

Lecture #8

Jewish Women: Medieval through today

Talmudic attitudes toward women formed most of the Jewish culture thru the Middle ages.

while women were usually cherished in private and treated with respect in public their legal, religious and social status was epitomized by the great scholar Maimonides when he lumped them into the category "women and the ignorant."

the Jewish mystical movement of the middle ages the Kabbalah stressed that there is a female aspect to divinity (the Shekinah), and the folklore, which was influenced by this has made such parallels as sun:moon::man:woman.

originally, both sexes were equal, as were the sun and moon.

because of Eve's sin, the moon diminished, woman lost autonomy, and the shekinah went into exile.

when redemption comes, the Shekinah will return, and woman will again be equal to men.

tho the kabbalists were attracted to the feminine, it was centered on study, as the Talmud was, so women could participate only marginally.

as well, the Kabbalists view of human nature was that it has both female and male aspects.--a sort of yin and yang as in china with the male being the active and the female the passive side.

ultimately it was the female side that was liable to demonic

influences, so many Kabbalists taught that women are more cruel than men, less creative and intelligent.

Hasidism, the devotional or pietistic movement which arose in eastern Europe in the 18th century, on the surface seems to have offered Jewish women a more satisfying spirituality, as the bhakti religions did for women in India.

it featured an ardent flow of feelings, centered on love of God and on joy.

Hisidism did not challenge the basic values and ideas, however, and so the three blessings that dominated late medieval and early modern Jewish life continued to be Torah, marriage, and good deeds, the latter two defining women's orbit.

Steps to increase the participation of women within public religious life were first undertaken by the leaders of the reform movement in 19th century Germany.

the Breslau conference of 1846, in an effort to reinterpret the principles of Judaism in accordance with the spirit of modernity, maintained that "it is a sacred duty to express most emphatically the complete religious equality of the female sex."

although a number of liberalizing measures were undertaken, it was not until 1972 that a woman was forst ordained from a Reform rabbinical seminary.

the Reconstructionist Rabbinical College ordained its first woman in 1974, ~~but~~ ^{only} the other ~~two~~ major branches of Judaism--Orthodoxy ~~and Conservative~~ ^{and Conservative}--have yet to grant women

ordination.

because the traditional view of women in religious life, which made them enablers of men and housewives and mothers, and the insistence that the two spheres of men and women were separate, this made it psychologically difficult for women to think of themselves as leaders.

socially, legally and religiously they were considered inferior to men.

they were always dependent and were revered and honored as long as they did what was expected of them.

originally, the term "rabbi" designated an officially authorized teacher and interpreter of Jewish law.

while women were not explicitly forbidden to serve as legal experts, their lack of formal education actively discouraged any such aspirations.

just as the obligation to study Torah was incumbent only upon males, the commandment to teach one's children required only that a father instruct his son.

some rabbi's questioned the advisability of teaching girls altogether.

in fact it was agreed that since a woman's proper role was played out within family life, there was no need to raise girls to as high an intellectual level as boys, no matter what their ability.

theoretically, women could become scholars, but, not

surprisingly, few did.

according to the traditional form of ordination, the rabbi was designated not only as interpreter of Jewish law, but also as a judge.

while it appears that women were not explicitly prohibited from acting as judges, in reality no woman attained that position.

this can be explained by the clearly stated prohibition against women acting as witnesses, the general relegation of women to the private sphere of religious life, and the rabbinic injunction that all offices were to be filled by men.

by the middle ages, the original concept of the rabbi as sage had both changed and expanded.

altho rabbis were still empowered to interpret Jewish law, only the most advanced students could serve as judges in legal (as opposed to merely ritual) matters.

also, the rabbinate became a full time occupation, with the rabbi serving as teacher, preacher and spiritual head of a congregation or community.

while the rabbinic enactments continued to improve the status of jewish women, the question of a woman acting not only as a religious authority but also a social-spiritual head of a jewish community was never seriously considered. tho there were a few women who assumed positions of leadership, they were never given

the status of an ordained religious leader.

with the enlightenment, there was a great change in Jewish life as Jews started to participate in the economic, cultural and political life of the non-Jewish community.

