

Prostitution, Promiscuity, or Apostasy? The Offense, Its Consequences, and the Meaning of *z-n-h* in Leviticus 19:29

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Lev 19:29 admonishes each male member of the community "Do not desecrate (חלל) your daughter להזנותה lest the land תזנה and the land be filled with זמה". Generally, this is understood as a warning to fathers not to desecrate their daughters by making them prostitutes.¹ Yet is the issue really about prostitution, or does the stem זנה denote something else? In this paper I will closely examine the semantic range of זנה, to determine how likely it is that זנה denotes prostitution in this verse. If it seems likely that זנה does not denote the act of prostitution, I will consider other, more viable options, to determine what זנה most likely does mean in this verse.

Once the nature of the desecrating behavior has been determined, several other issues raised by this text will be addressed. In what way is the daughter desecrated? How much blame is attached to the daughter, and how much to the father? What threat does such behavior pose to the land, and what are the consequences? Lastly, this paper will address the question of how this admonition fits into the larger context of Leviticus 19 and its concern with achieving and maintaining holiness.

Since how one understands the nature of the daughter's desecrating behavior hinges on how one interprets the *hiphil* and *qal* of the stem זנה as it is used in this verse, we will begin with an extensive examination of the stem זנה. As Phyllis Bird has demonstrated in her article, "To Play the Harlot: An Inquiry into an Old Testament Metaphor," the basic meaning of the stem זנה is "to engage in sexual relations outside of or apart from marriage."² While זנה, sometimes paired with זנה, specifically refers to adultery, that is, the violation of a husband's exclusive sexual right to his wife (e.g. Exod 20:14 [=Deut 5:18]; Lev 20:10; Ps 50:18; and Job 24:15), זנה is a more general and inclusive term, covering all instances of sexual intercourse in which there is an absence of a marriage bond between otherwise acceptable partners.³ This includes adultery,⁴ premarital sex by a daughter who is still part of her father's household, and the licit sexual activities of a prostitute.⁵

זנה is used both literally and figuratively in biblical texts. When used literally, זנה refers to sexually promiscuous behavior. In these instances, the subject is always female and the verb generally does not take an object. When used figuratively, the subject is those who engage in religious or political infidelity against God, worshipping other gods⁶ or seeking the help of other nations,⁷ and the verb is generally followed by a prepositional phrase⁸ or a direct object.⁹ Those who engage in such behavior are often depicted metaphorically in biblical texts as God's promiscuous, unfaithful wife (or sexually promiscuous future wife, as in Ezekiel 23:3).¹⁰ Sometimes, it is difficult to determine whether זנה should be read literally or figuratively in a verse, since the only way to determine which usage is intended is from context, which is sometimes not enough to draw a definitive conclusion.¹¹

The Qal feminine participle form of זנה, זונה, when used as a noun, either alone or in combination with אשה, denotes an occupation, that of a prostitute, a woman who engages in sex outside of marriage as a profession.¹² The biblical texts which mention prostitutes reflect a society in which prostitution is licit and tolerated, though a rather marginalized and stigmatized profession. In the case of זונות in the Hebrew Bible, the women appear to be without husbands or male guardians, and thus they are not violating the rights or honor of any male by having sexual relations outside the bounds of marriage.¹³ All other nominal forms derived from the root זנה, such as זנונים,¹⁴ זנות¹⁵ and תזנות,¹⁶ refer to sexual promiscuity, as do all verbal forms of זנה.¹⁷

The distinction between זנה "to be sexually promiscuous" and זונה, the occupation of prostitute, is an important one, since the two are treated very differently in biblical texts. The occupation of a זונה was tolerated and licit. In contrast, whenever any other nominal or any verbal form of זנה is used, the activity is condemned and is treated as highly illicit.¹⁸ In order to avoid confusion between the licit occupation of a זונה and the illicit sexual activities of women denoted by all other forms of the stem זנה, it is probably best to avoid translating the verb זנה as "to play the harlot" or "to whore around" since both harlot and whore are terms in English which have double meanings, denoting both professional prostitutes and sexually promiscuous women. A preferable translation of זנה to denote illicit sexual activity on the part of women would be "to be sexually promiscuous" or "to commit fornication." For this same reason, translating זנה in contexts

in which it is used figuratively as "whore after" or "play the harlot after" is as problematic as using such terminology for the literal usage of זנה, since it conflates prostitution and religious and/or political infidelity against Yahweh. Thus I propose that when the stem זנה is used figuratively, one can translate it as "go astray after," to convey the basic sense of the term while still keeping the figurative sense, and eliminating any confusion between prostitution and either of these forms of promiscuity or infidelity.

