

A Hedge of Roses: Jewish Insights into Sex and Marriage*

II. A SPIRITUAL INSTITUTION

IN ORDER TO APPRECIATE the implications of Family Purity, it is important to understand, as well, what it is *not*.

No superstition

For one thing, it is not the kind of superstition that, in other cultures, has stigmatized the menstruant as repulsive, placed upon her mysterious and stringent taboos, and banished her from the community for the duration of her menses. Maimonides, the eminent twelfth century Talmudist, philosopher, and physician, forcefully rejected the superstitious beliefs and practices of the Sabaeans, Magi, and other Eastern peoples concerning menstruation, and emphasized the spiritual content of Judaism's teachings.⁶ The Torah's legislation is simply not of one piece with, for instance, the primitive customs recorded in Sir James Frazer's

The Golden Bough. Unfortunately, such identification of the Torah's laws with primitive pagan and mythological cultures often does take place in the mind of the contemporary Jew or Jewess who is uninitiated into the world of Torah and the Jewish Tradition and who cannot, therefore, view Jewish Family Purity from a broader perspective and greater knowledgeability. A terminological confusion is largely responsible for this unhappy distortion of the Torah's larger purposes and the intrinsic meaning of its commandments. *Taharah* and *tum'ah* (and the corresponding adjectives *tahor* and *tamei*) are usually translated as "pure" and "impure." It is this deceptive semantic delinquency that leads to the interpretation of these categories as denoting some kind of intrinsic mysterious abhorrence that possesses the person of the menstruant and that must be purged by some magical incantation.

But this is clearly not so. According to Jewish teaching, nothing whatever happens to or changes in

* The second of three parts.

the person or character or value of the individual, man or woman, designated as "impure." No special quality makes such an individual inferior in any way to any other person referred to as "pure." The terms *taharah* and *tum'ah* signify *halakhic* or legal categories. They merely indicate that certain patterns of behavior become obligatory in each case. Hence the Halakhah does not regard it as incumbent upon or meritorious for one who is "impure" to achieve the state of being "pure"; it merely declares that in this state of "impurity" one may not, as has been previously mentioned, partake of sacred food, i.e., sacrifices and priestly tithes, or enter the grounds of the Sanctuary. If, in the case of *niddah*, the Halakhah does consider it a virtue for the woman to immerse herself and regain the state of "purity" (*tevillah bi'zemanah mitzvah*), it is only because it regards the resumption of full conjugal relationships without undue delay as contributing to the fulfillment of one of the major purposes of marriage.

A semantic tragedy

There is another and even more widespread popular misconception of the nature of Family Purity that has served to subvert its observance by many Jews. This, too, is largely the result of a mistrans-

lation, and is nothing less than a semantic tragedy. The terms *taharah* and *tum'ah* have been rendered as "cleanliness" and "uncleanliness." No wonder that so many young people reject the whole institution offhand: certainly in this scientific age, with all our technological progress in hygiene and sanitation, we do not need to abide by ancient ritual regulations in order to keep clean!

Let it therefore be stated decisively and unequivocally: Family Purity is *not* just a hygienic procedure.

Tum'ah is not a kind of adhesion or dirt that is washed off by water; it is a decree of Scripture, and it has to do with the intention in one's heart.⁷

The injunction to keep one's body clean and one's physique healthy is regarded in Judaism as a virtue in itself and by itself, separate from the other laws. It should not be confused, as people sometimes unwittingly do, with the purposes of any other commandments. Thus, for instance, the High Priest during the days of the Temple had to undergo five immersions during the Yom Kippur services. Certainly, considering the form of worship in which he was engaged, one could hardly suspect the High Priest of having become so dirty that he required five baths for hygienic purposes! Quite evidently, the function of the immersion is something other than hygienic. Indeed, the Halakhah requires the *niddah* to be thoroughly clean *before* immersion.

