

Menstrual impurity and ritual baths during the COVID-19 pandemic

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Introduction

Even now the rules and practices of ritual purity (*tāhārāh*) and impurity (*tum'ah*) have relevance and power among contemporary Orthodox Jews. Purity and impurity haven't yet become obsolete in Judaism's religious vocabulary and in Orthodox Jewish daily life.

The concepts of pure and impure aren't merely spiritual, but they significantly change the attitude towards the body, as the biological process provide the foundation for a spiritual state. Body and soul, biological and spiritual perceptions, they all come together. In the *Torah* and in the halachic law the human being is a whole since body and soul aren't separate entities. The laws of purity and impurity express this unity perfectly.

Blood is more than a bodily essential fluid. Blood is a symbol, as it's powerfully associated with life and death. Blood is holy. In the Book of Leviticus, blood doesn't even stand for life, it's life itself (Hart 2009). In particular, menstrual blood is naturally connected with reproductive life cycle, puberty, sexuality, and childbirth. These intimate areas are decidedly gendered (Meyer 2005). Over the centuries the laws of menstrual impurity have defined Jewish womanhood and the hierarchical relations between husbands and wives, men and women, rabbis and women (Wasserfall 1999). Feminists of the Reform movement judges negatively menstrual laws as an example of Orthodox sexist attitude towards the female body (Tirzah 1999), a vehicle of male dominance.

Despite the range of meanings, due to reinterpretations and recontextualizations, blood continues to play a central role in many Jewish communities today, long after the destruction of the Temple and the sacrificial system (Hart 2009). The laws of menstrual impurity, which they came down to us through a long history of persistence and change, have been a discussion topic in many Orthodox Jewish groups during the COVID-19 pandemic.

Menstrual impurity and sexual intercourse

Each month, when a Jewish woman has her period, she also enters the halachic state of *niddah*, the state of ritual impurity. The word *niddah*, the Hebrew term for menstruation, is connected to the root *n-d-h*,

meaning «separation», and to the root *n-d-d*, «to make distant».¹ Both roots reflect women's physical separation during their periods: a menstruating woman must refrain from physical contacts and from certain activities (Tirzah 1999).

A woman is ritually impure for the time of her menstrual flow, which typically lasts five days, and for the following seven days, usually called «the days of whitening» or «clean days», which must be free of blood loss. The *Torah* (Lev.² 15:19) states that a menstruating woman is impure for seven days. The rabbis in the *Talmud* (BT³ *Niddah* 66a) state that after the end of her flow a woman must wait an additional seven days, in which no stains are found. Therefore, husbands and wives must separate for at least twelve days: from five to seven days of actual blood flow and the following seven clean days (Tirzah 1999).

When the bleeding has stopped and after the seven blood-free days, a woman takes a ritual bath in a proper *miqweh* and by this bath she regains her ritual purity.

Menstruation is linked to impurity as «it denotes the symbolic death of a potential life» (Wasserfall 1999: 4). In this case, the ritual impurity is a normal state since menstruation is a physiological condition. Therefore, there is nothing morally wrong with being in a state of ritual impurity, as isn't in itself a sinful state. At the same time, menstruation can be connected to a sinful act, if somebody doesn't choose to abide by the laws. During this period of menstrual impurity, a married woman is forbidden to have physical contact with her husband, especially sexual intercourse: a couple mustn't have sexual intercourse.

The prohibition of sexual relations with a menstruating woman is found in Lev. 18:19 e in Lev. 20:18.

Lev. 18:19 says:

וְאֵל־אִשָּׁה בְּנִגְתָּ טְמֵאָתָהּ לֹא תִקְרָב לְגִלּוֹת עֲרוּתָהּ:

Do not come near a woman during her period of impurity to uncover her nakedness.

The word «impurity» isn't referring to a moral state. The sinful act is the act of uncovering nakedness.

Lev. 20:18 states:

וְאִישׁ אֲשֶׁר־יִשְׁכַּב אֶת־אִשְׁתּוֹ דָּוָה וְגִלָּה אֶת־עֲרוּתָהּ אֶת־מִקְרָהּ הִעֲרָה וְהָיָה
גִּלְתָּהּ אֶת־מִקְוֹר דָּמֶיהָ וְנִכְרְתוּ שְׁנֵיהֶם מִקֶּרֶב עַמָּם:

If a man lies with a woman in her sickness [menstruation] and he uncovers her nakedness, he has laid bare her flow and she has revealed her blood flow; both of them shall be cut off from their people.

Moral law breaking is mutual uncovering, since a menstruating woman and her husband shouldn't sexually show each other.

On the one hand, in these basic verses it's clear that it isn't a sin to menstruate; on the other hand, in several biblical verses the meaning of the word *niddah* includes forbidden sexual acts, such as adultery or incest, and idolatry (Tirzah 1999). It cannot be denied that this usage of the term *niddah* and the unclear distinction between impurity and sin may have introduced an ambiguity on how menstruation and female body are taken into consideration. The prohibition of sexual intercourse has often overshadowed the symbolism of death and resurrection linked to the cycle of the female body, making *niddah* a method of disciplining sexual desire (Adler 1976).

