

## **Holiness and Sexuality**

*Creativity – This is the embodiment of the ideal of holiness. Nothingness and nonbeing, absence and chaos, nurse from the unsanctified realm; complete being and developed existence feed from the domain of the holy. When a human wills to reach the status of holiness, his task is to transform into a shaper of worlds. If a human does not create and generate new things – he does not become sanctified to his G-d. The passive type, who dawdles in fulfilling the destiny of creativity, does not become holy . . .*

*Kedushah is not a paradise but a paradox. The dangers involved in the realm of kedushah are, by far, more hazardous than those in the secular sphere . . .*

### **Rabbi Joseph B. Soloveitchik, "Kodesh vaChol"**

In his essay “Kodesh and Chol”, Rabbi Joseph B. Soloveitchik sets out two radically original theses regarding the concept of “kedushah”, generally rendered in English as “holiness” or “sanctity”. The first was that holiness was integrally related to creativity, and the second was that the achievement of holiness could lead to great harm. Rabbi Soloveitchik’s essay seems to have been intended to inspire and instruct rather than to demonstrate or define, and thus leaves much room for explanation and expansion.

In my essay “Amalek and Eden”, I sought to begin building a rigorous theology of kedushah on the intellectual scaffolding the Rav provided. My emphasis in that essay was on the relationship, or lack thereof, between the holy and the good in terms of their effect on the world as a whole, and thus on developing the Rav’s cautionary note above. This complementary essay focuses on their relationship in terms of individual human behavior and relationships, particularly in the area of sexuality. My contention throughout will be that the Rav’s celebration of human creativity as the “embodiment of the ideal of holiness” applies in the physical as well as intellectual and spiritual realms. Specifically, I argue that the exercise of sexuality, as the mode by which human beings create other human beings, must be seen as at least potentially a wellspring of human holiness,

The locus classicus for traditional explanations of holiness, and particularly for explanations of the nexus between holiness and sexuality, is the second comment of

Rashi on Parashat Kedoshim. The Torah says (Vayikra 19:2) “Speak to the entire community of Israel and say to them: You shall be holy because I, Hashem your G-d, am holy.”. Rashi’s comment on “you shall be holy” is “You shall separate yourself from sexual sins and from *aveirah*, for in all places where you find a restriction on sexuality you find holiness next to it.”

Rashi seems to connect holiness to the restriction of sexuality rather than to its exercise. The distance between Rashi and my understanding of the Rav accordingly seems immense, and to compel the admission that Rashi either disagrees with the Rav’s connection of holiness or creativity, or else that he does not see sexuality as a relevant instance of creativity. I suggest, however, that Rashi can be read with only minor difficulty as saying that holiness is found wherever one finds controlled sexuality. In other words, Rashi does not see holiness as being achieved despite sexuality, but rather through sexuality when appropriately channeled.

It may also be that the significance of Rashi’s comment on this verse has been overstated, and that Rashi does not believe that sexuality, restricted or otherwise, has a unique or particularly deep philosophic connection to holiness. The general principle he formulates here – “for in all places where you find a restriction on sexuality, you find (a mention of) holiness next to it” – may indicate simply that sexual restriction, or controlled sexuality, is one of a number of alternate and independent routes to holiness. His comment successfully explains the juxtaposition of this verse with the long list of sexual sins (or restrictions on sexuality) found at the end of the preceding parashah, Acharei Mot, and may not have a strong theological agenda.

Two further points support this suggestion. First, Rashi does not simply say “separate yourself from sexual sins,” but rather from “sexual sins (*arayot*) and from *aveirah*.” *Aveirah* is a generic term for sin, although it can have a specifically sexual connotation. It is possible that *aveirah* refers to a category of sexual sins distinct from *arayot*, but I am not aware of that specific usage in rabbinic literature. This seems to indicate that the avoidance of sexual, as opposed to nonsexual, sins does not have a unique relationship to kedushah. Second, in his comments to Leviticus 20:7, which again enjoins the Jews to be holy, Rashi identifies holiness with avoidance of idolatry rather than with sexual restriction.

Many other traditional commentaries do not focus on sexuality in their discussion of Leviticus 19:6. Seforno, for example, takes “you shall be holy” as applying not to the list of sexual sins which precedes it, but rather to the section of the Torah which follows it. He finds allusions to each of the first five of the Ten Commandments in that section, and takes these as representative of all commandments between humans and G-d. Seforno therefore concludes that holiness is not associated specifically with restrictions on sexuality, but rather with all commandments that structure the relationship between man and G-d.

