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HALACHIC PERSPECTIVE: ETHICS OF MARRIAGE - LOVE AND ITS COMMUNICATION

The Mysticism of Marriage
The Talmud Bavli

Sanhedrin relates that when
G-d created man He

took all colors earth -

black, red, yellow, white

From all over the world and

formed the body of man. ①

The head was formed from
the earth of Eretz Yisroel. ②

G-d in his Great wisdom

Created Siamese twins, male
and female. ③

His soul ^{into} this ^{body} ^{and} ^{God} ^{breathed}
in God's image. The Talmud explains why ~~it~~ ^{it} was necessary to create
only one man. Could ~~not~~ ^{not} he have created many
men at once, separately
distinguishing ~~between~~ between
the races - black, red, yellow,
white? The Talmud
answers that God at the
onset of creation
proclaimed the brotherhood
of all men. All trace
~~their~~ their ancestry to
Adam. ④ Thus no man
can claim superiority over
any other man. ⑤

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No man can claim that his bodily makeup - his chromosomes have a holier state, a more favorable status, an inherent right to rule over others. (b)

~~the same reasoning~~

All men have a common background - at creation. All have similar characteristics. All have similar potentials - strengths and weaknesses. Thus at the birth of man God by His Act of creating one man emphasized the

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common denominator of all
men. humans. The reasoning
for creating one man,
equally applies for
creating both male and
female as the first
man. Thus the ~~te/raus-~~

- Grassa - in Aves de Rav Nosen
declares that when Adam
and Eve were separated from
each other, ~~Eve was~~
neither Adam nor Eve could
claim any superiority over
each other. Both came
from the generic man. (1)
The operation.

unfolding of Divine Design.

It was G-d's Will that both men and women be given an opportunity to develop their inherent unique selves. This could not be accomplished in the extreme proximity of being attached as Siamese twins. Thus G-d severed them to give them ~~to~~ life space to develop their unique differences.

For as G-d did not ^{human} create ~~to~~ any two individuals in the world with similar

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Faces, ^{voices,} or fingerprints, so
too there are no two
minds, who are identical.
Each man is unique and
different. (8) "Each man can
say for my sake was the
~~world~~ universe created," (9)

Each man's mind when
developed and realizing its
potential is another
manifestation of Divine
wisdom. (10) Each man

~~man~~ ~~born~~ ~~man~~ or
regardless of his race
color, sex or religion can

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(11)

attain prophesy. Each
 human if he be truly
 dedicated can illuminate
 mankind with Divine
 wisdom - in the realm of
 scientific discoveries or
 in a more profound
 analysis of metaphysics. (12)

this ~~At~~ Ramban ~~and~~
 Yaad Hachayaka end of
 hours of Shmita and
 Yovel declared that
 any human in the world

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Who is dedicated to develop his potential must be given that opportunity by the community. They must provide for his sustenance. (13)

It was G-d's Will that each human develop his own self and personality and spiritual personality. The Mitzvohs that man performs transfers his being into an eternal never ~~dying~~ human. True.

his body dies but his soul
 given at birth and his
 spiritual personality that
 man develops by performing
 Mitzvos become the
 accepted partner's to G-d
 for eternity.

It is after both
 males and females have
 be developed their unique
 selves ~~that~~ as human's
 with G-d's image, that
 they should ^{then} contemplate marriage.
 Marriage is a join

of two souls, ~~to~~ by mutual consent to share in the furtherance of their G-d destined roles as humans.

Thus the couple agree to ~~to~~ merge their destiny, to unite in ~~the~~ mutual love and

respect; to equally share all obligations and privileges; to

respect each others differences. (7) Briefly,

each contracts to

contribute to the new
 union of man - what
 each in his own way
 is best qualified to give
 Thus male and female -
 though separate become
 one. Spiritually they are,
 in a sense, as Adam and
 Eve before the operation.

The Talmud considers
 this union as a sacrifice
 as the ~~same~~ reason de etre
 of creation. For G-d
 created the world for
 man.