Now we can turn to the question of how likely it is that זנה in Lev 19:29 denotes the act of prostitution. As we have seen, the basic meaning of זנה is "to engage in sexual relations outside of or apart from marriage," not "to be a prostitute," and the usage of the stem זנה in the context of prostitution is limited to the nominal form *zonah*. While it is possible that in Lev 19:29 we have the one case in a biblical text where verbal forms of זנה denote the activities of a prostitute, the *qal* form of זנה meaning "to be a prostitute" or "prostitute oneself" and the *hiphil* meaning "to make someone a prostitute," this reading seems unlikely to be the correct one.¹⁹ The *hiphil* of זנה is used eight other times in the Hebrew Bible. In none of these cases does it appear to mean "make someone a prostitute," nor do any of the occurrences have anything to do with prostitution. Rather, the eight other occurrences of the *hiphil* of זנה all involve infidelity to Yahweh.²⁰

Since the verb זנה here does not seem to denote the act of prostitution, we must now determine how it is being used in this verse. Given that all other occurrences of זנה in the *hiphil* involve the figurative use of the term, it is quite possible that זנה is used in Lev 19:29 in the figurative sense: fathers are warned not to lead their daughters astray by encouraging them to engage in apostasy. Such behavior would lead to the land going astray, in the sense that others might be influenced into engaging in such illicit activity, as well. In support of this interpretation, there is some biblical evidence that apostasy was viewed as a cancer that had to be eradicated lest it spread to the rest of the population.²¹ Moreover, since Lev 19:29 is both preceded and followed (in v. 31) by laws having to do with forbidden religious practices, it would make sense if it also concerned forbidden religious practices.

Yet there is reason to question whether this is the most likely meaning of זנה in this verse. In both Lev 19:29 and 21:9, which addresses the case of a priest's daughter who engages in זנה, it seems odd that daughters alone would be singled out if worship of

other gods is what is intended. Is worship of other gods by wives, sons or other members of the household less problematic than by daughters? On the other hand, a father was directly responsible for his unmarried daughter's sexual behavior, which makes one wonder if perhaps זנה in both Lev 19:29 and 21:9 refer to a young woman's sexual promiscuity, rather than worship of other gods.²²

There are other indications that the literal rather than the figurative meaning of זנה is intended here. Generally, when the subject of זנה is an actual woman or women (as opposed to the population of a city being depicted metaphorically as a woman), the verb denotes sexually promiscuous behavior. Moreover, זנה in this verse is not followed by a direct object or a preposition, which one would expect if the figurative usage were the one intended. Given these considerations, it seems most likely that זנה is being used literally in this verse. The desecrating behavior is sexual promiscuity.

Since fathers are being addressed regarding their daughter's sexual behavior and there is no reference to husbands, the daughters in question are likely unmarried young women still living at home. זנה in this context thus refers to sexual promiscuity in the form of engaging in pre-marital sexual relations. While the *hiphil* usually has a causative sense, it also occasionally has a modal sense, denoting the permitting or allowing of an action designated by the *qal*.²³ Since it is difficult to imagine how a father could cause (or make) his daughter engage in sexually promiscuous behavior, the modal sense of זנה is probably the one intended. Each father is charged with preventing his daughter from engaging in premarital sex.²⁴

Now that the nature of the daughter's desecrating behavior has been identified, we can turn to the question of how she is desecrated. In what way does a father desecrate his daughter by allowing her to engage in sexually promiscuous behavior? To answer this question, we must consider how חלל is used in this context.

The term חלל, to *profane* or *desecrate*, is used in biblical Hebrew to express negative loss of holiness.²⁵ In contexts in which חלל is used, the loss of holiness is involuntary.²⁶ In contrast to defilement, denoted by טמא, where the person or object becomes impure, and, as such, in a state of opposition to holiness,²⁷ the object of desecration simply loses holiness, becoming profane, or common (חול).²⁸ Some of the things that can be profaned are the name of God,²⁹ holy or sacred objects, such as the

sacrificial offerings,³⁰ sacred times, such as the Sabbath,³¹ sacred places, such as the sanctuary,³² and, as is the case here, people.³³

Lev 19:29 is one of four instances in H where people profane themselves and/or others. The other three cases are found in the first half of Leviticus 21, which contains instructions intended to safeguard the holiness of priests, mostly by providing prohibitions against certain behaviors. Illicit contact with the dead (v. 4), sexual misbehavior of a priest's daughter (v.9),³⁴ and failure of the high priest to marry a suitable bride (v. 15) all result in the loss of holiness on the part of priests and/or their offspring.

While there are a few instances outside of H where חלל is used figuratively, with the meaning of debase or degrade,³⁵ in H it appears to always denote literal loss of holiness, and given the overall concern with holiness in Leviticus 19, the literal understanding in this context makes the most sense. The father, by allowing his daughter to engage in such behavior, causes her to lose holiness.³⁶

As to the matter of who is blamed for the daughter's loss of holiness, the exhortation is addressed to the father, not the daughter, which seems to indicate that the authors hold each father responsible for his daughter's sexual behavior. When a daughter does manage to desecrate herself through sexually promiscuous behavior, the blame falls upon the father who failed in his responsibility to properly control her sexuality. Yet while the father is to blame if his daughter's sexuality gets out of control, the only one to suffer the consequences would apparently be his daughter. The father did nothing to profane himself. His negligence causes his daughter to fail in her obligatory duty to pursue and maintain holiness, and thus she is desecrated, but she is the only one affected.³⁷

