

We must be mature enough as professionals to deal with their Jewish identities with understanding, respect and empathy.

Jewish professionals also have to face their own identity problems, if only because the external environment may once again force this. The line between "affirmative action" and quotas is very fine, and quotas rarely discriminate against the majority group. Affirmative action is hardly beneficial to any minority group which is over-represented in the professions—even though that over-representation may be on the basis of ability. More security comes with facing reality than denying it, and more security may mean further efforts, albeit painful, at defining, describing,

and elucidating Jewish identity. Jewish professionals and Jewish agencies dealing openly with this with themselves and with Jewish patients and clients are probably best equipped to make a major theoretical and clinical contribution to research in this area.

Howe sums it up: "...for many, perhaps most, of the sons and daughters of the immigrants, difficulty in defining their 'Jewishness' did not for a moment call into question the actuality of their Jewish experience. They knew they had been shaped by a common past; they feared they might have to face common dangers; they suspected they shared a common fate."¹⁹

¹⁹ Howe, *op. cit.*, p. 629.

A Family Therapist's Approach to Working with an Orthodox Jewish Clientele*

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The continuous theme...[is] that religion is a pervasive and ubiquitous force throughout life to some groups and individuals. It colors relationships with others, perception of self, and, like other ideologies, can be used in both positive and negative ways, dependent on innumerable variables. A worker treating religious clients, then, must come to grasp its very real and powerful influences, explicit and implicit, on personal, individual identity.

The focus of this paper is on the delivery of casework services to a religiously oriented minority group. While the specific group to be discussed is that of Orthodox Jews, it is hoped that this article will also apply to other groups. Orthodox Jews are differentiated from other adherents to Judaism in their abiding concern with the collection of biblical, post-biblical and rabbinic law and lore which have been carefully preserved over the 3,000 years of Jewish civilization and which place on its individual members the responsibility of carrying out these infinitely detailed laws and transmitting them intact to the next generation. In effect, Orthodox Jewry is defined by its very effort to preserve a specific system of immutable values, norms, laws and institutions which represent an essential integrating force in individual, familial and communal identity. It is the primary concern of this paper to examine these aspects of identity and to extract useful principles and concepts for therapeutic interventions in these systems.

In the treatment of Orthodox families, issues of interpersonal conflict and intra-

psychic struggles are often refracted through the prism of religious identity and practice. That is, while the phenomena occur on many levels, in a group with strong religious ties these phenomena may be experienced in terms of religious consciousness. As an example, a client wrote me the following note after an interview. "I wasn't sure whether what you were saying was correct during our discussion. After I got home and *davened* a beautiful *mincha* (prayed the afternoon service), I knew that you were on the right track." To individuals such as this, competent religious functioning becomes the *sine qua non* and brings a Jewish spiritual leader to exclaim, *credo ergo sum*, where belief rather than lexical cognition is the essence of identity.

To achieve this feeling of competence in religious functioning, the life style of the Orthodox Jew is permeated with positive and negative *mitzvot* (commandments of divine origin). Thus is created a constant vigilant awareness, preventing the individual from straying too far from the perceived goal in life, which is religious perfection, both for men and women, each individual at his own level of competence. Rabbi Moses Luzatto of the 18th century has left no doubt as to the objective for individual strivings: "Man was created for the sole purpose of rejoicing in God and deriving pleasure from the splendor of His presence."¹ This is achieved through meticulous observance and awareness of the many laws which must be followed.

¹ Moshe Chaim Luzzatto, *Mesillat Yesharim* (*The Path of the Just*), 2nd edition. (New York: Feldheim Publishers, 1974), p. 18.

