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EXPANDING THE HEDGE: THE PRIMACY OF LAW IN LOVE

A Hedge of Roses: Insights Into Marriage and Married Life
(Feldheim, 1966)

It is a daunting task to critically analyze the work of my *zeide*, Rabbi Dr. Norman Lamm; it is doubly confounding to undertake this task when he is no longer present for me to discuss these matters with him. Nonetheless, I strive to contribute to perpetuating and enhancing the observance of Family Purity and Jewish marriage—his two stated goals in writing *A Hedge of Roses*.¹ I feel enormously privileged to write on this topic both as a student of a great Jewish thinker and leader, and as a granddaughter of Norman and Mindella Lamm ז"ל, in whose home I had the exceptional privilege of seeing the actualization of the ideals of Jewish marriage.

A Hedge of Roses is often viewed as an apologetic work, composed in the 1960s to promote the observance of the laws of Family Purity, which were largely neglected in Modern Orthodox circles in that era.² As such, R. Lamm set out to defend the laws of Family Purity by presenting specific ways in which they can enhance marriage, and by highlighting how their observance can ground the relationship in broader ethical and Jewish values. Numerous subsequently published volumes on the laws of Family Purity have similarly recast the laws of Family Purity in a positive light, as well as reconceptualized the status of a woman who is *Nidda*.³ In light of the remarkable proliferation in the observance of Family Purity since the first publication of *A Hedge of Roses*, questioning the relevance of this slim volume on the bookshelf of a contemporary young couple is appropriate. Pioneering as it was when R. Lamm penned it well over a half-century ago, as a Yoetzet Halacha and Kallah teacher I have been party to various conversations concerning its ongoing significance. Is there still a need for expositions on the laws of Family Purity that serve primarily as arguments and motivations for observance? Are the questions that modern couples

contend with addressed by writings such as *A Hedge of Roses*? While this query can and should also be addressed from a psychosocial and cultural perspective, the very premise that *A Hedge of Roses* is merely an early and influential contribution to the canon of apologia for the laws of Family Purity begs reexamination. An analysis of this book, in tandem with R. Lamm's other writings, supports the thesis that *A Hedge of Roses* offers more than novel *ta'amei ha-mitzvot*. Instead, *A Hedge of Roses* is to be viewed as one of many expressions of R. Lamm's broader philosophy regarding the role of Jewish law in protecting human relationships. An exploration of other of his writings support this contention, locating *A Hedge of Roses* in the context of R. Lamm's wider outlook and philosophy on the role of halakha.

The material in *A Hedge of Roses* was originally presented to meetings of the Young Marrieds Club at The Jewish Center in Manhattan, where R. Lamm served as spiritual leader for seventeen years. It was subsequently published as a book in 1966, among the very first works on the subject in English, and reissued in five subsequent editions, culminating in the 1987 edition. (R. Lamm expanded and revised the text over the course of its publication history.) Its appeal to the Jewish world at large is underscored by its translation into French, Hebrew, Portuguese, Russian, and Spanish.

R. Lamm opens: "Most marriages are *failures*. That simple, stark, devastating fact must be impressed upon every young couple contemplating marriage" (11). His stated goal is:

to address those who have decided to risk marriage—both its pains and pleasures, its restraints and its opportunities... on the hope that an awareness of the dangers to marriage will underscore the personal growth and fulfillment that may be found in and because of it, and that this in turn will lead young people to listen attentively to what the Jewish tradition has to say about a special method of enhancing the relationship they are contemplating (7).

This pithy yet powerful work is constructed in a manner which pleads the case for the observance of Family Purity by first suggesting three areas in which it enhances the sexual relationship, and then by proposing that these laws are fundamental to Jewish theology at large in two respects.

In chapter 1, titled "Sexuality & Morality," R. Lamm presents the psychological dilemma confronting modern man regarding how to view sexuality. He suggests that the laws of Family Purity provide a reconciliation of the permissive, hedonistic, pagan views and the sexual revolution, on one hand, with the restrictive approach espoused by Christianity, on

the other. In chapter 2, he offers some brief responses to common critiques of the rabbinic terminology used about Family Purity, in addition to sharing some brief thoughts on *ta'amei ha-mitzvot*.