Chizkuni agrees with Seforno that *kedoshim tihiyu* refers to the verses which follow it rather than to those which precede it. But whereas Seforno finds references in those following verses only to the first five of the Ten Commandments, Chizkuni finds references in them to all ten, which he takes as representative of the Torah as a whole. *Kedoshim tihiyu* thus refers to all of Torah for Chizkuni, whether between humans and God, or humans and fellow humans, or, for that matter, between humans and animals. But Chizkuni goes further. He says that the phrase *kedoshim tihiyu* occurs after the parashah that deals with sexual sins, and before the “micro-Torah”, precisely to prevent us from thinking that sexual restrictions have a deeper relationship to holiness than other commandments!

The connection between holiness and sexuality is therefore not textually demonstrable from Leviticus 19:6. Nonetheless, I think that Rashi’s comments thereupon can serve as a theological point of origin for a discussion of that connection..

I noted above that Rashi’s comments to 20:7 connect idolatry, rather than sexuality, to holiness. Let us assume, then, that both these areas have strong specific connections to holiness. Can we find a common theme underlying that relationship? Might we gain insight into that theme by exploring why Rashi cites sexuality in his comments to 19:6 and idolatry in his comments to 19:7?

In answer to the first question, I suggest that the common, if paradoxically so, ground between sexuality and idolatry is the focus on the physical. Idolatry is the false or illegitimate representation of the Divine by the physical, or the false attribution of divinity to the physical. Sexuality is the (sometimes) legitimate imitation of the Divine through the physical.

With regard to the second question, I believe close attention to the differences between the two verses substantiates the suggestion above. In 19:6, we are told to be holy because G-d is holy, in other words to engage in *imitatio dei*. In 20:7, by contrast, we are told to be holy simply because “I am the Lord your G-d.” Rashi understands this as saying that this command to be holy is rooted in understanding that only G-d is the Lord our G-d. Properly understanding the uniqueness of G-d generates the prohibition against having other gods, or against worshipping things other than G-d, in other words the prohibition against idolatry. Rashi uses the different formulations in 19:6 and 20:7 to root the obligation to be holy in the paradox of being obligated simultaneously to imitate G-d and to realize that He is utterly inimitable.

Recall that Rashi connects sexuality to holiness only when it is controlled, whereas the Rav seems to celebrate creativity as such as the “embodiment of the ideal of holiness”. Rashi and the Rav work well together if we see Rashi’s emphasis on control as parallel to the Rav’s subsequent warning about the dangers inherent in the realm of holiness. Sexuality is an important mode of human creativity,. Why, in the Rav’s theology, must sexuality be controlled to be holy? I suggest that sexuality, for all its sacred potential, slips easily into idolatry. *Imitatio dei* is always dangerous in that it may achieve a level of verisimilitude that makes us forget that it is mere imitation<sup>1[1]</sup>, and so the legitimate physical imitation of G-d can easily lead to the attribution of Divinity to the physical. As the Rav emphasized, the quest for holiness is fraught with spiritual pitfalls.

The Rav’s celebration of creativity explains well why controlled sexuality and holiness are connected. What we have not yet explained, however, is why sexuality should be seen as the paradigmatic example of sacred creativity. Understanding this requires us to examine why the Rav saw creativity as central to holiness.

---

<sup>1[1]</sup> Deborah Klapper

<sup>1[2]</sup> In chapter two of the Guide, Rambam draws another distinction that may derive from his prioritizing of the abstract over the physical. He argues that prior to their sin Adam and Chava were concerned only with issues of truth and falsity, and not with issues of good and evil. One explanation of this argument is that truth and falsehood are properties of the eternal, as ideas and only ideas can be true and false, whereas good and evil can only be applied to particular actions in concrete situations. Conversely, for the Rambam ideas cannot be described as good or evil. Ethics, the realm of good and evil, is therefore related only to the physical world.

The goal of imitatio dei, of being as much like G-d as possible, is inherent in the idea that human beings are created in the image of G-d and is offered as the rationale for numerous Biblical imperatives, including of course the command to be holy in Leviticus 19:6. The Rav argues that as G-d introduces himself to humanity in the Torah as the Creator, the primary form of imitatio dei must be creativity. His argument can be extended as follows: If the summa of Creation was humanity, then sexuality, as the means by which we create other human beings, is a critical form of imitatio dei. In Halakhic Man, however, the Rav appears to favor a different extension, to wit: As the purpose of the Jew is to study Torah, the purpose of the Jewish human is to be creative in Torah. Possibly his extension rests on seeing Shabbat, rather than humanity, as the summa of creation. However, the Rav also emphasizes in Halakhic Man and elsewhere that repentance should be understood as self-creation, and perhaps he saw all creativity in Torah as implicitly recreating the souls of all those whose lives are based on Torah<sup>[k1]</sup>.