There is no indication that the daughter is subject to any additional consequences other than loss of holiness. While adultery, as well as a host of other sexual acts not under the scope of חזק such as incest, bestiality, and male-male sexual relations, is considered punishable by death elsewhere in H (Lev 20:10-16)³⁸ sexual promiscuity on the part of an unmarried, non-betrothed woman is apparently not perceived by H as a punishable crime, as long as the one engaging in it is not the daughter of a priest (as is the case in Lev 21:9).³⁹

Yet such behavior still poses a very serious threat to the community. Society as a whole is endangered when a father neglects to control his daughter's sexuality, as expressed by the last part of the verse: "lest the land fall into promiscuity and the land be filled with זמה." The authors of this text seem to view sexual promiscuity as contagious (just as apostasy is contagious). It is especially dangerous to the community because it creates a domino effect: once one young woman engages in illicit sexual behavior, the others will follow, and the next thing you know, people will begin engaging in all sorts of illicit sexual behavior. For this reason, the onus is put on fathers to keep close watch over their daughters, lest there be an outbreak of such behavior among the community.

The result of all of this promiscuity among the inhabitants of the land is that the land will be filled with זמה. The term זמה is part of the vocabulary of deviance, used to label behaviors, often sexual, that are considered particularly intolerable to the community and/or God.⁴⁰ The term is used two other times in H, in both cases involving sex with two generations of directly related women. Lev 18:17 prohibits a man from having sexual relations with both a woman and her daughter or granddaughter, labeling such behavior זמה. No punishment is cited, but it is part of a group of sexual acts (including adultery, incest, and bestiality) that lead to the defilement of the land. In Lev 20:14, marriage to a woman and her mother simultaneously is labeled זמה, and a sentence is given: all three are sentenced to death by fire, reflecting the gravity of the offence. Given that the term seems to be used to label behavior (usually sexual) that the authors find particularly egregious, an appropriate translation of זמה would be *depravity*.

The final question that must be addressed is how this admonition fits into the larger context of Leviticus 19 and its concern with achieving and maintaining holiness. Leviticus 19 is a general call to holiness addressed to the lay population. The people are told to strive to be holy because God is holy (Lev 19:2). While the men are the only ones in attendance, the call to holiness is addressed to everyone: every member of the community must strive for holiness by following the commandments. The whole chapter focuses on what the people must do to attain and keep holiness.⁴¹

If the people succeed in attaining and maintaining holiness, they will be able to continue to dwell in the area surrounding the sanctuary, and, for that matter, in the land, and God will remain among them in his dwelling place of the sanctuary. However, if the

population as a collective fails to achieve and maintain holiness, then presumably God will depart, and everyone will suffer the consequences.

The danger presented by fathers who do not control their daughter's sexual behavior in Lev 19:29 is thus two-fold. First, the problem with individuals losing the holiness they have acquired through following the commandments is that there is no way of knowing the limits of God's threshold for tolerating human loss of holiness. Because of this uncertainty, every human act that causes loss of personal holiness puts the community at risk.⁴²

Second, this admonition reflects a fear on the part of the Holiness authors that if men let their daughters be sexually promiscuous, the consequences would go well beyond the young women profaning themselves through their actions. Because the authors of H see sexual promiscuity on the part of young women as contagious, they seem to view it almost as a gateway behavior that will lead to all sorts of other illicit sexual behaviors among the population. The result will be that the land will be filled with זמה, which involves not only acts that profane, but also acts that defile. In Leviticus 18 and 20, illicit sexual acts that defile people also defile the land, and if the land gets so polluted with defilement that it can not withstand it any more, it will spit out the people who are defiling it so it can rest. In other words, if the land suffers too much defilement, the result will be the exile of the people. This admonition to fathers to control their daughters' sexuality thus seeks to avoid two different, equally catastrophic threats: abandonment by God and exile from the land.

¹ A survey of translations, commentaries, and scholarship that touches upon this verse reveals that this interpretation has largely gone unquestioned. Almost every modern Bible translation interprets the *hiphil* of זמה as relating to prostitution (variations include "making her a prostitute" [e.g. ESV, GWT, HCSB, NET, NIV, NLT, NRSV, TLB], "make/making her a harlot" [e.g. ASV, ERV, JPS, NASB, RSV], and "cause her to be a whore/harlot" [e.g. KJV, WBT]). There are some exceptions. The *Common English Bible* translates זמה as "by making her sexually promiscuous," though it also includes a note that an alternative translation is "by making her a prostitute." *The Jubilee Bible* also appears to straddle both interpretations, rendering זמה as "causing her to commit fornication" and rendering ולא תזנה הארץ as "lest the land be prostituted." *The Good News Translation* renders זמה as "by making them temple