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Historically, Orthodox Jews have lived in both self-imposed and enforced isolation from other groups, maintaining commercial yet limited social contacts with others in an attempt to protect and preserve their life styles. With the French Revolution liberating European Jewry, many Jews were free to realize personal ambitions outside the arena of religious functioning. Yet the Orthodox Jew maintained the same posture as before. Essentially, the group was set up to protect religious boundaries, allowing little tolerance for any individual expression outside prescribed parameters of the law. Behavior which was socially inappropriate would be tolerated providing there was no clash with religious sensitivities. The same group pressures which influenced behavior in Europe are still in effect in Orthodox communities today in America and Israel. Yet this must be qualified by saying that the groups alluded to in this paper fall to the right on the religious spectrum. Those to the left, or more liberal, in terms of Orthodoxy, are subject also to group influences other than their own reference group, since there is more exposure in professional and social intercourse. Therefore, a wide range of individual expression is permitted.

In deeply religious communities such as are found in the Boro Park or Williamsburg sections of Brooklyn, there are many subgroups composed of different Chassidic and other Orthodox sects. Chassidim differ from other Orthodox Jews insofar as they are led by a *rebbe*, a charismatic, religious figure, who is the central figure in communal life, and in their retention of the dress and language of Eastern Europe. Other groups are equally religious, yet their behavior reflects a greater ease with host-culture values such as in dress and vocation. Solomon Poll, in his sociological study on Chassidim, writes "they transplanted most of their cultural values and tended to adhere to old traditions to an even greater extent than they had in Europe....to become *ausgegrint* (ungreened), to acculturate, was an idea fully rejected; they considered

the garment they wore Chassidic garments essentially for group identification."²

Each of these Chassidic and other Orthodox subgroups reflects tradition carried over from a particular region in Eastern Europe. Their differences are the result of an evolved process of religious and social syntheses, where the religious practices of the group were affected by the realities of surrounding social conditions in Europe. Each group strives to replicate and maintain its own particularistic cultural character and dimension of religious practice.

The concern for group identification is so great that there is a law that an individual is not permitted to give up the customs of his father without rabbinic consent. In this way, the Lubavitch Chassidim retain a Russian flavor in singing and dancing and commemorate days of religious events which occurred in Russia. Satmar Chassidim have embellished style of practice which is particularly Hungarian in nature. Other Orthodox groups place more stress on the intellectual aspect of Judaism dealing with religious law and practice. What is essential to understand about these groups is that, firstly, virtually every conceivable act is seen to have religious consequences and, therefore, norms are set regarding gestures, forms of acceptable vocation, sexuality, living patterns, expressions, and ways of perceiving the self and other. Secondly, all these groups are bound by common immutable laws which are clearly prescribed by the Torah and its commentaries.* These laws pertain to *Kashruth* (dietary laws), the Sabbath, moral issues, civil laws,

² Solomon Poll, *The Chassidic Community of Williamsburg*. (New York: Schocken, 1969), p. 25.

* The commentaries are works of scholarly interpretation of the *Torah* (the written tradition) and the Six Books of the *Mishna* (the oral tradition) which began to be compiled around the turn of the Common Era. Each generation has its leading commentators who wrote and published their interpretations and philosophies and whose ideas in turn are integrated into the generic heading of *Torah* which is used interchangeably with the *Five Books of Moses*, the *Prophets* or the *Mishna*.

and primarily the value placed on *Torah* study. The two categories are classified as customs and laws, with the latter being more important as its origin is through divine revelation.

With such influences, individual and group boundaries are not always clearly delineated. Identity becomes a product of expectations and familiarity. One young Chassidic man told me of his dilemma about belonging to a group of Chassidim from whom he felt intellectually estranged, yet unable to separate himself: "I know I am different, yet who do I have. They are me and I am them. If I can't find the understanding here, I just have to resign myself because it is too cold and lonely on the outside."

The question then should be raised as to the mechanisms involved in such a pervasive life style, although this cannot be fully developed here. This question has to be approached from two perspectives—firstly, that of the psychodynamics of group behavior and, secondly, that of the existential and experiential sustenance of the human spirit. Of the first perspective, Mortimer Ostow proposes five principles employed in religious and group control to gain uniformity of behavior and ensure religious survival.

1. Imitation. This is the *modus operandi* of identification, where individuals strive to identify with each other and a key leader. In Judaism, this is extended to a conscious attempt to imitate Godly attributes.