- 1'0137 -

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וַיִּבְרָא אֱלֹהִים אֱדָמָה וְכָל הַבְּהֵמָה וְכָל הָרֶמֶשׂ וְכָל הַיָּרֹקֶת וְכָל הַיְּצִיָּוִת וְכָל הַיְּבֵשֶׁת וְכָל הַיְּמֵשֶׁת וְכָל הַיְּשֵׁבֶת וְכָל הַיְּשֵׁבֶת וְכָל הַיְּשֵׁבֶת (15)

G-d did not create the world to be desolate without man. He created the world to be settled by man.

וְעַתָּה יִבְרָא אֱלֹהִים אֱדָמָה וְכָל הַבְּהֵמָה וְכָל הָרֶמֶשׂ וְכָל הַיָּרֹקֶת וְכָל הַיְּצִיָּוִת וְכָל הַיְּבֵשֶׁת וְכָל הַיְּמֵשֶׁת וְכָל הַיְּשֵׁבֶת וְכָל הַיְּשֵׁבֶת וְכָל הַיְּשֵׁבֶת (16)

But not man - the animal, but the human, was the intent of the Creator. Man had to ~~be~~ fulfill the design of the Creator - be humane and perform all ~~the~~ other

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Mitzvohs pertaining to him.

No man or woman could be complete unless they were united with each other. (11) Thus the marital act is not

only a form of physical gratification and fulfillment of a basic need; but it is

a form of Divine communication. (18) IF man

fulfills this act in a manner prescribed by Divine Law, then h.

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and his ~~partner~~ ^{mate} by
So doing become an
accepted partner to G-d and
attain eternity. (19) Their
spiritual personality ~~been~~
developed by the fulfillment
of G-d's will never dies. (20)

Thus, if they are
Levite married in accordance
with Jewish Law, observe
the laws of family
purity and the ethics
of marriage - ~~they are~~
a part of themselves

lives forever. ¹⁵ Obviously,
non Jews live forever
by being humane and
observing their convention
and laws. (v)

To emphasize the
critical importance the
Torah attaches to the
institution of marriage,
the blessing recited in
the marriage ceremony
incorporates the creation
of Adam and Eve.

Bride and groom are
compared spiritually, in
a sense, to original

before the operation and immediately after enjoying mutual love in the Garden of Eden. In fact, ^{most of the} blessings in the ceremony ^{we} relate the purpose of creation, which is man, ^{in a} brief reference to Adam and Eve in the Garden of Eden; and a declaration of the essence of ^{marriage} - a union of two souls.

However, all this is preceded by the historical phenomena of Revelation of God at Sinai 3400 years ago

In front of millions of
 Jews and non-Jews. ⁽²⁴⁾ At the
 time, ~~in reverse~~, God made
 a covenant with Jews
 to keep the ~~613~~ 613
 Commandments and
 with non-Jews to
 observe all the humane
 moral laws (Seven
 Noahite Principles) ⁽²⁵⁾ In
 that way all of
 mankind would merit
 Eternity. ⁽²⁶⁾ God forced the
 Jews to accept the
 burden of additional

The Talmud relates that
 He threatened to crush
 them with the mountains
 of biggos if they refuse
 to accept the entire Torah.
 The mountains of biggos,
 in a mystical sense,
 were held hovering over
 their heads. The Jews
 acceded to the demands
 of G-d. ⁽²⁷⁾ In a mystical
 sense, G-d is the
 Bridegroom; and the Jews
 are the bride. ⁽²⁸⁾ Another
 bride surrenders herself
 only in a very narrow

to the ¹⁹ bridegroom, so too
did the Jewish people
surrender themselves to
G-d.

The conquest of the
Jews

G-d is mystically
compared to a Chupah -
to the ceremony of the
marriage under the
canopy.

After the
Jews surrendered themselves
to the demands
of G-d, they then rec.
the entire Torah at Mt
Sinai. This event is

mystically compared to the
betrothal of bride and
 groom. (2) Thus a covenant
 was exchanged between
 G-d and all his children.

Jews and non-Jews.

