

# *Gender Relationships In Marriage and Out*

EDITED BY  
Rivkah Blau

Robert S. Hirt, Series Editor

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## THE ORTHODOX FORUM

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# Contents

Contributors	viii
Series Editor's Preface <i>Robert S. Hirt</i>	xi
Preface <i>Rivkah Blau</i>	xiii
Introduction: The Past and the Future of the Forum on "Gender Relations" <i>Jennie Rosenfeld</i>	xv
1. Of Marriage: Relationship and Relations <i>Aharon Lichtenstein</i>	1
2. Marriage, Sexuality, and Holiness: The Anti-Ascetic Legacy of Talmudic Judaism <i>Adiel Schremer</i>	35
3. How Jewish Society Adapted to Change in Male/Female Relationships in 19 <sup>th</sup> / early 20 <sup>th</sup> Century Eastern Europe <i>Shaul Stampfer</i>	65
4. Sanctity, Sanity and Connectedness: Struggles For Commitment Among Orthodox Jewish Singles <i>Daniel Rothenberg</i>	85
5. Perfect Person Singular: Unmarried Adults in Contemporary Orthodox American Jewish Communities <i>Sylvia Barack Fishman</i>	91

6. Observations on <i>Perfect Person Singular</i> <i>Shmuel Goldin</i>	115
7. Excerpts from Interviews with Orthodox Singles <i>Koby Frances and Jennie Rosenfeld</i>	121
8. Premarital Guidance Literature in the Internet Age <i>Yuval Cherlow</i>	131
9. Thoughts on Teaching Taharat HaMishpahah: The Role of the Teacher Today <i>Abby Lerner</i>	173
10. Preparing Modern Orthodox <i>Kallot</i> and <i>Hatanim</i> for Marriage <i>Devorah Zlochower</i>	207
11. “So She Can Be as Dear to Him as on Their Wedding Day”? Modern Concerns with <i>Hilkhos Niddah</i> as Demonstrated by Anonymous Email Questions <i>Deena R. Zimmerman</i>	225
12. Life Values and Intimacy Education: Methods and Messages <i>Yocheved Debow and Anna C. Woloski-Wruble</i>	243
Orthodox Forum Seventeenth Conference <i>List of Participants</i>	293
Index	297

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## Series Editor's Preface

According to the National Jewish Population Study (2000–2001), 42% of the Jewish adult population is unmarried. Among American Jews, ages 25–34, one-half of the men and one-third of the women are not married. While Orthodox Jews marry somewhat earlier than those of other groups, the number of unmarried Jews (of all ages) is far higher than ever before. This change in our community has resulted in a wide range of issues emerging regarding personal status, intimacy, family, synagogue and organizational membership.

Jewish religious life and congregational life specifically has classically been family centered. Being unmarried, except for the elderly, was considered a transitional stage. This is no longer the case. For unmarried individuals to flourish, they need to be seen by others and by themselves as full-fledged contributors and prepared to assume leadership and responsibility in congregations and organized Jewish life. Increased uncertainty and strained relationships among men and women in our society, whether married or unmarried, have

been well documented and have led to significant apprehension about marriage in general.

This volume, the 16<sup>th</sup> in the Orthodox Forum Series, focuses on social realities between men and women in the religious community today, while framed within the context of classical halakhic models that have governed relationships for centuries.

Drawing upon the insights of rabbis, educators and academicians from the United States and Israel, the volume provides new data on the current scene while, at the same time, it draws upon the wisdom of our sages and tradition.

Dr. Rivkah Blau, noted author and lecturer, has skillfully edited this work. Ms. Jennie Rosenfeld and Mr. Marc Stern, Esq., created the design for the Orthodox Forum Conference from which the articles emanated.

I trust that the volume will contribute to thoughtful discussion and advance understanding of gender relationships in marriage and out, in educational and congregational circles and in the community-at-large.

Robert S. Hirt

June 2007

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# Preface

*Rivkah Blau*

Danger for the Jewish people and distress for the individual ensue from today's tension in relationships between men and women. Participants at the Orthodox Forum were aware that for the first time in our memory many adults who are in their thirties or older are not married. Individuals are in pain and the community is stymied by our seeming inability to act on a problem that affects us all.

We thank Jennie Rosenfeld and Marc Stern for chairing the seventeenth Forum and opening it to include *halakhic* and historic aspects of how men and women relate to each other. Ms. Rosenfeld's account of how this topic was chosen demonstrates the commitment of Chancellor Norman Lamm of Yeshiva University, who initiated the Orthodox Forum, and Rabbi Robert Hirt, Senior Adviser to the President of Yeshiva University and editor of the Orthodox Forum Series, to bringing new voices into the discussion.

Koby Frances and Jennie Rosenfeld took to heart what they heard from the people they interviewed for their presentation at the Forum. They proposed the founding of Tzelem because after the

discussion, the *midrash*, there must be action, *ma'aseh*. The activities Tzelem has initiated in its first year, including teaching the teachers of *taharat hamishpahah*, the laws of family purity, have already benefited the community.

I have asked Ms. Rosenfeld to allow me to refer to Dr. Daniel Rothenberg's paper, the outline of a longer work he plans to write, because it sums up our concerns: "Sanctity, Sanity and Connectedness: Struggles for Commitment among Orthodox Singles." It is "a discussion of Jewish struggles for relatedness, intimacy and commitment in contexts of *kedushah* (sanctity), mutual love and respect." This topic is a challenge to our community because "the attainment of committed relationships and the developmental capacities that enable them are the points where the bonds of religious and personal commitment intersect." The final chapter of our volume is one response to Dr. Rothenberg's call for "Kedushah curricula."

Most important, "This discussion is not about the extension or 'development' of the parameters of *halakhah* [Jewish law]. Rather, the need here is to develop people first in their capacities to listen, to empathize and to better comprehend these struggles." Each item in his list of "Errors to avoid" merits a chapter of its own. I look forward to Dr. Rothenberg's book.

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Introduction:  
The Past and the  
Future of the Forum  
on “Gender Relations”

*Jennie Rosenfeld*

At the fourteenth Orthodox Forum in 2002 Moshe Halevi Spero, a psychotherapist who lives in Israel, said that American Modern Orthodox Jews often use dissociative mechanisms to avoid discussing the real issues. The issue which he singled out as a paradigm of this phenomenon was sexuality. As a student in Advanced Talmudic Studies for Women at Stern College attending the Orthodox Forum for the first time, Dr. Spero’s comment, followed by Rabbi Robert Hirt’s call for topics for future discussion at the Forum, struck a chord within me. Too shy to speak out at the conference itself, a few weeks later I drafted a proposal for a conference on “Judaism, Sexuality, and Meta-Halakhah” that I sent to Rabbi Hirt. The proposal matured into the 2005 Orthodox Forum on “Gender Relationships – In Marriage and Out,” on which this volume is based.

The conflict between living as an Orthodox Jew and simultaneously living in the modern world is acute in the areas of sexuality and relationships. Jewish law, *halakhah*, is our “way of life” and goes in the opposite direction from the traffic around us. Ranging from adolescents who confront the media’s portrayal of sexuality but lack a Jewish response from their schools and parents, to singles who try to find a balance between their desires and *halakhic* restrictions as they remain single for longer, to the newly married who are trying to reconcile their expectations with reality and want to find a healthy way to incorporate this new dimension into their relationship, individuals at all stages of life are struggling.

The web of silence which has surrounded this realm of human experience, at least on a communal level, is potentially harmful. Individuals are left to wonder “Am I normal?” without any way of finding an answer to this question. We began by simply asking questions, although the list that follows is far from exhaustive.

How are we, or aren’t we, educating our youth about sexuality, and what is the communal impact of the way in which our young people are or are not being educated? Is there a Jewish sexual ethic which we can use as a tool in confronting the open spirit of Western values and the lack of sexual ethics in American life?

What is the psychological impact of the lack of education about the body and sexuality? What is the impact of marriage upon *halakhically* observant people who within the span of several hours turn from almost a denial of the physical to a sexual relationship? Does the complete sexual innocence with which one or both of the parties enter the marriage cause problems or does innocence, even to the point of ignorance of basic anatomy, breed bliss? How many couples are hesitant to seek help and may not even know whom to ask, although their marriages may suffer as a result? Is there a mind-body disconnect and are negative notions of sexuality dragged into marriage out of ignorance?

For those who with a later age of marriage find it increasingly difficult to maintain the *halakhic* restrictions of *yihud* and *negiah*, the prohibition of a couple being alone in an enclosed space and of touching before marriage, how can we on a communal and psycho-

logical level relate to this problem? How can we create a *halakhic* space for individuals who are dating to fulfill emotional needs which are often expressed through touch? Is there a *halakhically* mandated alternative language of closeness which does not involve the physical? On the communal level what should our response be to this intense conflict which is experienced by members of our community?

From the scientific perspective, one question is biological: to what extent are the restrictions placed on sexual expression by the *halakhah* physiologically normative? The conclusions of science may raise sensitive issues as they have in many other realms of religious life, but whether we accept or reject them, current assumptions about sexual practices must be addressed.

Underlying the personal challenges in the realm of sexuality and intimacy which individuals face, are the broader intellectual and philosophical challenges of what Judaism expects from us today. What models are there in the classical rabbinic literature for relationships between men and women, both inside and outside of marriage? To what extent do these descriptions constitute ideals? To what extent are we required to aspire to those models in our own lives? When gendered roles are no longer accepted in society, should Jewish society continue to embrace them? How can we use the models within *Hazal*, our Sages' writings, to grapple with the difficult questions that emerge as realities continue to change?

The Orthodox Forum demonstrated that it is possible to speak about the most intimate issues in an appropriate atmosphere. When done with the right intentions and in the right settings, *tzni'ut* (modesty) can be maintained. This also reflects a deeper sense of what *tzni'ut* means – it is not leaving our youth in ignorance, or abandoning them to pick up sexual knowledge from the street, nor is it pretending that problems in the realm of sexuality don't exist “in our community.” Dealing with these issues effectively can be true *hatzalat nefashot*, saving lives, saving souls, and maintaining strong marriages.

As they study gender relationships both in and out of marriage the authors of these papers are aware of the dynamic tension between



our traditional sources and the reality in which we live. Rav Aharon Lichtenstein begins his overview of the topic with “a measure of ambivalence and trepidation” without which we cannot speak on this topic and with a prayer that “the Giver of Torah spare and save us from any fault or blemish in its dissemination.” I hope that the sense of trepidation and prayer is as pervasive in this volume as it was at the conference.

Rav Lichtenstein surveys the literature of *Hazal* and focuses on different models of marriage: an intimate relationship whose sole goal is procreation and is often ascetic, versus sexuality being valued outside of procreation as a means of pleasure, love and companionship. He notes the two extremes which pervade a discussion of the issue, and brings an array of sources that point to both sides, showing the discomfort and even disgust with which some *Rishonim* discussed sexuality, contrasted with positive texts in the Talmud and the delight in sexuality presented in the *Iggeret HaKodesh*. He grapples with the question of how we can be so unreservedly positive about sexuality within marriage when there are strains within our tradition and especially among the *Rishonim*, scholars of earlier times, that are less than enthusiastic about the entire sexual realm.

On the historical front, Professor Adiel Schremer discusses the attitudes toward sexuality and pleasure during the Talmudic period, and Professor Shaul Stampfer brings us closer to contemporary issues in discussing societal changes in male/female relationships in 19<sup>th</sup> and early 20<sup>th</sup> century Eastern Europe.

Three of the essays deal with various aspects of what people today expect of marriage, how we are or aren't educating people for marriage and what classes for the groom and bride, *hatan* and *kallah*, should include but often don't. Abby Lerner writes about her curriculum for bridal classes, which includes both the *halakhot* of *taharat hamishpahah*, the laws of family purity, as well as preparation for the sexual relationship, helping to clarify expectations. Her tone reflects the sensitivity and empathy necessary when being instrumental in shaping the expectations of *kallot*.

Devorah Zlochower surveys the current *taharat hamishpahah* literature, revealing the pros and cons of various books as well as

making recommendations for improving the way we prepare young people for marriage. She points to a general lack of adequate sexual information which pervades the available literature (with one or two exceptions), and recommends that pre-marriage classes do a better job of conveying realistic expectations for the sexual relationship in clear and non-euphemistic language. She also suggests that grooms and brides receive pre-marriage classes together, so that their expectations can be aligned in this important area.

Rabbi Yuval Cherlow, writing from the Israeli perspective and from his experience answering more than 20,000 online questions, discusses the significance that the new realities of the Internet present for the realm of *halakhah* as well as “what rabbinic initiatives are called for at this time to enhance the observance of *halakhah*,” how this should impact the premarital preparation literature and what new elements should be included in it. With the belief that “the range of questions addressed to rabbis on such sites can provide an indication of what topics are lacking in the literature related to Jewish family law,” Rabbi Cherlow delineates several areas that he believes need to be included. They include discussion of premarital intercourse, masturbation (about which he claims “There is thus a need for rabbinic guidance to strengthen observance of this prohibition while reducing the level of fear and trepidation which accompanies it”), what details about one’s past (such as homosexual thoughts) should be revealed and when, questions of the first night and practical sexual questions, assistance during the childbirth process, birth control, and infidelity in an age of virtual adultery.

Dr. Deena Zimmerman, herself the author of a new book on *hilkhot niddah*, the laws of separation, begins with the statement of R. Meir explaining the institution of seven days of *niddah* as increasing the intimate bond between husband and wife. Using as data *she’ailot*, questions, received anonymously on the *Nishmat* website, she questions whether most couples’ *niddah* experiences today are in consonance with the picture painted by R. Meir, quoting from e-mails which express deep frustration and resentment. While she claims that sometimes the pain is not due to the *halakhah* but rather to women’s ignorance of certain *halakhic* leniencies (which could

be solved through more comprehensive premarital education), she concludes with the prayer for the rebuilding of the Temple when “we will again have authorities who can judge *ben dam l'dam* and we will likely be able to return to the seven-day separation of Rabbi Meir’s statement.”

Dr. Sylvia Barack Fishman addresses the question of how we can encourage marriage as a norm while remaining fully open to those who are not married, including singles and single-parent families. Rabbi Goldin’s response outlines what each community can do for all its members.

From another angle, the interviews that Koby Frances and I conducted with Modern Orthodox single men and women, together with our introductory comments, attempt to convey the phenomenology and the experience of Orthodox singles who are grappling with sexual-religious tensions. The interviews reveal conflict in trying to balance one’s identity as a sexual being and modern ways of being in relationships, with commitment to *halakhah*. Each interviewee felt deeply alone, as if he or she were the only one struggling with these issues and no one was able to “win” the battle no matter what their choices. We hope that publication of these vignettes can serve as a source of comfort to individuals who are struggling, and promote empathy among others who read the accounts.

To prevent many of the problems dealt with later in life, sexual education at an age-appropriate level should begin early, before normal developmental issues turn into crises. There was a sense among those who are left picking up the pieces that *hatan* and *kallah* classes are too little too late, and education from a younger age is needed.

Yocheved Debow and Dr. Anna Woloski-Wruble’s paper on “Life Values and Intimacy Education” presents a framework for such education; their sample curriculum encompasses much more than simply sexual education – although it includes that as well – dealing with issues of communication, social skills, personal values and the Jewish sources which can inform these areas. Wruble and Debow have designed a comprehensive curriculum to suit the needs of yeshivah day schools and high schools and the unique challenges of Modern Orthodoxy. We congratulate the Fuchs Mizrahi School in

Cleveland, OH and Miki Wieder who wrote guidelines and took the initiative in getting the program started. In the wake of the conference, Tzelem has worked to pilot this curriculum in one grade of SAR Academy (Riverdale, NY) and Yeshivat Noam (Bergenfield, NJ). With the expansion of such preventive education, we hope individuals will grow up better adjusted and less in need of “emergency education” before they marry.

What is Tzelem? It is a project that began because the Forum revealed a need for a resource to help individuals navigate the challenges of intimacy and sexuality as Orthodox Jews. The Forum demonstrated that a dialogue on complex and sensitive issues can happen when the participants work for pure ends, *l'sheim shamayim*. Through the vision of Richard Joel, President of Yeshiva University, Tzelem was accepted as an inaugural incubator project of the Center for the Jewish Future where it has been nurtured under Rabbi Kenneth Brander's leadership. I pray that Tzelem will continue in the path charted at the Forum and that its efforts will be pleasing to *Hashem* and valuable to the community.



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# 1

## Of Marriage: Relationship and Relations

*Aharon Lichtenstein*

I have written this piece, and I present it here, likewise, with a measure of ambivalence and trepidation. On the one hand, its subject is important, as a conceptual and ideological topic, per se. Moreover, beyond the theoretical, it impinges upon intimate chambers in the life of almost any and every halakhically committed Jew or Jewess. Finally, to the knowledgeable, the basic issues and primary texts are probably familiar, so that any attempt at grappling with the concerns and elucidating them may be welcome.

On the other hand, others may find parts of the discussion disturbing, if not objectionable. To some, it may appear to stand in violation of the Mishna's admonition, as elucidated by the Gemara (*Hagiga* 11b), against public discussion of the arcane aspects of proscribed sexual liaisons. While the issues herewith treated have received fuller expositions in numerous Torah-oriented books and articles, every accretion may be challenged as an erosion of the

proper level of *tzeni'ut*. Of greater concern is the prospect that others, particularly the relatively less initiate, may find the essay unsettling. Perhaps, hitherto fully comfortable with the roseate tinge of some contemporary presentations of Jewish attitudes to sexuality, they may find their personal equipoise adversely affected by exposure to less positive sources. The result may be either some erosion in the quality and enthusiasm of married life, or, conversely, some slippage in respect for pillars of the halakhic world, such as Rambam and Ramban. And this might, in turn, undermine commitment to halakha in its totality.

On a broader, and possibly deeper, front, the differences noted between attitudes expressed by Hazal and later formulations raise issues concerning periodization and continuity within the halakhic system; and, for readers not wholly satisfied with suggestions I have tentatively advanced, by way of resolution, the impact may be, again, possibly unsettling.

Despite the ambivalence, I have, obviously, decided to proceed. I have done so not only in the interest of spiritual and intellectual candor but, additionally, on the sanguine assumption that, on balance, the effect will be constructive, inasmuch as most of the readers are already aware of the primary problems and will be spiritually enriched by its systematic analysis, their faith and commitment energized and fortified by the Torah discourse of *massa u-matan be-divrei Torah*, rather than enervated or diluted. Nevertheless, where spiritual influence is at stake, a measure of trepidation persists. It is my hope and prayer that the Giver of Torah spare and save us from any fault or blemish in its dissemination.

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Were I to respond, in full, to the overarching question presented to me – “What models are there in the classical rabbinic literature for relationships between men and women?” – I would preface my discussion with the observation that, as regards marriage (presumably, our primary focus), the models in evidence in Hazal are both few and partial. As to the sociological reality, there are, of course, interesting and possibly suggestive anecdotes. The story of the woman

who was obligated to swear in Rava's bet din but was prevented from doing so when his wife interfered to inform him that she was an untrustworthy *hashuda* (*Ketubbot* 85a),<sup>1</sup> tells us something about his wife's presence at the proceedings and about their relationship. Or again, the story of R. Ze'ira's wife – who proffered some food to R. Hiyya b. Ashi which he, evidently due to halakhic reservations, refused to eat, upon which she responded: "I made it for your rebbe and he ate, and you don't eat?!" (*Shabbat* 140a) reflects a different sort of assertiveness.

Assorted evidence could unquestionably be addressed, some of it pointing in different directions. However, as far as full-blown normative models are concerned, I believe the harvest is scant. There is, of course, a corpus of halakhot spelling out the respective rights and duties, and these have been subsequently elucidated. However, as regards many of the issues which confront and concern many contemporary couples, we find relatively little imperative direction. These include the dynamics of the relationship proper – areas and degrees of authority and responsibility, the prioritization of respective individual interests, the nature of decision-making, etc. – as well as aspects which extend beyond it: the place of the marriage within the broader context of life and activity, and the scope and character of relations to others, be they children, general family, friends, or associates.

There exist, admittedly, some directives regarding some of these concerns. For the most part, however, they have been relegated to the realms of *devar ha-reshut*, an area not axiologically neutral but neither fully normative, with regard to which personal preference, with a possible eye upon meaningful variables, is characteristic. In a word, they are subject to the discussion, predilection, and decision of individual couples. Of course, romantic souls are scandalized by the thought that such issues may be "negotiated" at all, while pragmatists may be convinced that the abjuration of planning is a possible recipe for collision. My point is simply that there is room for flexibility and mutual choice. Whether the character of a marriage is dictated by convention, contemporary mores, or conscious limning is another matter.



Thus, the familiar description of an *isha keshera* as a wife who performs the will of her husband (*retson ba'alah*),<sup>2</sup> in no way precludes a husband's declaring that his *ratson* is precisely a desire for understanding and consensus. Or again, the Gemara's suggested division between general and domestic, or between celestial and mundane, matters, as the domains of the husband and the wife respectively, does not obviate a desire to cross those lines where the proper qualifications exist. Nor would this come under the rubric of a *holekh ba-atsat ishto*, one who follows his wife's advice, for whom the Gemara anticipates dire consequences (*Eruvin* 18b). The appellation and the strictures refer to a man who does not engage in serious discussion and decision, but instead blindly follows spousal counsel, whether, like the Antonys of the world, out of romantic passion, or out of sheer henpecked acquiescence. Barring that, consensus may be deemed both fairer and wiser, as *tovim ha-shenayim min ha-ehad* (two are better than one); and there may be situations in which the peremptory command, "Listen to all that she says" (Gen. 21:12) applies, inasmuch as the Midrash notes, Abraham was secondary to Sarah in the realm of prophecy.<sup>3</sup> It is difficult, and possibly presumptuous, therefore, to speak of absolute marital models in Hazal. Obviously, every Jewish home should be grounded upon the centrality of Torah, *avoda* (Divine service), and *gemilut hasadim* (acts of kindness), and dedication to these cardinal values must be assured in the structuring of its lifestyle. This is doubly true with respect to the homes of aspiring *talmidei hakhamim*, but is by no means confined to them. Much of the detail concerning the nature of the marital relationship, coincidence, and distinctiveness, or balance and proportion, is, however, very much a *devar ha-reshut*.

This would be the gist of my preface were I tackling my overarching question in scope and in depth, even if only with respect to marriage. Having, however, been accorded the prerogative of devoting myself to a discussion of one of the subtopics delineated, I shall exercise that option and focus upon a narrower, albeit perhaps thornier, issue: "How shall we view possible models of the marriage relationship (love and companionship vs. procreation)?" This formulation strikingly parallels the opening of the Rav's essay, "Marriage,"

in *Family Redeemed*. “There are,” the Rav notes, two basic theories about the institution of marriage. One theory developed a *transeunt* axiology, that is, a value system that finds the meaning of matrimony *outside* of the matrimonial union. The other theory developed an *immanent* matrimonial value system, discovering meaning *within*.<sup>4</sup>

The essay then proceeds to develop the distinction, explaining that the theories focus upon the welfare of the group or of the individuals – i.e., upon procreation and fellowship – respectively; and, drawing upon Humash and Hazal, goes on to mold and posit a Jewish perspective upon the institution and its ideological base.

As we might have expected, the ideal subsequently espoused is inclusive and comprehensive. Resembling the ellipse rather than the circle, it has two foci. Moreover – and, within the essay, this point is both central and critical – both goals and their corollaries are integrally related:

Seen from the halakhic viewpoint, matrimonial community is not realized without embracing three personae. At this level, marriage redeems the productive urge from its animal species orientation and turns it into a spiritual tragic longing of man for his origin or source.<sup>5</sup>

Hence, this position rejects not only the narrowing of telos to one of the elements, but also the inclination to regard marriage as the pursuit of two independent and possibly divergent aims, to be somehow balanced, in theory and in practice. It rather bears the stamp of a covenantal relationship – entered into between the parties, and with reference to the broader covenant between God and man, generally, and between the *Ribbono shel Olam* and *Keneset Yisrael*, particularly – within and through which twin goals are interactively achieved.

It is a stimulating piece, written with characteristic philosophic sophistication, psychological insight, and spiritual vision. Framed in simple terms, however, its central thesis, relating to the nature of marriage as both instrumental and intrinsic, is traditional, rather than innovative. The *Tur* opens his *Even ha-Ezer*, whose first section deals with *Hilkhot Periya ve-Reviya* (The Laws of Reproduction) with a brief paean to the author of marriage – in both aspects:

Blessed is God that He desires the best for his creatures. For He knew that it is not “good” for man to remain alone and thus made for him a “fitting helper.” Moreover, since the purpose of creation is reproduction, which is impossible without the “helper,” God commanded that man cleave to the “helper” which He had created. Therefore each person must marry in order to reproduce.<sup>6</sup>

Whether, from a technical halakhic standpoint, marriage is necessary for the formal fulfillment of the mitsva of procreation, *peru u-revu*, is possibly a matter of debate. Rosh was emphatic in stressing that it was not. In explaining the text of *birkat erusin* (the matrimonial blessing) and its convoluted content, he states that it does not relate to any particular mitsva – surely, not that of procreation, as one could potentially fulfill the commandment to reproduce without marrying.<sup>7</sup> This view is palpably accepted by *rishonim* who held, on the basis of a passage in the Yerushalmi,<sup>8</sup> that the mitsva could, *be-di'avad* (in extreme circumstances) be fulfilled through an incestuous union, not amenable to matrimony. Rambam, however, seems to have held otherwise. This is perhaps indicated by the inclusion of the mitsva within *Hilkhhot Ishut* (The Laws of Matrimony), but is fairly explicit in the heading to this section: “(1) To marry a woman with a *ketubba* and *kiddushin*... (4) To reproduce from her.” What is beyond question, however, is the fact that the institution is not designed solely in order to provide a licit channel for the perpetuation of the human, or the national, race.

The importance attached within Judaism to the mitsva of procreation can hardly be overemphasized. It is conceived in religious, rather than primarily social, categories; and this, not simply as an affirmative response to a normative commandment as any other mitsva, but as the implementation of the divine design in the creation of the world: “He did not form it for waste, but created it for habitation” (Isaiah 45:18).<sup>9</sup> Hence, willful abstinence is not regarded as merely the failure to do good but is equated with the perpetration of evil (*Yevamot* 63b): “Ben Azzai said: As though he sheds blood and diminishes the divine image; so severe is the judgment passed upon the shirker.”

However, procreation is manifestly not the sole *raison d'être* for

marriage. The verse in Ecclesiastes (9:9) counsels, “Enjoy life with a woman you love,” clearly referring to the realization of life rather than to its creation. Hazal correspondingly note (*Yevamot* 62b) that “any man who has no wife lives without joy, without blessing, and without goodness” – again, focusing upon personal bliss per se. Moreover, R. Huna’s reproach of bachelorhood beyond a certain age (*Kiddushin* 29b), while explicitly motivated by the concern about the *hirhurei avera* (sinful machinations of sexual fantasy), probably also reflects the championing of the marital relation as such.

The significance of the interpersonal element is further reinforced by the substance of a familiar prooftext, twice cited in the Gemara and codified by Rambam:

Whoever loves his wife as himself and honors her more than himself – of him Scripture says, “And you will know that your tent shall be in peace and you will visit your habitation, and not sin” (Job 5:24).<sup>10</sup>

The use of the accusative mode – as opposed to that of the more general “You shall love your neighbor as yourself” (Lev. 19:18), which, as Ramban noted,<sup>11</sup> bespeaks concern for another’s welfare, but does not command loving his persona – underscores the emotional aspect of the amatory component in marriage. And whatever the referent of the intended *kibbud* – honor, esteem, service, or provision – it is patently clear that the institution is not perceived as a mere instrument to enable procreative sustenance of the human race. It is, of course, logically arguable that the *raison d’être* of marriage is indeed purely instrumental, but that the message of the Gemara is simply a directive prescribing the desirable mode of attitude and conduct for a person who, by dint of whatever circumstance and for any reason, finds himself within its context. Never-theless, it is surely difficult to sustain such a contention in the face of the Torah’s prelude to its establishment: It is not good for man to be alone, I shall make him a fitting helper (Genesis 2:18).<sup>12</sup> As the Rav noted in this connection, the term “good” is not confined here to subjective psychological gratification, but encompasses ethical and existential well-being as well. Describing the verse as an “ontological postulate,” he expounds: “A lonely human existence is not good; it lacks God’s sanction and

exposes an imperfect form of being.” Hence, “Marriage is not just a successful partnership, but an existential community.”<sup>13</sup>

The sense and the experience of that community is, of course, multifaceted. I have heretofore, following my questioner, paired love and companionship, distinguishing both from the procreative process as a motive for marriage. They are, however, far from synonymous, and differ markedly with respect to both ground and substance. While each can relieve the pangs of loneliness, the power and intensity of love, given or received, is in no way comparable to the relatively dispassionate and pragmatically oriented character of companionship. Both, however, within the context of a marriage, provide not only emotional warmth but human meaning, not without spiritual significance. Hence, Judaism has not regarded celibacy, even when religiously motivated, as an ideal.

When, as Hazal interpreted, Aaron and Miriam implied that they too should abandon marriage as had Moshe Rabbenu, they were in effect told that his situation was unique and had no bearing upon theirs,<sup>14</sup> which should remain normal:

We have thus learned that when [the prophets’] prophecy dissipates, they return to their tents – meaning their bodily needs – like the rest of the nation. [The prophets] are thus not to separate from their wives. Our teacher Moses, however, did not “return to his tent”; he thus separated from woman, and similar needs, altogether. [Instead] his mind was bound to the “Rock of Ages,” with God’s honor never dissipating from him. His face shone with light, and he was holy like the angels.<sup>15</sup>

There may be, subsequently, rare exceptions: “Whosoever’s soul craves Torah constantly, learns like Ben-Azzai, and clings to [Torah] his whole life, thus neglecting to marry, *ein be-yado avon* (bears no sin).”<sup>16</sup> *Ein be-yado avon* is the most that, even in such a case, Rambam could assert. The valued norm is marriage, and its centrality is not at issue. What does appear to be very much at issue is not the institution of marriage per se, but its physical component. By way

of example, I recall vividly a discussion with R. Elimelekh Bar-Shaul. I went to see him during my first stay in Israel, in the summer of 1962. In the course of my visit, a kollel student entered and asked him about an aggadic account concerning David and Abigail, cited in the Gemara in *Megilla* (14b):

Rather it teaches that [Abigail] revealed her thigh and David walked three full *parsas*. He said to her: "Please tell me." She responded: "Do not let this be a cause of stumbling."<sup>17</sup>

Quite apart from the Tosafot's<sup>18</sup> question as to how the conduct was becoming Abigail, could it be possible, he objected, that God's anointed, *ne'im zemirot Yisrael* (poet of Israel), would have been affected by the stimulus? In response, R. Bar-Shaul launched into a twenty-minute disquisition, waxing almost lyrical as he explained that the impact was perfectly human and thoroughly honorable, that sexuality was an integral aspect of divinely ordered and ordained personality, and that, far from being associated with shame, it was, and was intended to be, a reflection of healthy vigor, fully consistent with the cardinal value of *tseni'ut*. Upon the interlocutor's departure, I observed to R. Bar-Shaul that his position was an accurate expression of our modern sensibility, but, I questioned, was it consonant and consistent with the prevailing tone of prominent *rishonim*. Parrying the inquiry, he contended that indeed it was; and on that assertive note, the discussion concluded, and there the matter rested.

But does it truly rest? We are confronted by a singular phenomenon, one which, historically, has been the subject of animated controversy within the world of religious thought: the symbol of unbridled lust, to some, and of quasi-mystical ecstasy, to others; almost unparalleled for sheer visceral intensity, and yet enveloped with romantic passion; its attendant denudation eradicating the line between the human and the bestial, on the one hand, while enabling maximal bonding, on the other; the most productive of human activity, in one respect, and, on most occasions, the most predictably fruitless endeavor, in another. The topic has generated much discourse and elicited polar responses as well as an intermediate spectrum; and indeed it does not rest easily.

Contemplating our own Torah world, one is persistently struck

by an apparent dissonance between the impression conveyed by Hazal and *rishonim*, respectively. In surveying the Gemara, we are struck by both its omissions and its assertions, general as well as halakhic. There is little in the way of either squeamish embarrassment or outright reservation. There is no revulsion from concupiscent pleasure nor recoil from romantic passion (*Sanhedrin* 7a):

One was wont to say: “When our love was intense, a bed the width of a blade was room enough for both of us to lie upon. Now that our love is less intense, a [king-size] bed the width of sixty cubits does not suffice.”

At one point, the Gemara in *Berakhot* (57b) explores the possibility that sexual activity constitutes one of a triad of elements which convey a sense of *me-ein olam ha-ba* (a taste of the world to come);<sup>19</sup> and while the designation is subsequently rejected, the reason given bears no taint of principled objection, but rather consists of the prosaic observation that sexual activity may be physically enervating. Several pages later (*Berakhot* 62a), it recounts how R. Kahana surreptitiously entered the bedroom of Rav, his master, in order to observe his conduct, as “It is Torah, and I must learn,” and noted the excitable passion which had suffused the relations. Elsewhere, the Gemara patently reproaches a person who sleeps in the same room with a married couple, thus precluding them, indirectly, from experiencing sexual pleasure (*Eruvin* 63b):

One who sleeps in an enclosed space where a man and his wife lie, it is of him that the verse states, “You drive the women of My people away from their pleasant homes” (Micah 2:9).

Indeed, it goes so far as to state that the critique applies even if the wife is a *nidda*, inasmuch, presumably, as the intrusive disruption of even aphysical intimacy is objectionable. In a more purely aggadic vein, we note a remarkable portrait of postmortal embrace of Abraham and Sarah (*Bava Batra* 58a):

R. Bana’ was signposting [burial] caves. When he came to the cave of Abraham, he found Eliezer the servant of

Abraham standing at the entrance. [R. Bana'a] said to [Eliezer]: What is Abraham doing? [Eliezer] replied: He is sleeping in the arms of Sarah, and she is peering at his head.<sup>20</sup>

And the point is further underscored with reference to the *avot* and *immahot* in another context. "Why were the foremothers barren," asks the Midrash; and, inter alia, it goes on to cite two complementary explanations related to our theme (*Bereshit Rabba* 45:5):

R. Azarya said in the name of R. Yohanan b. Papa that it was in order that women should endear themselves to their husbands with their ornaments.... R. Huna and R. Avun in the name of R. Meir say that it was in order that their husbands should derive benefit from them, for each time a woman conceives she becomes disgusting and forsaken.

Finally, in a more explicitly ideological mode, we are of course all familiar with R. Meir's rationale for the prohibition of *nidda* (*Nidda* 31b):

Why did the Torah ordain that the impurity of menstruation should continue for seven days? Because being in constant contact with his wife [a husband might] develop a loathing towards her. The Torah, therefore, ordained: Let her be unclean for seven days in order that she shall be beloved by her husband as at the time of her first entry into the bridal chamber.

The assertion that, far from being meant to diminish the scope of marital sexuality, the injunction is rather intended to intensify it, speaks for itself.

Turning to halakhic contexts, we encounter a similar message. Relations on the holiest day of the week are not only permitted but encouraged, as "marital relations are part of the Sabbath delight."<sup>21</sup>



A prospective bridegroom is exempt from reciting *keriat shema* for several days prior to his wedding, inasmuch as one who is engaged in performing one mitsva, whose discharge interferes with another,<sup>22</sup> is released from the latter. In his case, anticipatory contemplation of his initial marital encounter is defined as a legitimate dispensation from the need to concentrate upon *shema*, even though a person who has just lost a fortune enjoys no such dispensation, being rather ordered to transcend his voluntary despondency, regarded as a *tirda de-reshut* (anxiety of a secular nature), and to focus upon his *avodat Hashem*.<sup>23</sup> Or again, halakha mandates that a pregnant or nursing woman may or must embrace otherwise problematic birth control. The dictum has spawned an extensive literature on the topic, but at no point has a responsible *posek* suggested that the couple simply abstain.<sup>24</sup> Prima facie, another familiar dictum might be perceived as sounding a less positive note (*Ketubbot* 8b):

Said R. Hanan, the son of Rav: All know for what purpose a bride is brought into the bridal canopy. But whoever disgraces his mouth and utters a word of folly – even if a [divine] decree of seventy years of happiness were sealed [and granted] unto him – it is turned for him into evil.

However, given the broader context we have noted, it is reasonable to assume that the stricture does not apply to verbal acknowledgment of the sexual aspect of marriage per se – after all, the Gemara is replete with expositions of its halakhic minutiae – but rather to its lascivious if not pornographic savoring, with licentious titillation. Refrain from prurience need not issue in prudery.

This harvest stands in marked contrast to positions adopted by some of the foremost *rishonim*. In a major chapter in *Mishneh Torah*, devoted to the rejection of excessive asceticism and positing the Mishna's dictum, *ve-kol ma'asekha yihyu le-shem shamayim* (all your deeds should be [performed] for the sake of heaven), as an overriding spiritual ideal, Rambam evidently found no place for either love or companionship as the *raison d'être* of marital sexuality:

So too, when one has sexual relations, he should act in order to maintain his health and to reproduce. Therefore, he should not have relations any time he desires, rather only during the time when he must produce semen as a medical need or for the sake of reproduction.<sup>25</sup>

In the *Moreh Nevukhim*, he is fully explicit, ascribing the designation of Hebrew as *leshon ha-kodesh* to the paucity of its sexual nomenclature:

For in this holy language no word at all has been laid down in order to designate either the male or the female organ of copulation, nor are there words designating the act itself that brings about generation.... No word at all designating, according to its first meaning, any of these things has been laid down in the Hebrew language, they being signified by terms used in a figurative sense, and by allusions.<sup>26</sup>

Ramban challenged this judgment, although without explicitly confronting its underlying premise.<sup>27</sup> Elsewhere, however, he, in turn, gives vent to the same general attitude. Remarkably, he does so in direct contradistinction to R. Meir's rationale for the prohibition regarding relations with a *nidda*:

The verse prohibits [cohabiting] with a *nidda* for the reason I already noted. For the Torah allows cohabitation only for the sake of reproduction. The fetus, moreover, is formed from either fully or mostly from the woman's [real] blood; it cannot be formed from the menstrual blood.<sup>28</sup>

This, on the heels of an earlier sweeping apodictic statement: "Know that sexual relations, in the Torah, are remote and disgusting, unless they are for the sustenance of the species."<sup>29</sup> Subsequently, he cites, with evident approval, a milder formulation of Ibn Ezra:

Said R. Abraham [Ibn Ezra]: sexual relations are divided into three parts. The first for reproduction; the second to ease the bodily necessities; and the third for the desire comparable to the desires of the animals.<sup>30</sup>

Conceivably, however, the citation only presents a value-neutral classification; and, in any event, the bestial instinctual drive noted alongside the procreative and the medicinal is still poles removed from the world of love and companionship.

Admittedly, a more balanced and even positive attitude finds expression in two loci classici, the fullest expositions of the subject in the writings of *rishonim* – the concluding chapter of Rabad's *Ba'alei ha-Nefesh* and the anonymous *Iggeret ha-Kodesh*, often erroneously attributed to Ramban. In his "*Sha'ar ha-Kedusha*," Rabad anchors the discussion of marital sexuality within the broader context of the need to discipline unbridled passionate psychic and biophysical impulse in the quest for purgative sanctity:

One must therefore overwhelm and conquer his inclination, standing upon his soul to fight his urges, in order that his soul should rise above that animalistic soul which has nothing which prevents it from obtaining all its desires.<sup>31</sup>

Significantly, this prefatory comment does not distinguish radically between various impulses, and sexuality is treated within the pale of the general spectrum, ranging between ascetic suppression and indulgent accommodation. Moreover, he does not delegitimize all unproductive relations. Nevertheless, of the four motivations whose value Rabad acknowledges, the first two refer to procreation, the last to relieving pressures which might lead to sinful action and fantasy, and the third to responsiveness to a wife's romantic needs and advances:

The third...that she desires him and he recognizes her attempts to please him. She adorns herself that he should notice her.<sup>32</sup>

This is still a far cry from R. Bar-Shaul's cadences. In contrast, a genuinely enthusiastic tone pervades the discussion of the *Iggeret ha-Kodesh*. After an introductory chapter explaining the purpose and direction of the manual, he confronts the axiological issue head-on:

Know that this essay is clean and holy and represents that which is appropriate at the appropriate time and with the correct intentions. One should not think that this appropriate essay contains shamefulness or nastiness.... All should believe that God created everything according to His wisdom and did not create anything shameful or disgusting. For if this essay says something shameful, behold the sexual organs are the shameful organs, yet it was God who created them with His word, as it says "He created you, and prepared you" (Deut. 32:6)... If the sexual organs were truly shameful, how could God have created something deficient or shameful, God forbid?<sup>33</sup>

However, I believe there is little question but that this chord, music to modern ears, is, in the medieval context, decidedly in the minority – not quite sotto voce but surely pianissimo. The selfsame *Ba'al ha-Turim* who opens his magnum opus with the paean we have noted, paraphrases Ramban in his commentary on Leviticus<sup>34</sup> without comment but, probably, with approval. And we have not so much as glanced at the renunciatory *Hassidei Ashkenaz*, with their delegitimization of virtually all passionate sensory pleasure.

The attitudinal issue may perhaps be gauged by an additional parameter. While marital love is, hopefully, not readily quantifiable, the recommended frequency of relations presumably reflects, inter alia, how they are perceived axiologically. Halakhically, the matter is discussed within the context of the mitsva of *ona* (marital relations), the normative duty incumbent upon a husband to satisfy his wife's sexual needs.<sup>35</sup> In sum, various standards are posited, albeit with a measure of flexibility, taking into account a number of variables: the husband's ability, on the one hand – depending upon vocation,

strength, competing interests, etc. – and the wife’s needs, on the other, with a particular eye to expectations raised at the time of the marriage. Our present focus, however, is precisely the point at which duty is exhausted and transcended; the province, beyond halakhic norm, in which inclination, ideology, and aspiration hold sway.

In this connection, the primary locus classicus is generally perceived as the Gemara in *Berakhot* concerning the requirement that a *ba'al keri* (one who has experienced a seminal emission) immerse in a proper *mikve* before he be permitted to study Torah.<sup>36</sup> This demand is not grounded in the laws of ritual purity, strictly defined, as no similar standard is set for persons who have attained a graver degree of *tum'a*.<sup>37</sup> Rather, two factors are cited. The first is the need to sustain, in every encounter with Torah, the degree of awe which characterized its revelation at Sinai (*Berakhot* 22a):

As it has been taught: “And you shall make them known to your children and your children’s children,” and it is written immediately afterwards, “The day on which you stood before the Lord your God in Horeb” (Deut. 4:10). Just as there it was in dread and fear and trembling and quaking, so too in this case it must be in dread and fear and trembling and quaking. On the basis of this they laid down that sufferers from gonorrhea, lepers, and those who had intercourse with *niddot* are permitted to read the Torah, the Prophets, and the Hagiographa, and to study the Mishna, Gemara, halakhot and haggadot; but a *ba'al keri* is forbidden.<sup>38</sup>

This reason may be of some relevance to our broader issue, but a second presumably addresses our specific question immediately: “That scholars should not hover around their wives like roosters.” Rambam understood this to mean that the requirement was intended to have a deterrent effect, discouraging frequent marital relations; the text thus serves as a primary source for a general evaluation and recommendation:

The Sages were displeased with one who engages in persistent sexual relations, hovering around his wife like a rooster. This is an extremely flawed action, the action of boors. Rather, praiseworthy is one who diminishes his cohabitation; nevertheless, he should not be delinquent in his marital requirements without his wife's consent. [The Sages] prohibited a seminally impure person from reading the Torah only so that he should diminish his sexual engagement.<sup>39</sup>

The interpretation and the inference are open to question, however. At one plane, the Gemara does not state that the deterrent factor constituted the basic ground of the requirement. It only recounts that other Tanna'im held that a lesser purgative ritual, the pouring of a fairly small body of pure water upon the *ba'al kerî* sufficed, but that their students disagreed as to whether this ruling should be freely publicized – with those who favored restraint animated by concern over excessive sexuality.

At another plane, the Gemara narrates that the halakha was later rescinded; this, in accordance with the view of a later Tanna (*Berakhot* 22a):

It has been taught: R. Yehuda b. Betera used to say: Words of Torah are not susceptible to uncleanness...as it says, "Is not My word like as fire" (Jer. 23:29). Just as fire is not susceptible to impurity, so words of Torah are not susceptible to impurity.<sup>40</sup>

This repeal invites two questions. First, in light of the principle that later *hakhamim* can rescind earlier legislation only if they are superior to their predecessors in wisdom and scope,<sup>41</sup> whence did R. Yehuda b. Betera and his peers derive the authority to override Ezra's innovation? Second, derivatively, what was the rationale and the context of the repeal? The assertion that Torah is beyond defilement perhaps neutralizes the need for an analogue to Sinai. But

what of the impact upon sexual habits? Does this remain in place or was this concern, too, rejected? As to the first question, Tosafot suggest two historical factors attendant upon the original ruling: R. Yehuda b. Betera either challenged the historicity of Ezra's involvement – “perhaps he believed that Ezra did not establish this law”;<sup>42</sup> or, more moderately, that he had, from the outset, instituted a contingent requirement, explicitly leaving open the option of later repeal. Rambam, however, presents a third alternative:

This ordinance (*takkana*) was not popularized and a majority of the people could not follow it consistently and it was therefore annulled.<sup>43</sup>

On the basis of the *sugyot* in *Avoda Zara*, he elsewhere<sup>44</sup> formulates qualifications allowing for repeal of *takkanot* which had not taken root in the first place, particularly if they proved to be excessively burdensome, and he applies those exceptions here.

Given this explanation, there is no reason to assume that the earlier reasoning had been subsequently rejected. Indeed, there need be no process of formal repeal by a later bet din, but only the determination of a sociological fact. However, Meiri suggests a fourth alternative. Some explain that the prohibition of a current bet din to revoke the *takkana* of an earlier bet din applies only when the ordinance was passed as a safeguard. However, if it is an interpretive ordinance, the later bet din may interpret it differently.<sup>45</sup> Having asserted that the limit upon a later bet din's ability to rescind only refers to *takkanot* which were grounded upon a perceived need to safeguard Torah values and avoid violation but not to the challenge of Scriptural interpretation, he goes on to specify how this qualification enabled rejection of the analogue to Sinai and of the ruling grounded upon it. The omission of any reference to the aim of inhibiting marital relations leaves open the possibility that this rationale too is finally refuted; or, at the very least, that it is conceded, against Rambam, that it had never been a *raison d'être* in the first place, but rather, at most, a disputed tactical reason for restraint in publicizing the repeal.

Perhaps most pressing, however, is a third consideration. While Rambam, previously cited, counseled minimal sexuality for all, the Gemara, even on the assumption that the *takkana* was designed as a deterrent, only refers to *talmidei hakhamim*. This focus can, without much question, be understood in Rambam's terms. While restraint is universally preferable, it is particularly advisable for a spiritual elite to be held to a higher standard. Rambam adhered to such a pattern in many contexts – notably, in *Hilkhot De'ot* of *Mishneh Torah*, in which, after four chapters devoted to molding the personality of the layman, he opens the fifth with a clear line of demarcation:

Just as the wise man distinguishes himself from others with his wisdom and opinions and he separates himself from the rest of the nation, so too he should distinguish himself with his actions, his food and drink, his sexual relations, his bodily requirements, his words, his walk, his dress, his maintenance, and his business dealings.<sup>46</sup>

Correspondingly, several halakhot later, he embodies this thesis with respect to sexuality:

Though a wife is consistently permitted to her husband, a scholar should act with holiness and not hover around his wife like a rooster. [He should be with her], if he has the strength, only from one Sabbath night to the next.<sup>47</sup>

However, it is entirely conceivable that *talmidei hakhamim* are singled out by the Gemara for an entirely different reason.

The graduated list of required *ona*, with vocation designated as a primary variable, opens: “The *ona* that the Torah requires refers to those *tayyalin* everyday.” The Gemara then asks, “What are *tayyalin*,” and in response, cites divergent conceptions (*Ketubbot* 62a):

What is meant by *tayyalin*? Rava replied: day students (*benei pirkei*). Said Abaye to him: [These are the men] of whom it is written in Scripture (Psalms 127:2), “It is



vain for you that you rise early, and sit up late, those that eat of the bread of toil; so He gives to those who chase their sleep away.” “These,” R. Yitshak explained, are the wives of the scholars, who chase the sleep from their eyes in this world and achieve thereby the life of the world to come. Yet you say [that *tayyalin* are] “day students”! [The explanation], however, said Abaye, is in agreement [with a statement] of Rav who said that [a *tayyal* is one] for instance, like R. Shemuel b. Shilat who eats of his own, drinks of his own, and sleeps in the shadow of his mansion and a king’s officer never passes his door. When Ravin came he stated: [A *tayyal* is one], for instance, like the pampered men of the West (Israel).

Ravin’s definition – essentially, relaxed, effete, and possibly sybaritic men – is not surprising. Those of Rava and Abaye probably are. With respect to *benei pirkei*, Rashi explains: “Students whose rabbi dwells in their town. They therefore may learn while living in their own houses.” These are, in effect, roughly the equivalent of contemporary kollel students. And yet, Rava did not cavil at the thought that they, of all people, would be charged with nightly relations. Moreover, Abaye does not challenge this conception on philosophic or axiological grounds. He does not address issues of spiritual decadence or passional surfeit. He simply contends, as Rashi explains, that the pressures of Torah learning and the time they need to devote to prolonged sojourn in the bet midrash clearly preclude nightly conjugal activity; or, conversely, as suggested by *Talmidei Rabbenu Yona*,<sup>48</sup> that the effort expended in the course of intensive study may be debilitating and enervating no less than the energy exerted by the ordinary laborer. Moreover, Abaye’s exemplar is a *melamed tinokot* (a teacher of children); and with regard to him, too, daily *ona* is not regarded as inconsonant with his lofty spiritual career.

The implication is clear, and the brief interchange may suggestively explain why, in the Gemara’s discussion concerning *ba’al keri*, *talmidei hakhamim* are singled out. The formulation may simply be regarded as a variant of Abaye’s position. Read in this vein, the

passage expresses neither revulsion from the carnal nor ideological recoil from the manifest blend of the physical, the psychic, and the spiritual of which sexual experience is comprised. The issue rather turns upon the conflict of resources and the consequent need to budget time, attention, and energy – fundamentally, the same type of concern that would arise with regard to any activity which would divert attention and capacity from the world of *talmud Torah*. Hence, the singling out of the *talmid hakham* as opposed to the ordinary layman. The maintenance of a proper balance between mundane concerns, however innocent, and spiritual aspirations is, of course, a major axiological challenge in its own right; and the excessive preoccupation with the temporal is the object of criticism: “Putting aside heavenly matters in favor of the mundane.”<sup>49</sup> This is radically different, however, from the rejection of a given sphere of activity as problematic per se.

Perhaps even more noteworthy is a parallel, and yet remarkably different, formulation in the Yerushalmi (*Berakhot* 3:4):

R. Ya'akov b. Avun said: the only reason they instituted this *tevila* (ritual immersion) was so the Israelites would not be like roosters, having relations, rising, then descending to eat.

In contrast with the disdain for sexuality Rambam elicited from the Bavli,<sup>50</sup> we encounter here an appreciation of its worth as the basis for the *takkana* of *tevila*. At the heart of the matter lies the critical distinction between animal and human sexuality. For the cock, coitus constitutes, at most, an intense physiological experience of brief duration and of no subsequent perceptible import. It is, in a word, casual. For man and woman, endowed with the capacity for “looking before and after,” charged with the mandate to infuse even erotic activity with meaning, the same experience is framed within the context of an existential relationship, and, particularly when informed by religious content, invests the persons and their encounter with passionate and spiritual purpose. It is precisely in order to underscore the significance of sexual relations, in order to

focus attention upon their character and consequences, that *tevila* was ordained. The restraints imposed sans *tevila* are intended to assure that relations *not* be casual. They generate interactive awareness which serves to ennoble and enhance sexuality, elevating it, redemptively, from the bestial to the human. And, inasmuch as this aspiration is not confined to an elite cadre of the learned, R. Ya'akov b. Avun speaks, comprehensively, of all:

R. Ya'akov b. Avun said: the only reason they instituted this *tevila* (ritual immersion) was so the Israelites would not be like roosters, having relations, rising, then descending to eat.

The question of frequency confronted – and, in a sense, confounded – a leading Ashkenazi *posek*, the thirteenth-century author of the *Or Zarua'*. On the one hand, he quotes the Gemara's explanation regarding *ba'al keri*, which he interprets, like Rambam, as referring to the deterrent aspect of the *takkana*, as well as the recommendation that the *ona* of *talmidei hakhamim* be “from Sabbath eve to Sabbath eve.” On the other hand, he cites a narrative from a Gemara in *Ketubbot* which seems to point in the opposite direction:

However, that certain case that the Talmud relates is a bit unclear to me. There it concludes that Yehuda the son of R. Hiyya and son-in-law of R. Yanai was sitting in the house of learning. “*Kol bei shimshei*,” [Yehuda] went to his house only to be confronted by [the vision of] a pillar of fire. One day he became engrossed in his learning [and remained] and did not see the sign. They said to turn over his bed [like a mourner], for were Yehuda not alive, he would not have missed his marital requirement. It was like “an error committed by a ruler” (Eccl. 10:5) and he died. We can conclude that it was praiseworthy that he was often with his wife.<sup>51</sup>

Unlike Rashi, who, elsewhere<sup>52</sup> interprets *kol bei shimshei* as “weekly,”

the *Or Zaru'a* understood the phrase, more literally, as “nightly”; hence, his difficulty.

We, for our part, are confronted by a quandary of our own; and it is dual. At one plane, we ask ourselves, within the context of our learning – it is Torah, and we must learn – a simple and straightforward question. In light of the predominant evidence we have noted from Hazal and, particularly, its halakhic component, how and why did Rambam, Ramban, and some other *rishonim*, deviate so markedly from their prevalent attitude? With reference to *yetser* (the inclination) – generic in connotation but defined by Rashi as *shel tashmish* (sexual desire) – Hazal identify it as one of a triad which, optimally, one should “let the left hand deflect and the right hand bring close” (*Sota* 47a). One sometimes gets the impression that the proportion was subsequently inverted.

The allure of facile historicistic solutions – in our case, of ascription to Sufi or Scholastic influences, regarding worldliness, in general, or sexuality, in particular – is palpably self-evident. In dealing with giants, however, we strive to avoid succumbing to its alluring temptations. To be sure, post Hazal *gedolim*, *rishonim*, or *aharonim* may be affected by the impact of contact with a general culture to which their predecessors had not been exposed and to whose content and direction they respond. Upon critical evaluation of what they have encountered, they may incorporate what they find consonant with tradition and reject what is not. In the process, they may legitimately enlarge the bounds of their *hashkafa* and introduce hitherto unperceived insights and interpretations. No one questions Aristotle’s impact upon Rambam or Kierkegaard’s upon the Rav. In our case, however, we are seemingly dealing with apparent contravention rather than nuanced accretion; hence, while we may assign some weight to the historical factor, this will hardly suffice, and we must entertain other factors as well, seeking resolution in other directions. Probably the most promising is the suggestion that the sources I have cited were, in the eyes of some *rishonim*, qualitatively outweighed by others. Most significantly, we might note his wife’s account of R. Eliezer’s marital conduct and attitude which, as a paradigm, figures prominently in the *Ba’alei*

*ha-Nefesh (Nedarim 20b)*: “When he ‘tells,’ let him reveal a *tefah* while concurrently hiding a *tefah*, as if he were forced to act by a demon.”

According to some interpretations cited by Rabad, the concluding phrase signifies an admixture of recoil reflected in brevity: “Meaning it is as if the demon kicked him and he acts, and then relinquishes the action. That is how much he shortened sexual relations.”<sup>53</sup> However, other interpretations abound – some going so far as to suggest that the procedure was intended to increase, rather than diminish, passion;<sup>54</sup> and, in any event, one is still perplexed by the positive attitude presumably reflected in the relevant halakhot. This evidence is sometimes deflected by the contention that the encouragement of, say, relations on Shabbat is grounded in the fulfillment of conjugal obligation rather than in axiological approval. This is strange as doctrine, however. It seems odd that halakha would recommend engaging in activity conceived as “distant and disgusting in the Torah, unless performed for the maintenance of the species” solely in order to satisfy perceived wifely infirmity – and that this should be performed, of all times, on Shabbat. Hence, while the conjecture I have advanced appears to me reasonable and likely, much of the difficulty remains.

To the extent that we do succeed in harmonizing the positions of Hazal and of *rishonim*, we ameliorate the pressure of one issue but exacerbate that of another. For we are brought, in turn, to a second quandary: our own. While I have conducted no empirical survey, I believe there is little question regarding the sensibility of the contemporary Torah world, irrespective of camp and orientation. We stand, fundamentally, with R. Bar-Shaul. We assert the value of romantic love, its physical manifestation included, without flinching from the prospect of concomitant sensual pleasure; and we do so without harboring guilt or reservations. We insist, of course, upon its sanctification – this, within the context of suffusive *kedusha* of carnal experience, generally. We do not, in any sense and form, join Blake, Lawrence, and their ideological confreres in celebrating lusty passion in isolation, and, on both halakhic and ethical grounds – which are, in a meaningful sense, themselves halakhic – reject non-marital

sexuality as transient, vulgar, and possibly exploitative, devoid of interpersonal commitment or social and legal sanction. Moreover, even with reference to the context of marriage, we recoil from the supposed transmutation of the erotic into a quasi-mystical experience, bordering on the transcendental, encountered in some quarters. Conceptually and historically, such associations are idolatrous rather than Jewish. With regard to the basic phenomenon of sexual experience, however, our instincts and our attitude are clearly positive. We have no qualms.

Relatively few are familiar – or, perhaps even comfortable with the substance or rhetoric of *Shelah's* formulation:

With respect to copulation, when enacted with holiness and purity, is most holy, bestirring [matters] above; a person sanctifies himself in the nether [world], and he is sanctified greatly from the upper, and he fulfills [the commandment], “You shall be holy, for I am holy, Hashem your God.” For every copulation resembles that of Adam and Eve, performed in His form and image.<sup>55</sup>

But as to the fundamental attitude, we are very much attuned.

This attitude is clearly manifest in a section from Rav Kook's *Orot ha-Kodesh*, aptly titled “*Ha-Netiya ha-Minit le-Atid*” (The Future of Sexual Inclination):

The sexual inclination goes and pours forth toward the future, toward the perfect existence; it will bring a time when the existence of the world to come will be present in this world. For the future existence is filled with splendor and pleasantness. Great, therefore, is this intense desire, this powerful longing of the eternal inclination; and the tendentious Holiness settles its light only upon [this desire]. And the pure soul steers this desire towards its destination.<sup>56</sup>

The passage presumably reflects a general tendency to affirmative

“world-acceptance,” but its thrust, with respect to this particular area is, for our purposes, nonetheless noteworthy.

Readers of these lines are probably more familiar with the Rav’s formulations – less florid but sharper, more comprehensive, and more explicit. The fullest treatment appears in the chapter on “The Redemption of Sexual Life,” in the posthumously published volume *Family Redeemed*. The essay confronts the prospect of shame, distinguishing radically between it and the shyness embodied in *tzeni’ut*; interweaves sexuality and community; harnesses sensibility to nuanced interpretation of phrases in the opening chapters of Genesis regarding the human and the animal order, respectively; and concludes with a striking declaration:

Oneness of the flesh is a metaphor indicative of complete unity, of a community of souls which comes into existence under the pressure of the sexual urge.<sup>57</sup>

The theme had been developed, however, in writings published during the Rav’s lifetime, typified by a sub-chapter on the topic within the context of the discourse on *ha’ala’at ha-guf*, towards the conclusion of *U-Vikkashtem mi-Sham*:

Greek philosophy and Christianity never grasped the ethico-metaphysical nature of the sexual union. Only in halakha is this act based firmly in religious life – the commandment to “be fruitful and multiply” is the first commandment in the Torah. Marital life is blessed and pure. The “single life,” though not an eternal sin, stands in contrast to the perspective of halakha. One who remains without a wife is left without happiness, without blessing, without Torah.<sup>58</sup>

Moreover, while the terminology and the rationale might vary – and the readiness to deal with the topic explicitly, at all, considerably limited – I have the distinct impression that the situation is not significantly different within the haredi world. R. Yosef Epstein’s

*Mitsvot ha-Bayit*<sup>59</sup> – his is an authentic voice of the *yeshivot ha-mus-sar* – serves as a prime example. He opens the section entitled *mili de-tseni'uta* with a passage from *Shelah* which sings the praises of “quantitatively a tiny union, yet qualitatively large” – to wit, the *Iggeret ha-Kodesh* continues with the passage I quoted previously from the *Iggeret* proper, and follows this with a citation from R. Ya'akov Emden's collection of responsa, *Mor u-Ketsi'a*. Speaking of marital relations, the latter writes:

True scholars, who stand in God's confidence, know that this act (sexual union) is important and good and is advantageous to the soul as well. There is no comparable value in all other acts of man when this act is performed with pure intentions and innocent and wholesome thoughts; certainly it is called holy. There is in it no flaw, nor depreciation, nor reproach. On the contrary, [this act] is so precious and great that man becomes a partner with his Maker, and becomes akin to Him in the act of creation, as it says, “Let us make man.”<sup>60</sup>

The conclusion clearly refers to the procreative aspect of sexuality, but, just as clearly, the passage as a whole expresses appreciation of the relations per se: it is beneficial for the body as well. Much the same spirit pervades Prof. Yehuda Levi's *Ish, Isha, u-Mishpaha*,<sup>61</sup> warmly approbated by R. Zalman Nehemiah Goldberg and R. Yehoshua Neuwirth, and sprinkled with references to the Steipler's epistles. While the book is conceived as an antithesis to modernism (it is subtitled, *Moderna Mul Masoret* [Modernism vs. Traditionalism]), its thrust is, with respect to our issue, very much in line with contemporary winds of doctrine.

