

I bet you remember the scene in *Fiddler on the Roof* when the earnest student asks Anatevka's rabbi whether or not there is a blessing for the Czar. The rabbi answers, "There is a blessing for everything -- may God bless and keep the Czar. . .far, far from us." I haven't located the source for that particular *b'rakha*, but I do agree with my cinematic colleague; there *is* a blessing or ceremony for every moment of Jewish life.

Yet I can think of one watershed event in Jewish life that is often neglected (and I don't mean graduation from medical school). Rabbis don't often address it from the pulpit and Jewish curricula frequently leave it untouched at any grade level. The Jewish community as a whole devotes relatively few resources to it, though it represents a growing trend. If you haven't guessed it yet, I'm talking about divorce.

Throughout much of the 20th century divorce was viewed as *ashandeh*, a testament to personal failure and weakness of character. Social commentators would explain the traditionally low divorce rate among Jews in many ways: an ingrained emphasis on family, fear of stigma the legal obstacles that existed in the days before "no fault" divorce, the values of an era that favored duty to home and hearth over personal fulfillment and love. I'm not a sociologist by any stretch of the imagination, but I strongly suspect that no simplistic, single reason will explain why this year, out of 2.2 million marriage, approximately 1.1 million will end in divorce.

Unhappy unions have been around since time immemorial. One can point to the feckless Philistine woman who was Samson's spouse, whose only interest in her mate consisted of personal gain and security. We might consider the example of Michal, daughter of Saul and wife of King David, who despised her husband for his joyful dancing before the Ark of the Lord; and David, who, in turn, disdained Michal for her cold and pompous attitude. According to *Second Samuel*, she remained a lonely and barren woman all her days. There are stories of sages in the Talmud -- pious and learned men -- who were divorced from their wives, as well as numerous rabbinic responsa written throughout Jewish history dealing with the intricacies of complicated divorce cases. In more recent times, had any of us read the Yiddish daily *Vorwertz*, at the turn of the 20th century we might have encountered the poignant letters published written by distraught woman asking Abe Cahan's *Bintel Brief* column for advice about matters of spousal

estrangement and desertion. Indeed, the number of Jewish men who left their families became so significant at one period that, for a time, the *Forward* published “The Gallery of Missing Husbands,” which included the photos and biographies of such men. Whether or not polite society discussed such matters two generations ago is almost irrelevant -- married life was no more an idyllic paradise for all couples back then, anymore than it is today.

The Torah, however, takes a very different approach to divorce than one might otherwise presume. As we read this morning in *Parshat Ki Tetze*: “A man takes a wife and is a husband unto her. She fails to please him because he finds something unseemly about her, and he writes her a bill of divorcement, hands it to her, and sends her away from his house” (*Deut* 24:1).

Leaving aside the obviously patriarchal perspective about the manner of divorce proceedings, it is surprising to note the matter-of-fact tone of the text. Scripture almost seems to take it as a given that sometimes people’s plans go awry; that life, far from being linear, has twists and turns we can scarcely fathom. “Until death do we part” has never had a place in the liturgy of a Jewish wedding. Do we hope and pray that such will be the case? Absolutely. Yet it would be utter hubris to elevate that wish to the status of an ironclad vow. Like Moses who shattered the first set of tablets from Sinai in anger, yet returned to receive a second set with God’s blessing, sometimes we, too, must start over. Even God decided to start over after the flood that decimated all humankind save Noah and his family!

Perhaps the great medieval sage, Rashi, articulates the most startling view on divorce. Commenting on the Torah’s passage regarding divorce he writes: מצוה עליו לגרשה--It is a *mitzvah* to divorce her.” Divorce, a *mitzvah*? Could that possibly be?

Rashi doesn’t maintain that divorce is a good deed, God forbid. But then again, *mitzvah* does not mean “good deed,” but rather “commandment.” What Rashi suggests in typically terse fashion, is that there *are* times and circumstances when it is necessary and proper to end a relationship -- lest the toxins of bitterness grow so strong as to poison one’s mind, soul and heart. When marriage is no longer a *miqdash m’aat*, a sanctuary in miniature, it is likened to the

departure of *Shekhinah* from the Temple in Jerusalem. Indeed, Rabbi Meir goes so far as to suggest that a person who stays in a marriage lacking respect and mutuality violates several prohibitions of the Torah including the commandments not to bear a grudge, to refrain from vengeance, and to love your neighbor (literally “your companion”) as yourself” (*Tosefta Sotah* 5:11). It isn’t because Judaism takes marriage lightly that it permits divorce, but quite the opposite; it is precisely because the Torah so greatly esteems the holiness of this most intimate of relationships that it sanctions divorce when necessary.