the mind-set of the semi-autonomous, Jewish community began to disintegrate, as the historical consciousness which had fused medieval Jewish communities together gave way to new visions of the "enlightenment" which inevitably weakened the centrality of religious life.

once the importance of the all-embracing nature of religion was denied and the importance of change accepted, Jewish institutional and educational beliefs necessarily had to be adjusted in order to conform to the spirit of the modern world.

with the changes, the rabbi no longer functioned as the judge of a self-contained community, but as the teacher, preacher and social-spiritual head of a specific religious group.

today a reform rabbi receives the designation of "judge" only as a formality, and most modern Orthodox rabbis have only limited jurisdiction in matters of Jewish law.

the form of ordination granted by the Conservative movement does not even formally empower the rabbi to serve as a judicial authority.

legally a major barrier to women's ordination had been relaxed, if not lifted.

as the rabbi's activities have become "increasingly restricted to administrative and pastoral functions," it has become much more difficult to deny that the continued exclusion of women from the Orthodox ~~and Conservative~~ rabbinates ^{which} is based primarily on social attitudes and tradition.

Once the Jews began to recognize the importance of secular education, educational opportunities for Jewish women increased significantly.

while secular learning threatened men's total absorption in Torah study, providing one's daughters with a secular education became a visible symbol of Jewish adaptability within the non-Jewish world.

thus well to do families in the ghetto encouraged their daughters "to learn the language of their neighbors and to acquire a familiarity with foreign languages and literature."

by the end of the 19th cent., when traditional Jewish communities in Western and central Europe had ceased to exist, the exclusion of women from study, community life and participation in public worship contrasted sharply with the opportunities open to women within "secular" society.

Abraham Geiger, the major philosophical spokesman for the German Reform movement, maintained that the traditional position on women could no longer be upheld.

he said, that the subordinate status of women should be overthrown and whenever possible, men and women assume the same

religious obligations.

also, that the ability of women to grasp the depths of religious belief be acknowledged and acted upon and that no worship service either in form or in content exclude women from participation.

he organized the Breslau conference (already mentioned) which declared "the equality of religious privileges and obligations of women insofar as this is possible".

a number of steps were taken to ensure equality
women were included in the minyan or quorum needed for worship.

the benediction recited by Jewish males expressing thanks for not having been created a woman was abolished.

formal religious instruction for girls was introduced and
in the Reform synagogue in Berlin women and men were seated on the same floor during the worship service.

by the end of the 19th century, the major focus of reform had shifted to the U.S.

in 1875 Rabbi Isaac Mayer Wise established the Hebrew Union College in Cincinnati as a Reform theological seminary.

Wise was one of the first Jews in America to champion the cause of women's rights.

in 1846 in Albany, N.Y. he admitted girls into the synagogue choir and in 1851 introduced family pews.

women attended HUC but none sought ordination. not till 1921 did that issue of women as rabbis formally come up.

out of this, tho the woman was not ordained, it was decided that there was no reason why women could not be ordained. however, the board of governors who made the final decision felt "that no change should be made in the present practice of limiting to males the right to matriculate for the purpose of entering the rabbinate."

however, Martha Neumark, the woman involved, reiterated her belief in 1925 that women were capable of becoming rabbis. she even asserted that since more women than men attend the Reform services a woman might be better suited than a man to meet the demands of the contemporary rabbinate.

she also suggested that male and female rabbis serve together.

the issue came up again in 1939 and in 1956 but tho they affirmed that there was no reason for a woman not to be ordained, the time was not right

it was not till 1972 that a woman, Sally Priesand, was admitted to the rabbinate by Hebrew Union.

two more women were ordained shortly after that and in England, the Progressive Rabbinical seminary began ordaining women as well.

thus, over a hundred years after the rabbis assembled at the Breslau Conference had affirmed women's religious equality, Reform women have finally gained access to ordained positions of leadership.

While Sally Friesand was the first woman ordained from any Jewish theological seminary, she was not actually the first woman to achieve rabbinic ordination.

Regina Jonas who completed rabbinical studies at the Berlin Academy for the Science of Judaism in the late 1930s was denied because of her sex, but a rabbi privately granted her a Hebrew rabbinical diploma.

she functioned briefly as a rabbi, but was imprisoned and died in 1940 in a concentration camp.

