

**YESHIVAT HAR ETZION**  
**ISRAEL KOSCHITZKY VIRTUAL BEIT MIDRASH (VBM)**  
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**Deracheha: Women and Mitzvot**

**Physical Intimacy I: The Marital Relationship**

WHAT PERSPECTIVES ON PHYSICAL INTIMACY DOES OUR TRADITION OFFER? WHAT IS THE  
HALACHIC FRAMEWORK FOR INTIMACY IN MARRIAGE?

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*Deracheha focuses on halachic education, presenting a range of perspectives. A few pieces, like this one, focus more on ideas. We hope you find it thoughtful—and thought provoking.*

By Laurie Novick

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## **Learning and Teaching**

Learning about Judaism and sexuality can be as daunting as it is important, and for good reason. Though sexuality is a core part of who we are as people, with significant implications for our identities and relationships—and for society as a whole—it is not a simple area to discuss.

The relevant concepts and *halachot* must be understood with clarity and approached with *tzeniut*. We understand [tzeniut](#) as a principle that guides us to draw contextually-sensitive boundaries around our self-exposure and our physicality. While the need to draw boundaries can present challenges for learning about sexuality, it also leaves room for openness, depending on tone and context.

Tension over how openly to study sexual matters can be traced back to the Mishna. Our sages prohibit public teaching regarding sexual prohibitions, indicating that we need to take great care in discussing even halachic topics when they relate to sexual intercourse:

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<sup>1</sup> We are grateful to Dr. Judith Fogel for her careful review and insightful comments.

### Mishna Chagiga 2:1

We do not expound on prohibited sexual relations before [groups of] three [or more people].

The *halachot* related to sexual intercourse are critically important, with serious and far-reaching implications. They must be expounded in full detail. However, this is appropriate only in the context of private study.

Even private study, however, has its limits:

### Berachot 62a

Rav Kahana went in and lay under Rav's bed. He heard that [Rav] conversed and sported and performed his needs [had relations with his wife]. [Rav Kahana, from under the bed] said to him [Rav]: Abba's mouth is [ravenous] like [one] that never tasted food! [Rav] said to him: Kahana, you're here? Get out, for this is not accepted behavior. [Rav Kahana] said to him [Rav]: It is Torah and I must learn it.

In defense of Rav Kahana, he likely finds himself in this predicament because he lacked other resources for learning about these *halachot*. When appropriate channels for learning are lacking, people find their information in other ways. Still, Rav Kahana, in his zeal to learn from Rav's personal example, crosses a red line. It is unacceptable to violate a married couple's privacy, even with the loftiest of motives. Rav speaks for himself and his wife in making this clear.

At the same time, the Talmud chooses to share what Rav Kahana discovers, that his revered Rav takes frank pleasure in his sexual relationship with his wife. Perhaps most significant, the Talmud gives Rav Kahana the last word, as though to reinforce his point that, within limits, we must have an opportunity to emulate Torah scholars in every area of our lives.

This series will try to be open, sensitive, and *tzanua*. We will share general, source-based information that can be especially important in thinking about sexuality and understanding its halachic framework, and will leave the more practical and specific details for personal instruction.

We begin by taking a brief look at the range of approaches to sexual intimacy in our tradition, embracing the view that physical intimacy is an essential element of the marital relationship, including its emotional and spiritual aspects. We then discuss the broader interpersonal aspects of marriage that inform a couple's pleasurable physical intimacy. Next, we explore the centrality of the sexual relationship to marriage, with a focus on how that is expressed halachically, and we conclude by exploring some of the halachic limits on intimacy, even within marriage.

## **Perspectives on Pleasure**

In some ways, we can compare the discussions of sexuality in traditional sources to other discussions about enjoying any aspect of the physical world. Seen from this perspective, differing rabbinic attitudes toward sexuality are part of a wider debate about the proper role of physical pleasure in our lives.

**I. Embracing Pleasure** Some sources, like the passage describing Rav's relish of his conjugal relationship, seem to embrace physical pleasure. This school of thought sees taking pleasure in the God-given physical world as an essential element of religious life. As the Talmud Yerushalmi teaches, we are called to account in the next world if we deny ourselves physical pleasures in this one:

Talmud Yerushalmi Kiddushin 4:12

Rabbi Chizkiya Rabbi Kohen in the name of Rav: In the future a person will need to give an accounting for everything that his eyes saw and he did not consume.

**II. Elevating Asceticism** Other sources have a more ascetic bent, viewing physical pleasures as animalistic distractions from cultivating the spirit. To the extent that they cannot be avoided, such pleasures must be carefully regulated. For example, Imma Shalom describes her husband, Rabbi Eliezer, as treating sexual relations as a sort of desperate religious duty:

Nedarim 20b

[Imma Shalom] said to them: [Rabbi Eliezer] does not converse [have relations] with me, neither at the beginning of the night nor at the end of the night, but rather at midnight. And when he converses [has relations], he reveals a handsbreadth and covers up a handsbreadth, and he is like one compelled by a demon.

A simple reading of this text reveals sexual intimacy characterized by extreme restraint. In this vein, Rabbi Yehuda Ha-nassi takes pride on his deathbed for having refrained from all physical pleasures:

Ketubot 104a

At the time when Rabbi [Yehuda Ha-nassi] died, he straightened his ten fingers heavenward. He said: Master of the world, it is revealed and known before You that with my ten fingers I exerted myself in Torah, and I did not take pleasure with even a little finger. May it be Your will that I rest in peace. A voice came out from heaven and said: Peace will come, they will rest on their beds. (*Yeshaya* 57:2)

**III. Exercising Moderation** Many sources stake out a middle ground, calling for moderation of physical pleasure. For example, Ramban interprets the Torah's call to live with sanctity as mandating restraint from overindulgence in pleasures of the flesh, including drinking wine, eating meat, and sexual intercourse.