Assuming these facts to be correct – as regards my own spiritual environs, I can attest directly – we ask ourselves: How and why do we depart from positions articulated by some of our greatest – “from whose mouths we live and from whose waters we drink” – and, is this departure legitimate? Are we victims of the *Zeitgeist*, swept along by general socio-historical currents? Do we tailor our attitude on this



issue to conform to appetitive convenience and erotic desire? Have we, in this case, adopted a self-satisfying posture of facile world-acceptance clothed in culturally correct garb?

To the extent that I am capable of candid self-awareness, I trust these questions can and should be answered in the negative. Our commitment to sexuality, properly sanctified, redeemed and redeeming, does not derive from libidinous passion but is, rather, grounded in profound spiritual instincts – upon our recognition that “God saw all that He created, and behold it was very good,” on the one hand, and our quest for meaningful interpersonal commingling, on the other. It is, for us, not merely an instrument for parallel intense enjoyment, nor a vehicle for reciprocal consumption. It is, rather, a fundamental component in a comprehensive relationship – at once, both itself an aspect of that relationship and a means toward molding its totality. This is our honed perception of “cleaving to his wife that they become one flesh” – partly carnal, in one sense, and yet powerfully existential in another.

As to the basis of our attitude’s legitimacy within the context of authoritative tradition, several factors may be cited. At one plane, we are buttressed, be it only subliminally, by the conviction that we are siding with Hazal, and they with us. At another, we are assuaged by the sense that while, at worst, we may be disregarding the attitudinal counsel of some *rishonim*, we are not countermanding their *pesak*; and that, with respect to issues of *hashkafa*, reliance upon minority views is more of a legitimate option than as regards specific halakhic matters.

Probably most significant, however, is our reliance upon our own mentors. Sensing that modern *gedolim*, “the judge of your era” – for our purposes, most notably, the Rav, but not he alone – have examined the issue and the evidence and adopted a positive stance, we, ordinary students of Torah, follow in their footsteps as we identify with their position. Whether they felt justified in accepting, out of the depths of their own conviction, a minority view; whether they held that our topic was essentially a matter of hashkafic proclivity, not necessarily amenable to the normal procedures of *pesak*; or whether some other unknown but imagined element – might, for

instance, the hospitable climate of Kabbalistic sources, have had some impact – is a matter for conjecture. That the authority of our mentors can inform and sustain our sensibility is not.

I am left, nonetheless, with a lacuna. Even while adhering to the Rav's position, one may freely concede wishing that he had done for us what we have been challenged and constrained to do here: examine the various tiers of tradition and elucidate the basis for his own judgment and commitment. Admittedly, the need for such a confrontation recedes significantly if one ascribes the *Iggeret ha-Kodesh* to Rambam. That would change the alignment of major *ba'alei mahshava* amongst *rishonim* appreciably, isolating Rambam somewhat. That is a most unlikely assumption, however. Even if no other evidence existed – and it does<sup>62</sup> – the citations from his commentary on Leviticus which I have adduced are strong enough ground, in and of themselves, for rejecting the ascription; and the Rav, for one, probably knew that.

As to Rambam, the Rav did relate to his views, and sought to enlist him in his own ranks. In a footnote appended to the passage I quoted from *U-Vikkashtem mi-Sham*, he adds:

In truth, even Rambam – despite his ascetic tendencies which emerged most uniquely in the *Moreh* where he describes the conflict between bodily desire and the spiritual yearning for God – reflects positively upon the sexual union. He denounced the sexual craze and aggression. Our teacher (Rambam) demands that man elevate his sexual existence; its sanctification is accomplished by stamping it with halakhic purpose.<sup>63</sup>

He then proceeds to list a three-pronged purpose for sexuality: physiological, procreative, as a social-religious end, and teleological, as a means to the realization of historico-spiritual destiny. It must be conceded, however, that the attempt is far from convincing, with the reference to excerpts cited highly selective, bordering on the tendentious. So, in this respect, the lacuna persists.

It may of course be rejoined that the gap I have noted with

respect to Rambam does not relate to sexuality per se, but is to be perceived within the broader context of asceticism and other-worldliness, with reference to which, both within the Torah world and that of general religious thought – ours is, after all, a universal topic – different camps, with varying orientations and emphases, assuredly exist. Such an approach would probably expand the authoritative base of *ba'alei mahshava* upon which one could presumably rely.

This is unquestionably true, but not wholly reassuring. Indeed, from a certain perspective, the contention, far from ameliorating our concern, possibly exacerbates it. For we are brought to confront – honestly and squarely, and across a broader front – Wordsworth's lament, "The world is too much with us, late and soon." Whether the account is true is, for the modernist in particular, "a question to be asked"; whether, in the process of being, pragmatically and ideologically, in the world we do not, as the sonnet continues, "lay waste our powers."

That self-examination is, collectively and personally, a religious imperative. Nevertheless, with respect to our specific issue, we remain true to our abiding spiritual intuitions. We cannot, as *Shelah* could not, acquiesce in the sense that so fundamental an aspect of physical and psychic reality is, by and large, merely a snare. We cannot, as the author of the *Iggeret ha-Kodesh* could not, abandon the conviction that so central a component of human nature is not part of the *tov me'od* of primordial creation. Consequently, impelled by our spiritual instincts and animated by the faith instilled in us by our Torah mentors, we opt for consecration rather than abstinence. In this most sensitive area, we strive for a life which is energized rather than neutralized – not merely sterilized and sanitized, but ennobled and ennobling. We are challenged to sanctify – by integrating sexuality within total sacral existence, characterized by the systole and diastole of divinely ordained denial and realization, and by infusing the relationship itself with human and spiritual content. This is by no means the easier course. May we have the wisdom and the commitment to render it the better.

## NOTES

Elie Weissman assisted in the preparation of this article when it was printed in *Tradition* 39.2 (Summer 2005). We have followed that text, including its system of transliteration.

1. Cf. Rambam, *Hilkhot Sanhedrin* 24:1.
2. The description – with a possibly implicit prescription – does not appear in the Gemara. It is found in *Tanna de-Bei Eliyahu*, and thence, in Rambam, *Hilkhot Ishut* 15:20, and in *Hagahot Maimoniyot*, ad loc. See also *Keritut* 28a: “In all cases the father precedes the mother; for the mother is herself required to honor the father.” This refers, however, to service rather than subservience.
3. *Shemot Rabba* 1:1.
4. R. Joseph B. Soloveitchik, *Family Redeemed: Essays on Family Relationships*, ed. David Shatz and Joel B. Wolowelsky (Jersey City: Ktav, 2002), 31.
5. *Ibid.*, 35.
6. *Tur, Even ha-Ezer* 1. The proem is absent in *Shulhan Arukh*, which plunges directly into the normative mode. However, R. Moses Isserles does add, as a codicil: One who has no wife is left without blessing, without Torah...he may not even be called a person. However, once he is married, his sins are “doubted” by God, as it is written (Proverbs 18:22): “One who has found a wife has found goodness, and has received the desirous doubt of God.”
7. *Ketubbot* 1:12.
8. See *Yevamot* 2:6; Rashba and Ritva, *Yevamot* 22a. These may possibly refer only to incest *de-rabbanan*. See also *Minhat Hinnukh* 1:8 (Makhon Yerushalayim ed.); and Maharit Algazi, *Hilkhot Bekhorot* 9:65, which deal with this issue with reference to the problem of *mitsva ha-ba’á ba-avera*.
9. See *Gittin* 41b, *Megilla* 27a, and *Avoda Zara* 13a.
10. *Sanhedrin* 76b; see Rambam, *Ishut* 15:19.
11. See his comment on Leviticus 19:17.
12. See Ramban, ad loc. Rashi cites the Midrash as interpreting the statement with reference to cosmic, rather than personal, good.
13. *Family Redeemed*, p. 17.
14. See Numbers 12:1–8. The Rav quoted his father as stressing that the focus of the narrative is not the exposition of *lashon ha-ra* but, rather the challenge to Moses’ uniqueness.
15. Rambam, *Hilkhot Yesodei ha-Torah* 7:6.
16. Rambam, *Hilkhot Ishut* 15:3.
17. For a different, but no less striking, interpretation of the cited, see Yerushalmi *Sanhedrin* 2:3.
18. s.v. *she-gilta*.
19. The impact of the passage is somewhat muted however, by the subsequent conclusion: relief from bowel pressure.
20. The portrayal needs to be viewed within the context of the Gemara’s subsequent comment: “He said: Go and tell him that Bana’á is standing at the entrance. Said

Abraham to him: Let him enter; it is well known that there is no passion in this [after] world.” Abraham’s assent to admit R. Bana’a, even though this would entail his being seen in an intimate pose, is explained on the basis of the knowledge that sexual passion does not exist in “this [after] world.” Hence, the import of the stance and the encounter is, in effect, desexualized. Nevertheless, the passage remains significant.

21. Rambam, *Hilkhot Shabbat* 30:14.
  22. This condition is posited by Tosafot in many places. See e.g., *Sukka* 25a, s.v. *shluki*. However, some *rishonim* assume the dispensation applies even if one could manage to perform both, provided that he is seriously engaged in the performance of the first mitsva. See *Or Zaru’a*, *Hilkhot Sukka* 2:299, and *She’elot u-Teshuvot Maharash Or Zaru’a* 161, 163, 183. The latter view was adopted by Rema; see *Orah Hayyim* 38:8.
  23. See *Berakhot* 11a and 17b, and *Sukka* 25a-b. See *Hiddushei ha-Rashba*, *Berakhot* 11a, s.v. *u-veLekhtekha*, for a possible distinction between the exemption in the course of the actual performance of a mitsva and that granted due to perturbation in anticipation of a mitsva.
  24. See *Ketubbot* 39a.
  25. *Hilkhot De’ot* 3:2. The sense of Rambam’s formulation in this halakha – and, to an extent, throughout the chapter – seems somewhat unclear. He opens by stating, “A man must focus his mind and actions towards the recognition of only God,” evidently leaving no room for any other motif, be it even intermediate or secondary, unless one reads “to focus” as an overall direction. He goes on to assert, “so too when he eats, drinks, or has relations he should not act merely for pleasure,” clearly implying that the desire for pleasure is legitimate, if only it is not the exclusive motive. However, in the spirit of the segment I have quoted in my text, he continues, “Rather one should concentrate his acts of eating and drinking for bodily health alone.” A similar ambiguity exists in an earlier formulation of the same general theme in *Shemoneh Perakim*, ch. 5. As to the reference to medical benefit, see, conversely, the elaborate enumeration of the medically problematic aspects of sexual excess in *De’ot* 4:19.
- For a brief and balanced summary discussion of the broader issue of asceticism with respect to Rambam, see my late brother-in-law R. Isadore (Yitzhak) Twersky’s *Introduction to the Code of Maimonides (Mishneh Torah)* (New Haven: Yale University Press, 1980), pp. 459–468 – including, in relation to our specific focus the judgment: “Generally, his attitude towards sex is very stringent” (p. 466).
26. 3:8; in Shlomo Pines’s translation (*The Guide of the Perplexed* [Chicago: University of Chicago Press, 1963]), p. 435.
  27. See his comment on Exodus 30:13.
  28. Leviticus 18:19.
  29. Leviticus 18:6.
  30. Leviticus 18:20.
  31. *Ba’alei ha-Nefesh*, ed. Ephraim Buckwold (Bnei Brak, 1992), p. 171.
  32. *Ibid.*, p. 174.

33. *Ibid.*, pp. 195–196; ch. 2. The *Iggeret* is printed in Buckwold’s edition of the *Ba’alei ha-Nefesh*.
34. See *Perush ha-Tur ha-Arokh al ha-Torah*, Leviticus 18:6 and 18:19. The brief phrases lack the verve of Ramban’s comments, but the spirit and the substance are clear.
- Interestingly, R. Bahya b. Asher, in his comment upon Leviticus 18:6, paraphrases Ramban, with a yet sharper formulation: “From here we learn that sexual relations are biblically prohibited, unless performed for the purposes of promulgation of our species”; and, after challenging this position, cites Rabad as an alternative, referring to the four motivations he had recognized. However, he then adds: “And the fifth, which is that [sexual relations] for pleasure, comparable to bestial desire, are prohibited.” Textually, it is not clear whether the comparison qualifies the *ta’anug ve-ta’ava* – as it is only the bestial kind which is prohibited – or whether all such pleasure is proscribed, as it is inherently bestial in character. The latter seems more likely, however.
35. See *Ketubbot* 61b–62b.
36. See *Berakhot* 20b and 22a, where the status of a *ba’al keri* is treated with regard to *tefilla*, *keri’at shema*, and *birkat ha-mazon* as well. Elsewhere, the ordinance is attributed to Ezra; see *Bava Kama* 82b. This historical fact is, however, omitted from the *sugya* in *Berakhot* – presumably, as being irrelevant to the purely halakhic discourse.
37. See *Berakhot* 26a.
38. The focus upon the element of tremor at Sinai, and the consequent emphasis upon maintaining it when encountering it is also expressed elsewhere. See, e.g., *Avot de-Rabbi Natan* 1:1 and 6:2, *Yoma* 4b, and Rambam *Hilkhot Hagiga* 3:6. Obviously, however, this element needs to be counterbalanced by the sense of joy and privilege. This important topic lies beyond my present bounds, however.
39. *Hilkhot Issurei Bi’ah* 21:11.
40. *Rishonim* disagreed as to whether the repeal was limited to Torah study or encompassed *tefilla* as well.
41. See *Avoda Zara* 36a and Rambam, *Hilkhot Mamrim* ch. 2.
42. *Bava Kama* 82b, s.v. *ata*.
43. *Hilkhot Keri’at Shema* 4:8.
44. See *Hilkhot Mamrim* 2:7–8, where it would appear that, in certain instances, no formal repeal is even necessary and the ordinance lapses, having been invalid from the outset.
45. *Bet ha-Behira*, *Berakhot* 22a, s.v. *tevila*. On the other hand, it is of course possible that the goal of restraint remains a desideratum but is overridden by the higher priority of fuller *talmud Torah*.
46. *Hilkhot De’ot* 5:1. The elitist element is of course much more fully articulated in the *Moreh*.
47. *Hilkhot De’ot* 5:4.
48. See the citation in *Shitta Mekubetset*, ad loc.

49. See *Betsa* 15b, where the criticism is applied to those who leave a *shi'ur* in order to enjoy a *se'udat yom tov*; and, even more remarkably, *Shabbat* 10a, where Rava comments negatively upon a colleague's devoting too much time to *tefilla*, which is presumably focused upon petition for temporal needs.
50. It is conceivable that the Bavli, too, should be interpreted in light of, and in accordance with, the Yerushalmi. I have not encountered this view in *rishonim*, however.
51. *Or Zarua*, *Hilkhot Nidda* 360.
52. See Rashi, *Ketubbot* 103a, s.v. *bei*.
53. *Ba'alei ha-Nefesh*, p. 176. Rabad goes on to cite an alternative interpretation that the description refers to insistence upon a significant measure of dress during relations – this, notwithstanding the fact that R. Huna had designated such insistence as grounds for divorce; see *Ketubbot* 48a, and *Shulhan Arukh*, *Even ha-Ezer* 76:13 and commentaries thereon.
54. See the comment of Ritva, cited in *Shitta Mekubetset*, *Nedarim* 20b.
55. R. Yeshayahu Horowitz, *Shenei Luhot ha-Berit* (Jerusalem, 1970), *Sha'ar ha-Otiyot* 72b.
56. R. Avraham Yitshak ha-Kohen Kook, *Orot ha-Kodesh* (Jerusalem: Mosad ha-Rav Kook, 1963), 3:38; p. 299.
57. *Family Redeemed*, p. 104.
58. *Ish ha-Halakha*, *Galuy ve-Nistar* (Jerusalem: World Zionist Organization, 1979), p. 104. The passage includes prominent mention of *periya vereviya*, but its broader positive thrust is clear.
59. See R. Yosef Dov Epstein, *Mitsvot ha-Bayit*, vol. 2 (New York: Mekhon le-Heker ha-Musar she-baHalakha, 1966), pp. 247–248.
60. *Orah Hayyim*, 240.
61. See Yehuda Levi, *Ish, Isha u-Mishpaha* (Bet El: Sifriyat Bet El, 2001), especially, pp. 51–62.
62. See Chavel's introduction to the *Iggeret* in his edition of *Kitvei ha-Ramban* (Jerusalem: Mosad ha-Rav Kook, 1962).
63. *Ish ha-Halakha*, pp. 213–4.

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# 2

## Marriage, Sexuality, and Holiness: The Anti-Ascetic Legacy of Talmudic Judaism

*Adiel Schremer*

### INTRODUCTION

The quest for models in the classical rabbinic literature for relationships between men and women may follow different paths. The first, very common one is to search after explicit statements in Talmudic literature pertaining to the issue under discussion, with the hope of finding what we are looking for.<sup>1</sup> Pursuing this line of inquiry is not as easy as it is usually assumed; however, neither is it methodologically unproblematic and simple as it is frequently presented. Talmudic literature is vast and, more importantly, diverse, so there would virtually never be found one, single opinion in the Talmudic



sources on any important issue. And this raises the question, how would we know the weight and significance of any given dictum in the system as a whole? What measures should be employed in order to avoid distortion through too selective and biased readings?

One could therefore pursue a different line of inquiry by posing the above question to the Talmud itself. That is, we could ask, how have the Sages read *their* “classical” sources – that is, the Bible – when searching for models for relationships between men and women. Were we to follow this path, we would have immediately observed that the rabbis of the Mishnah and the Talmud did not see themselves bound by the plain sense of any given verse in Scripture, had that meaning contradicted what they believed to be the proper way of life, as we are taught by the following *baraita*:

‘*Ve-hadava be-nidata*’ (Lev. 15:33) – the early Sages used to say: [This means that] she shall maintain her [state of] *niddah*. She should not put on eye-makeup or rouge until she immerses in water. Until Rabbi Aqiva came and taught: The matter comes to enmity and he [the husband] will want to divorce her! How, then, shall I interpret ‘*Ve-hadava be-nidata*’? She shall remain in her state of *niddah* until she immerses in water.<sup>2</sup>

The older opinion – and apparently also the older norm – that which is attributed to *zeqenim ha-rishonim*, understood the Biblical precept as commanding a *niddah* to actively be aloof from her husband, by actively maintaining a hideous appearance, which is most probably also the plain meaning of the Biblical text itself.<sup>3</sup> Rabbi Aqiva’s claim is not that this understanding of the words of the *Torah* is textually incorrect. Rather, he introduces a moral consideration and argues that *regardless of the correct meaning of the words of the Torah the traditional norm cannot be sustained*, because the possible consequences are dangerous and unacceptable.<sup>4</sup> He then re-interprets the Biblical precept in a manner that would fit his view of the proper conduct between spouses in marriage.

This rabbinic stance in respect to older norms and prevalent

interpretations of Biblical material may also be used as a model. For, if we want to discuss gender relations in light of various positions found in *halakhic* literature of previous generations, one can use the Talmudic precedent as an important guiding principle.

In spite of the popularity of the first path, and despite the temptation to follow the second, in the present paper I shall follow a third one. I am not so much interested in what the Sages *explicitly* say about marriage and sexuality; neither shall I discuss the Sages' treatment of their received traditions. Rather, I will try to uncover the *hidden assumptions* that stand at the basis of their sayings concerning marriage. My argument is that the rabbinic praise of marriage should be read on the backdrop of other approaches, with which the Sages were acquainted, and which they apparently rejected. These other approaches viewed human sexuality in the most negative terms, and their rejection by *Hazal* is the model that I wish to highlight.

### I. IN PRAISE OF MARRIAGE

In a famous *sugya* in Bavli Qiddushin, 29b, the Talmud contrasts the duty of *talmud torah* with that of marriage and asks which of the two has priority over the other. It informs us that already a *baraita* – that is, a *Tannaitic* source,<sup>5</sup> which is considered by the Talmud as authoritative – had raised the question, and that a controversy over this issue persisted up to the days of the *Amoraim*: while the Palestinian *Amora*, Rabbi Yohanan, maintained that *talmud torah* has precedence over marriage, Shmuel, the Babylonian, held the opposite view that marriage should come first. Regardless of the precise manner by which we shall interpret the Talmud's discussion of this disagreement,<sup>6</sup> one aspect clearly emerges from this *sugya*, that is, its placement of marriage on an equal level to that of *talmud torah*.

This is not an obvious stance. In a rabbinic society that states in a very clear voice “*gadol ha-talmud*,”<sup>7</sup> and “*ve-talmud torah ke-neged kullam*,”<sup>8</sup> thereby declaring unequivocally that the study of Torah is its highest value, to allow for the possibility that another *mitzvah* would be considered as equal in its religious importance to *talmud torah* – let alone as surpassing it – is not a commonplace that should pass unnoticed.

Moreover, this ideological stance is not confined to this *sugya* alone. Throughout rabbinic literature we see that our rabbis of blessed memory express their esteem for the institution of marriage, both in the realm of *halakhic* discourse and in that of *agaddah*. In the realm of *halakhic* discourse, we find the Talmud permitting certain acts, which are usually forbidden, only for the sake of marriage or the study of Torah, thereby revealing the rabbis' view that marriage, again, is equal to *talmud torah* and therefore one of the highest *halakhic* obligations. Thus, for example, in Bavli Megila, 27a, we are told that 'One may not sell a scroll of Torah but for the purpose of marriage or *talmud torah*.'<sup>9</sup> Similarly, in Tosefta, Moed Qatan 1:12, we are told that a *kohen*, who is usually forbidden to defile himself, is permitted to do so for the sake of *talmud torah* or marriage.<sup>10</sup> In one place in the Palestinian Talmud we are taught that one who has no wife is permitted to marry even during the thirty days of mourning.<sup>11</sup> And according to another *baraita* in the Yerushalmi a *kohen* is prohibited from leaving the land of Israel, but this prohibition does not apply in a case where he wishes to go out of the country in order to marry a woman.<sup>12</sup>

All these examples prove the high value that marriage obtained within the talmudic *halakhic* system. Numerous *midrashic* sources exemplify its place within the rabbinic *aggadic* discourse as well. The most famous one is the story of Rabbi Yossi's discussion with a Roman noblewoman, who asked him what God normally does since the days He had created the world. Rabbi Yossi's reply was, as it is well known, that the Holy One, blessed be He, devotes much of his time to matchmaking between men and women.<sup>13</sup>

This famous story is by no means the only *aggadic* source expressing such a notion. According to Rav Yehuda in the name of Shmuel, 'Every day a *heavenly voice* comes forth and declares "the daughter of *plony* shall be [the wife] of *plony*."<sup>14</sup> In the same place in the Talmud we find Rav's saying, in the name of Rabbi Reuven, that 'From the Torah, from the Prophets, as well as from the Hagiographa [*ktuvim*], [one may deduce that] the matching between men and women is done by God.'<sup>15</sup> Moreover, according to the *midrash* on Psalms, 49:2, 'From the Torah, from the Prophets, as well as from

the Hagiographa, [one may deduce that] the Holy One, blessed be He, specifies His name upon coupling.<sup>16</sup>

By ascribing the bringing together of man and woman for the sake of marriage to God himself, the rabbis endow this institution with great esteem. For if the Holy One, blessed be He, devotes much of his time to matchmaking, surely it is because He considers marriage as something which is of prime importance. And if the rabbis attribute such a view *to God*, surely it is because *they* view marriage in that manner. Moreover, since Biblical narratives were not seen by the Sages simply as stories about the past, but functioned as metaphors and paradigms for the manner by which one ought to live,<sup>17</sup> it emerges that the Sages viewed marriage as fundamental to human existence.

The placement of marriage on such a high level in the religious system, equal to, and perhaps even surpassing that of *talmud torah*, calls for an explanation. How are we to account for this ideological stance? Why have the rabbis of the Talmud valued marriage so much? One may begin answering this question by referring to the bold statement of Mishnah, Gittin 4:5, according to which one is forced to release one's "half-slave" so that he may marry, because the world was created first and foremost for the sake of procreation (*'lo nivra ha-olam ela le-pirya ve-rivya*'). The taken-for-granted connection between procreation and marriage, implied by this Mishnah, suggests that marriage was considered so important because it was seen as the chief legitimate path leading to procreation.

Indeed, numerous rabbinic sources reveal the significance of the duty of procreation in rabbinic thought.<sup>18</sup> All these sources, however, do not provide an explanation for this position, that is, *why* was procreation so significant in the eyes of our rabbis of blessed memory? Following a famous *baraita* in the Tosefta and the Bavli, one may be tempted to suggest that procreation itself was considered by the rabbis so important because it was perceived theurgically. That is, it was seen as a way to "empower," to "increase," so to speak, God Himself. According to that *baraita*, 'Any one who does not engage in procreative activity, lo, such a one diminishes the divine image.'<sup>19</sup> A simple logical inference (*mikhlah lav ata shomea hen*) would lead

us to the conclusion that if one does procreate one “contributes” and “enlarges,” so to speak, Him who spoke and the world came into being.<sup>20</sup> Without any doubt, one who embraces such thoughts would view marriage as a *major* religious duty.

Other Talmudic sources indicate that marriage was considered so important because it was seen as a shield and protector against sexual sin. One of the famous statements reflecting this view is that of Rabbi Hiya, who justified his gratefulness to his wife – despite her evil deeds to him – arguing that ‘it is sufficient that they [the wives] raise our children and protect us from sin.’<sup>21</sup> Similarly, in the *sugya* in Bavli Qiddushin, 29b, referred to above, we find Rav Hisda’s famous saying, that had he been married at the age of thirteen he would have been able to mock the devil and tell him: *gyra be-eynach*, ‘An arrow [was shot] into your eyes.’ That is, marriage is a good guardian against sexual temptations, from which a married person is shielded.<sup>22</sup>

All this is fairly well known. What is less recognized is that there is a third view within Talmudic literature, one that values marriage not because it sees it as a means for another end, but rather because it considers marriage as good for its own sake. Thus, for example, according to the Babylonian Amora Shmuel even if one does have children and therefore has already fulfilled the *mitzvah* of *pru u-revu*, one must not remain single, because Scripture says ‘It is not good for a man to be alone.’<sup>23</sup> Despite the style in which Shmuel’s statement is expressed the formulation of the verse quoted in support of his position indicates that Shmuel viewed marriage as good for its own sake – that is as the proper state of living for a human being. The Talmudic *sugya* (bYev. 61b), moreover, views Shmuel’s ruling as standing in tension with that of the Mishnah (mYev. 6:6), which prohibits one from refraining from engaging in procreative sexual activity as long as one has not produced offspring. The obvious rationale for marriage underlying the Mishnah’s rule is the duty of procreation, so the juxtaposition of Shmuel and the Mishnah indicates that the Talmud understood that Shmuel has a somewhat different conception of marriage than the one embedded in the Mishnah. While the latter puts emphasis on procreation as the core

of marriage, the former goes a step further and sees the very state of conjugality as its heart.

An even clearer contrast between these two approaches is evident in the following *midrashic* text:

There we have taught: 'If a man married a woman and remained with her for ten years and had no children, he is not permitted to refrain from procreation. If he had divorced her, she is permitted to marry another, and the other is permitted to remain with her for ten years. If she had a miscarriage, one counts from the time of the miscarriage. The man bears the religious duty of engaging in procreation, but the woman does not. Rabbi Yohanan ben Beroqah says: [The religious duty pertains to both of them for] concerning both of them it is said "And God blessed them" (Gen. 1:28).

There was a case in Sidon of one who married a woman and remained with her for ten years while she did not give birth. They came before Rabbi Shimon ben Yochai to be divorced. He said to her, 'Anything precious that I have in my house you may take and go to your father's house.' Said Rabbi Shimon to them, 'Just as you got married in eating and drinking, so too you should separate from one another in eating and drinking.' What did she do? She made a splendid meal and gave her husband too much wine to drink, and she gave a sign to her slaves and said to them, 'Take him to my father's house.' At the middle of the night he woke up. He said to them, 'Where am I?' She said to him, 'Didn't you tell me, "anything precious that I have in my house you may take and go to your father's house"?! This is indeed so; I have nothing more precious than you.' Immediately as Rabbi Shimon ben Yochai heard this he prayed for them, and they were blessed [with pregnancy].<sup>24</sup>

This is a well-crafted *midrash* that intentionally contrasts the *halakhic*

demand for procreation with an alternative conception of marriage which sees its core value in the companionship and mutual love between spouses. From a purely and “cold” *halakhic* point of view, this marriage was unsuccessful because the couple was unable to bear children, and therefore it needed to be terminated, as the couple themselves – *halakhically*-oriented Jews – realized. This is, after all, the ruling of the Mishnah which the author of the *midrash* cites right at the outset. The story, however, argues that the man and the woman loved each other, and clearly wishes us to view the *halakhic* demand that they divorce as problematic. It argues that the mutual love existing between husband and wife is more important than the strict *halakhic* demand for procreation, and should be seen as the foundation upon which marriage rests.

Apparently, this is the meaning of the *baraita* that declares that, ‘Whoever lives without a wife lives without happiness, without goodness, without blessing.’<sup>25</sup> Rabbi Elazar and Rabbi Hiya bar Gumadi go even a step further; they argue that “Whoever does not have a wife is not considered a full person, for Scripture says ‘Male and female He created them and He called them *Adam*’” (Gen. 5:2).<sup>26</sup> Since the Scriptural verse upon which this view rests makes no mention of procreation it must be concluded that in this saying a whole different conception of marriage is expressed. Marriage, the state of living with a spouse, is the fulfillment of one’s human essence, certainly not solely a means for procreation.

As much as pursuing this line of inquiry – that is, searching after the rationales the Talmudic sources offer for the institution of marriage – may be instructive, I wish to follow a different path. Rather than asking ‘*why* have the rabbis considered marriage so religiously important?’, I wish to contemplate the *meaning* of this rabbinic attitude towards marriage. I therefore wish to ask, what does the *halakhic* elevation of marriage teach us about the rabbis’ view not only of marriage itself, but of the relations between men and women in general, and of sexuality in particular?

When compared to other cultural paths which were available on the shelves of Late Antiquity’s ideas market, the Talmudic insistence on the highly positive religious meaning of marriage is a bold

statement that reveals the rabbis' attitude to some wider issues of religiosity, sexuality and, as I shall argue, *qedushah*, holiness, as well. Reading the Talmudic material against the backdrop of some of these non-rabbinic sources is therefore imperative if one is to achieve a fuller and deeper understanding of the rabbinic stance itself.

## II. AGAINST MARRIAGE

Unlike the fundamental praise of marriage typical of classical rabbinic literature, a preference for celibacy can be found already in the earliest strata of Christian writings. Thus, in his first letter to the Corinthians, the *locus classicus* for these matters, Paul says very explicitly that "It is well for a man not to touch a woman."<sup>27</sup> Furthermore, he address the unmarried and tells them that "it is well for them to remain single as I do."<sup>28</sup> Only as a concession he allows for marriage: "But if they cannot exercise self-control, they should marry. For it is better to marry than to be aflame with passion."<sup>29</sup> In Paul's view celibacy is certainly the preferred religious way of life:

I think that in view of the impending distress it is well for a person to remain as he is. Are you bound to a wife? Do not seek to be free. Are you free from a wife? Do not seek marriage ... I want you to be free from anxieties. The unmarried man is anxious about the affairs of the Lord, how to please the Lord. But the married man is anxious about worldly affairs, how to please his wife and his interests are divided. And the unmarried woman or girl is anxious about the affairs of the Lord, how to be holy in body and spirit; but the married woman is anxious about worldly affairs, how to please her husband. I say this for your own benefit, not to lay any restraint upon you, but to promote good order and to secure your undivided devotion to the Lord.<sup>30</sup>

The abundance of early Christian interpretations to these verses, as well as the vast number of scholarly discussions devoted to that entire chapter in the letter to the Corinthians,<sup>31</sup> demonstrate



the centrality of these sentences for the development of Christian tradition concerning marriage. As noted by Elizabeth Clark, the Patristic interpretations of these verses varied quite considerably from those who emphasized the opening verse of the chapter, in which Paul says in an unequivocal manner that remaining unmarried is the ideal, to those who preferred to lay emphasis on the verses in which Paul, in a way of concession, allows for marriage, regardless of the precise reasons he gives.<sup>32</sup> I incline to side with the former approach, but even if one prefers the latter to say that Paul did not view marriage very favorably would be an understatement, and his preference for celibacy cannot be denied.

A similar stance is attributed by the author of the Gospel of Matthew to Jesus. In Matt. 19:12 Jesus, after arguing against the permissibility of divorce and remarriage, and having been confronted by his disciples with the understandable conclusion that “If such is the case of a man with his wife, it is not expedient to marry [at all],” replies and says:

Not all men can receive this precept, but only those to whom it is given. For there are eunuchs who have been so from birth, and there are eunuchs who have been made eunuchs by men, and there are eunuchs who have made themselves eunuchs for the sake of the kingdom of heaven. He who is able to receive this let him receive it.<sup>33</sup>

Like Paul this text reveals an inner tension with respect to marriage. It is not entirely condemned, because it is acknowledged as an existing human institution. On the other hand it can hardly be regarded as *the* religious ideal.<sup>34</sup>

These texts inspired much of the Christian tradition. To claim, therefore, that early Christian tradition had never seen marriage very favorably, and to argue that Christianity displays an ascetic tendency is to claim no novelty. However, a close analysis of the discourse of marriage and sexuality in the writings of the early Church Fathers, and its rhetoric, reveals a much deeper stance, governed by

concepts and feeling of disgust, which are not fully recognized and appreciated.

Despite their fundamental preference for celibacy, the tone in which both Paul and the author of the Gospel of Matthew express their view is mild. Neither Paul, nor Matthew *condemns* marriage; neither of them says that marriage is a *curse*. Many of their followers, however, have taken their position to a more extreme place. Let us look at some of them.

Ephrem the Syrian, who flourished in the fourth century, speaks of the ‘*curse of human marriage*’.<sup>35</sup> In his seventh hymn, ‘On Paradise,’ he writes that “The virgin who rejected the marriage crown ... rejected the *works of darkness*.”<sup>36</sup> This very much resembles Saturninus of Antioch, a second-century Syrian Gnostic, who declares that “marriage and procreation are of Satan.”<sup>37</sup> The late fourth-century Church Father, Jerome, who lived in Bethlehem in Palestine, studied Hebrew with a Jewish teacher and composed numerous commentaries on the various books of the Hebrew Bible, uses an even stronger language. In his work *Adversus Jovinianum* Jerome writes that “In view of the purity of body of Christ all sexual intercourse is *unclean*.”<sup>38</sup> Furthermore, in another place in that same work he writes that “Even the blood of martyrdom cannot wash away the *dirt of marriage*!”<sup>39</sup> Similarly, in the early third-century Christian work, *The Acts of Judah Thomas*, which was composed originally in Syriac, we read of Jesus revealing himself to a just-wedded couple and trying to persuade them to avoid the consummation of their conjugal bond, telling them that “if you refrain from this *filthy* intercourse you become temples holy and pure, being released from afflictions and troubles, known and unknown.”<sup>40</sup>

Without any doubt these statements may seem excessive, but it is important to bear in mind that they are by no means exceptional in Christian literature of late antiquity. Quite to the contrary; as has been shown by Peter Brown, Elizabeth Clark, Andrew Jacobs and others, similar notions are found in many other Christian texts of the first few centuries of the common era.<sup>41</sup> And it would not be out of place to note that the existence of numerous ancient translations

and manuscripts to books like that of *The Acts of Judah Thomas* indicates that its message won great popularity.

To be sure, not all of the Church Fathers followed this path. Some, like Clement of Alexandria and John Chrisostom, thought that marriage is a blessing and that one, after all, has to marry. They, admittedly, remained celibate, but they did not advocate celibacy in a way of *rejecting* marriage. The fifth-century Persian Catholicos, Barsauma of Nisibis, even went a step further, and recommended marriage for clergy. If the early records of Eastern Christianity are to be believed, he himself married a woman.<sup>42</sup> Nevertheless, approaches such as expressed by Jerome and the author of the *Acts of Judah Thomas*, were not unpopular among many of the Christians of Late Antiquity. Many, apparently, viewed marriage in the most negative terms; they saw marriage and sexuality as, basically, a disgusting matter.

Surprisingly, or not, such a notion is found, albeit rarely, in Jewish sources as well. Thus, for example, we read in *Seder Eliyahu Zutta*:

There was a case with one of the students of Rabbi Aqiva, who was sitting at the head of twenty-four thousand students. Once he went out to the place of the prostitutes, and he saw there a harlot and he desired her. When he came to her she said to him, ‘My son, for what reason are you losing the life of the world to come for one hour in this world?’ His mind was not satisfied until she said to him, ‘My son, the place you desire is dirty and filthy more than all other members. [It is a vessel full of filth and garbage], and no creature can scent its smell.’ But his mind did not cool down until she seized him in his nose and placed it on that grave. Once he smelled its smell it became disgusting for him, and he never married a woman. Thereupon a heavenly voice came fourth saying, ‘A certain man and a certain woman are welcome to the world to come.’<sup>43</sup>

As was noted by Meir Friedman, the editor of this text, the expression describing the female genitals as a “vessel full of filth” (*hemet male*

zoa') is borrowed from the *baraita* in bShabbat 152a which states that "A woman is a vessel full of filth, yet all run after her."<sup>44</sup> That *baraita* expresses surprise at men's nature to crave that which they are expected to abhor. The story in *Seder Eliyahu* reaches the practical conclusion from that astonishment: the young man, after realizing the "nature" of the female's genitals, indeed refrained from marriage for his entire life.<sup>45</sup>

### III. THE HUMAN BODY

What are the *emotional* and *psychological* predispositions that are embedded in such an anti-familial and anti-sexual approach? And, by inference, what is the emotional stance towards sex expressed in the opposite view, that which views marriage very positively? Consequently, what kind of approach towards sex does the positive view *construct* and promulgate?

It has been suggested that the anti-familial approach is but one aspect of ascetic attitude in general, which was nourished by the Hellenistic negative view of the body in general and of sexuality in particular.<sup>46</sup> In Greek-Hellenistic intellectual circles – in which many Jewish writers in Antiquity saw themselves as participating – there was a widely held distinction between "body" and "soul," "outer" and "inner," form and essence. The former was seen only as a habitat for the latter, and at times the body was seen even worse, that is, as a prison in which the soul is captivated, and from which, ideally, it wishes to escape. Philo is representative in writing that:

The chief cause of ignorance is the flesh and our affinity for it. Moses himself affirms this when he says 'because they are flesh' the divine spirit cannot abide. Marriage, indeed, and the rearing of children, the provision of necessities, the ill repute that comes in the wake of poverty, business both private and public, and a host of other things wilt the flower of wisdom before it blooms. Nothing, however, so thwarts its growth as our fleshly nature.<sup>47</sup>

If "the chief cause of ignorance is the flesh and our affinity for

it,” as Philo asserts, and if “our fleshly nature” is an obstacle for wisdom, surely one who sees oneself a lover of wisdom, literally “a philosopher,” would adopt an anti-bodily stance. In other words, a dualistic conception of “the human being” can easily result in a basic aversion to the body and to any bodily thing. This was indeed the cultural situation in the late second and third centuries – that is, the heart of the rabbinic period. As noted by E.R. Dodds, in that period “contempt for the human condition and hatred of the body was a disease endemic in the entire culture.”<sup>48</sup>

In a *religious* setting the obstacle the body imposes on one’s mind would be conceptualized as a barrier between the individual and God. Therefore, to become closer to God meant to become alienated from one’s body and bodily functions – first and foremost from the sexual drive. As a result, the abstinence from sex was regarded by this intellectual and emotional stance as leading to a more perfect human state and to closeness to God.

As we have seen, Paul expresses this view quite explicitly; therefore we would not be surprised to find the second-century Church Father Athenagoras, in his *Plea to the Christians*, writing that “You would find many among us, both men and women, growing old unmarried, in the hope of living in close communion with God. [For] remaining in virginity and in the state of eunuch *brings one nearer to God.*”<sup>49</sup>

The fourth-century Persian Church Father Aphrahat, who composed his ceremonies in Mehoza, the capital city of the Sasanian Empire, where the Babylonian Amora Rava had established his *yeshivah*, makes a similar claim:

We have learned from the Torah, that ‘a man should leave his father and his mother and cleave to his wife, and they shall become one flesh’ (Gen. 2:24). This is indeed a true prophecy, great and honorable. For, he who marries a wife leaves his father and mother. This is the explanation: when a person has not yet married a woman, he loves and honors God, his Father, and the Holy Spirit, his Mother. And he has no other love. But when a man marries a woman he

leaves his father and his mother, those who are above mentioned,<sup>50</sup> and his mind becomes one with this world. And his mind, his heart, and his thought are turned away from God to this world. And he loves and likes it, in the same way that a man loves his wife of youth, and his love turns away from his father and mother. And [Scripture further] said that ‘they both shall become one flesh’ (Gen 2:24). And this is true, for in the same way that a man and a woman become one flesh and one mind, and his mind turns away from his father and his mother, so too the husband of a wife: while he was still unmarried, and lived as a single, he was in one spirit and one mind with his Father.<sup>51</sup>

Avoidance of marriage, then, is a prerequisite for maintaining one’s intimate relations with God, that is, in religious language, holiness. Engaging in sexual activity, on the other hand, leads in the opposite direction: it distances one from God, and may even be considered close to sin. Indeed, as noted by Peter Brown, in various religious circles there grew “a general sense that intercourse in itself [...] excluded the Holy Spirit.”<sup>52</sup>

In contrast to this Hellenistic view of humanity, rabbinic Judaism “defined the human being as an animated body and not as a soul trapped or even housed or clothed in a body.”<sup>53</sup> Therefore it did not advance a negative and pessimistic view of the body. Quite to the contrary; as suggested by Daniel Boyarin, the benediction we recite after urinating or defecating, *Asher Yatzar*, indicates that Talmudic Judaism has accepted the human fleshiness “in its most material and lower-body forms as the embodiment of God’s wisdom.”<sup>54</sup>

As a result of its basic approach rabbinic Judaism did not develop a view of marriage and sexuality as distancing one from God, but rather as bestowing holiness on one’s life. This, we are told by Aphrahat, was the Jewish view against which he composed his entire demonstration on marriage.<sup>55</sup> In his above-quoted text Aphrahat admits that his argument was motivated precisely by the Jewish critique of the Christian sexual ethic, which viewed celibacy as better than marriage:

I have written to you, my beloved, concerning virginity and holiness because I heard about a Jewish man who has reviled one of our brethren, the members of the church. He [the Jew] said to him [i.e. to the Christian monk], ‘You are impure for you don’t take wives, but we are holy and more virtuous for we bear children and multiply seed in the world.’<sup>56</sup>

The Jew’s claim against the Christian was that since they, the Christians, don’t marry they are therefore *impure*, and that the Jews themselves, precisely because they do marry and bear children, are *holy*! For Aphrahat’s Jew, to live marital life meant *to be holy*, which is obviously in complete opposition to the Christian stance.

The Jewish stance, as echoed by the Jew’s argument, differs from the Christian one in its very understanding and use of the concept of *qeddusha*, holiness. The Christian conception apparently has a basically negative view of this world, hence holiness is perceived in terms of detaching from this world and getting closer to Him who is *out* of the world. The Jewish conception of holiness (at least that which is given expression in Aphrahat’s Jew’s assertion), in contrast, appears to be affirmative of the world, and for that reason it views the engagement in mundane activities, such as sexual intercourse, as *holy*.<sup>57</sup>

#### IV. TALMUDIC POLEMIC

It is in light of this cultural atmosphere, which became characteristic of most of Christian ascetic writings, that Talmudic teachings concerning marriage should be understood. The latter should be read polemically, as the following story from bQidd. 81b, clearly demonstrates:

Rav Hiya Bar Ashi each time that he fell on his face he was in the habit of saying: ‘The Merciful One save me from the evil inclination.’ One day his wife heard him. She said, ‘But it is already some years that he is separate from me, so what is the point of this?’ One day he was studying

in his garden. She decorated herself, disappeared and came before him. He said to her: 'Who are you?' She said to him: 'I am a *Herutah* who is returning from her day (work).' He desired her. She said to him, 'Bring me that pomegranate that is at the top of the branch.' He jumped up and brought it to her. When he came home his wife was stoking the oven. He got up and sat in it. She said to him, 'What's this?' He said to her: The tale goes thus and thus. She said to him, 'It was me.' He said to her, 'In any case I intended to do the forbidden.'

This is a story about a great rabbi, who was deeply troubled by his sexuality. He prays every day to "The Merciful One" to save him from the evil inclination, that is from his sexual desires, and has abstained from sexual relations with his wife for several years. However, upon seeing once a beautiful woman he was unable to resist her and indeed sinned with her. The story's message, then, is about the impossibility of sexual renunciation.

What are the religious foundations upon which such a conduct as Rav Hiya bar Ashi's rests? Why was he praying to be able to overcome the Evil Inclination? Obviously, he prayed because he wished to achieve a higher religious degree, one of *qeddusha*. This is, after all, the motivation behind all late antique ascetic phenomena. *Qeddusha*, according to this stance, is assumed to imply the distancing, as much as possible, from sex, and our story is designed to reject this assumption.

In a recently published paper Shlomo Naeh has shown that the woman's name, *Herutah*, is in fact a loan word from Syriac Christian literature, where its cultural meaning is a woman who abstains from sexual activity.<sup>58</sup> The Talmud's use of this unique word indicates that the story makes a reference to the Christian value of virginity and abstinence (with which the Babylonian Sages were apparently familiar), in order to mock it. In other words, the story is a polemic against a view which the rabbis of the Talmud wish to repudiate.

The argument here submitted, therefore, is that when the rabbis advocate marriage and procreation it is not only that they view marriage positively and deny the legitimacy of celibacy, but much



further: their stance should be seen as a rejection of the *emotional foundation* upon which the ascetic position rests. That is, the pro-marital stance of rabbinic Judaism indicates that the Sages repudiate the anti-bodily emotional stance, which was so deeply rooted in the culture of their time. For the rabbis of the Talmud the body was not ‘inferior’ to the soul, and there was nothing essentially problematic with the human body. For that reason, in contrast to their Christian contemporaries they did not perceive sexuality as inherently associated with sin.

Quite to the contrary: not only do the Sages see marriage as religiously obligatory, they, as noted above, ascribe its institution to God Himself. As has been shown by Garry Anderson, in contrast to early Christian interpretations of the Biblical narrative of the Garden of Eden, rabbinic exegesis portrayed Adam and Eve as married by God already while *in* the Garden, and having sexual relations therein. While the Christian tradition sees humanity’s fall as the result of the first sin, the rabbis see that which the Christians call “sin” (i.e. sexual intercourse) as God’s plan and as a great blessing.<sup>59</sup>

To be sure, an association of sexual activity, as such, with sin was not unheard of in *Jewish* circles of the Second Temple era.<sup>60</sup> Nor can one argue that such a view is totally absent from Talmudic literature. It may be further argued that traces of such a view can be found already in the Bible. Psalm 51:7, “Indeed I was born with iniquity; with sin my mother conceived me,” may be understood – as indeed it was interpreted by many commentators<sup>61</sup> – as referring to the very act of sexual intercourse, thus expressing a deep view of sexuality as sin.<sup>62</sup>

In rabbinic literature too one finds various statements that may be taken to reflect a view of sexuality as sin. To begin with, the *midrash* on that very verse in Psalms seems to express this notion: “Indeed I was born with iniquity; with sin my mother conceived me’ – said Rabbi Aha, ‘*Be-Avon* is written fully (i.e. with two *vav*-im). [This teaches that] even the most pious person amongst the pious cannot be with at least one element of abomination.’”<sup>63</sup> Clearly, Rabbi Aha interpreted the “iniquity” mentioned in that verse as

referring to the pleasure of the sexual act itself, thus revealing his own understanding of the Biblical verse as expressing the notion of sexual intercourse as sin. Another place where this notion surfaces is the *Tannaitic midrash* on the words “To youth and maiden alike” of Deuteronomy 32:25. The Sifre (ad loc.) assumes that the entire verse refers in fact to males only, and suggests that the words “maiden alike” (*gam betulah*) mean that “they were clear of sin like a virgin who had never tasted the taste of sin in her life.”<sup>64</sup> The Sifre does not say that sexual intercourse is wrong, but its language discloses, *en passant*, its view that sexual intercourse is sin.

One possible implication such a view may carry is a *halakhic* tendency to delegitimize sexual intercourse and as a result to maximally restrict it – if it is acknowledged at all – to the procreative function. Apparently, this was indeed quite a common *halakhic* position among Palestinian Jews of the late Second Temple period. Thus, for example, Josephus, in *Against Apion*, writes:

What are our marriage laws? The Torah recognizes no sexual connections, except the natural union of man and wife, and that *only for the procreation of children*.<sup>65</sup>

A similar *halakhic* norm is ascribed by Josephus to that branch among the Essenes who did not refrain from marriage altogether; unlike those Essenes who were celibate, these Essenes did marry, but abstained from sexual relations with their wives during their pregnancy or when they became old and consequently unable to bear children.<sup>66</sup> Needless to say, neither Josephus nor the Essenes are of any *halakhic* value, but one cannot deny their value as historical evidence concerning the *halakhic* norm prevailing among various Jewish groups in the late Second Temple period.

Rabbinic *halakha*, in contrast, not only allows but even demands sexual relations between husband and wife on a regular basis, in a manner that indicates beyond any doubt that the justification for marital intercourse was not its contribution to procreation. Thus we read in the Mishnah:

The sexual duty of which the Torah speaks: those without work – every day; workers – twice a week; ass drivers – once a week; camel drivers – once in thirty days; sailor – once in six months.<sup>67</sup>

The contrast between this rabbinic *halakhah* and the Jewish stance reported by Josephus (or, for that matter, the norm prevailing among the Essenes), is sharp. It indicates that the rabbis did *not* see sexual activity as legitimate only because it leads to procreation. Quite to the contrary; for our Mishnah, even when sexual relations between husband and wife have no potential of resulting in pregnancy they are still *obligatory*. And this *halakhic* position, obviously, cannot go hand in hand with a view that sees sexuality as “dirty” and sinful.<sup>68</sup> Hence, one must conclude that for our rabbis of blessed memory – at least in their *halakhic* discourse – sex, as such, was not perceived as sin.

The astonishing *midrash* on the words “And it was very good” (*ve-hine tov meod*) that describe God’s satisfaction with His creation at the end of the sixth day (Gen. 1:31), expresses this view very explicitly:

‘[And God saw all that He had made and found it very good (Gen. 1:31)]’ – Nahman in the name of Rabbi Shmuel [said]: ‘good,’ this refers to the Good Inclination; ‘very good,’ this refers to the Evil Inclination.<sup>69</sup>

This is an amazing *midrashic* statement indeed: the Evil Inclination, the *yetzer ha-ra*, is treated here as ‘very good’! In fact, the *midrash* itself expresses its astonishment at this view by raising immediately the question: “But is the Evil Inclination indeed very good?!” And the *midrash* answers: “[Yes, indeed so], for without the Evil Inclination one would not build a house, marry a woman, and beget children.”<sup>70</sup>

This is a subversive *midrash*. It uses the popular concept of *yetzer ha-ra* as if it accepts it, but cunningly it uproots it by claiming that Scripture refers to the Evil Inclination as “very good,” and by

noting that the existence of the entire world depends upon that “very good” which people so often tend to view as “evil.” In that manner, the “Evil Inclination” cannot remain evil any longer, and thus it is ultimately nullified as a concept.

The same happens in the famous story in bYoma 69b, where the Sages are depicted as trying to extirpate the *yetzer ha-ra*. As it is well known, the story says that the rabbis had the will, the ability and the authority to overcome the power of the *yetzer ha-ra* and to practically abolish it, but once they succeeded in doing so they realized the consequences of its absence, that is, the termination of procreative activity in the world. This, we are told, led them to give up their first will, so that the legitimate and even positive function of the *yetzer* is re-established and acknowledged.

## V. RABBINIC SOBRIETY

The fundamental stance regarding sexuality that governs the *halakhic* discourse of the rabbis of the Talmud is sober. It is not governed by deep – although, to be sure, unconscious – feelings of disgust, or by a deep and unconscious emotional view of sexuality as basically licentious. Our rabbis of blessed memory, as we know them from Talmudic literature, do not seem to be especially frantic or hysterical in matters relating to sexuality any more than other aspects of human behavior. The following *baraita* in the Yerushalmi can serve as a good example to support this contention:

At first, they [the Romans] decreed a destruction (*shmad*) in Judaea (*Yehudah*) because they had a tradition from their forefathers that Yehudah killed Esau, as it is written: ‘Your hands shall be on the neck of your enemies’ (Gen. 49:8). And they [the Romans] were enslaving them [the Judaeans] and raping their daughters. And they decreed that an officer<sup>71</sup> shall penetrate first. They [the Sages] enacted that her groom have sex with her while she is still in her father’s house ... Although the destruction was annulled, the custom was not canceled. Rabbi Hoshaya’s daughter-in-law entered [into the *huppah*] pregnant.<sup>72</sup>

This *baraita* is brought by the Palestinian Talmud in order to illuminate the Mishnah's ruling that "One who eats a meal in his father-in-law's house in Judaea cannot later make a 'claim of virginity'" (mKet. 1:5). Implied by this Mishnah is a prevalent social norm in Judaea, whereby young men and women have had sexual relations prior to their marriage. The Yerushalmi brings the "historical account" of the *baraita* as an explanation for the origins of that social norm. It adds, however, that despite the vanishing of the concrete historical circumstances that gave place to the emergence of that norm (and allowed it), the norm itself has not changed. That is, men and women have continued to have sexual relations before they married each other. The Yerushalmi designates that norm as a *minhag*, and supports its approach by a concrete case, that of none other than the great Rabbi Hoshaya, whose daughter-in-law was pregnant when she entered her *huppah*.

To be sure, the halakhic situation dealt with in these *Tannaitic* sources is not one and the same as the one we have in mind when speaking of pre-marital sexual relations. The men and women of whom both the Mishnah and the *baraita* speak are *betrothed*, that is, in Talmudic times, *halakhically* husband and wife. Nevertheless, from a sociological point of view, this young couple are not yet husband and wife, and the Mishnah and the *baraita* describe a norm of a young man and woman who have sex before they have the "social permission" to do so, that is, before they actually marry and live in their own house.

Yet, the rabbinic discussion of that norm reveals no signs of astonishment what-so-ever. The Yerushalmi is not shocked at all;<sup>73</sup> it even calls that norm a *minhag*, and supports its persistence by alluding to a concrete case that shows its existence among the rabbis and their families. Surely, underlying such an approach is an ideological and emotional stance towards sexual matters that does not view sex as a special domain of human behavior that needs to be treated differently from other kinds of non-*halakhic* behavior.