prostitutes," combining prostitution and apostasy in its interpretation of זנה. The *Bible in Basic English* renders it "by letting her become a loose woman." A survey of commentaries on Leviticus finds that they, too, generally see this verse as a warning to fathers not to desecrate their daughters by making them prostitutes (e.g. Jacob Milgrom, *Leviticus 17-22: A New Translation with Introduction and Commentary* [AB 3A; New York: Doubleday, 2000], 1298, 1696-1697; Gordon J. Wenham, *The Book of Leviticus* [NICOT; Grand Rapids: Eerdmans, 1979], 263 and 272; Baruch A. Levine, *Leviticus* [JPS Torah Commentary; Philadelphia: JPS, 1989], 133; John E. Hartley, *Leviticus* [WBC; Thomas Nelson, 1992], 303 and 308-309; Jay Sklar, *Leviticus* [TOTC 3; IVP Academic, 2014], 250-251; S. Tamar Kamionkowski, "K'doshim," *The Torah: A Women's Commentary* [New York: WRJ, 2008], 709. General works on sex in the Bible also tend to interpret this verse as addressing prostitution (e.g. Michael Coogan, *God and Sex: What the Bible Really Says* [New York: Twelve, 2010], 151-152; J Harold Ellens, *Sex in the Bible: A New Consideration* [Westport; Praeger, 2006], 78, Gerald Larue, *Sex and the Bible* [Buffalo: Prometheus, 1983], 111-113, Ilona N. Rashkow, *Taboo or not Taboo, Sexuality and Family in the Hebrew Bible* [Minneapolis: Fortress, 2000], 29-30), as do works focusing on the nature of holiness and desecration in Biblical texts (e.g. David Wright, "Holiness [OT]," *ABD* 3: 237- 249 [246]; Jan Joosten, *People and Land in the Holiness Code: An Exegetical Study of the Ideational Framework of the Law in Leviticus 17-26* [SVT 67; Leiden: E.J. Brill, 1996], 31-32; W. Dommershausen, "הלל," *TDOT* 4: 409-211 [414-415]; Philip Jenson, *Graded Holiness: A Key to the Priestly Conception of the World* [JSOTSS 106; Sheffield Academic press, 1992], 123). Noteworthy exceptions will be discussed below.

² Phyllis Bird, "To Play the Harlot: An Inquiry into an Old Testament Metaphor," in *Gender and Difference in Ancient Israel* (ed. Peggy Day; Minneapolis: Fortress, 1989), 76-79.

³ Bird, "To Play the Harlot," 76-77. Bird (90, note 13) observes that incest, bestiality, and homosexuality are not covered by זנה.

⁴ Bird, in "To Play the Harlot," appears to exclude adultery from the scope of זנה, but in "The Harlot As Heroine: Narrative Art and Social Presupposition in three Old Testament Texts," *Women in the Hebrew Bible: A Reader*, ed. Alice Bach (New York: Routledge, 1999), 103, she notes that the range of זנה includes "a wide range of extramarital sexual relations, including both fornication and adultery, although its biblical usage appears focused on the activity of the unmarried woman."

⁵ Examples of each of these usages of זנה are discussed below. Others who follow or agree with Bird include Francis I. Andersen and David Noel Freedman, *Hosea: A New Translation with Introduction and Commentary* (AB 24; Garden City, NY: Doubleday, 1980), 224; Yee, "Hosea," *The Women's Bible Commentary* (ed. Carol A. Newsom and Sharon H. Ringe; Louisville: Westminster/John Knox Press, 1992), 197; Tikva Frymer-Kensky, *In the Wake of the Goddess: Women, Culture and the Biblical Transformation of Pagan Myth* (New York: Ballantine Books, 1993), 145; Timothy R. Ashley, *The Book of Numbers* (NICOT; Grand Rapids: William B. Eerdmans; 1993), 266; Carolyn Pressler, *The View of Women Found in the Deuteronomic Family Laws* (BZAW 216; Berlin: Walter de Gruyter, 1993), 30-31; Athalya Brenner, *The Intercourse of Knowledge: On Gendering Desire and 'Sexuality' in the Hebrew Bible*

(Biblical Interpretation Series 26; Leiden: E.J. Brill, 1997), 147-151; and Alice A. Keefe, *Women's Body and the Social Body in Hosea* (Sheffield: Sheffield Academic Press, 2001), 18-20.

⁶ E.g. Lev 17:7; 20:5; Num 15:39; Deut 31:16; Judg 2:17; 1 Chron 5:25.

⁷ E.g. Ezek 16: 26, 28-34; 23:1-21.

⁸ The most common preposition used with זנה in these cases is אחר־י. See, for example, Gen 34:15-16; Lev 17:7; 20:5-6; Deut 31:16; Judg 2:17; 8:27; Ezek 6:9; 20:30; 1 Chron 5:25.