Ramban Vayikra 19:2 s.v. *Kedoshim tihyu*

The matter is that the Torah cautioned against prohibited sexual relationships and prohibited foods, and permitted sexual relations between a man and his wife and eating meat and wine. If so, one dominated by desires will find room to be lascivious with his wife or his many wives, and to be among the guzzlers of wine [and] the gluttonous eaters of meat, and will be led in accordance with his desire in all degraded activities, for this prohibition is not recorded in the Torah, and he will be a degraded person within what the Torah permits.

Therefore, the verse comes, after it specified the prohibitions that it has completely prohibited, and commanded in a general manner that we refrain from excesses.

Even though sexual relations between husband and wife are fully permissible, Ramban cautions against a life driven by free fulfillment of desires. In calling basic physical pleasures potentially degrading acts, Ramban seems to contrast physicality and holiness. Rather than deny human physicality, however, he conceives of the exercise of conscious choices about it as an embodiment of sanctity.

## **The Sexual Drive**

One might think that the surest path to making good sexual choices would lie in subduing the sexual drive. The Talmud recounts that, in the time of the prophet Zecharya, our sages prayed for the eradication of the sexual drive, based on a mistaken impression that it leads only to sin, and thus could be dispensed with.

### Yoma 69b

They said: Since it is a time of favor, let's pray for [the destruction] of the inclination for [sexual] sin. They prayed and [the inclination] was given over into their hands. [The prophet Zecharya] said to them: You will see that if you kill it, the world will be destroyed. They imprisoned it [the inclination] for three days, and sought a fresh-laid egg in all the land of Israel, and none was to be found. They said, what should we do? If we kill it, the world will be destroyed...They placed kohl in its eyes [to blind it], and left it. And that achieved the benefit that a person does not desire [sexually] his close relatives.

Our sages recognize that the sexual drive is not only essential for reproduction, but also provides indispensable motivation for purposeful action and functioning in the world. The sexual drive requires caution; its personification is blinded before release. Still, its role in enabling the full realization of human potential should not be trivialized.

The critical importance of the sexual drive as an engine of behavior does not mean that it is our only drive, or need always take precedence over other considerations, as demonstrated by this Talmudic tale:

### Menachot 44a

A tale of a man who was careful about the mitzva of *tzitzit*. He heard that there was a prostitute in the seaside cities who charged a fee of 400 gold pieces. He sent her 400 gold pieces and set a time with her. When his time came, he came and sat at the door. Her maidservant came in and told her, "That man who sent you 400 gold pieces came and sat at the door. She said: Let him enter. He entered. She made up for him seven beds, six of silver and one of gold, and between each of them a silver ladder, and the top [bed] was of gold. She went up and sat on the top one naked, and he, too, went up to sit naked opposite her. His four *tzitziyot* came and hit him on the face. He went away and sat on the ground, and she, too, went away and sat on the ground. She said: By Jove, I will not leave you until you tell me what blemish you saw in me. He said to her: By the Divine service, I never saw a woman as beautiful as you. But there is a mitzva that the Lord our God commanded us, and it is called *tzitzit*, and it is

written it twice regarding it: “I am the Lord your God.” I am He who in the future will punish and I am He who in the future will give reward. Now they seemed to me as four witnesses. She said to him, I will not leave you alone until you tell me your name, and your city’s name, and your Rabbi’s name, and the name of the *beit midrash* in which you learned Torah. He wrote it and gave it in her hand. She arose and divided all of her property, a third to the government, and a third to the poor, and a third she took with her, except for those bed linens. And she came to the *beit midrash* of Rav Chiyya. She said to him: Rabbi, command regarding me and make me a convert. He said, my daughter, perhaps you have set your eyes on one of the students? She took the writing from her hand and gave it to him. He said to her, go and merit your acquisition. Those same bed linens that she set out for him in prohibition, she set out for him when it was permitted. This is the granting of its reward in this world and in the world to come.

Our sages present the erotic fantasy elements of this story with care, and this heightens the significance of the narrative denouement. The protagonist pays a remarkable amount of money up front to experience what he perceives as the height of pleasure, seemingly unaware of the incongruity of this action with his attachment to the mitzva of *tzitzit*. We see the power of the sexual drive in full force, and how far one may be tempted to go to satisfy it. And yet, even at its greatest height, the sexual drive can and sometimes must be overcome. Witnessing the conquest of a force she has learned to exploit impels the prostitute to change her life, and to seek her sexual satisfaction in a new context.

With all its power, the sexual drive is not all-powerful. When commitment to Torah and *mitzvot* comes in conflict with sexual desires, Torah and *mitzvot* can prevail. In the story’s happy ending, the prostitute converts, and she and her recalcitrant client marry, their choices rewarded. The Talmud notes that they keep the brothel sheets for their marital bed. This suggests that within the framework of Halacha, their sex drive will now be satisfied, not renounced.

## **Spiritual Potential**

The nuanced message that the satisfaction of our sex drives should take place within the context of our broader religious commitments can present real challenges. Marriage (and *nidda* observance, which we discuss below) is our halachic framework for sexual activity. In modern Western society, marriage takes place well into adulthood, typically at least a decade after the onset of puberty.

In many communities, *tzeniut* around sexual topics is interpreted in a way that complicates sexual development by limiting the information available to young people. Thus, many halachically observant Jews face years in which their sexual expression or self-exploration seems put on hold, their education in sexuality overwhelmed by “don’ts.” Unfortunately, it is often a short jump from learning only about prohibitions to experiencing unnecessary guilt and shame over natural curiosity or desires.