That we as a people need to grapple better with the reality of divorce is becoming increasingly obvious. According to *Halishka Hamerkazit l’Stata-tis-tika* or the Central Bureau of Statistics the Israeli divorce rate has more than doubled since the 1970s, and now hovers around 26% of all first-time marriages among Jews. The divorce rate among American Jews is as high or higher, depending on who one asks. And while there are a variety of local and smaller scale studies, it is telling in and of itself that, the National Jewish Population Survey published last year, though intended to serve as a demographic benchmark, pays scant attention to the issue of divorce rates among Jews.

In the words of Rabbi Tarfon, “היום קצר והמלאכה מרבה--The day is short, the task is great (*Avot* 3:20). Yet there are things the Jewish community can do to address the needs of the hour. On one religious front, the Jewish community has yet to fully address the terrible inequities and injustices that take place when husbands take advantage of *Halakhah* to blackmail their wives in order to obtain a *Get*. Throughout recorded Jewish history, the rabbis sought to balance an unswerving commitment to the letter of the law, while constantly seeking ways to maintain its spirit. And while we cannot rewrite the passage of Torah that assigns the husband the role of initiator, it would be blind and self defeating to ignore the myriad tools developed by rabbis to ameliorate the plight of *agunot* women “chained” to their husbands. Yet too often, rabbis and rabbinical courts refuse to utilize the *halakhic* avenues available for fear of “encouraging” divorce or undermining the centrality of family. Despite new legislation in the Knesset that allows rabbinical courts to deprive husbands of drivers’ licenses, passports, credit cards and even professional licenses, there are many women who remain in limbo due to the

intransigence of their spouses; there are still others who were able to obtain *Gittin* only after paying exorbitant sums of money, agreeing to forego alimony, or giving up custody of their children. There may well be two sides to every story, but I fear the hatred for Torah that may be engendered in women, ironically by those very same rabbis who seek to defend Torah by doing nothing. What will future generations have to say about those who allowing basic decency and *Halakhah* to part company, as if ethical behavior and Jewish Law were alien concepts absolutely unrelated to one another?

Here in North America, where church and state remain separated (at least for the moment), we must raise consciousness about the significance of obtaining a *Get* in the absence of legal or socioeconomic pressure. No more than perhaps 15% of Jews who have civil divorce decrees bother to arrange for their religious counterpart.

Moreover, the issue goes far beyond the practical elements of re-marriage and the status of *mamzerim*, those born of marriages which, in the eyes of halakhic Judaism, are bigamous. Obtaining a *Get* is not just a legal formality; it is an opportunity for a spiritual and religious closure to an often tempestuous chapter in people's lives. If Jews implicitly understand that God has a role to play in blessing our marriages, then surely including religious ritual at the end of a relationship also has important value and healing power. Yet so often even those who do receive *Gittin* -- as well as the rabbis who arrange for them -- treat the moment in dry, legal terms, with little ritual or symbolism. Indeed, until the most recent Rabbinical Assembly's rabbis' manual, the only information presented about *Gittin* had to do with the proper procedure for the delivery of the divorce document, nothing about the religious dimension of the moment.

“When a man divorces the wife of his youth, even God's altar sheds tears,” the Talmud teaches. Given the painful yet unavoidable existence of such, it is incumbent we begin to view divorce as the life-cycle event that it is. If Jewish communities have bereavement groups for widows and widowers, why are there so few support groups for those in process with divorce? And if there are pre-marital workshops for new couples to acquire the skills of marriage (though far too few), why not a larger number of programs such as the University of Judaism's “getting through divorce” seminar?

We understand that the funeral of a loved one entails a painful transition in a person's life; yet oddly the death of a person's hopes and the demise of the most intimate of human relationships is thought of primarily in terms of asset declaration, custody of children and alimony. Yet how often as a rabbi have I see parents who refuse to walk their offspring down the aisle, or "ex's" who turn the lives of their children into a battleground for emotional supremacy? With the growing presence of divorce in so many Jewish families, can we really afford to believe this is simply a matter for the courts and nothing else?

My colleague, Rabbi Perry Netter, writes movingly: "Divorce is no less a life transition than marriage. But no invitations are sent out to attend the ritual. . .No one hires a caterer, a band, a photographer. Divorce is not about the division of property; it is about the division of lives. Closure rarely comes with the decree of dissolution issued by the court. Closure comes when all the parties to the marriage are allowed to be present at the divorce. Closure comes when God is allowed to take a seat at the table."

With greater awareness on the part of rabbis and the Jewish community, we can allow God to take a seat at the table in times of tragedy -- to grieve what was lost, to do what is right, to believe in what might yet be found. For if God can help open a door to the future, He is certainly capable of closing another to the past.