Besides Reform, Reconstructionism ^{and in 1983, Conservative} ~~are~~ the only branches of Judaism which currently grants women rabbinic ordination.

from its inception in 1935, Mordecai Kaplan, ^{The} ~~its~~ founder and leader ^{of reconstructionist Judaism} affirmed the complete religious equality of women

he conceived of Judaism as a religious civilization, and maintained that to be a modern civilization Judaism had to abolish the legal disadvantages under which women suffered.

he still believed Judaism needed law but as a "living social process" he felt traditional jewish law should be amended.

as a conservative rabbi in the 1920s he instituted "Bat Mitzvah" as a counterpart to Bar Mitzvah ceremony for boys and advocated calling girls up to the Torah and counting them in the quorum necessary for public worship.

thus in 1968 when the Reconstructionist Rabbinical college opened in Philadelphia, it both "accepted and encouraged the

1889 - Conservative - backlash to Reform

Classical reform —
traditional reform split in Reform

Reconstructionist - traditional but open
Renewal

ordination of women."

in 1974 Sandy Eisenberg Sasso became the first woman ordained as a Reconstructionist Rabbi.

a little over 1/4 of those studying to become Reconstructionist rabbis are women.

Reconstructionism has brought women religious equality and it was only after this step that Kaplan maintained Jewish women could "contribute her share to the regeneration of Jewish life."

at present, efforts to effect change in the status of Jewish women within ~~conservative and~~ Orthodox life are grouped under the title "Jewish feminism."

some see the goals of Jewish feminism as granting equal educational opportunities to women, while others are demanding nothing less than the full participation of women in Jewish religious life.

it is not a unified movement with a clearly outlined platform of beliefs, but rather "a series of isolated questionings in the shadow of the women's movement."

in 1973 Conservative rabbis voted to count women in the Minyan needed for worship and in addition, gave the little known 1955 decision allowing women to be called to the Torah new attention.

They began ordaining women in the early 80's

At Brown University, for ex., a number of Jewish women regularly hold their own sabbath worship service.

two members of the group have written a prayer book for women that refers to God as "She" and includes not only various services for the Sabbath but also Sabbath home rituals and a prayer to be said on the first day of menstruation.

the prayer book seeks "to offer encouragement to women, as they look around and inside themselves for God, To write prayers, to pray together and to renew the meaning of all that has been passed down to us."

They have also published a new magazine called Lilith (based on the name of Adam's first wife and equal.) that presents articles that explore "the world of Jewish woman" and offers a listing of resources that include bibliographical references, local Jewish feminist organizations, religious services for women, and information on the development of new rituals and life-cycle ceremonies.

this new awareness has forced Orthodoxy, Conservatism and reform to acknowledge the increasing demands for change.

in 1975 the Reform movement's central conference of American Rabbis and the Union of American Hebrew Congregations agreed to initiate a series of programs and projects which would help gain acceptance for women rabbis.

they also voted to pass resolutions supporting the equality of

women and the right of women to receive rabbinic ordination.

Orthodoxy has neither formally considered the question of female ordination nor brought about significant changes in religious attitudes.

the number of orthodox women working outside the home has grown, and steps to enlarge the scope of female religious education have been taken.

it may be true that the majority of Orthodox women are currently accepting "more fully all the traditional demands made on them," as some rabbis assert, but women's prayer services, support from a number of highly respected orthodox rabbis, and articles and lectures by Orthodox women who feel that contemporary women's concerns can be integrated with Jewish traditional values, have led to a growing dissatisfaction with the position of women within Orthodox Jewish life.

~~although some Conservative rabbis maintain that jewish feminism represents a passing fad, the issue of female ordination has been seriously raised both by the Rabbinical Assembly's committee on Jewish Law and Standards and by the organizational arm of the Conservative movement in America .~~

~~despite resolutions trying to make equal opportunity for females in the conservative worship service, the Committee on Jewish Law voted overwhelmingly not to allow women to be educated for ordination.~~

The force of tradition weighs heavily against the future ordination of women within ~~conservative and, even more,~~ Orthodox Judaism.

however, largeley because of the growth of the feminist consciousness and activity there have already been concrete results.

new rituals for women have been created; women's prayer services have helped to deepen religious sensibilities and commitment; plays, poems, articles and books have enriched historical as well as personal awareness of what it means to be both female and Jewish.