A negative or guilt-ridden perspective on physical intimacy fails to reflect the richness of our tradition, as demonstrated by this Talmudic account:

### Yoma 54a

Rav Katina said: At the time when Israel would ascend [to Jerusalem] for the pilgrimage festival, they roll up the *parochet* [the curtain before the Holy of Holies], and show them the *keruvim* that are intertwined with each other, and they say to them: See that you are held in affection before God like the affection of a male and a female.

On the festivals, pilgrims to Beit Ha-mikdash would be able to glimpse the *keruvim* atop the *aron kodesh* locked in a sexual embrace.<sup>2</sup> That this embrace is meant to represent a positive relationship between the children of Israel and God challenges us to find positive religious significance, even spiritual elevation, in the act of sexual relations.

In the eighteenth century, Rav Yaakov Emden writes in this spirit. He directly dispels some common negative attitudes toward sexual intercourse, highlighting instead its spiritual potential in marriage.

### Rav Yaakov Emden, *Mor U-ktzia*, OC 240, s.v. *nir'eh li*

[Marital relations] is an act that is important, good, and beneficial also for the soul. There is nothing with a greater value in any act of flesh and blood. When it is done with a pure intent and a clean, refined thought it is certainly said to be holy and it has no lacking whatsoever and nothing negative. On the contrary, there is much honor and surpassing greatness.

We've seen religious value ascribed to refraining from sexual relations. Rav Emden adds another dimension to our discussion, seeing religious value in **engaging** in sexual relations, in a way that integrates body and soul. To understand how this works in practice, we need to take a step back to look at the general contours of the marital relationship and then see how sexual intimacy deepens and reflects them.

## **The Broader Relationship**

The final *beracha* of *sheva berachot* exuberantly describes the multifaceted potential of the marital relationship:

### Ketubot 7b-8a

Blessed are You, Lord our God, King of the universe, who created joy and gladness, *chatan* and *kalla*, rejoicing, jubilation, happiness, delight, love and friendship and peace and companionship...

Husband and wife are meant to be lovers, friends, and companions who bring each other joy and peace. To attempt to be all of these things to another person is not easy, and entails some risk and vulnerability. A husband and wife's intense closeness can place them in a unique position to cause each other pain. The Talmud recognizes this in its discussion of a husband's treatment of his wife:

### Bava Metzia 59a

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<sup>2</sup> The pilgrims would have been standing in the courtyard of Beit Ha-mikdash, looking past the altar and through the doors of the Temple building to the *parochet* at the far end.

Rav said: A man should always be careful to avoid mistreating his wife, for since she is prone to tears, one can easily [transgress and] mistreat her.

As this Talmudic statement suggests, special care with interpersonal *mitzvot* is of utmost importance between a husband and wife who wish to realize the potential blessings of their relationship. Indeed, the Tosefta lists a number of interpersonal *mitzvot* that risk being violated when a match is unsuitable.

#### Tosefta Sota 5:11

Rabbi Meir would say, “One who marries a woman who is not suitable for him transgresses five prohibitions: Not taking revenge and not bearing a grudge, not hating your fellow in your heart, loving your neighbor as yourself, and enabling your fellow to live alongside you.

From this statement, we can infer that a good marital relationship fulfils *mitzvot* that express fellowship, such as refraining from revenge or hate and loving one’s fellow. The mitzva to love one’s neighbor is quite broad, and is cited as a source for the obligation to perform acts of *chessed*, lovingkindness, for others.<sup>3</sup>

Rav Azriel Ariel and Chedva Ariel, MSW, “Derusha Ahava,” in *Mishpacha: Mif’al Chayyim*, ed. Chayyim Branson (Rishon Le-Tziyon: Yediot Sefarim, 2019), 444.

Mutually baring the deep and hidden emotional needs of each spouse within a respectful dialogue, while also keeping in mind the important needs of the relationship itself, brings each spouse to a deeper experience of personal freedom. This is a mature freedom, linked to an awareness of responsibility... This shared work between the spouses, to clarify together what is essential for each of three poles—the “I,” the “you,” and the “we”—contains its own reward. It creates again and again a new process of becoming intimate... This triologue, between “mine,” “yours,” and “ours” is the foundation for a stable couple’s connection over time... In light of our sages’ stipulation that the love of a spouse is only a focused instantiation of loving one’s neighbor, we can see in this triadic model the foundation for healthy communal life in general.

Marriage is built on a foundation of mutual respect, on elevating the “you” without losing sight of the “we” or the “I”. The Talmud highlights the obligation of a husband to respect his wife:

#### Yevamot 62b

Our Rabbis taught [in a baraita]: One who loves his wife as himself and one who honors her more than himself... About him Scripture says, “And you will know that there is peace in your tent” [*Iyyov* 5:24].

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<sup>2</sup>Rambam, *Laws of Mourning* 14:1

It is a positive rabbinic mitzva to visit the sick and to comfort mourners and to bring out the dead [for burial] and to bring in the bride [to the wedding] and to escort guests and to be occupied with all the needs of the burial, to carry [the deceased] on one’s shoulder, and to walk before him and to eulogize and to dig and to bury, and similarly to gladden the bride and groom and support them in all their needs, and these are the acts of kindness that one does personally that have no fixed measure. Even though all these *mitzvot* are rabbinic, they are included in “You shall love your neighbor as yourself,” everything that you want others to do for you, you should do them for your fellows in Torah and in *mitzvot*.

### Bava Metzia 59a

Rav Chelbo said: A man should always be careful with his wife's honor, for *beracha* is only found in a man's home on account of his wife, for it is said, "And he [Par'o] treated Avram well for her [Sarai's] sake. [*Bereishit* 12:16]

Elsewhere, the Talmud notes that both children and their mothers are obligated to respect the child's father (when the parents are married):

### Kiddushin 31a

For you and your mother are obligated in your father's honor.