The first of the three benefits of mandated separation delineated in chapter 3, titled “Staying Married,” is that it defends “the marital bond from one of its most universal and perilous enemies... the tendency for sex to become routinized” (55). The second, often referred to colloquially, and by R. Lamm himself, as the “perpetual honeymoon,” is that observance of Family Purity enables, “a marvelous domestic miracle [to occur]: the honeymoon lasts throughout the greatest part of one’s active life. The drama of love-without-sexual-contact followed by the loving union of husband and wife and their being together is repeated every month” (61–62). Finally, he posits that mandated periods of abstinence ensure that the relationship remains in “I-thou” mode and not in “I-it” mode—defending the woman from sexual objectification.

In the remainder of the book, R. Lamm examines Family Purity through the lens of the wider halakhic landscape. Citing the two realms of time and space in which halakha ennobles and enables man to sanctify the world, he offers the oft-cited thesis that women are exempt from positive time-bound commandments because, “they *do not need them*.... The periodicity of her menses implies an inner biological rhythm that forms part and parcel of her life.... If she observes the laws of Family Purity, then she has, by virtue of observing this one *mitzvah*, geared her inner clock, her essential periodicity, to an act of holiness” (76–77). Second, he suggests that the life-affirming symbolism of the *mikve* waters is the perfect antidote to the ritual impurity of *Nidda*.⁴ He calls the status of *Nidda* “a whisper of death” (81), as in the biological processes of menstruation and childbirth there is a loss of potential life or expelling of actual life from the woman. He asserts: “A Jewish home, lived according to the noble code of the Jewish ‘way,’ is a nursery of life’s sanctity” (91).

R. Lamm concludes *A Hedge of Roses* with a very brief halakhic overview of the laws and customs of *Nidda* in chapters 6 and 7. In the final chapter he articulates a final plea for observance by emphatically stating that “the future of one’s marriage and perpetuation of Judaism” (105) are contingent upon full adoption of the laws of Family Purity.

In a 1967 sermon “Law and Love” R. Lamm posits a thesis that I believe is the major underpinning of this work—and in which he even invokes the hedge of roses image, strikingly absent from *A Hedge of Roses* itself.⁵ He writes:

It is precisely because of Judaism’s concern for the integrity of marriage and home that it legislates on such matters. In fact, the more important

the subject, the more does Judaism hedge it about with laws. It is *because* marriage is so sacred and sexuality so sensitive that Torah prefers to protect it by *law* rather than wax poetical about it romantically.⁶

Law, he suggests, is necessary to guard relationships; reliance on love or other emotions is insufficient. A review of R. Lamm's writings reveals no less than five presentations of how Jewish marital law serves to preserve this most sacred relationship.⁷

The first is conveyed in the following passage: "Jewish law creates the conditions under which love can flourish in human relationships, and under which people can live humanely with each other even if they do *not* attain love." He quotes Ramban's interpretation of "Love thy neighbor as thyself" (Leviticus 19:18), as he does in other contexts as well, as an injunction to "act *lovingly* towards your neighbor." In other words, law enters to ensure that one's actions are appropriate—that they promote a sustained and moral relationship even in the absence of love.⁸ This is effective because Law demands that one acts in accordance with love as a value, and not as an emotion.

However, underscoring his belief in the importance of the emotion of love as well, R. Lamm suggests a second way that law shields the marital bond. The focus on acting lovingly functions not only to sustain, but even to enhance the relationship and restore it to its emotional ideal. In consonance with the principle that emotions are impacted by actions, he writes: "If I *act* lovingly, then a true love relationship will be built up and after a while it will not be mere role playing, but genuine."⁹ This suggestion dovetails with the first and second reasons he offers in *A Hedge of Roses* for the drama of twelve days of separation followed by reunification. Namely, this dynamic facilitates the sexual relationship remaining vibrant as well as the continuation of the "perpetual honeymoon."