In this connection, mention ought

RABBI DR. LAMM is Rabbi of The Jewish Center in New York City, Erna Michael Professor of Jewish Philosophy at Yeshiva University and Associate in The Rogosin Center for Ethics and Human Values.

to be made of the many imposing medical benefits, especially the low incidence among observant Jewish women of certain kinds of cancer, ascribed by many prominent doctors to the observance of the laws of Family Purity. One can find these elaborated in the booklets mentioned below. In addition, other writers have pointed to the fact that this cycle of abstention and fulfillment provides for a recovery period for both husband and wife, one which establishes a much-needed regulation of the sexual rhythm of the male as well as the female and allows for a replenishment of the libidinal reservoir. No voluntary separation can ever be as effective in providing this relaxation as one which is mutually accepted as religiously binding, and in which neither spouse may approach the other and, therefore, where neither need fear to decline and have his or her affection or ability suspect.

Yet this, too, must not be mistaken for the purpose of these laws or as exhausting their full significance. Family Purity is a profoundly *spiritual, religious* institution. It may have (as it most certainly does) far-reaching psychological implications and beneficial physical consequences; but the appreciation of the meaning of these laws simply does not belong in the province of the psychologist or physician, nor of the anthropologist or sanitary engineer.

Above prayer and study

It is difficult to convey adequately the overriding importance Judaism

places upon these laws, especially to a generation that is largely ignorant of their existence. Perhaps the best measure of their significance lies in the punishment that the Torah prescribes for their violation—*karet* (excision, being cut off from the people of Israel), the same as that for transgressing the Yom Kippur fast! Moreover, the Talmud assigns priority to Family Purity over public prayers and the reading of the Torah itself; hence if a community cannot afford to provide facilities for all three, the building of the *mikvah* takes precedence over the building of the Synagogue and the writing of the Scroll of the Torah. The purity of the Jewish family, more than worship by the community or the pursuit of scholarship, is responsible for the perpetuation of the House of Israel.

The reader must not accept the sketch of the laws of Family Purity, presented above, as by any means adequate for the purpose of proper observance. As in all other areas of the Halakhah—and in all of life!—it is the details that determine the success of the whole venture; only the attention one pays to the particulars gives meaning to the underlying principles.

For fuller information the advanced student may refer to the *Shulhan Arukh*, the Code of Jewish Law, or to one of the translations of its digest. Even better, the following booklets may be consulted:

1. Sidney B. Hoenig, *Jewish Family Life: The Duty of the Woman*, published by the Spero Foundation, N.Y.

2. Morris Max, "The Jewish Concept of Marriage," in *Marriage and Home*, published by the Rabbinical Council of America.
3. Harry M. Lazarus, *The Ways of Her Household*, published by the Jewish Memorial Council, London, England.
4. Eliahu Kitov, *The Jew and His Home*, trans. Nathan Bulman, published by Shengold Publishers, N.Y.

Flavor added

What is attempted in the present work belongs in the category of *taamei ha-mitzvot*, the explanations of the commandments. By this is meant not an endeavor to discover God's reasons for His laws, for that is well-nigh impossible and, moreover, an act of presumption and intellectual arrogance by man. Rather, to borrow a distinction proposed by Dr. Samuel Belkin, President of Yeshiva University, we are attempting to fathom the *purposes* (as opposed to *reasons*) inherent and implicit in the commandments and precepts. In other words, we want to know not why God commanded them, but what He wanted us to learn from them, i.e., the function of the commandments in the larger horizons of our life. It is, of course, understood that taken in this light the laws are independent of the purposes we find in them. For a law to be a law, it must be autonomous, and not contingent upon our rationalizations. "*Taamei ha-mitzvot*" means, literally, "the tastes of the commandments"; the translation "reasons" is derivative. It is in this

sense that we here undertake the search for the larger ends of the laws of Family Purity. By inquiring into our religious institutions for their relevant purpose, we seek to add delightful and satisfying flavor to our spiritual diet; but by no means may we substitute the "taste" for the substance of our religious foods, namely, the actual precepts of Judaism carried out in practice. Throughout our history there have been those who attempted to do just that, subordinating the laws to the reasons they presumed to discover for them; but such spiritual gourmets have ultimately starved and withered. The Law must remain independent of and unconditioned by the values, reasons, and purposes we believe we have found in it.