## NOTES

1. I say “with a hope” because of the relative paucity of explicit statements pertaining to relations between husband and wife in Talmudic literature. Of those aspects of marital life which were not considered obligatory, our sources have relatively little to say, as if the Sages’ position in these issues was guided by the principle *hakol ke-minhag ha-medinah*, and therefore need not be addressed.
2. Sifra, *Zavim*, end. Compare yGitt., 9:11, 50d; bShab. 64b. Interestingly a tradition preserved in *Avot de-Rabbi Nathan* (Version B, chap. 3 [ed. Schechter, 6b; Version A, chap. 2 [ed. Schechter, 4b)]) still follows the ancient, stricter *halakhah*. This indicates either that Rabbi Aqiva’s innovation was unable to uproot the previous established norm, or that in later generations the pendulum turned back to a more rigid stance in these matters. The latter possibility is corroborated by various sources that reveal the rise of stricter *halakhic* norms in the land of Israel during the Byzantine period. Cf. Y. Dinari, “The Impurity Customs of the Menstruate Woman – Sources and Development.” *Tarbiz* 49 (1980): 302–324 (Hebrew).
3. See, most recently, M. Kahana, *Sifre Zutta to Deuteronomy* (Jerusalem: Magnes, 2003), 372, n. 24 (Hebrew).
4. M. Halbertal’s, *Interpretive Reforms in the Making* (Jerusalem: Magnes, 1993 [Hebrew]), is essential in this context.
5. Cf. tBekh. 6:10 (ed. M.S. Zuckerman [Jerusalem: Wharman Books, 1970<sup>2</sup>], 541).
6. I shall not attempt to discuss the *sugya* at length here. It would suffice to note that Rashi and Rabenu Tam have opposing views concerning the precise manner by which to interpret the Talmud’s suggestion ‘*ha lan ve-ha le-ho*’. Cf. A. Schremer, *Male and Female He Created Them: Jewish Marriage in the Late Second Temple, Mishnah and Talmud Periods* (Jerusalem: The Zalman Shazar Center, 2003), 91–94 (Hebrew).
7. Sifre to Deuteronomy, 41 (ed. L. Finkelstein [New York: The Jewish Theological Seminary of America, 1969], 85); bQidd. 40b.
8. MPea, 1:1–2. On this fundamental rabbinic stance see E.E. Urbach, *The Sages: Their Concepts and Beliefs*, trans. I. Abrahams (Cambridge Mass.: Harvard University Press, 1987), 603–620.
9. Compare yBik. 3:7, 65d
10. tMQ. 1:12 (ed. S. Lieberman [New York: The Jewish Theological Seminary of America, 1962], 368). Compare the parallel tradition in bEruv. 47a.
11. yYev. 4:11, 6b. Compare bMQ. 23a.
12. yBer. 3:1, 6a (= yNaz. 7:1, 56a). Compare tAZ., 1:8–9 (ed. Zuckerman, 461); bEruv. 47a, bAZ. 13a.
13. Leviticus Rabbah 8:1 (ed. M. Margulies [Jerusalem: The Ministry of Education and Culture, 1953], 1.164–167); Psikta de-Rav Kahana, *Ki Tisa*, 4 (ed. B. Mandelbaum [New York: The Jewish Theological Seminary of America, 1987], 1.18–19); *Midrash Shmuel*, 5:13 (ed. S. Buber [Krakow: Joseph Fischer, 1893], 31b), and in several places in *Midrash Tanhuma* (e.g. *Va-Yishlach*, 10; *Ki Tisa*, 5; and more). Cf. Schremer, *Male*

- and *Female*, 43-46. The first example is Adam and Eve. Many *midrashim* portray God as bringing them together in marriage; preparing the wedding for them; adorning Eve for Adam, etc. On this theme see G. Anderson, "Celibacy or Consummation in the Garden: Reflections on Early Jewish and Christian Interpretations of the Garden of Eden," *HTR* 82 (1989): 121-148.
14. BMQ 18b. Compare bSot. 2a; bSan. 22a.
  15. BMQ. *Ibid.*
  16. *Midrash Psalms* 59:2 (ed. S. Buber [Vilna: Rom, 1891], 302).
  17. Cf. M.D. Herr, "Tfifat Ha-Historia Etzel Hazal," in *Studies in Jewish History in the Mishna and Talmud Period*, ed. I.M. Gafni (Jerusalem: The Zalman Shazar Center, 1994), 350-363.
  18. According to Rabbi Avin, "The Holy One, blessed be He, cherishes procreation even more than the [building of the] Temple" (yKet. 5:8, 30b). The building of the Temple, it must be recalled, was considered by the rabbis even more precious in the eyes of God than the entire world, "For when He came to create the world He created it with His one hand ... but when He built the Temple He built it with His two hands" (Mekhilta de-Rabbi Ishmael, *Shirta*, 10 [ed. Horovitz-Rabin, repr. Jerusalem: Wharman, 1970], 150). On the duty of procreation in Talmudic literature see: Schremer, *Male and Female*, 37-41; 304-308.
  19. TYev., 8:7 (ed. Lieberman, 26); bYev. 63b; Genesis Rabbah. 34:6 (ed. J. Theodor and Ch. Albeck [Jerusalem: Wharman, 1965<sup>2</sup>], 1.326). Cf. Lieberman's discussion of the text in his *Tosefta Ki-Fshuta* (New York: The Jewish Theological Seminary of America, 1955-1988), 6.75.
  20. In this manner the baraita is interpreted by Y. Lorberbaum, *Image of God: Halakhah and Aggadah* (Tel Aviv: Schocken, 2004), 386-397 (Hebrew). One must not exclude, of course, the possibility that the text is hyperbolic, as in many other cases in classical rabbinic literature, where similar formulas are found. Cf. Schremer *Male and Female*, 40, n. 24.
  21. BKet. 63a-b.
  22. Cf. Schremer, *Male and Female*, 308-310.
  23. BYev., 61b. At face value Shmuel *prohibits* one to remain single. The verse he quotes as support of his claim, however, does not seem to bear this strong meaning. Cf. M.A. Friedman, "Tamar, a Symbol of Life: The 'Killer Wife' Superstition in the Bible and Jewish Tradition," *AJS Review* 15 (1985): 36; A. Liss (ed.), *The Babylonian Talmud with Variant Readings, Tractate Yebamoth (II)*, (Jerusalem: Institute for the Complete Israeli Talmud, 1986), 381, n. 80; Lieberman, *Tosefta Ki-Fshuta* 6.67-68.
  24. Pesikta de-Rav Kahana, *Sos Asis*, 2 (ed. Mandelbaum, 1.327). Compare Songs Rabbah. 1:4 (ed. S. Donski [Jerusalem and Tel Aviv: Dvir, 1980], 28). Cf. D. Boyarin, *Carnal Israel: Reading Sex in Talmudic Culture* (Berkeley - Los Angeles - Oxford: University of California Press, 1993), 54-55; Schremer, *Male and Female*, 316-318.
  25. Genesis Rabbah 17:2 (ed. Theodor-Albeck, 151-152); Qohelet Rabbah, 9:9; Midrash Psalms, 59:2 (ed. Buber, 302). A similar *baraita* is brought in bYev. 62b, in the name of Rabbi Tanchum bar Hanilai, a Palestinian sage of mid-third century. On the

- relation between the Babylonian version and the Palestinian one see Schremer, *Male and Female*, 315, n. 50.
26. Genesis Rabbah 17:2 (ed. Theodor-Albeck, 152); Qohelet Rabbah, 9:9, in the name of Rabbi Hiya bar Gumadi, and in bYev. 64a in the name of Rabbi Elazar.
  27. I Cor. 7:1.
  28. I Cor. 7:8.
  29. I Cor. 7:9.
  30. I Cor. 7:26–34.
  31. The scholarly literature on these verses is vast and need not be rehearsed here. For two recent intensive treatments see: W. Deming, *Paul on Marriage and Celibacy* (Cambridge: Cambridge University Press, 1995); E.A. Clark, *Reading Renunciation: Asceticism and Scripture in Early Christianity* (Princeton: Princeton University Press, 1999), 259–329.
  32. Cf. Clark, *ibid.*
  33. A detailed discussion (with vast bibliography) of this passage is found in W.D. Davies and D.C. Allison Jr., *The Gospel According to Saint Matthew* (International Critical Commentary; Edinburgh: T&T Clark, 1997), 3.24–25.
  34. On the patristic interpretations to this verse in Matthew see: Clark, *Reading Renunciation*, 90–92.
  35. *Ibid.*, 152.
  36. S. Brock (ed. and trans.) *St. Ephrem the Syrian, Hymns on Paradise* (New York: St Vladimir's Seminary Press, 1998), 124.
  37. Cited by Irenaeus, *Against Heresies* 1.24.2. See: A.C. Coxe (ed.), *The Apostolic Fathers with Justin Martyr and Irenaeus*, (The Ante-Nicene Fathers, Grand Rapids: W.B. Eerdmans, 1980), 349.
  38. *Adversus Jovinianum*, 1.20. Cf. Clark, *Reading Renunciation*, 218.
  39. *Adversus Jovinianum* 1.26. Cf. P. Brown, *The Body and Society: Men, Women, and Sexual Renunciation in Early Christianity* (New York: Columbia University Press, 1988), 397.
  40. Cf. J.K. Elliott, *The Apocryphal New Testament* (Oxford: Oxford University Press, 1993), 452. This is an English translation of the Greek text of the *Acts of Judah Thomas*. For a translation of the Syriac text see W. Wright, *Apocryphal Acts of the Apostles* (London and Edinburgh: Williams and Norgate, 1871), 2.155–156; A.F.J. Klijn, *The Acts of Thomas: Introduction, Text, Commentary (Supplements to Novum Testamentum, v)* (Leiden: Brill, 1962), 69–72. The author uses the same term, “filthy intercourse,” in another place (Elliot, *ibid.*, 468), where he appears to be referring to 1 Cor. 6:9. In that text, however, Paul speaks of adultery, while the author of the *Acts of Thomas* speaks of any kind of intercourse as “filthy.” As to the “afflictions and troubles” mentioned by the author, he speaks primarily of the raising of children. On this theme in other early Christian works see M. Barnes, “‘The Burden of Marriage’ and Other Notes on Gregory of Nyssa’s *On Virginity*,” *Studia Patristica* 37 (2001): 12–19.
  41. Brown, *The Body and Society*, *passim*; E.A. Clark, “Antifamilial Tendencies in



- Ancient Christianity,” *Journal of the History of Sexuality* 5 (1995), pp. 356–380; *idem.*, *Reading Renunciation*, 196–203; R. Valantasis, “The Nuptial Chamber Revisited: The Acts of Thomas and Cultural Intertextuality,” *Semiotext(e)*, 80 (1997): 271–273; A.S. Jacobs, “A Family Affair: Marriage, Class and Ethics in the Apocryphal Acts of the Apostles,” *Journal of Early Christian Studies*, 7 (1999): 127–136.
42. Cf. S. Gero, *Barsauma of Nisibis and Persian Christianity in the Fifth Century* (CSCO, 426; Louvain: Peeters, 1981), 79–88. As noted by Murray, the pro-marital stance has become the prevalent one in Syrian Christianity from the fourth century onwards. See: R. Murray, *Symbols of Church and Kingdom*, Cambridge: Cambridge University Press, 1975), 11–12; Brown, *Body and Society*, 321–338. On the possible Persian influence in this respect on Eastern Christianity, see S. Gero, “Die Antiasketische Bewegung im persischen Christentum: Einfluss zoroastrischer Ethik?” R. Lavenant (ed.), *III Symposium Syriacum* (Rome: Pontificium Institutum Orientalium Studiorum, 1983), 187–191.
  43. See *Pseudo-Seder Eliahu Zuta*, 22 (ed. M. Friedman [Wien, Achiasaf: 1904], 39).
  44. *Ibid.*, n. 32. The *baraita* is introduced by the term *tanna*, which indicates that it is a Babylonian *baraita*, not an early Palestinian source. Cf. J.N. Epstein, *Introduction to the Text of the Mishnah* (Jerusalem: Magnes 1964), 1294; *idem*, *Introduction to Amoraitic Literature* (Jerusalem: Magnes and Tel Aviv: Dvir, 1963), 91; 316; Ch. Albeck, *Studies in Baraita and Tosefta* (Jerusalem: Mosad Ha-Rav Kook, 1944), 53–60.
  45. Arguably, this view is far remote from that of mainstream Talmudic Judaism. However, it is precisely this contrast, I submit, that should draw our attention to see sharply the uniqueness of the standard rabbinic stance and to raise the question, what is the meaning of the Talmudic choice.
  46. Cf. D. Biale, *Eros and the Jews* (New York: Basic Books, 1992), 37–40 (and concerning the “this-wordly” approach of the rabbis, mentioned by Biale there, see also: I. Knohl, “A Parasha Concerned with Accepting the Kingdom of Heaven,” *Tarbiz* 53 [1983]: 21–26); Boyarin, *Carnal Israel*, 31–42. The classical discussion of asceticism as a theoretical concept and emotional stance, with respect to rabbinic literature, is that of E.E. Urbach, “Asceticism and Suffering in Talmudic and Midrashic Sources” in *Yitzhak F. Baer Jubilee Volume*, eds. S.W. Baron, B. Dinnur, S. Ettinger, and I. Halpern (Jerusalem: The Historical Society of Israel, 1960), 48–68 (Hebrew). See also: S. Fraade, “Ascetical Aspects of Ancient Judaism,” in *Jewish Spirituality From the Bible through the Middle Ages*, ed. A. Green (New York: Crossroads, 1987), 253–288, and recently M. Satlow, “‘And On the Earth You Shall Sleep’: *Talmud Torah* and Rabbinic Asceticism,” *Journal of Religion* 83 (2003): 204–225. My debt to these studies is great, but I will emphasize an aspect which, to the best of my judgment, has received relatively little attention.
  47. Cf. D. Winston (ed. and trans.) *Philo of Alexandria: The Contemplative Life, the Giants, and Selections* (New York: Paulist Press, 1981), 65.
  48. E.R. Dodds, *Pagan and Christian in an Age of Anxiety: Some Aspects of Religious Experience from Marcus Aurelius to Constantine* (Cambridge: Cambridge University Press, 1965), 35.

49. See *Athenagoras: A Plea for the Christians*, 33 (ed. M. Marcovich, *Athenagoras Legation Pro Christianis* [Berlin and New York: W. de Gruyter, 1990], 104–105). Cf. Brown, *The Body and Society*, 66.
50. I.e. one's father is "the Father," and one's mother is "the Holy Spirit."
51. W. Wright (ed.), *The Homilies of Aphraates the Persian Sage* (London: Williams and Norgate, 1869), 354–355. For an English translation of the Syriac text see J. Neusner, *Aphrahat and Judaism: The Christian-Jewish Argument in Fourth Century Iran* (Atlanta: Scholars Press, 1999), 82.
52. Brown, *The Body and Society*, 146.
53. Boyarin, *Carnal Israel*, 33.
54. *Ibid.*, 34.
55. A major part of Aphrahat's argument is devoted to the proof from the case of Moses, who refrained from sexual relations with his wife since the day God was revealed to him (Wright, *Homilies of Aphraates*, 348–349; Neusner, *Aphrahat and Judaism*, 79). It is interesting to note that this argument, which is found already in Philo, *Moses*, 2.68–69, is found also in rabbinic literature (cf. bShab. 87a; bYev. 62a; Avot de-Rabbi Nathan, Version A, Chapter 2 [ed. S. Schechter, Wien 1887], 5b; *Midrash Psalms*, 146:4 [ed. Buber, 535]). It is possible, though, that several *midrashic* sources should be read as a refutation of specifically this argument. Cf. Schremer, *Male and Female*, 62–64, and recently N. Koltun-From, "Zipporah's Complaint: Moses is Not Conscientious in the Deed! Exegetical Traditions of Moses' Celibacy," in *The Ways that Never Parted: Jews and Christians in Late Antiquity and the Early Middle Ages*, eds. A.H. Becker and A. Yoshiko Reed (Tubingen: J.C.B. Mohr [Paul Siebeck], 2003), 283–306.
56. Wright, *Homilies of Aphraates*, 355. This passage comes right after the former one (cited above), that is, it is presented as its logical continuation. On this passage, and the polemic on this issue in general, see N. Koltun, *Jewish-Christian Polemics in Fourth-Century Persian Mesopotamia: A Reconstructed Conversation* (Ph.D. Dissertation, Stanford University, 1995), 100–131.
57. This view is related to the concept of God as dwelling amongst His people. Cf. Knohl, "Accepting the Kingdom of Heaven," 21–26. Cf. also E. Berkovits, "The Concept of Holiness," in idem, *Essential Essays on Judaism*, ed. D. Hazony (Jerusalem: Shalem Press, 2002), 247–314.
58. See Shlomo Naeh, "Freedom and Celibacy: A Talmudic Variation on Tales of Temptation and Fall in Genesis and Its Syrian Background," in *The Book of Genesis in Jewish and Oriental Christian Interpretation (Traditio Exegetica Graeca, 5)*, eds. J. Frishman and L. van Rompay (Louvain: Peeters, 1997), 73–89.
59. Anderson, "Celibacy or Consummation in the Garden."
60. Cf. Boyarin, *Carnal Israel*, 69–70; idem, *A Radical Jew: Paul and the Politics of Identity* (Berkeley – Los Angeles – London: University of California Press, 1994), 159–160.
61. Cf. D.M. Feldman, *Birth Control in Jewish Law* (New York: New York University Press, 1968), 87.

62. Admittedly a different, existential interpretation of this verse is possible too, but for the purposes of the present study such a reading will not interest us here.
63. Leviticus Rabbah., 14:5 (ed. Margulies, 308), following the reading of ms Munich 117 and *Sefer Ha-Aruch* (see the *vareae lectiones*, ad loc.). Feldman, *Birth Control*, 98, quotes our *midrash*, but for some reason obscures its “scandalous” statement by means of the citation of a nineteenth-century commentary that refuses to let the *midrash* stand as it is. As noted by Biale, *Eros and the Jews*, 246, n. 59, “This unhistorical procedure is characteristic of much of the scholarship on sexuality [in Talmudic literature].”
64. Sifre to Deuteronomy, 321 (ed. Finkelstein, 370).
65. Josephus, Ap. 2.199 (ed. H.St.J. Thackeray, Loeb Classical Library [Cambridge Mass.: Harvard University Press, 1926], 373).
66. Josephus, JW 2.160–161 (ed. H.St.J. Thackeray, Loeb Classical Library [Cambridge Mass.: Harvard University Press, 1927], 385). Cf. J.M. Baumgarten, ‘The Qumran-Essene Restraints on Marriage’, in *Archaeology and History in the Dead Sea Scrolls (Journal for the Study of the Pseudepigrapha Supplement Series, 8)*, ed. L.H. Schiffman (Sheffield: Sheffield University Press, 1990), 13–24; E. Qimron, “Celibacy in the Dead Sea Scrolls and the two Kinds of Sectarians,” in *The Madrid Qumran Congress*, eds. J.T. Barrera and L.V. Montaner (Leiden – New York – Koln: Brill, 1992), 1.287–294. Menahem Kister suggested that a fragmentary *halakhic* text from Qumran (4Q267) is best understood with the assumption that the members of the Dead Sea sect too, although not entirely prohibiting marriage, prohibited sexual relations between husband and wife in cases where there was no potential for pregnancy – such as during a woman’s pregnancy or in old age. See: M. Kister, “Notes on Some New Texts from Qumran,” *JJS*, 44 (1993): 280–281.
67. MKet. 5:8. These rules come right after the Mishnah’s statement that “He who takes a vow not to have sexual relations with his wife” may not allow this situation to continue more than a certain period of time: “The school of Shammai say: two weeks; the school of Hillel say: one week.” And here there comes an *expansion*: “The disciples *who* go (*ha-yotzim*) out for study without asking for their wives’ permission – for thirty days.” Thus reads ms Kaufman (which is the best text-witness of the Mishnah), and several other witnesses, among which are two Genizah fragments. See: A. Liss (ed.), *The Babylonian Talmud with Variant Readings*, Tractate Kethuboth (11), (Jerusalem: Institute for the Complete Israeli Talmud, 1977), 65. According to this reading, the Mishnah does not say that the students are *allowed* to go out of their homes for thirty days (as the reading in the vulgate printed editions of the Mishnah [*ha-talmidim yotzim*] implies); it says only that students who go out of their homes without asking for their wives’ permission are allowed to continue a vow of continence for thirty days. Presumably, the permission for such students to extend the period of avoidance of sexual activity is based on the assumption that students were absent from home, normally, for considerable periods of time. This assumption is confirmed, at least for Babylonia, by the testimony of Rava in bKet. 62b.

68. Perhaps in a similar manner we should understand Rav Huna's *halakhic* stance, according to which "Whoever stipulates that the sexual act be conducted while he is with his dress on and she too clothes hers, must divorce her and pay her *ktubah*" (bKet. 48b). This view, however, was not the only one among the rabbis of the Talmud; Rabbi Shimon bar Yochai, for example, maintains that God does not approve of making love nakedly, and that he himself hates it (Leviticus Rabbah. 21:8 [ed. Margulies, 486]). Similarly in bBer. 8b, Rabban Gamliel approves of making love with one's clothes on. See also bNed. 20b, Rabbi Eliezer's wife (and the author of the *sugya* as well?) praises him for making love with his clothes on (*megale tefach u-mechase tefach*). Boyarin, *Carnal Israel*, 48–49, tends to see this as a Palestinian-Babylonian debate.
69. Genesis Rabbah. 9:7 (ed. Theodor-Albeck, 71–72).
70. *Ibid.*
71. The Yerushalmi has here *istratiot*, which is a Greek loanword that may refer to soldier in general, but also to an officer. Cf. S. Krauss, *Griechische und Lateinische Lehnwörter im Talmud, Midrasch und Targum* (Berlin: S. Calvary, 1899), 2.84. The latter seems to fit the context better in this case, and this rendering is supported by the reading *hegmon* found in a Gaonic responsum (cf. Z. Teubesch, *Otzar ha-Geonim to Tractate Sanhedrin* [Jerusalem: Mosad Harav Kook, 1966], 305), and in the *Sefer Ravva*, l.192 (ed. V. Aptowitz [Jerusalem: Harry Fischel Institute, 1964], l.221), although this reading, as such, may be influenced by the version in bKet. 3b. Compare: Lieberman, *Tosefta Ki-Fshuta*, 6.187, n. 6.
72. YKet. 1:5, 25c. The words "into the *huppah*" in the concluding sentence, which are found in the Vilna edition of the Palestinian Talmud are missing from MS Leiden. A different tradition appears at tKet. 1:1 (ed. Lieberman, 56), on which see Lieberman, *Tosefta Ki-Fshuta*, 6.186–187.
73. There are other examples where the authors of Talmudic stories do not express any astonishment at the sexual misconduct of rabbis or their disciples. See, for example, Sifre to Numbers. 115 (ed. Horovitz, 128–129 [= bMen. 44a]). In fact, the rabbis assume that it is extremely rare to find a young man who lives in a town and does not "sin," that is, having sexual relations with women (married or not we are not told). See bPes. 113b; Tanhuma, *Va-Yeshev*, 5. This is not to say that the rabbis approve of this reality, of course, but it does reveal the rabbinic general attitude to such matters.



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# 3

## How Jewish Society Adapted to Change in Male/Female Relationships in 19th / early 20th Century Eastern Europe

*Shaul Stampfer*

The radical shifts in the conditions of Jewish life in the nineteenth century together with the increasing influence of contemporary Western values and attitudes led to changes in the ways Jewish society viewed male/female relationships. This happened everywhere but I will concentrate on developments in Eastern Europe. When considering this topic, it is easy to err and to make assumptions that are far from accurate. A common one is that traditional Jewish society was patriarchal in its nature. Another equally problematic

one is the view that ‘progress,’ however we want to define it, proceeds smoothly with changes running in tandem in a variety of spheres of life. Perhaps the least accurate assumption is that we have a pretty accurate picture of what Jewish life was in the past. Life is never as simple as a flow chart in a text book. Many (but not all) stereotypes are far from correct and ‘progress’ is rarely smooth. While it is not necessary to be familiar with all the details of these developments, it is certainly useful to consider the complexity of developments in family structure and its unpredictable character in order to adopt policies today. It is always important to remember that our knowledge of the past is less thorough than we would like it to be and that a fair number of the corrections that I will try to make today will probably be themselves corrected in the future by students and teachers who will have a better understanding of the past than we do now. With this in mind, I will try to sketch out some of the characteristics of the traditional family structure, to consider what were some of the changes that took place and then to consider some of the responses and adaptations to changes in male/female relationships in modern Eastern Europe.

What is a patriarchal family? One can offer a rather simplistic definition that it is a family in which power and authority are concentrated in the hands of the senior male. Of course, concentration does not mean a total monopoly and the descriptions of the lives of the three patriarchs, Abraham, Isaac and Jacob, clearly indicate that their wives could have major impact on their decisions and deeds. At the same time, the ultimate authority lay in the hands of the *Avot*. There were good reasons for this. The *Avot* derived most of their income from their flocks and, to a lesser degree, from agriculture. In these occupations, which were demanding in terms of physical strength and the use of force, it was not conceivable that a woman could be the head of a household. In these households men were responsible for relations with neighbors, most of the quantifiable income of the household came from their labor and they made most of the ultimate decisions – whether it was to give a blessing or to move to another place of residence.<sup>1</sup>

Most men and women from the period of the *Avot* would have

been rather surprised at some of the ideals which characterized East European Jewish society. The prevalent ideal, which was only realized of course in a very small number of cases even though it was generally accepted, was for a husband to spend his days (and nights) in the *Beit Midrash* or study hall while his wife dealt with the mundane tasks of earning a living and running a household.<sup>2</sup> In such circumstances, the wife was dependent on the scholarly merits of her husband in order to insure for herself a good place in the world to come while the husband depended on his wife for all material needs related to this world. Not surprisingly, in such circumstances most important decisions related to this world such as choosing mates for children, electing what to purchase or not to purchase for the household or disciplining children, lay firmly in the hands of the wife.

One of the common elements in the critique by *maskilim* of Jewish gender roles more than a century ago was that Jewish men were like women, and that they were under the thumbs of their wives instead of being patriarchs.<sup>3</sup> It should be emphasized that while this critique was well founded, the reality was not one that was close to popular views of egalitarianism today. At the core of the behavior of the male scholars who were supported by their wives was a view that matters of this world are not really important and hence, there is no loss if women play a central role in a world that does not matter that much. In what really counted, Torah, men were pre-eminent.

However, even though there was no ideological justification for egalitarianism, there were some practical results in traditional Jewish society that came reasonably close. The most important fact is that a very significant percentage of Jewish women, perhaps a majority, worked in order to make ends meet.<sup>4</sup> They did not do this out of an ideology but out of lack of alternative. Most Jews were poor, and the income of women was often crucial to the financial well-being of a Jewish family. However, the ideal of a woman who supports her scholar-husband certainly strengthened the pattern of the working married woman and made it look legitimate and acceptable. There was no talk about working leading to the disintegration of the Jewish family. If anything, work contributed to its survival.



The ideal of the housewife who stayed at home with her children would have raised some eyebrows. Little boys went to *heder* as soon as they were toilet trained and once sent there, stayed from morning until night – which not by chance matched exactly the working hours of a mother.<sup>5</sup> Daughters were expected to help their mothers and the key help they could give was keeping an eye on younger children. Society was set up to give the mothers optimal conditions to work.

*Maskilim* were critical of the pattern of working women as much as they were critical of the weak Jewish men they saw all around them. From their point of view the intensive involvement of women in the marketplace exposed them to all kinds of moral challenges and temptations that they could hardly be expected to resist. The *maskilim* were not referring to the potential for overcharging customers or selling them shoddy goods.<sup>6</sup> They were referring to sexual misconduct. The likelihood of such misconduct in a crowded marketplace was of course rather limited. The assumption of such a possibility says a lot about the fantasies of *maskilim*, their rather low opinion of moral behavior of women and also their views of how males behave.

The picture one gets from both rabbinic sources and from *maskilic* sources is quite similar. Jewish women were not depicted as equal to men and egalitarianism was not on the agenda of either group. However, in real life, women took an active and independent role in economic matters.

Are there any objective measures that make it possible to examine this image? One curious measure is family names. Looking at Jewish family names, one is struck by the number of names derived from women's names; consider names like Rivkes, Etkes, Sarason, Rochelson, and many more. While one can not provide decisive proof, it seems that these names were adopted by the offspring of notable women and that those who adopted these names were referred to in their circles as the children of a well-known matriarch and not patriarch.

Is there more quantitative proof? It seems that there is. One of the ways to check the place of Jewish women in family dynamics is

to check on the obvious consequences of independence of women. As we all know, not all marriages work out. The decision about whom to marry is made in the absence of all of the information necessary for a balanced and accurate assessment. This is true both in the case of romantic love matches and when marriage is arranged. Few lovers are able to accurately predict what the state of their affection will be in twenty years, and no matchmaker can predict the expressions on the faces of a couple he matches up, and certainly not their feelings, ten years after the wedding. Marriage is always a gamble. The only certainty is that some marriages will be successful and some not. While this happens in all societies, what is often radically different is how societies and individuals respond to unhappy marriages.

The couple can continue to live in an unhappy situation or can attempt to dissolve the marriage. In the case of Judaism, divorce was a ready option because of *halakhah*; both parties had to decide whether they would be happier being divorced or not. This decision was most difficult for a woman. If she thought that she would be unable to support herself or to support herself at what she saw as a minimal level, then remaining in an unhappy marriage would be preferable to starvation or ostracism. The more women were independent and able to meet their own needs, and the more society was accepting of independent women, in this case divorcees, the more likely that one would find a high level of divorce. A very low divorce rate does not indicate that a society is full of happy couples. It is more likely an indication that it is a society in which women (or men) are trapped. Given the picture I have drawn of a society in which women worked and were independent economic actors, it could be anticipated that Jewish society had a high level of divorce. Was this the case?

Indeed, there is no shortage of evidence that traditional Jewish society in Eastern Europe was characterized by a high level of divorce. Even a cursory reading of responsa literature quickly shows that divorce was one of the most common *halakhic* issues discussed. Reading through biographies of rabbis and of laymen also shows that divorce was a common experience. Rabbis married early in traditional society, and often divorced just as early. I

found scattered statistical evidence for this, and ChaeRan Freeze in a recent monograph presented massive amounts of evidence that make it absolutely clear that divorce was widespread among Jews.<sup>7</sup> This is not evidence that Jews did not take marriage seriously or that women's work outside the home dissolved the family fabric. There is no evidence that a *Gan Eden* of family life ever existed. What it does support is the claim that in traditional East European Jewish society women had relatively independent lives, though not equal rights. Under these conditions, when a woman was in an unhappy marriage, she could say to herself that if she were alone she could support herself almost as well and that her life would not be much worse for it. This, to repeat, was due to the economic role of Jewish women and to the acceptance of divorce by *halakhah*.<sup>8</sup> Situations were quite different in other frameworks. In an agricultural society, for example, a single woman or a household headed by a woman faced great difficulties in survival. There were no sources of income for a single woman in such a society and under such conditions a great deal of abuse could have been preferable to life on one's own. It is probably not by chance that children's stories from such societies often discuss a witch – a single woman who lives a precarious existence on her own on the edge of society – often in a hut in the forest. What better way for societies to assuage their guilt for mistreatment of women than by calling them witches?

I have mentioned on a number of occasions that while women were often economically independent and had, for example, the right to buy and sell on their own account, they were not regarded as the equals of men. In traditional Jewish society, such a claim would have generally been regarded as exceedingly odd. In "Gender Differentiation and the Education of the Woman in Nineteenth-Century Eastern Europe" I tried to show that in this era, while women could match men in almost every area of activity, gender played a major role in determining the manner of behavior.<sup>9</sup> There was a female equivalent for almost every male sphere of activity but it was almost always a reverse mirror image.

Men *davened*, and women *davened*. Men *davened* in *shul* from a *siddur*, and women *davened* at home from a book of *tekhines*. Men

*davened* in Hebrew, usually without understanding, but with pride in fulfilling a *mitzvah*. Women *davened* in Yiddish, saying every word with *kavannah* and with total certainty that their *tefillah* was inferior to that of men. Men favored old versions – versions that could claim to be traced back to ancient sources. Women sought out new *tekhines* books that advertised the fact that they were up-to-date and met contemporary needs. Thus a woman's *tekhineh* book could include prayers for a son who was emigrating to South Africa or to Argentina, not to mention the USA, while men's *siddurim* still preserved prayers for the scholars of Babylonia.

Men gave *tzedakah* and women gave *tzedakah*. Men gave *tzedakah* at *shul* and in cash. Their donations, if large enough, were publicly acknowledged. Women generally gave *tzedakah* in kind and in services. They helped the needy and the sick directly. Women generally did not have a platform for donating money because when they went to *shul*, it was on *Shabbat* when touching money is prohibited. There were of course exceptions. Blumke's Kloiz, a famous *beit midrash* in Minsk, was built with the donation of a wealthy widow; it was named after her and not after her late husband. However, this was not the usual custom.

Giving money entailed practical difficulty for women. For this reason the adoption of the '*pushke*' was a technical advance in *tzedakah* collection. By providing a way to donate money at home, women were able to participate in the support of *yeshivot* and of the *yishuv* in *Eretz Israel*. *Pushkes* quickly became a typically female mode of *tzedakah* collection. *Tekhinot* were written for women to say when giving *tzedakah* before taking *hallah* or lighting candles. These *pushkes* became the most important source of funding for both the *yeshivot* and the *yishuv*. Even when women began to donate cash, they did so in different ways from men.

The differences in dress and the sharp differences in the use of colored textiles between men and women do not need to be dealt with in detail. Similarly, we do not have to expand on the fact that both men and women covered their hair but in very different ways. However, it is worth noting that the East European Jewish aesthetic saw the attractive female as being plump while the attractive male

was thin, pale and wore glasses.<sup>10</sup> The reasons are not hard to find. Women who were not so slender were walking advertisements for the fact that they had enough rich food to put on weight. On the other hand, slim males suggested that they were ascetic and not concerned for worldly pleasures, a pattern of values women were not expected to have. The ideal Jewish man, who spent every free minute in a *beit midrash*, would certainly have been pale and the use of eyeglasses was clear evidence that the wearer invested all of his energies in the study of Torah at the expense of his eyes. No wonder that glasses were common props at photo studios.

Men learned and women learned and in most of the Jewish population, men knew no more than women. Men learned in *heder* but after years of study, most men reached a very minimal level of knowledge.<sup>11</sup> Participation in a *gemara shiur* was a sign of high socio-educational status because most men did not know enough *Gemara* to even follow along in a *Gemara shiur*. This is no surprise if we consider that even basic learning aids such as a Hebrew–Yiddish or Aramaic–Yiddish dictionary did not exist. Most men participated in *shiurim* that presumed lower levels of knowledge and did not require the participants to follow a complicated argument – an *Ein Yaakov shiur*, a *Mishnah shiur* or the like. These texts could also pose linguistic challenges but the important fact was that the teacher explained the texts. Going to an *Ein Yaakov shiur* did not mean that the participant could study *Ein Yaakov* on his own. It merely meant that he could understand the explanation. Women learned in very different ways. Their basic text was *Tse'ena U'Re'ena*, the Yiddish language rendering of the Bible with many supplements. This women studied not by listening to a *shiur* but by reading the text on their own. Theirs was a direct relation with the printed word while male study was aural; men heard *shiurim*, men heard *drashot*. The woman who read *Tse'ena U'Re'ena* year after year certainly knew as much about Torah and *midrash* as did most men, and she acquired this knowledge on her own. However, since this knowledge came through study in translation and not through contact with the original text, it lost much of its value. Artscroll wisely prints the text of the Vilna *Gemara* facing the translation even though I suspect that

most consumers hardly glance at the Aramaic. However, seeing the page gives the feeling that reading the translation is 'real learning.' *Tze'ena U'Re'ena* was not printed with a Hebrew original.

One curious difference between men and women is their respective roles in deciding *halakhah*. Despite all of the images, most *halakhic* questions were decided by women and not by men. Women were the ones who noted problems with a chicken and they were the ones who decided if the question warranted a query to the rabbi or not. Certainly, most husbands were incompetent to decide questions of a damaged gizzard or a misplaced liver. Similarly, questions of *taharat hamishpahah* were in the purview of women. Behavior on *Shabbat* was as much under the supervision of women as of men, and since *halakhah* was known by imitation and not from books (note that in *heder*, children learned *humash* but never *halakhah*) most men, except for the relatively few in the scholarly elite, were no more competent to determine *halakhah* than their wives. In reality women had important roles in dealing with *halakhah* but the male image of the learned rabbi, atypical as it may have been, was far more vivid than the routine of day to day life.

Other examples could also be offered but the point should be clear. The different spheres of the lives of men and women were often parallel but in the form of mirror images. Both men and women were active in the same spheres but in very different ways. Men and women shared the same concerns but there was very sharp differentiation between genders.

At the same time, there was plenty of room for exceptions. Little girls could go to *heder* with boys without anyone blinking an eyelash. This could take place if there was no one to stay at home with a little girl, or if she begged to go to *heder*, or as happened in one case I know of, if a little boy refused to go to *heder* unless his sister came along. This could happen easily as long as there was no movement or ideology that called for coeducation as a matter of principle and that made mixed study an ideological statement. When that happened, separation became a matter of principle, if not an obsession, and exceptions were not tolerated.

Making absolute separation a requirement is a very modern

position. In traditional East European Jewish society, men and women had some degree of contact but it was limited to various spheres. They competed freely and energetically in the marketplace. Women could even print the *gemarot* that men used to learn from (The Widow and the Brothers Romm). However, these women did not study from the books they printed.

One of the many changes brought on by modernity was in patterns of marriage, but to consider these changes it is important to look at the starting point. One of the characteristics of traditional Jewish society was a relatively early age at marriage.<sup>12</sup> The pattern of marriage in the early teens was widespread among the elite at the beginning of the nineteenth century. Affluent parents of girls aged twelve to thirteen would search out promising scholars and marry them off to their daughters. Both bride and groom were not physically or emotionally prepared for marriage and there were tragedies that resulted from this pattern. In most cases, the father-in-law of the bride supported the young couple and the groom usually studied in the local *bet midrash*. It was hard to imagine a better way for well-off parents to publicly demonstrate their commitment to Torah study and the means that they had to act on this commitment. Being known as giving *kest* to a son-in-law justified the risk of some heartbreak, and in many cases these marriages were successful. The masses of Jews married much later. What water-carrier could support a son-in-law and what would most young men have done had they been forced to spend day after day in a *bet midrash*? For the vast majority of the Jews, poor artisans or very small businessmen, marriage came much later when young people were old enough to support themselves. This usually happened in the late teens or very early twenties. This age, while advanced in comparison to their rich peers, was still younger than the age of marriage among the children of farmers.

In traditional Jewish society there was near universal marriage. Young men who had never been married generally married women who had also never been married. Men who were remarrying usually married women who had been previously married.<sup>13</sup> Rabbis were generally opposed to marriages between older men

and young girls on the grounds that such marriages were likely to lead to trouble. This description can and should be looked at from a feminine perspective. For divorced women or widows there was a pool of potential partners in divorced and widowed men. These women were not competing with younger women for a partner. There was also a fairly large pool of both men and women who were interested in remarriage. Divorce of course brought both men and women to the marital marketplace. The high death rate of women in childbirth meant that there were also many widowers and there were enough male deaths for a variety of reasons to insure that there were many widows 'on the market.' Jewish culture strongly supported remarriage, even when both parties were past the age of reproduction. With all of these factors together, it is clear that Jewish society provided almost optimal conditions for remarriage.

During the course of the nineteenth century the age of marriage among Jews went up significantly and for a variety of reasons.<sup>14</sup> Among the well-to-do, the reason was not financial. The rich at the end of the century were certainly no less rich than the financial elite at the beginning of the century. However, the rich at the end of the century were operating under different influences. Many were less traditional, but even the traditional ones among them were integrated enough into the surrounding society to realize that marriage before the age of sixteen for girls and eighteen for boys was generally regarded as very strange and perhaps even primitive. For the less traditional, the goal was not a budding Talmud scholar but rather a university student. University study was not possible in a local *bet midrash* and required the completion of an extended course of study before the young man could be ready to support a family. Thus marriage was put off and the marital prospects of Talmud students dropped.

The changes in marital patterns among the financial elites led to a number of other changes. One of the more obvious was the development of the *kollel*.<sup>15</sup> This institution was designed to serve as a replacement for the previous patterns of prosperous fathers-in-law who supported scholarly sons-in-law. When the rich no longer sought the role, the *kollel* was established and filled the vacuum. For



the daughters of the wealthy there was another problem. In the previous patterns, almost invariably, when there was very early marriage, the young couple lived at the home of the bride's family and not the groom's. To this day, young Ashkenazi Jewish couples tend to have stronger links to the wife's family than to the husband's. This is one more case, if you wish, of the role of women in the family dynamic. Living at home, it was only reasonable that the young bride would spend much of her time helping her mother in her familiar role as daughter. At the groom's house, of course, it was highly unlikely that the mother-in-law would even let her daughter-in-law into the kitchen. With the rise in the age at marriage among the financial elite, a very simple problem presented itself. What were young women supposed to do until their wedding day and until they became responsible for a household? They could of course help their mothers in the home. However, this was too close to the role of a servant to be comfortable. Most servants were young and unmarried and the resemblance would have been great. It was far from the role of the married daughter who could interpret her help to her mother as a case of co-householders. A married daughter was certainly not to be mistaken for a servant. One of the best solutions was study. Study was appealing because it was expensive and thus could serve as a useful status symbol.<sup>16</sup> The knowledge that most girls got was not very practical, which was not a problem, since it made a young woman unique and showed off her talents; this presumably would be of assistance when looking for a groom. Thus a small number of Jewish women, though a significant percentage of the daughters of the elite, began to study in non-Jewish schools. Having no tradition of formal Jewish study, this did not mean that they were abandoning a traditional framework. On the other hand, since more Jewish women were literate in Yiddish, going to school and learning Latin or Polish or Russian was not a huge jump into an unfamiliar world of knowledge. However, parents, who were looking for a respectable situation in which to keep their daughters on hold until they were marriageable, were not at all aware of the temptations or dangers of the non-Jewish schools. Exposed to the general society and especially to romantic literature, many girls were no longer willing to take upon

themselves the bourgeois roles in Jewish society that their parents expected of them. In extreme but by no means rare circumstances, such situations could lead to conversion.<sup>17</sup>

The realization of these new patterns made it necessary to make many adjustments. One often-cited phenomenon is the Bet Yaakov schools.<sup>18</sup> They were founded by a woman who headed them at first. This placed a woman in charge of an organization that had power (= controlled budgets) and authority. Quickly, she was replaced by a man, but within the framework many women retained positions of authority even if they were not at the top of the pyramid.

No less significant was the widespread adoption of the central European ideal of the *burger* or bourgeois family.<sup>19</sup> Among the characteristics of this family type were late age at marriage and an expectation that a good husband would earn all that was necessary for the operation of the household. Women were expected to remain at home and to take care of children and the home. Under such circumstances it is easy to understand the appeal of the salon society. A woman who spent her time in such frameworks at times when poorer women were working was a walking advertisement for the success of her husband in meeting his marital obligations. Another element which seems to have come in at this time was a strong aversion to divorce. This was seen as an expression of a moral fault rather than of the incompatibility of the husband and wife.

In the late nineteenth century, the ideal of romantic love and of couple formation on the basis of mutual attraction began to spread in the Jewish community.<sup>20</sup> It had never been absent. While matchmaking was the standard practice in the elite of traditional society, it was possible only for those who could afford it and for families who had something substantial to offer the young couple. Only when there is dependence will a young couple accept the choice of a partner by someone else. However, among the masses, marriage took place only when the parties involved were economically independent and at that stage, their desires had to be taken into consideration. The rich literature of Yiddish folksongs dealing with love was clearly meaningful to the singers; had they known only a reality of matches, there would have been little to sing about. Matchmakers may have

been employed as a fig leaf after a couple had discovered mutual attraction; there is often a need to preserve appearances. However, it seems that the poor masses had long enjoyed freedom of couple formation that their peers in the middle and upper classes had given up. It was a reality and not an ideology.

In the nineteenth century, the reality acquired an ideology in terms of the western romantic tradition. There was a new tool for the spread of this ideology and it was the world of popular literature. In the late nineteenth century there was an explosive growth in the publication of popular fiction in Yiddish.<sup>21</sup> There was a sharp battle between those authors who attempted to produce a High Yiddish literature and those who went for the mass market of mainly female readers by translating and imitating cheap romances from the West. High culture critics attacked these romances because they were not edifying; in many respects, perhaps that was the case. However, this literature which put romantic love above all, probably induced more change in Jewish society than did all of the properly edifying *haskalah* literature. The readers were presented with a group of goals which included romance, a need to let the heart rule over society's strictures, opposition to class barriers, opposition to parental involvement in couple formation and more.

These changes took place at the same time that massive emigration from Eastern Europe to the United States and elsewhere took place. There were important gender elements to this migration. Even though the Jewish migration had more women, children and elderly than almost any other migrating group, nonetheless there was a gender imbalance and more young males came to the United States than did young women. This is almost always a characteristic of migration in any group and even if it was less extreme among Jews than among others, it existed. One consequence was that in Eastern Europe the gap between the number of young women and the number of young men became even larger than previously.<sup>22</sup> The chances of young women to find a husband declined and there were more young women extremely eager to find a marital partner than in the past. Previously married women who were looking for a mate suffered even more. Previously married men now found that there

were more women than ever before interested in marriage. As a result, a woman contemplating divorce had to take into consideration that the likelihood of her being able to find another husband was declining. This served to strengthen the aversion to divorce and led to the prolongation of unhappy marriages with all of the attendant emotional cost.

Urbanization and massive social disruption created new social needs of a scope that could be met only by organizations, and the establishment of women's organizations and auxiliaries became more and more common. There was also room for individual initiative of women. The wife of Rabbi Isaac Rubenstein of Vilna took on many responsibilities and a memorial book was even published after her premature death.<sup>23</sup>

It is difficult to find expressions of novel attitudes to sexuality in Jewish religious movements in the late nineteenth century. One obvious place to look was the *mussar* movement. The students of Rabbi Israel Salanter created an original and perceptive analysis of moral character. They also discussed the various means that people (= men) could use to overcome their evil inclinations. However, almost no attention was given to sexual drives and to desires that are problematic.<sup>24</sup> The absence is so glaring that one who knows psychology well, which I do not, could possibly consider that there is a dynamic of repression here. Certainly in previous periods and in other circles the problem of illicit sexual desires did get attention. Even in the realm of the licit, such as the ideal relations that one could expect in marriage, this topic did not come up. Of course, speculation is free and without limits. Perhaps the repression of mention of sexual issues that characterized some bourgeois ideals may have been imitated here, just as divorce had begun to be seen as a moral fault. I know of no way to test this proposition and I think that the question of the silence of the *mussar* movement on sexual matters remains an open one.

A very different development was the explosive growth of involvement by Jews in prostitution and the white slave trade.<sup>25</sup> The late nineteenth century found many Jewish women working as prostitutes, Jewish men as pimps and Jews of various ages as clients.

Some attention has been given to the question of how Jewish women could enter such a profession. Almost no attention has been given to the question of how Jewish males could become pimps or clients of prostitutes. Prostitution, which involves males viewing a woman as an object and not as a person, may well have been a byproduct of a society with highly defined gender barriers and clear role definitions. A society that discouraged public expressions of affection and informal contact between men and women might have unintentionally strengthened the view that physical contact between men and women was acceptable without being part of a full range of commitment and stability.

The changes in some of the patterns of marriage and the stability in values may contribute to the understanding of these phenomena, though much research is needed in this area. The rise in the age of marriage and the expectation that a husband will support a wife forced delays in the age of marriage. At the same time, the absence of a strong tradition that saw sexual abstinence as an absolute value created a large pool of men who found themselves forced to marry at a later age than their parents but without tools to enable them to deal with sexual desires. The traditional values they had inherited which militated against sexual activity outside of marriage and the absence of effective means of birth control or termination of pregnancy, made it impossible for most to deal with this situation within a framework of mutual attraction. Prostitution, which offered men a framework for realizing sexual desire without a commitment and without a need to regard the prostitute as a person, was one solution. Indeed the obloquy with which prostitutes were regarded was an effective tool to allow their clients to ignore the prostitute as a person.<sup>26</sup>

For the prostitutes, the occupation was almost never one that was chosen out of a long-term plan or out of attraction to the business. On the one hand, it is important to avoid the simplistic explanation that naïve and simple girls were tricked into becoming prostitutes. Unwittingly, this view is a reincarnation of the view that the intellect of women is inferior to that of men and that women do not understand what is going on around them. The reality seems to

have been more complex. In many cases young women entered the business after a recruiter played court to them. In the East European Jewish reality at the end of the nineteenth century, where there were more young women than men, the search for a partner created pressures that had not existed before. Moreover, the widespread migration made it more difficult than in the past to obtain information on the character or nature of a hopeful suitor. Thus it was possible for a recruiter, often posing as a rich immigrant to the United States who had come back to Europe to seek a bride, to build on the strengthened ideal of romantic love, to quickly convince a young girl of his love for her and to have her agree to marry him. Here, the traditional values of couple formation and desire to marry and have a family were operating as always. At this stage, some recruiters were able to convince their prey to have sexual relations with them even before marriage or if not, then after a religious marriage, and only then did they reveal their true intent to their victims. At this point, the traditional values that the young women had did not allow them to dismiss their sexual activity as a misadventure and to go on with their lives. On the contrary, they saw themselves as defiled and unclean and no less than the proper members of society they felt that they could no longer look forward to creating a respectable family. Precisely since they accepted society's demands that sexual activity be limited to the marital framework, they saw themselves as violators of these values and hence doomed to remain in the condition they had found themselves. Hence, once trapped, it was very difficult to extricate a prostitute.

During all of the nineteenth and early twentieth centuries, illegitimate births among Jews remained generally low and this phenomenon does not indicate any significant changes in behavior patterns. I have also found almost no references to homosexuality among East European Jews at this time. However, there were changes in family size. In medieval times Jewish families were small. Consider how many children Rashi or the Rambam had. It was only in the modern period, with the precipitous drop in the death rates, that the pattern of the large Jewish family with ten or more children emerges. Among the consequences of this very modern phenomenon is that

in large families the attention given to the children late in the sequence is significantly less than what is accorded to those early in the sequence. In the twentieth century deliberate control of births became widespread and most Jewish families returned to the traditional pattern of three to five children as was the case among their non-Jewish peers. However, little is known about the methods of this birth control. Presumably it was achieved by delaying *t'vilah* in a *mikvah* but this is not clear.

For East European Jewry, modernization in the late nineteenth century did lead to a certain value shift. There was a heightened concern for respectability and new social ideals tended to take away much of the independence and power of women. However, the seeds planted in terms of education of women and a growing appreciation for romantic love, which for all of its silliness, emphasizes the nature of a marital partner as a person and not an object, had within them the potential for change in the long term. With changes in the environment much of this could begin to bear fruit. As some degree of egalitarianism and entry into the work market began to be widespread among the general community, both became acceptable again among Jews. Among the various consequences was a higher level of divorce which, as I mentioned earlier, is not an indication of the disintegration of family life but of higher expectation and more openness. Together with this came new views on the ideal of male-female relations, but these were very much the product of our day and age and not found in previous generations.

### NOTES

1. For the classic description of the early modern Ashkenazic Jewish Family, see Jacob Katz, *Tradition and Crisis: Jewish Society at the End of the Middle Ages* (Hebrew, 1958; English translation, 1961; new English translation, 1993).
2. On this ideal see Immanuel Etkes, "Marriage and Torah Study among the Lomdim in Lithuania in the Nineteenth Century" in David Kraemer ed., *The Jewish Family: Metaphor and Memory*.
3. See the useful description in David Biale, "Eros and Enlightenment; Love Against Marriage in the East European Jewish Enlightenment." *Polin: Studies in Polish Jewry* 1 (1986) 49-67.
4. Charlotte Baum, "What Made Yetta Work" *Response xviii* (Summer 1973) pp. 32-38.

5. I wrote about this in "Heder Study, Knowledge of Torah and the Maintenance of Social Stratification in Traditional East European Jewish Society." *Studies in Jewish Education* 3 (198–8) 271–289.
6. See Biale op cit.
7. ChaeRan Freeze, *Jewish Marriage and Divorce in Imperial Russia* (Hanover NH 2002).
8. Compare Gary Becker, *Treatise on the Family* (Cambridge MA 1981).
9. "Gender Differentiation and Education of the Jewish Woman in Nineteenth-Century Eastern Europe," *Polin* 7 (1992) 63–87.
10. See on this topic Tamar Somogyi, *Die Schejnen und die Prosten* (Berlin 1982).
11. On hevrot limud see Yehiel Stern, *Heder un Bays Medrash* (NY 1950).
12. I analyzed this in "The Social Significance of Premature Marriage in Eastern Europe in the Nineteenth Century" (in Hebrew) in *Studies in Polish Jewry / Paul Glickson Memorial Volume* (Jerusalem 1987).
13. I dealt with remarriage in "Remarriage among Jews and Christians in Nineteenth-Century Eastern Europe." *Jewish History* 3, 2 (1988) 85–114.
14. See V. Binshtok and S. Novoselskii, *Materially po estestbenoomy dvizheniu evreiskavo naseleniya* (Petrograd 1915) pp. 20–21.
15. I discuss this in my book *Ha Yeshiva HaLitait BeHithavuta* 2nd ed. (Jerusalem 2004) Ch. 11.
16. See for example Deborah Weissman, "Bais Yaakov: A Historical Model for Jewish Feminists" in *The Jewish Woman*, ed. Elizabeth Koltun (NY, Schocken, 1976) pp. 139–148
17. See on this Rachel Manekin's forthcoming article on the topic. In the meantime see her article "Something Totally New" (in Hebrew) in *Masekhet* 11 (2004) pp. 63–85.
18. See Deborah Weissman op cit.
19. See Marion Kaplan, *The Making of the Jewish Middle Class* (1991).
20. See Biale op. cit.
21. See David G. Roskies, "The Medium and Message of the Maskilic [Yiddish] Chapbook." *JSS* 41, 3/4 (1979) 275–290.
22. See my article on Remarriage op cit.
23. *Sefer Zikaron LeRabanit Esther Rubinstein* (Vilna, 1926).
24. It is difficult to cite what is missing but you can look for yourselves.
25. See for example Edward Bristow, *Prostitution and Prejudice* (NY 1983).
26. See Avraham Shtahl, "Znut BeKerev Yehudim" *Magamot* xxiv (1978).





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# 4

## Sanctity, Sanity and Connectedness: Struggles For Commitment Among Orthodox Jewish Singles Panel Discussion

*Daniel Rothenberg*

### PANEL DISCUSSION – OVERVIEW

#### **I. Introduction**

This discussion acquires significance first, not as an exegesis of sexuality and desire, but as a discussion of Jewish struggles for relatedness, intimacy and commitment in contexts of kedushah (sanctity), mutual love and respect. In human terms this subject becomes poignant as selective testimony is given regarding personal struggles with loneliness and the need for closeness and companionship with

others, and integration of values and behaviors as they are tested by intimate life experiences through disruptions, losses, absences – both actual and emotional-occurring in the context of personal relationships. As such, these are issues both compelling and relevant not just for “unmarried”/ “singles” but also for all members of our community, married or single – albeit differentially applicable to them throughout the course of their lives.

These issues summate and acquire foundational relevance to Orthodox communities, schools, families, leaders, educators and rabbis because they bear ultimately upon Jewish “drift” vs. survival, assimilation, sanctity and sanity, and because for many individuals they represent defining life experiences, on par with, and sometimes more personally influential than exposure to Jewish learning or observance. For many individuals attainment of intimate connections within relationships may be the stuff by which Jewish commitment is made or unmade. The attainment of committed relationships and the developmental capacities that enable them are the points where the bonds of religious and personal commitment intersect, becoming either more frayed or more whole over time.

Perceived silence, unresponsiveness or lack of engagement in these areas of personal experience by the community, translates/develops into alienation from observance, particularly manifested as unmarrieds get older or as married relationships stagnate or ossify. In such contexts, detachment, felt irrelevance and rejection of Jewish observance among singles, and perhaps in different ways for married individuals, may follow.

The Orthodox world does well to recognize “at risk” populations in its midst. Mindfulness of at risk groups, however, must be broadened to recognize the currents within people’s lives which place them at risk in less obvious but no less pernicious ways. The capacities which enable (or in turn dis-able) faith, trust, or commitment, either vis-a-vis G-d or, alternatively, in relationships to people do not spring up de novo as issues at or near the point of marriage. Nor are they dispatched or resolved with marriage or parenthood. Rather, intimacy, commitment, relatedness and sanity itself – structured and infused with meaning by halakhic frameworks

of kedushah – must be engaged as developmental tasks throughout life both at home and in our communities.

This discussion is not about the extension or “development” of the parameters of halakhah. Rather, the need here is to develop people first in their capacities to listen, to empathize and to better comprehend these struggles. Single and married members of the community, leaders, teachers, and lay people must learn to listen to one another empathically and with modesty. They must set aside political agendas, and thus become more cognizant of their own motivations and histories which may influence their faith and their capacity to change, to progress and to engage others.

## **II. Discussion Outline (Possible Areas For Discussion)**

### ***METHODOLOGY AND APPROACH***

Errors to avoid: Diagnostic error in attributing developmental gaps in individual experience to “the halakhic system”; an equally damaging methodological error is to do anything but start and stay with “where the patient/subject is,” i.e., the error of listening with an agenda; false dichotomies between psychological and religious halakhic development; finally, the identification of singles as suffering from developmental weaknesses / “commitment phobias,” failure to consider their lives as a whole – their competencies, achievements, challenges and struggles.

### ***“MICHAELA”: AN ALTERNATIVE CASE EXAMPLE***

An alternative case example highlighting issues of religious and psychological development: progress, stasis and fragmentation.

### ***KEDUSHAH (SANCTITY)***

Kedushah as constitutive of experience, i.e., as the organizing principle of development and living; sexuality as a significant subset of relatedness and intimacy; the need for “kedushah curricula” engaging the development of individuals throughout the life cycle; the need for trained professionals to implement such a developmental program in schools and in communities.

**SAFETY IN DISCUSSION: PERCEPTIONS OF SILENCE AND THE EMPATHIC BOND VS. “THE UNEMPATHIC DOUBLE BIND”**

What questions may be safely asked in this context/forum without being boxed into caricatured roles of “singles,” “marrieds,” “rabbi,” “psychologist”?

**III. Core Factors Affecting Premarital Development/ Single Life (Partial List)**

- Inner experience, developmental history, personal history, history of the individual with religious/educational institutions and figures (as influential if not causative).
- The shadow effects of internalized models of intimacy, caretaking, romance, and commitment.
- Relatedness: Disruptions in relational attachments and bonds: conscious, unconscious, disavowed, or dissociated; disturbances of empathy and attunement.
- Dissociation as an emerging factor in response to subtle trauma, emotional absence, loss, or trans-generational familial disruptions in intimacy.

**“PAS B’SALO”:**

The basic need for emotional closeness and physical contact and their integration during transitional points in individuals’ lives, the latter interacting with developmental lapses in “mirroring,” physical and emotional contact.

***DISTORTIONS IN TIME SENSE.***

Note: This case vignette is written in a purposely spare manner. It represents a composite sketch drawn from actual interviews with several individuals. It is presented here as a template for discussion and understanding, but does not represent a clinical case study or even a full-bodied life narrative. All identifying data have been altered. Resemblance to any individual is incidental.

At the “ripe old age” of thirty-five, Michaela lives alone as she pursues an active and rich social and professional life. On Shabbat these days,

however, she is only glancingly warmed by Shabbat candles, as well as by the incandescent glow of a television screen which flickers from the corner of a study adjoining her living room.

In her late 20s, Michaela began leaving the TV on, “just to keep me company.” She would either activate it by use of a *Shabbos* clock or leave it on altogether in a side room whose door she could easily open or close. Today, in the privacy of her home, Michaela flicks the TV on and off almost unselfconsciously, as she does lights and other electrical devices. *Shabbat* day for her may be comprised of an early morning trip to the gym, an occasional stop at *shul* to catch *mussaf* and *Shabbat* lunch with groups of friends. On other *Shabbatot* Michaela feels moved to come to *tefillah* early, where she prays with rapt concentration and later participates in intensive learning sessions featuring rigorous exegesis of the *parshah* (weekly portion), sessions which but a few years earlier she had led.

Michaela has had several important relationships over the years, all characterized by her as “having great depth and intensity on all levels.” Yet, all were ultimately elusive in yielding commitments to marriage. Michaela does not look for blame or locate the causes of her experience exclusively “in them or in myself.” Instead, she believes that the dynamics are “probably subtle and complex, located in the interplay between myself, others and what has gone on inside me, I mean in my life, for a very long time.” Today, Michaela sees herself as “very caring, powerful and effective, but nevertheless somehow in search of a closeness which addresses something missing at the core of my life. I guess I remain hopeful that some day I will be touched emotionally in a lasting and profound way.”

Michaela’s early life experiences included attendance at “the finest” yeshiva day schools, Jewish high school, Israel, college and post-college programs. Throughout, she excelled as a student and was socially popular among her peers. Michaela described her home as “solid,” viewing her relationship with her mother in particular as “warm but overly intense.” She stated, “I was the ‘Chosen One’ and the oldest,” followed by three brothers. She described her father as “caring” yet “erratic” in both his presence and attention. “At times it felt that to be under his gaze was to be transported, warmed,

elevated and held all at once. Mostly, however, especially when I was no longer a child, he seemed preoccupied, focused elsewhere.” Michaela characterized the relationship between her parents as “an enigma inside of a mystery... I didn’t see much ‘chemistry’ between them – not even in terms of noticeable evidence of companionship or shared interest.” While Michaela saw her father and mother as devoted to their children, the bond which kept them together was elusive in her eyes.

Michaela spoke sadly about what she called “my father’s withdrawal from me” around puberty.

While he had once both carried her around as his “precious princess” and just as easily “rough-housed with me and my brothers, I recall a kind of awkwardness which set in when I, in his words, ‘became a young woman.’ It was as if he just didn’t know what to do with me after that.”

Today, Michaela continues to try to make a life for herself, finding meaning and closeness in relationships as best as she can. Her parents, she says, are now “verging on elderly” and she divides her energies between a demanding, largely successful career and a challenging and rich, yet, in some ways, emotionally “arid and depriving” social life. Most of her friends from “the old days” are married, some are already divorced. She spends as much time as she can helping her parents and giving to her community and, in her words, “in search of the closeness and recognition I had always thought awaited me. After all,” she concluded, “I was a Future Leader of the Jewish People – I was always told.”

*Resemblance to any individual coincidental. All identifying data have been altered.*

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# 5

## Perfect Person Singular: Unmarried Adults in Contemporary Orthodox American Jewish Communities

*Sylvia Barack Fishman*

### **INTRODUCTION: MAKING A SHOPPING LIST**

“Have you heard about the *frum* (religiously observant) size 4 requirement for prospective dates?” asks Rina Rosoff. Rina is an undergraduate at Brandeis University writing a term research paper on anorexia nervosa among Orthodox Jewish girls. She is number seven in a series; at least every other year, and sometimes every year, one or more students in my “Sociology of American Jews” classes independently choose to write term papers about the prevalence



of eating disorders among religious girls. Rina has just returned from several weeks of interviewing single men and women in New York, and she is anxious to report on her findings even before she writes them up. "When eligible boys are listing what they want in a potential *kallah* (bride), they actually talk about dress sizes. Size 2 is good, size 4 is okay, but they say that size 6 is pushing the limit. No wonder religious girls starve themselves – they want to be thin enough to get to the first date!"

Rina, like other young women who have chosen this topic for term papers in my classes, has a special interest in analyzing eating disorders among single Orthodox women. Two years prior to her sociological research, she sat in class looking more and more emaciated from day to day. Curves turned into angles, and prominent blue veins suddenly began snaking down her forearms. Eventually she came to me to say she was being placed under medical supervision, and would need to miss some weeks of class until she was stabilized. Fortunately, Rina was treated successfully – and now she wants to understand the factors that contributed to her getting sick in the first place. In her analysis, she pointed a finger at the Orthodox dating scene.

On the face of it, anorexia nervosa seems like an unlikely disorder to afflict Orthodox American Jews. Health, a concern for the well-being of the body, has been a time-honored Jewish value. Distinguished by a warm respect for the healing professions, and frequently by suspicion of ascetic lifestyles, Jewish societies are more often stereotyped by images of women who are too plump than by women who are unhealthily thin. But, ironically, it is just this negative stereotype, promulgated in American literature and media, of the *zaftig* (roundly robust) Jewish woman that plays a role in Orthodox males' preferences for slender dates and brides.

Orthodox men do not generally opt – as do many of their more liberal counterparts – for non-Jewish brides. Nevertheless, many of them have a strong aversion to women who remind them of the stereotypical Jewish woman, and so they specify a physical appearance that goes against that prevailing image. Not only in

the recent Broadway play, “Modern Orthodox,” does the prospective bridegroom declare, “And thin! She has to be thin!” In real life as well, slenderness comes high on a list of male priorities, and that list has a profound impact on the lives and decisions of Jewish singles. As one Orthodox single woman put it in an ongoing Orthodox Caucus (OC) email conversation about singles and singleness, some Orthodox men are not yet married because they are “wanting someone so specific that it’s almost impossible to find that 5’10” blond girl who’s 125 pounds and perfectly religious just like you” (1/3/05).

Shopping lists of desirable characteristics are part of a contemporary American syndrome that reaches beyond the singles population and beyond the Jewish community. Young adult middle and upper middle-class Americans face options that are arguably more open than any other population in history. Virtually all aspects of “Gen-X”ers’ personal, professional, and political lives are open to choice. American culture encourages them to consider all available options in every arena, supporting cross-cultural romances (and delegitimizing advocacy for endogamy<sup>1</sup>), encouraging graduating college students to take a year or so off and explore the world before getting on with the rest of their lives, suggesting that marriage may not be a preferable decision for many, and that becoming a parent is just one of many possible lifestyle choices. On the other hand, when they do marry and have children, young Americans face enormous, competitive pressure to make excellent choices, have an outstanding marriage and impeccable children. As Judith Warner accurately asserts in her controversial recent book, *Perfect Madness: Motherhood in the Age of Anxiety*, those Americans who choose to become parents are expected to do so, in the word chosen by the OC correspondent and by Warner, perfectly.<sup>2</sup>

American singles are pressured to keep their romantic options open from their teen years through an extended and often unsettled young adulthood. A recent study of “Generation Y” 18–25 year olds found that only four percent of them worried about finding a boyfriend or girlfriend and only seven percent of them worried about

finding a spouse.<sup>3</sup> When they do decide to limit their options by committing to another human being, American young adults are pressured to make perfect choices. Many – perhaps most – Orthodox singles do not perceive themselves as “choosing to be single,” as one OC correspondent argues passionately, and find their singleness an unchosen and deeply regretted status. “Please trust me when I say that no amount of communal acceptance and welcome will ever make any of us forget that we are not your ideal and never will be until we are married with children” (1/2/05). Nevertheless, they too are influenced by cultural pressure to leave choices open and then to make a perfect choice. Many who observe the Orthodox singles community, including some singles, believe that in a substantial proportion of cases conscious or unconscious choices contribute to extended singleness. One OC writer, for example, asserts that most Orthodox singles “don’t feel a deep pressure to get married right now.” He continues by asking:

How many singles out there have been in a long-term relationship (say, six months) with someone they found attractive and companionable, and then broke up? In some cases, for sure, there was a fatal flaw to the relationship and the sooner they ended it the better. But I suspect that in most of those cases the people involved were unready for the give and take a vibrant relationship requires, the compromising on personal goals and ideals, and the flexibility to be more like the other person’s ideal. In that situation (and I did it myself when I was single, so I speak both out of experience and the clear recognition that hindsight is 20/20), there is some sort of a choice to be single going on (1/2/05).