The third power of law in the context of marriage emerges: While love is important, law is more important. R. Lamm reminded his audience that, "when married, whether or not it was ushered in by a great love affair, we are commanded to act lovingly to each other."¹⁰ Essentially, he disempowers the emotional *history* of the relationship from dictating criteria for future behavior. Loving actions supersede loving emotions. His focus on the primacy of loving acts versus the emotion of love can also be interpreted as a response to the common expectation that marriage contains the heights of passion that exist in a romantic relationship outside the bonds of matrimony. His focus here on the primacy of loving actions is one of many examples of R. Lamm's response to the misguided expectation that a marriage will always contain the heights of passion

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that exist in a romantic relationship outside the bonds of matrimony. For R. Lamm, it is the maintenance and stability of a moral relationship that is crucial. Thus, acting lovingly is required independent of the presence or absence of fiery passion.¹¹

He further develops the interplay between law and the stability of the relationship in *A Hedge of Roses*. He writes: "It is this codified tradition, this obligatory Law, that has bestowed the gift of stability upon the Jewish family" (54). Here he outlines a fourth contribution of law to marriage: The very fact that the laws are codified and binding, as opposed to voluntary, is that which engenders a secure marriage. In turn, it is this which facilitates "the perpetuation of the Jewish home and thus the perpetuation of Jewish tradition."¹² In response to the age-old challenge: "Can't I create my own laws of separation and achieve the same goal?" R. Lamm replies: "No voluntary separation can ever be as effective... as one which is mutually accepted as religiously binding" (46–47). The stability of law serves as the stabilizing force in marriage.

Finally, and perhaps most fundamentally, R. Lamm suggests that the presence of the laws of marriage and divorce remind the couple about the import and consequences of marriage. He writes: "Marriage is a lifelong relationship of the most significant and far-reaching consequences."¹³ R. Lamm's writings are replete with reflections garnered from his pastoral experience on the lack of seriousness and romantic delusions with which couples approach marriage.¹⁴ The presence of many legal technicalities, he suggests, functions as a reminder about the seriousness of this relationship.

In summary, R. Lamm's writings on marriage reveal multiple means through which law fortifies the marital bond. An exploration of other of his works will reveal that this is an application of a larger principle in his thought—a deep commitment to the idea that law plays a critical role in the safeguarding of *all* relationships.

In his sermon "Can I Love My Neighbor If I Hate Myself?" (*Kedoshim* 1964), R. Lamm presents the debate between R. Akiva and Ben Azzai regarding the most central principle in the Torah. R. Akiva famously asserts that "Love thy neighbor as thyself" is most important, while Ben Azzai argues that "'All men are created in the image of God' (Genesis 5:1) is the greater principle." R. Lamm states that loving one's neighbor, "is the very heart of so many other laws which regulate man's social behavior and ethical conduct." This statement clearly supports his contention that legislation of *relationships in general* is a centerpiece of halakha. Furthermore, he explains the position of Ben Azzai as follows: "For were we to rely only on 'love thy neighbor as thyself,' then a man might say, since I have been disgraced let my fellow-man be disgraced with me, since I am accursed let my fellow-man be accursed." R. Lamm

observes that emotions regarding one's self are too flighty and fickle to guide interpersonal interactions. Loving another *as one loves himself* is therefore an unstable criterion for mandating interpersonal behavior. He understands Ben Azzai's position to mean that the way in which one treats others must be based on a *fixed principle* that can weather all emotional storms. This is the position of Ben Azzai.¹⁵

In "Living Up To Your Image" (*Teruma* 1968) R. Lamm again suggests that law protects a variety of relationships. In this context, he also addresses the perennial dichotomy between how one feels and acts. Reminding his congregants of the obligation to gild the Holy Ark both on the outside as well as on the inside (Exodus 25:11), he highlights Rava's exposition that any Torah scholar whose inside does not match his outside is not a proper scholar (*Yoma* 72b). R. Lamm extends this injunction to include all Jews and eloquently states:

Thus, our Rabbis saw in our verse a plea for integrity of character, a warning against a cleavage between theory and practice, against a discontinuity between inwardness and outwardness, against a clash between inner reality and outer appearance. A real Jew must always be *tokho ke'varo*.