III.

STAYING MARRIED

That Judaism's view on these most intimate aspects of married life is worthy of consideration by modern young couples is indicated by the striking record of domestic happiness characteristic of Orthodox Jewish homes even in the midst of an environment where the breakdown of family life becomes more shocking with each year. After describing the felicity that has distinguished the observant Jewish family since the Middle Ages, a noted Reform leader writes:

Particularly in those households where Orthodox Judaism is practiced and observed—both in Europe and in cosmopolitan American centers almost the entire rubric we have drawn of Jewish

home life in the Middle Ages may be observed even today. In those homes where the liberties of Emancipation have infiltrated there exists a wide variety of family patterns, conditioned by the range of defection from Orthodox tradition...

It was possible for a historian, viewing the whole of the present-day Jewish scene, to say, only a few years ago,

The family possesses more than ordinary importance in Jewish life, for it is the bond of cohesion which has safeguarded the purity of the race and the continuity of religious tradition. It is the stronghold of Jewish sentiment, in which Jewish life unfolds itself in its most typical forms and intimate phases.

This is certainly true of those families in which concern for religious tradition exists, even in most unorthodox expression...⁸

This typical Jewish family cohesion is surely not the result of any indigenous ethnic or racial virtue of the Jewish people. Nor does it derive from some general, well-intentioned but amorphous "concern for religious tradition." It is, most certainly, the product of the specific "Orthodox" tradition—the Halakhah or Jewish "way of life." It is this codified tradition, this obligatory Law, that has bestowed the gift of stability upon the Jewish family.

The Jewish "way"

There are, no doubt, many elements among those that constitute

the halakhic "way" that, together, strengthen the fabric of Jewish family life. But there can be little doubt that foremost among them is that body of laws that treats directly of conjugal relations. The code prescribed by Jewish Law for husband and wife is generally referred to as *taharat ha-mishpahah*, "the purity of the family." It is, as we have already seen, a most appropriate euphemism, for it addresses itself to the aspiration for that form of self-transcendence known as *taharah* or purity, and provides marvelous and magnificent safeguards for the integrity of the *mishpahah* or family.

We have discussed, above, the sense of psychological purification that is attained by observance of immersion in the *mikvah* by the bride. But the psychological implications of Family Purity are not restricted to the general nature of sex as it expresses itself in the early years of marriage. *Taharat ha-mishpahah* is also crucial in protecting the marital bond from one of its most universal and perilous enemies which comes to the fore soon after the newness of married life has worn off: the tendency for sex to become routinized.

It is easy enough to get married. It is quite another thing to stay married. The Talmud considers the pairing of couples as difficult as the splitting of the waters of the Red Sea; and the miracle there was not so much the separation of the waters as the keeping them apart so that the Exodus might proceed successfully. So with the joining of husband and wife. The *wedding*, for all

the problems it presents to the young couple and their families, is comparatively simple. Far more significant, far more difficult, and a far greater miracle to achieve in this turbulent society is—the *marriage*, staying married.

Sexual attraction plays a major role in bringing a man and woman to the bridal canopy, and keeping the couple together in the early months and years of marriage. But if this attraction wanes and withers in the years following, the permanence of the marriage itself is imperiled and may likewise slowly disintegrate.

So often—so unfortunately!—that is exactly what happens. What to the young, recently married couple is such an exciting and fulfilling adventure, soon becomes just another dull experience to be reenacted almost mechanically as part of the whole marital complex. The charm and the delight, the thrill and the beauty of young love is soon replaced by the stale and the prosaic, the plain and the profane. There is hardly a more deadly poison that so threatens the existence of a happy marriage.