Beyond these general guidelines, Halacha leaves space for a couple to develop their own relationship dynamic:

### Aharon Lichtenstein, "Of Marriage: Relationship and Relations," *Tradition* 39, no. 2 (Summer 2005): 3-4.

...There is room for flexibility and mutual choice....Thus, the familiar description of an *isha keshera* [proper wife] as a wife who performs the will of her husband (*retson ba'alah*), in no way precludes a husband's declaring that his *ratson* is precisely a desire for understanding and consensus....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....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* [leaving room for choice].

In the practical, emotional, and sexual aspects of the marital relationship, the halachic framework leaves much to a couple's discretion. Within basic parameters, each Jewish marriage is as unique as the personalities of each husband and wife.

## **Emotional and Physical**

Respect and interpersonal sensitivity are central to both emotional and physical intimacy, which are intertwined. These aspects of intimacy can be traced back to Adam and Chava, humanity's first couple, in two ways.

First, the Torah refers to their sexual union as a form of knowledge:

### *Bereishit* 4:1

And the Adam knew Chava his wife, and she conceived and gave birth to Kayin.

The *Iggeret Ha-kodesh*, composed by a thirteenth century Kabbalist, suggests that the term "knew" reflects the potential for sanctity in sexual relations:

### *Iggeret Ha-kodesh* 2

Know that this bond is a sacred and clean matter when it is in accordance with what is fitting and at the right time and with proper intent. And a person should not think that a fitting bond is debased and ugly, Heaven forbid. For the fitting bond is called knowledge...And know that if the matter did not have great



sanctity, they would not call the bond knowledge.

Sanctity here is envisioned as an outgrowth of knowledge of each other, when the physical becomes an extension of a broader relationship bond. Rav Soloveitchik adds that the biblical use of the term “knowledge” for sexual relations serves as an indicator of mutual recognition within the sexual relationship:

Rabbi Joseph B. Soloveitchik, “The Redemption of Sexual Life,” in *Family Redeemed: Essays on Family Relationships*, ed. David Shatz and Joel B. Wolowelsky (New York: Toras HoRav Foundation, KTAV, 2000), 95

The Hebrew term “*va-yeda*” in its sense of knowing each other sexually connotes the metaphysical element involved in the sexual function. The term “*va-yeda*” points towards an act of cognition or recognition. The I recognizes the personal existence of the thou.

This implies that a merely physical communion, even within marriage, would be lacking. Sexual relations ideally integrate the full personality of each partner and their concern for each other.

A second verse relating to the union of Adam and Chava provides additional support for an essential link between physical and emotional connection:

*Bereishit 2:24*

Therefore shall a man leave his father and his mother, and cleave to his wife and they will be as one flesh.

Ramban, in his commentary to the Torah, explains the connection referred to by this verse in relational terms:

Ramban *Bereishit 2:24*

...For the female of Adam was bone of his bone and flesh of his flesh, and he cleaved to her, and she was in his bosom like his flesh. And he desired her to be with him always. And as this was with Adam, his nature was placed in his descendants, that the males among them would cleave to their wives, leave their fathers and mothers, and see their wives as though they are with them as one flesh.

The couple form an unparalleled, intimate psychological bond. The verse can also be read as referring to conception,<sup>4</sup> or, as in this midrash, as a reference to the sexual bond:

*Midrash Aggada Bereishit 2:24*

And they become one flesh. In the [physical] place that they become one flesh.

One verse reflects both the emotional and physical elements of becoming one flesh.

## **A Code of Conduct**

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<sup>4</sup> *Rashi Bereishit 2:24*

One flesh – The offspring is formed through the two of them, and there their flesh becomes one.

The physical and emotional bonds build on each other. A Talmudic passage takes as its starting point the premise that the state of a couple's relationship during the act of conception can affect the child they conceive. Specifically, negative aspects of how each spouse relates to the other during relations could have a negative impact.

#### Nedarim 20b

Rabbi Levi said: These are the children of nine [negative] attributes...children of fear, children of one who is forced, children of one who is hated, children of one whose partner was excommunicated, children of one mistaken for another, children of conflict, children of drunkenness, children of one already divorced in the mind [of her husband], children of confusion [one a partner thinking of someone else during relations], children of one who is brazen.

By restating the concerns listed in this passage in the positive, we can reveal essential elements for a couple to aspire to in their relationship, inside the bedroom and out.<sup>5</sup>

#### Sexual Relationship Ethic Inferred from Nedarim 20b

A couple's sexual relationship should take place in an atmosphere of: Trust, consent, love, joint commitment to Halacha, full recognition of each other, *shalom bayit* (a harmonious relationship), mental awareness, commitment to each other, conscious focus on each other, and modesty.

These should be hallmarks of all aspects of a couple's intimacy. It is not enough for a couple to respect and know each other, or merely to take pleasure in each other. They must also form a relationship in which their personalities have room to flourish. In this context, sexual relations become a sort of language for communicating with each other, and physical pleasure becomes part of a much larger dialogue.<sup>6</sup>

From the Torah's discussion of Yaakov's selective breeding of Lavan's flock, Rabbeinu Bachya derives that the sanctity of sexual relations is rooted in aspects of this code of conduct.

#### Rabbeinu Bachya Bereishit 30:38

Our sages said: A person should always sanctify himself at the time of relations. And this sanctity is purity of thought, that he not think of a different woman or of other matters, but just of his wife...

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<sup>5</sup> This reading follows that of Rav Avraham Peretz Friedman, *Marital Intimacy: A Traditional Jewish Approach* (Linden: Compass books, 2005), chapter 6.

<sup>6</sup> Rav Aharon Lichtenstein explains that when these aspects of a relationship are present in the bedroom, marital relations have great spiritual potential:

Rav Aharon Lichtenstein, "Of Marriage: Relationship and Relations," *Tradition* 39, no. 2 (Summer 2005): 28

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.