There is now a woman, Blu Greenburg, who is the first woman within Orthodoxy to be considered a Talmudic Scholar. She lives with her Rabbi Husband in New York.

She points out many things in an unpublished article which I will now use. This will bring us up to date.

Birth

A new ceremony, formulated in the 1970s, is that of simchat bat or brit bat, the rejoicing of the birth of a daughter or the covenanting of a new daughter.

it is still experimental, but is gaining wide acceptance.

it includes a recitation of various biblical passages, prayers for the baby girl for a life of Torah, marriage and good

deeds, an affirmation of her entry into the covenantal community; a formal naming ceremony; sanctification blessings and of course, speeches and feasting.

She predicts that a hundred years from now jews will celebrte it as if it has always been part of Judaism.

Puberty

already mentioned is the Bat Mitzvah which was introduced by reconstructionist Judaism in the 1930s.

it has now spread to all the other denominations--Orthodox, Conservative and Reform.

the celebration differs in each but is modled on the Bar Mitsvah for boys.

all of the ceremonies are in one way or another, related to the study of the Torah.

this increased association of women and Torah is one of the factors that opened the way for women's ordination which is now part of all he denominations of Judaism except Orthodox.

Menarche

is still a private time for girls, tho mothers are seeking ways in private mother-daughter manner to ritually affirm the first menses of their daughters.

Marriage

women are no longer the silent partner.

many jewish marriages, particularly in the liberal

denominations, incorporate a measure of participation by the bride.

In Reformed and Conservative marriages, this tends to be a double ring ceremony, some brides will recite scriptural verses under the wedding canopy.

these passages are usually selected from Song of Songs a work of love poetry.

where the bride gives the groom a ring, as is often the case amongst orthodox couples today, she does so w/o reciting the marriage formula.

that is still considered a male function, according to halacha.

because women work outside the home things have changed with both sharing the breadwinning, parenting, and housework.

despite inherited prescriptions in the tradition regarding a woman serving her husband, Jewish marriages today are based fully on equality of the sexes.

Childbirth

there has been no formal ritualization of the experience of childbirth

tho the blessing usually recited by the father in the synagogue is now increasingly being done by the new mother.

Divorce

different denominations have resolved, in varying degrees, inequity in Jewish divorce law.

Reform simply dropped the Jewish divorce proceedings and stated that civil divorce will do.

this is not acceptable by the Conservative and Orthodox communities, which still require a Gett from the husband.

the Reconstructionist rabbinate uses the traditional gettt and all of the attendant procedures.

however, when a woman who was previously divorced (civilly) wishes to remarry but cannot secure a gett from her former husband, the reconstructionist rabbinic court will give her a document that declares her free to remarry, even tho she has no writ of divorce, nor has her marriage been annulled.

Conservative Judaism follows the talmudic principle that all who marry within the Jewish community do so with the impleid consent of of the rabbis.

thus, the marriage continues to exist only as long as the rabbis agree to its existence. thus, in cases of a recalcitrant husband, the rabbinic court withdraws its sanction of the marriage and the woman is free to remarry

The Orthodox solution is to resolve cases of reluctant husbands in the civil court, ~~not~~ by dropping the jewish legal divorce, but rather making civil divorce dependent on the simultaneous or prior granting of the Jewish gett.

DAVID RUBINGER



ALICE SHALVI

Israel: Agony of The Agunot

They live in a marital limbo, separated from husbands—sometimes for decades—but unable to divorce. According to Jewish religious law, which binds Israeli Jews, a wife may not be granted a divorce without her husband's consent. At least 10,000 Israeli women, known as the Agunot (the anchored) have husbands who are unwilling to give that permission. Says Ora Sasson, who has

been trying to get a divorce for eight years: "I don't know where I stand. I'm not married. I'm not a widow."

Earlier this year relief seemed near after Agunot protesters made their voices heard at demonstrations. In response, Zevulun Hammer, the Minister of Religious Affairs, proposed that recalcitrant husbands be threatened with suspension of such rights as cashing checks and holding a driver's license. But Hammer left office in June, and since then the small ultra-Orthodox parties whose

leaders oppose change have faced little challenge from politicians on this issue.