¹ A man or a woman in the *niddah* state was forbidden to enter the Temple for a period of time, in order to preserve the purity of the Holy Temple.

² The Book of Leviticus.

³ Babylonian Talmud.

Menstruating woman and physical distancing

The laws of «family purity» are for most Orthodox Jewish families the ban on sexual intercourse between husband and wife while the wife is menstruating, and until she immerses herself in a *miqveh* (Wasserfall 1999). However, women should mark their separation during their period by strictly observing other rules. There are further restrictions to even prevent the possibility of touching each other during the wife's *niddah*.⁴

It's quite difficult to comply with the halachic rules. During a pandemic, it's a challenge within a challenge. On the one hand, women are used to managing social distancing, even within the same family unit. On the other hand, however, some rules are harder to follow when life at home is shared 24/7 with the spouse and children, especially in an event such as a lockdown. It's also more emotionally heavy.

There are different halachic practices among Orthodox Jewish women, as there are different varieties of Orthodox groups.⁵ It's hard to find two women who follow the rules in the same manner (Marmon 1999). Wives relate to their husbands in different ways.⁶ In particular, the «bed management» is very varied. The halachic law forbids the couple to sleep on the same bed during the wife's *niddah*. In fact, most couples have two beds: these beds can be brought together when contacts are allowed and separated when they aren't allowed. Some couples choose to share the same large bed and they have a truckle bed or a sleeper couch for one of them, in order to be use during *niddah*. Other couples make the double bed with separate sheets and blankets.

Many spouses won't hug and kiss; others decide to touch, including hugging and kissing, but not kissing on the lips.

According to the custom of some communities, a couple cannot sit together on the same seat, such as a soft couch, if the weight of one person can be felt by the other.

Some couple don't eat at the same table as it suggests intimacy. Also, there are some other restrictions on serving food and pouring drinks.

It's forbidden to hand over small or large items, directly from hand to hand. Even an infant shouldn't be handed over directly. If this cannot be done safely, the infant can be hand over directly, but parents must be careful not to touch each other.

Stains and *niddah* state

Managing the practical and emotional *niddah*'s aspects, and sometimes the medical aspects, is very difficult for Jewish women, even more during a pandemic. It can be stressful to determine the onset of the *niddah* state when, for example, there are bloodstains outside the regular menstrual cycle, caused by hormonal fluctuations or oral contraceptives. This can make a woman impure, even if she isn't menstruating.

Discovering a bloodstain can be stressful because the colour of the stain must be analysed accurately. Traces of red, pink or black make a woman impure.⁷ Instead, white traces and traces with a yellowish or greenish shade do not. On the contrary, shades of brown or brown with a reddish tone require a halachic authority's consultation and a woman mustn't independently assume that she is, or she is not, in the *niddah* state. However, until her state is clarified by the halachic authority, she should follow the separation rules. For this reason, a halachic authority should be consulted as soon as possible.

⁴ The website <https://www.yoatzot.org/>, managed by the Israeli *Nishmat*, Center for Advanced Torah Study for Women, has a section where these restrictions are clearly explained. The section is called «Conduct while Niddah».

⁵ The Orthodox community isn't a monolithic group.

⁶ During *niddah*, interactions that could lead to a desire for intimate contacts should be avoided.

⁷ In the *Mišnāb* (*Niddah* 2:6-7) we read that five colours of blood are impure: red, black, the colour of saffron, the colour of muddy water, and the colour of diluted wine. Today, the needed expertise to distinguish between these different shades has almost been lost.

The weeks of lockdown caused a lot of difficulties and worries among women who didn't have the chance to show the stains to the halachic authority. The use of the *Tabor app* was recommended. *Tabor app*, available for iPhones and a few Android phone models, uses a sophisticated colour calibration and lighting technology to allow women to take accurate pictures, in order to submit for rabbinical assessment.⁸ However, women who belong to ultra-Orthodox groups reject the use of technology: only the evaluation made in person is considered rightful. Fortunately, it's also possible to send the cloths by delivery services, but this lengthens the time of uncertainty.

***Miqveh* and ritual baths during the pandemic**

Basically, a physical experience associated with noncreative aspects of life leads to a disjunction with the universe of the creation. The union, the connection must be reinstated by an immersion, that is, by contact with another transitional fluid, which represents reintegration with the force of life. (Storper Perez, Heymann 1999: 130)

A Jewish woman must immerse herself in a *miqveh*.⁹ The purpose of immersion is not physical cleanliness, but ritual purification. After the ritual bath, the woman can express her generative potential once again. Water marks the boundary between life and death, health and illness, sacred and profane. *Miqveh* is a fundamental part of the Jewish identity, even more important than a synagogue (Kaplan 1976). The Hebrew word *miqveh* means «gathering of water».¹⁰ It's a natural basin or a pool man-made according to the Jewish law (JT¹¹ *Hagigah* 1:6-7a). Most women prefer to use public *miqva'ot*, as the construction and functioning meet specific halachic requirements.