2. Contagiousness of affect. This occurs through symbols and rituals designed to evoke particular feelings and emotion in the group, such as the solemnity, joy, contrition, etc. experienced in the numerous religious group practices.

3. The expectation of reward. There is the spiritual and physical appeasement of the individual's instinctual need for gratification.

4. The biologic tendency to obey. This is rooted in the primary years of dependency. One attempts to gain parental consent and nurturing and to avoid punishment.

5. The manifestation of vulnerability and sensitivities such as humility, sympathy, innocence. This is related to the learned need

to control aggressive behavior on an intrapersonal and group level, and insure group survival.³

I have cited these principles, not in the pejorative, or as a way of understanding the Orthodox experience. They merely serve as anchors and moorings for individual development and experience. While experiences occur on many levels, one central integrating vehicle which provides Orthodox Jews with a momentum towards personal edification and communal stability is language, the expressions of self.

"It was the *Schister Rebbe* who told me one day: Be careful with words, they're dangerous. Be wary of them, they beget either demons or angels. It is up to you to give life to one or the other. Be careful, I tell you, nothing is as dangerous as giving free rein to words.

"At times I feel him standing behind me, rigid and severe. He reads over my shoulder what I am trying to say; he looks and judges whether his disciple enriches man's world or impoverishes it. Whether he calls forth angels, or on the contrary kneels before demons of innumerable names."⁴

The words are those of Elie Weisel, reminiscing about one of his first teachers. His experience is not unique. Orthodox Judaism exists in fact by virtue of a continuous flow of language: the language of prayer and praise, of the codes of life in millenia-old tractate written in Babylon and in modern responsa of Biblical teachings, and even of secular and mundane conversation. The Yom Kippur service devotes much to the way in which speech is used during the year, and to use it to hurt, slander, curse, etc. is considered more loathsome than physical assault.

The Orthodox Jew then perceives language as a vehicle for transcendence and edification, whose refinement becomes an abiding concern for the individual. Its main thrust lies primarily in the study of the written word.

³ Mortimer Ostow, "The Nature of 'Religious Controls,'" *The American Psychologist*, Vol. 13, No. 10 (Oct. 1958), pp. 571-574.

⁴ Elie Weisel, *Legends of Our Times*. (New York: Avon, 1970), p. 31.

Torah study is a never ending obligation with none exempted. From the age of five or six, a child attends school six days a week from eight to ten hours a day. For girls there is less of a burden, so they may acquire the necessary domestic skills and help their mothers care for the large families, since birth control is practiced only as an exception.

With language serving as a measure of self against ubiquitous religious demands, there is an inherent potential for conflict between self and group, when experiences and feelings run contrary to group standards. When conflicts arise due to issues pertaining to developmental trauma, rage, sexuality, difficulties in marital adjustment, and in exposure to alternative life styles through vocational and social contacts and through media, they are not easily examined since there is an inability to conceptualize and accept that which is considered socially and, therefore, personally dangerous. Since conflict resolution is dependent on an understanding and an "owning" of the discordant issues, deviant impulses or desires are acted out in disguised but more socially acceptable albeit more painful forms. Rage, anger and sexual impulsivity, which were attributed to the peasant class in Europe and now the lower classes in America and therefore suppressed, may emerge respectively as depression passivity, impotence or vaginismus, which the individual can more readily accept. A ten-year-old girl was brought in for treatment as she was walking in robot-like fashion. Through family sessions, I found that this girl was feeling uncontrollable rage towards her emotionally withdrawn mother. Having learned in school the "sinfulness" of such feelings, she brought herself under a form of tight control whereby as a Frankensteinlike machine she was not responsible for her own dangerous thoughts. In another similar situation, a mother of seven children was referred by her physician after recurring bouts of debilitating fatigue. Once again, through family sessions, I found this mother to be overworked, yet driving herself to be the model wife. Her feelings of anger towards her rabbi-husband were permitted no conscious

outlet. However, "getting sick on him" provided a safer mode of relief. In both these cases, the process demanded learning the language of unsafe feelings as the first step in individuation and self-realization.