Rabbanit Dr. Shulamit ben Shaya roots the sacred potential of sexual relations in a conception of sanctity as exclusivity, as expressed by the singularity of the marital bond:

Rabbanit Dr. Shulamit ben Shaya, "Desire, Pleasure, Sanctity, and Tzeniut," in *Mishpacha: Mif'al Chayyim*, ed. Chayyim Branson (Rishon Le-Tziyon: Yediot Sefarim, 2019), 489-490.

The term "*kedusha*" [sanctity] has two meanings: refraining and exclusive designation...This understanding of the term *kedusha* obligates us to consider deeply the significance of the union [in relations] and the exclusivity between the couple as a condition for *kedusha* taking effect. *Kedusha*, then, isn't just in caution and refraining from the sexual drive, but in the strengthening of the attachment of the couple...Aside from strengthening the connection between the spouses, *kedusha* taking effect depends on concealing the sexual relationship from others' eyes...

### **Centrality and Mutuality**

If marriage is simply a union of deeply attached individuals, without a physical component, it misses part of its sacred drive and purpose. Rav Soloveitchik summarizes this idea well:

Rabbi Joseph B. Soloveitchik, "Marriage," in *Family Redeemed: Essays on Family Relationships*, ed. David Shatz and Joel B. Wolowelsky (New York: Toras HoRav Foundation, KTAV, 2000), 50

...Marriage must not be converted into an exclusively spiritual fellowship. The ethic of marriage is hedonistic, not monastic.

This understanding of marriage expresses itself in Halacha. Sexual intercourse is halachically central to marriage, since marriage is where Halacha guides us to express and explore this aspect of our humanity.

The Talmud considers husband and wife to be sexually pledged to each other. Rashba suggests that this mutual pledge is a basic condition of marriage, distinct from specific *mitzvot* related to marital relations:

Rashba *Nedarim* 15b

For it is not solely on account of mitzva...but rather because they are pledged to each other for this [sexual relations], for on this understanding they stood and married...

The couple's conjugal rights to each other can be waived only through mutual agreement. They are so significant that consistent refusal to have relations can be grounds for divorce, with negative financial repercussions for the refuser.<sup>7</sup>

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<sup>6</sup> Shulchan Aruch, EH 77 1-2

One who rebels against his wife and said: I will sustain and provide, but I will not have intercourse with her because I hate her, we add on to her *ketuba* [settlement in case of divorce]...And even though her *ketuba* is increased, he still violates a negative commandment, as it is said: "he shall not decrease" (*Shemot* 21:10); and if she wants, we compel him to divorce her immediately and to give the *ketuba*

## The Sexual Significance of Kiddushin

Rambam opens his Laws of Marriage with a brief historical sketch, describing marriage as a basic human arrangement that predates the Torah. Sexual relations are a defining element of this institution:

### Rambam, Laws of Marriage 1:1-2

Prior to the giving of the Torah, a man would encounter a woman in the marketplace. If he and she would want that he marry her, he would bring her into his home and have relations with her in private, and she would be his wife.

Rambam adds that Jewish marriage has additional significance—Halacha permits sexual relations only following *kiddushin*.<sup>8</sup>

### Rambam, Laws of Marriage 1:4

Whoever has sexual relations with a woman for the sake of promiscuity, without *kiddushin*, receives lashes for a Torah violation...

Sexual relations within marriage are thus especially significant, given the absence of halachically sanctioned sexual outlets outside it.

### Rabbi Joseph B. Soloveitchik, "The Redemption of Sexual Life," in *Family Redeemed: Essays on Family Relationships*, ed. David Shatz and Joel B. Wolowelsky (New York: Toras HoRav Foundation, KTAV, 2000), 77

Solemnization [formal ceremony] and halakhic ratification is a *conditio sine qua non* [necessary condition] for the permissibility of sexual activity. This idea comes to expression in the first blessing of *birkhat eirusin*, the benediction of betrothal....On the one hand, Judaism never recommended sexual restraint nor exalted the state of celibacy or virginity....On the other hand, Judaism could not approve of the natural sexual life without subjecting it to a remedial process of purification, as it was too well aware of all the evils intrinsic in an unchaste life, in unharnessed and undisciplined sexual practices...

Furthermore, by consenting to [\*kiddushin\*](#), a woman becomes sexually permitted exclusively to her husband. We can understand the acquisitional aspect of *kiddushin* as the husband's assumption of the right to be intimate with his wife:<sup>9</sup>

### Responsa Meishiv Davar 4:35

...It is a clear matter and primarily understood that the meaning of "when a man

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[settlement]...A woman who withholds intercourse from her husband, she is called "rebellious"...If the husband wants to divorce her she has no *ketuba* [settlement] at all.

<sup>8</sup> We plan to discuss in the future whether this is a Torah prohibition, in accordance with Rambam's view, or a rabbinic one, as well as the question of *pilagshut*, concubinage, which may itself require *kiddushin*.

<sup>9</sup> In his Laws of Vows, Rambam compares a husband's rights to sleep with his wife to the rights of someone who has rights to usufruct, "*ba'al peirot*."

### Rambam, Laws of Vows 12:9

A woman who said to her husband, 'the benefit of relations with me is prohibited to you [as a vow].' He does not need to nullify [the vow], for to what is this similar? To one who prohibits [through a vow] usufruct of his fellow to the usufruct's owner...

takes a woman” is for what the verse concludes “and has relations with her,” or “and he sleeps with her” and nothing more. From this we learned that for this specific element she is acquired to him...