- You humans keep my
 commandments - to each
 his own - what I have
 commanded, and G-d
 will ^{repay from you} ~~repay~~ ^{you} ~~me~~
 of you ^{and elevate} ~~and~~ ^{all} ~~your~~
 destiny. For the man
 who does the will of
 G-d will have G-d do
 his will. (3) Such man
 rises above his destiny
 he controls his

not his destiny controls
him. For all men can
achieve prophesy. (31) All men
can merit to have Divine
Providence oversee and
guide their lives. All men
are rewarded and punished
according to their deeds.

All men have within
their power - by improving
their deeds and behaving
humanely - to merit to
change any evil decree
destined for them. (32)

Only animals and
men behaving like
animals are at the
mercy of fate and destiny (1)

Bride and groom about to embark upon the most important mission of their lives become part of the drama of creation.

Time loses its meaning and relevance. Mystically,

both relive the phenomena of Revelation at Sinai.

They now have a historical basis for the demands of a caring G-d. Both ~~part~~ ^{roles} played by groom and bride now enter the stage of maturity. Both

new form Man. Man before

ishbatz
Katon
end of
Simon
467

and after the operation
at the Garden of Eden. ~~Man~~ ~~person~~
they receive the ~~name~~ ~~of~~ man
accepting ~~the~~ ~~role~~ of being

conquered by G-d. (A) It is
not to the groom that
the bride surrenders herself,
but to G-d. IT IS

as cited

~~Rev. Hutzler~~
Rev. Gitzchok
Hutzler
in his

because the Torah values
the importance of womanhood
that the Divine Wisdom
sanctified the bride
more than the groom. I
is the bride that ~~she~~
becomes a person. (34) She is

approbation
to Mikrahs
Hakaras by
Rev Joseph Davis

~~24~~ 24

consecrated to G-d. G-d permits her
 only to her husband; to no
 one else. She is now an
 accepted partner to G-d.
 Though her husband is
 forbidden to anyone but
 his wife; but the
 severity of his offense is
 in no way similar to that
 of his wife. Women being
 a higher creature, of
 creation had greater
 demands and responsibility
 than males. Thus
 women are exempt.
 All commandments bound by

A Mikvah
 Psalms
 Don't speak
 eating wine
~~18:1~~
~~78:1~~
 Rav Shimon
 S.H. KOPF
 in his
 comments
 to Pederushin
 Chapter 11
 also Rav
 Joseph Engel
 on Mahrit
 Number 219
 see page 121

The Mehrab Mepray, though of course, conceding that the ultimate reason for this is a mystery known only to G-d, offers the following explanation.

Women are on a higher mystical plane than men. Their soul and spiritual personality do not need the mystical sustenance offered by such commandments. Thus they were exempt. (39)

However, in this case Divine Wisdom ruled that

Women abide by a stricter
 standard than men; though
 infidelity is strictly
 forbidden for both. Thus,
 a woman married in
 accordance with the laws
 of Judaism is consecrated
 to G-d. She now can be
 compared to the
 Kodshai Kodshim ^(in the) ^{Bas} Ha Mikdash - the Holy
 of Holies in the Temple in Jerusalem. Just
 like no one
 was permitted to have
 any form of contact or
 entry into the Holy of

of Holies except the Kohen
Godol - the high priest on
Yom Kippur; so too no
one is permitted to her husband

Just like in the case
of the Holy of Holies
if anyone entering there except
the Kohen Godol - the High
priest, on Yom Kippur, is
liable to the death
penalty, so too anyone
except the husband, who
lives with her
is liable to the death

(A) Orach Hashulchan
Even
Hoener
20:1
55:1

(A) penalty. IF she was a willing partner she too is liable to the death penalty. (A) there must have been kosher witnesses who warned both of them of the consequences, spelling out in detail the precise violation and penalty. Both must have understood and scoffed at the witnesses. The witnesses must have

precise violation and

Seen ^{infidelity} the actual marital
act. ^{No} capital punish-
ment can be administered.
unless the Temple is in
existence built in its

precise location on the
Temple Mount in Jerusalem.
No capital punishment

the Sanhedrin have its offices in
the Temple itself. No capital punishment
has been administered since
40 years before the
Temple was destroyed, and
the Sanhedrin moved its
offices elsewhere. Thus

no capital punishment
have occurred. (no capital punishment
in the past 2000 years no case
technically)

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anyone else either.