Often, due to the religio-centric character of the community, intra-familial conflicts take on religious overtones in their mode of expression. It is then necessary to look behind the ideational cover to the deeper implications of the personal and interactional struggle. What is described as an area of religious contention will usually be a cover for concerns of emotional vulnerability and hurt.

In the following case the initial request for help in a young marriage centered around dissatisfaction with the religio-cultural climate in the home as experienced by the young couple:

Mr. and Mrs. L. were a young couple married three years, having one child, and coming for marital help at the suggestion of Mr. L's dean at the Talmudic academy which he attends. Mr. L. received a \$50 a week stipend for his studies, which would be completed in three years, and Mrs. L. taught part-time to supplement their income. At the same time she was attempting to complete her B.A. at a local college to increase her salary potential, as well as to find outside intellectual stimulation. She had completed three years of college before the marriage and had then stopped, only to find out that she missed the schooling. The couple had experienced constant fighting in their three years of marriage. Mrs. L. was critical of her husband's Orthodox life style, particularly in his manner of dress which she felt reflected a more moderate religious tone than she had preferred and had expected him to assume, before the marriage. She wanted him to look more the role of the rabbi, wear more somber clothing in the Eastern European tradition, and assume gestures and mannerisms which reflected this posture. Mr. L. in return expressed a lack of motivation around his religious studies, and blamed his wife's criticism of him and her interest in education which was not in keeping with the wives of other seminarians.

Upon clarifying the marriage contract that had been verbally and tacitly agreed upon, it was learned that Mr. L. had married Mrs. L. to help him gain a sense of self-worth which he felt lacking. Since he was from a religiously non-descript family, he felt that his future wife, who had a considerable amount of rabbinic lineage, would provide a status and sense of self-worth for him. Mrs. L. sensed that the reason she had married her husband was to fill the vacuum of loneliness and grief which she had felt for her father who had died a few years prior to the marriage. Since he had many of the qualities which she had seen in her father, it was as though she was able to complete a long mourning process. Feeling some temporary resolution of the sense of abandonment and loss, she agreed to marry him. In time, since neither could satisfy the other, Mr. and Mrs. L. felt each other to be quite disappointing in fulfilling their respective needs. Both sensed this deprivation and disappointment in the arena of religious consciousness, feeling that their identities as Jews were being diminished by the other.

In this marital situation there were two primary admixtures which distorted the L's perception of their relationship. Firstly, Mrs. L. had been a pretty and precocious child who knew religious text by memory and was the family showpiece. Since she felt emotionally estranged from her mother whom she did not feel to be a warm individual, she developed closer ties with her father who was considerably warmer. Having come from a strict European rabbinic background, he found it difficult to earn a living wage in an Orthodox congregation in New York and, in an attempt to support his family comfortably, loosened his standards and took on an administrative position in a school which was religiously to the left of where he had been in Europe. This had occurred about the time Mrs. L. had reached adolescence, and was attending an extremely religious girls school. While she had always had a closer relationship with her father, with her entrance into physical maturity, plus the combined pressures of

religious peer values, and the influences of her teachers, she began to feel uncomfortable about their relationship. At about the age of fourteen, she began to feel highly critical of him and began to enter into dialectic argumentation with him about the compromising of his values. Where previously there was openness between the two, she was now giving way to anger and conflict within herself and toward her father. The moments of closeness were at longer intervals and Mrs. L. began to feel much safer with distance between them. However, the price for it was loneliness and anger. For the next three or four years, emotional contacts between them were limited. When her father died she was seventeen, and Mrs. L. went into a process of severe mourning. There was extreme withdrawal, with periods of hysteria and depression. While being sought by many avid suitors who were at her social level, Mrs. L. found her husband to be the only one who was able to give her some degree of comfort. Mrs. L., however, married well beneath her station, given her husband's family background and Talmudic standing, but this was the trade off she was willing to make in her unconscious need to continue her displaced hostility toward her father.