Familiarity and boredom

For marriage to thrive, the attractiveness of wife and husband for each other that prevailed during the early period of the marriage must be preserved and even enhanced. And it is the abstinence enjoined by Family Purity that helps keep that attraction and longing fresh and youthful. This is how the Talmud explained the psychological ramifications of *taharat ha-mishpahah*:

Because a man may become over-acquainted with (his wife) and thus repelled by her, therefore the Torah said that she should be considered a *niddah* for seven days, i.e., after the end of her period, so that she might become beloved of her husband on the day of her purification even as she was on the day of her marriage.⁹

Unrestricted approachability leads to over-indulgence. And this over-familiarity, with its consequent satiety and boredom and *ennui*, is a direct and powerful cause of marital disharmony. When, however, the couple follows the Torah's sexual discipline, and observes this period of separation, the ugly specter of over-fulfillment and habituation is banished and the refreshing zest of early love is ever-present.

There is so much insight in this comment of the Rabbis! Familiarity does indeed breed contempt, and a little absence does make the heart grow fonder. As Chief Rabbi Unterman of Israel has pointed out, it has been the experience of people who deal in marriage counseling that sometimes a husband will ask for a legal separation on the way to divorce. Then, after he has been separated a while from his wife, he suddenly discovers that he needs her and wants her and even loves her. The separation is a prelude to reunion. This separation, too, which Judaism commands, as part of the observance of Family Purity, is that which puts poetry back into marriage, which retains the charm, the elegance, the excitement. It is the

pause that refreshes all of married life.

A perpetual honeymoon

Moreover, Family Purity has an additional benefit, especially for the woman: it preserves the beauty of the early months of marriage. Men usually do not appreciate this as do women, for sex is relatively extraneous to the inner life of a man, whereas it is an integral part of a woman's being; her biology is more profoundly part of her psychology. During the time that a little boy thinks of a career as a soldier or fireman, or as a doctor or a scientist, the little girl, even if she aspires to a profession or business career, still principally dreams of marriage and family life. As she grows older, her attention is progressively more devoted to her dreams of engagement and marriage, her visions of love and affection. The culmination of her dreams is climaxed by the honeymoon: the period of engagement, when she is courted and wooed by her fiancé; the wedding night; and the being together ("and they shall be unto one flesh") thereafter.

What a pity if this rapturous realization of her dreams should come and go, departing for ever after! What a cruel and frustrating experience if a week or a month should spell the complete fulfillment of a lifetime of lovely ambitions and delightful aspirations! With the institution of *taharat ha-mishpahah*, however, a marvelous domestic miracle occurs: the honeymoon lasts throughout the greatest part of

one's active life! The drama of love-without-sexual-contact followed by the loving union of husband and wife and their being together is repeated every month. Thus, the separation of husband and wife physically during the period of *niddah* and the "seven clean days," when they may express to each other feelings of tenderness without any physical contact, is equivalent to the period of engagement. Then, just as she did when she was a bride, the wife undergoes the immersion in a *mikvah*, recites the same blessing she did as a bride, and comes to her husband, in purity and love, as she did on her wedding night.

Love does not grow stale in such an environment. A young woman's dreams remain fresh, her visions vital, and her hopes radiant throughout life. All of life presents the opportunity of becoming a perpetual honeymoon. Her dreams are not defeated by success nor frustrated by fulfillment.

Civilizing sex

There is yet a third psychological consequence of Family Purity that is deserving of attention. *Taharat ha-mishpahah* has a profound influence upon the way husband and wife view each other. Modern philosophers and social thinkers, inspired by Martin Buber, speak of the two ways in which we may approach our fellow human beings; as a "thou" or as an "it." The first is the way we relate to another human being as a subject and a person, a vital, independent, autonomous being possessed of dignity and inner value.

The second way is the viewing of another human being as an object, one devoid of values and selfhood, a "thing," an instrument to manipulate for the satisfaction of my goals, my ends, my purposes. In the first instance, I meet and confront another human being; in the second I use or abuse him or her as mere chattel.