Other observers suggest that some singles fear marriage because of personal experiences, such as having “grown up not seeing ideal marriages at home, as well as the fact that friends of theirs who got married quickly have also gotten divorced.”<sup>4</sup> In this statement as well there is the assumption that singleness exists at least partially by choice.

This paper argues that extended years of singleness among Orthodox American Jews are both symptomatic and symbolic of the extent to which American Orthodox attitudes and behaviors

are influenced by broader American culture. The growth of large social networks of Orthodox American Jewish singles with their own distinctive values and expectations are a dramatic illustration of the extent to which American Orthodox attitudes and behaviors reflect a merger or coalescence of contemporary American and historical Jewish values. As I explain more fully in my recent study, *Jewish Life and American Culture*, during the process of coalescence the “texts” of two cultures, American and Jewish, are accessed simultaneously, much as one might access two different texts on a single computer screen. These value systems coalesce, and the resulting merged messages are perceived not as being American and Jewish values side by side, but as being a unified idea.<sup>5</sup>

To use the opening example, Orthodox single males have put slenderness on their list of desirable attributes not because it is a Jewish value but because of the influence of the American media-created construction of beauty. However, on the same persons’ lists, religious attributes come directly from the world of Jewish tradition, and can include a minutely calibrated, boutique level of religious observance – she will/won’t cover her hair when married, will/won’t wear slacks, will/won’t sing at the Shabbat table – in the words of the email correspondent, her level of religious observance is “perfect,” which means that it is the exact duplicate of the list maker. This list-making activity arises both out of Jewish culture and out of American culture, and the attributes on the list juxtapose both American and Orthodox societal norms. In both the physical and the religious realm, the concept of shopping for perfection becomes the unifying ethos of the package.

This essay places the phenomenon of 21<sup>st</sup> century Orthodox singlehood into the contexts of new patterns of family formation in American Jewish societies. I discuss current social and demographic patterns within the evolution of ongoing Western revisioning of gender roles, noting the impact that bourgeois conceptions of male and female roles have had on Jewish societies and families, utilizing a triangulation of demographic data, qualitative materials and cultural sources. Finally, I consider possible policy implications that arise from these data.<sup>6</sup>

### **SINGLES AND ORTHODOX SOCIETIES – A TUG OF WAR?**

Jews are regarded by themselves and others as being exceptionally family-oriented. In historical, pre-modern Jewish communities, and in many contemporary traditionalist societies, the family has been the basic building block of society. Jewish societies have encouraged men and women to marry early, stay married, and remarry in the case of divorce or widowhood. A congruence of religious values, economic necessities, and cultural and societal pressures within traditional Jewish cultures promoted marriage as the best way to provide a productive and salutary state in adulthood. This cultural bias toward marriage, when implemented by Jewish social groups, has made married adults and their families central, and has simultaneously marginalized the unmarried. Indeed, most historical Jewish societies promoted marriage with “carrots” – Jewish communal celebrations of and support for the newlyweds – and “sticks” – communal mistrust of unmarried adults, especially of unmarried men. One question facing American Orthodox societies today is whether and how they can de-marginalize Orthodox singles while not abandoning marriage as a social norm. Despite the historical Jewish bias and current communal pressure toward marriage, proportions of singles in contemporary Jewish communities have reached unprecedented levels. Many wonder whether one can encourage marriage without alienating singles – if one can encourage marriage with the “carrots” alone, and not the “sticks” of communal sanctions, such as social isolation.

Extended singlehood is currently a prominent phenomenon throughout the American Jewish community. A striking decline over the past three decades in the proportion of married Jews and in the fertility level of American Jewish women reflects the responsiveness of American Jews to middle- and upper-middle-class American culture. When American Jews married early and had almost three children per family early in the 1950s, they were following both post-wwii American and traditional Jewish patterns, which in the 1950s had considerable overlap. When they married later in the 1980s

and 1990s, and their fertility levels dropped to under two children per family – below replacement level – they followed American patterns only. As each decade passes, marriage and fertility patterns of American Jews are more like other white, highly educated Americans, and less like historical Jewish patterns. Today, among American Jews ages 25 to 34, more than one-third of women and more than one-half of men are not currently married. Fertility rates among American Jews under age 50 are about 1.5 children per family, on average,<sup>7</sup> lower than that of white Americans in the same age group and about half of the average Israeli Jewish family. As the size of the American Jewish community stagnates through non-marriage, intermarriage, and declining fertility rates, extended singleness is a subject of concern not only to the singles themselves, but to the American Jewish community at large.

Although I have been discussing singleness as an American phenomenon, it should be noted that increasingly Westernized (and perhaps de-Judaized) Israeli populations are also affected, albeit to a lesser extent. According to the Israel Bureau of Statistics, percentages of single Israeli men ages 20–24 shot up from 77 percent in 1970 to 90 percent in 2002, and men ages 25–29 showed a similar increase from 28 percent in 1970 to 58 percent in 2002. Israeli women's rise in singleness was strikingly similar to that of American Jewish women, rising for 20–24 year olds from 46 percent in 1970 to 75 percent in 2002, and for 25–29 year olds from 15 percent in 1970 to 37 percent in 2002.<sup>8</sup>

Many observers believe that non-marriage is the greatest challenge to the general American Jewish community today, more so than changing gender roles or intermarriage. Among Orthodox Jews, the fact that Orthodox singleness is less pronounced than extended singleness among non-Orthodox young Jewish adults is not especially comforting. One question facing American Orthodox societies today is whether and how they can de-marginalize Orthodox singles while not abandoning marriage as a social norm. As the ongoing Orthodox Caucus Internet discussion testifies, singles and Jewish professionals who work with them are intensely aware that social

stigmas and the accompanying marginalization can affect people's attitudes and decisions. One email conversation captured many of the ambivalent feelings:

To assume that communal pressure will help the matter is misguided. More communal pressure might cause weaker people to cave in to the pressure, and enter into an inappropriate marriage which could end in divorce, and cause stronger singles to be even more alienated from the community than we are already, and weaken our natural desire for marriage (1/2/05).

Discussing "communal pressure" as a strategy under consideration, the emailer suggests that the married, established community and Orthodox singles stand in a potentially adversarial relationship. Were the community to pressure singles to marry, only the "weak" would capitulate, and would almost certainly make ill-advised unions, ultimately heading for disaster. In contrast, "strong" singles would instead lose interest in marriage and feel even further marginalized. The definition of "weak" and "strong" in this email is of course fascinating; strength here seems related to the American notion of rugged individualism – a person who is not influenced by social norms and expectations is strong – rather than some classic Jewish notions of strength, such as conquering one's own evil inclinations (*hakovesh et yitzro*) or taking on the yoke of the kingdom of heaven (*ol malkhut shamayim*). Because these conversations reveal that open options are perceived as the birthright of many Orthodox Americans, even if the community could reach a consensus that it is best to encourage marriage that advocacy could have a "boomerang" or negative effect.

Even those who agree on the challenge thus disagree on appropriate strategies in response. Moreover, if the community could reach a consensus that it is best to encourage marriage without marginalizing singles, how would such a policy be implemented? One has only to look at contemporary Orthodox communities today, or to read Tova Mirvis' touching new novel, *The Outside World*, to see that Orthodox communal preferences for married rather than single lifestyles have not diminished. Indeed, in many communities an obsession with marriage has been ratcheted up to fever pitch.

Young women in particular are often made to feel that they are damaged goods if they have not married – and married well – by their early twenties.<sup>9</sup> Both the emailer quoted above and Mirvis' young Orthodox protagonist articulate resentment against Orthodox communities that pressure them to marry. They seem to be engaged in a tug of war for their own souls, as if to say, "If I marry just to fit into the communal conception of what I should be doing, what happens to my autonomy and my ownership of my own life?"

### **EDUCATION FOR SINGLEHOOD?**

Virtually universal levels of college education are often cited as the primary reasons for delayed marriage and non-marriage, and for the lower fertility rates associated with prolonged singleness. American Jews today are overwhelmingly likely to work toward graduate or professional training and to begin establishing their careers before they make a permanent romantic commitment. While Jewish young men and women were more likely than the general public to acquire a college education in the 1950s, 1960s, and 1970s, their eventual rates of marriage were almost universal. Today, while a substantial number of American Jews are marrying late, it is not clear whether many others will ever marry.

However, recent statistics show that higher education is not directly responsible for delayed marriage in particular, or indeed for a diminution of religious observance in general. Contradicting the patterns of past generations, ritually observant married young Jews do not have less secular education or more modest career accomplishments than singles do. Jewishly committed younger Americans, including many centrist and modern Orthodox Jews, do not substantially differ from the educational patterns characteristic of other Jews in their cohort. Indeed, as Moshe and Harriet Hartman have painstakingly demonstrated, "the more involved in formal and informal Jewish social circles, the collective celebration of Jewish identity, and the closer to Orthodox affiliation, the higher is the educational achievement." Not only does traditionalism no longer have a negative impact on secular educational levels, but even within individual households, "contrary to popular opinion, Orthodoxy



is not associated with more spousal inequality: educational differences are even smaller than among the Conservatives, Reforms, and Reconstructionists.” Simply put, younger Orthodox couples are the group most likely to be educationally matched sets. When the narrowed gender gap and the positive relationship between secular education and Jewish connections are considered together, secular education for women emerges as being associated with stronger, not weaker, Jewish bonds. As the Hartmans note, “the relationship between Jewishness and education is slightly stronger for women than for men.”<sup>10</sup>

For much of the twentieth century high levels of secular education were tied to assimilationist lifestyles. Today, however, contradicting decades of earlier statistical data and lingering folk wisdom, contemporary young American Jews who have extensive secular education are, on average, more likely to participate in Jewish activities and establish Jewish homes, while modestly educated young Jews are more often estranged from Jewish organizations and behaviors, married to current non-Jews, and not rearing their children as Jews. Both the 1990 and the 2000–01 NJPS show that high levels of educational and occupational achievement are frequently tied to current Jewish involvement. The positive correlation between high secular education and more Jewish lifestyles is especially dramatic when levels of Jewish education are also high – as they typically are among young Orthodox Jewish adults. These facts are important, because one tendency among some observers has been to “blame” higher education for the phenomenon of extended singleness, with the implied suggestion that discouraging higher education will ameliorate these patterns.

Significantly, the college years emerge as the easiest time period for single Jews to meet each other, because nearly universal college education among American Jews means that the concentration of single Jews on college campuses is unmatched in any other setting. Jews do not stay single longer because they go to college; they stay single longer because many of them do not feel “ready” for serious dating when they are in college. The college and post-college

American ethos is one that encourages postponement of all serious commitments to an unspecified “later” time period.

### FEMINISM AND EXTENDED SINGLEHOOD

A second contemporary pattern often associated in people’s minds with extended singlehood clusters around transformations in women’s roles and expectations, including feminism and increased careerism among women. It is certainly true that Jewish women have been at the forefront of feminist aspiration, including rising rates of women in time-consuming, high status, relatively lucrative professions – and all the training and dedication that these professions demand. Indeed, feminism has transformed Jewish attitudes on a grass-roots level, as repeated studies have shown.<sup>11</sup>

In the wake of second-wave feminism in the late 1960s and the early 1970s, the vast majority of American Jews incorporated many feminist principles into their values and behaviors. Conducting research for B’nai B’rith Women, Sid Groeneman studied middle-American families from various ethnic faith traditions in 1985. He found that Jews tended to be almost as liberal in the middle-western heartland as they were on either coast. One of the striking characteristics of Jewish beliefs was what Groeneman called a “liberal, feminist package,” which emphasized female competence and independence, rather than docility and family orientation. Only 22 percent of Jewish women in his study reported primary goals for their daughters as wanting them to “have a good family, husband, marriage, children” or being “loving, caring, good parents.” In contrast, non-Jewish women ranked such personal qualities as thoughtfulness, neighborliness, and devotion to family much higher on their wish list for daughters than did Jewish women. Ironically, Jewish women, who have often been perceived as being very family oriented, reported themselves more concerned that their daughters have the capacity to be self-sufficient than they were that their daughters be devoted to service of family and “family values.”<sup>12</sup>

In the United States (but not necessarily in some other contemporary Jewish communities) modern Orthodox women are just

as likely as non-Orthodox women to be accomplished educationally and occupationally. Foreshadowing of this social phenomenon may be seen in historical patterns that left room for even pious women to participate, in some cases as early as the Middle Ages, in marketplace activities.<sup>13</sup> Jewish law prescribes specific behaviors for all members of the family unit, and thus it plays an important part in gender role divisions. Despite these gender role constructions, traditional Jewish societies have not necessarily inculcated their members with the idea that women are incapable of being doctors, lawyers, or accountants. Jewish tradition does not socialize Jews to believe that men lose status if their wives earn more money than they do. The “public” spheres from which women are barred are the males-only religious arenas of the synagogue and study hall. Thus, activities that might have seemed shockingly unfeminine to middle-class Americans have for centuries been an accepted female behavior among many pious Jews.

Moreover, new research shows that Orthodox women have probably had more leeway vis-à-vis secular reading and activities than Orthodox men in many historical contexts. As Irish Parush argues, while elite Jewish men were carefully guided into the circumscribed world of Torah study, by the nineteenth century many of their mothers, sisters and wives were reading secular novels and other Western literature. Parush comments:

The social norms traditional society applied to women created the conditions that allowed an audience of readers...to emerge. In the encounter with modernity, it was precisely women’s marginal status within traditional society that served them to advantage. The very marginality of women is what allowed, paradoxically, the creation of communities of literate women who themselves underwent, and then brought about transformation.<sup>14</sup>

As a result, Orthodox women have a long tradition of a comfort level with secular ideas and values. They may be even more likely than Orthodox men to accommodate their secular readings and

activities without experiencing cognitive dissonance in regard to their religious commitments and activities.

Avoidance of female labor force participation was not necessarily an attribute associated with religious life styles among Ashkenazi Jews. Pious East European women continued to work long after assimilating German Jewish women adapted to German middle class norms. In the decades before and after the turn of the twentieth century in Imperial Germany, Eastern European Jews accommodating to German bourgeois values and behaviors “accepted middle class mores for the family and made them their own,” as Marion Kaplan has convincingly demonstrated. Devoting themselves to the creation of obedient, soft-spoken, educated children and spotless, orderly homes, German Jewish women eschewed female labor force participation along with the shrillness and slovenliness that they associated with Eastern European households.<sup>15</sup> When Eastern European families emigrated to the United States, the Germanic values carried through, thereby discouraging married women to work outside the home for pay. These immigrants, now German Jewish Americans, became doubly adapted to life as full-time homemakers: first as German Jews assimilated to the bourgeois German pattern, and second as German Jews adapted to the United States. Eastern European Jewish women quickly adopted the Americanized pattern of looking down on outside employment for married women. Indeed, when financial necessity forced them to work, they often reinterpreted reality so that they could reply that they were not working outside the home for pay.<sup>16</sup> The addition of voluntarism to domestic concerns among American Jewish women followed the Christian American and German Jewish pattern as the twentieth century proceeded. The 1950s pattern of women devoting themselves to spotless kitchens and Jewish communal organizations was thus more a result of American/Western values than those of historical Jewish prescriptions.

What has made Jewish families “Jewish” in traditional societies is not their adherence to bourgeois norms of gender-role construction. Jewish family values have been expressed through the family’s adherence to prescribed social behaviors, grounded in a perception

of covenantal responsibilities. Within this matrix, clearly defined gender roles historically contributed to highly married and unusually stable societies. Some argue that families in which gender roles are clearly defined also contributed to marital serenity within the family unit and the mental health of individuals; men and women, boys and girls all knew what was expected of them. While some individuals might have had moments of chafing or rebellion, they had few occasions to confront the terrors of indecision afflicting many contemporary Americans with too many choices. Today, American Jewish culture has adapted its norms of gender-role construction and has relocated its ethnic boundaries vis-à-vis many gender issues so completely that it can arguably be said to have reached a postfeminist state.

The most completely mainstreamed changes in American Jewish gender-role construction focus on personal aspects of life: women's health issues, friendship circles, erotic liaisons, marriage, family relationships, childbearing, and childrearing. The attitude of American Jews toward women has been sweepingly more liberal than that of other American ethnic groups and than that of Jews in some other areas of the world, such as Israel and Latin America. American Jews, for example, are overwhelmingly committed to equal educational and occupational opportunity for women, and to reproductive choice. Thus, in the realm of personal choice, marriage, and family planning, the American community has by and large relocated its ethnic boundaries.<sup>17</sup> Rather than being defined as a community that is highly prescriptive in its gender-role construction, American Jewish men and women today tend to be characterized by more permeable gender-role constructions than those found in many other groups. Other societal changes involve professional development, such as education, vocational choice and career advancement.

However, egalitarian goals do not necessarily correlate with smaller families. In households in which wife and husband have a high level of Jewish education and high levels of ritual observance, careers and family sizes of three, four and more children coexist. A highly significant predictor of family size – independent of

educational and career accomplishment – is Jewish traditionalism. Religiously traditional women have children earlier and have more children than less traditional women, as in the past. Contradicting the patterns of earlier generations, however, ritually observant young Jewish women do not have less secular education or more modest career accomplishments than their less observant sisters, as the Hartmans, working with national studies of American Jews, have convincingly demonstrated.<sup>18</sup>

### **ORTHODOXY AND THE “FAMILIST” AGENDA**

Should Orthodox Jews, like some other organized religious communities, be advocating openly on behalf of marriage and traditional lifestyles? Interestingly, this question is undergoing dynamic discussion in non-Jewish American society. Today, many Americans are agonizing over the health of the family, and a surge of “familist” feeling has appeared repeatedly in both intellectual and popular venues. Many writers blame changing gender roles, specifically those induced by feminism, for the “decline” of the American family. “New familists” have mourned shifting trends in American marital status, and they have warned that these trends accompany social and moral decline and perhaps even the decline of Western civilization as we know it.<sup>19</sup> To these observers, the normative two-parent, single wage-earner, monogamous, fertile family unit requires and instills the qualities of character that are necessary for the physical and moral vitality of individuals, households, communities and states. Conservative social thinker David Blankenhorn summarizes the six social functions of the family as procreation, socialization, affection, sexuality, cooperation and pluralism, and he posits that normative family units are best designed to provide the context for balancing larger social needs with individual diversity. Given the echoes of Judaic social attitudes in his writing, it is clear that familists of many faiths believe that contemporary preoccupations with the rights and material success of individuals have undermined a more productive emphasis on social groupings and their interwoven responsibilities.<sup>20</sup> Bruce Hafen fiercely defends familistic values:

In familistic relationships, shared commitments and mutual attachments transcend individual self-interest. These relationships are rooted in unlimited personal commitment – not merely to another person, but to the good of the relationship and to the family entity as a larger order. Because of the unlimited nature of such commitments, detailed lists of rights and duties can neither describe nor prescribe a familistic relationship.

Contractual relationships, by contrast, combine elements of solidarity and antagonism. By definition, these relationships are always limited in both scope and intensity. Parties enter a contractual relationship primarily because of self-interest, weighing their commitment to the relationship and calculating the return of profit, pleasure or service.<sup>21</sup>

However, other policy analysts and writers refute the familist vision of history and society, insisting that the mid-twentieth-century notion of the family is neither ancient nor universal, but instead shaped by modern economic, political and social transformations.<sup>22</sup> Moreover, they point out that unlimited personal commitment was expected only of women in most traditional societies. Women, not men, were expected to sacrifice personal goals for the good of the family unit. In contrast, Barbara Ehrenreich suggests that American men prided themselves on rugged individualism in the supposed heyday of family values, and they frequently neglected families and abandoned relationships as the spirit moved them. Ehrenreich charges that it was men's "flight from commitment" in the 1950s and 1960s that provided fertile ground for feminist growth in the 1970s.<sup>23</sup>

In analyzing the impact of changed gender-role construction on the Jewish family, "the new familism" is not an easy fit for Orthodox Jews because axiomatic assumptions about men, women and families in traditional Jewish societies have often differed from those of society at large. As we have noted earlier, notions of what comprises the "public" and "private" spheres, for example, have been radically different among Jewish traditionalists from the ideas of

their Westernized neighbors. In modern Western societies women were often perceived as being innately more religious and churchgoing than men, while commercial arenas were perceived as dangerous public spaces inappropriate for delicate females. In contrast, in many traditional Jewish communities, synagogues were primarily male domains, while women were assumed to have practical skills for the world of commerce. In the same way, Jewish “family values” overlap with, but are not identical to, those of the wider American culture. Thus, while some fundamentalist Christian groups vilify women’s education and careerism, Orthodox Jews have historical precedents for approving of educated working women. Moreover, Judaism has built and reinforced a concept of the sacred family absorbed in diverse sacred tasks. Caring for society’s most vulnerable is one of those sacred tasks, equally incumbent upon observant men as observant women.

### **COALESCENCE IN THE CONTEMPORARY ORTHODOX COMMUNITY**

Although traditional Judaism thus has a unique approach to family values, Orthodox singles’ incorporation of resistance to marriage and personal commitments are usefully placed into the context of widespread coalescence of American values into American Orthodox life. Many modern Orthodox Jews have coalesced far more American values and behaviors into their version of Judaism than either they or non-Orthodox Jews frequently realize. It is possible that modern Orthodox Jews are ideologically disposed toward coalescence because of a neo-Orthodox foundational commitment to a version of synthesis. Unlike coalescence, the concept of synthesis which was espoused by many classical Judaic thinkers was based on the assumption of a deep knowledge and understanding of two great world traditions, Judaism and Western humanism, and an ability to bring these ways of understanding the human condition and humane responsibility into fruitful interaction within a vibrant, unflinchingly Jewish interpretive framework. Within coalescence, in contrast, the interpretive framework through which Judaism is evaluated is primarily derived from contemporary secularized



Protestant American culture. Many modern Orthodox Jews, like other Americans, approach decisions by asking, "Is this fair?" "Is this right?" and "Is this what I want?", and not only, "Is this what my Jewish values suggest?"

In some modern Orthodox institutions as well, compelling commitments to egalitarian organizational principles, group consensus, self-determination, individualism and feminism have made observable inroads, as practitioners struggle with two competing modes of conformity and with their own desires for autonomy as individuals and as a group. Americans are powerfully motivated by both individualism and conformity, and tend to turn ideas and beliefs upon themselves, wanting at the same time to be in harmony with their social networks. Across the denominational spectrum, Jews also try to incorporate and accommodate American and Jewish ideals. Modern Orthodox Jews are pulled between individualism and conformity, but they have two systems which demand their conformity: contemporary American culture and rabbinic law.

### **CONCLUSION: ROMANCE AND RULEBOOKS**

The combination of pressures from American culture and from traditional Orthodox norms creates a fabric of complex emotions among Orthodox singles. Contemporary patterns of extended periods of singlehood among Orthodox Jews, like diverse aspects of Orthodox American Jewish life, are both a result and a symbol of the coalescence of Jewish and American values. This coalescence is dramatically illustrated in the "shopping list" phenomenon this essay began with, and the relationship of the shopping list to an unhealthy commodification of marriage in the Orthodox community. Not enough attention has been paid to the wider sociological implications of this commodification of marriage. Realistic evaluation of potential romantic and marriage partners is certainly an important skill, and is also a wholesome reaction against the naïveté with which unsuitable persons have sometimes been shackled together. This is particularly true in the Orthodox community, where the situation

of *agunot* (women without a *get*) who cannot win release from their failed marriages is unfortunately still a bitterly unsolved problem.

Nevertheless, the widespread habit of evaluating single men and women with an accountant's eye as marital merchandise is both demoralizing and dehumanizing. Rather than being exclusively Orthodox, it derives equally from the *Sex and the City* mentality of keeping a scorecard on dates and potential dates. Taught to regard each other with suspicion, some Jewish singles – including Orthodox singles – continue to be suspicious and remain unmarried. Taught to avoid involvements without a guarantee of health, financial solvency and eternally shared values and lifestyles, singles see quite well that no relationship comes with a guarantee and consciously or unconsciously avoid serious involvements. Fostered both by secular American consumerism and by some aspects of *shadchones* and historical arranged marriages, commodification impoverishes relationships and has set many a promising friendship off course. Along with toxic portrayals of Jewish women in television, film and popular culture, commodification bears significant responsibility for the attenuated singlehood of many Jews.

In addition, as some of the testimony at this Orthodox Forum has suggested, a desire to avoid sexual entanglements and to live according to the highest standards of *shomer negiah* (avoiding any physical expression of affection before marriage) has actually split apart some relationships. Worried that they will break Jewish laws, otherwise appropriate men and women sometimes stop seeing each other in order to guarantee their piety through emotional as well as physical celibacy.

As this essay's opening illustration of anorexic young Orthodox women suggests, many young singles believe they will never attain their romantic goals unless they follow a complicated rulebook. I was stunned several years ago when several young women attending a conference told me they love to listen to a lecturer on Talmud at Stern College, but they are afraid to register for his courses because potential dates have been warned of girls who are too "feminist." They explained that girls must be thin enough and religious enough,

but not “too religious,” in order to qualify for a young man who would be “perfect” for them. Even the putative feminism of mothers who are active in liberal Orthodox activities and organizations is sometimes used to scuttle potential introductions.

Of course it is not men alone who have shopping lists. Young women also have long and particularistic expectations of men who comprise appropriate marriage material. Many contemporary young Orthodox single women seem less inclined than their mothers’ generation to consider fine character as a primary, uncompromisable qualification, less inclined to recognize a “diamond in the rough.” Like their potential suitors, Orthodox women sometimes place more emphasis on external characteristics such as charm, knowing how to dress well and knowing how to behave in sophisticated social settings that may be undeveloped among younger men, especially those who have been somewhat sheltered. The Orthodox community faces an extraordinary challenge of creating a countercultural approach, in which boys and girls are educated by their parents, their teachers and their community to regard each other with empathy and humanity, rather than as purchasable entities.

Lay and rabbinic leaders of Orthodox communities with many singles feel they are facing a quandary. A variety of ongoing Internet conversations discuss the feasibility of further research and diverse strategies. As one thoughtful e-mail put it:

This leads us into an unavoidable paradox. The singles community is defined by marital status, which we and many of the singles themselves wish to change. Thus, the whole endeavor of fixing the singles crisis is predicated on shrinking this community, assuming all the way that being single isn’t a good thing. While we might promote that being single isn’t a character flaw, we’re still actively trying to change the status of the individual. If being single isn’t an illness, then why not accept the singles community as it is (1/1/05).

Jewish religious tradition historically has actively promoted marriage

for adult Jews of all ages, and has discouraged singleness. The question facing Orthodox communities today has some similarities to Jewish communal questions about how to treat intermarried families: Outreach activists urge inclusiveness, but traditionalists counter that inclusiveness means legitimization of intermarriage as an acceptable choice for Jews. Thinking about Orthodox singles as well, segments of the community urge inclusiveness – “why not accept the singles community as it is” – while others counter that total inclusiveness would be tantamount to legitimating singleness as an alternative lifestyle for Orthodox Jews. Thinking about the treatment of Orthodox singles thus demands coming to terms with deep philosophical, sociological and communitarian issues.

Social science provides some guidance in this area. Studies repeatedly show that peer groups have the most profound influence on members of a social network. To the extent that Orthodox singles are welcomed and incorporated into communities with diverse marital status – married, married with children, empty nesters, divorced and widowed persons, single parents – there is a far better chance of their internalizing the familistic values of that diverse Jewish community. To the extent that they become *b'nai bayit* (regular visitors) in the homes of happily married Orthodox Jews who show them genuine friendship and hospitality, the negative influences of unhappy marriages and bitter divorces they have observed may be ameliorated.

In contrast, to the extent that singles are pressured, stigmatized and made to feel that they are socially unacceptable they will turn exclusively to each other and create bounded social networks consisting almost exclusively of singles like themselves. In this sealed singles universe, nonmarriage comes to seem more and more normative while internal pressures toward the creation of married households are eased. Thus, while it may seem counterintuitive, in addition to creating effective strategies for single men and women to meet and interact with each other, “mainstreaming” singles into the larger community, welcoming them and not making them feel self-conscious, are important elements in enhancing their openness toward finding appropriate partners for married life.

Not least, as individuals and as a community Orthodox Jews can

help singles by introducing them to each other. A recent *New York Times Magazine* article on “The New Arranged Marriage” describes matchmakers – all of them middle-aged Jewish women! – who press their wealthy, accomplished clients to be realistic and practical:

The new matchmakers take a traditional approach. They believe that people do and should marry within their tribes....They will speak the same dialect....the matchmakers will insist that the pairing is right. Once they commit and start building that long-delayed life, they’ll be happy – or happier, at least, than they were when they were single.<sup>24</sup>

With any luck, their words may be a harbinger of a broader cultural return to an emphasis on marriage.

#### NOTES

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5. Sylvia Barack Fishman, *Jewish Life and American Culture* (Albany: State University of New York Press, 1999), p. 10.
6. Quotes without citations are taken from personal or email communications. All names are pseudonyms; other remarks are quoted anonymously.
7. Fishman, *Jewish Life and American Culture*, pp. 120–121.
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# 6

## Observations on *Perfect Person Singular*

*Shmuel Goldin*

*I have been asked to offer brief observations on Professor Sylvia Barack Fishman's presentation, Perfect Person Singular. Professor Barack Fishman's excellent presentation covers much ground. I will focus specifically on the issue of communal response.*

Rabbi Leo Jung, zt"l, is reported to have said: "The job of a rabbi is to comfort the afflicted and to afflict the comfortable." After over thirty years in the rabbinate, I have come to the conclusion that Rabbi Jung's comment not only reflects the role of the rabbi, but also the fundamental tension which lies at the core of synagogue and communal life.

On the one hand, the role of the synagogue is to "welcome" and to "include," particularly in the Diaspora where Jewish identity is so dependent on affiliation with communal institutions. The synagogue's task on this level is to provide an attractive, warm,



enriching environment in which Jews from disparate backgrounds and with disparate viewpoints can find solace, support and continued spiritual growth. Such a community not only seeks to address the personal needs of its members, but attempts to actively offset attrition from our ranks.

On the other hand, the synagogue role is to “afflict the comfortable.” Standards of *halakhic*, personal and communal observance must be defined and encouraged; messages of *mussar* must be conveyed from the pulpit (in a fashion which works – often not easy to find); and a general positive push towards continued religious growth must be maintained. Only those who conform, at least in spirit, to the *halakhic* norms of each particular synagogue community will truly feel part of and be fully accepted into that community.

The balance between these two facets of communal obligation is often uneasy. I have commented on many occasions that “open” Modern Orthodox communities, such as the one in which I am privileged to serve as rabbi, are, to quote the famous rabbinic dictum concerning the Red Heifer, *m’tamei et hatehorim* even as they are *m’tahev et hatemei’im*. Individuals who might be uncomfortable in more rigid Orthodox settings feel comfortable joining communities such as my own and often experience tremendous religious growth. At the same time, however, other individuals who would never consider certain behaviors were they to live elsewhere find themselves comfortably bending the rules when they live in a Modern Orthodox community such as mine. “Tolerance” is often confused with acceptance of a lower standard of observance and the rabbi and the community must work doubly hard to keep “pushing the envelope” of *halakhic* practice.

The problem is exacerbated when the lines between the “afflicted” and the “comfortable” are blurred. Consider the internal struggle often played out within Modern Orthodox communities as we attempt to define our attitude toward homosexual couples. On a gut personal level, we are pained when individuals who deeply desire to be part of the community are forced to be outsiders (often, they would claim, through no choice of their own). At the same time, however, lines of *halakhically* acceptable behavior must be clearly

drawn, even if these lines defy the liberal approach of so many in the world around us and even if some individuals will be made to stand outside those lines.

How much greater the challenge when the *halakhic* lines are not so clearly drawn. At the core of the “singles phenomenon” lies a community that through a confluence of circumstances finds itself living a life that is not “optimal” from a Jewish perspective. The non-optimal nature of single-hood derives both from the emphasis within our tradition on family, and from a genuine fear of potential loss to the Jewish community, are these individuals not to marry and have children. On a personal level, as Professor Barack Fishman points out, this reality creates tremendous personal stress for singles themselves, great angst for their parents and families and gives rise to frightening aberrations in priorities set by the *shidduch* process and the dating scene.

The conundrum which faces the Orthodox Jewish community today derives from the dual need to keep the members of the singles community close without conveying acceptance of their single status as a *halakhic* norm. A misstep in either direction can potentially lead to frightening consequences. If singles feel ostracized, if they find no place within Orthodoxy, they may well choose to opt out. The West Side of New York is replete with stories of young men and women who no longer feel connected to the observant Jewish community and who, as a result, have become unobservant themselves. As one young woman put it at one of the Orthodox Caucus’s meetings with singles, “I am forty and single. In my workplace that is ‘normal.’ Among my secular friends I am considered ‘normal.’ Within the Jewish community I am ‘abnormal.’ Why should I continue to affiliate with a community that views me as ‘abnormal’?”

At the same time, however, if in our desire for inclusiveness we send the message that single status is acceptable, we run the risk of encouraging the further development of self-perpetuating singles communities such as those which continue to grow on the West Side, in Passaic, and in Washington Heights. It’s almost a catch-22; increased pressure towards marriage may well force singles to develop their own communities where they can feel comfortable, while

increased acceptance of their single status will encourage others to remain single.

We have been told again and again at meetings with representatives of the singles community that pat answers will not work; that pressure is counterproductive and that creativity is essential to the development of healthy, non-threatening environments in which singles can meet not only each other, but also married members of the communities around them. One individual poignantly commented at yet another Orthodox Caucus meeting that many singles on the West Side have no real association with families around them. At the same time, visits by the singles to their own nuclear families become increasingly infrequent as they find such visits to be uncomfortable and tension-filled. The singles, therefore, create their own substitute family structures, communal meals, *kiddush*, *havdalah*, the 'whole nine yards'. While the singles certainly feel continued angst over their non-married status, a degree of stability and practical comfort in the status quo is achieved. Such a separation between singles and marrieds can only be countered by the conscious "mainstreaming" of which Professor Barack Fishman writes at the end of her presentation. Mainstreaming, however, will not develop automatically or easily. Singles themselves must be involved in the planning and in the process. Without such participation anything the general community does will be perceived as condescending and may be misguided. Open and clear dialogue must be established between rabbinic and lay leadership, singles and marrieds within the community. Mechanisms for inclusion in synagogue programs and governance must be accompanied by natural social interaction between families and singles. Events and *simchas* must be structured to optimize the opportunities for meeting and socialization. Above all, singles must come to feel appreciated and valued as individuals who contribute in their own right to the communal fabric. At the same time, however, such appreciation must stop short of even an implicit approbation of the single lifestyle as an accepted *halakhic* norm.

In short, our goal must be to strike the balance which so often characterizes synagogue life. We must find a way to make singles feel

welcome as participating members of the community even as they understand and accept our own not so subliminal desire to see them all married (a desire which almost all of them share).



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# 7

## Excerpts from Interviews with Orthodox Singles

*Koby Frances and Jennie Rosenfeld*

The lives of unmarried Orthodox men and women are largely characterized by strivings for religious and professional growth amid struggles to find fulfilling relationships and intimacy. At times these efforts can coexist with emotional currents of loneliness, religious fragmentation, sadness and confusion particularly regarding how to incorporate and express desire within a halakhic framework.

Many seriously committed religious singles are discussing their thoughts and feelings about the conflict between their sexual and religious behavior and identity. They find themselves in halakhic, psychological and existential quandaries as they wrestle to reconcile feelings and behaviors with their Jewish observance. Lacking the religious structure found in marriage, family and community life, many Orthodox singles are seeking some form of expression, and perhaps some kind of reconciliation, with this struggle that may not have a solution in consonance with halakhah. Their voices, colored

by the unique background and personality of each individual, deserve our attention.

With this in mind we share the reflections of some thoughtful, articulate single men and women who were interviewed during the past year. The interview process was designed to allow the individuals to express their personal narratives in a way that felt comfortable, and with our strict commitment to complete confidentiality. The interviewees said that they were willing to share their private stories, ones which they hardly felt safe disclosing to anyone directly, in order to contribute to the greater purpose of addressing this problem in a serious and sensitive religious venue. While an honest discussion of an issue impacting a significant segment of the community is crucial, we are committed to conducting it with a sense of *tzniut* and awareness that these matters are personal.

We interviewed nine women and seven men ranging from ages twenty-one through forty, all of whom self-identified as Orthodox. For the most part our questions were open-ended. The one to two-hour interview began with one question: *Can you tell me about your religious and sexual life and how the two intersect, if at all.* As the interview progressed, we occasionally requested examples that would better illustrate a more abstract opinion.

The interviews were qualitative in nature and designed for the purpose of hearing people tell how they mediate between their religious identity and sexual identity. This was not a scientific sample, nor did it intend to be. We believe, however, that the results of these interviews are meaningful and have ramifications for our community as a whole.

Most of the interviewees grew up with strong religious Orthodox backgrounds. Those who grew up in less observant homes became more observant in their later teens. In terms of their occupations, they were Jewish educators and leaders, rabbis, corporate professionals and students of various disciplines. While the lives and personalities of these individuals varied greatly, similar themes became apparent.

When describing their experiences in intimate relationships, many expressed having felt an extraordinary amount of internal con-

flict and frustration. On the one hand stands halakhic observance, and on the other hand stand modern notions of what it means to be in a relationship and people's physical and emotional needs in such a relationship. Individuals often felt trapped in this dilemma, knowing that both sides brought rewards and consequences. Over and over again relationships were described as burdened by the decision of what to do. Sometimes the relationship would unravel because of this.

Interviewees often laid down the facts quite bluntly: single men and women are fully developed sexual beings who interact with a world saturated in sex. They have no halakhically permitted sexual outlet. Our community's value system is strikingly different from the secular one, posing a very real challenge to single men and women. As one twenty-two year old woman said, "I've thought a lot about this and I really believe that our generation is different and unique in the challenges that these laws pose to us – but then what? Should we get rid of the halakhot? I feel like that would be the easier answer, but it's not what I think should happen."

A thirty-two year old man who struggled to reconcile his sexual feelings and religious identity, described how hard it was for him to sing *d'rakheha darkhei noam* each Shabbat in shul. He believed that our community needed to better address the conflict between the values of modernity and our tradition. "Every resource should be used to communicate, internalize and protect our value system so it remains relevant to everyone who interacts with the modern world." He thought that if this did not happen, we would be allowing ourselves, our youth, and our single men and women in particular, to be exposed to – and perhaps swept away by – a tidal wave of alienation.

Another important theme discussed by the interviewees is that with the sexual lives of single people in particular, there are few venues for socially legitimate discussion and guidance. Unmarried couples who are in a conflicted quagmire about their intimacy and shared physical or sexual experiences, are often uncomfortable and ashamed discussing together the meaning of their relationship, the limits or discomfort in their intimacy, or their need to seek help and



talk about their feelings with others. The fact that the struggle of premarital sexuality is not addressed in any religious or communal context only exacerbates the pain, secrecy, fragmentation and denial that singles often experience.

When people internalize the message that this is not to be spoken of, it is not a far jump to believe that it also cannot be thought about. The result is that many single adults lack a language in which to internally process and outwardly discuss their sexual feelings and experiences. Pretending it's not there and that it never happened is sometimes perceived as the best, albeit least effective, option.

Silence on this issue was often accompanied by deep feelings of guilt and confusion, not only for actual physical contact, but even for experiencing the desire for such contact. The guilt was mostly unproductive in that it did not lead to any form of *teshuvah*, but only to increased feelings of shame and self-loathing. Feelings of guilt also led to decreased levels of religious observance in general, in order to avoid increasing conflict and hypocrisy. As one woman said, "After a while the split existence of night and day stops making sense and when you wake up six months later you're no longer the *frum* girl who is close to *Hashem*, has 2 weekly *havrusas*, and is very spiritually connected." Since singles often experience their sexuality in the context of sin, it becomes especially hard to integrate their striving for religious growth and stability when such an important aspect of their personality trails behind, weighing the rest of them down. The challenge of integrating their religious and sexual identity can prove almost insurmountable at times.

If we are to empathize with people who are going through what is perhaps the most difficult period of their lives, we need to normalize these issues for our community and for the individuals experiencing them. Despite the lack of any formal solution, the Rav's concept of "*adabra v'yanuah li*" – the redemptive quality of speech – is quite applicable to this situation. Interviewees, who were previously unable to discuss their feelings with anyone, felt a catharsis in finally being able to speak about their pain and conflict, often for the first time. By offering an ear, by giving voice to conflict and by empathizing with the serious challenges posed to single men

and women, however they were experienced and lived, this part of their identity was able to become both speakable and hearable. As the topic was discussed, and therefore made more available to consciousness, these individuals could start to believe that their actions did not ruin them as Jews or as people.

“Thank you for listening,” one man remarked, “I’ve never told anyone about this before, not even myself.” People we did not even know approached us and said thank you for listening to “our voices.” By simply listening to several individuals without commenting, judging, grimacing or squirming, a powerful result had taken effect.

The importance of being able to listen sends a message of care – that as a community we will not hide under the veil of *tzniut* from people’s real frustration and anguish or even conflicted pleasure. When we as a community engage actively and consciously in tough issues, we give permission for individuals to think in creative and complex ways about their own conditions. Our silence about this might be inadvertently creating the ideal social conditions for people to give up struggling in this area, which would be the real tragedy.

*Note: The following vignette is a fictionalized sketch which represents a synthesis of actual interviews with several individuals. All identifying data have been changed and resemblance to any individual is incidental.*

When I started dating there were a few relationships, some more serious than others, where we might have sat close to each other or stared into one another’s eyes, but there was never really a dilemma of wanting to touch and not being able to. The conflict of sexuality, which of course I was always dealing with internally, was separate from dating.

As I got older and moved to the City, maybe because of my mood or surroundings or just my natural development, or a combination, I started to become more aware of sexuality in my real life and not just in my private thoughts. I might meet attractive women at work or in the supermarket and instead of just noting to myself

that they were pretty, I would strategize how I can introduce myself to them and where we might go from there. My immediate desire for a physical relationship, for that kind of intimacy, seemed to override my needs for an emotional connection.

My dating life also changed. I found myself looking at dates differently, noticing their bodies, how they walked...conversation was often tinged with all kinds of innuendo – the question of life-long partner was irrelevant when there was so much sexual tension. I always struggled with sexual feelings and *hirhurim*, but I hadn't encountered these things in my real life quite this way before. I have to admit it was enticing but also scary; it didn't feel like this was me. It was hard to figure out who I was religiously when this was on my mind so much. How was this in line with the rest of my religious observance? In davening or learning I became a little apathetic – it wasn't where my heart was. I wished that these thoughts would go away.

Eventually I just got bored with this back and forth, seeing no way out of it – thinking about sex and feeling bad about it. The guilt just wasn't productive. Maybe if I lived in Williamsburg this standard would be reasonable and to some degree I think they have the right idea – not their world-view, but with sexuality, I don't know if they are challenged the way Modern Orthodoxy is. We are taught that it's okay to see movies and plays, go to college, hang out with secular people, read literature, socialize with women and date them for a few months if you have to – but don't even lay a finger on them, don't say sexual words, don't have sexual thoughts and don't tell anyone about them if you do. Can one get rid of sexual urges? Can you just cut off a natural experience that in every other context of our lives is normal, permissible and healthy? What – take a cold shower? Sit on my hands? Say *sh'ma*? Everyone knows the more you try to get it out the more it comes in.

Soon enough I met someone who I really connected with and liked. Her name was Leora. And when we met, the possibility of touching was constantly in the back of my mind, and it was confusing. Part of me wanted a physical relationship yet now I was scared to pursue it. I didn't want that kind of relationship with a person I respected, admired and saw as a marriage potential. This

wasn't a fling, a way to relieve sexual tension, but a real person with whom I wanted to do the right thing. I wanted to be shomer negiah because I didn't want the physicality to be a distraction or a source of contamination. So for a few weeks all we did was sit in my car and stare at each other in silence – it was extremely intense. I kept hearing in her head and in my own, “Nu already – are you gonna do something?” But this dilemma had me frozen, both in my words and in my actions.

And soon I realized that the only thing more distracting than touching was not touching. You know, I regret not talking this out with her, maybe we could have been stronger, because eventually we did start to be physical, but somehow it seemed like we needed to be silent about this – I don't know, maybe we were scared to speak about it because then we'd for sure succumb. In the end, I just wanted to get the touching over with so we could move on and continue with our relationship. One day, when I reached out for her hand, of course it was nice but I knew it was out of a sense of defeat. The question of 'to touch or not to touch' was too heavy for us.

Once that happened I figured that the question of touching would be less pressing, that our tensions would be relieved. But that's just not the case. Because stuff comes up all the time with this, like how far we are comfortable going, how we talk to each other about it if at all... And my relationship with G-d also feels strained. In every other way I feel myself to be a devoted Jew, willing to make certain sacrifices. But in this one area... it's very different.

Sexuality still brings us more pain than pleasure. And the worst part of it is that I can't help feeling like once I've decided to not be shomer negiah, I don't even deserve to have a place to figure out all these issues whether they are religious, psychological or about the relationship. In a way maybe this is my punishment for violating something so big. I'm still not really sure...

*Note: The following vignette is a fictionalized sketch which represents a synthesis of actual interviews with several individuals. All identifying data have been changed and resemblance to any individual is incidental.*

After dating Yitz for a while, not touching became a struggle – you reach a certain point in the relationship, a certain amount of emotional intimacy, and the physical seems to be the natural next step – though it took me a long time to admit to myself that that’s what I was feeling. But we were strong or at least trying to be. We even spoke to a rabbi at one point... But after being in the relationship for four months, and after many such episodes where we almost touched, even while taking every necessary precaution to avoid *yichud*, there was one night where the precautions just weren’t enough...

After Yitz left my apartment that night, it was unbearable for me: the pain, the shame, the guilt, but also the pleasure and sense of relief I had felt in finally touching Yitz, but which I tried to ignore. I was always the good girl, the one who didn’t need to change in Israel. But suddenly my past virtues were meaningless. I am now my students, I am now my campers. That line which appeared to me then, became a mantra over the next weeks and months – I am now my students, I am now my campers. I was now able to empathize with students in a new way, but it wasn’t worth the price; I was not fit to be a role model, to teach Torah or to learn Torah. I was overcome with self-loathing – I literally could not look at my own face in the mirror – isn’t the girl supposed to be the strong one? – what’s wrong with me? I remember my journal entry that night as if it were yesterday, ‘I will fast today to punish myself... Please G-d help me, please G-d help me...’

Afterwards we’d analyze and overanalyze and swear things would never happen again. The issue of touching or not touching took over the relationship; it became our obsession. But even though I couldn’t live up to *shomer negiah* in my actions, I still carried the worst type of *shomer negiah* baggage with me; like how we’d only be physical when completely overcome with desire, and then we’d end up going much further than either of us would ever have imagined – after all, wasn’t the distinction between holding hands and anything else halakhically artificial? Ironically, it was our strong commitment to laws we physically couldn’t keep that stopped us from assessing and setting realistic boundaries. You see setting those boundaries was like giving up and admitting that we weren’t *shomer*

*negiah*, when we were still fighting that reality. At the time I thought, “As long as I get upset or think about the *halakhah* every time we touch, at least I’m keeping some *halakhah*...” As long as I was still struggling it was okay...

After the breakup, I was a mess. I felt afraid of myself, of my own capacity for sexuality. Daily life was so difficult, feeling like I was living a contradiction, because those same actions which plagued me and tore me apart had simultaneously fulfilled my deepest need. And, there was no one I could talk to, no one I could trust. My family, friends, and teachers all had a certain image of me and I alone knew how false to that image I had been. I couldn’t bear to open up to them and face their inevitable disappointment. And then there were my students – sometimes while teaching I’d have flashbacks – what right do I have to speak words of Torah? What right do I have to stand here as a role model? I placed my hope in *teshuvah*, but somehow felt it didn’t go deep enough...

Years later, after several more relationships like Yitz, I just stopped struggling with *shomer negiah*. I was battle-worn from too many relationships that were characterized by constant struggle, and I was lonely... I felt I needed a sexual outlet, and at the same time I realized that touch was not only about sexual desire, it was also just a human need for closeness. Around that time, I met Shai, and we clearly connected on many different levels. It was the first relationship that I entered with the intention of just being “normal” and letting things take their natural course. Shai was from a different world, with none of my past and none of my hang-ups – he was the opposite of Yitz – I can’t really describe it – he had this infinite depth and ability to make me feel like I was the only one in the world when he listened to me. One night, a month into the relationship, we were sitting silently in his apartment, when I asked what he was thinking. He was thinking of how much he wanted to dance with me at that moment, so I just stood up and said we should dance. It was a moment... I can still feel the reverence in his hands and body as he drew me to him to dance. There were moments in which we were apart, each moving on different sides of the room, only our eyes still connected, and there were moments when he held me

close. I don't remember how long it went on or when the music stopped, but I felt exhilarated afterwards as we sat talking. Nothing more happened at the time, but I felt deeply fulfilled. And that too was a unique feeling; because *shomer negiah* had trained me to be hypersexual, not to understand the beauty and basic humanity of just hugging or holding another person.

There was a period following that night in which I reveled in my normalcy; my ability to hug and to hold hands, to reach out and feel someone's face – basically, my ability to find a space for the physical expression I craved, which wasn't a sexual space. Touch and physical contact in a caring way was a need for me – I couldn't bear the loneliness, and the feelings of not having felt a hand reach out to me in months... By the time I reached those decisions, there was no guilt left for me to feel – it was so untenable for me to live without love and touch in my life, that I no longer was in a position to struggle.

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# 8

## Premarital Guidance Literature in the Internet Age

*Yuval Cherlow*

Moses received the Torah at Sinai and transmitted it to Joshua, who in turn transmitted it to the Elders, who transmitted it to the Prophets. The process of the transmission of the Oral Law has progressed and developed from the Revelation on Mount Sinai until the present time. Two main periods can be identified in the development of Jewish legal discourse. During the first period the discourse was primarily in oral form. A formal ban existed on the writing of the Oral Law during its early period, thus leaving no extant record of its discussion. There was a well-known dictum “that teachings that were given to you orally you are not permitted to transmit in writing and teachings that were given to you in writing you are not permitted to transmit orally; in the academy of Rabbi Yishmael it was taught that the verse states: ‘Write for yourself these words’ – *these*



words you may write, but you may not write orally transmitted laws” (*Temurah* 14b). Even during this period, apparently, certain monographs, known as *megillot setarim*, were written. However, these were regarded as personal notes and not treated as textual source material. Starting from the time of the men of the Great Assembly, the Oral Law has been recorded in various formats. The primary method of recording was by writing and rabbinic correspondence was conducted by all means possible. This process spanned thousands of years, and while the technology of print communication was constantly advancing, the type of rabbinic discourse involved remained essentially the same. Even when conducted in writing, it proceeded as if it were taking place in a live conversation.

Such discourse naturally extended to even the most intimate topics. A unique aspect of Jewish Law is its concern with lofty matters alongside the mundane and practical. Part and parcel of that concern is its treatment of the marriage relationship in all of its possible aspects. While this issue is multi-faceted, three central areas of focus are addressed by the Oral Law. The first of these is the proper method of establishing a Jewish household, and of dismantling it should the need arise. In typical fashion, Jewish Law considers these issues primarily from a legal perspective. Nevertheless, the relevant laws also reveal some deep, fundamental concepts regarding the family. The method of establishing a family can provide insight into the structure and value system of the family. For example, the rule stating that a marriage can only be effected by the free choice of both partners<sup>1</sup> sheds light on the general character of the family and on the importance of good will in family life. Another example is the traditional period of betrothal, during which the marriage covenant between the partners has taken effect, but has not yet been consummated.<sup>2</sup> This period serves as a model for the continuation of the marriage, during which the couple will alternate between periods of “marriage” and “betrothal,” according to the menstrual cycle of the wife.<sup>3</sup> It is noteworthy that Jewish Law, fundamentally, does not recognize the notion of family, per se, as pointed out by Rabbi Aharon Lichtenstein in one of his articles.<sup>4</sup> Two distinct types of relationship – that between a husband and a wife, and that between parents

and children – are dealt with explicitly. The family as a single entity is virtually unknown in Jewish Law, with the exception of the laws of Hanukkah, which discuss the notion of “a candle for each family.” Similarly, the process of dismantling the family also reveals much about the nature of the family. The fact that it is the husband who effects a divorce, and not the wife, the edict of Rabbenu Gershom and other issues, have had a profound impact on the Jewish family.

The second issue is the maintenance of the family itself. The family relationship contains within it matters that relate to man’s relationship with God. Foremost among these is the subject of family purity and the laws governing a menstrual wife which have a great effect on the nature of the relationship. This category of religious laws also includes the commandment of procreation; the desire for offspring is more than a truism of nature – it is also a religious obligation. The legal framework of the relationship between husband and wife is outlined in tractate *Ketubot*. In this tractate, the obligations of a husband and a wife to each other are considered from a legal perspective. While no couple should base their relationship entirely upon legal obligations, the safety net which these obligations provide is essential to the marriage.

The third area is the voluminous *aggadic* literature regarding the relationship between a husband and wife. Such literature covers all aspects of a relationship and provides various perspectives on marriage. The *aggadot* provide models of how to behave toward one’s spouse; they stress the special sensitivity of women; they emphasize the importance of uncompromising fidelity in a relationship and the need to avoid lusting after other people; they provide a context for the intimate physical relationship. While this body of literature does not technically fall under the category of *halakhah*, it has exerted a significant influence on the development of the Jewish family.

As mentioned, these three areas have been dealt with in all formats of the Oral Law. They are discussed in legal codes, in responsa and in various books of customs and guidance which have been published over the years. Despite the fact that *halakhic* discourse has a distinguished history and follows in a strong tradition, it cannot be denied that the medium and structure of such discourse

has profoundly influenced its nature. The invention of the printing press, for example, completely altered the character of Jewish legal discourse, transforming it from an esoteric discipline accessible only to owners of manuscripts, into a common pursuit available to all. The fact that such polemics were conducted in written form rather than in person<sup>5</sup> is indicative of the substantial character shift which *halakhic* discussion underwent.

In recent years *halakhic* discussion has entered the realm of the Internet. This has influenced the discipline in two different ways. One method is the pursuit of *halakhic* discourse in the traditional manner while taking advantage of the new technology to enhance the capabilities of the decisor by putting vast storehouses of information – Talmud, codes and all sorts of articles – at his disposal. This greatly increases accessibility for anyone interested.<sup>6</sup> However, there are other methods of discourse which were not previously available or were much more limited in scope before the Internet age. Two such novel methods of *halakhic* discourse have had a significant influence on the process. The first is the online forum, in which anyone can participate, openly or anonymously, in a *halakhic* discussion. The second one is the institution of online responsa.<sup>7</sup> Online responsa may be justly viewed as a dramatic development despite the fact that written responsa have been around for generations. These responsa are fundamentally different in various ways, some of which have been discussed elsewhere.<sup>8</sup> In this article I will focus only on those differences which relate specifically to the preparation for marriage and the questions that arise for a couple in the context of marriage.

We do not yet have a deep enough perspective to evaluate the influence the Internet has had on the study and practice of *halakhah*. However, since the area most influenced by the Internet has been the discussion of issues of marriage and family, and particularly the more intimate ones, we are able, even now, to present a rather detailed picture of the situation or at least to see where the demand is greatest. This article will attempt to answer two questions. The first is what significance the new realities of the Internet hold for the realm of *halakhah*. The second considers what rabbinic initiatives are called

for at this time to enhance the observance of *halakhah*, the marriage covenant and Jewish modesty and purity. Such an evaluation of the existing literature and that which is lacking, will naturally consider the Hebrew books on marriage preparation studied by religious couples (primarily from the national religious camp) prior to their marriage.

This article is the result of extensive experience with online *halakhic* decision-making. In the context of my *halakhic* work on one of the websites featuring an “Ask the Rabbi” option, I have answered around 20,000 questions from the general public to date. A significant portion of these questions, for reasons that will be explained below, deal with matters of intimacy. This is certainly not an exact statistical analysis; that would be beyond my ken and, in any event, the population which submits queries via the Internet cannot necessarily be regarded as a religious community in the traditional sense. Nevertheless, the range of questions addressed to rabbis on such sites can provide an indication of what topics are lacking in the literature related to Jewish family law. This sense is supported by the handful of forums which I occasionally read to pick up on the latest public opinion trends. These forums are dedicated to issues of marriage and family and the participants write anonymously and with remarkable frankness. The responsa site where I serve as a decisor is “Moreshet,” which targets a relatively older population, including college students and adults with families. A parallel site, “Kipah,” features an excellent rabbinic interface intended primarily to answer questions of teenagers.<sup>9</sup> The picture which emerges from this site is somewhat different since the questions which concern teenagers are not the same as those of the adults. A total of close to 80,000 responsa from various rabbis have been accumulated thus far on the two sites; this can certainly serve as a basis for an analysis of the situation.

## II

Any attempt to analyze the ramifications of the Internet for *halakhic* discourse should begin by outlining the topics related to the structure of such discourse. People have approached rabbis with questions

through various means over the centuries – by personal interaction, carrier pigeons, couriers, letters and faxes. The Internet could thus be seen as simply another medium by which to contact the rabbi, without any particular effect on the content. However, the nature of the Internet and the online community which has developed around it do have significant influence, and we will therefore deal with this aspect first.

Three spheres of influence can be identified in which the Internet, by its inherent nature, affects *halakhic* dialogue on family issues:

1. New topics raised by the influence of the Internet
2. Methods of interaction with the rabbi
3. Methods of conducting public *halakhic* discussions

### **1. New Topics which have arisen due to the Internet**

Technological advances often present *halakhah* with a challenge which requires it to harness all of its creativity to determine how to apply the divine laws to a novel situation. In general, there are two stages of interaction between *halakhah* and the reality of a new technology. In the first stage, the *halakhic* decisors attempt to fit the new reality into the existing framework of *halakhah*. This is essentially a process of expanding an existing *halakhic* category to include the new technology. Since the *halakhah* comprises a great number of categories, it will not generally be difficult to find an appropriate place in which to initially fit the new reality. If this turns out to be a successful fit, then the *halakhic* process has been completed. Often, however, the decisors discover that none of the existing categories truly match the new reality. Sometimes this results in a corrupted interpretation of the new reality in order to fit it into an existing category. In other cases, it may result in the definition of a new *halakhic* category. It should be stressed that in general this does not mean a completely new legislation, as this would violate the traditional etiquette of working exclusively within the *halakhic* system of previous generations. Nevertheless, the authority to apply *halakhah* to these new situations is substantial, and the decisors are generally successful in their creative responses to such situations.

This can be illustrated by two of the main issues which have confronted *halakhah* in modern times. The first of these is the sociological phenomenon of secularism. In the early days of the Enlightenment, when the process of secularization was just beginning, the *halakhic* decisors attempted to fit this new reality into existing *halakhic* categories. There are many definitions of a non-observant Jew within *halakhah* – a baby who was raised by gentiles, an apostate, an *apikoros*, an inadvertent sinner, one who claims ignorance of the law, etc. It seems that the first responsum to deal directly with this issue was that of the “*Arukh Laner*,”<sup>10</sup> and the confusion apparent in his response (which he himself acknowledges) is indicative of the great difficulty involved in confronting the new reality. As the process of secularization continued, the failure of the attempt to apply existing categories to this new phenomenon became clear. The reason for this is obvious: the existing categories, which worked well in dealing with individuals who abandoned the traditionally observant community, were insufficient to provide a response to the *halakhic* questions which arose in a situation where the observant Jews were in the minority. Secularism had altered the entire landscape; it was difficult to refer to the secularists in terms of “a baby raised by gentiles” or to regard a secular Jew who is prepared to die for his nation as an apostate. In some cases, existing categories of *halakhah* which had not been applicable to reality were revived and applied to the new secular community. An example of such a case is the category of a “public inadvertent act.”<sup>11</sup> There were also cases where decisors refused to recognize the existence of the new reality and other instances where ad-hoc solutions, rather than fundamental new definitions, were sought.

The second issue, which involves technology, is that of electricity. Initially, attempts were made to fit electricity into one of the existing categories of forbidden work on the Sabbath, such as construction, kindling a fire or a rabbinic prohibition. However, technological developments in electronics have raised many new questions which require great creativity in relating to electricity and original interpretations of the notion of “mundane activities” and other concepts.