The claim that not merely the study of Torah, but rather the creation of new understandings of Torah, is the ultimate Jewish purpose may seem intellectually elitist in the extreme. I have often suggested, however, that creative interpretations of Torah can be embodied in the work of a life as well as in the work of a mind. Here I want to push that idea further, albeit in a way that will put the Rav into direct opposition with the Rambam. My sense is that the Rav did not find such opposition particularly troublesome in the realm of theology<sup>2[2]</sup>.

Rambam follows the Aristotelian position that, as true ideas are eternal (or necessarily existent so long as G-d exists) and physical things are transient (and exist only contingently), it follows that ideas are more important. I want to argue that in the Rav's system Rambam's conclusion does not follow from his premises. Eternal, and therefore unchanging, things are not subject to creativity<sup>3[3]</sup>, and therefore do not allow G-d to express His primary "attribute" of creativity. The physical, contingent world is necessary, and perhaps of ultimate significance, because it serves the function of allowing G-d to express His creativity.

---

Where does holiness belong on this map? According to Rambam, would Adam and Chavah have been concerned with issues of holiness? Does the Rav's theological system come to a different conclusion?

<sup>2[3]</sup> Deborah Klapper argues that this claim depends on a prior claim that G-d is bound by logic.

If G-d creates in the physical realm, rather than in the intellectual, sexuality can be seen as a higher form of imitatio dei than creative Talmud Torah. G-d might have structured the Torah as opening with a representation of Himself as writing the Torah, utilizing perhaps the famous midrashic image of G-d looking at the Torah and through it creating the world<sup>4[4]</sup>. Instead, He chose to begin His Book with His creation of the physical world.

It does not necessarily follow, however, that sexuality is a higher form of Divine service than the study of Torah, or for that matter any other commandment. Holiness (*kedushah*) is not the only source of value in Judaism; goodness (*tov*) certainly plays a role as well, and there may be other categories, such as purity (*taharah*), that also require independent evaluation. The achievement of holiness is not necessarily sufficient to justify actions inimical to the good, nor is the achievement of the good necessarily sufficient to justify actions that infringe on holiness. We have no explicit criteria for deciding whether the maximization of *tov* is less or more important than the maximization of the *kodesh*. or that threaten to unleash the dangers inherent within holiness. . In general, mature religiosity involves a choice among values rather than a choice between the valuable and the valueless.

In my essay “Amalek and Eden”, I argue that holiness and goodness differ in that holiness seeks to transform the world whereas goodness seeks to reform it. That distinction is grounded in the Rav’s identification of holiness with creativity; saying that holiness seeks transformation is another way of saying that it seeks to recreate the world, or that it seeks to act as if the past has no necessary connection to the future. Goodness, by contrast, assumes that the past is integrally connected with the present and future, but that the connection does not imply that the future is determined absolutely. Goodness seeks to connect the past to the best possible compatible future.

Identifying the purpose of sexuality as imitatio dei of Creation, while defining creativity as “the embodiment of the ideal of holiness”, carries profound implications for our religious evaluation of sexual relationships. There is a powerful modern tendency to reduce the religious analysis of sexuality to sexual ethics, in other words to analyze

---

<sup>4[4]</sup> Deborah Klapper suggests that the midrash was inspired by this issue.

sexual acts and relationships as if the only relevant religious axis is that of good and evil. But our analysis of Rashi and the Rav suggests that the categories of holy and profane are at least as relevant, and that they are incommensurate with good and evil.

It follows that our religious judgement of sexual acts and relationships cannot be grounded solely on our evaluation of the quality of interpersonal relationships. A relationship is not sacred simply because the parties to the relationship treat each other well. The halakhic term for marriage is *kiddushin*, sanctification, and I suggest that this term was chosen with precision. When the relationship between a man and woman is defined by *kiddushin*, then the sexual act between them is sacred even if their interpersonal behavior is poor. We would certainly discourage such sexual acts, and perhaps even regard them as evil, but that wouldn't change the reality that they were sacred. Heterosexual acts outside the framework of *kiddushin* may not be holy at all, as the intent of *imitatio dei* may be necessary for sanctity, or they may be holy but discouraged as tending inexorably toward idolatry.

