

## II. The Sanctity of Time

The Jewish precept and institution of *zman* has an importance that far transcends its place as an individual mitzvah within the context of the 613 biblical commandments.

Perhaps its enormous importance can best be viewed against the backdrop of a significant halakhic principle involving the duties and obligations of women in Jewish law.

The Halakhah does not require women the same standard of observance that it does of men. Whereas men are obligated to observe all the 613 biblical commandments, and the many rabbinic ordinances, women are excused from observing a number of these precepts. The criterion is based upon the classification of the commandments. All negative commandments, "thou shalt not," are equally obligatory upon men and upon women. With the positive commandments, "thou shalt," however, we distinguish between those positive commandments that are applicable at all times, or regardless of any specific time, and those which we categorize as *zman* *mitzvot*, as positive commandments which are conditioned by time, i.e. the time when it is to be observed is an integral feature of the precept itself. Thus, for instance, the prohibition against eating non-kosher food, or lying, or stealing, or gossiping, or refraining from eating on Yom Kippur, because these are negative commandments, fall equally upon men and women. A positive commandment such as the mitzvah to love God or to fear Him, because such precepts apply equally at all times, are again equally obligatory upon male



and female. However, such a time-oriented positive precept as the sounding of Shofar on Rosh Hashahah, or eating in the Sukkah on Sukkot, or laying the teffilin, which applies only to day-time, these are obligatory only upon men (insofar as the Halakhah is concerned -- by minhag or custom women have generally accepted certain mitzvot such as Shofar and lulav).

This criterion, of *Chof Hode der WB*, is fundamental to the whole structure of Halakhah insofar as it affects the standards of observance demanded of men and of women. What is the rationale for this particular distinction? Many answers have been offered. The most popular is that which was proposed by a late medieval sage, the Abudrahm, who explains that the Torah considers a women's obligation to her household, and regards it as an inordinate demand upon her if she be obligated to observe those commandments which are limited to specific times. Therefore, since her duties towards her household are primary, she is excused from such commandments which must be performed only at certain times or seasons; all other commandments, however, are obligatory upon her.

Whether this explanation is sufficient or not is an irrelevant question for the purpose of this essay. What is here proposed is another explanation which, it is contended, goes much deeper and strikes much more profoundly at the Torah's conception of the nature of men and women and, consequently, their obligations to observe the Torah. In order to understand it, it is first necessary to ask ourselves, even without relation to the question of women's observance: what, after all, is the benefit of the commandments whose observance is



limited to time? What inherent difference is there between *208 WBN*  
*time-oriented* , time-oriented commandments, and those  
which are timeless?

The answer revolves about a distinction of two types of holiness:  
the holiness of time and the holiness of place, the latter term  
comprehending also the holiness of objects, which have extension and  
take up space.

There is indeed such a thing as the holiness of place. For  
instance, a synagogue is a holy place. The Land of Israel is the  
"Holy Land." The City of Jerusalem has an even higher degree of  
sanctity than the Land of Israel, and the Mount of the Temple even  
more than the rest of Jerusalem. The Inner Sanctum is the holiest  
place on earth. Or, with regard to objects, a properly written Sefer  
Torah is considered holy. Of derivative sanctity is the Talmud or any  
other "holy book."

Yet the holiness of time is far more comprehensive and compelling.  
The holiness of time includes not only the Sabbath and the "holy days,"  
but also various times within the profane days which can be made holy:  
if the daytime is reserved for prayer and tefillin, and the night time  
for a different type of prayer or a different type of mitzvah, then  
they are, accordingly, sanctified.

The holiness of time, the awareness of the sacredness of history,  
is the first type of kedushah mentioned in the Bible. Immediately  
after the creation of man on the sixth day, his first experience was that



of the holiness of time: the Sabbath. "And the Lord blessed the seventh day and He sanctified it." One can go through all his life without ever coming into contact with a holy place or a holy object. If he lives more than a single week, however, he has already experienced the holiness of time. Rabbi Samson Raphael Hirsch even maintains the circumcision was ordained by the Torah for the eighth day so as to make sure that the Jewish child would have at least experienced one holy day before his entrance into the Covenant of Abraham.