⁹ For a discussion of the syntactical distinction between the literal and figurative uses, see Baruch A. Levine, *Numbers 21-36: A New Translation with Introduction and Commentary* (AB 4A; New York: Doubleday, 2000), 282-283. While most scholars view engaging in sex outside of or apart from marriage as the primary meaning of זנה, and religious and/or political infidelity to Yahweh as a figurative usage derived from the primary sexual meaning (e.g. Bird, "To Play the Harlot," 80-89; S. Erlandsson, "זנה," *TDOT* 4:99-104; Milgrom, *Leviticus 17-22*, 1462); Levine, *Leviticus*, 114; Walther Zimmerli, *Ezekiel 1-20: A Commentary on the Book of the Prophet Ezekiel, Chapters 1-24* (trans. Ronald E. Clements; Hermeneia; Philadelphia: Fortress, 1979), 297-99; and Frymer-Kensky, *In the Wake of the Goddess*, 146), Irene E. Riegner, *The Vanishing Hebrew Harlot: The Adventures of the Hebrew Stem זנה*; *Studies in Biblical Literature* 73; New York: Peter Lang, 2009, 63-216, makes an intriguing case for a זנה stem meaning "to engage in non-Yahwistic cultic practice" that was independent of any sexual meaning. She points out that there are many cases in which זנה is used in which there is no hint of a sexual context, and based on this she contends that there is no reason to assume that the usage of זנה in a religious context derives from the sexual meaning of זנה. It is quite possible that originally there were two independent זנה stems, one denoting sexual relations outside of marriage and the other meaning to engage in non-Yahwistic religious practices, and that at some point the two became conflated, perhaps when the former began to be used as a metaphor for the latter. However, Riegner's argument for a third independent זנה stem meaning "to feed, nourish" (resulting in an additional meaning of זונה as "innkeeper") is less convincing.

¹⁰ See, for example, Jer 3:1-5; Ezek 16:15-34; Ezek 23:1-21; Hos 1-3. נאף is used in a similar way in Isa 57:3 and Jer 23:10. נאף and זנה are paired in such metaphors in Jer 3:8-9; 13:27; Hos 2:4; 4:13-14. In these prophetic metaphors, when זנה is used to describe the actions of God's promiscuous, unfaithful wife, the subject is always female (which makes sense, given the dictates of the metaphor) and it sometimes takes an object, and sometimes does not.

¹¹ In some texts, such as Num 25:1; Hos 4:13-15; and Jer 5:7 it seems as though both usages might be intended at the same time.

¹² See, for example, Gen 38:15; Lev 21:7, 14; Deut 23:19; Josh 2:1; 6:17, 22, 25; Judg 11:1; 16:1; 1 Kgs 3:16; 1 Kgs 22:38; Prov 6:26; 7:10; 29:3. The nominal construction is the same as שומר, guard, רועה, shepherd, and כהן, priest. For more on the usage of this nominal pattern in biblical Hebrew to denote occupations, see Benjamin Kedar-Kopftein, "Semantic Aspects of the Pattern *gōtēl*," *Hebrew Annual Review* 1 (1977): 158, 164-165. For more on prostitutes in the Hebrew Bible, see Phyllis Bird, "The Harlot As Heroine: Narrative Art and Social Presupposition in three Old Testament Texts," *Women in the Hebrew*

Bible: A Reader (ed. Alice Bach; New York: Routledge, 1999), 99-118; Bird, "To Play the Harlot," 77-78; and Coogan, *God and Sex*, 151-160. It is important to note that the nominal form זונה derives from the verb זנה, not the other way around. On this see Bird, "To Play the Harlot," 78 and Keefe, *Women's Body and the Social Body in Hosea*, 19-20.

¹³ Niditch, "The Wronged Woman Righted," 147, observes that Rahab has her own house, apart from her family, and that the two prostitutes who come to king Solomon in 1 Kings 3 also appear to form a household together, independent of male authority over them. Similarly, Keefe, *Women's Body and the Social Body in Hosea*, 20.

¹⁴ e.g. Gen 38:24; 2 K 9:22; Ezek 23:11, 29; Hos 1:2; 2:4

¹⁵ e.g. Ezek 23:27; Hos 4:11 and 6:10

¹⁶ e.g. Ezek 16:20; Ezek 23:8, 17

¹⁷ Similarly, Bird, "The Harlot As Heroine," 103. The usage of verbal forms of זנה in Lev 21:9 and Gen 38:24, both of which are often interpreted as involving prostitution, will be discussed below.

¹⁸ Similarly, Bird, "The Harlot As Heroine," 103, and Keefe, *Women's Body and the Social Body in Hosea*, 20. Yee, "Hosea," 197, notes how scholarly tendency to conflate the two has resulted in the misunderstanding of Gomer as a prostitute in Hosea 1-3. Gomer is never labeled a זונה. Rather, she is called an אשת זנונים, a 'wife of promiscuity' or 'promiscuous wife'.