Although Torah law permits a man to marry multiple wives, nowadays a man can be married to only one woman. This is a legal decree for Ashkenazim,<sup>10</sup> and a strong, prevalent custom in Sefardi communities. Thus, in practice, a married couple are sexually permitted only to each other.

A married couple’s pledge to each other reflects the exclusivity of their relationship.

## Mitzvat Ona

The husband is obligated both in the mitzva to procreate, which typically entails having sexual relations, and in an ongoing mitzva to have relations with his wife at regular intervals, *mitzvat ona* (literally, the mitzva of the season or period of time). *Mitzvat ona* can be derived from a Torah verse that enjoins a man who marries a second wife not to neglect his marital duties to his first wife:

### Nedarim 15b

Behold he is pledged to her on a Torah level, as it is written “her food, clothing, and her *ona* [sexual rights], he shall not decrease.”

In his commentary on the verse, Ramban argues that each of the three words “*she’arah*, *kesutah*, *ve-onatah*,” relates to a distinct aspect of intimacy:

### Ramban Shemot 21:9

...Behold *she’arah* is the closeness of her flesh. And *kesutah* is the covering of her bed...And *onatah* is the interval that he comes to her for the time of love [marital intimacy]...

Ramban highlights the elements of physical closeness, a protected location, and timing. These evoke, respectively, the revealing vulnerability of sexual relations, the broader context of *tzeniut* in which they take place, and the significance of regularly setting aside time for physical intimacy. Elsewhere, Ramban calls these three aspects of marital intimacy the essence of marriage:

### Ramban, Bava Batra 126b

...For [*she’ar*, *kesut*, *ve-ona*] are the essence of marriage according to the Torah.

We discuss other halachic implications of this verse [here](#).

## Parameters of Ona

Halachic obligations often have set parameters. The Mishna delineates a minimum frequency, *ona*, for marital relations, depending on the travel and exertions required

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<sup>9</sup> Shulchan Aruch EH 1:10

Rabbeinu Gershom pronounced a ban against one who marries in addition to his [first] wife.

by the husband's occupation. The more he is at home and the less he exerts himself at work (or study), the more often he must be prepared to have relations when his wife is interested:

Mishna Ketubot 5:6

*The ona* stated in the Torah: those at leisure - every day, day laborers - twice weekly, donkey drivers - once a week, camel drivers - once in thirty days, sailors - once in six months. The words of Rabbi Eliezer.

These intervals are meant to provide a basic framework, though, and not to override a couple's personal considerations. Shulchan Aruch (drawing from Rambam)<sup>11</sup> notes that the obligation corresponds to a man's personal situation and state of health. He adds that a woman can waive her rights to *ona*, as long as the waiver would not interfere with fulfillment of the mitzva to procreate:

Shulchan Aruch EH 76:1, 3, 6

"Her *ona*," how is it? Every man is obligated in *ona* in accordance with his strength and in accordance with his work...With regard to what were the matters said? With regard to someone whose body is healthy and can fulfill the *ona* apportioned to him. But someone who is not healthy is only obligated according to what is assessed that he can fulfill...A woman who permitted her husband after marriage to refrain from her *ona*, this is permitted. With regard to what were the matters said? That he fulfilled the mitzva of procreation.

Similarly, early halachic authorities establish that a woman is not obligated to be constantly available for relations:

Responsa Maharit 1:5

For certainly she is not pledged to him at every moment if she does not wish it...for we do not force her, for she is not as one taken captive by sword to be sexually available for him at all times.

Rav Moshe Feinstein explains that the mitzva of *ona* does not apply when sexual relations are difficult for a woman:

Responsa Iggerot Moshe OC 4:75

It is obvious that when it is difficult for a woman to accept intercourse she is not obligated.

Indeed, the Talmud describes the *mitzva* of *ona* as joyous.<sup>12</sup> It notes that a couple are sometimes expected to enjoy relations even outside of the set intervals, and even during pregnancy, further distinguishing the mitzva of *ona* from the mitzva to procreate:

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<sup>10</sup> Rambam, Laws of Marriage 14:1

The *ona* stated in the Torah: for every man in accordance with his strength and in accordance with his work

<sup>12</sup> For example, after the revelation at Sinai, which was preceded by several days of abstinence, spouses reunited in joyful *ona*:

Avoda Zara 5a

At Sinai also it is written: "Go, say to them, return to your tents" [*Devarim* 5:27]—for the joy of *ona*.

### Pesachim 72b

His wife, he also performs a mitzva [in having relations with her]. With his pregnant wife [relations would not fulfil the mitzva of procreation]. But there is the joy of *ona* [even then]. Outside of the time of *ona* [relations would not be a mitzva]. But didn't Rava say: A man is obligated to gladden his wife in the matter of mitzva.

Rashi understands this statement as requiring a husband to be responsive to his wife's sexual overtures:

### Rashi ad loc.

To gladden his wife - even not at the time of her *ona*, if he sees that she desires him.

Ra'avad identifies a husband's responsiveness to his wife at any time as a fulfillment of mitzva *ona*:

### Ra'avad, *Ba'alei Ha-nefesh*, Gate of Sanctity

...[When] she desires him, and he recognizes that she is making an effort to please him and adorning herself before him in order that he pay attention to her. And similarly, when he leaves for a trip, when certainly she desires him. For this as well he receives reward, and this itself is the mitzva of *ona* that the Torah stated, similar to her food and her clothing that he not decrease, for they are a woman's needs and her pleasures.

Taking this line of thought a step farther, Rav Moshe Feinstein characterizes this responsiveness as the fundamental, Torah-level obligation of *ona*:

### Responsa *Iggerot Moshe*, EH 3:28

In my humble opinion, it would seem that the fundamental [obligation of] *ona* is at the time that the husband sees that she desires her husband. For therefore Rava said in *Pesachim* 72, "A man is obligated to gladden his wife in the matter of mitzva," which Rashi explained as "even not at the time of her *ona*, if he sees that she desires him." ...He interprets the verse thus, that "he shall not decrease her *ona*" refers to his being obligated at the time that he sees that she desires him...