Will the new reality of the Internet age also lead to a reconsideration of the *halakhah* and the definition of new *halakhic* categories? The Internet is still in its infancy, and in practice, the vast majority of *halakhic* decisors have not yet come into contact with it. At some point, however, it will spread to all levels of society, including Haredi society, to the extent that many aspects of life will be accessible exclusively through the Internet. We will then face a new set of problems which will demand updated definitions of concepts such as acquisition, evil speech and desecration of the Sabbath. As this article is dealing specifically with issues of marriage and family, we will limit ourselves to that area and give examples of new types of questions already arising on the various websites and consider the changes called for in the premarital preparation literature:

1. The Internet has redefined the notion of “being an unfaithful wife” and “You shall not commit adultery.” Marital infidelity can be committed in a great variety of ways. One of the most prevalent is via pornographic websites. Such sites can drag those who visit them down to the depths of virtual adultery. The ease of access to these sites raises very serious questions with regard to some fundamental issues in a marriage. What is at stake is the degree of tolerance of a spouse’s behavior, and it can even reach the point of becoming *halakhic* grounds for divorce in a case of one spouse accusing the other of being addicted to pornographic sites. However, beyond the purely legal aspects, there are deeper issues involved. One must be aware of these challenges and be prepared to confront them. It is naïve to believe that only teenagers become ensnared by such temptations and that married adults are immune to them. The truth which emerges from the questions submitted to the rabbis indicates otherwise. It is precisely the teenage indiscretions which are more easily corrected, as part and parcel of the process of maturation. By contrast, the pornographic sites present a formidable challenge to couples married for many years, who have begun to lose interest in each other. In such cases, their encounter with the world of pornography causes them to constantly compare their vivid imaginations with the

reality of their marriage, leading them to become disenchanted with their spouse.

2. A second problem which casts a shadow on marriage is that of “virtual liaisons.”<sup>12</sup> The Internet is characterized by creating opportunities for intimate conversations between people who have never met. This has become a widespread phenomenon, and although this would technically be possible via the telephone, in practice it only occurs over the Internet. The Internet has transformed the institution of online chat into a cultural mainstay. Such interactions can be conducted in various ways – actual voice conversations, forums, chat rooms, etc. The danger is even more serious in light of the fact that the parties conversing do not know each other and sometimes assume false identities. Because of this, people are not embarrassed to expose their inner thoughts, truth and fantasy become intermingled, and people take on imaginary identities and live out fantasies. It is difficult to find a *halakhic* source which directly prohibits this, and the relationship certainly has no *halakhic* standing, since it is taking place over the Internet. However, the destructive effect this has on the family structure and the marriage covenant is clear. Therefore, preemptive action is in order here as well, both in premarital preparation to face such challenges, and in issuing *halakhic* rulings in actual cases of this sort. An example of such a *halakhic* question would be whether there can be a prohibition of “virtual seclusion.” This can be understood in two ways; the first is in regard to the very act of Internet surfing itself. Perhaps it should be prohibited to seclude oneself with the computer and the computer should be treated just like a member of the opposite sex. I first proposed this idea, which at first seems shocking and even ridiculous, a number of years ago, and I later saw that Rabbi Vosner, *shli”ta*, issued such a ruling. This is one legitimate approach to the problem; it creates a protective environment which guards one against sin. A second understanding of this question is in regard to the content involved; that is, can there be a prohibition of seclusion with a virtual partner? If so, it would be forbidden



to enter private chat rooms or conduct an ongoing relationship via ICQ. It should be noted that with the passage of time, more and more of the people getting married will have grown up with Internet surfing as an integral part of their life.

These questions demonstrate that the challenges presented by the new reality cannot be overcome by ignoring the changes which have occurred or by simply relying on familiar *halakhic* categories. Premarital preparation as well as the *halakhic* decision-making process would do well to incorporate their awareness of this new reality into their consciousness.

## 2. New Methods of Interaction with the Rabbi

As mentioned above, throughout the generations Jews have approached rabbinic authorities with inquiries via all possible media and with all existing technologies. The Internet opens up new possibilities for such interactions. Thousands of questions have been submitted to the “Ask the Rabbi” sites and a number of articles have already been written about the phenomenon both in regard to the great potential it holds as well as the possible negative aspects.<sup>13</sup> Such websites have two significant advantages over the other methods of approach. The first is the option of submitting questions anonymously. The anonymous nature of the site allows people to submit questions on the most intimate of topics; previously, few people had access to a Torah view on such issues. Indeed, statistically, a large portion of the questions submitted are related to issues of family and relationships. Furthermore, many of the questions are not actually *halakhic* questions, but rather general requests for guidance. However, when it comes to issues of family and relationships, *halakhah* is so closely bound up with general guidance that it is difficult to draw an absolute distinction between them. The fact that these sites deal with such topics publicly sets off a pendulum motion. First, someone submits a question seeking spiritual guidance in a given area. He also looks at answers given to others and discovers new ways to bring sanctity into his daily routine according to the *halakhah*. Eventually, such sites not only provide answers to specific

questions but establish a new reality, as more and more people visit them and learn from them.

The second advantage is that of accessibility. Someone seeking to know the Torah view on a given issue can submit a question at any time and it will be sent directly to the rabbi's computer. This removes many barriers that previously existed – the need to call the rabbi and ask if he is available or to schedule a meeting at a convenient time for both the rabbi and the questioner. It should be noted that this format is beneficial for the rabbi as well, since he can answer the questions at his leisure and does not feel pressured to answer immediately. He also has an opportunity to consult with other authorities, to search for sources, to formulate his response carefully and many other advantages over a face-to-face meeting. Obviously, the negative side of this method is that no interpersonal relationship is developed with the rabbi and all the benefits of human contact with him are forfeited.

Have these new media had any appreciable influence on *halakhah* or on the premarital preparation literature? I believe that the influence is manifest in a number of ways. First, *halakhah* is now confronted with questions that were seldom presented to rabbis, due to the intimate nature of the subject and the awkwardness involved in posing such questions. Although such issues are discussed by the earliest sources,<sup>14</sup> they were generally not topics of discussion between a rabbi and his congregants. Questions regarding the permissibility of sexual relations in particular cases, as well as the general Jewish approach toward the subject are very prevalent, and the *halakhic* decisors must formulate a more comprehensive position than was previously called for. Secondly, the rabbis can no longer shut their eyes to the reality which the Internet has revealed. The questions which are posed also provide a glimpse of the lifestyles being lived by their congregants. Since the notion of a “congregation” in this case is completely different from the traditional sense, the questions give the rabbis access to much information on different individuals and on various trends within the community.

This reality has two implications for *halakhah*. The first is in regard to the evaluation of the situation. A fundamental part of

*halakhic* decision-making in rabbinic laws and enactments, and occasionally even in Biblical laws, is a proper evaluation of the situation. Whether the issue concerns the potential distancing of a person from tradition, or whether the rabbinic principle of “better for one to sin unwittingly than wittingly”<sup>15</sup> or other *halakhic* principles are relevant to the particular situation, familiarity with the facts of the case is a basic prerequisite for issuing a *halakhic* ruling. The Internet exposes the *halakhic* decisor to a reality with which he was unfamiliar, which may lead him to consider other factors in determining his ruling.

The second implication is the need to clarify and respond to basic questions which simply did not arise previously or were not presented to rabbis before this format became available. As mentioned, many inquiries are submitted regarding the permissibility of physical interaction between husband and wife, including questions that deal with the sexual indiscretions of one’s partner – virtual or otherwise – or one’s own indiscretions. For example, one commonly question posed on the Internet concerns a woman who succumbed and committed adultery, but no one else knows about it. She now wishes to repent completely and asks whether she must confess to her husband, and whether this will entail the breakup of her family. The traditional solution of advising the husband not to believe his wife, thus permitting her to remain married, will not work in such a case, since the wife’s question often stems from a deep religious conviction and she genuinely wants to know her status under Biblical law. This situation also presents the rabbi with a difficult challenge; now that he is aware that the wife is forbidden to her husband, how should he proceed? The premarital preparation literature includes guidance on when to involve the rabbi in various situations – at what point is something no longer a purely *halakhic* question but rather an issue that can be decided by the couple themselves. This also must be reevaluated in light of the new reality. It should be stressed that new rules and ethical guidelines must be addressed to the rabbi as well. The need for the rabbi to limit his involvement and to consult professionals in certain cases, and the need to deal with his great

exposure to the dark side of reality necessitate a deeper consideration of the status of the rabbi as a legal decisor on the Internet.

### 3. Methods of Conducting Public *Halakhic* Discourse

The Internet allows anyone to participate in a *halakhic* discussion. The hierarchy which prevailed in the past, which limited such discussions to *halakhic* authorities and occasionally to their students, no longer applies. There is no need to ask permission; access to the Internet gives anyone the opportunity to raise an issue and discuss it. Obviously, these discussions do not produce *halakhic* rulings in the traditional sense. Any such rulings are not binding and have no *halakhic* standing. According to our tradition, only ordained rabbis and teachers have the authority to rule and it is exclusively their rulings that are binding. Nevertheless, the accessibility of Torah discussions leads to mass participation in them, even by those who are not ordained and do not serve as *halakhic* decisors.

One major result of this format of discourse is the effect it has had on the status of *halakhic* authority. In previous generations, once a rabbinic authority issued a ruling, it became the final word on the matter and was *halakhically* binding. This understanding was accepted by the community at large and throughout the generations *halakhic* decisors have been just and reasonable in their rulings. This understanding can no longer be taken for granted in the Internet age. There are discussion groups for any given topic in which the general public participates and expresses its views. The fact that what is said in these groups has no legal standing does not change the desire to express one's view, criticize, protest, argue, respond, repudiate or take issue with *halakhic* rulings. The structure of the Internet allows and even encourages mass participation in such discussions.

My position in regard to this new reality is sharply critical of its very existence. The very fact that such discussion groups exist is problematic. The *halakhah* is not a free-for-all. *Halakhic* discourse is conducted in a highly technical language, and someone who is unfamiliar with the technical terms employed can arrive at fundamentally flawed conclusions. There is great truth to the rabbinic adage

that “service of the Torah Sages is more valuable than Torah study itself,” for service of the Sages and personal interaction with them is the primary way in which the deeper meaning of the *halakhah* is transmitted. However, the fact that we rabbis disapprove of what is taking place on the Internet will not suffice to halt it, for it proceeds on its own without our presence. Specific rulings of rabbis are routinely raised for discussion and harshly criticized, occasionally in a contemptuous manner, and this all takes place in a public forum. We have two options available; one is to ignore what is taking place and even refuse to recognize it, while continuing to issue *halakhic* rulings in the same manner as previous generations. This approach will be successful for those who are not currently participating in such discussions. However, as the *halakhic* forums and discussion groups on the Internet proliferate, the traditional method of *halakhic* decision-making runs the risk of becoming irrelevant, God forbid.

Do we have any other option? At first glance the answer seems to be no, for someone not ordained can never take part in a *halakhic* discussion. The Sages’ criticism of those who dare to issue rulings without proper ordination details the great peril entailed in such reckless rulings. However the new reality of the Internet may have the potential to change the nature of *halakhic* decision-making. It requires the decisor to clearly defend his position with solid arguments, out of the awareness that an alternate position is available to all with the push of a button and different rulings will constantly be compared. This comparison will not be made by scholars but rather by the general public. The decisor can ignore these facts, but he should not forget that part of his job is to induce the public to observe *halakhah*, and his indifference toward the new reality may transform his ruling from a living application of the Torah into a minor footnote.

The rulings and advice issued by all rabbis (even those who do not publish on the Internet, but are quoted by others) are thus subject to constant public criticism. This phenomenon was previously unknown, since *halakhic* discourse only took place within the walls of the study hall or between rabbinic figures and their loyal adherents. An open study hall has essentially been established. These

forums also legitimize those who only observe *halakhah* partially. People describe the norms of partial observance which they have adopted and this description alone encourages others to follow in their ways. A statistical analysis shows that what is generally being promoted is a lowering of standards to a point far below the normative *halakhah*; it is exceedingly rare to find someone advocating a stricter level of observance. Such discussions occasionally arise even on the websites of the rabbis themselves. The “Talkback” feature is used frequently and the public takes the opportunity to respond to the rabbi’s views. All the rabbinic websites in Israel are carefully monitored and the site manager can decide which responses will appear. Nevertheless, the very fact that the public has a chance to respond to the rabbi represents a significant change in the way the *halakhic* process is conducted.

What is the effect of this phenomenon? With regard to “pure” *halakhic* decision-making, based on well-defined traditions and reasoning, there is no effect. However, some *halakhic* issues are more closely linked to the fundamental, meta-*halakhic* infrastructure, where the traditional process of *halakhic* discourse and the personal interaction with Torah Sages play a significant role. There are always expressions of discontent with regard to such rulings. This can be seen by the example of one of the primary issues of discussion: *mikvah* immersion by single women. It is well known that from a pure *halakhic* standpoint, it is better for a single woman to immerse in the *mikvah* than to engage in sexual relations without immersion. The prohibition of sexual relations with a menstrual woman is punishable by divine excision, while the status of an unmarried couple living together is less severe, from the pure letter of the law. However, meta-*halakhic* concerns lead to the absolute prohibition of immersion for single women, to the point where it is preferable for some single women to commit a much greater sin, in order that immersion for single women not become an accepted norm.<sup>16</sup> Such rulings come under constant attack on these sites. The prohibition against living with a partner in a monogamous relationship outside of marriage is no longer considered obviously wrong. Especially according to those opinions that such a case does not fit

the Torah's definition of a "harlot," it seems that there is hardly any Torah prohibition involved, and rather intense discussions can arise over the issue.

As stated, the general public is not a party to the *halakhic* discussions which take place between rabbinic scholars. However the general public is the force driving those discussions and the source of the most difficult questions posed. The fact that understandings which were taken for granted and fundamental principles of *halakhic* decision-making are being placed under constant scrutiny has had a significant influence on the nature of *halakhic* discourse and the recognition of meta-*halakhic* principles.

For example, one can find discussions on the Internet on the topic of out-of-marriage births, primarily by single women. Here, too, the Internet serves as an impetus for such discussion by the very fact that it is being discussed openly in a public forum and by the exposure of women who have pursued such a course. The absolute opposition on the part of the rabbis (only a few rabbis have been lenient in cases of women at the borderline maximum fertility age) is subject to constant scrutiny in a public debate. Thank God, the rabbis ignore this, but it takes place nonetheless.

### III

#### **The Influence of the Internet on the Content of *Halakhic* Discourse**

A survey of the premarital preparation literature currently available in Hebrew reveals that it deals essentially with three main subjects. One subject, naturally, is the laws of the menstrual wife. These laws are among the only ones for which there is no prior training, and the couple is thus first exposed to them during the period leading up to their marriage. As such, the subject is completely new to them; they have had neither previous experience of how to behave nor any opportunity to observe others' behavior. Therefore, they must begin their studies from scratch, and the couple devotes significant time to the study of the laws of family purity. The second topic is the relationship between the partners. In this area, much of the literature is drawn from the Talmudic sources which attribute great

importance to the interaction between the marriage partners. It is based on the fundamental priority of preserving marital harmony, evidenced by the fact that the Torah mandates that the holy name of God be destroyed as part of the *sotah* ceremony, in the endeavor to repair and strengthen the marital bond. Such literature generally calls upon husbands to display sensitivity to their wives' feelings, to develop a better understanding of the female psyche and to become more interested and involved in areas that hold greater importance for women. Until recently, there was no mention of concepts such as forging a united identity. It resembled moralistic literature in exhorting the husband not to lose his temper, raise his voice, criticize or make excessive demands on his wife, while calling upon the wife to be sensitive to her husband's needs, to respect him, not to embarrass him, etc. In recent years, a third type of premarital preparation literature has appeared, unique to two rabbinic figures in the national religious camp,<sup>17</sup> which deal with the physical relationship between the partners to the point of specific instructions for sexual intercourse.

Despite the fact that generations of families have been established with the help of this literature, and they have managed to grow and perpetuate the nation through the sacred bond of marriage, it appears that such literature is unsuited to contend with the challenges facing the Jewish family today. These challenges differ in both the *halakhic* issues involved as well as in the structure of the relationships. Such literature fails to provide answers to a large portion of the *halakhic* questions which arise in the course of marriage – some which are entirely new, and others which have always existed, but are now the focus of greater attention. A careful analysis of this claim reveals two components. The first is that today's challenges are new ones. The second is that the currently available literature does not suffice to provide answers to all the relevant questions. Therefore, a short analysis of the situation as seen via the Internet is in order.

The fairness of this claim rests on the nature of the new environment in which the Jewish family forms and the new challenges facing a couple preparing to start a Jewish family. The notion that we have in fact entered a new and different era will lend support to



the recognition of the need to update the premarital preparation literature. The Internet expresses, more than anything else, the uniqueness of this new era.

To better understand the transition which the family structure has undergone, let us first describe the family in the Jewish and general context as it has existed until recently. Previously, the family was the only known mode of existence. Such a family consisted of a father, a mother and children. Any other arrangement existed only in tragic circumstances. There were very specific roles and functions within the family. In general, it was an extremely stable structure, and the vast majority of married people spent their entire lives married to a single spouse. A child could rely on his or her family as a source of strength and stability.<sup>18</sup>

By contrast, if we were to search for an image to symbolize the world in which we live today, the best such image might be that of “shifting sands.” This image underscores the defining characteristic of our times: nothing in the world is stable and everything is constantly changing. First, even before the establishment of a family, the very notion of male and female is no longer clear. It is not just a matter of a few individuals who underwent hormonal therapy to change their sex. The public discussion of homosexuals, lesbians and other deviants goes beyond the direct effect on such people; it also has an influence on everyone’s search for their sexual identity. Nothing remains stable or fixed in gender definitions. Previously, there were male jobs and female jobs; no such distinction exists any longer. Previously, there were accepted modes of behavior and lines which were not crossed; these, too, no longer exist.

The primary influence which this has on marriage is that all of the above changes have created new options. If previously it was impossible to live outside of the family framework, that is no longer true today. Everything which marriage provides can be obtained outside of marriage, such that it is no longer a necessity. While a woman may have previously needed the framework of marriage for financial security, safety and the desire to have children – all of these things can now be achieved without marriage. There are many independent single women who can pursue a variety of options to

conceive and bear children. If a man previously needed a wife to serve as the homemaker and for a relationship, he no longer needs the marital framework for this. Society also no longer views unmarried people in the same critical way.

Furthermore, modern culture is fundamentally dynamic and changing. The shifting sands penetrate the consumer culture as well as the very fabric of society. Stability is no longer perceived as a basic value, but rather as conservatism and as forfeiting the pleasures which are seen as the very purpose of life. The establishment of a stable family unit thus runs counter to the trends of the current culture. The notion of making a lifelong commitment with a single partner, while in one's twenties, and remaining together forever, stands in complete contrast with all other aspects of one's life.

The desire for happiness and personal fulfillment constitutes one of the foundations of the modern lifestyle. Public discourse today is one of rights and we tend to focus in all matters on the rights of the individual. However, family is not only about rights. The marriage ceremony involves the giving of the *ketubah*, which informs the couple that the marriage relationship is not merely about rights; it is a deeper and more comprehensive relationship which entails responsibilities as well. Each partner has responsibilities toward the other. This goes beyond the formal responsibilities formulated by the Talmud. The marriage commitment requires a spouse to be faithful even when dark clouds hover over their love and they encounter difficulties and arguments. It is a commitment which requires both sides to live up to the significant demands of the other. As mentioned, these are concepts which do not fit into a worldview based purely on rights and happiness.

Therefore, the premarital preparation literature must contend with much more difficult questions, as there is a cultural gap which pervades the entire marriage relationship. The emphasis placed on the notion of family should be increased, and the assumption should be that notions which may have been obvious until recently need to be explained and supported more broadly.

Such literature must include an introduction focusing on the great moral ideal which the Jewish family represents in the face of

the warped value system of the Western world in general. This introduction must not be apologetic and it must not categorically negate the positive elements of the outside culture. The focus must be on the uniqueness of the Jewish family, the essence of fidelity, sanctity and modesty in the family setting.

#### IV

An entirely separate issue is the intensive discussion of homosexuality on the Internet. In the world of the Internet, homosexuals are represented in much greater proportion than in the actual population. The reason for this is clear: this is the forum in which they can freely express themselves and air their troubles and complaints without paying the price of “coming out of the closet.” The number of inquiries relating to homosexuality is vast, and they stem both from their own community and from the general public. A number of people (albeit a small number) pass judgment on the rabbi of their community by his relationship to the “other” and to those who are different. They are especially concerned with his attitude to those people who do not lead a normative married life.

Elsewhere,<sup>19</sup> I have delineated the six subtopics into which this issue can be divided:

#### **What are the questions which arise when considering young men with an alternative sexual orientation?**

The purpose of this collection of questions is to present before the rabbis the broad range of questions which we face when dealing with alternative sexual orientations. An understanding of the range of questions is a first step we can take toward handling the growing number of questions in this area.

The following list of questions is the result of many years of contact with the homosexual community.<sup>20</sup>

##### **1. ESTABLISHING THE GENERAL POSITION**

What general position should be adopted toward this specific sin?

On the one hand, there are three basic points which indicate the great severity of this sin: it is punishable by stoning (the most severe

form of punishment); the Torah itself refers to it as an “abomination”; and it strikes at the very source of transmission of the Torah – the Jewish family. There are no exceptions to this prohibition!

On the other hand, this situation is a tragic one for a significant portion of those with this orientation who genuinely wish, and are prepared to make every effort, to free themselves from it, but live with a deeply rooted sense that they cannot do so. It should be noted that many of them are hopeful that they will overcome their repulsion from women and their attraction to men. Furthermore, in many communities (mainly abroad, but it has begun to make its way to Israel), the community bases its attitude toward Judaism upon its relationship to the “other”; this is certainly true of secular Israeli society.

## **2. WHAT ACTIONS ARE PROHIBITED AND WHAT ARE PERMITTED?**

This question can be divided into two parts:

In regard to intercourse: What exactly is forbidden and are any forms of anal intercourse or partial intercourse permissible to any degree?

Assuming no prohibited sexual activity takes place, are two men permitted to live together as a couple?

This is a purely *halakhic* question – precisely what is prohibited by *halakhah*, and are there any possible leniencies which would allow for such a lifestyle.

It should be stressed that the response to this question will be related to the previous one; that is, if we are not interested in finding a way to permit it, we will not find such a way. However, this question is being posed by those who, caught in this predicament, view themselves as fully observant in all other areas and are merely seeking to live as normal a life as possible.

## **3. WHAT ACTIONS ARE PERMITTED IN ORDER TO OVERCOME THIS SITUATION?**

Two categories should be distinguished:

- A. How should one proceed initially?
- B. Many such people have already tried all the conventional

methods and are prepared to try anything in order to change themselves:

Are they permitted to go to prostitutes? To view pornographic pictures? To try to arouse themselves with women?

#### **4. HOW SHOULD THEY LIVE THEIR LIVES?**

There are three parts to this questions:

With regard to other men: Are they permitted to seclude themselves with other men? May they study in a yeshivah? Are they permitted to dance with other men in the yeshivah?

With regard to women: Should they be more lenient in terms of seclusion with women or in touching women? Are they permitted to begin a relationship with a woman, with the knowledge that if they reveal their situation, she will immediately terminate it, and if they do not reveal it, they would be deceiving her in a terrible way? Can they rely on the fact that after marriage the situation will resolve itself (I include this question, despite the fact that I believe it is absolutely and totally forbidden to do so!!)?

With regard to themselves: Should they refrain from studying Torah or leading the prayer services?

#### **5. WHAT SHOULD THEIR RELATIONSHIP TO THE COMMUNITY AND THE RABBI BE LIKE?**

Must they be expelled from the community?

May the “couple” sit together in the synagogue?

How should the rabbi counsel the families of such people? Should they accept them or reject them? Should they forbid them to bring their “partner” home for a visit?

#### **6. WHAT SHOULD WE TELL THEM ABOUT THEIR FUTURE?**

A large portion of these people portray themselves as being imprisoned and unable to free themselves, with no hope of salvation. The handful of stories of people who were successful in changing themselves has little effect, since they feel incapable of changing and they have already tried everything possible. These are not the people who

openly flaunt their situation: they are the ones who hide it deeply; they beg to come out of the closet but are unable to do so.

Some of the more common questions include: “What am I living for?” and “What should I say to God Who forced me into this prison and refuses to release me?”

The intensive discussion of such questions fills a need on three levels. First, there are people in our community with alternative sexual orientations. We cannot give an exact measure of their number, but the Internet reveals their existence. A very prominent rosh yeshivah once approached me with criticism over my involvement with these matters. I asked him if he was aware of any homosexuals in his yeshivah and he responded in the negative. I then obtained permission from those I recognized from his yeshivah (who had contacted me via the Internet) and revealed four of them to him. To this day, whenever I meet him, I can still see the shock on his face, and his criticism has changed to support and encouragement.

Second, our community also derives strength, or the lack of it, from the Torah’s attitude toward the “other” or those who are different. Many questions are raised by the conflict between the Torah’s absolute prohibition against homosexuality and the severe rabbinic stricture against lesbianism on the one hand, and the fact that there are people whose predicament is becoming more widely known, on the other. I would like to point out that it is not at all clear that a public debate on these issues is the correct path to pursue; it is very possible that a better approach is the position of the majority of the rabbinic leaders not to allow elements opposed to the normative Jewish family structure to dictate the agenda. However, such a decision should only be taken with a full awareness of the reality and not with closed eyes.

The third level is far removed from issues of marriage and family. One of the basic foundations of the teachings of Rabbi Abraham Isaac Kook, *z”l*, is the symbiosis and harmony that exists between the natural world and the Torah. The Torah is natural for us and is compatible with our personality; any seeming contradiction between

the Torah and one's ethical and active worldview is illusory and should be dismissed. In this respect, the spiritual ethos of Rabbi Kook's legacy, which is the dominant one in Israel, differs from that of Rabbi Joseph B. Soloveitchik, *z"l*, whose legacy dominates in the American Jewish community. Yet, here we have an instance which seems to totally negate the claim that the Torah constitutes a natural way of life, in people of alternative sexual orientation who did not choose to have such inclinations, and are prepared to do anything to change, yet are unsuccessful and remain attracted to members of their own sex, without a solution to their predicament. This situation presents a serious challenge to the spiritual position which insists upon absolute compatibility between the Torah and human nature. This contradiction has led some rabbis to the conclusion that it must be possible to change one's sexual orientation. They base their belief on the 12-step programs of addiction recovery and reports of their successes.<sup>21</sup> This resolves the problem, since the alternative sexual orientation then becomes a choice, or at least a negative character trait which can be corrected like all other such traits. People with such orientations would thus be required to overcome this physical drive just as we are enjoined to subdue our desires in other areas. Those who have had extensive experience dealing with homosexual young men report that their orientation appears to stem from something very deep within them, whose source is unknown, but it cannot be positively determined that it is always possible to change one's orientation by choice. Furthermore, any attempt by a homosexual to live in a normal marriage and raise a family will not only affect themselves. There is also a woman involved, who may, God forbid, pay a dear price for her consent to live with him. This reality raises some very basic ideological questions.

How does this issue relate to the issue of marriage, outside of the fact that both are being discussed on the Internet?

This issue underscores the claim made above regarding the fact that marriage today is a part of Jewish cultural lifestyle which stands in stark contrast to the reality of the general culture. The existence of other lifestyle options and their legitimization by the outside world have a negative effect on the family structure because they

call the family lifestyle into question in a constant manner. Beyond the fact that breaking apart the family unit has become exceedingly easy, and the status of divorcees has changed dramatically, there is now a debate over the need for marriage in the first place, which casts a shadow over the institution of marriage in the outside world. Thank God, the vast majority of our children aspire to, and in fact do, enter marriage and start a family in the traditional way. However, we should be aware that the challenges they face are much greater than the ones that existed in the past, and we must thus update the premarital preparation literature accordingly.

## V

### **What Material Should be Added to the Existing Premarital Preparation Literature?**

This section will be the summary of the article and will comprise its main portion. In this section, I will outline both the current situation and the appropriate course to pursue in response to it. I will accomplish this by analyzing the more common questions posed to rabbis over the Internet. The assumption is that a plethora of questions on a particular issue is indicative of a lack of broader treatment of the subject in the existing literature. However, it is insufficient to simply analyze the questions; we must chart out *halakhic* and instructional approaches to deal with them, which I would like to present for discussion.

As I shall note in each individual case, there are two types of decisions which we must make. The first is a *halakhic* evaluation of the correct response to these questions. As mentioned above, reality presents us with new questions, a different culture of lifestyle and challenging situations, and we must continue to uphold our tradition through the generations. Just as in the Tabernacle, the Holy Ark was carried by poles which were fixed in place, firmly attached to the Ark, so must we remain bonded to the Torah and not stray from our traditional ways. And just as the Ark wandered over the generations, so do we face new decisions in each generation, specific to that time.

The second decision is in regard to the discussion of these



issues with the couple prior to marriage and as to whether to permit a public discussion of such matters. We do not wish to prematurely raise certain issues before their time. Some of the subjects under debate appear to be inappropriate for public discussion, within the confines of modesty. Other issues involve crisis situations, and it is unclear whether such questions should be considered before entering into marriage. This consideration is relevant to the question of virtual infidelity or with regard to the prenuptial agreements which discuss divorce even before the marriage begins. The arguments for both sides of this issue are well known. Among the arguments against such things is the concern that they will become a self-fulfilling prophecy. On the other hand, the need for such discussion and preparation of the couple stems from the fact that these things are part of the reality in which we live, and it is better to live in the world of reality than in the world of fantasy. The fantasy world is fine as long as it does not fall apart, but when it does collapse, and people are unprepared to deal with it, a disaster is likely to result. Furthermore, prior discussion of such matters can help the couple become more sensitive to danger signals and take action to prevent the damage before it becomes too great.

My position on this issue derives from the Bible and from the *halakhic* and *aggadic* teachings of the Talmudic Sages. The Bible and the Talmud do not shy away from openly discussing such issues, despite their being crisis situations. On the contrary, if we examine how many Talmudic discussions focus on ordinary, normative lives and how many deal with crisis situations, we will be surprised to discover that most of the Oral Torah deals with situations of crisis. The Biblical and *aggadic* narratives are also full of crisis imagery.<sup>22</sup>

This approach of the Sages is very appropriate for our times. Our children encounter crises in their family life at every juncture in the outside world, and this trend has unfortunately begun to infiltrate the religious world as well. It cannot be denied that the other approach has great merit, and if we were to raise our children in a bubble, without exposing them to the difficulties and challenges of marriage, they could enter married life in sanctity and purity without the possibility of crisis. However, should they ever encounter such

a crisis, it will defeat them, because of their unrealistic expectations and their lack of preparation to deal with it. Elsewhere,<sup>23</sup> I have written that this is precisely what occurred between our father Jacob and our mother Rachel. Jacob and Rachel's marriage was based upon a fairy tale love that made seven years of labor seem like a few days. Yet, when they encountered a crisis, we find that Jacob responded harshly to Rachel.

Nevertheless, we must not ignore the cost of the discussion of crises. We must therefore pursue the discussion of how to handle such situations on a theoretical, and not on a concrete level.

### **The Period Prior to Marriage:**

#### ***PREMARITAL INTERCOURSE:***

The *halakhic* literature must include an unambiguous prohibition against premarital intercourse, without exceptions. This prohibition falls in the category of meta-*halakhic* laws, as well as ordinary *halakha*, according to some authorities. The focus of the prohibition is not the menstrual status of the woman, since this may be alleviated by her bathing in the sea or immersing in a *mikvah*. It should be stressed that this prohibition derives from the very beginning of the Torah, where it states "Therefore a man shall leave his father and his mother and cling to his wife and they shall become one flesh" (Genesis 2:24). The verse delineates the fundamental structure of the relationship between a man and a woman – "and cling to his wife" – this is the only permissible way. The knowledge that the only legitimate way to engage in intimate relations is within the context of marriage strengthens the sense of purity and the very institution of marriage. This position also plays a fortifying role in the preparation for marriage.

#### ***MASTURBATION:***

The most common question regards masturbation in one's youth and subsequent to marriage. It is difficult to imagine how large this issue looms for the religious sensibilities of many young men; there are far more questions on this topic than on any other. The assumption that emerges from most of the inquiries is that it is perceived to be

the most severe of sins, and furthermore, that there is no possibility of repentance for it. While there are some kabbalistic sources for this position, it is certainly not the normative *halakhah*. We must be loyal to the traditional rabbinic tendency to strongly oppose this practice. However, the undue emphasis placed on this sin, to the point where one's entire spiritual well-being depends on one's behavior in this area, does not find strong support in the sources. There is thus a need for rabbinic guidance to strengthen observance of this prohibition while reducing the level of fear and trepidation which accompanies it.

In this context, there is great significance to the literature dealing with repentance for this sin. An excellent book on this topic was published in the past year,<sup>24</sup> but it does not go far enough. There is a need for deeper discussion of methods of repentance. The claim that after marriage all the problems resolve themselves is unfounded. This faulty assumption has led various rabbis to view marriage as a method for such young men to solve their own internal problems – once they are married they will have fewer preoccupations and will no longer be overwhelmed by their physical drives. However, marriage should not be seen this way, and furthermore, this approach constitutes a crime against the woman involved.

In recent years, a new phenomenon has arisen of young men discussing this issue with their fiancées. The young women to whom they have confessed their indiscretion then turn to the rabbi out of fear and deep concern that such decadent behavior will have a deleterious effect on their ability to raise a healthy family. It seems that it would be wise to advise the couple not to discuss such matters at all, and certainly not to let youthful indiscretions determine the fate of a relationship. Consideration should be given to the inclusion in the premarital preparation literature of guidance directed toward women on the significance of masturbation on both the physiological and spiritual planes.

**WHAT DETAILS SHOULD BE REVEALED:**

Every person has his or her own shortcomings. These may be on the physical level in regard to one's health, or on the emotional or

biographical level. Medical science can now reveal the state of one's health to a much greater degree than in the past, and this raises new questions regarding the requirement to divulge this information whether in terms of revealing information about oneself to a prospective partner or in terms of the rabbi's responsibility to reveal such information to the other side. Furthermore, one's personal history inevitably includes personal failures. The most blatant example on the Internet is the fact that a young man or woman has had a previous sexual encounter (willingly or unwillingly), or that they have had doubts about their sexual identity in the past and now believe that they can lead a normative married life. Are they obliged to divulge this information to a prospective partner?

This question has both *halakhic* and family-related significance. From a *halakhic* perspective, we are enjoined to "distance ourselves from falsehood," which constitutes a serious obligation. Withholding information is included under the category of speaking falsely, in its broader definition. Furthermore, this issue also relates to the prohibition of "do not stand idly by when your neighbor's life is in danger," and particularly to the ethical injunction "that which you dislike, do not do unto others," which forms the basis of the entire Torah. Another relevant *halakhic* implication is the status of a marriage which was entered into under false pretenses. Even though in practice a marriage entered into under false premises is not annulled without a divorce even in extreme cases (such as where either partner has an alternative sexual orientation and is incapable of physical intimacy), nevertheless these are essentially cases of false premises, and it certainly plays a role in the rabbinical court's decision to approve the issuance of a divorce.

There is no need to elaborate on the serious ramifications for a marriage of one partner withholding fundamental personal information from the other. Whether or not the information eventually becomes exposed, the emotional process involved is an extremely painful one. Such a situation demands the expertise of a mental health professional, yet it also has *halakhic* and ethical significance and therefore must be subject to *halakhic* consideration as well. The positions of the rabbinic authorities in Israel vary from one extreme

to the other. On one side is the view that it is better for both sides not to divulge anything that may reasonably be concealed and would not be expected to impact negatively on the marriage. On the other side, the author of these lines has repeatedly written in answers on the Internet responsa site that there is an important requirement to reveal everything for both *halakhic* and emotional reasons; however, it should be done in a gentle manner which will only strengthen the bond between the partners and not break it.<sup>25</sup> A premarital preparation manual must at least raise the question regarding these matters and present the opposing sides of the issue, if not to also present the *halakhic* advice of the author. In general, it is acceptable for some of the guidance in the book to leave room for one's own judgment. This, too, is a result of the impact of the Internet, where people become accustomed to a more complex reality which does not lend itself to unambiguous definitions.

#### **COMING TO TERMS WITH SHORTCOMINGS:**

One of the most disturbing topics for those in the process of dating is the ability to accept shortcomings, whether one's own or those of one's partner, in marriage. This question takes on greater urgency now than in the past. In the past marriage could be regarded as eternal, even from a statistical standpoint; the marriage bond was almost unbreakable. It was thus clear to both partners that the collapse of the marriage was virtually out of the question, even if it was seriously flawed, because the alternative awaiting both of them was considerably worse. Divorce was not a serious option and only occurred in extremely critical situations. The bond between husband and wife resembled that between a brother and sister, where shortcomings were just a fact of life and did not endanger the relationship.

The reality is far different today; entering into a marriage in no way guarantees that it will last. Thank God, the majority of traditional marriages are still quite stable and the marriage blessings which speak of an eternal covenant can genuinely be said to reflect reality. Nevertheless, the fact that divorce is now a real option and has now become routine in society greatly intensifies the premarital concerns. Part of the increase in the number of singles derives from

the lack of guidance in dealing with shortcomings and the fear of entering into a commitment which may exact a painful toll upon its demise, God forbid.

The premarital preparation literature must deal more effectively with this question. It must explain that marriage is not the final stop in a relationship, but rather a landmark; it must advise people to give preference to a partner in whom one has confidence regarding his or her readiness to make steady progress, over one who may appear more appropriate now. A deep awareness of what takes place between the partners after marriage must be expressed through techniques and methods already familiar to the partners during the period of courtship. The most important concept to convey is that the foundation of a good marriage is willingness to become a partner in an extended, ongoing process.

***DURING THE MARRIAGE ITSELF:***

The feature which typifies the questions which are unique to the Internet responsa site is a great concern with the physical relationship between a husband and a wife.

***THE FUNDAMENTAL ATTITUDE:***

It is well known that the general religious attitude toward sexual relations spans the spectrum of spiritual positions and guidance. On one side is the abstemious approach, which demeans the sensation of physical pleasure and regards sexual activity as degrading and animalistic. This position advocates that sexual behavior be approached out of a sense of coercion. The kabbalistic position, which views the sexual act as a reflection of a divine interaction, also takes a negative attitude toward the natural pursuit of sexual intimacy. It should be stressed that the most extreme position possible does not exist within Judaism. The fact that the Torah insists upon sexual relations for at least two purposes – for procreation, and as the fulfillment of a husband's obligation to his wife – precludes one from living a life of pure asceticism. Nevertheless, the attitude toward marital relations remains utilitarian in nature, and regards it as a religious obligation which the husband must discharge in relation to his wife;

it is not seen as a basic and essential component of a healthy and contented marriage. Yet, there is evidence from the *halakhah* itself that the aspect of natural intimacy and the health of the marriage is fundamental to the sexual act, in that the Torah permits such behavior even in cases of a pregnant or nursing mother, or with an elderly or infertile woman.

The issue of material pleasure is not limited to the realm of marriage. One of the foundations of Judaism states that one is permitted to enjoy the pleasures of the world and the Torah does not advocate asceticism. Specific comments regarding the nazirite have become transformed into a general worldview concerning man's relationship toward physical pleasure.<sup>26</sup> However, even the followers of this approach explain that such indulgence must be for the sake of Heaven. When one partakes of the pleasures of the world, he must be mindful that the pleasure itself is only secondary to the bond with the divine. In the realm of sexual pleasure this attitude is somewhat inconsistent with normal human behavior. It is therefore difficult to honestly claim that one is acting entirely out of pure motivations and would not engage in such behavior if not for the commandment to do so. Furthermore, every couple is aware that there are techniques which can help them maximize their sexual pleasure within the guidelines of *halakhah*. The Talmud itself recognizes this in its statement that a man may behave with his wife in any manner which he desires.<sup>27</sup> On the other side, it should be remembered that the question of the wife's pleasure almost never arises in the *halakhah*. This element can no longer be ignored today, as it is given equal weight to that of the husband's pleasure. Technological advances, in particular the development of the birth control pill which has taken the fear out of sexual relations for women, have profoundly changed the situation.

The premarital preparation literature can thus no longer suffice by simply stating that sexual relations are permitted and encouraged, that they form the basis of married life and serve the purpose of procreation. It must provide a deeper response regarding the fundamental role of physical pleasure. I devoted a chapter in my first book to this topic, where I contend that this position can be substantiated upon the writings of Rabbi Abraham Isaac Kook, *z"l*.<sup>28</sup> The Hebrew

translations of Rabbi Soloveitchik's works as well, in particular *Family Redeemed*, can serve as the basis for providing the couple with a meaningful understanding of their lifestyle. I want to emphasize that this is not a novel innovation by any measure; it represents the fundamental atmosphere of the Biblical approach to love and sexuality which parallels the modesty and sanctity mandated by the *halakhah*. Such an attitude is conveyed by the majority of the *aggadic* teachings of the Sages as well.

**THE FIRST NIGHT:**

This topic is one of the primary ones that arise both on the online forums and in the questions submitted to the rabbis. The traditional *halakhic* position strongly advocates the consummation of the marriage on the first night out of a concern that the wife will begin menstruating; the couple would then be forbidden to remain secluded together as they have not yet had intercourse. However, this *halakhic* guidance is no longer relevant for two reasons. The first is that the majority of brides take birth control pills in advance to regulate their menstrual cycle, so the concern does not apply. The second reason is the fact that the act of intercourse is no longer viewed from the perspective of the commandment alone. The couple perceives the first act of intercourse not only as a commandment, but as a dramatic, defining experience in their lives which much be undertaken willingly and not out of compulsion. The Internet forums are full of stories of deep traumas which resulted from couples forcing themselves to engage in sexual relations on the first night, seemingly out of *halakhic* concerns, thereby causing immeasurable damage.

Therefore, the premarital preparation manuals must offer the following guidance: the first act of physical intimacy marks the consummation of the marriage and it is beneficial for the couple to complete the entire structure of the marriage from the emotional bond of engagement through the physical bond of intercourse. However, this intimacy must be achieved out of a sense of desire and inner readiness on the part of both partners. It must never be done out of a sense of compulsion, whether it is one partner forcing the other or if it is both partners acting under the force of what they



believe to be the *halakhah*. If necessary the act may be delayed for a day or two, in order that it be undertaken out of desire. It is common and natural for the couple to be unsuccessful the first time; rest and relaxation will usually help them to succeed the next time.

**PRACTICAL QUESTIONS:**

There has been a positive change in the premarital preparation literature in the area of the guidance offered to young grooms regarding how to engage in sexual relations. However, I remain unconvinced that it is the place of the rabbi to write such a manual. Perhaps it would be better for rabbis to supervise the writing of such manuals by physical or mental health professionals. Nevertheless, the currently available literature of this nature in Israel is written by rabbis: Rabbi Shlomo Aviner, and more recently, Rabbi Elyashiv Kenohol, who both include practical guidance.<sup>29</sup>

We tend to focus on adolescents and young couples because they are the ones who generally approach us in these matters. However, more and more questions are being submitted by couples who have been married for several years and are seeking ways to vary their sexual interaction. Due to the nature of such questions, I will not go into the details in a public forum, but rather note that they concern what actions and techniques are permitted: is it permissible to shower together, are there other permissible ways to engage in sexual relations, etc.<sup>30</sup> I should stress that I set a protocol for myself by which I do not include any explicit discussion of sexual activity in the public part of the site; it is sent directly to the e-mail of the questioner without being revealed. Some rabbis have a more liberal policy and will discuss such matters openly on a public forum.

Here too, there are two issues to consider. The first is an internal debate within the study hall over what is genuinely permitted and what is forbidden. The *halakhah* forbids many things out of chastity, such as engaging in sexual relations during the day, or looking at the genitalia of one's spouse. On the other hand, it permits such things as anal intercourse. The question facing the *halakhic* decisor is more complex, since he is essentially dealing with a conflict between *halakhic* values: the couple considers the varying and enhancing

of their sexual relationship to be fundamental to the strengthening of the sacred and pure family structure which they are building. In some cases, there is a problem of sexual frigidity which can only be overcome with special techniques; in others, there is simply a common need for change and variety. Such questions proliferate on the Internet due to the opportunity to pose them, and due to the exposure to such options on other sites, and due to the fact that they are being discussed publicly (yet anonymously) on forums, and because of the cultural changes which have taken place in our society. The premarital preparation literature must address issues relevant to later years of marriage. The Internet reveals the great need for such literature in Hebrew.

My answer to such questions is generally as follows: it is a basic *halakhic* principle that a husband and wife may act with each other in whatever way they wish. However, the *halakhah* places certain restrictions on their interaction out of concerns of modesty, thus prohibiting certain actions. There is a higher level of sanctity endorsed by the Sages which advocates a greater degree of temperance in order to fortify the fundamentals of holiness within oneself. If one's marriage is harmonious and contented, it would be proper to pursue this higher level and not remain at the more basic stage. If, however, you feel the need to engage in such behavior to deepen your relationship that is acceptable, for the preservation of marital harmony is of supreme value. As mentioned, such responses, and especially the questions, are not displayed for public view.

**OBSERVANCE OF THE TORAH PROHIBITIONS ALONE:**

The vast exposure provided by the Internet has led many to adopt the practice of observing only the seven days of abstinence for a menstrual woman mandated by the Torah, while ignoring the additional rabbinic prohibitions. The Internet has strengthened this phenomenon for a variety of reasons: as mentioned earlier, the Internet forums are not moderated by *halakhic* authorities. It is common for *halakhic* rulings from exceptional cases to be quoted on these forums, generally cases where one partner is not religious and is unwilling to observe any laws of family purity. Even there, such a

ruling is considered to be weakly grounded and is only issued after the fact (I am aware of a prominent rabbi who so ruled, and this position is circulating on the Internet). Some women relate that they have chosen to adopt this as their normative practice and they do not encounter any criticism. There are public discussions of premature ovulation which makes conception difficult if one is following some of the stringencies in the *Shulhan Arukh*. The premarital preparation literature must clearly convey the proper weight given to the words of the Sages and the *halakhic* decisors and the tremendous importance of the observance of the rabbinic laws, including the stringencies which have been adopted by the entire Jewish people. Otherwise, *halakhah* will not be observed properly and the rabbinic laws will not assume the respect they deserve according to Jewish tradition. The position of observing only the Torah laws must be fiercely opposed. Very rarely (such as when only one partner has become religious) may such *halakhic* guidance be followed. Even then, it must be stressed that such counsel is only for a temporary situation; it must not be allowed to become a permanent reality and the rabbi must be exceedingly careful not to encourage a slide down the slippery slope. Such possibilities should not be mentioned at all in the premarital preparation literature; however it should state that in difficult situations, a rabbi should be consulted.

**ASSISTING ONE'S WIFE DURING LABOR:**

It is difficult to count the number of questions dealing with the type of assistance a husband may provide for his wife during labor.<sup>31</sup> Childbirth is no longer seen as an experience which a woman undergoes along with a midwife, but rather as a bonding experience of marriage. Men are also involved in the preparation for childbirth and husbands routinely remain in the delivery room during the birth. Women have come to have significant expectations that their husband will assist them when they need him. At the same time, the *halakhic* rationale behind the prohibition against the husband providing such assistance has become the focus of many questions submitted to the rabbi. The questions are based on the assumption that anything should be permitted during labor for two reasons. The

first is that there seems to be no reason for the prohibition; there is no possibility that physical contact in this setting could lead to anything resembling sexual intercourse and there is thus no need to enact any restrictions to safeguard the laws of a menstrual wife. The second is the fact that many actions are permitted in situations of even a slight degree of danger to life (for example, turning on a light on Shabbat) which seem far less essential than the assistance provided by a husband to his wife during labor. This question is sometimes posed by the husbands who fail to comprehend why they are being denied the opportunity to take part in the most precious moment of their life, the birth of their child. The lack of discussion and consideration of this question unfortunately leads to the violation of the *halakhah* and outright denial of an explicit law in the *Shulhan Arukh*!

Technical solutions, such as wearing gloves while assisting one's wife (which is not defined as physical contact), often lead to more serious *halakhic* problems than they resolve. The premarital preparation literature must deal with these questions. It must clearly spell out what is permitted and what is forbidden and judge how the changes in the process of childbirth in modern delivery rooms have influenced the position of the *halakhah* – that is, to what extent does the *halakhah* recognize a woman's need for assistance during labor in the modern era as the basis for permitting physical contact with her husband based on the danger to her life. At the same time, it must explain the fundamental basis for the prohibition, in particular the fact that it is not based on the concern that physical contact will lead to intercourse in this specific situation, but rather on the general *halakhic* principle prohibiting any contact between a husband and a wife while there is a flow of blood from the woman's genitals. This applies even when the Torah prohibition is not in force, such as during bleeding from the initial act of intercourse, and certainly when the Torah prohibition does apply.

#### **INFIDELITY:**

By infidelity, I refer to actions which are defined *halakhically* as sinful. In general, we would do well to speak frankly and not try to

speak in euphemisms, but rather discuss the prohibited actions in an open way. We will thus not hide behind the words, but will face the real issues squarely.

The two most common instances of infidelity are virtual infidelity, which includes both intimate conversations with other partners and visiting pornographic websites, and actual infidelity committed in the real world, which has become more widespread for various reasons, including the spread of the Internet. The Internet makes it easier to arrange liaisons; it allows people to be dragged along with the flow and leads people to become dissatisfied with their spouses because they are exposed to more attractive options. Furthermore, the culture one encounters on the Internet does not see anything wrong with such behavior.

As mentioned earlier, there are two essential issues here. The first is the need for clear *halakhic* rulings in regard to virtual adultery. It is insufficient to simply prohibit visiting forbidden sites. In my opinion, there should be a total ban on chat sessions with someone of the opposite sex, patterned after the ban on seclusion with such people. Part of the prohibition of “being an unfaithful wife” is a demand for absolute fidelity to one’s spouse, including the prohibition of an intimate conversation with someone else, whether live or virtual. This prohibition can stand on its own on the basis of the commitment the partners have made to one another, while also serving as safeguard against the possibility of more serious violations. Furthermore, one should act as if there is a prohibition of seclusion with the computer itself, and thus one should not surf the Internet late at night when no one else is awake, etc. This approach should be followed with adolescent children as well, but that is not the topic of this article.

The second issue is how to deal with such missteps when they occur. The premarital preparation literature must include a chapter dealing with ways for the couple to overcome the challenge faced when one partner is unfaithful; this may cover a variety of areas, one of which should be that of virtual infidelity. As was mentioned at the outset of this chapter, it is important not to let such matters become

a self-fulfilling prophecy. Nevertheless, just as there are specific laws governing repentance for personal failings, so should there be clearly formulated approaches to rebuilding a relationship in the face of an indiscretion against one's partner in the covenant of marriage.

**FAMILY PLANNING:**

It is not necessary to elaborate on the popularity of this question and on its *halakhic* significance, for these are well known to all rabbis. This article will merely make note of two facts which have become evident from the Internet. The first is the great extent to which this question has spread, to the point that virtually every couple who marries before graduating college poses it, whether before marriage or immediately after. The second fact is the great support found on the forums for proper family planning (in the view of those debating the issue), which leads to a selective citation of rabbinic rulings on the matter; some bridal coaches and others generally quote only the lenient opinions. The Hebrew books of *halakhah* generally advise couples to seek rabbinic guidance on the matter, in order not to give blanket permission to use birth control.

It appears that the literature of *halakhic* guidance will be unable to continue to avoid taking a clear, public stand on this question. Such guidance should be composed of three parts: the first part should focus on the basic concepts such as the natural bond between husband and wife, the importance of procreation and fertility, the commandment to be fruitful and multiply, etc. All of these form the basis for the fundamental opposition of the *halakhah* to delaying the birth of children through artificial means. The emphasis in this section should be that we aspire to live our lives according to the spirit of the law, and not to search for loopholes. The second section should discuss the different reasons to consider any leniency in this matter; some of these reasons will be dismissed, and others will be presented as legitimate *halakhic* rationales for leniency, while also stressing that such a course of action should only be pursued under exceptional circumstances. The third section should discuss the technical aspects of the permissibility of birth control within *halakhah*.

**SUMMARY:**

We are not prophets and we cannot describe what the nature of observant Jewry will be in the foreseeable future. It appears that the times in which we live call upon us to strengthen the Jewish tradition in two ways. The first is to remain firm as a rock against the tides which attempt to wash away the solid footing of the *halakhah*. The *halakhah* has survived over 3,000 years and need not fear the winds of change; despite the price exacted by those winds of change, the *halakhah* has endured through every crisis. The second is to constantly search for ways to apply the *halakhah* to our era and to consider the changes in the surrounding society which force us to reevaluate the position of the *halakhah* to this changing reality. It should be evident that the issue is not merely how to arrive at the proper *halakhic* rulings, but also how to convey these rulings to the public and encourage their observance of them.

It is too early to say whether the Internet will fundamentally change the face of reality, or if after the initial craze life will continue the way we have known it for centuries. Nevertheless, since there is a chance that the new global reality being forged by the Internet is here to stay, or at least will be around for many years to come, it is worth our while to recognize this fact and search for additional ways to strengthen our faith and tradition in such a world.

**NOTES**

1. "A woman may only be betrothed by her will; if one attempts to betroth a woman against her will, the betrothal is not valid" (Maimonides, *Hilkhot Ishut* 4:1).
2. See Maimonides, *ibid.*, 10:1, "A betrothed woman is prohibited to her husband as long as she remains in her father's house, and one who cohabits with his betrothed wife while she is in her father's house is punished by lashing by rabbinical decree; even if his intention was to betroth her with the act of cohabitation, he may not continue to cohabit with her in her father's house, but must bring her into his own house and seclude himself with her and designate her for himself. This seclusion is known as 'entering the *huppah*' and is the common definition of the consummation of the marriage...."

The Prophets compared the period of betrothal to wandering in the desert: "...Thus said the Lord: I recall for you the kindness of your youth, the love of your nuptials, your following Me into the wilderness in an unsown land" (Jeremiah 2:2), "...and she will dwell there as in the days of her youth, and as on the day of

- her ascent from the land of Egypt” (Hosea 2:17). This comparison says much about the emotional bond between the partners prior to marriage.
3. See Niddah 31b: “It was taught in the name of Rabbi Meir: why did the Torah prohibit the menstrual wife for seven days? Because her husband becomes accustomed to her and she loses favor in his eyes. Therefore the Torah declared that she be unclean for seven days so that her husband will desire her as he did when they were first married.” See further on this in my book, *Ve’eirastikh li l’olam*, Ramat HaGolan, 1998, p. 26–27.
  4. See Rabbi A. Lichtenstein, “*Hamishpahah b’halakhah*” in *Mishpilot Beit Yisrael*, 1976, p. 13–30.
  5. See Y. Achituv, “*Mipi sefarim v’lo mipi sofrim: l’sugyat hofesh hahora’ah*” in *Sinai* 107, (December 1990), p. 133–150.
  6. On the influence of all of these things, see Rabbi B. Lau’s article “*Aseh Ozenikha Ka-afarkeset*” in *Akdamut* 14 (2004), p. 155–174.
  7. “Ask the Rabbi.”
  8. See the article reviewing the virtual responsa from their inception and raising the question whether it merely represents a new format or also impacts on the content of the responsa, in the second volume of the NDS Torah periodical, Jerusalem, 2001.
  9. The exact url’s of the websites are as follows: Moreshet: <http://www.moreshet.co.il/>, Kippah: <http://www.kipa.co.il/ask/>.
  10. The Responsa of *Binyan Zion Hahadashot*, 25.
  11. See Nahmanides’ commentary to Numbers 15:22; see also Rabbi A. Wasserman, “*Tinok shenishba*,” in *Tzohar* 4 (2001), p. 31–41.
  12. The term “liaison” here refers to the Biblical and halakhic definition in the context of the laws of the *sotah*. See Maimonides, *Hilkhos Sotah* 1:2 “the liaison referred to by the Torah is when she secludes herself with the man with whom her husband had forbidden her to be in seclusion, in the presence of two witnesses....”
  13. See above, note 8.
  14. See *Nedarim* 20b.
  15. See *Shulhan Arukh, Orach Hayim* 608, and the gloss of *Rema* there.
  16. See the polemic in the following responsum: <http://www.moreshet.co.il/shut/shut2.asp?id=5329>.
  17. Rabbi S. Aviner, “*Etzem Me’atzamai*,” “*Banekha Kishtelei Zeitim*,” Jerusalem, 1984; Rabbi E. Kenohol, *Ish Ve’isha – Zakhu Shekhinah Beinehem*, Kefar Etzion, 2003.
  18. The careful reader will note that I have only discussed the framework of the traditional family and the fidelity and sanctity associated with it. It is important not to exaggerate our idealization of the interpersonal relationships within the Jewish family or to ignore the heavy toll which paternalism has exacted on the women and children. The responsa literature reveals the various dysfunctions which have plagued the traditional Jewish family as well.
  19. The rabbis of *Tzohar* hold a closed online forum via a virtual journal known as “the Rabbinic Link.” This is a good opportunity to invite rabbis who are interested in



participating to approach the editors at the following address: zoharzi@zahav.net.il. My comments here appeared in one of the earlier editions of the journal. I would like to stress that this is merely a summary of the questions which the rabbinate is facing and not the answers to the questions.

20. This contact began over the Internet, but eventually led to telephone conversations and face-to-face meetings. It involved consulting the research literature regarding alternative sexual orientations as well as criticism of such literature. Apart from any *halakhic* discussion, the plight experienced by homosexuals who are members of the Orthodox community is a very painful one.
21. A complete article dedicated to this will be available in the Tzohar periodical, volume 20 (in preparation for press). A support group based on this approach can be visited at: <http://www.atzat-nefesh.org/an/default.asp>.
22. See for example, the books of Hosea and Jeremiah, chapter 2.
23. See my article, "Asher banu shteihen et beit Yisrael," in *Kutanot Or* Jerusalem, 2000.
24. See Rabbi Y. Shapira, *Ashiv Mimetzulot* Ramat Gan, 2004.
25. See for example: <http://www.moreshet.co.il/shut/shutz.asp?id=39092>.
26. See Maimonides, *Hilkhot Deot* 3:1, but compare to the end of *Hilkhot Nezirut*.
27. See above, note 14.
28. See the chapter "Oz Hahayyim Hativ'iyim" in *Ve'eirastikh li l'olam* (note 3 above).
29. See above, note 17.
30. See the gloss of *Rema* to *Even Haezer* 25:2.
31. See a polemic on this topic under the title "I no longer bear children because of the *halakhah*", <http://www.moreshet.co.il/shut/shutz.asp?id=10022>.

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# 9

## Thoughts on Teaching Taharat HaMishpahah: The Role of the Teacher Today

*Abby Lerner*

I begin by stating that I am simply a teacher of the laws of family purity to young (and sometimes not so young) brides. However, when I look back on over two decades of experiences in this area, I realize there is very little that is simple about what I do, and that the role of teacher encompasses a lot more than formal face-to-face transmission of knowledge. What is true of me can be said of almost anyone engaged in this endeavor. The subject of *taharat hamishpahah* touches on the most sensitive of issues: our relationship to our spouses, our relationship to our own bodies. It touches on our physical self-image, and because these sometimes difficult laws test our

commitment to our faith, this subject affects our sense of ourselves as observant Jews. It is no wonder, then, that those of us who teach this subject often find ourselves not only in the role of teachers but also in the role of advisers, psychologists, researchers, relationship counselors, liaisons to doctors and rabbis. Sometimes we play the role of experienced mothers or older sisters, and sometimes we are just shoulders to cry on.

There are four aspects in teaching *taharat hamishpahah* that I consider crucial, and I hope to demonstrate throughout this essay how these four aspects manifest themselves in teaching this sensitive topic.

1. Provide as much *halakhic* and background information as possible so that the student understands what the parameters of the *halakhah* are and the situations in which asking a question may result in a more lenient *psak* than the student might otherwise have anticipated.
2. Regarding intimacy and other personal aspects of married life: provide enough information so that the student has an understanding of the very broad range of what is “normal.”
3. Keep up with medical knowledge and medical developments that affect the laws of *taharat hamishpahah*. Keep up with *halakhic* applications to changing medical developments and with the range of approaches to different problems.
4. Be available and accessible. Listen carefully to the questions that come in. Read between the lines. What is being said and what is not being said? Maintain relationships with the people you have taught. Serve as an active liaison between the questioner and *poskim* as well as with medical practitioners.

It is not difficult to obtain a teacher’s course outline for *taharat hamishpahah* and therefore it is not my intent here to publish such an outline. What I would like to do is discuss the issues and points of emphasis that go beyond *halakhah* or that elaborate on *halakhah*, which I consider important to cover in a course on this topic. Occasionally I will mention cases that shed light on the teacher’s role – times when a teacher can help a student find a solution to

a problem or when a teacher can ease the way during a difficult period.

I usually meet with students individually. When this is not possible because of time constraints, I will meet with up to four or five students at a time, but I insist that the final two-hour session regarding our rabbis' attitudes toward sexuality and issues of intimacy, "the first night" and other such issues be held on a one-to-one basis. If I am meeting with a group, individual appointments are made with each student for the final session. In addition, if I am meeting with more than one woman at a time, I always remind them that I am available before our session begins and after our session ends for personal questions that cannot be discussed in front of others. Often women take me up on my offer. In this way I am able to develop a personal relationship with each student.