Mr. L. was the younger of two brothers in a family which placed little emphasis on conveying feeling and appreciation for one another. In addition, his mother was ill for the first two years of his life, rarely held him and conveyed to him a sense of guilt about her illness as he grew up, and he responded to her with anger and resentment. He tried to develop a relationship with his father, who, however, worked long, arduous hours and was rarely around. Mr. L. felt increasingly estranged and as he came to realize his emotional needs, he began to place the blame for this estrangement on his brother who was three years his senior and his superior in academic and physical endeavors. Feeling his brother to be the obstacle to parental acceptance and self-worth, he was determined to do battle with him and outdo him in any way that he could. While never succeeding in his effort, he

became quite obsessed and compelled to compete in all areas. Consequently, when his brother entered a rabbinic seminary and married it was his turn to do so also. Upon meeting his wife and sensing her needs, he saw this as an opportunity to gain some degree of self-worth as he would now become attached to a young woman who would magically give him that piece of personal and social status which he had always felt missing. However, at first he failed to perceive her loneliness and, when her needs became more evident, he felt quite conflicted about the relationship and at times had considered not going through with the marriage. However, the prospect of marrying into "such a good family" eventually outweighed his apprehensions about getting involved with a girl beyond his emotional and intellectual capacities.

At first Mr. L's studies at school were successful for the first time in his life. After a few months, it became increasingly clear that the quid pro quo was not working as well as either had expected. Mr. L. found himself incapable of responding to his wife's needs and depression. Mrs. L., in her increasing sense of estrangement, had become highly critical of her husband, in a manner reminiscent of her conflictual feelings toward her father. The marriage began to degenerate into a narcissistic fight for survival, throwing both into regressive behavior. Her mourning re-emerged, and he became jealous of all her intellectual and vocational endeavors as she was, unlike him, quite gifted and capable. Rivalries developed between them and then became triangulated when their child was born, each claiming to be the better parent. As symptomatology developed in their child at the age of two, they blamed each other for the problems. Anguish was expressed through "I thought I was marrying someone more religious than he is" or "it's just not done in our circles, that a wife goes to college with a house a mess and the baby left alone". These statements reflect far deeper and meaningful messages than conveyed on the surface.

Mrs. L. felt quite incompetent as a woman

and mother which is one reason why she married an "inferior man". These feelings of self-denigration prevented her from inviting other women to her house and from having more children. These difficulties exacerbated her loneliness and made her feel different from other women her age who were now on their second and third child, while also creating a problem around birth control which evoked guilt in both of them. Throughout, was the interplay of the in-laws who complicated matters by justifying and defending their respective children and using various rabbis in the community to get the other spouse to "behave".

The thrust of treatment for this couple was to clarify the contradictions in their mutual expectations, the double messages that emanated from conflicted needs, and therefore the inevitable disappointments each experienced at the "hands" of the other. The key task was to help this couple understand their relationship within the context of their own life experiences, and to be aware as to how their religious perceptions can be distorted by their impacted areas, and these religious feelings consequently used against each other.

The L's continue in the process of growth and redefinition of self in strengthening the affectional bonds between them as areas of conflict are explicated through conjoint treatment. Their process, however, is lengthy and not within the ken of this topical article. The essential issues here are the decoding of religious issues of contention within family or marital systems and the determination of how these maladaptive concepts are linked with intrapersonal and intrapsychic patterns. The task then is to help individuals define and articulate areas of conflict in a language that expresses a more accurate portrayal of self and enable clients to utilize religious concepts in an enhancing and growth-inducing manner.

As a final notation regarding religious contention, I would like to add a few thoughts. Firstly, as I have mentioned, such strife should always be considered for its transactional and interpersonal meaning. In the marital situa-

tion, I have cited the case of Mr. and Mrs. L. In the parent-child configuration, it can be even more complex for it usually involves the triadic relationship of both parents and child or children. A girl who wants to date at an age which is considered too young for the culture, or a boy who wants to leave yeshiva because of the long hours, may have ostensibly sound basis in their expressed desires, considering prevailing American cultural influences. However, these are also issues of discontinuity in identity, and movement along the religious-cultural spectrum is usually accompanied by changes in relationships. It is my judgment that the quest or conflict in relationship is the cause and the religious movement, the effect, usually a search for more meaningful connections.

