Religion, Sex and Holiness

by Rabbi Mark H. Levin

Is there a connection between religious belief and human sexuality? Do our beliefs about God influence how we think about the ethics of sexual activity? Do our religious traditions suggest values by which we should orient our most intimate conduct? In this essay, we will discuss how Judaism provides an understanding of human sexuality grounded in a view about how God expects us to treat one another.

The interplay of religion and science is an intriguing subject. From the writing of the book of Leviticus until now Jews have blended religion and the medical arts. Yet in our day the intersection of the worlds of religion and science is more debated and less accepted than in the past.

Religion once included both medicine and morality. In the modern world medicine and science have achieved great gains in knowledge and precision. The realm of moral thought is largely the province of philosophy. In the modern world, neither philosophy nor religion has succeeded in establishing a widely accepted moral outlook to guide our medical and scientific achievements.

Neither has American society developed an institution, like a national religion, that can identify moral questions and formulate broadly acceptable conclusions to moral dilemmas posed by medicine and science. In my own work I have been astonished to find intelligent people who consider abortion, for instance, to be a medical or political question, but not a moral or religious one.

In this essay, I hope to demonstrate how Judaism provides a religious framework for understanding human sexuality. Judaism has transformed sexual relations, a physical drive as well as biological necessity, into a well of spiritual sustenance, while regulating patterns of social intercourse within the community.

First I will attempt to describe how religion structures daily events; then define the Jewish system of sexual ethics as it fits into the larger view of the divine-human relationship. I will conclude with some words about modern debates, and where I disagree and agree with several traditional Jewish positions.

Many people identify a person's religion by the religious institution to which he or she belongs. I do not define religion by institution.

A person's religion is composed of the values, concepts, symbols and rituals he or she imposes on the outside world to construct a personal reality. When, for instance, in Numbers 25, we are told that Phineas sees an Israelite man take a Moabite woman into his tent we read: "He followed the Israelite into the chamber and stabbed both of them, the Israelite and the woman, through the belly. Then the plague against the Israelites was checked." What is going on here? Phineas saw a male and female enter a private tent. He assumed their purpose was to engage in sexual intercourse. Why was Phineas angry? Did he see two young people, without marriage, going off to engage in sex? Did he see an intermarriage in progress? Was he incensed because he assumed that after sex and marriage the man would worship foreign, Moabite gods?

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Objectively, all he saw was a young man and woman enter a tent. The Biblical author saw a plague of Israel's infidelity to God. Phineas invaded the tent and stabbed the Israelite and Moabite because of what he interpreted, not what he saw.

Religion structures what we notice in what we see, and how we label, evaluate and react. Clearly, all of us are influenced in how we organize and interpret the phenomenal world by already established reality systems to which we belong. Judaism is one such system. Other religions are as well.

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Traditional Judaism often defines by establishing boundaries: holy, not holy; kosher, not kosher; pure, not pure. The commandments guide a Jew's actions according to these boundaries. Jews live in a relationship with God, called the covenant, by observing the commandments. The result is, in Isaiah's words, to be "a light to the nations." To observe God's commandments is to have a mission as part of a people partaking in covenant with the God of the universe.

The rules and principles of this covenant are expounded in Jewish literature beginning with the fifth century Babylonian Talmud, and continuing through our own day. Every subject elicits a variety of opinions and Jewish tradition speaks to these with several voices. Yet main currents of opinion are often distinguishable within each issue.

Living as part of the covenant by observing God's commandments places a Jew in relationship to God. That divine-human partnership gives life context and meaning. Because God is the Creator and the Power at the heart of the universe, being in a relationship with God is being in touch with the power that generates the real world. To live outside the covenant means to remove oneself from ultimate reality. Meaningful life is lived by doing God's will.

Since God's commandments, the requirements of the covenant, cover virtually all aspects of life, a particular activity, seemingly inconsequential, can be transformed into a source of ultimate meaning. Doing any commanded act fulfills the covenant in part. For instance, each time food is eaten a blessing is said. That blessing links the believer's life to God, source of all good, and thus confers meaning on the act of eating. Eating is thus more than a means of nutrition or a social act. The covenantal relationship with God is maintained day by day in a multitude of private activities that may otherwise seem mundane.