Similarly, the fact that two parties are in a committed, respectful relationship is not sufficient to make the sexual consummation of that relationship holy. As noted above, it may be that only the formal act of *kiddushin* can accomplish this. This creates space, I suggest, for a serious Orthodox discourse about homosexuality that does not rest on empirical contentions about behavior or psychology. Even if one regards heterosexual acts, or at least symbolically procreative heterosexual acts, as intrinsically holy, Homosexual acts, as they neither have creative potential nor symbolize it, simply cannot be holy. They are forbidden because halakhah sees sex outside the context of *imitatio dei* as a stalking-horse for idolatry, regardless of the ethical nature of the relationship, which on the axis of good and evil may be ideal or even inspirational.

Our argument thus far has been for a radical disjunction of holiness and goodness. I believe this disjunction has the potential to clarify any number of areas in which religion is currently incomprehensible even to its believers. Nonetheless, monotheism compels a belief in the ultimate unity of all things, and so there should be a way of reconnecting the ethical with the holy. The challenge is to establish that connection without being reductive, and to maintain their capacity to conflict in practice.

According to the Rav, our motive for emulating Creation, to the extent that we can, is our desire to achieve holiness. What was G-d's motivation for Creation, if we are permitted to speak of Him as having motivations? Rabbeinu Bachyah suggests (find reference) that G-d created the world to enable the expression of His "attribute" of *chessed*, which I will translate in this context as His "desire to give". G-d so-to-speak needed the world, needed an Other, so as to be able to give.

Rabbeinu Bachyah's idea suggests that, at core, the desire to be holy must be rooted in a desire to be in a giving relationship with an Other. This makes ethics relevant once again within the realm of holiness, although I would argue strenuously that it does not amount to saying that they are ultimately the same. *Kedushah* is a modality as well as a telos; it is the attempt to imitate G-d's creativity, and cannot be reduced to an imitation of a possible motive for that creativity. Nor is the realm of ethics adequately compassed, explained, or justified by *chessed*. Nonetheless, it seems to me that this additional point may well be helpful in enabling us to prioritize the good above the holy in situations where they conflict.

Another textual issue in Leviticus 19:6 also sheds light on the relationship between the holy and the good. Mosheh is commanded to say this verse "*el kol adat b'nei yisroel*", "to the entire community of Israel"). Why does this verse specifically require such publicity? Rashi comments that this entire section of Torah was said formally to the entire community of Israel because "most of the body of Torah", i.e. of the critical elements of Torah, are implicated in it. This may be a further indication that he does not that believe sexual restriction to be a sufficient account of holiness. It may also merely be an implicit recognition of a reading of the rest of the section that parallels those of Seforno and Chizkuni. In other words, the requirement of publicity may not be directly or most strongly related to the command to be holy.

Nehama Leibowitz, however, cites two explanations that make the connection explicit. Alshikh suggests that 19:6 was said to the entire community in order to emphasize that holiness is not the province of an elite, but rather a legitimate aspiration for the entire community. R. Yonatan Eibeschuetz goes further, saying that not only is holiness a legitimate aspiration of all members of the community and not just the elite, but the command to be holy is read publicly to indicate that actions which cannot be



performed by every member of the community, but are solely the province of an elite, are not desired. That is, either such practices are not in fact conducive to holiness, or, as I would prefer to say, even if they are conducive to holiness we do not view them as desirable. I should note that it is also possible to read R. Eibeschetz less strongly, as arguing against spiritual practices that, while benefiting the individuals who perform them, harm the community. In that reading he would not object to non-universalizable practices that did not harm the community when practiced by individuals. Regardless, it may be that R. Eibeschetz's ground for rejecting such practices is that they fail to be good despite being holy<sup>5[5]</sup>.

In conclusion: The holy and the good are distinct sources of value in Judaism, although on a very deep level the holy may be rooted in the good. What was once known as sexual morality was based on the connection between sexuality and the holy; this is distinct from the contemporary discipline of sexual ethics, which grants legitimacy only to questions of good and evil. While no solid basis has been provided for general statements regarding the relative priority of the holy and the good, we can suggest that halakhah, at least in the realm of sexuality, generally prefers to achieve neither rather than to achieve one at the expense of the other.

---

<sup>5[5]</sup> Rav Eibeschetz's interpretation flows from Ramban, who says that the imperative to be holy specifically requires going beyond the letter of the law. The law, of course, is universal. Rav Eibeschetz qualifies Ramban by saying that going beyond the letter of the law can only be done in a potentially universalizable way. Ramban is also the model for Sforno in that his understanding of the specific content of holiness here relates to mitzvot bain adam l'makom, to relationships specifically related to sexuality and other bodily functions.