The nation's feminists still hope to end the suffering of the Agunot. Alice Shalvi, chairwoman of the Israel Women's Network, wants to strengthen the civil courts by giving them the power to threaten husbands with financial penalties and even arrest them if they refuse to release their wives from broken marriages. In Israel's volatile political climate, that seemingly sane proposal stands little chance of success. ■

more fundamentalist communities still operate like closed systems using occasionally physical force to make him comply.

one sanction from the talmud in dealing with reluctant husbands is "force him until he wants to" (divorce her, that is)

there has been significant progress but there is still need for unifying legislation that would forever remove the imbalances in the law.

← read article

Generativity

procreation the very first law of the Torah is "Be fruitful and multiply and replenish the earth" (Gen. 1:28)

the rabbis felt that the duty of procreation fell upon the man, not the woman for several reasons:

1. he is the initiator in sex
2. it is a woman's natural inclination to want children so to command her to bear children is superfluous.
3. to ask a woman to go thru the pain of childbirth would be unethical.

thus, the reason the preferred position is the man on top is because it is he who is obligated to bring children.

the commandment to procreate is so significant that if a man spills his seed outside of a woman's womb it is as if he spilled

blood."d

inability of a couple to bear children within ten years of marriage was grounds for divorce.

in fact, this probably never happened.

what constitutes fulfilment of the commandment to procreate?

some say two children—one boy and one girl;

others say 4 children, 2 of each sex, but at the very least one must replace himself.

Birth control

it is recognized that the sex drive is natural and healthy and not simply for procreation, thus birth control is accepted, tho not all. *Types.*

the basic principle is that the two most sacred human acts are to love and to create life.

it is recognized that if life were created everytime there was intercourse, it could destroy love between partners.

there are three biblical principles .

one, of course, is the injunction to be fruitful and multiply
the second is the laws of Onah, which has to do with the sexual satisfaction of the wife.

the broad implication of Onah is that sex is independent of generativity.

if this is so, then birth control must be an appropriate condition of married life.

the principle of Onah eliminates rhythm as an option for birth control since it interferes with satisfaction.

the third principle is that of hash' cha'tat Zerah, the law forbidding proper emission of the semen.

the source of this is the story of Onan (not to be confused with Onah).

He was destroyed by God because of the sin of "wasting his seed."

every time he would have intercourse with his widowed and childless sister-in-law, whom he had been required to marry in order to carry on the name, he would withdraw before ejaculation (Gen. 38:8-10)

thus the law prohibiting coitus interruptus was derived which by extension includes prohibition against any other mechanical device that impeded normal intercourse.

because of the principle of Onah, any form of intercourse that impeded the fullest pleasure of the sex act was forbidden.

thus, the interplay of the three principles led to these rabbinic decisions.

1. no coitus interruptus/no rhythm
2. birth control is the responsibility of the female (no condoms as that is spilling the seed)
3. sterilization is considered a mutilation and forbidden.
4. tying the fallopian tubes is permitted as it is not considered permanent

5. diaphragm is permitted as is the IUD and the pill tho with the pill there are problems of intermitant bleeding which makes a woman unclean all the time.

Abortion

in the opinion of most authorities, abortion is not considered killing.

this is derived from the law concerning accidental abortions in which if a man accidentally injures a pregnant woman and causes her foetus to be aborted, he must pay only damages (Exod. 21:22) (these damages are paid to the father of the foetus not the mother.)

the general rule is abortion is not permitted unless there are special circumstances.

if the birth would endanger the mother, as her life is more important even up to birth.

the rabbinic sources make it clear that foetal life is not the same as newborn life.

what constitutes threat to the mother's life?

it can be actual threat or psychological stress which the mother states is true.

it can be that another pregnancy will threaten other family members, such as a child not yet weaned.

within the first 40 days of pregnancy, the foetus is technically

considered as water, that is, not fully formed.

or some rabbis make a distinction between a foetus in the first three months and the period following.

the traditional position on abortion is such that it gives neither a blanket veto on abortion nor total license to a woman to decide what to do with her own body.