Dr. Yocheved Debow emphasizes that this mitzva takes the needs of women into account:

### Dr. Yocheved Debow, *Talking about Intimacy & Sexuality: A Guide for Orthodox Jewish Parents* (Jersey City: OU Press-KTAV, 2012) 28.

...it is only in the last fifty years that researchers of human sexuality have confirmed that there are differences between the ways the sexual needs of men and women are fulfilled. This "newfound" awareness confirms just how remarkably forward thinking Judaism has always been in the area of human sexuality. The halakhah reflects the very real differences between men and women in the area of intimacy and sexuality, taking these differences into account and creating parameters to maximize fulfillment of a woman's needs as well. Sensitivity to women's needs is most clearly to be found in the mitzvah

of onah...

Ideally, the mitzva of *ona* creates a framework for a sexual relationship that is responsive to the needs of both spouses.

### **Ona at Special Times**

Some days or times are seen as especially propitious for marital relations. Relations on Shabbat are a fulfillment of the mitzva of *oneg Shabbat*, taking pleasure in Shabbat:

Shulchan Aruch OC 280:1

Sexual relations are among the pleasures of Shabbat...

Another time that receives special mention is just before separating for a trip. The man about to travel has a special obligation to his wife because we assume that his impending absence will increase his wife's desire:

Yevamot 62b

Rabbi Yehoshua ben Levi said: A man is obligated to remember his wife [with sexual relations] at the time when he departs for a journey, for it is said "And your desire will be for your husband" [*Bereishit* 3:16]. This teaches that a woman desires her husband at the time when he departs for a journey.

Another time designated for *ona* is mikveh night, coming as it does after a period of separation:

Shulchan Aruch EH 76:4

Every man is obligated to remember his wife [with sexual relations] on the night of her immersion, and at the time when he departs for a journey.

Even so, these *onot*, too, can be waived. To start with, a husband may not force his wife to have relations:

Eiruvim 100b

Rami bar Chama said Rav Assi said: It is prohibited for a man to force his wife to the matter of mitzva [to have sexual relations].

Later halachic authorities recognize that sexual relations will not always take place on mikveh night. They suggest that other forms of physical intimacy can be considered an element of the mitzva of *ona*, justifying immersion for physical closeness even when the couple will not be having relations:<sup>13</sup>

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<sup>12</sup> Responsa Shevet Ha-Levi 8:271

In the matter of what is written in *Shiurei Shevet Ha-Levi*, that it is a mitzva to immerse and become *tehora* for her home even when they do not intend or are unable to have relations on account of some reason, and that thus I received from Gedolei Ha-dor who were before us, in any case, it is very simple that everything is according to the person, for if this conduct conflicts with the boundaries of sanctity and he can't restrain himself [from becoming overly aroused when his wife is *tehora* but they will not have relations], then "the wise man keeps his eyes about him," and the system of *harchaka* when she is in *nidda* will save him from everything.



### Shiurei Shevet HaLevi 197:3

It seems that the obligation is not specifically on account of [the mitzva of] procreation, since there is an obligation to immerse even for a woman who is pregnant, nursing, or postmenopausal, for whom procreation is not relevant. Rather, the obligation is on account of *mitzvat ona*, and therefore, even when it is not possible to have sexual relations, e.g., because of physical health, she needs to immerse on account of [other forms of] intimacy and the permissibility of touch. For it seems that she is pledged to her husband even without actual intercourse. And thus is demonstrated in the early halachic authorities...

Rebbitzens Sara Morozow and Rivka Slonim expand on how to balance a sense of imperative and planning in sexual intimacy with the individual needs and feelings of each spouse:

### Sara Morozow and Rivka Slonim, *Holy Intimacy* (Cambridge: Shikey Press, 2022), 28-30

Even when a wife and husband love each other dearly and are profoundly devoted to one another, their desires and preferences will not always align....The first step is to clearly communicate and listen carefully to each other....Sometimes, one will yield to the other's preference. Sometimes, the answer will still be no; but the way that "no" is delivered can make all the difference....Spontaneity is too precious to be left to chance....Recognize the wisdom in appointed times, especially for the most important things in life....Plan accordingly so that you can welcome and enjoy your special time together....See what you need so that you can give and receive optimally and wholeheartedly.

### **Limits and Balances**

Given the centrality of the sexual relationship to marriage, and the halachic discussion of mandated frequency of relations, one might expect a complementary discussion of limits.<sup>14</sup> The Talmud casts men who engage in relations "like roosters" in a negative light:

### Berachot 22a

That *talmidei chachamim* should not be found with their wives [for sexual relations] like roosters...

Rambam seems to interpret this concern in quantitative terms:

### Rambam, *Hilchot Dei'ot* 5:4

Even though a man's wife is always permitted to him, it is fitting for a *talmid chacham* to conduct himself with sanctity and not to be found with his wife [for relations] like a rooster, but rather from Shabbat night to Shabbat night if he has the strength.

A parallel discussion in the Talmud Yerushalmi, however, suggest a more qualitative

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<sup>14</sup> As we wrote at the beginning of this piece, our discussion of sexuality seeks to combine openness with *tzeniut*. We will address certain halachic limits here, especially those associated with timing. Other limits—e.g., on specific activities or expressions of sexuality—are outside the scope of this article.

concern of engaging in relations animalistically:

Yerushalmi Berachot 3:4

That Israel not be like these roosters—he has sexual relations, and gets up, and goes down to eat.

Keeping sexual relations in check quantitatively so that they do not dominate a couple's relationship may enhance their meaningfulness.