After citing various halakhic and aggadic texts that present a challenge to this principle, R. Lamm revises the requirement to attain "inner and outer equilibrium" to mean that halakha asks that

we always strive for *tokho ke'varo*, that our "inside" be similar to our "outside," but it does not ask us to develop *baro ke'tokho*, an outer appearance that conforms to an inner reality. There is no demand that our external image be reduced to the dimensions of what we really are like within ourselves.... Develop a great outer life, and thereafter transform your inner life in order to equalize your whole existence.

At the conclusion of this sermon, R. Lamm presents three examples where one often experiences a disconnect between inner feelings and outward actions. He again quotes "Love thy neighbor" and here marshals the interpretation of R. Samson Raphael Hirsch. R. Hirsch directs the reader's attention to the unique grammatical construction of this commandment: "*le-rei'akha*" as opposed to "*et rei'akha*." The former mandates expressing love *to* another, while the latter requires *loving* another. Responding to the common problem, "What if one has not the ability to love his fellow men as he thinks he ought to," based on R. Hirsch, R. Lamm concludes, "Genuine love of one's neighbor must come later; first, one must love *to* him, i.e., one must act in a loving manner to him,

one must play the role of the loving fellow man—and then ultimately he will indeed come to love him.”¹⁶

A third and final example of R. Lamm’s thesis appears in “The Makings of a Man” (*Korah* 1961). Here, he extends his theory to society at large. In discussing Korah’s rebellion, R. Lamm suggests that both rebelliousness and conformism are necessary personality traits. Regarding rebelliousness he writes: “Rebellion implies the protest against stagnation, the promise of discovery, the quest for something new and more wholesome. Without the element of rebelliousness the soul ceases to speak, the spirit is somber and silent as a cemetery.” Regarding conformism he writes: “Without conformism there can be no love, for in love the two lovers must conform to each other’s wishes, needs, demands. The Conformist, by restraining his will, allows law to operate and order to prevail. Without conformism there can be neither society nor government, neither Halakhah nor traffic regulation.” Not only does he suggest that conformism is a prerequisite for functional relationships, but that it is necessary for the prevalence of order in society at large. There is a place for rebelliousness, for one to act based on passion; but alone this creates chaos. Conformism—fidelity to fixed laws, sometimes entailing the quashing of one’s emotions—is critical for preserving order in society.

Do the *ta’amei ha-mitzvot* that R. Lamm suggests in *A Hedge of Roses* address the modern couple? Are most modern couples, committed to observance, even seeking reasons and rationales to bolster that commitment? If so, what is the role of *ta’amei ha-mitzvot* in their observance? These important questions require a comprehensive analysis and understanding of the cultural, social, and emotional realities of modern couples. But one point is clear: From the vantage point of Jewish philosophy, *A Hedge of Roses* unquestionably deserves its place among the classics in the libraries of contemporary Jewish homes. It is a work that is predicated upon timeless concepts regarding halakha’s outlook on relationships, as well as on the interplay between love and law. In the context of R. Lamm’s canon, *A Hedge of Roses* is a meditation on the supreme value of relationships in Jewish thought and law, and on the lengths that halakha goes to safeguard sacred relationships, first and foremost holy marriage.

¹ All citations from *A Hedge of Roses* are from the sixth edition of 1987. I have chosen to utilize the phrase “Family Purity,” as did R. Lamm, to refer to what is commonly referred to as *Taharat ha-Mishpaha* or *Hilkhos Nidda*. For a discussion of the terminology used to connote this area of Jewish law, see the subsections titled “No Superstition” and “A Semantic Tragedy” in *A Hedge of Roses*, 40–45.