The holiness of place inspires reverence when we encounter that place or space. The holiness of time sanctifies every moment of life. It makes us aware of the fact that every minute is pregnant with the possibilities of divine significance. The challenge of the holiness of time pursues us incessantly; it will not let us rest in the profaneness of insignificance. We may be exiled from a holy place; we never are alienated from a holy time.

The mitzvot, hence, make us aware of these two types of holiness. The commandments relating to the Land of Israel, or to the synagogue or the Temple or sacred objects, enhance the principle or the holiness of place. The laws relating to Sabbath and Festivals remind us of the holiness of time. And, most significant, each and every *mitzvah* *de'oraita*, every precept which is geared to time, whether time of the day or season of the year, inspires us to attain the higher holiness, that of the holiness of time. Without these commandments, a human being might never be aware of this supernal quality of



kedushat ha-zeman.

Men, therefore, desperately need these time-oriented commandments, the *לְיָדָה לְשִׁמּוּעַ דֵּם אִשָּׁה*. Only through observing them can we be made aware of the sanctity of time.

Women, however, are excused from observing these commandments, the *לְיָדָה לְשִׁמּוּעַ דֵּם אִשָּׁה*, for the simple reason that they do not need them! A woman does not need the time-oriented commandment, because she is already aware of the sanctification of time in a manner far more profound, far more intimate and personal, and far more convincing than the extraneous observance which man is commanded. For a woman, unlike a man, has a built-in biological clock. The periodicity of her menses implies an inner biological rhythm that forms part and parcel of her life. If this inner rhythm is not sanctified, then she never attains to the sanctity of time. But if she observes *מִצְוַת מִנְחָה*, then she has by virtue of observing this one mitzvah or institution geared her inner clock, her essential periodicity, to enact of kedushah or holiness. By the observance of this one institution alone she is made aware of kedushat ha-zeman in a manner far more comprehensive than can ever be attained by a man. A woman, therefore, does not need the time-oriented commandments to remind her of the holiness of time; whereas a man, who does not possess this inner periodicity, must rely upon these many commandments in order to make him aware of kedushat ha-zeman.

The observance of the laws of "family purity," are, therefore, a divine gift to womanhood to allow her to attain this highest of all forms of sanctity.



### III. The Affirmation of Life

The laws of taharat ha-mishpachah, namely                      and                      , must be seen in the context of all of the Torah's legislation concerning the laws of *שפיכות* and *טומאה*, of what is loosely and inaccurately translated as "uncleanliness" and "cleanliness" or purity and impurity. The reason we term these translations inaccurate is because they imply, or at least they allow the listener to infer, that there is some hygienic element about them. This, of course, as explained above, is simply not so. They are spiritual states, and have no relation to physical disgust or attractiveness.

The laws of taharah and tumah are quite comprehensive and far-reaching. They are also rather complex, amongst the most complicated in all of the Talmud. There are various kinds of tumah or impurity, brought on by a number of different circumstances. No matter what occasion them, or how long they last halakhically, they have the effect of prohibiting the person so "contaminated" from eating any sacred object, such as sacrificial meat or the priestly tithe, or from entering the sacred precincts of the Temple. And each form of tumah has its own procedure to regain the state of taharah or purity. But there is a common denominator to all reform of taharah, and that is that each kind is culminated by immersion in a *מיקוה*.

What, in the larger sense, is it that unites all forms of tumah and what, in the same sense, is it in mikvah that is opposed to the principle of tumah?



The answer goes far towards letting us understand the very nature of Judaism, its orientation towards human life and values, and, incidentally, it provides new and fresh insights into the institution of taharat ha-mishpachah.