#### **SESSION ONE – INTRODUCTION TO TAHARAT HAMISHPAHAH, HEFSEK TAHARAH EXAMINATION**

At our first session, I begin slowly by introducing the students to a wide array of books available in English on the subject. It is important for couples to have a small library of sources on *taharat hamishpahah*. More information and different approaches give a couple a sense of control over this difficult area of *halakhah*. The text that I am most comfortable with for day-to-day reference is *Shoshanat Ha'Amakim, Rose of the Valley*, compiled by Rahamim Shaul Sultan (Brooklyn: Sephardic Legacy Press, 1996). Although the work is subtitled "A Compilation of Laws of Family Purity According to Sephardic Custom,"<sup>1</sup> it contains letters of approbation (*haskamot*) from the entire rabbinic leadership of Beth Medrash Govoha of Lakewood, New Jersey. The book is written clearly and is filled with advice about how to work with these laws more easily. It is courageous in suggesting in the main text leniencies to discuss with a rabbi in difficult situations. A number of these leniencies, though certainly known, have never been published so openly. The author demonstrates great respect for the reader in this and in other ways. In addition, this text is generously footnoted, with many references in Hebrew, and it features an outstanding index.

I also suggest Rabbi Shimon Eider's two-volume work on the *Halachos of Niddah*, now available in one volume (NY: Feldheim, 1999). Rabbi Moshe Feinstein's many *teshuvot* on the topic are reprinted here. Tehillah Abramov's *The Secret of Jewish Femininity* (Southfield, Michigan: Targum Press, 1988) is an excellent first book on the topic and also offers helpful suggestions. It includes many anecdotes that offer pleasant reading for those new to observance or for those who are somewhat skittish about the topic. Abramov approaches *taharat hamishpahah* with *halakhic* meticulousness but in a light conversational tone.

This discussion of books creates a calm, informal atmosphere and makes it easier to begin talking about the more practical next step, which is to help make sure that the wedding date will take place when the bride is not a *niddah*. This is an area of much tension for all brides. I begin with this in order to quickly deal with the most pressing issue, and above all, to set the date of the *hefsek taharah* examination on the calendar. I have watched busy young women mark the date they are to go to the *mikvah* and then forget to do the *hefsek taharah*! No one forgets to go to the *mikvah*, but the *hefsek taharah* date must be marked *prominently*. I usually specify a *hefsek taharah* date earlier than is necessary in case there are problems and *she'elot* that need to be responded to.

There are different chemical ways of manipulating the menstrual cycle. When using a birth control pill for this purpose, it is best to begin three to four months before the wedding, since it is not uncommon to experience staining during the first one or two cycles on the pill. Although a skilled doctor almost always knows how to deal with this, the tension and fear that this staining induces in young women is significant. Young women must also note that these pills are very time-sensitive. Not taking them at the exact prescribed time each day can create staining problems. Because of this some of the pills even come with little alarms to remind patients when to take them. After several successful months of taking them one of my students missed one pill in the two weeks before her wedding. Sensitive *poskim* helped to avert a *hupat niddah*.

Another form of chemical manipulation is to take pure pro-

gesterone without the estrogen that is part of the birth control pills. This system is recommended by some *poskim* since there is hardly any staining associated with it. Also, progesterone is not nearly as time-sensitive as the birth control pill. For weddings that are scheduled within a short time after the engagement, this system is most favored. Progesterone simply maintains the lining of the uterus and the doctor can recommend dosages that will easily override the bride's menstrual cycle. Many doctors are not accustomed to using progesterone for this purpose. If the teacher is aware of it, as she should be, she can discuss this with her student who can then discuss it with her doctor. It is an elegant solution to what can be a difficult problem.

I am careful at the first session to share the philosophy and *hashkafah* behind two concepts that defy translation – *tumah* and *taharah*. Students who understand that *tumah* is related to death and loss of potential life, come to appreciate how the laws of *taharat hamishpahah* fit into the larger system of *tumah* and *taharah*. They can understand why a man who experiences a loss of seminal fluid also becomes *tamei* and why a woman after relations (*poletet shikhvat zera*) also experiences a mild form of *tumah*. All this has relevance to our study and broadens a woman's understanding of the complex laws of *niddah* and their internal logic.<sup>2</sup>

My approach to teaching *taharat hamishpahah* is practical rather than textual. Nevertheless, I find it very important to look into the Biblical text in *Sefer Vayikra* 15:19, 25, 28. These verses describe two cases of *niddah* in the Torah: the menstruant, and the woman who experiences mid-cycle bleeding or bleeding beyond the normal period. Waiting an additional seven days without bleeding after the initial flow has ceased is prescribed only in the second case. It is important to explain how and why it came about that Jewish women took upon themselves to wait these seven extra days in all cases of uterine bleeding. It is also important to explain why we wait a minimum of five days before counting the seven “clean” days. Most women understand that “five” is simply the normal standard for a period, when in actuality the initial minimum of five days stems not from menstruation at all, but from the concept of *poletet shikhvat*

*zera*, a woman's status for seventy-two hours after relations. This status stems from the fact that she experiences a "flow" of seminal fluid which contains viable sperm cells. The expulsion of this fluid results in her status as a *poletet shikhvat zera*, a mild form of *tumah* which prevents the counting of the seven "clean" days. The five-day wait before the beginning of the seven clean days stems from a *lo plug* (no *halakhic* exceptions) based on two cases where a woman experiences a menstrual period shortly after relations. In these cases, even if all her bleeding were to cease within a two or three-day time span, according to *halakhah* the woman would not be able to begin her count of the seven "clean" days until a minimum of four to five days had elapsed, depending on the case, since her status as a *poletet shikhvat zera* precludes the beginning of this count.

Why all this information? Armed with this knowledge, a woman would be able to approach a *posek* if, for example, she knows that she ovulates early in the cycle, perhaps by day eleven. By waiting the standard five and seven days to immerse in the *mikvah* she consistently misses ovulation, making pregnancy impossible. Knowledge of the concept of *poletet shikhvat zera* enables her to confidently approach a *posek* and inquire about being able to begin the count of the seven days earlier than usual, if relations did not immediately precede the onset of menstruation. There may be other applications of this concept as well. Even at this early stage, facts of this sort help to calm the lurking fears of women who are concerned that the new life of *halakhic* practice that they are about to start may at times collide with their own biological makeup.

The first session also includes a description of how to perform the *hefsek taharah* examination. It is most important to include the earliest and latest times for this pivotal examination. Many women are balancing family and career and even educational pursuits. I have received calls from women married many years who forgot to perform the examination, or who remembered too late, and performed the examination past sunset. I advise women if they are able to, to perform a *hefsek taharah* examination early in the morning on the day that they would perform this examination before sunset. Of course they must then be fully prepared to perform the

examination at the optimal time: before sunset. If they then honestly forget to perform the examination on time a *posek* may decide that the earlier examination can be counted as the *hefsek taharah*. Some *poskim* have a more liberal understanding of exactly when sunset takes place and may be willing to discuss a *hefsek taharah* performed immediately after the sunset time listed in our calendars and newspapers (Rabbi Moshe Feinstein, *Igrot Mosheh* OH IV: #62, p. 96). Few books available in English contain this sort of advice, which at this point is best obtained through personal instruction. Married women at review courses, as well as the young bride, appreciate this kind of information that enables them to gain a sense of control over their already hectic lives.

### SESSION TWO – SEVEN CLEAN DAYS, KETAMIM

At this point we begin to study the details of performing two *bedikot* a day during the seven clean days. The description of the seven clean days invariably leads to a discussion of “what if things go wrong; what if I find a stain during these days?” It is important to lay the groundwork for an understanding of stains found on undergarments (*ketamim*). Women sometimes feel that they are “cheating” if they receive a *psak* that a *ketem* in a specific case does not invalidate the count of the seven clean days, or that somehow the entire system is flawed or arbitrary. Explaining carefully what defines *dam niddah* from a Biblical perspective (a flow accompanied by a sense of the opening of the womb, *hargashah*) is the beginning of the resolution of this problem. When women fully comprehend that a stain discovered on underwear does not create the status of *niddah* from a Biblical perspective, but does create a rabbinic concern, it helps them. It also helps them to understand why we recommend that women wear dark underwear after they have immersed in the *mikvah*. This knowledge allows them to move forward psychologically, religiously and intellectually when a *posek* determines that the *ketem* found in a particular case is *not* what the rabbis were concerned about. Many years ago I sat in the study of a prominent *posek* on matters of *taharat hamishpahah* with my own vexing problem. A call came through for him and the words he said to the caller stirred me. “I know the doctor



said it's blood, but not all blood is *dam niddah*." How many times have I repeated this quote to my students as I have watched their faces relax with the knowledge that maybe there is some internal logic to this system we call *halakhah*.

It is during the discussion of *ketamim* that I bring up the issue of *always* asking a *she'elah*. I am rarely concerned that the women I teach will be too lenient if they don't consult a *posek*. Often, especially among young yeshivah-educated women, the opposite is the case. They find a questionable color on underwear or on an examination cloth and assume the worst. The awkwardness of approaching a *posek* with such a personal matter exacerbates the problem. They therefore decide for themselves that they must begin counting the seven clean days again. Deena Zimmerman, in *A Lifetime Companion to the Laws of Jewish Family Life* (Jerusalem: Urim Publications, 2005, 87, note 1), articulates the issue: "Some women feel they are being 'more careful' by not asking and waiting, but in this area of *halakha* this is not true. There is no obligation to be a *niddah* longer than necessary, and a couple's being separated limits their opportunities to perform other commandments such as procreation and marital relations (*onah*)." I encourage women to ask about all colors that arouse concern, even those on a *bedikah* cloth. I share my personal experiences with *psak* in order to encourage asking, and I tell the women I teach that one of my own children would not have been conceived had I not asked a *she'elah*. Along the lines of Deena Zimmerman, I remind women that our marriages are important in and of themselves, and that every *she'elah* that has the potential to bring a couple together sooner is of utmost importance. I encourage women to find *poskim* with whom they can develop a comfortable relationship; this is true for men as well. A *posek* must be accessible. If he does not have calling hours then he must be meticulous about returning messages. The tension around these *she'elot* is often very aggravating, and the inability to locate a *posek* in a timely fashion adds to that tension in ways that can be detrimental to a marriage relationship. Some women need *poskim* who explain why they are rendering a certain *psak*; some women simply need a sympathetic tone of voice. In any case the *posek* must treat each *she'elah* with the utmost care and importance. A woman

who is married for many years told me about a disturbing experience. Her husband had approached their *posek* concerning a question, and the *posek* determined that the stain he saw required that the woman wait several more days before immersing in the *mikvah*. When the husband looked disappointed, the *posek* reacted negatively, implying that after all the husband was not a young newlywed who could not wait. Rightfully, the husband and wife were upset. No one knows what an added day or a particular moment means to a couple; no one knows what the internal dynamic is of a specific marriage. It is therefore important to find a *posek* who is both knowledgeable and sensitive to one's needs.

How does one go about asking a *she'elah*? Many *she'elot* can be answered on the telephone with a description of circumstances and even of colors. This call can be made anonymously. No woman needs to give her name to the *posek* or to any of his family members who may answer the phone. When they are asked for their name, they need only respond that they have a personal question for the rabbi. If the *posek* feels that a stain needs to be seen, a woman should not hesitate to bring a *bedikah* cloth or an item of clothing to the rabbi. If she is embarrassed to do this, she can call in advance without giving her name and state that she will be dropping off an envelope at the rabbi's home, perhaps through the mail slot. The envelope should include the item and a sheet of paper describing the circumstances under which the stain was found. If the stain was found during the seven clean days, she should state which day it was. Her phone number should be included so that the *posek* can call her, or she can call him back at a set time.

A woman can also leave an item that needs to be seen by a rabbi with his wife, with the *mikvah* attendant, with her teacher or with any teacher of *taharat hamishpahah* in her community. A woman's husband can also assist her by bringing an item with a stain on it to the couple's *posek*. If the woman has presented a similar problem or stain to a rabbi several times and has consistently received a *psak* that the stain is not problematic, she may want to ask her rabbi if she must continue to show him similar stains. Is there any point at which she can now, on her own, understand that this particular stain

is not a problem? Each rabbi will respond in the way that he is most comfortable, but it is an important question to ask.

Asking a *she'elah* often brings with it the advantage of being able to immerse in the *mikvah* earlier than one had assumed, but there is another hidden advantage that in the long term may be even more important. When women encounter stains that they assume will prevent them from going to the *mikvah*, they sometimes become very angry at a *halakhic* system which seems to be working against them. The most meticulously observant woman can occasionally feel upset. But so many *she'elot* are answered favorably. The favorable answer restores one's faith in the system, an incalculable benefit to developing a relationship with a *posek*.

It is not uncommon for women to be extremely uncomfortable about asking their own synagogue rabbi a question. The role of a community *rav* is not solely professional. He is someone that we know on a social level. Women may be friendly with his wife; they may have eaten at his home; carpooled his children; attended weddings and bar/bat mitzvahs together. Rabbis urge women to think of them as professionals – as they would their doctor – but the relationship with one's community rabbi is so different. Few people socialize with their doctors! A teacher of *taharat hamishpahah* can often serve as a liaison between a woman and her community *rav* or even a *posek* from outside the community. Unquestionably, it is better for each member of the community to develop her own relationship with the *posek*, but it goes without saying that it is better for her to go through her teacher than not to ask at all. As a teacher I have worked hard to develop my own relationship with *poskim* in our New York metropolitan area, to great advantage to myself and to the women I encounter. I have grown tremendously in my own knowledge and I have been able to serve the women I teach by acting as a go-between in difficult and embarrassing situations. It is incumbent upon teachers to learn how to ask many questions of the women who come to them in this capacity, so that they can give a more accurate picture to the *posek*. I have found that because of the comfort level between two women, I will often ask questions that even the *posek* does not ask the women, and that I can often elicit

information that will provide more factors for a *posek* to consider as he renders his *psak*.

The role of liaison must be treated with tremendous care and responsibility. Sometimes a simple question is a façade, really an excuse or an opportunity to discuss other things. Those of us who listen to other women must listen very carefully. Years ago a young newly married woman whom I had taught, called with a relatively simple question. I had suggested that her husband speak to his *rosh yeshivah* and I predicted that the answer would be a lenient one. I was unhappy to hear that her husband refused to approach his *rosh yeshivah*, despite the fact that this woman was experiencing considerable pain when performing the *mokh dahuk* examination. He had told her that in his yeshivah they are stringent about this examination. I was very concerned about his insensitive and (given the *halakhic* nature of the *mokh dahuk*) most probably misinformed response. As we quietly continued our discussion (“Anything else?” I asked calmly) a story of serious abuse started to unfold. What was it in her tone of voice that prompted me to keep asking her if there was anything else? I was shaken by the amount of responsibility placed in the hands of a person listening to what was, after all, the simplest of questions. I referred the woman to counseling. As it turned out, this was a very difficult and troubling situation where both parties were carrying a lot of baggage from the past. I stayed in touch on and off. Not long ago she called and said, “Wish me *mazal tov* – I finally received my *get*.”

### SESSION THREE – PREPARATION FOR THE MIKVAH

We begin by discussing preparation for the *mikvah* with a thorough understanding of the definition of *hatzitzah*. Teachers need to be familiar with an array of grooming and cosmetic procedures that can conflict with the *halakhot* of immersion. For example, body waxing to remove hair is a procedure that can leave little pieces of unnoticeable wax on the body and should preferably be done several days before immersing in the *mikvah* to allow residual wax to be washed away through showering and bathing. We discuss when visits to the gynecologist should be made (sometimes an exam

results in *dam makkah* during the seven clean days – easy enough to deal with but a complication nevertheless), visits to the dentist (the status of temporary fillings), elective surgery (stitches that need to be removed and the doctor’s warning not to wet an incision site for a period of time), in addition to the *halakhically* prescribed warnings about certain practices to avoid before going to the *mikvah*. An important area for *poskim* to deal with definitively is the area of manicures. Many women unthinkingly have artificial nails applied with “permanent” epoxy glue. We teach women that this practice conflicts with *halakhah*, nevertheless the practice is becoming widespread. In addition to my role as a teacher, my husband is a rabbi in our community and the phone continues to ring with the voice of the very responsible *mikvah* attendant questioning whether to allow a woman to immerse with her artificial nails. *Mikvah* use has gone up considerably, thank G-d, but this often means that women who are not fully knowledgeable about the *halakhah* are at the *mikvah*, or women are knowledgeable and sincere about wanting to practice *taharat hamishpahah*, but don’t want to give up their nails. We certainly don’t want to send this woman home without immersing. Women who are more sophisticated with regard to *halakhah* may be satisfied with a *bdi’aved* standard if that is how we couch the response. It is important for us as teachers and for the rabbis to respond to what seems to be a frivolous issue, but which for some women is crucial to their self-image and self-esteem.

I spend a significant amount of time discussing unusual circumstances for immersion. Friday night immersion poses *halakhic* challenges but also practical challenges. How does one go about immersing on a Friday night without others knowing? Discretion is a serious issue in the practice of *taharat hamishpahah* which I will discuss. When I teach young brides, I recommend that they plan their schedules in advance so that they do not have company that Friday night and that they themselves are not invited out. I recommend that they not be at the home of their parents where questions about their whereabouts may come up. Sometimes the situation is unavoidable and we discuss strategies for dealing with

this difficulty. A two or three day *yom tov* often poses the same set of issues and a couple cannot avoid spending a holiday with family. Regarding *yom tov*, many *poskim* recommend that if one is able to perform a successful *hefsek taharah* examination after only four days of bleeding, which would enable one to immerse on the first night of *yom tov* immediately after *hafifah* (preparations for the *mikvah*), then that is preferable. Under some conditions a *posek* might allow a woman to immerse on the eighth day during the day to avoid an awkward situation on a *yom tov* evening. It is common nowadays to spend a two or three day *yom tov* at a resort where no *mikvah* is available during the holiday itself. Perhaps it might be appropriate to ask a *posek* about an unusual situation: immersing on the seventh day itself, before nightfall, if waiting until the proper time for one's immersion that night would mean waiting through three days of a holiday before one could immerse. Admittedly, this may be a very difficult question, but my rule is: always ask!

For those on vacation in areas without a *mikvah* one would want to ask how one immerses properly and *safely* in the ocean. What other bodies of water can serve as *mikvaot*?

An issue that I try to be very sensitive to, is a young woman's awkwardness concerning the immersion itself. Going to the *mikvah* requires that the attendant see you unclothed. After years of going to the *mikvah* and losing that sense of awkwardness, a teacher may forget that for some young women this issue is the biggest challenge of all of *hilkhot niddah*. While for some women this issue is not a problem at all, it is important to broach the topic for the sake of those women who are bothered by it and may not have the courage to share their concern.

The *mikvah* attendant tries not to be invasive while she is checking each woman. Just about everything she needs to check can be done while the woman is fully covered in her robe. I encourage women to speak to the *mikvah* attendant, or in the case of young brides, to have the mothers speak with the attendant, about their concerns. This is each woman's *mitzvah* and she has a right to perform it in the way that is most comfortable to her. If the *mikvah*

attendant does not already do so, one may suggest that she hold up the woman's robe as she walks down the stairs into the water. A woman may face the back wall of the *mikvah*. She need not turn around to see or be seen by the attendant. In extreme cases, the attendant can hold the woman's robe up even as the woman immerses, enabling the attendant to see only head and arms – knowing that if the woman's head and arms are submerged, the rest of her body is also submerged. While attendants may not be accustomed to this level of care, and while the overwhelming majority of even very young women may not require this level of sensitivity, it is important to inform women of what is possible so that they will feel comfortable at the *mikvah* and be calm even while they anticipate the moment of immersion. Women should be reminded that just about every *mikvah* attendant in the world will hold a robe or sheet in front of her as the woman who just immersed emerges from the water and climbs up the *mikvah* steps. All women can certainly expect this level of modesty and sensitivity at every *mikvah*.

In a culture that is so open about sexual activity, and where discussion of sexual behavior is on every radio news report and in every newspaper, it is important to instruct young women about discretion when it comes to *mikvah* use. Only husband and wife should know when the woman is using the *mikvah*. Marriage is between these two parties only. Her sister, her friend and her mother should not know when she is going to the *mikvah*. Some young women have very close relationships with the women in their family. This is praiseworthy. But a young woman's openness in this regard now infringes on her husband's right to privacy. Apart from this, assuming a particular husband does not care if his wife shares the date of her immersion with someone else, I believe that we need to educate young women about the sanctity and the privacy of marriage and about the importance of cultivating an exclusive relationship with one's husband. Certainly, women should be taught to seek advice when they need it, and often it may be the kind of advice that only a mother or sister can provide. I believe, though, that this should be avoided or at the very least, the date of the immersion should not

be shared. Of course, if one needs information about *mikvah* hours or location in a strange community, a woman may have to consult a friend or family member, but except in rare cases, I believe it is possible to do this discreetly, without being too specific.

It is obvious to me, but not to everyone apparently, that children should never know when their mother is going to the *mikvah*. A friend once suggested that unless children knew when their mother was going to the *mikvah*, at least sometimes, their children would never learn about the importance of *taharat hamishpahah*. Telling them where she was going was her way of providing *hinukh*! No child wants to know when his or her mother is going to the *mikvah*. Parents are always free to discuss *mikvah* and *taharat hamishpahah* with their children and should do so at the proper time. However, that does not mean telling children the specifics of one's own life. The fact that a child does not know when the mother is going to the *mikvah* is an education in itself. Even if children think they know where their mother went that evening, what a lesson in discretion and *darkhei tzniut* when that fact is never discussed. A woman told me that when her children were still living at home, she always kept a spare bag of non-perishable grocery items in the trunk of the car. In this way, if she had to tell the children that she was going to the supermarket in order to mask her trip to the *mikvah*, she always had a bag of real groceries to remove from the car. Sharing these kinds of precious little tricks, not found in any books, are part of the *mesorah* that teachers of *taharat hamishpahah* lovingly pass on to their students.

A corollary of all this is that no one should ever discuss with *anyone* who they happened to see at the *mikvah*. This is so obvious to us that we may neglect to mention it to our students. Part of this ethic dictates that we not share news heard in the *mikvah* waiting room, because sometimes the very nature of the news reveals who the speaker was. If a woman wants to share, for example, a joyous piece of news heard at the *mikvah* with her husband, she may have to wait several days until it will not be associated with the trip to the *mikvah*.



#### SESSION FOUR – VESET

After discussing all the practical issues that the bride will encounter the first time she goes to the *mikvah* I am prepared to discuss the more technical aspects of *veset*: calculating the onset of the following month's menstruation when husband and wife must abstain from relations. I do my best to de-mystify this topic. It is not nearly as complicated as it sounds and it is much easier to live it than to learn about it. I try to give as many different examples as I can and I distribute a perpetual *veset* calendar that can help the couple visualize and calculate the *veset*.

Many years ago one of my husband's teachers suggested that the husband, rather than the wife, keep the *veset* calendar, since he is equally obligated in the laws to abstain from sexual relations during this time. Since the wife has to inform her husband, anyway, when she becomes a *niddah*, he is in a position to keep the calendar. In this way the entire responsibility for the laws of *taharat hamishpahah* does not fall on the woman. If this concept is attractive to the woman I am teaching, I ask her to broach the subject very gently with her *hattan*. For many men the laws of *taharat hamishpahah* are even more intimidating than for women, and some men do not take well to a request to manage the *veset* calendar. A young man who is not enthusiastic about this task may be more willing after the couple is married for a few months or he may never find it to his liking. Nevertheless, this is an interesting concept and in a world where egalitarianism is increasingly popular, it is certainly worth mentioning.

Many young women today use birth control pills to regulate their cycles before marriage, as mentioned earlier. Some have been on birth control for a while before their marriage to handle skin problems or to deal with hormonal irregularities. Others will consult *poskim* in the course of their married lives and be advised for a host of reasons to use the pill. Many *poskim* maintain that when taking the pill the *veset* that one establishes is calculated from the day one begins taking the placebo pill. At what point after taking the placebo does a particular woman begin to bleed? That interval is what has been recommended as the *veset* calculation by many *poskim*.

Since *veset* calculation is somewhat intricate, I do allude to concerns that may come up after childbirth and nursing, and subsequent to stopping a birth control pill that had been recommended medically and *halakhically*. But I think this discussion is best put off until it is a practical consideration. It is definitely worthwhile to discuss pregnancy, when a woman is considered *misuleket damim*, free from being concerned about *veset* calculations.

Many works on *taharat hamishpahah* state that during the time that a period is anticipated the couple should not hug or kiss. Although the *Shulhan Arukh* (YD 184:2) states the opposite, many works on *taharat hamishpahah* remind the couple in accordance with *Ashkenazic psak* that if they are stringent in this area *tavo aleihem brakhah*, they deserve to be blessed. As a teacher of young women, I am concerned about the stresses that our young people face. Some stress comes from their intense family, work and school schedules; some stress develops from the very nature of the permissive society they are living in. Couples feel they never have enough time together, and now another stringency comes along. Building new relationships in this climate is not easy. The *Pit-hei Teshuvah* comments on *Yoreh Dei'ah* 184:2 of *Shulhan Arukh* cited above, by quoting the Responsa of the *Ridbaz* who allows hugging and kissing on the day of the *veset* since the *Bet Yosef* allows it (as is obvious from the *Shulhan Arukh*). He continues quoting the *Ridbaz*: “*d'ein l'hadash humrot al Yisrael v'halvai she'yishmiru mah she'mutal aleihem*” – “for we should not create new stringencies for the Jewish people; would that they observe that which is required of them.” Although the works available in English do not cite the *Pit-hei Teshuvah*, I study this text with my students and I encourage young couples to speak with their *poskim* regarding it.

### SESSION FIVE – HARHAKOT

This session is dedicated to the study of proper behavior of the couple while the woman is a *niddah*. I introduce the text from *Vayikra* 18:19 and 29, where we learn that it is forbidden from the Torah to have relations with a woman who is a *niddah* and that the prohibition is a strict one, carrying with it the punishment of *karet*. The language

of the prohibition is famous: rather than state *lo tigaleh ervat ishah b'niddat tumatah* (Do not expose the *ervah*, the nakedness of a menstruant woman, i.e., do not have relations with her), it states *v'el isha b'niddat tumatah lo tikrav l'galot ervatah* (to a menstruant woman do not *draw near* to expose her nakedness). The commentaries on “draw near” teach us that it is forbidden to touch a woman, even one’s wife, if she is a *niddah*. Maimonides maintains that this prohibition is Torah Law (*Mishneh Torah, Isurei Bi'ah, 21:1*) while Nahmanides posits that this prohibition is only rabbinic and that our verse is an *asmakhtah*, a source for the rabbinic injunction, rather than a Torah Law (*Hasagot on Sefer HaMitzvot L'haRambam, Negative Mitzvah 353*). All this indicates that touching a menstruant woman is forbidden either from the Torah or rabbinically. The important question here concerns the *harhakot*: the rabbinically ordained additional distancing a couple must observe during the time the wife is a *niddah*. If we follow Nahmanides, we would not be able to suggest that the *harhakot* are a “fence around the law,” a *geder*, because those fences are only built around Torah Law and not around rabbinic law. In addition, it is hard to explain that the *harhakot* prevent us from engaging in sexual relations during *niddah* which is punishable by *karet*. No one really thinks that by directly handing something to one’s spouse rather than placing it down first on a surface, a well-known *harhakah*, one is going to lose control of one’s impulses.

What I try to explain is that the *harhakot* are not a *geder* in the classic sense, rather they seem to replace another *halakhah* that is not observed at all between spouses – *yihud*. The laws of *yihud*, which prevent men and women who are unmarried from being secluded together, are in effect replaced by the laws of *harhakot*, and the *harhakot* are not observed by people who are not married to one another.

What is the purpose of *harhakot*? I explain that the *harhakot* are a reminder system for the couple during the two weeks of *niddah*. During this time husband and wife are not permitted to one another physically, even though they are living secluded and alone (*b'yihud*) under one roof. *Halakhah*, therefore, has built an elaborate alternative structure for a couple to “reside” in during the time that

the woman is a *niddah*. Every component of the system is a part of that structure. I have found that in this context students can appreciate better the minutiae of the *harhakot* system, and they can continue to maintain respect for this *halakhah*. It is no small thing to do away with cynicism in our permissive times, especially when our own students, without our careful explanations, may assume the concept of *harhakot* is wildly anachronistic.

I work hard, therefore, during the study of the *harhakot* to make them as relevant as possible. For example, there are many *harhakot* rulings surrounding meals. Even today when no physical gesture seems to carry with it anything more than the most casual of commitments, meals are still fraught with meaning. Eating with another person can have several purposes: function (I need to eat because I'm hungry), companionship or romance. An invitation to dinner by a member of the opposite sex evokes romance even in our day. Our goal is to keep meals during the time of *niddah* at the companionship level, and the strictures around the meals are designed to do just that.

I find it important to help students navigate the written works on *taharat hamishpahah* particularly when it comes to *harhakot*. For example, there is a range of opinions regarding hearing one's own wife sing when she is a *niddah*. I distinctly remember one very observant young woman crying bitterly and telling me that "there's no way I'm not singing *Shabbos zemiros* two weeks out of the month." Discussions with her *posek* helped to resolve her issue.

Is it really forbidden to say the words "I love you" as almost every work states? What about taking trips together during the two weeks of *niddah*? What about various sports games that a couple may want to play for sheer recreation and exercise? What role, if any, do changing times play on the way we define *kalut rosh*, frivolous behavior between a man and wife? What happens in the presence of company, when observing certain *harhakot*, such as not directly passing to another, becomes a source of embarrassment to the couple? More than in many areas, a teacher is required here to explain how to manage this time in a marriage comfortably and properly within the parameters of *halakhah*. Rabbi Shimon Eider's *Halachos of*

*Niddah* is particularly helpful on this topic. He offers many *halakhic* alternatives, and his copious footnotes add further information and nuances to this sensitive area of *halakhah*.

Of course, this two-week time does not need to be merely “managed.” I, along with many other teachers, encourage students to get the most out of this time. It is important to do things together, to talk and to discuss. Sometimes, when a couple abstains from sexual activity, discussions flourish and they do better at developing the companionship aspect of the relationship. On the other hand, it is a mistake not to validate the difficulties that couples often endure during this period. Just knowing that a teacher is sympathetic to one’s emotions is enough to help a young woman who often feels guilty and “less religious” for entertaining negative thoughts about the restrictions during the two weeks she is a *niddah*. Husbands also experience a sense of isolation during this time. Often they feel more comfortable expressing themselves physically rather than verbally and so these two weeks are a particular challenge – the husband feeling he can’t properly express himself, the wife feeling somewhat alone and unloved. Somehow, I find women take the situation more personally thinking that it is their bodies that “caused” this. A simple reminder to a young woman that her husband would have been married to *someone* and that that person also would have become a *niddah*, cuts the tension and can add some much-needed humor. I remind young couples that it is a serious mistake to sit home and brood over their “situation.” If they are feeling depressed, isolated from one another or feeling that they can’t hold out, they should get out of the house, do some physical activity, attend to a chore, visit with friends, play a game.

### SESSION SIX, PART ONE – RABBINIC ATTITUDES TOWARD SEXUALITY

In this session we study rabbinic attitudes toward sexuality. We also discuss the specifics of intimacy and the issues that arise during the first night of marriage. Even when I am teaching a group of women, I schedule individual appointments for this session. While the first five sessions are about one and a half hours each, for this session I

set aside at least two hours. In addition to the material that I want to present, I want to make sure that there is enough time for each woman to discuss any personal concerns she might have without feeling rushed.

For the most part, young women are happily anticipating the sexual aspect of their marriages. If this was true in the past, one would expect this to be an even more common sentiment in today's sexually open environment. Nevertheless, I still encounter a measure of inner conflict regarding sexuality, even among modern Orthodox women. The words of a young woman who probably articulated the thoughts of many still ring in my ears: "How could all have this been so forbidden our entire lives and now we are told it is filled with *kedushah*?" Are these words reflective of an individual woman's personal concerns and issues or perhaps of an educational system where teachers have justifiably outlined proscribed physical behavior between men and women but where the same outstanding role-model teachers have not taught about the beauty and the *kedushah* of the physical relationship in the proper setting of marriage? Have young people heard only the frightening "no's" without hearing the beautiful and validating "yes's"?

For this session I find it very valuable, regardless of the textual skills of my student, to read with her in the original Hebrew several paragraphs from the second part of *Igeret Hakodesh* attributed to the *Ramban*. Although I have taught these words hundreds of times, I never fail to be moved as I introduce them to each new student. We read from Rav Elyakim Ellinson's quotation of the *Igeret* in the third volume of his work, *Ha'Isha V'Hamitzvot*:

Let no one think that in proper relations there is anything shameful or ugly.

G-d forbid! (*'halilah mi-zeh'*). For relations are termed 'knowledge' as in 'Elkanah knew Hannah his wife' (1 Samuel, 1: 19) and not without reason. When the seed is drawn forth in holiness and purity it comes from the source of knowledge and understanding which is the brain. Were it not for the sacred dimension of this act it would not have been called 'knowledge.'

*Rambam* was wrong in *Moreh ha-Nevukhim*, when he praised

Aristotle for defining the sense of touch as shameful to us. Heaven forbid! (*'halilah, halilah!'*) The Greek's statement was untrue, containing a veiled trace of unbelief (*'minut'*). Had the Greek *Aher* believed that the world was created as an act of (Divine) will he would not have spoken the way he did.

We, however, who possess the holy Torah, believe that G-d created everything as His wisdom decreed and that nothing He created was shameful or unseemly. If we say intercourse is shameful, then the reproductive organs are shameful too. Yet G-d 'made them and established them' (Devarim 32:6) and He did not create anything with a blemish or short-coming. Otherwise His actions would be less than perfect, whereas the greatest of Prophets (Moses) declared, 'The Rock, His work is perfect' (verse 4).

(Jerusalem: World Zionist Organization, Department for Torah Education and Culture in the Diaspora, English edition., 1998, III.185–187; Hebrew edition, 1990, III.155–156 [translation partially mine]).

As beautiful as these words are in English, the original Hebrew carries with it a unique power. Our *rabbis* wrote these words – in the thirteenth century!! I spend a lot of time elaborating on the word "knowledge," *yedi'ah*, using a definition I learned from Tzipporah Heller ("Our Bodies Our Souls," 2-volume audio cassette, Jerusalem: *Aish Hatorah*, 1988). *Yedi'ah* means understanding the significance of something. Through the act of sexual relations we are meant to come to an appreciation of the full significance of the other. *Yedi'ah* is an intellectual act of intention and not just a physical act of pleasure.

This introduction leads to a discussion of the inherent *kedushah* in sexual relations in marriage. With a brief reminder that marriage itself is called *Kiddushin*, we proceed to explore why it is that we associate relations with *kedushah*. Many years ago I had the privilege of hearing Yirmiyahu Abramov lecture at a conference of the Association of Jewish Outreach Professionals. He had been asked by young yeshivah men how one should go about bringing *kedushah* into this act. At the time, he was concerned that these young men thought that bringing *kedushah* into sexual relations

could be accomplished by thinking about Torah, G-d or some other spiritual matter. Abramov remarked that nothing could be further from the truth. *Kedushah* is achieved by concerning oneself with the physical pleasure of the other person. *Kedushah* is defined by some as the ability to go beyond one's self. Worrying about the other person's physical pleasure is the ultimate act of giving since no one else can provide that pleasure for them. Along the lines of the *Igeret HaKodesh* I remind my students that it is not by accident that the sex organs were designed to bring pleasure to a couple. This is what G-d wants – albeit in the proper *halakhic* setting. *Talmud Bavli* in *Ketubot* 62b weighs the sexual needs of the wife against the financial and spiritual preoccupations of the husband, and attempts to legislate how often men of varying professions need to focus on their wives' fulfillment, her *onah*. "When does the Torah scholar have to fulfill his wife's needs? Rabbi *Yehudah* said that Rabbi *Shmuel* said from one Friday night (*erev Shabbat*) to the next." *Rashi* explains the significance of Friday night: "*She'hu leil ta'anug u'shevifah v'hana'at haguf,*" "For it is a night of enjoyment, rest and pleasure for the body." I emphasize to my students that the very point of sexual relations is pleasure. Pleasure we give one another creates the closest bonds, the glue of marriage, *devek*. This seems so obvious. It is not to the young bride. She cannot believe that this is what Judaism actually teaches. How reassuring to be told that what you wanted to hear is just what *Hazal* and our tradition have been saying all along!

Extremely helpful with regard to this topic is the book *Marital Intimacy* by Avraham Peretz Friedman (Jason Aronson: New Jersey, 1996; a new edition has been published by Compass Books). The chapter on "The Mitzvah of *Onah*" is filled with statements from the Talmud and quite a number of lengthy quotes from the *Steipler Gaon*, HaRav Yaakov Yisrael Kanievsky. Rabbi Friedman's description of the different needs of men and women on page 81 is nothing less than exquisite. It should be required reading for every bride and groom. I actually copy pages 81–85 of this book (and provide them here as an appendix after the footnotes) to give to my students because I believe the ideas presented so sensitively here are crucial to a healthy sexual relationship.



At this point I interject an important *halakhah* from the *Rambam Mishneh Torah, Hilkhoh Issurei Bi'ah*, 21:12, with a specific point in mind. The *Rambam* articulates several *halakhoh*, among them that a man may not have relations with his wife while he is thinking of another woman, that he may not have relations while he is drunk or while the couple is arguing, and that he may not have relations with her against her will while she is frightened of him. If we understand relations as being *yedi'ah*, as mentioned earlier, we realize that one is hardly attaining full appreciation of a spouse if one's mind is on someone else. The same is true if one is in a drunken stupor. Sex which is about overpowering one's partner, such as the case might be in an argument or out of hatred, is contradictory to everything a couple is trying to achieve through sexual relations. The *Rambam's* warning about having relations against the wife's will while she is frightened is nothing less than a description of rape in marriage.

In as sensitive a way as I am able to, I utilize this *Rambam* to discuss violence and other forms of abuse in marriage. I am addressing young women with no experience and no context for sexual behavior. My concern is that they may encounter deviant behavior and think, due to their inexperience, that this is "normal." It is painful for me to raise this issue, but I feel obligated to protect the young women in my care. I try to reassure them that it has been my experience that relationships that have been conducted up until this point with *hesed* and kindness will also be conducted in the same way in the sexual realm. Perhaps a statement such as this will enable them to think through any troubling issues they might be experiencing during their engagement, and that too is part of my trouble-shooting plan. I remind my students that sometimes a friend might call and allude to a problem of abuse. The friend might describe some strange behavior of her husband. The correct response to that hint is to gently guide the friend to get some help and not to reassure her that it's "probably nothing" and won't happen again. I do mean for this advice to apply to friends, but I know that my students know that I am also telling *them* that problems of this sort should never be ignored or swept under the rug.

Finally, we study an excerpt from *Rabad's Ba'alei Hanefesh*.

(This excerpt is also available in Rav Ellinson's work in Hebrew and English [Hebrew, III.162–164; English, III.195–198].) Two points are studied here. First, the *mitzvah* of *onah* is about more than mere sexual gratification; it requires that a husband pay attention to his wife's moods, body language and psychological needs since these are all part of how a woman expresses her complex sexual needs.

*Rabad* also tells us that a man receives reward not only for fulfilling his wife's needs, but even if he engages in sexual relations with his wife to "stifle his longing to sin." *Rabad* continues: "Yet he merits reward for his intention to ward off [a] forbidden union and save himself from sin." I'm quite sure that our blessedly inexperienced young women are not fully aware of the intensity of the male sexual urge. *Rabad* and others who wrote regarding this topic were writing at a time before printing was invented. There were no photographs, magazines, radios and televisions. There was no Internet. Men and women did not work in close proximity as they do today. In short, men were not subjected to the inappropriate sights and sounds of the modern era. What temptations was *Rabad* writing about? And yet the temptations are so great that a man receives reward merely for coming home to his wife. Even some of my intellectually sophisticated students are ignorant of the differences in the way men and women operate in the sexual realm. It is incumbent upon them to be sensitive to their husbands' needs, stresses and tensions in this area just as their husbands must be sensitive to them.

There is a broad spectrum of opinion regarding what is and what is not permitted during sexual relations. The *Rambam Mishneh Torah, Hilkhos Issurei Biah* 21:9,10 seems to contradict himself, citing that just about everything is permitted with one's wife with the exception of *hash-hatat shikhvat zera l'vatalah*, ejaculation outside of regular intercourse, while also listing a host of forbidden behaviors (relations during the day or in the light). I spend considerable time discussing the *Ramban's* (Nachmanides') concept of *Kedoshim ti'hiyu* (*Vayikra* 19:1), the importance of observing the spirit of the law. *Ramban* is famous for his observation that one can be a "naval b'reshut haTorah," despicable even within the parameters of *halakhah*. Regardless of what different *poskim* view as bottom-line *halakhah*

with regard to permissible sexual behavior, we must be mindful of the struggle of *Hazal* in this area. How do we best focus on one another in the midst of physical pleasure that can be overwhelming? How do we hold on to our own noble souls even as we partake in the delights of this world that the Master of the universe intended for us to enjoy? How do we demonstrate respect for the personhood of our spouses even during the most intimate physical acts? This is the balance that *Hazal* were striving for, and that as teachers we must try to transmit.

Part of the challenge here is that the combination of the “forbidden” feeling that attends sexual behavior along with the many *halakhic* rulings and recommendations becomes a minefield strewn with guilt for anyone inclined toward obsessive compulsive behavior. I have received some upsetting phone calls from young women that lead me to believe that there are plenty of young couples who at the moment they should be focusing on one another are worrying about whether or not they are in violation of *halakhah*.

It seriously understates the case to say that we are living in challenging times when it comes to sexuality. Young, modern Orthodox couples are trying very hard to observe *halakhah* meticulously. Yet they are exposed to all kinds of behaviors that make them yearn for what’s out there. On the other hand their only context for sexual behavior is all the forbidden activities they see around them. They are justifiably confused. Striking the right balance is difficult, but despite the sensitive nature of this issue, those of us who are teaching on the front lines must continue to strike that balance in a way that is healthy, respects *halakhah* and yet does not induce guilt.

### **SESSION SIX, PART TWO: WEDDING NIGHT AND THE EARLIEST SEXUAL ENCOUNTERS**

It is of utmost importance to walk a student through as many situations for the wedding night as one can conjure up. Assume no knowledge on her part. I share with my students that although sexual feelings come naturally, sex itself has to be learned. As with all things, some are better at this activity than others, but everyone can learn, and sooner or later everyone does. Through no fault of

their own the marriage may not be fully consummated on the first night. This is normal. Evening weddings end late and the couple may be exhausted from the fasting, the dancing and all the pre-wedding tension. Some *poskim* suggest that a couple may wish not to consummate their marriage the first night because if they do succeed, they will immediately become forbidden to one another. Three hundred and sixty degrees in one night! Observant couples go from not touching to intense sexual behavior and back to not touching at all in a very short period. On the other hand, I warn young women that it may not be possible to follow this well-intended advice because of the level of arousal of their husbands.

I spend a lot of time going through many scenarios, along with advice and several suggestions for making the first night as successful as possible. I recommend that if a young woman is taking medication to prevent the onset of her period, that she stay on it and have available as many pills as necessary so that the couple can continue to try, if they are not successful in consummating the marriage immediately. This takes the pressure off of them and actually makes consummating the marriage early more likely.

It is also important to discuss the issue of *dam betulim* (the bleeding from the ruptured hymen that renders a woman a *niddah*) and at what point a marriage is consummated regardless of whether the woman experienced bleeding. It is not uncommon for teachers to hear from their students during the first week of marriage as they seek *halakhic* guidance on this issue. All the *poskim* I have turned to have been helpful and very sensitive.

Although this is not the correct forum for me to discuss in detail exactly what I teach my students, suffice it say that I try to leave no stone unturned. We look at diagrams of the anatomy carefully and I send them home with printed materials that describe even more explicitly than our discussions what they can expect. I remind my students that regardless of the results of their earliest sexual encounters they should view the experience as the positive and exciting first steps on the way to a profound and fulfilling relationship. It is my goal to provide as much information as possible in order to help ease the way of these young women into this next, all-important phase

of their lives. In materials that I received in May 2001 at a Shalom Task Force conference, Bella Gottesman, who teaches *kallot* in Los Angeles wrote, “*daven* for your *kallah*.” I do.

### CONCLUSION

Over many years as a teacher of *kallot* and as a *rebbetzin* in my community, I have spoken with many young women. Some as yet unmarried women were fearful of what lay ahead, some were suffering the *halakhic* consequences of difficult medical situations, and some were trapped by their own compulsive behavior. In one case a couple did not consummate their marriage for a year. They could not believe this was “allowed” and their *taharat hamishpahah* teachers had only discussed *halakhah* with them and nothing else. Several young women were concerned whether they had made the right choice of a husband. Our role as teachers goes far beyond imparting the laws of *taharat hamishpahah*.

When I was getting married, few of us went for private lessons in *taharat hamishpahah*. We carefully read all the material that was out there. We spoke with our mothers and our sisters. I’m not sure that the women who were teaching thirty years ago had more information than we did, and I remember feeling that those women who were teaching were sorely out of touch with who I was as a young woman. I think that we suffered unnecessarily as a result of the ignorance of our time. My belief was confirmed when I spoke with some *rebbetzins* a generation ahead of me at a recent conference. A young teacher of *kallot* was addressing the group, and the older women were astounded upon hearing information and well-known leniencies that were common knowledge among the younger women in attendance.

I am happy that young women today are receiving a far better Jewish education than I did at their age and I am happy that they are more comfortable calling their teachers and sometimes even their rabbis with a host of *halakhic* questions. I am thrilled that things are changing for the better in this regard, but there is an enormous amount of work yet to be done. Those of us who teach *taharat hamishpahah* take our responsibilities very seriously. We continue

to study and to learn how to do better. We welcome the more sophisticated texts that are being published on this subject, and we look forward to helping young women successfully make their way into marriage in the complicated times we live in.

### NOTES

1. Feldheim Publishers is about to reissue this book. It is currently available at [www.feldheim.com](http://www.feldheim.com).
2. Aryeh Kaplan's *Waters of Eden* (New York: NCSY, 1982) is a beautiful, thought-provoking treatment of the concepts of *tumah* and *taharah*.
3. Even if the stain were to be seen, of course without any *hargashah*, it would create only a rabbinic level concern. After immersion in the *mikvah* the woman is assumed to be *tehorah* and there is no need to check for stains.
4. Cynthia Ozick wrote an essay, "Hannah and Elkanah: Torah as the Matrix for Feminism" (published in *Out of the Garden*, ed. C. Buchmann and C. Spiegel, Columbine, New York: Fawcett, 1994), in which she poignantly describes Elkanah's response to Hannah's distress at not being able to conceive. We understand Elkanah's statement, "Am I not better to you than ten children?" (1 Samuel 1:8), as insensitivity and indeed Elkanah does not seem to fully empathize with his wife's pain. Yet, Ozick posits that in Elkanah's statement we find another emotion. Elkanah was stating, perhaps, that he valued Hannah even if she could not bear him any children. Their marriage had intrinsic value. He hoped that Hannah felt as he did.  
 Having read Ozick's thoughts years ago, I wonder now if it is by accident that with regard to Elkanah and Hannah the Torah states, "*va'yeyidah Elkanah et Hannah ishto*," and Elkanah knew Hannah his wife. This is one of the few places in *Tanakh* where this elevated term for sexual relations is used – perhaps because Elkanah really *knew* the true significance of Hannah as a person.
5. I am very impressed with the Hebrew text *Ish/Isha* by Rabbi Elayshiv Knohl (*Makhon Shiluvim: Ein Tzurim*, 5763) He includes explicit information regarding sexual relations, complete with anatomical diagrams, but he does so with great modesty. The explicit portion of the book is found in a small pamphlet tucked into a pocket in the back cover. This is the appropriate way for these matters to be published.

### APPENDIX

#### ***Marital Intimacy by Avraham Peretz Friedman, Pages 81–85***

The primary enjoyment by a man of intimacy is the activity of physical intimacy and intercourse. The same, perhaps, cannot be said for a woman. While a woman also derives enjoyment from the physical experience, her primary enjoyment is the emotional intimacy she

shares with her husband. Without the emotional component, her physical experience is not optimal. A man does not tend to need the emotional buildup that is the essential feature of foreplay. A woman does. The two processes – emotional and physical – are inextricably bound up for a woman. A husband satisfies his wife's desire initially by focusing on her emotional needs. The physical consummation follows inevitably as a natural corollary. A man can become sexually aroused in an instant and be fully prepared for intercourse without preliminaries or preparation; similarly, when intercourse is complete, a man can just as quickly lose all sexual desire. Not so a woman. A woman, slowly and steadily, "climbs an emotional mountain" before she reaches the summit and fully desires physical consummation of intimacy. So, too, on the "way down," after physical intimacy has ended – the woman must make the slow steady descent back down from the heights of sexual excitement and passion. If intercourse occurs before the wife is ready, then intimacy is, for her, an experience of exploitation and resentment rather than a pleasurable expression of her husband's love. Similarly, if a husband, his needs satisfied, selfishly turns away from his wife, and neglects to escort her gently and lovingly down the emotional mountain, then marital intimacy is, for her, an experience of frustration and rage.

It was taught, R. Meir used to say: Whoever marries his daughter to a boor is as though he bound and laid her before a lion; just as a lion tears [his prey] and devours it and has no shame, so a boor strikes and cohabits and has no shame.

*(Pesachim 49b)*

Tosafot: Rabbenu Tam explained: Just as a lion tears and eats and does not wait for its prey to die, so, too, a boor does not wait until she is appeased.

According to Torah law, it is forbidden to be intimate in such a way that she will not be pleased, and he is obligated

to appease her with closeness, kissing, and hugging until she desires to consummate the intimacy: for otherwise she is like one bound and laid before a lion who tears and devours, as is explained in *Pesachim* and it is a criminal sin to do that which causes anguish to his wife...

(Y.Y. Kanievsky)

When a man grabs and has intercourse immediately without any closeness, after which [his needs satisfied] he separates immediately and distances himself from her – the husband [mistakenly] thinks that, through this practice, he ascends to great spiritual heights. In reality, his desires have in no way been diminished, and his drive is completely appeased with complete satisfaction; but his wife has not received any pleasure at all from this type of behavior – on the contrary, she is hurt and shamed, and she cries in secrecy and her tears do not go unanswered, for the “Gates of Heaven” were never locked.

(Y.Y. Kanievsky)

The Torah wants neither exploitation and resentment nor frustration and rage, so it legislated a formal Torah obligation (the *mitzvah* of *Onah*) on a husband to slowly, gently, and lovingly escort his wife up the mountain, and to continue the act of emotional intimacy long after intercourse is ended until the emotional descent is complete. The halakhic elements of *Onah* are essential in successfully accomplishing both tasks.

R. Chiyya said: What is meant by the scriptural text (Job 35:11) “Who teaches us by the beasts of the earth and makes us wise by the fowls of the heaven”?... This refers to the rooster which first coaxes and then mates. R. Yochanan observed: If the Torah had not been given, we could have learned... proper conduct (“*derech erez*”) from the rooster who first coaxes and then mates.

(*Eruvin* 100b)



It is [a demonstration of] his love for her that he spreads his wings over her, just like a chicken spreads her wings over her chicks.

(Maharal, *Netivot Olam*, vol. 2,  
*Netiv Hatziniyut*, end of ch. 1)

He should draw her heart with seductive, graceful words of love and desire until he binds her thoughts to his and she desires to have intercourse.

(*Menorat HaMaor* 185)

Also *after intercourse* he should continue to chat lightly and lovingly with her in order that she not think that his whole intent in speaking this way earlier was for the sake of his own pleasure. Therefore, to counter this mistaken notion, he should continue to appease her even after intercourse.

(*Damesek Eliezer*)

When he tries to make her happy during intimacy, as well as before and after, there is nothing improper, God forbid; there is only *Mitzvah*...and he is required to do so according to Torah law.

(Y.Y. Kanievsky)

In sum, we presented two reasons to explain why the Torah's *mitzvah* of *Onah* is addressed only to a husband, and with these two reasons we were able to account for many of the halakhic elements of the *Mitzvah*:

1. A husband will, easily and without reservation or hesitation, express his desire for intimacy; a woman, in contrast, who tends to be more reserved and modest, will not. To ensure that a wife's needs will not be forgotten, the Torah legislated a formal obligation on a husband to be alert to any indication from his wife that she desires intimacy and to provide her with that intimacy.

And

2. A husband does not tend to need the same emotional preparation for intimacy that a wife does. The *mitzvah* of *Onah* (through its elements of, for example, loving words, hugging and kissing, and physical closeness) ensures that a husband will create the atmosphere that will satisfy his wife's emotional, as well as her physical, needs.

What should a man do in order to have prosperous children blessed with longevity? He should perform the desires of Heaven and the desires of his wife. ...these are "the desires of his wife": R. Eliezer says: he should seduce her during intimacy... R. Yehudah says: he should gladden her with intimacy...

(Tractate *Kallah*, ch. 1)



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# 10

## Preparing Modern Orthodox *Kallah* and *Hatanim* for Marriage

*Devorah Zlochower*

### INTRODUCTION

A number of years ago I began teaching pre-marriage classes at the request of a number of my students. These women had all spent significant time learning and were looking for a class that would integrate the *halakhic* sources with practical information. Additionally, they were seeking a teacher who would speak frankly about sexual matters. Finally, a number of them were interested in studying as couples learning the same information and opening a forum for dialogue and shared responsibility. Sometimes I was approached by someone who had already begun *kallah* classes elsewhere. When students asked me to recommend a book, I was hard-pressed to find one that covered all the material I thought necessary.

The concerns expressed by these students and the goals they

had in preparing for marriage have led me to conclude that there are serious needs the Modern Orthodox community should be addressing in preparing young couples for marriage. Among these needs are: clear and accurate information about male and female anatomy and sexual physiology, an open discussion about the *halakhic* parameters of birth control, the range of legitimate options within *hilkhot niddah* and an honest discussion about the difficulties one may encounter in observing *hilkhot niddah* and in building a satisfying sexual relationship. Some difficulties I have been apprised of include feelings of isolation during the twelve-day separation, negative feelings and fears about *bedikot*, pressure to perform sexually on the night of *tevilah* and fears about first intercourse. The period of time before the wedding provides a unique opportunity to discuss with a sensitive and knowledgeable instructor the problems that may arise.

With these issues in mind, I will begin by offering a review of some popular *taharat ha-mishpahah* literature, by pointing to some of the pitfalls that often plague pre-marriage classes and by posing some suggestions that seem better suited to the needs of Modern Orthodox *hatanim* and *kallot*. These suggestions as well as my critiques are obviously subjective and based on my experiences with young couples and, particularly, with young women whom I have taught and counseled. I do not intend to argue that the literature and many classes are out of place. Clearly, many of the books as well as many instructors do an excellent job of presenting the laws of *niddah*. My point is that the laws of *niddah* must be supplemented, and that books and classes intended for a Modern Orthodox framework should be made available.

Specifically, it is my contention that *niddah* manuals must include information on sex.

Several reasons are at play here. First, as *niddah* is a body of *halakhah* that deals with sexuality, a discussion that focuses solely on sexual restraint may lead the *hatan* or *kallah* to conclude erroneously that Judaism has a negative attitude towards sex.

And even if a *hashkafic* statement is made endorsing a positive view of sexuality, given the plethora of details we teach about

the practice of *niddah*, a lack of similar attention to sexual function may still lead a young person to conclude that *halakhah* is more interested in restraint than sexual expression. Finally I would add that while one could purchase any number of sex manuals at general bookstores, those books obviously do not provide an approach to sexuality informed by Jewish values; the *niddah* literature provides a unique forum for such an integration.

### LITERATURE REVIEW

The literature review will focus on eight works. I have selected four classic works that continue to be read and four books written in the last ten years. Some deal primarily with laws of *niddah* while others focus on Jewish views of sexuality, but they are all examples of the pre-marriage literature widely available to young couples. Below, in order of first publication date, is the list of works. I have noted the edition of the book I read and reviewed. All citations in my review will be to these editions and will be included in the text.

Lamm, Norman. *A Hedge of Roses*. 6<sup>th</sup> ed. New York: Feldheim, 1987.

Kaplan, Aryeh. *Waters of Eden: The Mystery of the Mikvah*. New York: OU/NCSY Publications, 1976.

Tendler, Harav Moshe David. *Pardes Rimonim: A Manual for the Jewish Family*. 3<sup>rd</sup> ed. Hoboken, NJ: Ktav, 1988.

Abramov, Tehilla. *The Secret of Jewish Femininity: Insights into the Practice of Taharat HaMishpachah*. Michigan: Targum Press, 1988.

Friedman, Rabbi Avraham Peretz. *Marital Intimacy: A Traditional Jewish Approach*. 2<sup>nd</sup> ed. New Jersey: Compass Books, 2005.

Forst, Rabbi Binyomin. *A Woman's Guide to the Laws of Niddah*. New York: Mesorah Publications, 1999.

Knohl, Elyashiv. *Ish Isha Zakhu Shekhinah Beineihem: Pirkei Hadrahah li-Hatan uli-Kallah*. (Hebrew) Jerusalem: Lishon Limudim, 2003.

Zimmerman, Deena R. MD MPH IBCLC. *A Lifetime Companion to the Laws of Jewish Family Life*. Jerusalem: Urim Publications, 2005.

My choice of evaluative criteria for assessing this literature reflects my concern with whether the information Modern Orthodox *hatanim* and *kallot* are receiving is accurate and complete, and whether the young couple has been prepared to the greatest extent possible for the novel challenges of marriage including observance of *niddah*, and the marital relationship in all its dimensions including sexuality.

The review will focus on the following questions:

1. Who is the intended audience of the work? Is the book addressed to a Modern Orthodox reader? Is the book addressed to both men and women or women exclusively?
2. How are the laws of *niddah* presented? How complete is the information? Are sources cited and footnoted? Does the author paint an idealistic or realistic picture of the observance of these *halakhot*? What level of autonomy is expected or encouraged in the couple's or the woman's decision-making?
3. How complete is the biological information? Are there charts and diagrams of female anatomy? Is sexual physiology of men and women discussed or diagramed? Are sexual function and sexual dysfunctions delineated? Is the physiology of menstruation and reproduction addressed?
4. Does the author cover other areas such as communication and birth control?
5. Does the author provide a bibliography and a list of resources on these topics?

### A HEDGE OF ROSES

Rabbi Norman Lamm's classic *A Hedge of Roses* was first published in 1966 and went through six editions. I believe that the enormous popularity of this work can be attributed to the fact that Rabbi Lamm presents a positive view of sexuality from the Jewish tradition, which he contrasts to both pagan and early Christian traditions (20–24).

Rabbi Lamm argues that the laws of *niddah* play no small role in establishing a positive view of human sexuality and contribute greatly to enhancing the sexual relationship by providing a balance between sexual expression and restraint. This argument is already introduced in the epigraph to the book: “Thy body is a heap of wheat, hedged with roses” (Song of Songs 7:3). “A man marries a woman. She says to him: I have seen what looks like a red rose; and he separates from her. What kind of wall is there between them? What sort of serpent has stung him? What is it that restrains him? – the words of the Torah!” (Midrash Psalms 2:15).

The laws of *niddah*, according to Rabbi Lamm, play the following roles in enhancing the marital sexual relationship. First, couples who adhere to these *halakhot* refrain from physical relationships prior to marriage. Thus, they enter marriage untroubled by a sense of guilt that may befall individuals who have failed to follow the moral rules laid out by Jewish tradition (30–32). Second, the laws of *niddah* create a means of relating independent of a sexual relationship which may prove helpful in a couple’s old age. “During this time husband and wife are expected to act towards each other with respect and affection but without any physical expression of love – excellent training for the time, later in their lives, when husband and wife will have to discover bonds other than sex to link them one to another” (35). Finally, Rabbi Lamm argues that practicing *niddah* teaches the husband to focus on his wife’s inner characteristics in addition to her physicality and, at the same time, preserves the mystery of their sexual relationship by building in periods of abstinence (60–62). “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” (66).

*A Hedge of Roses* is written for the Modern Orthodox man or woman seeking a positive view of sexuality within the Jewish tradition. It is a philosophical and ideological book. It does not provide practical information for the sexually uninitiated couple to whom it is addressed, nor does it direct the reader to other books that might fill in that gap. Similarly, the book does not provide details of the laws



of *niddah* although, in this case, Rabbi Lamm does direct the reader to a number of manuals written on that subject. Rabbi Lamm simply sets out to argue the case for marriage bounded by the observance of *niddah*. Consequently, no biological information is supplied, birth control is not discussed and difficulties a couple may encounter in observing these laws are never conveyed.

### WATERS OF EDEN: THE MYSTERY OF THE MIKVAH

Aryeh Kaplan's *Waters of Eden: The Mystery of the Mikvah*, while attempting to place the *niddah's* immersion in a *mikvah* in a larger context of *mikvah* usage for conversion, koshering and customary use by men before *Yom Kippur*, is essentially an argument for observance of *niddah* and a Jewish view of sex predicated on selected mystical notions. Rabbi Kaplan takes the reader back to the "river that emerged from Eden" (Genesis 2.10) and the imperfection of humanity that resulted from eating of the Tree of Knowledge (30–36). In this depiction, however, the imperfections of men and women as presented by Kaplan are not equal. Kaplan describes menstruation as "inefficient, uncomfortable, and unaesthetic" (42). He claims that menstruation, the pangs of childbirth (42) and the separation from her husband experienced by the menstruating woman are consequences of exile from Eden. "Niddah represents the state of expulsion from Eden. As a result of the covenant of circumcision, however, the sexual act is one of holiness and therefore, is associated with man's (sic) state before the expulsion. Therefore, as long as a woman is in a state of Niddah, she cannot participate in the holy act of sex" (44).