Eating, praying three times each day, doing acts of kindness to others, giving to charity, all of these connect a person's life to God's holiness, structuring life and giving meaning. Sexual activity is one such category of human activity structured by the covenantal partnership with God. To turn to the specific area of human behavior described by sexuality, the biological significance of the sex act is obvious. Sexual relationships also structure our interpersonal activities on a social level.

Judaism asserts that we are created in God's image. God's image, being sacred, should not be destroyed or debased. Even embarrassing or shaming a person is considered a sin. God's partnership with human beings through moral deeds is conveyed to the world by treating people respectfully, as the image of God.

Thus, our sexual conduct maintains our connection with God by respecting God's image, observing God's commandments, and continuing God's covenant to another generation through childbirth.

The sex act has two purposes in Jewish law: procreation and pleasure.

Genesis 2:18 makes it clear that people should not live alone; we need a helper and companion. This is fundamental to the Jewish understanding of life. Asceticism and celibacy are not ideals; in fact they are to be avoided except in extreme situations. Marriage itself is a commandment: "Therefore a man shall leave his father and mother and cling to his wife, and they shall become one flesh" (Gen. 2: 24).

To marry is to emulate the divine relationship to Israel: in love, as portrayed allegorically in the biblical Song of Songs.

Doing any commanded act helps to fulfill our covenant with God.

The central statement of Jewish faith, known as the "Shema," (Deut. 6: 4-9) declares, "You shall love the Lord your God." The primary relationship to God is characterized as love. Human love replicates, insofar as is humanly possible, the divine-human relationship. Both loving relationships produce sanctity between the parties. As God and the Jewish people have a loving, covenantal relationship, so should a husband and wife. The ideal life includes the first commandment in the entire Torah: "Be fruitful and multiply and fill the earth" (Gen. 1:28).

For Jews the covenantal relationship requires maintenance through human deeds. One spiritually essential method of sustaining and invigorating the divine-human relationship is study. But another way is doing God's commandments, particularly those stated in the Torah (the Five Books of Moses). The commandments to marry and have children are first in the Torah. We learn that Rabbi ben Azzai was reprimanded for choosing study to the exclusion of marriage. Rabbi ben Azzai feels compelled to explain that his love of Torah leaves him no alternative.

The famous disputing schools of the first century, Hillel and Shammai, disagreed on the number of

children minimal to a family, but not on the necessity of having children.

A story in the Babylonian Talmud contains the best description of the Jewish attitude toward sex as necessary for human life yet potentially a source of evil:

> But the prophet Elijah warned them: "Understand, that if you kill the Evil Impulse, (the sexual impulse), the whole world will collapse."
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> Nevertheless, they imprisoned the Evil Impulse for three days. But when they looked for a fresh egg, none could be found in all of the land of Israel.
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> "What shall we do?" the people asked one another. "Shall we kill him?" But without the Evil Impulse, the world cannot survive.
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> So they put out his eyes and let him go ("blinding" the sex impulse to keep it under control).[1]

The evil impulse is the opposite of the good impulse. Every human being has both. This vignette illustrates the Jewish attitude that the unrestrained, "raw" sexual impulse is blind. It will direct itself toward any sexually attractive human being, including others' spouses and one's own family members. Yet the human will can raise this impulse to the holy consummation of marriage by directing it through a divine commandment.

Within marriage, as a result of fulfilling God's commandment, sexual relations may elevate human beings to greater spiritual fulfillment. It is, then, a religious duty to procreate in order to maintain God's covenant. The sexual impulse may be good or evil, depending on how we direct it. Does a sexual relationship have any other purpose? Yes, pleasure.

Jewish lore is replete with stories about marriage, it being a fundamental human institution. Among those stories are two often quoted statements: "Since creation God has busied himself with making marriages," and, "Every human being is formed hermaphroditic. Separated at birth, the two parts search for each other until they marry." Those hopeful descriptions point at the primacy of marriage and family in Jewish life. Indeed, if God had a hand in every marriage he has made some terrible mistakes. Of course, the idea that God picks marriage partners in no way implies that God alone causes marriages to succeed or fail. Judaism recognizes that divorce is sometimes necessary due to human incompatibility, infidelity or other concerns. The statement that God makes marriages should not be taken too literally. But, the statements illustrate that the Jewish commitment to marriage and family is supreme.