During the COVID-19 pandemic, the use of a place such as the public *miqveh* is very problematic. The solution had to be found, as the ritual bath is a practice of the utmost importance. During the weeks of lockdown any religious rite that normally takes place outside one's home has been forbidden, but in Israel, as elsewhere, it was decided not to close public *miqva'ot*. The public health experts have determined that a *miqveh* that uses strict protocols is safe.

The website <https://www.yoatzot.org/> was a reference point in the emergency, supported by women experts¹² in *niddah*'s rules: a toll-free number, medical and halachic articles, video tutorials and Mp3s, a blog. In last months, many Jewish women have visited Yoatzot's website for health information and reassurance on the *miqveh*'s additional guidelines for using *miqveh* during the COVID-19 pandemic.

It's very interesting to check out the FAQ and Q&A's section.¹³ The women's questions reveal the fear that at the *miqveh* the disinfection rules aren't enough to prevent the infection and spread of COVID-19, even if the Israel's Ministry of Health¹⁴ is allowing *miqva'ot* to remain open. Reluctantly, frail women, who fall into the high-risk medical category, choose not to immerse. At the beginning of the pandemic, as suggested by some halachic authorities, some women chose to lengthen their menstrual cycle with contraception pills, for not having to use *miqveh* until the situation will normalize. However, as seen, the state of emergency is going on for several months. Eventually, there are women who have considered the possibility of immersing themselves into a natural *miqveh*, such as sea or river. This is possible when the weather is mild. In any case, it's forbidden if it constitutes a potential danger to the woman.

⁸ On the website <http://taborapp.com/> a video tutorial explains how this app works.

⁹ *Miqveh* must contain at least forty *se'ab* of water (*Mishnah, Miqva'ot* 1:7), 0,5-1 cubic meters, and it must be deep enough to allow full immersion (Haber 2008). The whole body, including the hair, must be completely submerged.

¹⁰ The word *miqveh* is used for the first time in the Book of Genesis on the third day of Creation (Gen. 1:9-10).

¹¹ Jerusalem Talmud.

¹² The goal is to assist women who feel more comfortable discussing very sensitive issues with other women.

¹³ It's also very interesting to read the discussions on the Facebook page of *Kolech*, an influential religious Israeli women's forum. Today, it's a one of Israel's most prominent feminist organizations.

¹⁴ *Miqva'ot* are always supervised by the Ministry of Health with laboratory tests on water quality, in order to prevent possible harm to public health.

The women who go to public *miqwa'ot* hope to go back to a normal situation soon, without fear and uncertainty. In Israel *miqwa'ot* are open in strict observance of the rules of the Ministry of Health. Some important safety precautions, which can be read on Yoatzot's website, are:

- women must complete their preparations¹⁵ at home, and they should shower and comb their hair immediately before leaving home;
- women mustn't have symptoms of illness and they mustn't be in quarantine;
- preparation rooms and *miqveh* railings must be thoroughly disinfected after each immersion;
- women to wear masks, except when they are in the water;¹⁶
- *miqveh* attendants must wear masks and gloves, they must avoid any direct physical contact with women immersing, and they must keep a distance of two meters.

On the one hand, it's necessary to safeguard health and avoid any possibility of infection; on the other hand, it's unreasonable to forbid couples to have sexual intercourse or any kind of physical contact for so long.

Conclusions

Many Jewish women face a difficult choice: protect their health and remain separated from their partner indefinitely or break a fundamental commandment? Deciding whether or not to go to the *miqveh* is very stressful, because the resumption of sexual intercourse depends on this choice. Therefore, in this difficult time, women feel anger, sadness, and worry. At the same time, women feel the fear of becoming infected at the *miqveh*, the sense of frustration caused by the separation from their husbands, and the pain of experiencing the ritual bath with anxiety. For women, the time spent at the *miqveh* is an important moment of spirituality and also a moment of psychophysical well-being. Women take time out for themselves, in order to think about their own identity as women, wives, and mothers. On one hand, the COVID-19 pandemic has made Jewish women's daily life more problematic, on the other hand women have responded with female solidarity. Women feel much more comfortable discussing halachic, medical or emotional issues with other women. In these pandemic days, women have teamed up for not feeling alone.

¹⁵ Removing cosmetics, jewellery, and contact lenses; bathing; shampooing and combing hair; trimming nails; cleaning nose and ear canals; brushing teeth; removing pubic hair (Wasserfall 1999).

¹⁶ The fundamental rule that nothing intervenes between body and water has been kept unchanged.

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