

Mikveh: A Medium for Change of Status

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One of the most ancient institutions of the Jewish community is the Mikveh. There are few archaeological discoveries from the Second Temple period and later that fail to unearth at least one of these immersion pools. From that point forward—and no doubt prior to that time as well—every major Jewish community had at least one mikveh for its members' use. The Torah's interdiction of marital relations during menses no doubt explains for this. To live a normal Jewish family life meant to have access to a mikveh. In Temple times and somewhat beyond, ritual, levitical purity was required for entrance into the Temple's precincts and for participation in various rites. This was another impetus for the establishment of mikva'ot, and it explains their proliferation in the excavated buildings that can be seen near the Temple Mount in present-day Jerusalem.

Today the Mikveh is required by traditional Jewish law in only two circumstances: for Jewish women who wish to resume marital relations at the termination of their menses (nidda) and in the rite of conversion for both men and women.

The issues of ritual purity do not have an impact on either of these cases in post-Temple times, at least not according to rabbinic sources. For example, in post-Temple times, the prohibition on marital relations during menses exists to avoid the arayot prohibitions attached to such relations (Lev. 18:18, 20:18). The arayot prohibitions forbid sexual connections on the grounds of consanguinity or adultery, not levitical purity. Such relations are forbidden even in the face of martyrdom.

Regarding converts, ritual purity issues could not have motivated the requirement of immersion in a mikveh. The rules of tahara and tum'a, Levitical purity, applied, in rabbinic thought, only to Jews. Unconverted Gentiles were simply outside these rules altogether, neither ritually pure nor susceptible to levitical impurity. Thus, no contemporary use of the mikveh touches the issue of ritual purity, and that has been the case for nearly 2000 years.

The two uses of the mikveh we have mentioned show that its function was the change of status via immersion. In the case of the nidda, prior to mikveh-immersion the Torah considered her one of the arayot, forbidden in marriage to her husband. After such immersion, she was a lawful wife. In the case of the convert, mikveh-immersion changed one's status from non-Jew to Jew.

The arayot status of the nidda is particularly intriguing. How could one's spouse be a "prohibited, consanguineous relation"? What purpose could such a status serve in a marital context? It appears that the arayot status imposed periodically by menses sought to deal with the confusing, "mixed" status of "spouse." A spouse was a person who was simultaneously a relative and non-relative. The rabbis recognized this mixed status of spouse especially in the laws of mourning which were normally tied exclusively to consanguinity. They agreed that the mourning rites observed on the occasion of a spouse's death were in force only by their decree, not as a matter of Torah law. This was because of the fact that spouses were not biological relatives. Similarly, the husband's right to inherit his wife was a matter of rabbinic law. Again, this points to her status as a non-relative. Yet, in some manner, she became a member of the family and tribe.

It is possible that the periodic application of the arayot status to husbands and wives was a means of giving force to the legal fiction of their "blood-relatedness." The prohibitions that attended this status introduced a "brother-sister" relationship between husbands and wives. Thus, the biologically determined nidda prohibitions tangibly demonstrated to the couple and community that spouses were "blood relatives." This status, however, had to be terminated in order for marriage to exist. Somehow mikveh "washed away" the arayot status and allowed an alternate status to take its place.

It is from the status change of the convert that we arrive at an understanding of how mikveh

accomplished its psychological and legal function of status change. Rabbinic tradition holds that the convert is “as a newborn child.” Indeed, this status as “new born” affects exactly the same realm as the menses of women: arayot. Rabbinic legal thinking holds that the Torah would permit the marriage of two consanguinally related converts without violation of any arayot prohibition. Certainly rabbinic legislation prohibited such marriages. Nevertheless the view that the Torah permits them is jolting. This view, however, is consistent with the “new born” status of converts whose “biological” status has been changed. They are no longer children of non-Israelites, but Jews with an identity that includes a “biological,” national element from the traditional point of view. Thus, conversion undoes the status of kinship between converts and their “blood relatives.” Immersion in the mikveh functions as the agent of this change.

It appears that the mikveh has the capacity to affect the status we have noted because it functions as a symbol of complete rebirth. The halachic requirement that a mikveh’s waters must be natural or connected to a natural source suggests that those waters be, as it were, directly from God. Similarly, the Halacha does not permit the water for a mikveh to be collected or stored in a man-made vessel. Only a cistern hewn from God’s earth may hold the gathered waters. All this together forms a “womb,” an enclosed body of water, into which one, returning to the fetal position, immerses and emerges recreated and reborn as someone new.

The powerful, tactile symbol of re-creation and rebirth provided by total immersion in God-given, natural water helps us to understand why, beyond legal requirements, the Jewish people maintained and extended the use of the mikveh. For example, Jewish men developed the minhag of welcoming the Sabbath, holy days, and especially Rosh Hashana and Yom Kippur, with immersion in the mikveh. There was no issue of ritual purity involved. Rather, these moments of transition from the prosaic weekday to the realm of the sanctified time, from the “old self” to a “new” one, created a psychic and spiritual demand for some physical symbol of these rebirths and re-creations. Mikveh-immersion was that symbol.

It should now be clear why Mikveh served as an indispensable rite of conversion and in other “change of status” contexts. Viewed from the perspective of traditional thought, mikveh reinforces the sense of new beginnings and changed identity—especially changed ethnic and relational identity. This sense is frequently crucial in engendering the feeling that one truly belongs to the Jewish people, its history, its religious world, and, most significantly, its God.