The firmest halachic limit on a married couple's physical intimacy is the prohibition of having relations during *nidda*, a woman's period of menstrual impurity, which lasts from the onset of a uterine bloodflow until immersion in a mikveh.

Intercourse during *nidda* bears the penalty of *karet*, spiritual excision, for both parties:

Vayikra 20:18

A man who sleeps with a woman in *nidda* and uncovers her nakedness, he has bared her womb and she has revealed the source of her bloods, and the two of them will be excised from within their people.

Rabbi Meir suggests that this prohibition is not meant to work against the sexual relationship, but rather serves to enhance marital excitement overall, keeping the husband from taking his wife for granted:

Nidda 31b

It was taught [in a baraita]: Rabbi Meir would say: Why did the Torah say [a woman is in] *nidda* for seven [days]? Because he [the husband] gets accustomed to her and becomes tired of her. The Torah said: she should be ritually impure for seven days, in order that she be as beloved to her husband as when she entered the *chuppa*.

In practice, Rabbi Meir's observation doesn't always speak to couples' experiences, especially since our observance entails more than seven days of separation. *Nidda*'s impact on intimacy varies from couple to couple. Rabbi Meir's words also leave open a major question for the couple: How to find an appropriate balance of intimacy and distance during *nidda*?

On the one hand, even though relations are prohibited to a married couple during *nidda*, seclusion together (*yichud*) is permitted:

Sanhedrin 37a

For this heretic said to Rav Kahana: You say a woman in *nidda* is permitted to be secluded with her husband. Is it possible for fire to be in flax and it not be ignited? [Rav Kahana] said to him [the heretic]: The Torah testified regarding us as "fenced in by lilies" for even when [what keeps them apart is] like a fence of lilies, they will not make breaches in it.

On the other hand, a range of behaviors, known as *harchakot*, keep the couple from being sexually intimate during *nidda* and affect their broader sense of intimacy during *nidda*. (For a discussion of *harchakot* in practice, see [here](#).)

For instance, a woman does not perform three types of affectionate tasks for her husband during *nidda*, because they would be more intimate than is appropriate for that time, though such acts are not necessarily a prelude to sexual relations:

Ketubot 61a

Rav Yitzchak bar Chananya said Rav Huna said: All labors that a woman performs for her husband, a woman in *nidda* performs for her husband, aside from mixing his drink, and turning down his bed, and washing his face, hands, and feet. And turning down his bed: Rava said: We said it only about in his presence, but when not in his presence, we have no halachic concern with it. And mixing the drink: Shemuel, his wife would switch to her left hand. Abbaye[’s wife] would set it upon the mouth of a barrel. Rava[’s wife] on a pillow. Rav Papa[’s wife] on a stool.

Within this passage, concern for intimate behavior is balanced with concern for the relationship. There are ways for a wife to turn down her husband’s bed or to mix his drink, as long as precautions are taken not to lose awareness of it being the time of *nidda*.

Later halachic authorities add that a husband shares in these constraints.

Aruch Ha-Shulchan YD 195:14

So she is prohibited to turn down his bed in his presence, and specifically spreading the sheets and covers, which is affectionate, and all the more so that he is prohibited to do this for her...and how much more so that he should not pour water for her [to wash]...

Similarly, a husband is expected to refrain from overtly flirtatious behavior with his wife during *nidda*, but is still permitted to take pleasure in looking at her.

Shulchan Aruch EH 21:4

A man is permitted to gaze at his wife even though she is in *nidda* and considered *erva* [sexually prohibited] to him, even though he takes pleasure seeing her, since she is permitted at a later time, he will not come to stumble through this. But he should not flirt and act frivolously with her.

Rabbanit Tirza Kelman provides an overview of the significance of *harchakot* for the marital relationship.<sup>15</sup>

Rabbanit Tirza Kelman, “Laws of Harchakot that Don’t Touch on Direct Touch and their Significance,” *Derisha* 5 (2022), 101-102.

The basic assumption behind the halacha is that those who observe of halacha do not wish to transgress any prohibition. Given this assumption, and since the time of *nidda* is only a break in the multi-dimensional relationship that exists before and after this period, they are also prepared to meet this challenge and not to transgress the bounds of halacha. This is the background for the

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<sup>15</sup> Available here: [https://midrasha.biu.ac.il/files/midrasha/shared/hlkvt\\_hrkhqvt\\_shynn\\_nvgt -\\_trtsh\\_qlmn.pdf](https://midrasha.biu.ac.il/files/midrasha/shared/hlkvt_hrkhqvt_shynn_nvgt -_trtsh_qlmn.pdf)

permissibility of seclusion for the couple, and also for the permissibility of gazing in a pleasurable way. At the same time, specifically with the daily acts that distinguish married life, there is a potential for special intimacy that is not appropriate for this time period...The couple's relationship at these times differs from times of ritual purity...There is a need for a shift in awareness during the time period of prohibition. At the time when the couple are permitted to each other, the various dimensions of a couple's intimacy are intertwined. Conscious emotional intimacy tends to be linked to physical intimacy, even if it has aspects that stand on their own....In contrast, when the couple are prohibited, it is necessary to find ways, delicate as a fence of lilies, and to create a separation between the different aspects of couplehood.

The overall sense is one of a relationship cycle that encourages a range of modes for interaction. There are times for leaving aside physical intimacy and times for embracing it, times for greater intimacy and times for greater autonomy, all within the broader framework of an intimate marital relationship, relying on the knowledge that each season gives way to another:

**Kohelet 3:1**

For everything there is a season, and a time for every desire under heaven...a time to embrace and a time to distance from embracing.

In our next piece, we'll go on to discuss halachic limits on touch between men and women, in and out of marriage.

**Further Reading**

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