*Waters of Eden: The Mystery of the Mikvah* is published by OU/NCSY Publications and is written for Modern Orthodox men and women. Like *A Hedge of Roses*, Kaplan's book was written before the women's movement gained wide acceptance. Both books are wont to make different assumptions, not backed by rigorous scientific studies, about men and women's sexual natures and desires. Rabbi Lamm asserts that girls see marriage as the culmination of their dreams (61), and that husbands specifically need to learn to see their wives as "thou-s" rather than "it-s" (66). Rabbi Kaplan has represented

female biology as indicative of woman's expulsion from Eden while male biology, after *brit milah*, retains an Edenic state.

*Waters of Eden: The Mystery of the Mikvah* is an ideological treatise that selectively uses mystical concepts to argue for *mikvah* usage in marriage. It is not a compendium of the laws of *niddah* and does not provide the *halakhic* and biological information a couple would need to observe these laws.

### PARDES RIMONIM: A MANUAL FOR THE JEWISH FAMILY

*Pardes Rimonim: A Manual for the Jewish Family* by Rabbi Moshe Tendler was first published in 1977 and includes a 43-page compendium of the laws of *niddah*. Rabbi Tendler's book is one of less than a handful of *niddah* manuals that include diagrams of female anatomy. The importance of this inclusion cannot be over-emphasized. My experience with college-educated kallot is that they are woefully uninformed about their bodies and require clear instruction including pictures and diagrams. Rabbi Tendler includes two diagrams in the book. The first is a depiction of the internal female reproductive organs within a non-specific border (9). The second is a diagram found in many biology texts that depicts both internal and external organs (10). In both diagrams, Rabbi Tendler labels the various organs using common biological terms, for the most part, as well as the likely analogous Talmudic term. I would note, however, that Rabbi Tendler translates *beit ha-hitzon* as vestibulum vaginae and that sexual non-reproductive organs such as the clitoris are not depicted in this diagram. While Rabbi Tendler has surpassed almost every other *niddah* manual with these biological depictions, I would argue that since the young men and women of our community receive little sex education prior to this point, the *niddah* literature needs to describe the biology of sex as well as menstruation and reproduction, and that diagrams of male and female reproductive and sexual anatomy should be provided.

The compendium of the laws of *niddah* in *Pardes Rimonim* is more succinct than that of later books. This is useful as the reader can quickly pick up the basic *halakhot*. The disadvantage of brevity

is that it does not allow for a full discussion of all the *halakhic* possibilities, and it also at times can feel rather clinical.

### THE SECRET OF JEWISH FEMININITY: INSIGHTS INTO THE PRACTICE OF TAHARAT HAMISHPACHAH

A book found frequently on the bookshelves of *niddah*-observant women is *The Secret of Jewish Femininity: Insights into the Practice of Taharat HaMishpachah* by Tehilla Abramov, who also trains *kallah* teachers. This book has numerous *haskamot* from leading *gedolim* of the *haredi* community including Rav Yosef Shalom Elyashiv. Abramov's book is designed specifically for a female audience and takes great pains to portray observance of *niddah* as empowering Jewish women.<sup>1</sup> At times, this requires an inversion of what could be construed as women's less-privileged position into an advantage.

“In the morning, men recite the blessing *shelo asani ishah*, thanking God for “not making me a woman.” However, women praise Him with the blessing *she'asani kirtzono*, for “making me according to His will.” The commentaries explain that men recite this blessing in appreciation for the opportunity they have been given to fulfill more *mitzvot*. The Kabbalists add that the fact that women do not ask for the opportunity to perform more *mitzvot* is a reflection of their unique nature. What is the intent of the *mitzvot*? To train our human natures to be attuned to God's will. Men are given more *mitzvot* because they require more training. Women by nature do not require as much “training” because they possess a natural, intuitive connection to God's will. Surely, woman's clearer understanding of God's will is reflected in her approach to sexuality. She has been granted a natural ability to appreciate marital intimacy as holy and divine. Therefore, the merely physical is often not sufficient for her. In order to function as a total woman, she must feel that intimacy is more than a physical act. It must involve her soul and provide her with deep emotional fulfillment. The conception of sexuality as a holy function requires that it be carried out within the context of guidelines established by God. As will be explained, these guidelines, the “whens” and “when nots” of *Taharat HaMisha-*

*pachah*, follow a woman's own natural rhythms and inclinations and reflect her desire for privacy and individuality, closeness and love. *Taharat HaMishpachah* is "the secret of Jewish femininity" (Abramov, 32–33).

The citation above reveals a number of themes Abramov uses repeatedly in her book. First, responsibility for *taharat ha-mishpachah* and the promise of a meaningful sexual relationship rest squarely on women. Second, Abramov uses mystical language to draw out her ideas.<sup>2</sup> Abramov also borrows the discourse of the women's movement and is at pains to argue that *taharat ha-mishpachah* is an empowering, liberating experience for women. Third, men's and women's spiritual, emotional and sexual natures are dramatically different. Finally, *taharat ha-mishpachah* provides women time and space unencumbered by sexual demands.

There is a flaw in Abramov's marketing of *taharat ha-mishpachah*. Many women do not experience observance of *niddah* as empowering and in fact find it to be one of the most difficult *mitzvot* they observe. Often, a woman's sexual and reproductive rhythms do not fit well with the cycle imposed by *hilkhot niddah*. Additionally, women who may attain positions of power and prominence in their work lives are comfortable asserting control in their personal lives and are not looking to *hilkhot niddah* to create a space in their marriages. The problem with building a case for observance of *niddah* based on its perceived benefits is that such a premise is inherently subjective. Acceptance of *niddah* as a *mitzvah* to which one submits does not have that problem.<sup>3</sup>

*The Secret of Jewish Femininity* defined a new genre<sup>4</sup> and argued that women should claim this often difficult *mitzvah* as consonant with modern notions of autonomy and empowerment. As such, the book devotes much space to making this argument while treating the details of *hilkhot niddah* more cursorily. While Abramov points out that "the laws of *niddah* require a familiarity with the intimate details of our bodies" (54), she provides almost no biological information. Discussions of sex and birth control similarly focus on the beauty of sexuality in the Jewish tradition and the beauty of raising children.

## MARITAL INTIMACY: A TRADITIONAL JEWISH APPROACH

Rabbi Avraham Peretz Friedman's *Marital Intimacy: A Traditional Jewish Approach* also demonstrates the lasting effect of the feminist movement in his translation of Rabbi Meir's statement, "*mi-pinei mah amrah Torah niddah li-shivah mi-pinei she-ragil bah vi-katz bah amrah Torah tehei timeiah shivah yamin kidei she-tehei havivah al baalah ki-shaat kinisatah li-hupah*" (Niddah 31b). A literal translation of this statement looks like this: "Why does the Torah declare a menstruating woman a *niddah* for seven days? Since he becomes accustomed to her and disgusted by her, the Torah declares that she be sexually inaccessible for seven days so that she be as beloved to him as when she entered the marriage." Rabbi Friedman translates as follows: "The reason, R. Meir explains, for the Almighty's creation of the elaborate institution of Niddah with its myriad halakhot is, not the Torah's desire to restrict a couple's ability to be intimate with each other, as many mistakenly believe, but, rather, just the opposite – the Torah's desire to increase the love of husband for wife, and wife for husband" (54). Almost every one of the marriage manuals cites this statement of Rabbi Meir. However, there is a noticeable tendency in the later works, such as this one, to read Rabbi Meir's statement as a reciprocal one against the explicit meaning of the text.

Rabbi Friedman's book also echoes many of the points made by Rabbi Lamm and others in emphasizing a positive Jewish view of sexuality. Rabbi Friedman's contribution is to focus specifically on sexual pleasure as a Jewish value (xii, 17). Additionally, Rabbi Friedman offers a new twist on how the observance of *niddah* and its accompanying sexual restraints actually lead to increased sexual pleasure. He explains, "The *ta'ama d'issura* is the most influential force that shapes and colors the sexual behavior of the non-Torah world, and accounts for many of its problems (31). ... In the realm of sexuality, the Torah acts in two ways. First, the Torah prevents the development of an appetite for the *ta'ama d'issura*. This achievement of the Torah is impressive enough, but the Torah does much more: the Torah even manages to enlist that inherent spirit of contrariness and turn it into a force for good (34) ... If in every human soul there

is some resistance against restriction and concomitant desire for that which is forbidden, then the Torah injects just enough restriction into the marriage relationship to enhance the attraction of husband to wife, and wife to husband” (41).

At the same time, Rabbi Friedman’s book, like Rabbi Lamm’s, is not a practical guide. The most overt guidelines that Rabbi Friedman gives for attaining sexual pleasure are that the woman, specifically, requires emotional intimacy to be expressed in foreplay and physical closeness after intercourse, loving conversation and being unclothed and under one cover (81, 90–94). There is no discussion of the physiology of male and female sexual response.

### A WOMAN’S GUIDE TO THE LAWS OF NIDDAH

Rabbi Binyomin Forst, who wrote a two-volume work on the laws of *niddah*,<sup>5</sup> has also written a single volume work entitled *A Woman’s Guide to the Laws of Niddah*. In Rabbi Forst’s words, “This work is different from my previous works on *Hilchos B’rachos*, *Kashrus* and *Niddah*. Those were detailed works with extensive footnotes, geared for someone studying those subjects in depth. This volume on *Hilchos Niddah* was written specifically as a practical guide for women. It is both less and more. It is less detailed, less complicated so that one will not be overwhelmed by the material. But also more tailored to the specific needs of women in general and *kallot* in particular” (xv). Nonetheless, it is by no means a brief summary; Rabbi Forst’s guide is 357 pages long and covers all the relevant areas of *halakhah* in great detail but without the extensive footnotes of his two-volume work. Rabbi Forst has a talent for explaining difficult *halakhic* concepts clearly and concisely without sacrificing complexity of thought. This remains one of the major advantages of the book.

Rabbi Forst uses the appropriate biological terminology when discussing menstruation and childbirth and their attendant *halakhot*. When it comes to discussions of sex including first intercourse, Rabbi Forst is less forthcoming. When instructing a young couple regarding first intercourse, Rabbi Forst simply says, “A *chasan* and *kallah* are usually unable to complete the *biah* on the first night...

A *chasan* and *kallah* should be prepared for this eventuality, since it is the norm rather than the exception...If the problem persists, i.e., they are unable to complete the *biah* even after several attempts, they should discuss the problem: she with her *kallah* teacher and he with his Rav. They may be advised that she be examined by a gynecologist who may remove the *besulim* surgically” (347–349). There is no discussion of common sexual dysfunctions, male and female, that may be at the root of the problem.

A *Woman's Guide to the Laws of Niddah* may not be the best fit for a Modern Orthodox couple. Some of the assumptions of men's and women's roles do not square with many young people in this community. In explaining the reason for the *harhakah* of *mezigat ha-kos*, Rabbi Forst notes, “A wife is not her husband's cook or waiter. Yes, she cooks for him and serves him, but it is out of care and concern. She realizes that he had a difficult day and wishes to provide him with an enjoyable dinner. It is what the woman, rather than the man, does because she is the one with the time, ability and patience to put a meal together. It gives her pleasure when her husband enjoys the meal...When she places the platter before him, it is the culmination of her dedication” (77). This explanation does not mesh with the realities of many young Modern Orthodox couples who share domestic responsibilities. Even in the case where the woman takes primary responsibility for the home, I would venture to say this is often not her central focus. Despite some noticeable disjunctions, Forst's book should be on the reader's list for the Modern Orthodox *kallah* and *hatan* as it is one of the clearest expositions of the laws of *niddah* written.

**ISH ISHA ZAKHU SHEKHINAH BEINEIHEM:  
PIRKEI HADRAKHAH LI-HATAN ULI-KALLAH**

The book that covers the greatest array of topics and is clearly addressed to a *dati leumi* audience is a Hebrew book, *Ish Isha Zakhu Shekhinah Beineihem: Pirkei Hadrakhah li-Hatan uli-Kallah* by Elyashiv Knohl. The book consists of four parts. The first part is a digest of the laws of *niddah* divided into sections that conclude with summaries and review questions, with answers provided at the

end. The second part reviews the wedding ceremony and the days of *sheva brakhot*. The third part is devoted to building communication skills and the fourth part, a separate pamphlet inserted in the back of the book, is a guide to sexual function including diagrams of male and female sexual organs, specific and detailed descriptions of the sexual physiology of men and women, and a recommendation that if the couple is experiencing sexual difficulties they consult with a sex therapist or *Makhon Puah*.<sup>6</sup>

Rabbi Knohl is careful to include practical information along with the *halakhot*. In addressing the difficulties women often experience asking *she'elot* and showing *marot* and *ketamim* to rabbis, Rabbi Knohl suggests that women might wish to consult female gynecologists when *halakhic* issues that require medical input arise. He also provides the hotline number of the *yoatzot halakhah* for women who are more comfortable consulting with a *halakhically* knowledgeable woman (32–33). Similarly, in a discussion of *bedikot*, Rabbi Knohl writes where *bedikah* cloths may be purchased (36).

Rabbi Knohl's language and assumptions are refreshingly modern. In his introduction Rabbi Knohl notes that he will refer consistently to the husband as *ish* rather than *baal* (19). Even more significantly, a respect for the advantages of a *meikil* position in many cases is demonstrated. Regarding *hafifah* on *yom tov*, Rabbi Knohl tells women to follow their customary practices regarding brushing teeth (54). He is one of few authors to note that if a woman does *bedikot* only on days 1 and 7 that is, in his words, *kasher* (40). This is the *halakhah*; what separates Rabbi Knohl is that he notes this without prefacing it with a requirement to ask a *rav*. In his discussion of the permissibility of the use of birth control, while emphasizing the need to consult with a *rav* Rabbi Knohl states that economic and schooling reasons are legitimate for delaying beginning a family (242).

### **A LIFETIME COMPANION TO THE LAWS OF JEWISH FAMILY LIFE**

Dr. Deena Zimmerman's work, *A Lifetime Companion to the Laws of Jewish Family Life*, has just recently become available. Dr. Zimmerman, a pediatrician, is a graduate of the Keren Ariel Yoatzot Halacha



program and her book is a reflection of her position as a woman trained in *halakhah* and medicine. In his foreword to the book Rabbi Yehuda Herzl Henkin writes, “Dr. Deena Zimmerman is uniquely qualified to write such a book... The combination of knowledge and scholarship, experience, empathy and understanding she brings to this topic should help ensure *A Lifetime Companion to the Laws of Jewish Family Life* a place on the bookshelf of every modern woman committed to Halacha” (13).

In what ways does Zimmerman’s book display her unique background as a *halakhically*, scientifically knowledgeable woman? Has Zimmerman written a unique *niddah* manual? In her introduction, Zimmerman discloses the aims she has for her work: “The impetus for this book is simple. This is the type of book I would have wanted when I got married... The books available at the time had laundry lists of what to do and not do, but not placed in any framework that I could comprehend and thus retain... Classes for brides and grooms of modern backgrounds did not exist. The classes that existed were, once again, listings of what to do and not to do, without sources and without much explanation” (15).

Zimmerman’s book is divided into four parts with nine appendices. The first part is a sixty-page section on *hilkhot niddah* accompanied by source citations in Hebrew and then summaries in English. Zimmerman quotes the *Tur* a great deal in this section.<sup>7</sup> The second part is a twenty-page summary of the basic *halakhot*. Part three is an introduction to the biological lifecycle of the woman from puberty through menopause and part four is devoted to medical issues that might have *niddah* ramifications such as gynecological examinations, infertility, and birth control.

Zimmerman includes her discussion of sex in part four. Most of the material is devoted to Talmudic discussions of what is permitted and “recommended.” In the chapter entitled “Marital Relations,” Zimmerman for the most part follows the *Shulhan Arukh*’s (Even ha-Ezer 25) adoption of Yohanan ben Dehavai’s position (Nedarim 20a/b). “There is lots of latitude within halacha as to what is permissible within marital relations. A few principles are inviolable – only with one’s spouse, not while the wife is a *niddah*,

and only in private. It also has to be mutually acceptable – Judaism does not permit marital rape. There is other recommended behavior. One such behavior is that intercourse should not take place in artificial light or daylight. The reason given in the traditional sources is that inspection in full light might lead to finding something unattractive. Rather than enhance sexual function, fear of unattractiveness may inhibit it, simply because many women are self-conscious. Some sources also proscribe looking directly at the vagina. Following this recommendation also assures that women will not feel demeaned by the focused gaze but rather feel that her husband is making love to the total ‘her’ and not to a particular body part” (Zimmerman, 192).

While Zimmerman has noted these positions as “recommended” rather than “required,” I admit to being a little puzzled that she has chosen to include these limits without mentioning the Rema’s gloss (Rema on Even ha-Ezer 25:2) or the view of the Hakhamim in opposition to Yohanan ben Dehavai which allow for greater latitude in marital sexual activities.<sup>8</sup> I would also contend that the traditional reason provided by Zimmerman for having sex in the dark is not due to the woman’s inhibitions but rather the man’s particularities; women’s self-consciousness about their bodies will decrease when they see themselves as acceptable as they are, rather than needing to hide. To her immense credit, Zimmerman includes in Appendix c a clear, detailed exposition of male and female sexual function and sexual dysfunctions written by Talli Y. Rosenbaum, a physical therapist who treats sexual dysfunction.

Zimmerman’s book breaks new ground. It is the first English language book that cites *halakhic* source material in the original and gives clear biological information on the female lifecycle and sexual function of men and women. Unlike Abramov’s book, Zimmerman does not engage in apologetics and begins with the premise that the reader has decided to observe *niddah* and is looking for an intelligent guide to its details. The audience for this book is women, like Zimmerman, who are capable and interested in looking at *halakhic* sources; the book provides a basic background for this reader as well as important biological information.

## PRE-MARRIAGE CLASSES: PITFALLS AND RECOMMENDATIONS

It is assumed that *kallot* and even *hatanim* will not rely exclusively on *niddah* manuals in preparation for a *halakhic* married life but will attend classes in which the laws of *niddah* are taught in person. And, in truth, a good instructor reduces significantly reliance on the *niddah* literature. Generally, the classes involve four sessions in which the practice of *hilkhot niddah* is delineated, including the five days and *shivah nekiim* and their accompanying *bedikot*, the list of *harhakot*, the calculation of *vestot* and laws pertinent to the wedding including *huppah niddah* and *dam bitulim*. There may be a discussion of *hilkhot tzniut* and the parameters in which sexual activity is to take place based on the position of the *Shulhan Arukh Even ha-Ezer* 25. Group instruction as well as private classes is usually available.

*Kallot* and *hatanim* take separate classes. To my mind there are a number of disadvantages to this. First, different and even conflicting information regarding *piskei halakhah* may be offered. Second, *hatanim* may have the impression that the observance of these laws rests squarely on women to the extent that some *hatanim* do not seek out this information. It is my strong recommendation that the *kallah* and the *hatan* take pre-marriage classes together. This ensures that they receive the same information and it sends the message that responsibility for observance of *niddah* is shared and that communication is the sine qua non for a good marriage. It models mutual discussion of important matters such as individual values, needs and desires and places the responsibility for a satisfying sexual life on both partners. It also affords the possibility for talking about communication and presenting models of conflict resolution and compromise to the young couple. There are disadvantages to such a model as well. The *kallah* might feel more comfortable discussing some of the intimate details of her body's workings without her *hatan* present. Additionally, the *hatan* might feel uncomfortable learning with a female instructor. Nevertheless, I believe the advantages outweigh the disadvantages.<sup>9</sup>

It has also been my experience that instructors are often un-

comfortable providing explicit information regarding sexual physiology and that *hilkhot tzeniut* often substitute for a frank discussion of sex. In *kallah* classes, euphemistic terminology regarding first intercourse is often resorted to, there is no explication of male sexual anatomy and function and there is no explanation of female sexuality. This may be due to either an assumption that the young women are already sufficiently knowledgeable or an assumption by the *kallah* instructor that such a conversation violates boundaries of *tzniut*. Both assumptions are dangerous. First, while young women in the Modern Orthodox community have some knowledge of sex they are often misinformed particularly about their own bodies and sexual functioning. Not knowing how female arousal works can contribute significantly to lack of interest in sex and difficulty reaching climax. Second, as many of the pre-marriage books point out, Western society gives conflicting messages about sexuality. A tendency on the part of the *kallah* instructor to be coy or euphemistic reinforces the message that sex is problematic.

Finally, I would recommend that a realistic picture of the difficulties in observing *hilkhot niddah*, creating a satisfying sexual relationship and raising children be portrayed. Unrealistic expectations predispose a couple to expect magic; it is mutual love and respect and hard work that are the secrets to a successful marriage. The time prior to marriage is the time to begin this journey and a predisposition to open dialogue, hard work and a mutual sense of responsibility can only be helpful.

### CONCLUSION

The current means of preparation for marriage offered to *hatanim* and *kallot* in the Modern Orthodox community are inadequate. Improvements need to be made to the *taharat ha-mishpahah* literature as well as to the pre-marriage classes. Couples need to be given clear and accurate information regarding male and female sexuality, the biology of menstruation and reproduction, and birth control to prepare them for shared responsibility for observance of the laws of *niddah*, a satisfying sexual relationship and reproductive decisions. Unclear language, euphemism and unproven assumptions about

male and female natures need to be replaced by frank conversation, reasonable expectations and clear guidelines.

### NOTES

1. For a critical review of some of the *taharat ha-mishpahah* literature written by women and its promotion of observance of *niddah* as female empowerment see Jody Meyers and Jane Rachel Litman, "The Secret of Jewish Femininity: Hiddenness, Power, and Physicality in the Theology of Orthodox Women in the Contemporary World," in *Gender and Judaism: The Transformation of Tradition*, ed. T.M. Rudavsky (New York & London: New York University Press, 1995), 51–77.
2. Ideas attributed to various Kabbalistic sources are not footnoted.
3. Indeed, Dr. Deena Zimmerman's *A Lifetime Companion to the Laws of Jewish Family Life* presents no argument for the observance of *niddah*. It assumes that the reader has already made the decision to observe and presents the information necessary to carry out that decision.
4. See Meyers and Litman in *Gender and Judaism: The Transformation of a Tradition*.
5. *The Laws of Niddah* (New York: Mesorah Publications, 1997); *The Laws of Niddah Volume Two* (New York; Mesorah Publications, 2002).
6. *Makhon Puah* is an institution in Israel that deals with problems of infertility in consonance with *halakhah*. It is headed by Rav Menahem Borstein.
7. I assume that Zimmerman chose the *Tur* for the body of her source material as it has lengthier discussions than the *Shulhan Arukh* but is more concise than citing the material in the Talmud and *Rishonim*.
8. "*Kol mah she'adam rotzeh la-asot bi-ishto oseh*" (Niddarim 20b).
9. I know of a couple that instructs *hatan* and *kallah* together which might help alleviate some of this discomfort.

“So She Can Be as Dear  
to Him as on Their  
Wedding Day”? Modern  
Concerns with *Hilkhot  
Niddah* as Demonstrated  
by Anonymous  
Email Questions

*Deena R. Zimmerman*

**BACKGROUND**

The concept that periodical physical separation benefits the marriage relationship and helps maintain its freshness is expressed in the Talmud (*Niddah* 31a) in an aphorism attributed to Rabbi Meir:

Why did the Torah give seven days to the *niddah*? Because [a husband] is used to the complete availability of his wife, and thus can despise her [*katz bah*]. [Therefore] the Torah said she should be *temeah* for seven days so she will be as dear to her husband as the time she entered the *huppah* [my translation].<sup>1</sup>

The goal of this paper is to use a unique data source to analyze the sentiment expressed by Rabbi Meir in the context of modern observance of *taharat hamishpahah*.<sup>2</sup> The challenges raised in this paper are *not* meant to be an attack on the importance of this mitzvah, or to be interpreted as a call to amend the *halakhic* process or *halakhah* as currently practiced. Rather, they are meant to stimulate discussion of the real experiences of modern couples observing these laws.

### THE DATABASE

As most *halakhic* questions on an everyday level are answered orally and remain undocumented, it is rare to have a large collection of written questions that can be used to quantify the frequency of *halakhic* concerns. The database of questions received by a website ([www.yoetzet.org](http://www.yoetzet.org)<sup>3</sup>) provides a unique opportunity to obtain such statistics. It allows us to study the relative frequency of different issues within those areas of *halakhah* that overlap with women's health, primarily *taharat hamishpahah*. The exact wording of the original question can also help convey the sentiments of the person posing the query.

Yoetzet.org was launched in November, 2002, to provide 24/7 access<sup>4</sup> to information about *taharat hamishpahah* to English readers worldwide. In addition to approximately 100 articles, the site includes an "Ask the *yoetzet*" feature where individual questions can be asked. All questions are answered by yoetzot halacha (women *halakhic* consultants) under rabbinic supervision,<sup>5</sup> generally within forty-eight hours. The questions then undergo a second round of evaluation and, after assuring that all identifying information is removed, about one third are posted publicly on the site.

As of January 18, 2005, a total of 2,362 questions from 1,527

unique email addresses had been sent to the website. Of these, 878 did not involve *niddah* or related *halakhot* (most were non-*halakhic* medical questions) and were excluded from analysis, leaving 1,484 questions as the denominator.

Some caveats are of course in order:

- 1) These statistics are based on a coding system for free text questions that was enacted for administrative purposes and not only for research. Therefore they are subject to some degree of uncertainty. All of the coding was done by one person to improve consistency. However, this does not guarantee reliability.
- 2) The data reflect those questions from a select population – those that chose the internet as their method of asking these particular questions.<sup>6</sup>
- 3) When quoted, questions are presented in their original words. Changes have only been made, if needed, to assure anonymity or clarity.

### **ABSENCE (OR ABSTINENCE) MAKES THE HEART GROW FONDER**

For many couples *taharat hamishpahah* creates a freshness and excitement that might otherwise be lacking in marriage. However, this is not true for all couples at all times. *Taharat hamishpahah* can also lead to stress, tension, and frustration in a marriage. Such difficulties can be compounded by the difference between actual experience and the overly rosy picture painted by those promoting this mitzvah. For example:

My husband and I are having terrible fights while I am *niddah*. I had hoped that this time would strengthen and deepen our love. Now I am disappointed. Do you have any help or suggestion?<sup>7</sup>

Much of the disappointment appears to result not from the



prohibition against marital relations, but rather from the inability to touch:

I was very relieved to discover that a few of the emails from the women sound just like me. I am newly married, and a convert, and find the not touching rule to be emotionally painful at a time when women are most vulnerable to depression, anger, and frustration. Is there any sort of support group for women like us? My husband is *chassidish* from birth and has been raised like this, so to him it seems so natural, but for me it can be like torture. Is there anything that can be done to relieve this stress and pain?<sup>8</sup>

This frustration is not limited to women only,<sup>9</sup> nor is it experienced only by newlyweds.<sup>10</sup>

Furthermore, for some couples the reunion, *mikvah* night itself, is a source of stress rather than rejuvenation. Particularly troublesome is the perceived need for immediate relations upon return from the *mikvah*. Several examples follow:

Is it normal to feel extremely stressed on the day one is to go to the mikveh? If so, can you discuss and suggest helpful tips that will establish a better tone and feeling for the house and the mikveh user?<sup>11</sup>

When I return from mikvah, I am frequently “not in the mood.” Rather than finding the mikvah experience uplifting, I find the whole thing to be an intrusion on my privacy, particularly the pre-immersion inspection. Consequently I am often not ready to be intimate with my husband until the second or third night after going to mikvah. I have heard that a woman has an obligation to be with her husband immediately after immersion, and even that it is forbidden for her to shower until after they have relations. Is this so?<sup>12</sup>

Can you recommend some articles or books on Mikveh Stress? I dread the day that I have to go mainly because once I get home, I am too tired and not interested in being alone with my husband. I feel that all the responsibility is on me to prepare. This stresses me out as well. I feel forced to be in the mood.<sup>13</sup>

[At first I liked mikveh]...Now, three kids later, I struggle with libido issues – My husband does too – in the opposite direction – He wants a lot more sex than I do, and he has trouble with the length of *niddah* – it got so bad that the mikveh became torture for me – I was stressed, and only felt his male hormones hounding me as I came home – as a result, I am disgusted with mikveh -Although our sex life can be wonderful, the observance of mikveh is not working for us – as I am at my most fertile when I come home – I don’t want sex – since I don’t want to become pregnant now – also, with just 2.5–2.75 weeks of sex time every month – my husband struggles and pushes me to have more sex then, which doesn’t work with my body clock – I am resentful of mikveh – and the time it takes to get there and prepare – and am only thankful when the welcome home sex is over, so the tension can dissipate.<sup>14</sup>

The unifying themes of the concerns expressed in these samples are: 1) the stress of preparation for *mikvah* immersion; 2) the lack of privacy in the preparation process; and 3) the enforced timing of marital relations. Some of the samples also show incongruity between the expectations of the husband and the wife.

### PROLONGED SEPARATION

One of the often under-emphasized details in the statement of Rabbi Meir is that he refers to *niddah* as lasting seven days. This, of course, is *not* the experience of couples today who will be observing

a minimum of twelve (or in some Sephardic communities eleven) days of separation. Some couples find that a separation of this length frustrates rather than freshens. For example:

I have some questions about laws of *niddah*. Honestly it is a very difficult mitzvah to observe. My husband and I truly have some problems. Twelve days, as a minimum, is very hard to observe and we are getting so frustrated with that. There is nowhere in Torah says that women should count 7 *clean* days. I do not want to say that Rab-bis didn't know what they were doing when they wrote that law, but how did they know exactly what was given orally to Moses?<sup>15</sup>

I write respectfully re: this beautiful but difficult mitzva. For many, many of us, *niddah* is a time of sadness, stress and pain. Desire of their husband for many women is very strong from the 8<sup>th</sup>–15<sup>th</sup> day, the white days. I am a 'BT' as well as a human services worker Is there any current halachic discussion about laws against marital touching during the 7 white days?<sup>16</sup>

The stress becomes greater when the *niddah* status is even more prolonged. This can be due to a number of causes.

### CONTRACEPTION

One of the striking findings of the statistical analysis was the frequency of questions related to bleeding resulting from contraceptive methods. The largest frequency of *halakhic* questions (12.3%) revolved around contraceptive methods. Of these, 42% of questions about hormonal contraception and 53% of questions about the intra-uterine device concerned prolonged or irregular bleeding from these methods. The questions often revealed that this *halakhic* concern was not always properly addressed by the health care provider who prescribed the method, leading to situations such as:

I have been married for 6 months now and have tried 5 different types of birth control pills. I am always spotting in between periods and it's very hard on me. Not even a week after coming from the mikvah I am in *niddah* again and that lasts till my period and the cycle keeps on returning. I just don't know what to do anymore! help !<sup>17</sup>

This woman was apparently not counseled properly when starting the first pack of pills. In the first month of use, breakthrough bleeding and spotting rates for most low-dose oral contraceptives (those containing 30–35 micrograms of estrogen) range from 10–30%.<sup>18</sup> For formulations containing 20 micrograms, the rates in many studies are even greater.<sup>19 20</sup> In light of these statistics, the woman who asked the question should have been prepared for a difficult beginning. As the unanticipated bleeding often decreases with continued use, it is generally recommended to continue with one formulation for three months prior to recommending a switch.<sup>21</sup>

Another example of an unprepared woman is the following:

I have a really big problem. I had an IUD for a year post the birth of my 3<sup>rd</sup> child. I was staining all month long and was a *niddah* for most of the month. When I was finally able to go to the mikvah I would stain 2–3 days later rendering me a *niddah* again! So, I decided to get rid of the IUD. Two weeks ago exactly I had my period (two days post the IUD) and started taking the pill that you only get your period 4 times a year (Seasonale). I had my period for the usual days but am still having blood many times a day (some intervals without). It is bright *red* blood and there is no question I am still a *niddah*. I have no idea what to do. This is very frustrating and it just seems like it will never end.

Last night I took a long bath and had no blood all night. When I woke up this morning and went to the bathroom I again had bright red blood in my underwear

and on the tissue and in the toilet. I have had two har-gashot as well. Will this ever end? Or will I be in *niddah* all the time now!?<sup>22</sup>

Bleeding is a known side effect of the intrauterine device. It is a frequent cause (4–14%) of discontinuation of the method even among women who do not observe *taharat hamishpahah*.<sup>23</sup> While newer frameless models have been marketed as producing less bleeding, this has not been supported by the current medical literature.<sup>24</sup> Progesterone-containing IUDs may decrease blood loss, but may simultaneously increase irregular spotting that is of concern to observant women.<sup>25</sup>

### CHILDBIRTH

Another common cause of prolonged separation is bleeding after childbirth. For many couples, this also seems to come as a surprise. For example:

My husband and I are both frustrated right now with *taharat hamishpacha*. We have been married for 18 months and now have a beautiful baby, B”H who is 9 weeks old. The problem is I am still a *niddah*. I feel that our posek ‘dropped the ball’ on us with some *shilahs* by not getting back to us in a timely manner. Now, on my 7<sup>th</sup> clean day, it turned up bloody and I am still a *niddah*. I feel my husband and I lost out on time we could have potentially been together.

Dealing with first time parenthood is stressful enough. Is our situation common at all? Is it okay to be frustrated, if not angry at times when fulfilling this mitzvah?<sup>26</sup>

Recent studies show that postpartum vaginal bleeding (lochia) reported by women is considerably more varied in duration, amount and color than the description in current textbooks and patient education material.<sup>27</sup> It lasts substantially longer than the

conventional assumption of two weeks. In one study, the *median* duration of continued bleeding was 33 days, with lochia persisting up to 60 days (the length of the study) in 13% of women.<sup>28</sup> Postpartum spotting and bleeding is often intermittent, stopping and then starting again.<sup>29</sup> It is not surprising that this couple was confused. Their childbirth preparation probably led them to expect a short period of separation, and reality presented a much longer period of *niddah*. Such experiences can be coupled with the frustration of getting a valid *hefsek* and a few *bedikot*, and thinking one is almost there, only to begin bleeding once again. The situation is then often compounded by contraceptive methods:

My wife gave birth 6 weeks ago. One week ago she started taking micronor. She has been trying to do a *hefsek taharah* since week 4 and she is usually clean for two days. Now, after taking the micronor, she has very heavy bleeding. Is it because of the micronor, and if so, what can we do? Please answer quickly, I am at my wits end!!<sup>30</sup>

Progesterone-only contraceptives (such as micronor) are often prescribed for breastfeeding women.<sup>31</sup> This is particularly true for observant women, since hormonal methods are, according to most opinions, the *halakhic* first choice. Bleeding is a very common complaint with this method. In one study, 53% of users reported frequent bleeding, 22% reported prolonged bleeding and 13% reported irregular bleeding,<sup>32</sup> all patterns of marked concern to the *mikvah*-observing woman.

### THE CLIMACTERIC

Menopause is the permanent cessation of menstruation due to loss of ovarian activity and the depletion of follicles. The period immediately before and after menopause is called the peri-menopause. This is a transition that usually occurs between regular cycling and menopause, characterized by hormonal fluctuation roughly two years before and after the last natural period. The median age of menopause is 51.5 years with a general range of 48–55 years.<sup>33</sup> Due

to this process, toward the late thirties and early forties, women will start to notice that their cycle is changing. Often the intervals between cycles become shorter, so that they are *niddah* more often. There can be more episodes of mid-cycle staining, and many women start to experience brown discharge in the days before their menses actually begin.<sup>34</sup> Thus many questions of *niddah* arise. While these changes are biologically normal, they can be *halakhically* quite frustrating. For example:

As I am leading up to menopause, the length of my period gets longer, (currently 10 days) while the intervals in between get shorter (sometimes a total cycle of 21 days), although there is nothing medically wrong. Consequently there are often only about three days clear for marital relations. Is there any leniency in such a situation, especially if this is causing marital stress?

My period lasts 2 days – I am in medically determined menopause already. Is the 12 days separation still required? I understand there's a consideration about semen remaining that might be expelled, but if *niddah* concerns uterine blood, then is there a leniency to reduce the 12 days somewhat, as separating 12 days for 2 days' bleeding seems difficult?

### **HALAKHIC INFERTILITY**

A particularly stressful situation occurs when the prolonged separation is interfering with fertility. This is particularly poignant because *taharat hamishpahah* is often touted as increasing fertility. In the idealized cycle of 28 days, ovulation would take place on day 14 and if the woman goes to the *mikvah* on day 12, the timing would be ideal for conception. However, in real life, this is not always the case. For example:

I have been trying to get pregnant for the past 4 months, I have a very short cycle, the past two month it was 24 days, the previous months 26 days. This past month I did an

ovulation test and found it to be positive on the 10th day after I got my period and I can only go to the mikvah on the 14<sup>th</sup> day as I did not have a good *hefsek taharah* until the 7<sup>th</sup> day after my period began. Any suggestions?

Of eighty-four questions to the site related to infertility, thirty-two concerned *halakhic* infertility. Strikingly, many women were writing due to fear that they were ovulating prior to *mikvah* use, without ever actually determining the time of ovulation. In many cases, the women had never asked a *she'elah* about their stains to see if it was *halakhically* possible to immerse earlier.

There is also much resentment about this particular type of infertility. For example:

Mikvah night is designed to fall on the day of ovulation with optimal chances of conception. A new study finds otherwise, which would indicate that during the seven days is optimal time for conception...Please let me know how Halacha can possible go against the principles of conception and thus minimizing the monthly opportunities to “Be fruitful and multiply”, and inhibiting the population of the Jewish nation. I will agree that it does not eliminate the chances of conception, my existence and well as those of millions of Jews will prove otherwise, but it definitely reduces and in some cases eliminates the chances. Your response of seeking medical intervention to manipulate ovulation is, frankly absurd, because years ago they didn't have medical knowledge and capabilities that we now have so does that mean that women until recently were barren simply because they kept the halachos of the 7 additional days?! ... (The fact that we luckily nowadays have ways to work around this does not explain why and how halacha itself can have such implications)

The resentment appears to stem from the fact that *taharat hamishpahah* is often promoted as a practice that enhances fertility.<sup>35</sup>



This method of promotion is inherently flawed, as *niddah* was meant to be for seven days, *not* for twelve. As outlined in the Tur 183, the current practice is an unfortunate side effect of the undesirable fact that we are in *galut*.

When there were many exiles and troubles increased and hearts weakened they feared that mistakes could be made that would lead to the punishment of *karet*. They thus added stringency upon stringency until the point that for any drop of blood even as small as a mustard seed a woman must keep seven days as if she were a *zavah* [my translation].

Today's timing reflects the anomalous situation of exile, not the original Torah ideal. Furthermore, the timing of ovulation varies from woman to woman and sometimes from cycle to cycle. Ovulation generally occurs 12–16 days prior to *next* month's cycle.<sup>36</sup> It does *not* invariably happen on day 14.

### FREQUENCY OF SEPARATION

Regular monthly menstruation is a relatively recent phenomenon. The average woman at the time of Rabbi Meir would have menstruated 160 times in her life, compared to a current average of 450.<sup>37</sup> Declines in birth rates, shortened or absent breastfeeding, and increasing age at menopause have contributed to this development.<sup>38</sup> Differences in the duration of lactational amenorrhea have also contributed.<sup>39</sup> While hormonal contraceptive methods can be adjusted to prolong the intervals between withdrawal bleeding, this is often accompanied by breakthrough bleeding that could in itself make a woman *niddah*.<sup>40</sup>

### IMPLICATIONS

Keeping *hilkhot niddah* through a lifetime of marriage can be challenging for many couples. Presenting it as a rosy panacea is not fair. This should be considered by those who teach these *halakhot*; they should be honest and address these concerns. It may not be

appropriate to burden young brides and grooms with the details of menopause or perhaps even with postpartum expectations. But if that is the case, we need to provide another opportunity for them to learn these *halakhot* in order to be prepared for these events.

Modern medicine can help in some situations but presents its own problems. *Halakhic* authorities should be aware of the disadvantages of medical interventions as well as their benefits. For example, the frequency of bleeding from hormonal contraception and the resulting frustration suggest that when a rabbi meets with a couple to determine if contraception is *halakhically* appropriate, he should include a discussion of the rules of *ketamim*. Often simple advice such as the use of colored underwear and/or feminine hygiene pads can make a significant difference in minimizing unnecessary episodes of *niddah*.

*Hatan/Kallah* teachers and marriage counselors should be aware of the potential for *mikvah* night stress and guide couples in developing the appropriate sensitivity and communication skills. Routines for *mikvah* night – perhaps including the exchange of small gifts or flowers, or an interlude of quiet relaxation to ease back into physical intimacy, can be effective for many couples.

Physicians need to be made more aware of the impact of vaginal bleeding for this patient population. Statements in the literature such as “good cycle control was achieved by 12 months” do not reflect the year’s worth of suffering that couples can experience. Furthermore, some physicians need to be encouraged to consider medical interventions for such quality of life concerns.

*B’ezrat Hashem*, with the rebuilding of the Temple, we will again have authorities who can judge *ben dam l’dam* and we will likely be able to return to the seven-day separation of Rabbi Meir’s statement. Until that time, however, we need to better assist couples in dealing with the current reality.

## NOTES

1. This statement is frequently quoted in discussions of *taharat hamishpahah*. The translations vary markedly between books. For example:

*Rabbi Meir said: Why did the Torah require a niddah to be impure for seven*

days? Because her husband could become bored with her and tire of her. Therefore, the Torah declares “Let her be ritually impure for seven days so that she will be as dear to her husband as when she entered the marriage canopy.”

Tehilla Abramov, *The Secret of Jewish Femininity*. (Southfield, Michigan: Targum Press, 1988), 98.

Rabbi Meir taught us, “Why did the Torah require seven preparatory days? Because excessive intimacy breeds contempt; therefore, the Torah ordained, separate for seven days so that she shall be beloved as the day she stood under the bridal canopy.”

Rabbi Moshe David Tendler, *Pardes Rimonim*. (Hoboken, NJ: Ktav, 1988), 4.

Rabbi Meir refers to the seven-day separation period required by Torah Law. Literal use of the statement would require explaining that a *niddah* today is prohibited for longer than seven days, generally no less than twelve. Therefore, some authors have chosen to paraphrase rather than quote:

*The wife reappears to her husband and her desirability to him has been enhanced by waiting (see Niddah 31b).*

Rabbi Binyomin Forst, *A Woman’s Guide to the Laws of Niddah*. (New York: Mesorah Publications, 1999), xxiv.

2. The idea behind Rabbi Meir’s assertion is often presented as one of the “reasons” behind *hilkhot niddah*. Samples of such statements:

The rabbis noted that a two-week period of abstention every month forces a couple to build a non-sexual bond as well as a sexual one. It helps to build the couple’s desire for one another, making intercourse in the remaining two weeks more special. It also gives both partners a chance to rest, without feeling sexually inadequate. They also emphasized the value of self-discipline in a drive as fundamental as the sexual drive.

Tracy R. Rich, “Kosher Sex” *Judaism 101* <<http://www.jewfaq.org/sex.htm>> (23 Feb 2005).

Many believe that this period of separation also has psychological benefits. A couple that abstains from sex for two weeks each month is likely over time to form a strong non-physical attachment to each other. Over time and especially as the couple ages, this non-physical bond becomes an important part of a marriage. Secondly, like anything that isn’t constantly available, the physical relationship between the husband and wife becomes more special and appreciated as a result of this period of physical separation.

Lisa Katz, “Mikvah, Niddah, Family Purity Laws” <<http://judaism.about.com/od/sexinjudaism/a/familypuritylaw.htm>> (23 Feb 2005)

3. The website is currently referred to as [yoetzet.org](http://yoetzet.org) for consistency with the hotline number 1-877-yoetzet. However, the website can also be reached at [www.yoatzot.org](http://www.yoatzot.org).
4. Excluding Shabbat of course.
5. Rabbi Yehuda Henkin

6. Data are currently being gathered from the questions posed to Nishmat’s hotline (1-877-YOETZET) for comparison and further analysis.
- 7 < <http://www.yoatzot.org/question/670>> (22 Feb 2005)
- 8 <<http://www.yoatzot.org/question/2395>> (22 Feb 2005)
9. We have been married 17 years and still find the 7 clean days to be downright annoying. We are not sex mad, but just need the daily hugs and kisses to keep our relationship close. I know there is alot of [baloney] about how this separation time is to develop non-physical , verbal relationship etc. But we tried and this *does* not work for US – maybe some people strive (*sic*) on it. But you know what, life is busy, work, kids etc and a casual embrace or touch is worth 1000 words. After 2 weeks apart we are *apart*, and the whole mikveh business just stresses my wife out even more. I know the party line is no compromises 7 days etc., *but* is there any minor opinions who hold differently. Did G-d intend for man to cleave to his wife for only half the time??? (not publicly viewable)
10. I am an observant woman married for 19 years. I battle every month with mikveh, every month is a challenge. The reason is that my period has always lasted for a full 7 or 8 days before I can get a proper *hefsek taharah*. That means that I don’t get a *hefsek taharah* before day 8, my first clean day is day 9, I go to the mikveh after day 15 or 16. I get my period on day 24 or day 25. I never spot once my period is over. The problem is that my hormones definitely go wild before that day and my husband travels often. I am ashamed to say that I have been *nichshol*. I am 42 years old and only have to deal with this problem for a few more years. However, don’t you think it would be better for me to just keep *taharat hamishpacha* from the point of view of the Torah, and immerse once I am clean. I realize that *Chazal* put in the *geder* [fence] of waiting the extra seven days so that we would not be *nichshol* when it comes to *zavah*, however, what is happening in my case, and I am sure I am not unique, I end up failing completely too many times. <<http://www.yoatzot.org/question/2026>>(22 Feb 2005)
11. <<http://www.yoatzot.org/question/1441>>(22 Feb 2005)
12. not publicly viewable
13. not publicly viewable
14. <<http://www.yoatzot.org/question/2209>>(22 Feb 2005)
15. <<http://www.yoatzot.org/question/204>>(22 Feb 2005)
16. <<http://www.yoatzot.org/question/758>>(22 Feb 2005)
17. <<http://www.yoatzot.org/question/666>>(22 Feb 2005)
18. M.J. Rosenberg, A. Meyers, V. Roy, “Efficacy, Cycle Control, and Side Effects of Low and Lower Dose Oral Contraceptives: A Randomized Trial of 20 and 35 mg Estrogen Preparations”. *Contraception* 60, no. 6 (December, 1999): 321–329.
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20. A. Delconte, F. Loffer, G.S. Grubb, "Cycle Control with Oral Contraceptives Containing 20 Microgram of Ethinyl Estradiol" *Contraception* 59, no. 3 (March 1999): 187-193.
21. Anonymous. "Approach to Oral Contraceptive Nuisance Side Effects" *The Contraception Report* 14, no. 4 (February 2004):13-15. Journal can also be accessed online at <<http://www.contraceptiononline.org/contrareport>>
22. <<http://www.yoatzot.org/question/2205>>(22 Feb 2005)
23. J. Stanback, D. Grimes, "Can Intrauterine Device Removals for Bleeding or Pain be Predicted at a One-month Follow-up Visit? A Multivariate Analysis," *Contraception* 58, no 6 (December 1998): 357-60.
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30. <<http://www.yoatzot.org/question/2375>>(22 Feb 2005)
31. J.J. Kelsey, "Hormonal Contraception and Lactation," *Journal of Human Lactation* 12 no. 4 (Dec 1996); 315-8.
32. Anonymous, "Progestin-Only Oral Contraceptives: An Update," *The Contraception Report* 10, no. 4, (September 1999): 4-7.
33. L.E. Nachtigall, "The Symptoms of Peri-menopause," *Clinical Obstetrics and Gynecology* 41 no. 4 (December 1998): 243-50.
34. N.A. Klein, M.R. Soules, "Endocrine Changes of the Perimenopause," *Clinical Obstetrics and Gynecology* 41, no. 4 (December 1998): 912-20.
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36. Toni Weschler, *Taking Charge of Your Fertility*. (New York: Quill, 2002), 48.
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# 12

## Life Values and Intimacy Education: Methods and Messages

*Yocheved Debow and Anna C. Woloski-Wruble*

### **THE NEED**

The yeshiva day school community in the United States strives to transmit its religious values to the next generation. Living in the twenty-first century in a society saturated by sexuality and sexual imagery, yeshiva day school youth receive endless messages from the images around them, messages that are inconsistent with their traditional values. This exposure places our youth in the position that their access to information about sexuality and sexual behaviors precedes their possession of knowledge and understanding (Hyde & Delamater, 2003). This phenomenon puts children at a high risk for conflict as they struggle to bridge their own traditional value system with that of the secular culture. In the absence of a comprehensive sexuality education from within the system, children are



left on their own to process the cultural messages they are exposed to, and often by default these messages become the only “education” they receive about this topic. This lacuna is reflected in the fact that although there are no studies or statistics available in these areas presently, seasoned educators report a rise in anecdotally reported high risk behavior and sexual experimentation among our day school students.

The yeshiva day school curriculum focuses considerable attention on details of *halakhot* and *hashkafah* connected to *Shabbat*, *hagim*, *kashrut*, and a full array of *mitzvot bein adam l’haveiro*. However, in the area about which most adolescents show curiosity and interest and about which the *halakhah* has clear opinions, the school chooses to be silent. This silence itself communicates an educational message. Our refusal to talk about sexuality gives an implicit message that Judaism is at the very least uncomfortable about sexuality or worse, has nothing positive to say on the subject. Certainly then, our students do not come to be cognizant of the respect and sense of *kedushah* which characterize our rabbis’ approach to sexuality in its appropriate context (Brown 1994).

In response to the argument that these matters are best addressed by the home exclusively, it is important to note that the above mentioned areas of *halakhah* are also addressed at home and yet we deem them important enough to merit formal study time in school. Moreover, the literature among the general population indicates that parents hesitate to talk about sexuality and intimacy with their children (Santrok, 1998). The need to address these areas within the school framework, as well as to help parents become partners in this endeavor, becomes of utmost importance (Rodriguez, 2000).

Though many acknowledge the importance of education in intimacy and sexuality from a *halakhic* perspective, most of our schools have not yet risen to the challenge. There may be a number of reasons for this. Firstly, there is the fear that increased learning about sexuality leads to increased sexual activity. Studies indicate that the opposite is true, with sexual activity delayed among those who receive school-based educational programs. Sexual activity is further delayed in the general population, and safer practices

are reported as being used when parents also communicate with their children about these topics (Kirby, 1999). In addition there is a certain hesitation on the part of schools to take on a topic with which there is much discomfort, both on the part of teachers and on the part of parents as to the school's role in educating in these very personal areas. Teachers have not been trained to teach these topics and therefore do not feel competent to address them appropriately. Informal surveys across a number of yeshiva day schools confirm that the current situation is such that at best, students receive a few lessons about human development which tend to focus on the biological facts in middle school, and a few lessons, or perhaps even a semester course, about family purity and related issues towards the end of their high school education. Clearly this is not sufficient. Research indicates that sexuality education is most effective when it is comprehensive, beginning when children are young and continuing throughout their years of formal education (Hyde & Delamater, 2003). Educators who recognize the need to provide education in areas of sexuality and intimacy face an additional challenge. The lack of educational materials uniquely designed to address the particular approaches and understandings necessary for the yeshiva day school community in these areas stymies implementation.

It is our belief that day school communities need to provide comprehensive Life Values and Intimacy Education. Students need to learn developmentally appropriate, traditional Jewish concepts of personal, social, and sexual development from an early stage in their own development, and during the dramatic course of changes which occur throughout school (Levin, 1994). Students require a safe learning environment which provides opportunity for discussions and questions, so that these Torah values become their own. We present our curriculum and lesson guides "Life Values and Intimacy Education for the Yeshiva Day School" as a response to this need. This title reflects the content of the educational materials which incorporate Life Values education (Values and Personal Skills, Human Development, Society and Culture) as well as Intimacy education (Relationships, Sexual Behavior and Sexual Health). Intimacy education was chosen over sexuality education because it reflects the

broader spectrum of topics in relationships which reach beyond, but include issues of, sexuality. In addition, we considered intimacy to be a less provocative term than sexuality, particularly for the Modern Orthodox community.

### **THEORETICAL BACKGROUND**

Educating for Life Values and Intimacy raises a complex set of issues. The following discussion addresses these issues from both within an educational theoretical framework and a Torah/*Halakhic* framework. We address questions associated with morality based education, as well as the need for formal sexuality education. In addition, we consider the role parents and educators should be playing with regard to these topics.

### **MORALITY BASED EDUCATION**

A provocative and compelling approach to the development of moral reasoning is presented by Thomas Green in his book, *Voices: The Educational Formation of Conscience* (1999). He presents his ideas as being particularly applicable to communities of text and liturgy. Defining conscience as “reflexive judgment about things that matter,” Green presents five different “voices” of conscience, the conscience of craft, of membership, of sacrifice, of memory and of imagination. These voices do not develop sequentially, but rather simultaneously, and argue with each other in the process of forming a mature conscience. Drawing insight and inspiration from these five voices of conscience, a person is invited through the interactions of these different voices to author his own moral life (Schwartz, 2000). Midrashic literature expresses these ideas in a language of its own. It teaches that when Yosef was tempted by Potiphar’s wife and, struggling internally with his desire on the one hand, and his innate sense of what God wanted of him on the other hand, the image of his father’s face appeared to him (*Rashi on Bereishit 39:11*). This image protects him from doing that which would be against his conscience – an internal “voice” in Green’s terminology, established early in his life, which could be evoked to serve as an internal moral compass in a moment of moral conflict.

The essential debate concerning moral education orbits two positions – the moral development approach represented most notably by Kohlberg, and the directive approach of Character Education. The first emphasizes an open-ended discussion in which students come to their own moral conclusions through a process of moral reasoning, in which the main focus is upon the process. Kohlberg assumes that children, given proper opportunity for moral discourse, will develop a mature moral sense from within (Kohlberg, 1976). This school of thought owes its philosophic roots to a vision of liberal education which emphasizes the innate abilities of a child and conceives education as the collection of experiences that best allows these innate potentialities to develop. Children learn and construct knowledge of their own accord and schools should allow them to grow unencumbered. The second approach of Character Education sharply criticizes the first by countering on both theoretical and empirical grounds that children need to be taught wrong from right and will not necessarily arrive at mature moral sensibilities without direct instruction (Lickona, 1993). This approach draws on more traditional views of education that conceive young minds as blank slates and educators as those charged with the task of filling them with knowledge and proper attitudes. Character education, while not reverting to absolute puritan school-house methods, does tend to align with more religious approaches and employs among its instructional methods the presentation of models of good character and narratives of virtuous action with unambiguous conclusions.

Looking to Jewish sources for insight on how to negotiate between these poles, we find that far from deciding the matter, Jewish sources seem to encourage both sides of the dialectic. Rav Wolbe's book *Z'riah U'Binyan B'Hinukh*, (translated 1999) encourages a model of "Growing and Building." These two approaches parallel the dialectic referred to above. Growing assumes the innate ability of the organic process to realize its own potential when provided with a healthy environment. The role of the educator is similar to that of a farmer who plants a tree. A farmer cannot directly make a tree grow higher but must water, plant, prune and weed. Likewise, the educator does not present answers but presents questions, removes

impediments to learning and generally protects the environment from pernicious effects. The building model assumes the opposite. The house does not rise up of its own accord. Instead, the harder the contractors work and the more they invest in high quality materials, the bigger and stronger the house will be. Similarly, children learn what they are taught. The more they are taught, the better the ideas and the clearer and more compelling the moral instructions, the better students will develop. The approach of our Life Values and Intimacy Curriculum similarly embraces both these approaches and therefore maintains a consciously multi-faceted approach, not by default but by design.

### IMPORTANCE OF FORMAL, COMPREHENSIVE SEXUALITY EDUCATION

Many classic sources support the idea that effective education in general starts early. “When a child knows how to speak, his father should teach him Torah and the *Shema*. Which Torah? Rabbi Hamnunah specified ‘Moshe commanded the Torah to us’ (Sukkah 42b). Why is this particular verse chosen? As soon as a child has the capacity for language we instill in our youngster fundamental ideas of Judaism. We as parents and educators are instructed to teach our children that there is a commanding voice outside of ourselves that dictates our behavior. The idea of *hinuch l’mitzvot* is a basic building block of *halakhic* upbringing, and perhaps reflects the *halakhic* way of developing conscience. Despite their not having a *halakhic* obligation until bar and bat mitzvah, the gemara maintains that children need to prepare for fasting on Yom Kippur from an earlier age (Yoma 82b). The advantages of earlier education are further lauded by Elisha Ben Abuya who said:

“One who studies Torah as a child to what can he be likened? – to ink on fresh paper. And one who studies Torah as an old man to what can he be likened? – to ink written on smudged paper” (*Avot* 4:25).

We want our values and beliefs to rest on fresh paper, before they

enter a state of competition with society's conflicting values. The *Meiri* (quoted in Schwartz, 1982) expresses the idea that a child should be guided towards the correct ethical behaviors from an early age, so that these correct behaviors become a fixed quality in him, to the extent that they are so natural that even under pressure he does not consider alternative behaviors as an option. This notion is confirmed by policymakers, parents and educators who recognize that sexuality education should be provided during children's formative years, before they become adolescents (Landry et al, 2000).

There may be those who argue that sexuality and intimacy are topics that do not belong in our classrooms. They are matters which relate primarily to marriage and it would not be appropriate to address them until our students are ready for *hatan* and *kallah* classes. In addition they may say that the value of *tzniut* must preclude sexuality education insofar as it requires public discussion of intensely private matters. While *tzniut* is a core value and certainly applies to our topics of sexuality and intimacy, we must recognize that our children's environment is already saturated with sexuality at every turn. Billboards, advertisements, movies as well as songs and their lyrics all broadcast praise of sexual pleasure and sexual infidelity. Young people learn about sexuality from a multiplicity of sources including parents, friends, teachers, television, music, books, advertisements, toys and the Internet (SIECUS, 2001). Thwarting sexuality education in our yeshiva day schools will not advance the cause of *tzniut* but will succeed in promoting general culture and its anti-*tzniut* stance as their sole source of sexual values.

The primary goal of a school-based Life Values and Intimacy education is to help young people build a foundation of beliefs and values with regard to these topics as they mature into healthy adults. Bringing up our children in the current cultural climate necessitates that we become active partners in their sexuality education (Admonit, 2002; Brown, 1994). The religious Life Values and Intimacy educator must help students navigate the secular values they are exposed to so that they emerge with a deep understanding of and commitment to Jewish traditional values in these areas (Samet, 2005).

### **THE ROLE OF THE PARENT AND THE ROLE OF THE SCHOOL**

The literature among the general population indicates that while children often rank their parents as one of their primary sources of information on sexuality issues, parents hesitate to talk about sexuality and intimacy with their children (Santrok, 1998; The Henry Kaiser Foundation, 2001). Parents often feel ill-equipped to help their children negotiate the new territories of sexuality and sexual behaviors which are so different from their own childhood experiences (King & Lorusso, 1997; Brown, 1994). It would be fair to assume that these findings reflect the attitudes of parents in our own yeshiva day school community.

Having had no formal education themselves in these areas, parents may often adopt one of two approaches. They may think that since they managed without guidance, so too will their children. Or alternatively, they may feel too uncomfortable, embarrassed or uneducated about these issues and therefore choose not to discuss them. Concomitantly, these same parents are conflicted about allowing their children to be educated in these areas in the school framework, wondering how much the yeshiva education will reflect their personal values in these areas. The need to address these areas within the school framework, as well as to help parents become partners in this endeavor, becomes all the more pressing. There is evidence that sexuality education classes lead to improved communication between parents and children specifically in areas of sexuality (Scales, 1991). This communication is markedly increased when a component of the program includes parents and assists them in developing strategies for open communication with their children about sexuality (Blake et al, 2001). In addition, school-based sexuality education helps children adjust to the different realities from those with which their parents grew up (King & Lorusso, 1997; Scales, 1991). While sexuality education should be a shared responsibility between parents and the school, the school is positioned to be a key partner in addressing these critical educational issues in a comprehensive, and therefore most effective, manner.

## HISTORICAL BACKGROUND

### **Sexuality Education**

Since the beginning of the twentieth century sexuality education has been a debated topic in the United States. The approach to education in these areas has undergone tremendous changes since then, with perhaps the most dramatic shift of focus being during the 1960s. It was at this time that the Sexuality Information and Education Council of the United States (SIECUS) was chartered, becoming an organization devoted to fostering research, curricular development, implementation, and evaluation in sexuality education. In 1991 SIECUS, seeing the lack of information available to schools and teachers in general in areas of sexuality, and in particular the lack of any gold standard curriculum (Donovan, 1989), developed "National Guidelines for Comprehensive Sexuality Education." This was developed by a National Guidelines Task Force composed of representatives from fifteen national organizations, schools, and universities. This Task Force developed the topics, values, life behaviors, and developmental messages that were included in the first edition of the Guidelines published in October 1991. They were updated in 1996 by the original members of the Task Force to reflect societal and technological changes that had occurred since 1991, and updated again in 2004.