¹⁹ Many scholars also understand the stem זנה as denoting prostitution in Gen 38:24 and Lev 21:9. When we consider these two texts, both of which involve a woman sentenced to death by burning for זנה, several problems arise if you take זנה as denoting prostitution. First, there is no biblical evidence that prostitution was considered a crime in ancient Israel. It is not prohibited in any of the legal collections (not even in Leviticus 18 and 20, the two chapters concerned with sexual transgressions which envelope Leviticus 19). Prostitution is also not prohibited or condemned in any of the narrative texts. Second, the context in which זנה is used in each of these texts makes such a translation unlikely. In Genesis 38, the one time Tamar disguised herself as a prostitute, she was so heavily veiled that Judah did not recognize her. Immediately after their sexual encounters, she went back home and returned to her widows garments. It seems highly unlikely that anyone else would have recognized Tamar during the very brief interlude when she disguised herself as a prostitute, if her own father-in-law didn't recognize her. Central to the accusation against Tamar in Gen 38:24 is her pregnancy. One need not be a prostitute to get pregnant. One does, however, need to have sex. Tamar's pregnancy revealed that she engaged in illicit sexual activity by having sexual relations while awaiting Levirate marriage to Shelah. Tamar's crime is the same as that addressed by Deuteronomy 22:23-25, sexual relations by a betrothed woman, which is treated in that text as a case of compound adultery, an offense against both the man to whom the woman is betrothed and against her father. I will discuss the context of Lev 21:9 below, which I contend also involves sexual promiscuity, rather than prostitution.

²⁰ In three of these texts, the *hiphil* of זנה takes a direct object (Exod 34:16; 2 Chron 21:11 and 13). In the other cases, the *hiphil* is used intransitively.

²¹ Deuteronomy 13 appears to view apostasy in this light.

²² There is an additional reason why Lev 21:9 (which is discussed at great length in note 36) is more likely to be about sexual promiscuity than apostasy. This verse is grouped with Lev 21:7-8, which concern what types of women priests can marry, related to the preservation of priestly holiness and, presumably the holiness of the priests' offspring. The restrictions seem to be based on the perceived "uprightness" of the women. Priests can not marry prostitutes or divorcees (who often had a negative stigma), but they can marry widows and virgins. A law immediately following that deals with the problem of a daughter who is sexually out of control in this context makes more sense than one dealing with a daughter who is worshipping other gods.

²³ See Waltke and O'Conner, *Biblical Hebrew Syntax*, 445-446 (27.5). In some cases, the *hiphil* of זנה seems to be used intransitively, to simply mean "to act promiscuously," without any causative or permissive affect. See, for example, Hos 4:10, 18; 5:3. Here, however, the daughter is the object of the verb.

²⁴ The *lamed* is best understood as serving an explanatory function with the *hiphil* infinitive construct, and thus the term can best be translated "by letting her be sexually promiscuous."

²⁵ On the nature of holiness in biblical literature, see (among many others) Wenham, *The Book of Leviticus*, 18-25; Nilton Dutra Amorim, "Desecration and Defilement in the Old Testament," (Ph.D. diss., Andrews University, 1985), 147-62; Levine, *Leviticus*, 256-257; Jenson, *Graded Holiness*, 40-55; Joosten, *People and Land in the Holiness Code*, 123-137; David Wright, "Holiness in Leviticus and Beyond," *Interpretation* 53 (1999): 351-363; Wright, "Holiness (OT)," 237- 249; and Milgrom, *Leviticus 17-22*, 1711-1726.

²⁶ While הלל is used almost exclusively to denote negative loss of holiness (and is always used as such in H and Ezekiel, where it occurs most frequently), it is used in one particular context to denote a positive loss of holiness: the point at which vineyards cease to be holy and the grapes can be harvested (see Deut 20:6; 28:30; and Jer 31:5). In all other contexts, הלל is used to denote negative loss of holiness.

²⁷ While הלל and טמא may sometimes appear to be used interchangeably, they represent two very different concepts. הלל belongs to the realm of the holy-profane, while טמא belongs to the realm of the clean-unclean. Just as holiness and purity can not be equated, desecration and defilement can not be equated. Holiness and impurity are dynamic qualities, while profanity and purity are static qualities, states in which these respective dynamic qualities of holiness and impurity are absent. Thus desecration is the loss of holiness, leading to profanity (חול), and purity is the lack of impurity. On the relationship between the holy and the profane, and the pure and the impure, see Amorim, *Desecration and Defilement in the Old Testament*, 9-10, 246-252, and 338-45; Wenham, *The Book of Leviticus*, 18-25; Jenson, *Graded Holiness*, 40-55; Milgrom, *Leviticus 1-16*, 729-732; Joosten, *People and Land in the Holiness Code*, 124; Walter Houston, *Purity and Monotheism: Clean and Unclean Animals in Biblical Law* (JSOTSS 140; Sheffield: JSOT Press, 1993), 221-223; Wright, "Holiness (OT)," 246-47; and Donald J. Wold, "The *Kareth* Penalty

in P: Rationale and Cases,” *SBL Seminar Papers, 1979* (2 vols.; SBLSP 1979; Missoula: Scholars Press, 1979), 1:1-3.

