

Communications

RATIONALIZING BIBLICAL *TUM'Á*

TO THE EDITOR:

As a teacher of *kallot* and *batanim* for the last seven years, I often help my students grapple with the meaning of the *tum'a ve-tabara* system. For many, it is difficult to accept that one's own body harbors "impurity" on a regular basis. We live in a post-*Beit ha-Mikdash* religious time where *tum'a* is almost never a factor in any other way. (Washing our hands before eating bread is not at all akin to the stringencies of *Hilkhot Nidda*.) I try to validate their concerns while attempting to show how observance of these laws might fit into an appreciation of the rhythms of *tum'a* and *tabara* in our lives, a healthy sexual relationship, and a respect for the different aspects of the human body with which God has provided us. Part of teaching the laws of *Nidda* is showing students how to appreciate what keeping these *halakhot* may mean for a sexual relationship. I try to help my students to understand the holiness of human sexuality, which stems both from its procreative possibilities (in which ovulation, the process that leads to menstruation, of course plays a major role), as well as from the potential for true intimacy that may be achieved between a couple.

I therefore found jarring R. Shlomo Spiro's highly speculative article, "On Rationalizing Biblical *Tum'a*" (*Tradition*, 43:1, Spring 2010). His theory has much potential to do harm. For example, he speaks of the "malaise and unwholesomeness of menstrual blood" (p. 31). I do not believe this to be an accurate depiction, either medically or theologically, and I cannot imagine why we would want to teach this to the women or men in our community. Likewise, his suggestion that the reason that "emission of semen is considered a *tum'a* is because it is associated with the curse of Eve...that she will ever desire her husband, which of course normally results in sex and semen emission" (p. 31). If I understand him correctly, R. Spiro suggests that sexual desire (or perhaps just female sexual desire?) is essentially sinful in origin, since it is part of the "curse of Eve."

Compare this view with the Torah perspective presented by R. Aharon Lichtenstein:

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

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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.

(R. Aharon Lichtenstein, "Of Marriage: Relationships and Relations," from *Gender Relations in Marriage and Out*, ed. Rivka Blau, p. 24)

This, I feel, represents the Torah view we should be presenting to our students.

In addition, I would mention that in order for R. Spiro's theory to be more convincing than any of the others he mentions in his article (Mary Douglas, Emanuel Feldman), he would have had to create a theory that took all the categories of *tum'a* into account, and I do not believe that he has done so. Instead, he built a speculative theory based on his reading of a few *midrashim* here and there, *midrashim* which are certainly at odds with many other sources in Hazal.

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R. SPIRO RESPONDS:

My essay is not intended as a manual for young couples to convince them that sex can be beautiful, and that when engaged in according to halakha can be even more beautiful. Such attempts dress the laws of *nidda* in attractive ideas to promote observance, which is a noble undertaking. However, when studying and explaining the Torah, the whole truth is the only value.

Many who teach *taharat ha-mishpaha* today attempt to cover over what is too obvious to deny, that *tum'a*, including *tum'at nidda*, in the plain meaning and connotation of the *peshat* is ugly, repugnant, and

repudiated by God. He does not accept *tum'a* in precincts of his Holy Temple. It is the opposite of *tabara*, which is purity and holiness.

These are not concepts useful in “selling” *taharat ha-mishpaha*, as Ms. Wolkenfeld is obviously interested in. But skipping what the Torah plainly says, that the human body does “harbor impurity” both for men (in the case of semen and venereal discharge) and women (in the case of menstrual blood), and disguising *nidda* as a natural period created mainly to enhance and learn to appreciate the joy of the permissible, is to teach a half truth. My essay is an attempt to come to terms with the negative character of *tum'a* as described by the Torah, and to rationalize its multifariousness. Any serious student of the Torah would rather have the whole truth rather than sweet half truths even if the whole truth is “jarring.”