SIECUS (2004) defines sexuality education as seeking to assist young people in understanding a positive view of sexuality, providing them with information and skills about taking care of their sexual health, and helping them make sound decisions now and in the future. They established four major goals for comprehensive sexuality education programs:

- To provide accurate, age-appropriate information about human sexuality.
- To provide a venue for young people to develop and understand their values, attitudes, and beliefs about sexuality.
- To help young people develop relationships and interpersonal skills.
- To help young people exercise responsibility regarding sexual



relationships, including addressing abstinence, pressures to become prematurely involved in sexual intercourse, and the use of contraception and other sexual health measures.

The SIECUS guidelines, as clearly stated in the introduction (2004) were not a text book, or a curriculum. They provided an organizational framework of the knowledge of human sexuality and family living within four developmental levels from kindergarten through high school. Written with values reflecting the beliefs of most communities in a pluralistic society, SIECUS recommended that the characteristics and values of each local community would need to determine the exact content of the specific curriculum for each particular population.

### **Life Values Curriculum Background**

After SIECUS produced their first guidelines in 1991, a group of concerned community educators, including lay people, rabbis, counselors and a therapist affiliated with the Fuchs Mizrahi School in Cleveland, Ohio, spearheaded by Miki Wieder, a therapist at the Center for Marital and Sexual Health and a parent in the school, formed their own Task Force and developed what became the “Life Values Curriculum: Health Education For the Jewish Day School” (1999). This preliminary document followed the SIECUS guidelines, with comprehensive modifications to fit the needs of the yeshiva day school population. This first step was groundbreaking work, reflecting the commitment to a vision which recognized the necessity for comprehensive sexuality education within a Torah-based framework for our yeshiva day schools. The next step was to move from theory to practice. “The Life Values Curriculum: Health Education for the Jewish Day School” provided a framework which needed to be translated into classroom-ready units for teachers.

## **THE CURRICULUM**

### **Underlying Assumptions**

Our work has been to provide a scoped and sequenced, developmentally appropriate classroom-ready guide for teaching Life Values

and Intimacy Education in the Orthodox Jewish Day School. We define “Life Values and Intimacy Education” as much broader than issues related to sexuality. From a Torah perspective, Life Values and Intimacy education is multi-faceted. It is about the centrality of the family in relationship to God and to each other, about the relationship between parents and their influence on the development of their children. It is about Torah family values, about mutual respect and understanding, it is about communication, and it is about love. It includes attitudes concerning these issues as well as decision-making skills, in particular related to issues of interpersonal behavior. These monumental constructs which have extensive behavioral ramifications need to be introduced at the early stages of personality development, and continue to be addressed throughout our children’s education to have a true impact on their development into young adults.

Our hope is that our curriculum will equip schools to prepare their students for these extremely important areas of development from within a Torah framework. It is to this end that we have developed the following underlying curricular assumptions:

- Man<sup>1</sup> was created *B’tzelem Elokim*. This phrase is the essential understanding underlying our whole curriculum. It captures the unique nature of man, the idea that as opposed to all other living creatures, man is a complex combination of both physical and spiritual. God granted man this unique position in the world and with it come concomitant obligations. Therefore, we strive to imbue all physical aspects of our lives with a spiritual element, and in so doing elevate all of our activities to a level of *kedushah*. Being created *B’tzelem Elokim* carries with it the challenge to recognize the other as also being created *B’tzelem Elokim*, inspiring respect, tolerance and acceptance. This is at the essence of our curriculum.
- In order for students to experience a Torah lifestyle as being relevant to them, they must experience Torah as addressing issues that concern them. Presenting a Jewish sexual ethic helps our students appreciate the wisdom and relevance of Judaism to those aspects of their lives which are most significant to them.

- Judaism views sexuality and intimacy as having innate *kedushah* in the appropriate context, that is within the context of marriage.
- The yeshiva day school community would benefit from children receiving a comprehensive, sexuality education based in a *Torani/halakhic* perspective, within the schools.
- This comprehensive sexuality education should be a partnership between parents, who are central figures in sexuality education, their children, and the schools.
- Life Values and Intimacy Education needs to be offered to our students from an early age in order that a Torah-based understanding of these concepts be their formative source of knowledge and understanding in these areas.
- The Life Values and Intimacy Education curriculum recognizes that a successful program is based in active participation, ideally through multiple teaching methods. Students are encouraged to personalize material by incorporating games, role-playing, brainstorming and small group discussions.

### PROGRAM STRUCTURE

The program ideally has been designed from kindergarten through grade 12, with approximately 10 classes in each year of the elementary school, and 15–20 classes throughout each middle and high school grade. While the ideal model is to teach the curriculum across all grades, it can also be used starting in middle school or high school only. Educational objectives have been organized across six concepts, adapted from the original key concepts in the SIECUS guidelines. These key concepts define the necessary components of a comprehensive Torah-based sexuality education. The key concepts in our curriculum are:

1. **VALUES AND PERSONAL SKILLS:** Our curriculum is based in Torah values and in developing an understanding and commitment to these values. In addition, healthy interpersonal relationships require the development and use of personal and interpersonal skills.
2. **RELATIONSHIPS:** Relationships are a central part of our interac-

tions throughout our lives. Our relationships as young people help us to develop skills for our adult relationships.

3. **HUMAN DEVELOPMENT:** Human development includes the understanding of the interrelationship between physical, emotional, social and intellectual growth.
4. **SEXUAL BEHAVIOR:** Sexual behavior is a central part of being human and is natural and normal, but needs to be framed and guided by *halakhah*.
5. **SEXUAL HEALTH:** Sexual health has two components: the empowerment of the individual to pursue quality marital intimacy and in addition acquire information and develop attitudes to avoid risk-taking and to avoid non-*halakhic* behaviors.
6. **SOCIETY AND CULTURE:** We are heavily influenced by the society and culture in which we live. Learning to balance that which we identify with and that which is antithetical to our values becomes a pivotal part of our education.

Within each key concept are a number of specific topic areas. Each of these topics is described by what was defined as a sub-concept. Within each topic there are a number of developmental messages which define the important content appropriate at four different age levels for each sub-concept (see table below).

### **Key Concepts and Topics in the Life Values and Intimacy Education Curriculum**

Based directly on Life Values Curriculum: Health Education for Jewish Day Schools (Wieder et al, 1999)

<p align="center"><b>Key Concept 1: Values and Personal Skills</b></p>	<p align="center"><b>Key Concept 4: Sexual Behavior</b></p>
<p align="center">TOPICS: Values Decision Making Communication Appropriate Assertiveness Negotiation Looking for Help</p>	<p align="center">TOPICS: Sexuality throughout Life Masturbation Shared Sexual Behavior Abstinence Human Sexual Response Fantasy Sexual Dysfunction</p>
<p align="center"><b>Key Concept 2: Relationships</b></p>	<p align="center"><b>Key Concept 5: Sexual Health</b></p>
<p align="center">TOPICS: Families Friendship Love Socializing Marriage Parenting</p>	<p align="center">TOPICS: Reproduction, Contraception &amp; the Family Abortion Sexually transmitted diseases, including HIV Infection Sexual Abuse Reproductive Health</p>
<p align="center"><b>Key Concept 3: Human Development</b></p>	<p align="center"><b>Key Concept 6: Society &amp; Culture</b></p>
<p align="center">TOPICS: Reproductive Anatomy &amp; Physiology Reproduction Puberty Body Image <i>Tzniut</i> Sexual Identity &amp; Orientation</p>	<p align="center">TOPICS: Sexuality and Society Gender Roles Laws of Family Purity Sexuality &amp; Religion Sexuality &amp; the Arts Sexuality &amp; the Media</p>

### Key Concept across Grades

The process of developing our lesson guides necessitated a number of steps. In mapping out our lesson guides, we first looked at topics

and their sub-concepts within a key concept. We then looked at the developmental messages in that topic, formulated lesson objectives around the developmental messages, and incorporated them in the curriculum at the suggested age level. This enabled us to take a broad topic and arrange the information in a hierarchy so that it could be addressed on an elementary level and then revisited in a more complex manner at higher grade levels. An example of this can be seen in a development of lessons across grades. We chose to combine the topics of “Sexuality through Life,” “Shared Sexual Behavior” and “Abstinence,” all topics of Key Concept number 4, Sexual Behavior. In addition we incorporated the topic “Socializing” from Key Concept 2, Relationships. Together these formulate a progression of lessons on Judaism and Sexuality. Often individual lessons will merge developmental messages from a number of topics, sometimes also spanning more than one Key Concept, in order to fully address an issue from various angles.

In developing lessons on Judaism and Sexuality at the sixth grade level, students are introduced to the concept of pleasure and the idea that Judaism views pleasure positively, as long as it is not a primary focus of one’s life. The discussion extends to the purpose of *mitzvot* being to refine us and elevate our mundane activities to include a spiritual dimension. The idea that man is created as both a physical and spiritual being enjoins each of us to recognize that physical fulfillment should always be in the context of spiritual development. We conclude with the idea that sexuality is viewed positively within a context of *kedushah*, the context of marriage. In seventh grade, multi-media triggers are used to encourage a discussion about differences between friendships and boyfriend/ girlfriend relationships. Students gain a deeper understanding of the concept of *kedushah*, and the idea that intimacy between sexes is saved for marriage. In eighth grade students learn about the *halakhot* commonly referred to as being *shomer negi’ah*. Within the learning of these *halakhot*, students are introduced to *Hazal’s* thinking reflected in these *halakhot*, including the respect *Hazal* had for the power of the *yetzer*. Students also have the opportunity to develop their own presentations on these topics.

In ninth grade students use multi-media triggers for discussing teenage relationships between the sexes, the complexities that ensue from these relationships particularly in a *halakhic* environment, and the boundaries *Hazal* have established in order to help us stay true to our religious commitments. Part of our rationale for this progression is that by laying the groundwork in previous grades before introducing the *halakhah*, students will come independently to the solutions presented by *halakhah*, not as a restrictive imposition from without, but rather as a sensible solution to an understood problem. In tenth grade students explore aspects of intimacy in a *halakhic* marriage as well as ways in which husbands and wives ought to treat each other. Sexuality is presented here as the highest form of intimacy between two people and the ultimate connection between man and woman. The difference between the Torah perspective and the modern permissive and unrestrained perspective on sexuality is emphasized, as is the notion that intimacy needs to be part of a relationship of commitment and *kiddushin*. In eleventh grade students discuss various *Gemara* describing the struggles of some of the greatest rabbis with the temptations presented by the opposite sex. The honesty with which these struggles are portrayed in the *Gemara* is noted and ramifications for our own lives discussed. In twelfth grade students explore other sources in the *Gemara* from which can be derived the essence of Jewish sexual ethics. (See table below)

### An example of the process of developing Key Concepts across grades: Judaism and Sexuality

	Key Concept 4: Topic: Sexuality through Life	Key Concept 4: Topic: Shared Sexual Behavior	Key Concept 4: Topic: Abstinence	Key Concept 2: Topic: Socializing
6 <sup>th</sup>	Sexual feelings are natural. Sexual behavior must be conducted with due regard for <i>tzniut</i>	The Torah guides human behavior and expression of human feelings.		

	Key Concept 4: Topic: Sexuality through Life	Key Concept 4: Topic: Shared Sexual Behavior	Key Concept 4: Topic: Abstinence	Key Concept 2: Topic: Socializing
7 <sup>th</sup>	<p>Sexual feelings often cause impulses and tensions in one's body.</p> <p>The Torah has <i>halakhic</i> guidelines which relate to sexual behavior through life.</p> <p>Sexual behavior must be conducted with due regard for <i>tzniut</i></p>	<p>The Torah does not allow touching between boys and girls, because it can often have – or lead to – sexual implications.</p>		<p>As children grow older they begin to feel and act differently towards friends. These feelings may be awkward &amp; confusing, but are a normal part of growing up.</p> <p>Group activities provide opportunities to develop relationships with peers of both genders.</p>
8 <sup>th</sup>	<p>Any discussion of sexuality should be done in accordance with Torah standards of <i>tzniut</i>.</p>	<p>Because of the ambiguity of the meaning of physical contact, the Torah significantly limits physical contact between members of the opposite sex not married to each other.</p> <p>The laws governing physical contact between men &amp; women not married, popularly known as <i>negi'ah</i>.</p>		<p>Sexual involvement includes any form of touching – <i>negi'ah</i>.</p> <p><i>Halakhah</i> discourages physical contact between males and females unless they are married to each other.</p>



	Key Concept 4: Topic: Sexuality through Life	Key Concept 4: Topic: Shared Sexual Behavior	Key Concept 4: Topic: Abstinence	Key Concept 2: Topic: Socializing
9 <sup>th</sup>	Sexual feelings, fantasies and desires are natural. They often cause impulses and tensions in one's body and for this reason the Torah has guidelines relating to sexual behavior throughout life.	The <i>Torah</i> does not allow touching between boys and girls, because it can often have – or lead to – sexual implications.	Most people are challenged by needing to be sexually abstinent.	Different & confusing feelings about others often develop as children mature. The prohibition <i>issur yichud</i> is because when a male & female spend a lot of time together in a closed room, they are more likely to become sexually involved.
10 <sup>th</sup>	Healthy sexuality enhances total well-being and is a definitive part of married life. Sexuality is an integral, joyful & natural part of being human.	In a healthy marriage, husbands & wives share intimacy that is expressed verbally & behaviorally. One of the most beautiful parts of marriage is husband & wife encouraged to see intimacy as valuable part of marriage. Husbands & wives should communicate about most intimate parts of sexual relationship in order to enhance mutual pleasure & mutual intimacy.	Children are not ready for sexual intercourse. Sexual intercourse is not a way to achieve adulthood.	

	Key Concept 4: Topic: Sexuality through Life	Key Concept 4: Topic: Shared Sexual Behavior	Key Concept 4: Topic: Abstinence	Key Concept 2: Topic: Socializing
11 <sup>th</sup>	All people are sexual beings, who experience sexual feelings, fantasies & desires.  The Torah has <i>halakhic</i> guidelines relating to sexual behaviors throughout life.		Most people are challenged by needing to be abstinent.	When one experiences sexual feelings that cannot be ignored easily, may be helpful to talk to a trusted friend or adult, educate oneself by reading and/or talk with a professional who respects orthodox values.
12 <sup>th</sup>	Sexuality is multifaceted; it has biological, social, psychological, spiritual, ethical & cultural dimensions.	For most people sharing sexual intimacy within the context of a marital relationship is the most satisfying expression of sexuality.	People in romantic relationships can express their feelings without engaging in sexual activities.  The difficulty of sexual abstinence cannot be overlooked.	

### Curricular Context

The success of our curriculum is dependent on the cooperation of a number of stakeholders: the teachers, the students, the parents and the school. First and foremost is the importance of developing ownership by each of these parties and responding to each of their particular challenges in implementing the curriculum. Teachers' hesitations may stem from the fact that although they are

theoretically interested in teaching the topics, they have generally not been trained for teaching in these particular areas. In addition, there is concern about the development of lessons representative of a personal teaching style or *hashkafah*, and the need to develop lessons that suit their personal teaching style and that are not taken from a pre-packaged curriculum. These hesitations can best be addressed in finding a balance between an objective curriculum with successive, linear scoped and sequenced educational objectives, and a curriculum which can be tailored to the particular needs and comfort level of each school. The individual teaching strategies of the faculty can bring a welcome variety to the student experience and enhance the teachers' sense of ownership over the material. They can easily be part of an adaptation for a particular school's implementation of the curriculum. Teaching sexuality and intimacy is considerably different from other topics. The nature of the material is highly personal and requires a degree of comfort which must be developed through intensive training. Willingness on the part of students to participate and become fully engaged in the process is very much rooted in their perceptions of teacher knowledge, attitudes and comfort with these important, personal constructs. Teacher preparation, continuous support and supervision are imperative to the smooth transition from curriculum and lesson plans on paper, to presentation and education in the field.

Parents' concerns tend to focus on attitudes being nurtured in their children, as well as the actual content of materials being presented in a Life Values and Intimacy curriculum. These concerns can be mitigated through in-depth pre-program parent meetings, as well as ongoing parent education workshops throughout the program. These workshops would include a discussion of the content of the curriculum, as well as methods for developing effective strategies for communicating with their children about these topics.

A comprehensive program necessitates the involvement of school administration and faculty. This involvement enhances the integration of concepts and objectives across the curriculum. Our program seeks to engender interpersonal behaviors and behavior expectations which should be reinforced and encouraged through-

out the day at school. Therefore all faculty should be informed of the educational objectives of the program at the levels at which they teach. Ultimately, the best possible environment for the transmission of Life Values and Intimacy Education is when parents, students, teachers and school administrators work together to create the milieu in which effective learning can take place.

### CONCLUSION

The curriculum “Life Values and Intimacy Education for the Yeshiva Day School” is a comprehensive and classroom-ready curriculum combining a theoretical framework that is *Torani* and *halakhically* based while incorporating the internationally accepted guidelines for sexuality education. It represents a vision of comprehensive school-based education towards healthy decision-making, lifestyles and relationships. It is structured to be delivered in totality as well as to be flexible and adaptable to the needs and educational objectives of any yeshiva day school community. It is our belief that the taking of theoretical frameworks and presenting them in workable, classroom-ready format is the necessary step to the presentation of these modules to our yeshiva day school youth and the ultimate application of these values. The yeshiva day school community needs to be able to educate its youth in these issues a priori, as well as in the face of the cultural messages which must be countered. We present the Life Values and Intimacy Education Curriculum and lesson guides as a response to this need.

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## NOTES

1. We have opted to use gender specific language in this statement in order to be consistent with the language of the Bible. We are of course talking here about males and females.

**SAMPLE LESSONS FROM THE LIFE VALUES  
AND INTIMACY EDUCATION CURRICULUM**

*Written by Yocheved Debow*

*In Collaboration With Anna Woloski-Wruble*

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**APPENDIX**

**Curricular overview and three sample lessons**

Three points merit review before we introduce this overview and sample lessons from the Life Values and Intimacy Education Curriculum.

1. The curricular design is spiral such that it addresses similar topics at numerous junctures in order to allow for students to revisit topics as they mature.
2. Students have gradually built up to dealing with the difficult and sensitive topics addressed in the following lessons. Seeing them in a vacuum may give a false sense of our curricular approach.
3. While the seven year overview is carefully scoped and sequenced it will still bear adjustments in order to tailor it to the specific needs of a particular school setting.

## **Life Values and Intimacy Education Class Titles Grades 6 through 12**

### **6TH GRADE COURSE**

- Lesson 1: Setting the Stage
- Lesson 2: Learning to Listen
- Lesson 3: On Becoming a Bar/ Bat Mitzvah
- Lesson 4: Puberty I
- Lesson 5: Asking for Help: When and How
- Lesson 6: Communication 101
- Lesson 7: Odd Girl Out
- Lesson 8: What is True Friendship?
- Lesson 9: What are “Jewish Values”?
- Lesson 10: On Decision Making
- Lesson 11: What is Tzniut?
- Lesson 12: Approaching Sexuality
- Lesson 13: Learning about Abuse
- Lesson 14: Who Am I?
- Lesson 15: Conclusions

### **7TH GRADE COURSE**

- Lesson 1: Getting Comfortable
- Lesson 2: Puberty II
- Lesson 3: Human Reproduction
- Lesson 4: Eating Disorders
- Lesson 5: Mentioning the Unmentionable – *Hotza’at Zera Levatalah* (for boys)
- Lesson 6: Living in the “In Between”: no longer a child but not yet an adult!
- Lesson 7: Saying what I mean and meaning what I say.
- Lesson 8: Appreciating Individual Differences
- Lesson 9: The Power of Peer Pressure
- Lesson 10: Appropriate Assertiveness
- Lesson 11: Knowing when and how to ask for help II
- Lesson 12: *Tzniut*: An approach to Life
- Lesson 13: Having a Boyfriend/ Girlfriend: Pros and Cons



Lesson 14: Free to be you and me!

Lesson 15: A very narrow bridge

Lesson 16: Conclusions

### **8TH GRADE COURSE**

Lesson 1: Introduction: Setting Goals

Lesson 2: Knowing Myself

Lesson 3: Loyalties Divided: what do I do?

Lesson 4: What are my values?

Lesson 5: Decision Making: Values Clarification

Lesson 6: On Being “*Shomer Negiah*”

Lesson 7: On Homosexuality

Lesson 8: What is *Kedushah*?

Lesson 9: Exercising your mind to strengthen your values

Lesson 10: Exercising your mind to strengthen your values

Lessons 11–15: Group Presentations:

Lesson 11: A fashion show reflecting our enduring understanding:

We are created *B'tzelem Elokim*

Lesson 12: Taking and Leaving: Decisions regarding life in a secular world.

Lesson 13: On Being Cool

Lesson 14: How, and when to say NO!

Lesson 15: Pushed and Pulled: Navigating relationships as a teenager

Lesson 16: Conclusions

### **9TH GRADE COURSE**

Lesson 1: Introduction

Lesson 2: “*B'tzelem Elokim*”: What does that mean for me?

Lesson 3: Using my words appropriately

Lesson 4: What is love?

Lesson 5: Improving Self-Esteem

Lesson 6: Assertiveness: when is it appropriate?

Lesson 7: Seeking help as a sign of strength

Lesson 8: Creating boundaries – to see and not to see

Lesson 9: *Tzniut* – respecting myself and others

- Lesson 10: Marriage – who needs it and why?
- Lesson 11: Holding ourselves back – why?
- Lesson 12: Males and Females – The Jewish version of Mars and Venus?
- Lesson 13: Struggling with “The Yetzer”
- Lesson 14: Being a Torah True Jew – how?
- Lesson 15: Conclusions

**10TH GRADE COURSE**

- Lesson 1: Decisions, decisions, decisions....
- Lesson 2: Negotiating Solutions
- Lesson 3: Managing Anger
- Lesson 4: What is “Sexuality”?
- Lesson 5: I am more than my body
- Lesson 6: Intimacy now and later
- Lesson 7: Intimacy later
- Lesson 8: Family – The key to Jewish continuity
- Lesson 9: On becoming a parent
- Lesson 10: Contraception and *Halakhah*
- Lesson 11: Abortion and *Halakhah*
- Lesson 12: STD’s: What are they I
- Lesson 13: STD’s: What are they II
- Lesson 14: Homosexuality
- Lesson 15: Sexual Abuse: Being Wary
- Lesson 16: Conclusions

**11TH GRADE COURSE**

- Lesson 1: Jewish Survival: How?
- Lesson 2: What’s wrong with Inter-marriage?
- Lesson 3: Controlling “The Yetzer”
- Lesson 4: Judaism and Sexuality
- Lesson 5: Balancing Family and Career: A high wire performance?
- Lesson 6: Balancing family and Career: Possible models
- Lesson 7: Being created “*B’Tzelem Elokim*”: What does that mean for me?
- Lesson 8: Improving Communication

- Lesson 9: Improving Communication II
- Lesson 10: Personal Space – why?
- Lesson 11: Like, Love, Lust – what’s what?
- Lesson 12: The Dating Game
- Lesson 13: Finding “The Perfect Partner”
- Lesson 14: Finding the Right Partner
- Lesson 15: Feeding a Relationship
- Lesson 16: Sexual ethics: a rabbinic perspective
- Lesson 17: Conclusions

#### **12TH GRADE COURSE**

- Lesson 1: *Tzniut* – The concept and the *Halakhot*
- Lesson 2: *Kisui Rosh* – why do married women cover their hair?
- Lesson 3: Understanding *Taharat Hamishpahah* – the underlying themes.
- Lesson 4: *Taharat Hamishpahah* – some important *Halakhot*
- Lesson 5: Birth Control – what does the *Halakhah* have to say?
- Lesson 6: STD’s – some important facts
- Lesson 7: Sexual Abuse, even in our community???
- Lesson 8: Sexuality – knowing when to ask for help
- Lesson 9: Capturing Fantasy
- Lesson 10: The objectification of people
- Lesson 11: Differentiating between Art, Erotica and Pornography
- Lesson 12: Understanding erotic imagery in *Tanakh*
- Lesson 13: Perpetuating the myth – the media and sexuality
- Lesson 14: Judaism and Sexuality
- Lesson 15: Being “*B’Tzelem Elokim*”
- Lesson 16: Conclusions

#### **LESSON 12: APPROACHING SEXUALITY**

(This lesson is influenced by ideas found in A.P. Friedman’s *Marital Intimacy*)

*Meta Goal: Values Education*

#### **GOALS**

1. Students will be introduced to a definition of sexuality.

2. Students will learn that Judaism's overall approach to sexuality is positive, as long as it is expressed in the right context.
3. Students will consider why Judaism sets a standard so different from that of the modern Western world.

**METHOD**

Introduction

What is sexuality?

Activity

Discussion plus sources

**1. INTRODUCTION**

This is a suggested introduction for the teacher to give to the students as an opening to this lesson:

We have covered many different important topics up until now, some more focused on giving information, and some focused on participation and active listening. Today we come to a topic about which there is much secrecy and many misconceptions, so we must ask you to concentrate and use all those well developed listening skills. We are going to talk about how Judaism views sexuality in general. We are going to discuss important ideas and we would not want you to leave the room with any kind of misunderstandings. Therefore please listen carefully and try not to be shy about asking questions if you are not sure you caught what we discussed. It is often true that a passing, misunderstood comment, particularly in these very private topics of sexuality which are not talked about so much, can mean that a person retains wrong ideas about Judaism and its attitudes to sexuality for many years. I would also like to introduce the question box today. After half an hour I will pass this box around and everyone must put a piece of paper in it with a comment or question; in this way no one knows who is really asking a question and who is not. It can be anonymous or signed, with a question you would like to have addressed privately or in the class framework. I will look over these questions and respond to them in the next class. We will do this every so often to enable people who have questions but feel shy about them to ask in a private manner.

## **2. WHAT IS SEXUALITY?**

The following is a suggestion of how to present this idea to students:

Sexuality is a word which is mentioned often, but you may not know exactly what it is referring to. We are usually shy to ask others to define words like “sexuality” because we are afraid of what people will think about us if they know that we are wondering about these private (sometimes people think they are secret) matters. Therefore we need to open this conversation by defining sexuality. Sexuality has many different aspects to it, and therefore it is hard to find one definition. We are going to define it here together today in a manner that includes the aspects with which you are familiar. It could be that as you develop an understanding of adult human sexuality, your definition will broaden and shift somewhat.

Teacher should write the word “Sexuality” on the board and invite the students to suggest what it means. Once they have made their suggestions, try to unite them into the various categories provided below: gender, anatomy, physiology, emotions and desires.

### **Definition of sexuality**

- Sexuality is characterized and defined by being male or female, which relates to our anatomy.
- Sexuality has to do with the feelings we have about being male or female ourselves, and the feelings we have towards the opposite sex.
- Sexuality has to do with the functioning of our bodies in general, and our sexual responses in particular, known as our physiology.
- Sexuality has to do with all the various factors which influence our physiology which include our physical, mental and emotional states as well as our experiences of pleasure.

## **3. ACTIVITY: TWO APPROACHES TO SEXUALITY**

Two possible approaches to living are presented below. These two

approaches should be prepared on a handout given to all students, or alternatively attached to the board on large paper (they are reproduced at the end of this lesson plan Handout 6.121). They should be read aloud and students should then have a moment to respond on an index card. The reason we are talking about pleasure is that before we talk about sexuality, we need to talk about the Jewish attitude to pleasure. This is because sexuality is a form of human pleasure, probably the most intense form of human pleasure, and thinking about Judaism's attitude to pleasure will help us to come to an understanding of attitudes to sexuality.

Which of these approaches reflect the Jewish view? Why or why not?

### **Living by the Pleasure Principle**

Pleasure is a central part of our existence. Man has come a long way into the 21<sup>st</sup> century. So many amazing developments have changed the world and we can now allow ourselves to focus our attention on the pursuit of pleasure. Our world is full of limitless ways to indulge ourselves in physical and sexual pleasure and as physical beings we should allow ourselves to experience as much pleasure as possible. Pleasure is an end to itself and finding ways to maximize our pleasure, whether sexual, gastronomical, sensational or other is all good.

### **Pleasure is bad**

Although we are physical beings, our struggle in life is to overcome the physical, animalistic part of ourselves. We are spiritual beings and should not allow our physical selves to bring us down into the world of the physical. The way we conquer our physical desires is by working to deny the physical sides of ourselves. We should not indulge in any physical pleasures, and rather quite the opposite, we should constantly train our bodies to be free of the need for any kind of physical pleasure. Pleasure is intrinsically bad and we should dedicate ourselves to developing ourselves spiritually so that we do not need anything physical.

#### 4. DISCUSSION PLUS SOURCES

Allow some students to present their answers.

Actually, Judaism does not agree with either of the views presented above.

There is a source sheet at the end of this lesson plan (Handout 6.122) which provides a text for discussion. The teacher can decide whether to explore together with students, give them *hevruta* time or simply summarize the various texts.

The points which should be made by the teacher include:

Pleasure is a good thing as long as it is not an end in and of itself. Modern Western society encourages us to see pleasure as a central focus of our lives. This is against Judaism. Looking at the verses in Bereishit, Adam is instructed to eat from all the fruits of Gan Eden and to take pleasure in all that God created. But it is not unlimited, and the commandment not to eat represents the need to hold back, to not think only about our physical selves or our own pleasure.

The *Mishnah* in *Avot* is somewhat surprising considering that enjoying the world does seem to be a Jewish value. In truth, we do hear of great and pious Jews separating themselves from the pleasures of this world. Jewish thinkers, however, view this as a stepping stone to overcome the shackles of physical lust in order to devote oneself entirely to God. Ultimately, when they do enjoy the pleasures of this world it will not be a slavish yielding to their passions – further removing them from God, but an act of Divine service – enhancing their love and admiration for the God who has granted them so much.

This can also be understood from the Gemara in the Yerushalmi on the source sheet.

It says at the end of Masechet Kiddushin in the Talmud Yerushalmi:

רבי חזקיה ר' כהן בשם רב עתיד אדם ליתן דין וחשבון על כל שראת עינו  
ולא אכל.

“We will be judged for all permissible enjoyments that one’s eyes behold and one does not partake of.”

The *Korban Eidah* who comments here explains that the reason he will be punished is that he sinned against his soul and afflicted it for no reason by withholding these delights. Judaism teaches that only someone who has learned to experience and enjoy pleasure, and has come to appreciate that all of the wonderful pleasurable aspects of this world are from *Hashem*, will be fully capable of praising *HaKadosh Barukh Hu's* greatness. Therefore enjoying pleasure is part of developing a deeper relationship with *Hashem*. But the pleasure has to be in the context of developing ourselves spiritually and coming closer to *Hashem*. Pleasure is a good by-product of living life in a Torah way, but it is not an end unto itself. Part of living in a Torah way, and part of making the physical become spiritual is learning to overcome our desires by developing our self-control, a spiritual part of ourselves. We don't eat until we make a *brakhah*; we don't start our day until we *daven*; we don't eat milk after meat. These are all ways in which we develop self-control, which ultimately helps to make us more spiritual beings. We are more spiritual beings in the sense that rather than being controlled by our physical selves, our desires, we are in control of our desires. We indulge them, but we are not controlled by them.

Can you think of something in *Parshat Bereishit* which could prove this?

**BEREISHIT 2:7-24**

*Hashem* creates animals and then he creates man. Man has no partner among the animals, and for this reason *Hashem* creates a woman to be a partner for man. When *Hashem* creates man we are told something that is different from the creation of all other beings.

*Hashem* breathes into man's nostrils "*Nishmat Hayim*." What is this "*Nishmat Hayim*"?

Says *Rashi*, "*Helek Elo-ah Mima'al*."

*Hashem* breathes a small piece of Himself into *Adam HaRishon*, which we usually refer to nowadays as our "*Neshamah*."

- What does this mean for humankind?



This *Neshamah* makes humans different from all other creatures on earth. We become the only creation who combines within ourselves both a physical and a spiritual side.

- How are humans different from angels on the one hand, and animals on the other hand?

Angels are purely spiritual beings following *Hashem's* command because they were created without the capacity for choice.

Animals are purely physical beings that follow their instincts, behaving according to their nature.

Humans on the other hand are a unique mixture of both physical and spiritual.

- Why do you think *Hashem* made us unique?

Let's come back to our pleasure principle. Judaism does not see the purpose of life as being the pursuit of pleasure. Judaism sees the purpose of life as working on being close to *Hashem*, fulfilling His *mitzvot* and serving Him and bringing Him honor through using our abilities to do good in this world. It is this mixture of physical and spiritual which enables us to be in the unique position of elevating all of our physical activities, everything we do, and giving them a spiritual component too. Pleasure is a good thing as long as it is not an end in and of itself. Modern Western society encourages us to see pleasure, and especially sexuality, as a central focus of our lives. Sexuality is something Judaism believes is beautiful and good, but only in the context of marriage. Just as everything about us is both physical and spiritual, so too we see sexuality as being part of a relationship which represents the ultimate connection of physical and spiritual – which is the relationship of a male and female in the context of marriage.

The class can be concluded here. For those who are interested, there is a further discussion of the purpose of *mitzvot* which can be added.

- How do we do this?  
Judaism is a religion based on actions; we have 613 *mitzvot*.
- Why do you think we have *mitzvot*? What is the point of them?

Two answers (see attached source sheet at the end of this lesson plan 6.122):

**1. Sefer HaHinukh – אחר המעשים נמשכים הלבבות**

*Hazal* understood that we are much more influenced by our actions than by anything else. We can learn many different ideas, but we are most strongly influenced by the things we actually do.

**2. Ramban – כדי לצרף בהן את הבריות**

*Ramban* says the *mitzvot* were given to us in order to give us opportunities to improve ourselves. The *Ramban* uses the image of a silver-smith who keeps on working the silver in order to make it smoother. So too, the more we do *mitzvot*, the more we develop ourselves and “smooth” our souls and improve ourselves as human beings.

- What does all this have to do with pleasure and sexuality?

We come back to the question; how does pleasure fit into this equation?

*Hakadosh Barukh Hu* created us both physical and spiritual, and *each* of these aspects of ourselves is important. Neither part should be denied. Our physical, more animalistic side is not bad or evil and the idea of wanting and enjoying pleasure is an important and legitimate part of being human. That being said, the fact that we are both physical and spiritual means that we need to infuse our physical experiences with a spiritual dimension and in so doing make the physical also spiritual.

- Can you give examples of ways we do this in Judaism?
  - *Brakhah* before we eat.
  - *Daven* before we start the day.
  - *Shabbat* with all of the special physical pleasures (foods) associated with it.

There are many more examples for so many of our *mitzvot* are essentially for this purpose.

Pleasure is a good thing as long as it is not an end in and of itself. Modern Western society encourages us to see pleasure, and

especially sexuality, as a central focus of our lives. Sexuality is something Judaism believes is beautiful and good, but only in the context of marriage. Because just as everything about us is both physical and spiritual, so too we see sexuality and a sexual relationship as being part of a relationship which represents the ultimate connection of physical and spiritual – which is the relationship of a male and female in the context of marriage.

## **HANDOUT 6.121**

### **TWO APPROACHES TO LIFE**

#### **Living by the Pleasure Principle**

Pleasure is a central part of our existence. Man has come a long way into the 21<sup>st</sup> century. So many amazing developments have changed the world and we can now allow ourselves to focus our attention on the pursuit of pleasure. Our world is full of limitless ways to indulge ourselves in physical and sexual pleasure and as physical beings we should allow ourselves to experience as much pleasure as possible. Pleasure is an end to itself and finding ways to maximize our pleasure, whether sexual, gastronomical, sensational or other is all good.

#### **Pleasure is bad**

Although we are physical beings, our struggle in life is to overcome the physical, animalistic part of ourselves. We are spiritual beings and should not allow our physical selves to bring us down into the world of the physical. The way we conquer our physical desires is by working to deny the physical sides of ourselves. We should not indulge in any physical pleasures, and rather quite the opposite, we should constantly train our bodies to be free of the need for any kind of physical pleasure. Pleasure is intrinsically bad and we should dedicate ourselves to developing ourselves spiritually so that we do not need anything physical.

## HANDOUT 6.122

### JUDAISM'S ATTITUDE TO PLEASURE

בראשית ב:טו

טו ויקח ה' אלקים את־האדם וינחהו בגן־עדן לעבדה ולשמרה: טז ויצו ה' אלקים על־האדם לאמר מכל עץ־הגן אכל תאכל: יז ומעץ הדעת טוב ורע לא תאכל ממנו כי ביום אכלך ממנו מות תמות:

Hashem God took the man and placed him in the Garden of Eden, to work it and to guard it. And Hashem God commanded the man, saying, "Of every tree of the garden you may freely eat; but of the Tree of Knowledge of Good and Bad, you must not eat of it; for on the day you eat of it, you shall surely die."

- What instructions is man given here? (Look carefully – there is more than one)
- What can we learn from these multiple instructions?

פרקי אבות ו:ד

כך היא דרכה של תורה: פת במלח תאכל, ומים במשורה תשתה, ועל הארץ תישן, וחיי צער תחיה ובתורה אתה עמל; ואם אתה עושה כן, "אשריך וטוב לך" (תהלים קכח, ב) אשריך בעולם הזה, וטוב לך לעולם הבא.

This is the way of the Torah: Bread and salt will you eat, measured water will you drink, on the ground will you sleep, a life of suffering will you live, and in the Torah will you labor. If you do this, 'You are fortunate and it is good for you' (Psalms 128:2). 'You are fortunate' – in this world; 'and it is good for you' – in the World to Come.

- What is the approach of this Mishnah to pleasure?

ירושלמי קידושין ד:יב

רבי חזקיה ר' כהן בשם רב עתיד אדם ליתן דין וחשבון על כל שראת עינו ולא אכל.

We will be judged for all permissible enjoyments that one's eyes behold and one does not partake of.

- What expectations does this Yerushalmi set?
- Why?

## HANDOUT 6.123

### WHAT IS THE PURPOSE OF MITZVOT??

#### 1. Sefer Hahinukh: Mitzvah 16

ועתה בני, אם בינה שמעה זאת, והטה אזנך ושמע, אלמדך להועיל בתורה ובמצוות. דע, כי האדם נפעל כפי פעולותיו, ולבו וכל מחשבותיו תמיד אחד מעשיו שהוא עוסק בהם אם טוב ואם רע. ואפילו רשע גמור בלבבו וכל יצר מחשבות לבו רק רע כל היום, אם יערה רוחו וישים השתדלותו ועסקו בהתמדה בתורה ובמצוות, ואפילו שלא לשם שמים, מיד ינטה אל הטוב, מתוך שלא לשמה בא לשמה. ובכח מעשיו ימית היצר הרע, כי אחרי הפעולות נמשכים הלבבות.

#### 2. Ramban D'varim 22:6

דברים כב:

כי יקרא קן צפור לפניך. גם זו מצוה מבוארת מן אותו ואת בנו לא תשחטו ביום אחד (ויקרא כב כח). כי הטעם בשניהם לבלתי היות לנו לב אכזרי....

וכתב הרב במורה הנבוכים (ג מח) כי טעם שלוח הקן וטעם אותו ואת בנו לא תשחטו ביום אחד, כדי להזהיר שלא ישחוט הבן בעיני האם כי יש לבהמות דאגה גדולה בזה, ואין הפרש בין דאגת האדם לדאגת הבהמות על בניהם, כי אהבת האם וחנותה לבני בטנה איננו נמשך אחרי השכל והדבור אבל הוא מפעולת כח המחשבה המצויה בבהמות כאשר היא מצויה באדם. ....ויותר נכון, בעבור שלא נתאכזר.....

..הא לא נתנו המצות אלא לצרף בהם את הבריות שנאמר (משלי ל

ה) כל אמרת אלוה צרופה:

**11TH GRADE**  
**LESSON 11: THE LIKE, LOVE, LUST GAME.**

**Goals**

1. Students will comprehend the differences between like, love and lust in a relationship.
2. Students will identify and assess reasons for ending relationships.

**Method**

Thinking about relationships

Wrong reasons for staying in a relationship

The like/love/lust game

Conclusion

**Lesson Plan**

**1. THINKING ABOUT WHAT IS RIGHT/WRONG IN A RELATIONSHIP**

Advise students to think about a recent or a current relationship (if they have not had a boyfriend or girlfriend, perhaps they can think about a friend's relationship; some of the questions can be addressed towards a friendship). It is a helpful exercise in thinking about our motivations for some relationships.

Hunt (1975) suggests asking these revealing questions:

1. Do I treat the other person as a person or a thing? If you go out with him/her because he/she is good looking (a "prize" to be with) or a way out (a ticket to the movies), that isn't love.
2. Would you choose to spend the evening alone with him/her if there were no kissing, no touching, and no sex? If not, it isn't love.
3. Are the two of you at ease and as happy alone as you are with friends? If you need other friends around to have a good time, it isn't love.
4. Do you get along? If you fight and make up a lot, get hurt and jealous, tease and criticize one another, better be careful, it may not be love.

5. Are you still interested in dating or secretly “messaging around” with others? If so, you aren’t in love.
6. Can you be totally honest and open? If either or both of you are selfish, insincere, feel confined, or unable to express feelings, be cautious.
7. Are you realistic? You should be able to admit possible future problems. If others (besides a parent) offend you by saying they are surprised you are still together, that you two seem so different, that they have doubts about your choice, better take a good look at this relationship.
8. Is either of you much more of a taker than a giver? If so, no matter how well you like that situation now, it may not last.
9. Do you think of the partner as being a part of your whole life? If so, and these dreams seem good, that is an indication of love.

## **2. GROUP BRAINSTORMING: WRONG REASONS**

### **PEOPLE STAY IN A RELATIONSHIP**

Below are a number of possible reasons we can suggest for you, but allow all students’ ideas to be included in the list if there is any basis for them.

- I’m afraid of being alone.
- I’ll be able to help her.
- So he does get really angry – I’ll be able to help him change.
- He’s the first person I kissed – I have to marry him!
- She’ll be so angry with me if I leave her – I’m afraid.
- He’s threatening me – I don’t know what to do.
- I can’t hurt him by leaving him.
- I really want to get married.
- I love the way I feel when she touches me.
- I love the way I make him feel.
- I need to escape from my family.
- It’s cool to have a girlfriend/boyfriend.

## **3. THE LIKE/LOVE/LUST GAME**

Differentiating between like, love and lust or infatuation can sometimes be difficult. Once our physical desires become activated, it is

often difficult to separate out whether I have strong feelings towards the other person, or am simply having a serious, strong attraction to that person.

In this activity, students should be presented with the three scenarios at the end of this lesson plan. They are parallel in form, but the content reflects different bases for Judy's interest in Haim. Students need to fill in the blank at the end of the scenario as to whether the feeling is like, love or lust. Students should be able to identify what experiences led Judy to feel what she was feeling, and in this way to tease out differences between like, love and lust.

#### **4. CONCLUSIONS**

- Man was created "*B'tzelem Elokim.*" Man was also created with the same strong physical attractions and desires as animals, which we sometimes call "animal instincts."
- Lust is when we are overwhelmed by those animal instinct desires which are focused only on what I want and think that I "need."
- Judaism emphasizes the importance of overcoming "lustful" infatuations which are not based in a relationship of any kind, but generally in physical desire.
- Our *Tzelem Elokim* enjoins us to overcome lustful feelings of infatuation and make sure that our desires are based in a true, committed relationship. This is how we are *mekadesh* our physical selves.

#### **Scenarios For the Like/Love/Lust Game.**

Please fill in the blanks in the scenarios below.

They can be filled in with either like, love or lust.

Be prepared to explain your answers based on the text of the scenario.

##### **SCENARIO 1**

Judy is sitting on the bus when Shira tries to come and sit down next to her.



JUDY: Hey, don't sit there. Sit in that empty spot in front of me, and then all the seats ahead will be taken.

SHIRA: Why?

JUDY: I'm saving this seat here for someone.

SHIRA: Who?

JUDY: (voice lowers to a whisper) I'm saving it for Haim Davis.

SHIRA: Who is that and why would he sit next to you?

JUDY: Haven't you noticed him? Lately, we've been walking home together – he lives near me you know! He is such a kind and thoughtful kind of a guy. Last week he noticed some children fighting, and he just went over to them on the street and helped them sort out their problem. We've been talking about life and stuff, and he is just fun to be around. We've been thinking about starting to volunteer for Yachad together. He's very good with kids and just enjoys being with them. From what I've seen, they really love him too. He's just such a normal guy. I really \_\_\_\_\_ him.

## SCENARIO 2

Judy is sitting on the bus when Shira tries to come and sit down next to her.

JUDY: Hey, don't sit there. Sit in that empty spot in front of me, and then all the seats ahead will be taken.

SHIRA: Why?

JUDY: I'm saving this seat here for someone.

SHIRA: Who?

JUDY: (voice lowers to a whisper) I'm saving it for Haim Davis.

SHIRA: Who is that and why would he sit next to you?

JUDY: Haven't you noticed him? Oh, my gosh, I have been watching him for weeks. He is drop dead gorgeous. Every time I see him I go weak at the knees. He is definitely the hottest guy around. I even had a dream about him last night. Never mind, I cannot stop thinking about him all day. And the last few days I think he has noticed me too. I am soooooo excited; I can't wait to just be close to him. So I'm keeping this seat free, and

hopefully he'll have to sit here. I can't wait to just be near him. I totally \_\_\_\_\_ him.

**SCENARIO 3**

Judy is sitting on the bus when Shira tries to come and sit down next to her.

JUDY: Hey, don't sit there. Sit in that empty spot in front of me, and then all the seats ahead will be taken.

SHIRA: Why?

JUDY: I'm saving this seat here for someone.

SHIRA: Who?

JUDY: (voice lowers to a whisper) I'm saving it for Haim Davis.

SHIRA: Who is that and why would he sit next to you?

JUDY: Haven't you noticed him? He is sooooo cute. My heart skips a beat every time I see him. We have done a few Shabbatons together and we have been co-counselors. He is smart and funny and kind and gorgeous, all rolled up into one. He has an amazing way with kids – they hang on his every word. And we've spent a lot of time talking lately. He really cares about people – he wants to be a psychologist because he thinks he could help people with their pain and sadness; isn't that nice? And he has been so kind to me. He is always caring and considerate. We went out after the Shabbaton, even though we were both exhausted. We stayed up till 2 A.M. talking. And then, of course, I was up the rest of the night, just thinking about him. I really think I \_\_\_\_\_ him.

**11TH GRADE**

**LESSON 16: SEXUAL ETHICS: A  
RABBINIC PERSPECTIVE**

(Based on the teachings of Rabbi Eliezer Berkovits)

**Goals**

Students will be exposed to a rabbinic understanding of the importance of abstinence.

## Method

Independent *hevruta* learning and written response activity

Discussion

Conclusion

## Lesson Plan

### **1. INDEPENDENT HEVRUTA LEARNING OF GEMARA AND WRITTEN RESPONSE**

Allow students to learn *Gemara* independently in partners.

*Gemara* is at end of lesson and can be found in *Menahot* 44.

Students should list on an index card the items in the story they view as symbols.

They can also suggest an interpretation of these symbols.

### **2. DISCUSSION**

Introduce topic of discussion. Set the tone in terms of the maturity of the students expected for a discussion on this topic.

Emphasize the fact that the rabbis are not shy to talk about anything, as long as it is treated with dignity.

*Menahot* 44:

Learn through *Gemara* source with students so that they have an understanding of the basic story.

Prepare them by asking them to be aware of various symbols in the story.

On completing the text give them a few minutes, perhaps in *hevruta*, to write down on an index card objects they saw as having symbolic meanings and what those meanings are.

Then, analyze the story together. Invite students to share their insights.

On the next page you will find a table explaining many of the symbols found in the *Gemara*.

Through the understanding of the symbols used by the *Gemara*, important lessons can be extracted.

Symbols for Discussion:

Symbol	Suggested Meaning – Discussion Topics
6 beds of silver and one bed of gold	Note that the beds are stacked one on top of the other. It creates an image of this silver and gold tower reaching for something. Use this image to discuss the promise that sexuality holds, especially in our society, as some lofty, transcendent ideal. The gold and silver also speak to something that has great external and material value – it is a commodity in great demand. It is worth suggesting that the tower is inherently unstable (seven bunk beds cannot be that sturdy) and that those who ascend such towers are destined to fall.
<i>Tzitzit</i> smacking the man in the face	The <i>Gemara</i> itself unpacks this symbol as the man testifies that the “ <i>Tzitzit</i> appear to him as four witnesses accusing him.” This can be expanded upon as the importance and function of <i>tzitzit</i> is explored (Addendum). In short, the <i>tzitzit</i> remind him of his spiritual self that has been lost in his bid for carnal gratification.
The man is “released – נשמט” and then comes down to the ground from being on top of the beds	The word “released” is packed with meaning. It suggests that he was in the grip of something foreign and has now finally been released and allowed to come back to his true self. The act of coming down from the heights of this sexual fantasy to sit on the ground of reality is also significant. So many false promises and unhealthy myths are put forth by our society as to what sexual fulfillment is, how it is to be achieved and what happiness it brings in its wake. Being “grounded” – having a realistic sense of what sexuality is and how it enhances life – is an important goal of this lesson.

The note that he writes and puts in her hand	This is the first sign of any relationship between them. Finally they are connected as people – not objects – concerned about the person’s background, where they come from and who has taught them.
The same sheets which were spread for the intended illicit relationship were also taken for their eventual marriage.	This is the punch line of the <i>Gemara</i> and of this session. It is simple and powerful. In the end, the man sacrifices nothing in terms of sexual fulfillment. Judaism embraces sexuality as a wonderful part of our existence as long as it exists in the proper context. Those same sheets that were part of a gilded sexual fantasy of some exotic prostitute found their way into a loving marriage.

### 3. Present Conclusion

The conclusion clearly develops out of the discussion presented above.

- Tell your students directly – your sexual desires will find expression and fulfillment. The goal is to create the proper framework so that sexuality can be part of a loving, giving and eternal commitment and not a lustful experience of two people treating each other as objects for their own sexual gratification.
- Human beings are complex beings – half animal and half angel. Our bodies, instincts and desires are very similar to those of every creature in the animal world. The difference is that we believe that we are also composed of a *neshamah*, an angelic soul that takes its source from the Almighty.
- What part of our being is in the driver seat at any given time? Are we treating sexuality as a carnal pleasure or do we see it as fulfillment of our humanity, an expression of God’s will: to be as one flesh? The difference in the same sexual act is significant.
- This difference is expressed when sexual fulfillment comes after and secondary to an eternal commitment between a man and

a woman to protect each other's interests and build a home together.

- One challenge for students to anticipate is the following: most students agree that sexuality should not be just an expression of lust between two people seeking mutual gratification, but still argue that they are capable of love and commitment. Why should the love they feel not be able to be expressed sexually? After all, they know each other and respect each other as people and want to express their love in an intimate way – sexually. Here, the argument must be made that the key element is a life-long, eternal commitment to one's partner. While it is important to not deny teenagers the capacity to love, it is important to argue that sexual relations are that holy, that intense, that they require the eternal commitment of marriage in order to be properly realized.
- A sexual relationship is an important component of a relationship when it is a relationship based on the commitment of marriage. Being "in love" is not enough. It is the commitment of marriage which raises sexuality to being a central part of a deep and meaningful committed relationship between two people.
- One must not confuse lust, and its effect on man's imagination, with the beauty and dignity of a sexual relationship within the context of marriage.
- The same sheets which were laid down for a potentially illicit relationship were used once the couple married. This reflects the idea that sexuality within marriage can be as passionate and fulfilling as the fantasy associated with a forbidden sexual relationship.

מנחות מד:

א"ר נתן אין לך כל מצוה קלה שכתובה בתורה שאין מתן שכרה בעה"ז ולעה"ב איני יודע כמה צא ולמד ממצות ציצית מעשה באדם אחד שהיה זהיר במצות ציצית שמע שיש זונה בכרכי הים שנוטלת ד' מאות זהובים בשכרה שיגר לה ארבע מאות זהובים וקבע לה זמן כשהגיע זמנו בא וישב על הפתח נכנסה שפחתה ואמרה לה אותו אדם ששיגר לך ד' מאות זהובים

בא וישב על הפתח אמרה היא יכנס נכנס הציעה לו ז' מטות שש של כסף ואחת של זהב ובין כל אחת ואחת סולם של כסף ועליונה של זהב עלתה וישבה על גבי עליונה כשהיא ערומה ואף הוא עלה לישב ערום כנגדה באו ד' ציציותיו וטפחו לו על פניו נשמט וישב לו ע"ג קרקע ואף היא נשמטה וישבה ע"ג קרקע אמרה לו גפה של רומי שאיני מניחתך עד שתאמר לי מה מום ראיתי בי אמר לה העבודה שלא ראיתי אשה יפה כמותך אלא מצוה אחת ציננו ה' אלהינו וציצית שמה וכתיב בה אני ה' אלהיכם שתי פעמים אני הוא שעתיד ליפרע ואני הוא שעתיד לשלם שכר עכשיו נדמו עלי כד' עדים אמרה לו איני מניחך עד שתאמר לי מה שמך ומה שם עירך ומה שם רבך ומה שם מדרשך שאתה למד בו תורה כתב ונתן בידה עמדה וחילקה כל נכסיה שליש למלכות ושליש לעניים ושליש נטלה בידה חוץ מאותן מצעות ובאת לבית מדרשו של ר' חייא אמרה לו רבי צוה עלי ויעשוני גיורת אמר לה בתי שמה עיניך נתת באחד מן התלמידים הוציאה כתב מידה ונתנה לו אמר לה לכי זכי במקחך אותן מצעות שהציעה לו באיסור הציעה לו בהיתר זה מתן שכרו בעה"ז.

Menahot 44:

There was once a man who was very scrupulous about the principle of *tzitzit*, who heard of a certain harlot in one of the towns by the sea who accepted four hundred gold coins for her hire. He sent her four hundred gold coins and appointed a day with her. When the day arrived he came and waited at her door, and her maid came and told her, "That man who sent you four hundred gold coins is here and waiting at the door," to which she replied, "Let him come in." When he came in, she prepared seven beds, six of silver and one of gold, and between one bed and the other there were steps of silver, but the last were of gold. She then went up to the top of the bed and lay down upon it naked. He too went up after her in his desire to sit naked with her, when suddenly the four fringes [of his *tzitzit*] struck him across the face; whereupon he slipped off and sat upon the ground. She also slipped off and sat upon the ground and said, "By the Roman Capitol, I will not leave you alone until you tell me what blemish you saw in me." "By the Temple," he replied, "never have I seen a woman as beautiful as you are; but there is one precept

which the Lord our God has commanded us, it is called *tzitzit*, and with regard to it the expression *I am the Lord your God* is twice written, signifying I am He who will exact punishment in the future, and I am He who will give reward in the future. Now the *tzitzit* appeared to me as four witnesses [testifying against me].” She said, “I will not leave you until you tell me your name, the name of your teacher and the name of your school in which you study the Torah.” He wrote all this down and handed it to her. Thereupon she arose and divided her estate into three parts: one third for the government, one third to be distributed among the poor, and one third she took with her in her hand; the bedclothes, however, she retained. She then came to the *Beit Midrash* of R. Hiyya and said to him, “Master, give instructions about me that they make me a proselyte.” “My daughter,” he replied, “perhaps you have set your eyes on one of the disciples?” She thereupon took out the script and handed it to him. “Go,” said he “and enjoy your acquisition.” Those very bed clothes which she had spread out for him for an illicit purpose she now spread out for him lawfully.

#### ADDENDUM

There are interesting sources to look at which explore the function of *tzitzit* as witnesses which guard us. The source of this approach seems to be in the juxtaposition in the Book of Numbers of the story of the ten spies in Chapter 13 and the Mitzvah of *tzitzit*, given in Chapter 15.

Both sections are introduced with the verb לתור – to scout, spy or wander. That was the function of the spies, and we are told in *Parshat Tzitzit* לא תתורו – don’t wander after your heart and your eyes. Apparently, *tzitzit* serve to guard against the unimpeded wandering of our hearts and minds, and remind us to continually view reality from the standpoint of a people with a unique and deeply committed relationship with *Hashem*.





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## ORTHODOX FORUM

### Seventeenth Conference

Sunday & Monday, April 3 & 4, 2005  
Park East Synagogue  
164 East 68<sup>th</sup> Street  
New York City

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# Index

## *A*

Abraham, 4, 10  
abstinence, 6, 30, 48, 51, 80, 165, 227, 252,  
256–261  
*agunah*, 109  
assimilation, 99–100  
Avigail, 9

## *B*

*Ba'al Keri*, 16, 20, 22  
Beit Yaakov, 77  
birth control, 12, 80, 82, 162, 169, 176–177,  
188–189, 208, 219, 220, 230–233, 237

## *C*

celibacy, 8, 43–46, 49–51, 53, 109  
childbirth, 166–167, 232–233  
    high death rate, 75  
    outside of marriage, 81, 146, 148–149  
commitment,  
    by singles, 80, 85–90, 149, 161

## *D*

David, 9  
divorce, 69, 74–75, 79, 82, 133, 156, 159–160  
    aversion to, 77, 79

## *E*

eating disorder, 91–92, 109  
education  
    in *taharat hamishpahah*, 131–224  
    of children, 243–291  
    of men, 62, 72–75, 102  
    of women, 70, 72–74, 77, 82, 102, 107  
    as reason for delayed marriage, 99–102  
egalitarianism, 67–70, 82, 108, 188  
evil inclination, 23, 50–51, 54–55, 79, 98

## *F*

family names, 68  
family purity, *See: taharat hamishpahah*  
family values, 101  
family, 66–68, 70, 76–77, 81, 96–97, 101–107,  
117–118, 132–136, 146–156, 159, 165–169,  
178  
    patriarchal, 66–67  
    single-parent, 111  
feminism, 101, 105–106  
    impact on family, 105  
fertility, 96–97, 99, 169, 234–235

## *H*

health, 13, 92, 159  
homosexuality, 81, 116–117, 148–155, 159  
human body, xvi, 27, 47–49, 52, 92  
    as obstacle to spirituality, 48  
husband  
    as patriarch, 65–67  
    as scholar, 16, 19–20, 27, 67, 73–75, 195  
    *holeikh ba'atsat ishto*, 4  
    will of, 4

## *I*

infertility, 41, 220  
    *halakhic*, 234–236  
infidelity, 167–169  
    virtual, or via the Internet, 138–140,  
    142, 156, 168  
Internet,  
    impact on *halakhic* discourse, 134,  
    138–150, 154, 170  
    impact on marriage, 138–141  
Isaac, 66  
*Ishah Kesheirah*, 4

## *J*

Jacob, 66, 157  
Joseph, 246

## K

- kedushah*,  
 as context for intimacy, 24, 85–87,  
 193–195, 244, 253–257  
*kiddushin*, 6, 194, 258

## M

- marriage  
 as covenant, 5  
 as shield against sin, 40, 158  
 bestowing holiness, 49–50  
 Christian view of, 43–46, 48–50  
 delayed, *See*: Singlehood, extended  
 for companionship, 7–8, 40–42  
 for procreation, 4, 6–7, 14, 26–27  
*Maskilim*, 67–68  
 masturbation, 157–158, 256  
 matchmaking  
 by God, 38–39  
 by matchmaker, 69, 77, 109, 112  
*mikvah*, 16, 21–22, 82, 145, 176, 180–182,  
 183–187, 212–213, 234–235, 237  
 for single women, 145  
 Moses, 8

## N

- negiah*, 109, 257, 259  
*niddah*, 10–13, 36, 173–187, 188–192, 199,  
 208–224, 225–237  
 non-marital relations, 24–25, 80–81, 145,  
*See Also*: pre-marital relations

## O

- obligations in marriage, 133, 149–150, *See*  
*also*: *Onah*  
*onah*, 15–20, 24, 53–54, 161, 195–197,  
 203–205  
 frequency of, 15–20, 21–22, 195

## P

- pornography, 138–139, 152  
*posek*, 178–183  
 Potiphar, 146  
 prayer, 41, 70–71  
 pre-marital relations, 55–56, 121–124, 145,  
 157, 159, 211  
 prenuptial agreement, 156  
 procreation, 4, 6–7, 14, 26–27, 39–45, 53–55,  
 161, 169, 133

- prostitution, 79–81, 152

## R

- Rachel, 157  
 remarriage, 74–75, 79, 96  
 responsa, 132–133  
 via the Internet, 134–135, 140–143,  
 155–170, 226–236

## S

- Sarah, 4, 10  
*shomer negiah*, *See*: *negiah*  
 singlehood,  
 extended, 96, 99–102, 108–109  
 singles  
 by choice, 94  
 communal pressure upon, 98–99  
 marginalized, 94, 97–98  
*sotah*, 147  
 synagogue,  
 as male domain, 102, 107  
 role in community, 115–116, 118

## T

- taharat hamishpahah*, 73, 132–133, 146,  
 165–167, 173–201, 207–224, 225–237  
 technology,  
 impact on *halakhah*, 136–137  
*Torah she'be'al peh* (Oral law), 131–132,  
 133–134, 156  
 marriage in, 132–133  
*Tzedakah*, 71  
 Tzelem, xiii–xiv, xxi  
*Tzitzit*, 287–291  
*tzniut*, xvii, 2, 9, 26, 186–187, 222–223, 249

## W

- wife  
 as breadwinner, 67  
 as homemaker, 68, 103, 149, 218  
*Ishah Kesheirah*, 4  
 as matriarch, 68  
 influence on husband, 66

## Y

- yetzer*, *See*: evil inclination  
*yihud*, xvi, 190, 260