Whereas men contract marriage, sex within marriage is the woman's right and a man's duty. All sex within marriage, emanating from love and uncoerced, is permitted. Although there is a period each month when sexual relations are forbidden, prolonged withholding of sex from a spouse is considered grounds for divorce for either partner. The fact that the Sabbath is the recommended day for weekly sexual relations demonstrates the Jewish attitude to non-procreative sex between husband and wife. As Rabbi Norman Lamm writes, "Marital sexuality beyond procreation is not God's indulgence of the weakness of the flesh, it is God's elevation of humanity through loving union on the most spiritual of days. It is special as the Sabbath is special."

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Marriage and sex within marriage for both pleasure and procreation are divinely ordained commandments. Giving in to the sex impulse outside of marriage is evil. Children are a blessing, and the family is the focus of Jewish life. Recognizing that a family with two children is traditionally the prescribed minimum, may a family limit conception by birth control after two children are born?

Destruction of the male seed is prohibited biblically according to Jewish law. Therefore, traditional scholars generally rule out birth control used by the male, but permit contraception by the female. Jewish texts have long discussed the legal use of devices for interfering with conception.

Clearly I agree with the Reform Jewish approach to Jewish tradition, which does not separate between the responsibility of men and women in birth control. Moreover, most American Jewish families would not abstain from male methods of contraception. Particularly in cases in which the mother's life is threatened by pregnancy, or the woman may suffer injury due to pregnancy, Jewish law permits contraception because the mother's life takes precedence over the commandment to bear children.

Our society today is caught up in a debate over the morality and legality of abortion. In Jewish tradition, abortion may not morally be used simply as

a method of birth control. The fetus has the status of potential life and therefore possesses a sanctity and right to life of its own. Yet, being only potential life, the fetus may not endanger the mother's life. In cases in which the mother's life is endangered and a choice must be made between the fetus and the mother, the mother's life is absolutely preferred.

When the mother's life is threatened or an existing medical condition will be worsened as a result of pregnancy, authorities disagree on the conditions under which therapeutic abortion is permissible. Some forbid abortion except to save the mother's life. Others permit some therapeutic abortions. Jewish law embraces a strong preference for saving life regardless of considerations of the quality of that life. But, when a fetus' existence endangers another party, as when a woman's pregnancy will force her to stop feeding a previously born infant, thus threatening that infant's life, abortion may be permissible because an existing life is threatened. But when a mother may suffer harm, some authorities permit and some forbid abortion. In all cases, the most lenient stands are taken before 40 days of gestation have elapsed, or 90 days at the latest.

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There are few traditional authorities who permit abortion of an abnormal fetus. Generally, potential life possesses the right to life, and the condition of that life after birth does not play a role in moral reasoning. Yet, here and in other cases the psychological state of the mother may become a consideration. Severe mental conditions may legitimately be considered a threat to the mother's health and life, therefore grounds for abortion and taken into the moral equation.

Here I must add a caveat as a Reform, or liberal rabbi. Many of my colleagues who take Jewish law seriously as a guide in moral reasoning would weigh both the mother's mental anguish and the mother's right to control her body as serious principles bearing upon parents' decision to make the choice for or against abortion. Also, some of the strictly contrary positions on abortion were partially framed considering medical conditions that made the procedure in itself a threat to the mother's life. Clearly, procedures in the United States are safer today than previously. Nonetheless, the basic principle of the sanctity of potential life remains the guiding light regarding Jewish law and abortion.

Jewish law establishes the family as a fundamental social institution and sexuality as a method of achieving holiness within marriage. We need hardly comment on adultery which is prohibited explicitly in the Ten Commandments; or on incest, prohibited by the laws of Leviticus 18. Both are destructive of the trust and intimacy essential to family life.

By Jewish tradition one does not simply fall in love, and not all love relationships may be sexually consummated. We may permit ourselves to establish sacred relationships with appropriate partners, not simply with the objects of our carnal desires. To be fully human, sexual relationships must be holy.

Premarital sex, therefore, is also prohibited, but does not incur the severe penalties of adultery or incest. Judaism does not consider mutual consent of mature adults to be sufficient moral grounds for a sexual relationship. Mutual exploitation does not contain the holiness God desires within the covenant. However, premarital sex is clearly not the horror of adultery or incest.