While it may be true, as Ms. Wolkenfeld claims, that we live in a “post-*Beit ha-Mikdash*” era, where all but a few of the laws of *tum'a* are practically inapplicable, we still cannot blindly ignore the whole book of Leviticus and the large body of halakhic literature that treats those laws.

Thus when I write about the desire of Eve for her husband, though it may be presented by the text as a positive aspect of man-woman relationship, one cannot get around the fact that the Torah plainly states that it is a punishment decreed by G-d – not sinful, as Ms. Wolkenfeld misconstrues my meaning, but a *result* of sin in the Garden of Eden. Rashi interprets the phrase to mean that woman, by her nature, i.e. her feminine anatomy, will have to wait for man to initiate the sexual act. Accordingly, I argue that because of this “punishment” she must draw semen from the male, something which she did not have to do in Eden (how the procreative act may have been performed at that time is discussed in my essay). Therefore, emission of semen causes *tum'a*.

Ms. Wolkenfeld does not believe what I've written about the “malaise and unwholesomeness of menstrual blood” is “medically or theologically” accurate. That is quite an astonishing statement in view of the massive medical, psychological, anthropological, *and* theological literature treating this as a real phenomenon. (On the theological level, see *Nidda* 9a among many other places.)

Ms. Wolkenfeld's lengthy quote from R. Lichtenstein on the attitude of Judaism towards love and sex which she contrasts with my approach is totally irrelevant to the subject at hand. R. Lichtenstein writes about the general attitude of our faith towards love and sex, and does not touch at all on the subject of *tum'a*.

I truly believe that when the laws of *taharat ha-mishpaha* are taught that one must be honest and present the *tum'a* aspect as the Torah means it.

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What may be emphasized on the positive side is the act of purification, i.e., the ritual of immersion in earth's natural waters that symbolically seeks to repair a broken world and bring a modicum of Paradise into it via *tikkun* of the punishment that exiled man and woman from that Garden. Any woman who immerses in the *mikveh* participates in this *tikkun olam*, as does any man when he shows his appreciation of this "repair" by being intimate with his wife after *tabarah*, as I point out in my essay.

As to Ms. Wolkenfeld's claim that I have failed in my essay to contribute to a greater understanding of *tum'a*, I am modestly happy to say there are many who would disagree with her.

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Jewish thought on this matter reflects two very different sets of orientation. Those whose thinking centers on Halakha and/or the classical heritage of medieval Jewish philosophy, down through its modern offshoots, tend to view *tum'a* in legalistic or symbolic terms. Those whose Judaism is mystical and those who examine the Torah from the perspective of comparative religion and ancient Near Eastern history, are inclined to identify *tum'a* with the kind of reified categories familiar from that anthropological milieu. The former maximize the distance between Judaism and pagan religion. The latter do not wish to ignore overlap in content and structure between Judaism and the ideas and institutions of the pagan world. The remoteness of *tum'a* from contemporary experience makes it more difficult to produce a comprehensive theology that does justice to these varied elements.

Even were it not for our educational needs, there would be reasons for us to tilt towards the rational and legalistic themes belonging to the tradition of Rambam and *Kuzari*, R. S.R. Hirsch and R. Joseph Soloveitchik, rather than to focus on mystical reifications or on whatever common ground Judaism shares with paganism. For such a halakhic overview, see the opening chapters of *Shiurei ha-Rav Aharon Lichtenstein on Toharot*. Despite this, we cannot suppress discussion that brings to bear the latter orientations.

With respect to *nidda* in particular, it is worth noting the distinction associated with R. Yosef Engel (*Atvan d'Orayta* section 21; for additional discussion see the *Yosef Omets* notes to the section) between the prohibition of marital intercourse for a *nidda* and the category of *tum'a*. Also one must include efforts to integrate the halakha of *nidda* with an Orthodox perspective on marriage, as exemplified in R. Norman Lamm's *Hedge of Roses*.

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