Orach Hachukim

Even Hager 17:1

20:1

Any marital 55:1

Any relationship with
anyone before she receives
a Get

is adult
seemed adulterous.

This is true even if
she has a civil
divorce. ~~the same~~

All Jews who
get are married regarding
if their marriage is
according to Halacha or not
must obtain a Get

①

1st Marriage with a Jewish divorcee, marryor live with another man and have children from union, then

a Jewish divorcee once they dissolve the marriage - if they do ~~so~~ are not married in accordance with Halacha - ~~and~~ ~~not~~ ~~to~~ ~~disolve~~ the

Halacha authorities

Rav Feinstein deem such union as bastard

including so many from a second

Mamzerim. The witnesses do not accept

אין כנסת

קצוות אין חלום
חתימה כחולת

אמנת קצוות

נא: א

אבל מניח מאמר

נא: א
אין
קצוות
חלום
חתימה
אין

חתימה חזק

נא: א

זרועה יש לה

אין אים חזק

חתימה חזק חזק

נא: א

30c

The entire Torah ~~with~~
as a Divine - without
reservation. Then they
themselves are ~~incompetent~~
is not in accordance
with Halacha.
Likewise if they
fail to practice
the ritual or the
humane laws - they
are witnesses are
incompetent. Then
the marriage is not
in accordance with Halacha.

is administered for adult,
nowdays as a result of the destruction of
the temple; all who deserve to be
punished are given their
just due by G-d. All
who deserve to be rewarded,
also are blessed by
G-d in a most unexpected
manner.

(A)
Aruch
Hachmudon
Even Hoeger
10: 2

In addition, the

(B)
Mid
11: 1, 2

woman committing
adultery is not permitted
to live with her husband.

Mid
7: 1 end.

After being divorced she,
like wise, is forbidden to
her lover. She thus become

Before
she a Jewish
she

She must be aware that
 all humans without an
 exception are weak and
 can be overcome by
 temptation. ⁽⁴⁷⁾ The fact
 that she exchanged
 marriage vows and
 stood under the canopy -
 in the marriage
 ceremony; did not
 immunize her from
 temptation. It is
 therefore forbidden for a
 married woman to do
 any act to entice others.

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She must dress and behave modestly.
She must make herself
attractive only for her
husband, not anyone else. (4)

She must not seclude
herself in a room with
anyone except her husband,
children or very close
family. This is called
Yichud. (50) - preventive action
G-d calls Man for an
accounting, why he did
not take preventive
action when he is in
greater control over
his passions.

The man who violated
 another's wife was liable
 to the death penalty as
 previously stated. Now say
 G-d punishes him in
 a manner best known
 to Divine Justice. He is
 not permitted to
 marry his lover even
 after she is divorced
 her husband. He, the
 wife, can be divorced
 by her wife. I refer
 is ground for divorce

the wife can bring an action in
Rabbinical court to force her husband to grant her
a divorce. (51) In addition, the offending

(A)
Even Hoeyer
82:7
Chelkoz
Mecholok
Even Hoeyer
82:10
Bair
Shmuel
82:9

wife loses support and
all ~~custody~~ custody of any
children. (52) She is not a
fitting parent to raise
children. The offending
male is straddled
with support of his

~~when the former~~ ~~the wife can force~~
the Koubah and addition

both parents him to free her - by
are equal giving her a Get. He
the boys after loses custody of any
age six children; he is not a
The father gets fitting parent to raise
custody of children after age six

Before divorce ^{95A}
~~If~~ the wife moves away
from the husband and it
is his fault, he is liable
for her support. If it is
her ~~fault~~ he is not
liable Kamo Even
| Solger 70:12.