Finally, I would like to look briefly at the moral principles regarding homosexuality.

Both gay and lesbian relationships are strictly forbidden biblically and by Jewish law. As Rabbi Hershel Matt summarizes the traditional position:

> Every single decision takes for granted that a homosexual act is a moral perversion, an outrageous and disgusting deed, a serious violation of the Torah's command and, therefore, a grave sin.[2]

Yet, Rabbi Matt suggests that when a person is homosexual without personal choice, when there is no alternative sexual behavior possible, then:

> Such a stance would maintain the traditional view of heterosexuality as the God-intended norm and yet would incorporate the contemporary recognition of homosexuality as, clinically speaking, a sexual deviance, malfunctioning, or abnormality—usually unavoidable and often irremediable.[3]

In other words, remove the onus of exclusion from homosexuals and treat them as equal members of the community.

The trend in the American Jewish community, even among those who absolutely condemn homosexual behavior, is certainly to treat homosexuals as personally acceptable in society. The debate today centers on several changes:

1. Are congregations specifically organized for homosexual Jews permissible?

2. May homosexuals engage in marriage rituals which have the sanctity of heterosexual marriages?

3. In Reform Judaism, should individuals who specifically declare their sexual preference to be homosexual be ordained?

There are congregations today around the country with a special outreach to gay and lesbian Jews.

In a recent paper, Rabbi Yoel Kahn of Congregation Shaar Zahav in San Francisco argues phenomenologically that homosexual relationships embody the fidelity, trust, intimacy and responsibility that define the holiness of heterosexual unions. Based on his belief in the sanctity of homosexual unions, Kahn suggests it is appropriate for rabbis to officiate at homosexual marriages.

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The official organization of Reform rabbis in the United States, the Central Conference of American Rabbis, in 1990 published a report on various issues relating to homosexuality. Two overriding concerns emerge clearly: Is homosexuality a personal choice? Is homosexuality an aberration of human behavior? While the decisions made by the CCAR are not definitive, I believe they do reflect current thinking.

> In Jewish tradition heterosexual, monogamous, procreative marriage is the ideal human relationship for the perpetuation of species, covenantal fulfillment, and the preservation of the Jewish people. While acknowledging that there are other human relationships which possess ethical and spiritual values and that there are some people for whom heterosexual, monogamous, procreative marriage is not a viable option or possibility, the majority of the committee reaffirms unequivocally the centrality of this ideal and its special status as *kiddushin* [holy marriage]. To the extent that sexual orientation is a matter of choice, the majority of the committee affirms that heterosexuality is the only appropriate Jewish choice for fulfilling one's covenantal obligations.
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> A minority of the committee dissents, affirming the equal possibility of covenantal fulfillment in homosexual and heterosexual relationships. The relationship, not the gender, should determine its Jewish value—*kiddushin*.
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> The committee strongly endorses the view that all Jews are religiously equal regardless of their sexual orientation. We are aware of loving and committed relationships between people of the same sex. Issues such as the religious status of these relationships as well as the creation of special ceremonies are matters of continuing discussion and difference of opinion.[4]

The CCAR has thus far taken the position that regardless of whether homosexuality is a human choice, regardless of whether the behavior is aberrant or normal, the sacredness of marriage is reserved for heterosexual couples.

I have no doubt that debate over Rabbi Kahn's argument for a "union" ceremony will continue. The argument that the emotional and moral commitments between partners in gay and lesbian unions are equivalent to those in heterosexual unions will stimulate discussion about the nature of the human-divine relationship as well as the debate over the "normality" of homosexuality. It seems, however, that Reform Judaism no longer views homosexuality as a "sin" as in traditional Judaism.

Jewish tradition has structured the perception and acts of sexuality toward seeing sex as the expression of profound intimacy and holiness between a man and woman within the holy covenant of marriage. Outside those borders sexual intercourse is traditionally viewed as an expression of the evil impulse, a transgression against God, and destructive of society.

Within a holy relationship, sex adds meaning and purpose to life through enjoyment, binding our lives to God, and creating a future generation to perpetuate the covenant.

Thus God's gift of sex is a powerful element in the human compact with God which human beings may debase, or experience as a sublime reality similar to the ultimate, holy relationship with the divine.

References

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