city and lies with her, (24) you shall take the two of them out to the gate of that city and stone them to death: **the maiden because she did not cry for help in the city**, and the man because he violated his neighbor's wife. **Thus you will sweep away evil from your midst.** (25) But if the man comes upon the betrothed girl in the field, and the man lies with her by force, only the man who lay with her shall die, (26) but you shall do nothing to the girl... (27) **For he found her in the field; the betrothed girl cried out, and there was no one to save her.**



# Sifrei Devarim 243:4-5

"For he found her in the field" (Deut. 22:27):

Should we understand that in the city she is liable, and in the field, not? For this reason it is written "she cried out and there was no one to save her." **For if she has no "savers," either in the city or in the field, she is not liable...**

"And there was none to save her" (Deut. 22:27): This implies that if there were someone to save her, they would do so in any manner possible.



# Discussion Questions

- How are the people in these texts held accountable (or not) for sexual violence?
- What impact does social and community context have on accountability as presented here?
- Literally and metaphorically, how do you think these texts understand the role of the “saver”?
- In a modern context, do you think there are social and communal settings where “if there were someone to save her, they would do so in any manner possible”? Why or why not?



# What the Talmud Can Teach Us?

“This ancient conversation around consent remains groundbreaking and vital in our current cultural predicament. Underneath the pervasive problems around sexual violence in the United States right now is this very old Jewish blueprint for action. Why didn’t I learn this in my 18 years of Hebrew school growing up in Washington, D.C.? ... I didn’t learn [this material] until I went to yeshiva in my late 20s. I learned about holidays at Hebrew school, about flowers and candles on Shabbat and other Jewish holidays. I did not, however, learn about consent... Consent education should begin as early as preschool. This means beginning a conversation about body ownership, about asking before touching, and learning caring, mutually desired touch. This is part of what it means to be spiritual, to be loving, to be healthy, to be alive, and to be Jewish... At this moment, there is a loud, resounding call for consent education. Fortunately for us, the blueprint is right there in the Jewish textual canon.” (Merissa Nathan Gerson, 2018)



# Excerpts from Yom Kippur Pledge

## Congregation

- Forgive us for the times we did not ask permission before touching another person's body
- Forgive us for the times we sensed someone's fear and persisted with our own pleasure anyway
- Forgive us for the times we heard a "no," and ignored it, persisting with our own pleasure anyway
- Forgive us for the times we reached to touch another when we were filled with hatred



# Excerpts from Yom Kippur Pledge

- Forgive us for the times we were so inebriated we could not decipher whether the person we touched was saying “yes” or “no”
- Forgive us for the times we turned a blind eye when we knew boundaries and bodies were being violated
- Forgive us for not teaching these boundaries to our children sooner
- And forgive us for not believing those that spoke up, their stories echoing ancient tales of transgression



# Excerpts from Yom Kippur Pledge

**Congregation:** For all the times we missed the mark, God of forgiveness, forgive us, pardon us, give us atonement.

**Clergy:** This is not an act of pardon. It is a call to highlight our communal expectations of one another.

**Congregation:** This call to action is not an act of pardon. It is a call to raising communal expectations. This year, may we all be written in the book of life. Together we strive for all to be safe, and to help others to be safe in their bodies. This year may we all be written in the book of life. Amen.



# Prayer for Those Not Ready to Forgive

The weight of this season compels us to forgive, and to open our hearts. There are many among us who have endured deep hurts, this year, and some from many years ago. Some of us are not sure of the path forward amidst the prayers and pleadings of Yom Kippur to wipe the slate clean and start anew.

For the woman who was violated and for the man beaten down,  
And for anyone with a broken heart or a crushed soul who might not be quite ready to forgive.  
It's ok. Take your time, Sometimes the timetable of the High Holy Days  
doesn't match the rhythm of your heart. Sometimes our devoted prayers get intermingled with  
inner voices not quite resolved: such as, "maybe it wasn't all that bad" "just let go" "let bygones  
be bygones," "be the bigger person," or "maybe I'm being too sensitive"



# Prayer for Those Not Ready to Forgive

This year, love yourself enough to trust your own timing.

Be patient enough to stay in the place of “not yet.”

You commit to the work of resolution, not being attached to an outcome or timetable.

Trust that you will find your way forward,  
that you WILL come to a time where holding on hurts more than letting go.

Forgive yourself for not being yet ready. From that place of total acceptance,  
May you have faith that the path will open up