If she was guilty of
infidelity she loses
her Ksubah - dowry
Even Hozer 115:7
If she is guilty of
misleading him in 115:1, 2
other areas of Judaism, the
act is ground for divorce

through she obtains a Jewish divorce
Even if she is not Jewish
154:1

If he is guilty of
infidelity he is forced
divorce her upon her
request such as Haskuleha
EVEN HAZER 154:16

likewise if he
beats her, ~~18~~ 154:18
He is first warned
if he persists he
is forced to divorce
her. If she persists
The beating by
cursing him or
his family, she
loses her Koubah (sum)

the families this

mother of refuses

to support the

court forces them

to hand her

to support her

mother. This is

not practical, to

they force them to

work her a

lot of money

At Evenberger

154:20

(A)

see ~~the~~ Cain & Abel Even Haeger
chap 4:5 she has the burden

Even Haeger 13:5
child

154:3 If he & has work
if practical the court can force
him to work. ie. imprison
him if he refuses or refuse
to grant welfare to him
they only grant welfare to his

the
of the money to work and provide
the maintenance support given,
the is forced to share his

Once a woman refuses -

to divorce
Once a woman is divorced
she is not entitled,
according to Jewish
law, to get ~~support~~
financial support.

Even Hoyer 82:6
she loses support even
~~even~~ if she is married

but refuses to ~~live with~~
serve his meals ~~and do those~~
with her ~~on the~~

Same house, though
more this is true

she will agree to
houses, ~~live in~~
come home and
live with him as
man and wife, she

loses support.
Chel Koz Mechokek
Even Hoyer 70:43

run a career and is
only home ~~at~~ night,
if the husband objects, she
loses support.

duties as
a wife does
but rather
have them
done by an
agent she
can not
substitute
an agent to
do such duties.

~~for~~
Thus if she is
away from the house

30 Pa

She certainly loses support when she refuses to live with him as man and wife
Ever Hoyer
77:2

It has of she took ~~has~~ and initiates argument and wishes to punish him. She is and hurt him by refusing to live with her. The court attempts to ~~decide~~ arbitrate the issues. If she refused to agree and

If the court rules against her and she alleges to return to her husband he can divorce her and

of punishment given by the Government to her.

35

twelve months.

Of the maintaining that that is over

that he disjoints her - there is no argument between them - but they are incompatible, he can divorce her immediately

In both instances we rule that he can't be forced to divorce her. This is in contrast to ruling of Cambodian

verses of Isaiah 14:8 The Daughters of Israel a

In both cases she has her children and together claiming that he disjoints her she must

stand - maintain - acts with them

35 g
not maid servants
They can not be
forced to live
with a man. He
refuse to.

In a later
chapter we discuss
this further.

If the husband refuses
to live with his
wife the court
increases her dowry
Ksubah every week by
36 ~~78~~ golden pieces.

When the wife refuses
she is pleased by this she
has the right of this

If the ^{30th} husband still
refuses to return and
live with his wife,
he is forced to
divorce her, if she
wishes to this

and abortion. Even Holger
relief. She does get her ~~husband~~ ^{Ksubah}
77:1.

When the
husband refuses to live
with his wife he
is in violation of a
divine law

and her marital privilege
shall not diminish.

358 § i

Obliviously, the ^{irish} law of the
land governs. Otherwise,
the husband can be
imprisoned at the
insistence of the wife.
in ~~the~~ ~~the~~ many states of the USA.
In case the wife
or former wife burdens
a husband with
animosity, how he should
act is a matter he
should consult ^a ~~an~~ ~~arbitrator~~
an arbitrator. Suffice it to
say, that animosity ^{is}
a tax deduction. ^{in the USA} It
is deductible in the
computation of adjusted
gross income. Thus,
the final analysis he is
paying less taxes.

~~children~~ (56)

Thus one can see that Judaism considers sexual promiscuity and pornography as very serious crimes for they undermine the foundation of society and the family.

As mentioned, marriage is a mutual agreed covenant between two adults to merge their destinies and fortune in love and respect. What happens if it fails?

I give to
that
age
the
mother
keeps
custody
of female
children
both
The mother
keeps
custody
of her
daughters.
They need
a female
role model.
if the girl
insists to
be with
her father
she gets
custody.
in all cases