Secondly, practitioners should be aware that religion can be an effective tool for resistance, especially with a therapist who feels the need to "walk on eggshells" with religious clients. It can effectively immobilize the practitioner in key areas of treatment. The only effective way to deal with this is to probe and understand any religious concept which a client attempts to use in a manner which a worker feels to be resistive.

Such probings may lead to a practitioner to assess that the client has a legitimate right to protect against change in certain religious areas even though they may appear to be dysfunctional. One such area is the complex and unique code governing sexual relationships where all physical contact is prohibited during, and seven days following, the menstrual cycle*. Or, one may feel that a client is using a belief or practice in a manner which is part of a pathological system.

When such a determination is made, after having grasped that the purpose of such ritual to a client is dysfunctional, then two options are available: Firstly, to deal with the pathology itself which will free the client to

* An uninformed practitioner may view this to be at the core of many marital and sexual problems and suggest a modification without understanding it to be one of the cornerstones of Orthodox life.

utilize symbolic behavior in a manner which will serve his own growth. Secondly, if the behavior is an obstacle to effective treatment, then a casework contract can be established whereby a competent authority, sensitive to the psychological and religious nuances, can be consulted for further amplification on the possible options. Any suggestion to modify religious practice should certainly be preceded by such a consultation in an attempt to effectively and responsibly enable a client to undertake even the slightest change in religious practice.

A third area relating to religious contention would be the manner in which certain hallmarks of religious observance affect family or marital relationships. The Sabbath is one instance when a family which may have been separated all week is suddenly thrust together with none of the distractions which maintain "safe" distances, such as homework, school, television (in the more liberal households), etc. Troubled families can consequently fall into patterns of fighting before the Sabbath, at the Sabbath table or on other occasions during this twenty-five hour period. Other such occasion may be in the wife's visit to the *Mikveh* (ritual immersion). Here, a couple who has been physically separated for about two weeks may have to suddenly confront a longstanding sexual difficulty or may have their emotional difficulties come into more painful focus. In both situations, it is worthwhile to question feelings and attitudes and examine behavioral patterns around the Sabbath and *Mikveh*. Some women who are experiencing emotional or sexual difficulties with their husbands, experience anxiety before going. Some may decide not to go, while others may report somatic symptoms. A worker can add much to his diagnostic understanding of a family through examining these events in detail.

Although this paper has dealt primarily with a group which is religiously oriented by its own definition, I feel a word is necessary regarding other groups where religion does not play such a pervasive role, yet nevertheless can arise in an issue in treatment. Most American Jews

have directly experienced some form of religious practice in their lives. While many assume life styles organized around the secularized patterns of American culture, there are also, as in the Orthodox group, hallmarks of the calendar year—i.e. Yom Kippur, Passover, etc.; events of life—birth, death, Bar Mitzvah, marriages, divorces, etc.; and events of history such as the Six-Day War, Yom Kippur War, U.N. resolution against Israel and World Jewry, etc. which are constantly playing upon conscious and even vague religious sensitivities. The degree of impact varies according to religious and psychological variables. During the course of treatment, it is probable that for many families some such events will play a role in their daily life. These are periods of time when religion or religious identity comes to the fore of consciousness and becomes a key determinant of psychological functioning. Inter-marriage can affect families in such a way, and a separate paper is needed to deal with this phenomenon alone. Practitioners should be aware of the ebbing of such feelings within clients. However, a degree of comfort is necessary on the part of the practitioner to deal with these issues in the context of religious identity. It may very well

be that to be able to comfortably deal with these issues, workers themselves may need to understand this phenomenon and its effects on their own lives, while the field of social casework itself should attempt to probe into religious identity as a determinant to behavior.

This paper has attempted to develop a number of theses regarding the treatment of religiously oriented clients in a casework agency. The primary issues have been the influence of group pressures on identity, religious contention as a conduit for other impacted areas of development and its role in marital complementarity. Finally, there are my observations on how assessing religious practice can be a diagnostic tool for the skilled practitioner and how this practice can be used.