Unquestionably, a sexual relationship inclines towards an "I-It" rather than an "I-Thou" relationship. There is a tendency to regard the sexual partner as a "thing," as an object for the fulfillment of one's own passions and desires. The cave-man who pulled his mate by her hair (it may be a caricature, but the type persists today!) did not view her as a *person* of inner dignity; she was an object like other objects in his life. Perhaps, to be truthful, it is inevitable that this objectification must remain to some extent a part of one's basic sexual orientation. Yet, even if we should concede that it must exist in some measure, we must not allow it to get out of hand lest it become dehumanizing. Such an attitude destroys the dignity of the individual—both the individual so viewed and the one who does the viewing. If it is permitted to develop to the point where one's mate is considered only an object for the fulfillment of one's desires, then there is a very real danger that it will carry over into every other aspect of life. Such a fundamental psychological orientation cannot be contained in the bedroom—it must spread its nefarious influence into every nook and corner of one's ex-

istence. The brute within man is civilized in proportion to the degree that he regards his fellowman, and especially his mate, as a "thou" rather than an "it."

It is here that *taharat ha-mish-pahah* exerts a most beneficial influence over the innermost depths of the psyches of husband and wife. By restraining the husband from pursuing his sexual goals in uncontrolled fashion, it informs him, in the most potent manner possible, that his wife was not created only for his pleasure. When the husband, in mutual commitment with his wife to the higher visions of Judaism, accepts the institution of Family Purity—and he recognizes that no matter how overpowering his passions, how persuasive his proposals, and how willing or unwilling his wife, he must refrain from approaching her in any manner whatever—he realizes in the very depths of his being that she is a person who possesses inner worth, autonomous value, and sacred and inalienable rights at least equal to his own. Were she but a thing, an object, he could do with her as he pleases within limits set only by his persuasiveness or, even worse, his superior physical prowess. By following the Halakhah, however, a husband learns, slowly and gradually, but surely and firmly, that his wife is human, that she is endowed with divine dignity, that she is a "thou" and not an "it," that she is a person and not a thing.

There are some people who imagine that voluntary separation will accomplish the same result, and that

it is therefore unnecessary to follow the whole pattern laid down by Jewish Law. But such voluntary separation ultimately proves inadequate. One partner may suspect coldness on the part of the one who proposes the withdrawal. Moreover, a lack of religious sanction means that the entire separation will no longer be elevating and ennobling as it can be only when it is informed by religious significance.

So necessary and beneficial are the psychological consequences of Family Purity, so profound and far-

reaching is its judgment and influence over the nature of marriage and the institution of married life, that if it did not exist already, we should have to invent it for our own protection and welfare. "Happy are we—how good is our destiny, how pleasant our lot, how beautiful our heritage" (*—The Prayer Book*). ◇

REFERENCES

- ⁶ Maimonides, *Guide of the Perplexed*, Part III, Chap. 47.
- ⁷ Maimonides, *Laws of Mikvaot*, 11:12.
- ⁸ Stanley R. Brav, *Marriage and the Jewish Tradition* (New York: Philosophical Library, 1951), p. 98 f.
- ⁹ *Niddah*, 31b.

(To be Continued.)

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Tobit summoned his son Tobias and told him:

When I die, give me an honourable burial. Honour your mother, and never abandon her all the days of your life. Do all that she wants, and give her no reason for sorrow. Remember, my child, all the risks she ran for your sake when you were in her womb. And when she dies, bury her at my side in the same grave.

My child, be faithful to the Lord all your days. Never entertain the will to sin or to transgress his laws. Do good works all the days of your life, never follow ways that are not right; for if you act in truthfulness, you will be successful in all your actions, as all men are if they practice what is right...

If you serve God you will be rewarded. Be careful, my child, in all you do, well-disciplined in all your behaviour. Do to no one what you would not want done to you.

Do not be afraid, my child, if we have grown poor. You have great wealth if you fear God, if you shun every kind of sin and if you do what is pleasing to the Lord your God.

BOOK OF TOBIT 4:14.3-23
Jerusalem Bible