The Torah is a "Torah of Life." We do not need an Albert Schweitzer to teach us the principle of "reverence for life." "It is a tree of life -- *פ"ד פ"ד* -- for them that lay hold of it." This was said in reference to Torah. The Torah itself gives us the purpose of all the commandments: *פ"ד פ"ד*, in order that we might live by them. Whereas the priest in ancient Egypt, the land from which our people came out of a long and bitter exile, dedicated his life to death, he was a kind of religious undertaker, the priesthood in Israel was dedicated to life, to the extent that the Kohen is forbidden to have any contact with death; with the exception of seven close relatives, he may not defile himself by coming into the same room with a corpse. Adam was permitted to eat vegetables; he was forbidden to eat meat. It was only later, in the days of Noah, that God as a concession allowed man to eat meat. This early vegetarianism again is a sign of the reverence of Judaism for life. *ע"פ נ"פ*, or the concern for the safety of life, takes precedence over all commandments save three. Life, then, is one of the highest values of Torah Judaism.

An analysis of the laws of tumah reveals that what they all have



in common is the principle of death. The most potent source of tumah or impurity is, indeed, a corpse or a part thereof. The various other kinds of tumah imply that directly or indirectly, fully or partially, as the end of life or at least as the loss of potential life. For instance, leprosy of צורע, occasion tumah. Those who have seen a leper know that it is more than a mild skin disease; it is a falling off or a dying of the limbs of the leper. That is why our Rabbis taught that אדם המצוי, a leper is considered as if he were dead. Hence, his leprosy puts him into a state of impurity. A man or a woman who suffers from running issue, various forms of gonorrhea, the דגש, are also impure. The issue that we speak of is a vital issue, the seed, and therefore the loss of potential life, hence, the state of tumah. In the same manner, when a woman is a דגש, when she has her menstrual period, she loses an unfertilized ovum, and it is this loss of a potential human being, this whisper of death, that confers upon her the state of tumah.

By the same token, therefore, taharah or purity, or purification, is a reversal of the process of tumah. Just as tumah implies death, taharah implies life. And it is the mikvah above all that symbolizes the affirmation of life. For it is water that is, above all else, the symbol of life. Fresh water is itself called in Hebrew, מים חיים, "living water." The ancient Greek philosopher Thales considered water as the fundamental substance of the universe. The Torah itself, in Genesis, teaches that water covered the face of the entire earth and was the most prominent substance in the world until God separated the waters.



When an astronomer today peers at some distant planet and wonders whether it sustains life, he first asks whether there is any water vapor in its atmosphere; if there is, life is a distinct possibility. Even Freudian psychologists recognize the ocean or water as a symbol of life, for man or the foetus is born from a bag of water, the amniotic fluid, of the mother. When, in the shomneh esreh, we praise God for His rain giving gift, *פֶּעַל בְּרִיאתוֹ וְנִסְיוֹנוֹ*, we include it in the second blessing, that which celebrates God Who resurrects the dead. After drinking water we praise God *הַיּוֹשֵׁב עַל הַיָּם וְעַל הַנָּחַל*, who gives life to all the living. Hence, water is beyond all else a symbol of life and an affirmation of it.

For the same reason, when a non-Jew wishes to convert to Judaism and be accepted into the Covenant of Abraham, we require of him that he immerse himself in the mikvah. For the ger is considered a new individual, a newborn child, and the sense of birth, of new life, is emphasized by the mikvah. By emerging from the waters of the mikvah, a new individual has been born to us.

Be that tumah, or the intimation of death, whether it be through *23/* or any other form, is reversed by immersion in the waters of the mikvah, the symbol of life.

And it is for this reason, too, that the mikvah must be a gathering of natural water and not a pool or bath artificially through such items as plumbing. For by insisting upon the naturalness of the mikvah, we affirm that God and God alone is the Author of life, and to Him and



Him alone must we look for the granting of life to us and our  
descendents after us. That is why *פ'ק'ע' פ'נ'* is not proper  
for the use of a mikvah.