² In this context see Jonah Steinberg's analysis of the shift from ancient to modern conceptualizations of *Nidda*. He writes: "Neither the talmudic and medieval rhetoric of danger and abhorrence nor the recent apologia of 'family purity' accounts, in the main, for the fidelity of observant Orthodox Jews to the religious regulations surrounding menstruation. Both ideologies are systems of apology for practices that, at least in principle, are held to be beyond question." Jonah Steinberg, "From a 'Pot of Filth' to 'A Hedge of Roses' (And Back): Changing Theorizations of Menstruation in Judaism," *Journal of Feminist Studies in Religion* 13:2 (1997), 24.

³ For example: Tehilla Abramov, *The Secret of Jewish Femininity: Insights into the Practice of Taharat Hamishpacha* (Feldheim Press, 1982); H.E. Yedidyah Ghatan, *The Invaluable Pearl: The Unique Status of Women in Judaism* (Bloch Publishing, 1986), 26; Moshe Meiselman, *Jewish Woman in Jewish Law* (Ktav, 1978), 125–129; Zev Shostak, *A Guide to Jewish Family Laws*, 4th ed. (VTE, 1983), 32; and see review in Steinberg, "From a 'Pot of Filth' to 'A Hedge of Roses.'"

⁴ *A Hedge of Roses*, 81–89. The Rav develops a similar theory in *Halakhic Man* (JPS, 1983), 31–39. While space does not permit me to fully outline the similarities and differences between their two views on Family Purity, I hope in future publications to do so.

⁵ The sermon for *Ki Tetze*, titled "Law and Love" (September 16, 1967), was initially published in *The Jewish Observer* (May 1969) and then republished as "Love and Law" in *Seventy Faces* (Ktav, 2001), vol. 1, 175–183.

⁶ *Seventy Faces*, vol. 1, 179.

⁷ R. Lamm suggests two additional benefits to law: it helps one distinguish between "licit and illicit love" and law ensures that love is genuine; *Seventy Faces*, vol. 1, 176–177.

⁸ In this context see *A Hedge of Roses*, 66, where he suggests that the mandated days of separation protect the woman from objectification. This is essentially another manifestation of law ensuring that the relationship remains moral and independent of emotional whims.

⁹ *Seventy Faces*, vol. 1, 187.

¹⁰ This observation was made at a symposium on "Love and Marriage" at Stern College (March 1981), and later published as "Great Expectations" in *Seventy Faces*, vol. 1, 184–189.

¹¹ The themes of stability of and perseverance in marriage feature prominently in R. Lamm's sermons and are key elements of his theory of love and marriage. However, he supported divorce when deemed the correct decision. See in this context his comment in his sermon for *Parashat Zakhor*, "Rising Expectations" (February 26, 1972): "Divorce is often justifiable. Indeed, if modern society has made couples feel they ought to get more out of marriage, it is a welcome development—even if it leads to divorce by encouraging people, who otherwise would be trapped all their lives in long and sustained misery, to find a way out and perhaps to happiness."

¹² See n. 11.

¹³ *Seventy Faces*, vol. 1, 179.

¹⁴ See, e.g., the sermon "Marriage, Miracles, and Mirages" (*Hayyei Sara*, October 31, 1964).

¹⁵ It is noteworthy that, as opposed to other places, here R. Lamm does not cite the interpretations of Ramban or R. Hirsch who understand love as an injunction not to feel, but rather to act.

¹⁶ It is also worth noting the second example discussed here: Not feeling love toward God, yet being commanded to love Him. A more extensive analysis of R.

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Lamm's writings to assess the degree to which he applies his thesis about law's protection of relationships to one's relationship with God would perhaps fill out our understanding of his overall philosophy on the place of law in loving relationships.

I wish to thank Pearl Berger for her outstanding work in creating the Lamm Heritage Archives (www.yu.edu/about/lamm-heritage), a searchable collection of over 800 of R. Lamm's sermons and speeches. This site, recently updated under the leadership of Tzvi Sinensky, was invaluable to my research for this article.