²⁸ On ללל as to profane or desecrate, see Ludwig Koehler, Walter Baumgartner and Johann Jakob Stamm, *The Hebrew and Aramaic Lexicon of the Old Testament* (trans. and ed. M.E.J. Richardson; 4 vols.; Leiden: E.J. Brill, 1994-1999), 2:319-20; Dommershausen, "ללל," 409-21; Amorim, “Desecration and Defilement in the Old Testament,” 164-236; Jenson, *Graded Holiness*, 51-52; Jacob Milgrom, “Desecration,” *Encyclopedia Judaica* 5:1559; and Wright, “Holiness (OT),” 244-246. For a detailed discussion of the use of ללל in the context of individuals losing holiness in H, see Hilary Lipka "Profaning the Body: ללל and the Conception of Loss of Personal Holiness in H," *Bodies, Embodiment, and Theology in the Hebrew Bible* (Library of Hebrew Bible/Old Testament Studies 465; ed. S. Tamar Kamionkowski and Wonil Kim; New York: T & T Clark, 2010), 98-101.

²⁹ See, for example, Lev 18:21; 19:12; 20:3; 21:6; 22:2; and 22:32; Ezek 20:39; and Amos 2:7. In two places, Ezek 13:19 and 22:26, interestingly enough, God is profaned.

³⁰ See, for example, Lev 19:8 and 22:9 and 15.

³¹ See, for example, Exod 31:14; Ezek 20:13, 16, 21, 24; 22:8; 23:38; Isa 56:2 and 6; and Neh 13:15-22.

³² See, for example, Lev 21:23 and Ezek 44:7.

³³ People can be profaned by their own actions, the actions of others, or by the actions of God. God’s actions (allowing them to be taken to Babylon in captivity) profane the people as a whole in Isa 47:6 and Lam 2:2, and the priests in Isa 43:28. People profane themselves and others in Lev 21:4 (the priest who has contact with the dead profanes himself, making him unable to handle holy objects or to be present in the sanctum—and thus he can not fulfill his priestly functions), 9 (A priest’s daughter who engages in sexually promiscuous behavior desecrates both herself and her priestly father), 15 (the high priest must only marry a virgin of his own kin, lest he profane his offspring) and our verse, Lev 19:29.

³⁴ Discussed at length in note 36.

³⁵ In Gen 49:4 and 1 Chron 5:1, ללל is best understood as “desecrate” or “profane” in this figurative sense. Reuben does not literally desecrate his father’s couch through adulterous sexual relations with his father’s concubine Bilhah. The couch was not holy; hence it could not literally have been desecrated. ללל is also used figuratively in Isa 23:9, in a pronouncement against Tyre.

³⁶ That is the main difference between Lev 19:29 and 21:9, another H text that concerns daughters who profane themselves through זנה. Both texts address the possibility of what happens if a father fails to control his daughter’s sexual behavior. However, the consequences in the two cases are quite different. Lev 19:29 warns male members of the lay community that the consequences of letting their daughters engage in sexually promiscuous behavior is that the daughters will profane themselves (I am taking the hiphil of זנה here as having a modal force, in the sense of allowing or permitting something to happen. On this usage, see Waltke and O’Conner, *Biblical Hebrew Syntax*, 445-446. The only one who suffers a loss of holiness in 19:29 is the daughter. The father, though considered responsible, suffers no loss of holiness, or any other

consequences. The priest's daughter, in contrast, profanes both herself and her father. That is why the daughter of the priest suffers such a harsh penalty, as opposed to the daughter of the lay man.

³⁷ See Milgrom, *Leviticus 17-22*, 1696-97.

³⁸ Some prohibited sexual acts, rather than being punished by death, are punished in other ways, such as childlessness and *karet* (a cutting off of one's line), both forms of divine punishment. See Lev 20:17-21.

³⁹ Lev 21:9 presents an interesting comparison with Lev 19:29. Lev 21:9 addresses the issue of what happens if the daughter of a priest, rather than that of a layman, engages in illicit sexual behavior. The nature of the daughter's deviant behavior is the same as Lev 19:29: sexual promiscuity, and given that there is no indication that she is married, we can assume that the daughter is guilty of engaging in pre-marital sex. The nature of the consequences are to an extent the same as in Lev 19:29. The daughter suffers desecration. However, this is where the similarity between the two texts ends. While the layman's daughter suffers serious, but not life threatening consequences, the priest's daughter is sentenced to death by burning. Why the difference in punishment? The key is what crime the daughter is considered guilty of. According to Lev 21:9, the offence of which the priest's daughter is guilty is desecrating not only herself but also her father through her illicit sexual behavior. In contrast, the only one who suffers a loss of holiness in 19:29 is the daughter. The father, though considered responsible, suffers no loss of holiness or any other consequences. Why then does the priest's daughter's sexual misbehavior profane her father? There must something about the position of the father as priest that causes his daughter's actions to have such an effect on him. If we consider Lev 21:9 within the larger context of instruction regarding the wives and daughters of priests, we can see how this verse fits into the regulations intended to safeguard priestly holiness. Verse 7 instructs priests on permissible and forbidden women for marriage, and the restrictions essentially limit priests to marrying only a virgin or, presumably, a widow. A reason is given for the restriction: each priest is holy to his God. Since priests need to preserve a higher level of holiness than that of the lay population in order to perform their priestly functions, restrictions on the classes of women whom a priest might marry are necessary. The restrictions appear to reflect a concern with protection of both priestly lineage and reputation. On the one hand, the priests must be assured that their offspring are really their own, and so they may only marry women about whom there can be no suspicion of the presence of another man's seed. On the other hand, priests, charged with the care and maintenance of the sanctuary, were likely expected to behave in a way appropriate to their esteemed station, especially since in H holiness has a behavioral component. The members of a priest's family, partaking of his portion of the holy sacrifices and living in his household, likewise would have been expected to conduct themselves with a certain level of propriety, and thus only women of good repute and high moral character, such as widows and virgins, were considered appropriate marital candidates. All of the categories of prohibited women are considered of dubious morality, who might provide children of questionable paternity and character. These verses reveal several things about the nature of priestly holiness. First, they provide evidence that priests are born holy. Otherwise, the offspring of the high priest could not be profaned (Lev 21:15), since there would be no holiness for them to lose. Second, not only are the sons of priests born holy, but the daughters