The continuous theme throughout this work has been the message that religion is a pervasive and ubiquitous force throughout life to some groups and individuals. It colors relationships with others, perception of self, and, like other ideologies, can be used in both positive and negative ways, dependent on innumerable variables. A worker treating religious clients, then, must come to grasp its very real and powerful influences, explicit and implicit, on personal, individual identity.

Psychiatric Hazard in the *Halachic* Disposition Towards Birth Control and Abortion: The Role of the Caseworker

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The entire area of psychological problems and severe emotional disturbances and their bearing on Halachic questions has not as of yet been adequately explored.

J. David Bleich

The observant Jew guides action and decisions for action by the dynamic requirements of the institution of the *Halacha* in any specific regard. The observant Jewish social service client engaged in individual, family, vocational or marital counseling finds him or herself no less bound by the valences of the *Halachic* process even when the actions in question fall under the aegis of therapeutic necessity. That is, for example, assertiveness training needs to be instituted within the framework of the *Halachot* (laws) of *derech eretz l'horim u'morim* (respect for parents and teachers); sex therapy engaged in with respect to the laws of *taharat hamishpacha* (family purity); discussions of attitudinal and value change within the light of Torah and rabbinic understandings of *Torah*.

The approach to *Halacha* which bestows upon it such an all-encompassing power is that it is not a mere random collection of rules and rabbinic statements but rather is a system of thought and conduct based on the dialectic between the word of God and the latitude of personal initiative. "*Halacha* is a vast system of thought which extends over the limitless ranges of human experience, subjugating them to its critical scrutiny in the light of the principles, regulations and laws revealed at Sinai and unfolded in the rabbinic literature of subsequent millennia."²

Far from being a rigid structure, implicit in the fact that *Halacha* addresses itself to mundane reality is the notion that it must be

conditioned by the limitations of and changes in that reality. Historic circumstances may determine the application of a great many *Halachot*, commandments and practices,³ *Halachic* statements are not always absolute,⁴ some laws are contingent on the vicissitudes of human desires and personality factors can also effect *Halachic* decisions.⁵ Moreover, there is a legitimate place for and process of change in the *Halachic* system, one that is sensitive to both the exigencies of the individual as well as to the fluid realities of changing times. To be sure, there is disagreement in certain camps as to exactly how far *Halacha* may bend to meet these needs and about how fluid this process truly is; it suffices for this discussion that the particular *Halachic* understanding of the client surely plays a large role in determining the attitude taken by the counselor/therapist.⁶

The above notwithstanding, I will orient this study to deal specifically with the observant Jewish client for the following reasons: (1) His *Halachic* perceptions are usually the hardest

³ Talmud Erushin 29a; Sanhedrin 20b; Kiddushin 36b; Sotah 47a-b; Avodah Zara 8b; Zevachim 112b. (All future references to the Talmud may be followed according to the original pagination in the Soncino Edition Translation.)

⁴ Eduyut 1:15; Maimonides' *Yad haChazaka: Hilchot Mamrim*, 2:1. There is also the concept of 'times (or natures) have changed,' see Magen Avraham on *Shulchan Aruch, Orech Chaim* 179:6 and 173:1; Moed Katan 11a—Tosefot 'kavra'; Avodah Zara 24b—Tosefot 'parah'.

⁵ Kiddushin 21b; Sanhedrin 81b; Berachot 16b; Makot 7a; Nidda 61b; Deut. 19:6; 12:20; 17:14; Or *HaChayim* to Leviticus 11:3.

⁶ See R. Israel, "The Elusive Appeal to Authority in Rabbinic Counseling and Social Casework," *Journal of Jewish Communal Services*, 1969, 45, p. 303-311.

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¹ David Bleich, "Abortion in *Halachic* Literature," *Tradition*, 1968, 10(2), p. 101.

² D.S. Shapiro, "The Ideological Foundations of the Halakha," *Tradition*, 1967, 9(1-2), p. 100.