of priests also inherit at least some degree of holiness. Third, the inheritance of priestly holiness is not absolute. The high priest (and possibly any priest), can profane his children by marrying the wrong woman. If he chooses an inappropriate vessel for his children, his holiness will not be passed down to them. The holiness that should be their birthright will be nullified. It is this inheritance of holiness from the priestly father to his children that might explain why the priest's daughter profanes her father. Perhaps it is analogous to the way that the priests and lay population can profane God's name through their misbehavior. God's name sanctifies the people, yet it is also profaned by the actions of those it sanctifies. The desecration of God's name drains it of the power to sanctify (see, for example, Lev 18:21; 19:12; 20:3; 21:6; 22:2; and 22:32. While sanctification of the divine name increases the power of God (represented by his name) to sanctify, profaning God's name has the opposite effect: the name loses some power to sanctify. In Lev 22:32, this connection is made explicit. See Amorim, *Desecration and Defilement in the Old Testament*, 196-206; Dommershausen, "הלל," 410-412; Milgrom, *Leviticus 17-22*, 1634-1636; and Wright, "Holiness (OT)," 246. In two places, Ezek 13:19 and 22:26, interestingly enough, God is profaned.) Thus it appears that sources of sanctification are vulnerable to loss of holiness through the negative actions of those they sanctify. Just as the actions of the people profane the name of Yahweh, the daughter, through her actions, profanes her father, who is the source of her sanctity. Because of this two-way holiness connection between priests and their children, the high priest who marries inappropriately profanes his offspring, and priestly offspring who profane themselves through their behavior also profane their fathers. The sexually promiscuous priest's daughter, then, suffers such severe consequences because of the unusual conditions of her case. There is no punishment cited for the daughter of a lay person who is sexually promiscuous (other than loss of holiness), but the lineage of the priest's daughter makes such behavior on her part an entirely different matter. Her holiness, intrinsically linked to the holiness of her father, must be maintained, lest she profane her father, the source of her holiness, while profaning herself. The profaning of the priesthood in such a way would have been considered an offense of the gravest order, and thus deserving the sentence of putting the miscreant daughter to the fire, a punishment reserved for only the very worst offenses. Outside of H, sexual promiscuity on the part of an unmarried, non-betrothed woman occurs in one other text in the legal collections: Exod 22:15-16, in which the man is forced to marry the woman and give her a dowry, unless her father refuses. Deut 22:28-29 is somewhat different since it appears to involve a rape, and Deut 22:20-21 involves a newly married woman accused of having lost her virginity before marriage, so it also is quite different.

⁴⁰ On זמה, see S. Steingrimsson, "זמה" *TDOT* 4:89-90; Levine, *Leviticus*, 122; Milgrom, *Leviticus 17-22*, 1548 and 1698; Zimmerli, *Ezekiel 1-20*, 345. Sexual behavior described as זמה includes marital infidelity, both literal (Job 31:11) and metaphoric (by God's metaphoric wife in Jer 13:27; Ezek 16:27, 58; and Ezek 23:21, 27, 29, 35, 44, 48 and 49), sex with a woman who is ritually impure (Ezek 22:10), and various forms of incest (Lev 18:17; 20:14; Ezek 22:11); and acts of sexual violence (Jud 20:6). Examples of non-sexual uses of זמה, which usually involve plotting or scheming, include Deut 19:19; Isa 32:7; Ps 26:10; and Prov 24:9.

⁴¹ In Leviticus 19, H lays out the way that members of the lay population can achieve holiness. If the people live in accordance with the commandments, doing all the deeds encouraged by them and avoiding all the acts prohibited by them, they will be able to absorb God's holiness and thus achieve holiness themselves. Sanctification is a continual act—the people will continue to absorb holiness as long as they follow the commandments. (On how the lay population can achieve holiness according to Lev 19, see Wright, "Holiness in Leviticus and Beyond," 353-354; Joosten, *People and Land in the Holiness Code*, 128-132; Knohl, *The Sanctuary of Silence*, 180-184; Jenson, *Graded Holiness*, 119; and Milgrom, *Leviticus 17-22*, 1602-1608).

⁴² On the risk of driving away God, see Joosten, *People and Land in the Holiness Code*, 131-132.