Onah

this has been mentioned in conjunction with birth control but to expand.

the principle of Onah is that a woman has a sexual drive, the satisfaction of which is as basic to her well-being as that of other human needs and drives.

this satisfaction is incumbent upon the man to fulfill.

it is based on Exodus 21:7-11 which talks of a man selling his daughter as a slave and that she has three rights, the right to food, clothing, or her conjugal rights.

if the buyer fails in any of these ways she shall be freed, w/o payment.

it is reasoned that if slaves are entitled to this, certainly free women have the same rights.

it is true also that a man owes this to his wife but the woman has no corresponding obligation to satisfy her husband.

there were several factors involved but the desire to protect the social order by confining and controlling man's libidinal drive

exclusively within the marriage made the law of Onah a fundamental and persistent definition of sexual relationships.

it is not allowed ever to force the wife at any time. tho she is not to refuse him consistently and unreasonably, however the law is focused on her needs, not his.

Rape

the bulk of rabbinic sources indicate a full understanding of the trauma and violation that a woman feels, as well as her total victimization.

if a man rapes a virgin who is betrothed it is adultery and if in a town where she could call for help they are both to be taken out and stoned.

if the betrothed virgin is raped in the country where no one could hear her cry, then the man only will be stoned.

if a virgin not betrothed is raped then the man pays the woman's father 50 shekles of silver and she is his wife w/o benefit of divorce. (Duet. 22:23-29)

the rabbis changed this toward more consideration for the woman giving her the benefit of the doubt.

if in a town but didn't cry out because of fear she is innocent of complicity.

they also extended the concept of rape to include the marriage relationship as well. Marital rape is explicitly forbidden in Judaism.

Incest

had so many fences around it that it is extremely rare in Judaism.

Other than immediate family members, a man was not permitted to be in a room alone with a woman with whom a sexual relationship was forbidden (this included all females in a 4 generation family) unless the door remained open the entire time.

pre-marital sex

technically speaking, if a sexual relationship did not fall into the category of adultery, incest, or homosexuality, it is not in violation of an explicit Biblical prohibition.

if a man and woman have an exclusive sexual relationship, it is considered as a common law marriage.

if the relationship ends and the woman moves to another w/o a gett of divorce, it is like committing adultery

while there are no explicit rabbinic laws forbidding pre-marital or post-marital sex, there are many strong statements judging it.

besides, the rabbis prohibited the unmarried couple to be alone, behind closed doors.

polygamy

was permitted, polyandry forbidden

this was a general feature of patriarchal cultures reflecting

on the biological fact that maternity was self evident but paternity not so.

however, beyond the lives of the patriarchs and the kings, there is only one recorded instance of a polygynous marriage and the narrative highlights the disharmony (II Sam)

in rabbinic literature, only monogamous marriages are referred to both among the rabbis and the general population polygamy is not formally revoked however.

the catch was that a man had to perform the obligation of onah equally for each wife and had to treat them equally in all respects, an impossible feat.

in the medieval period, under the influence of Christianity, which forbade polygyny, Jewish law was formally revised.

in the 10th century, a rabbinic ruling placed a ban of excommunication on anyone entering into a polygamous marriage.

this was only operative on European Jewry. Jews who resided in Moslem countries where polygyny was permitted, continued the practice of multiple wives.

in 1948 with the creation of the state of Israel, the Chief Rabbinate extended the ban to Jews of all nationalities.

Celibacy in Judaism is not a popular or even highly valued model, for either men or women.

given the primacy of procreation, this makes sense.

in fact, marriage is normal and one cannot be a rabbi and not be married.

virginity, chastity and modesty

Virginity was highly valued for women

a virgin is eligible for alimony payment twice as large as that for a non-virgin

a priest could not marry a widow, a divorcee, or a prostitute. what did they have in common:? loss of virginity.

chastity was an optimal value for men and women alike.

this meant not having your mind on another when you are making love to this one, says the talmud.

modesty was a virtue for all humans but was more highly emphasized in relation to women.

God created woman from a hidden part (the rib) so she should be modest.

Judaism in the 20th century is remaining connected to the past, yet refreshed and renewed by the present.

while it will not be achieved overnight, the new understanding of women in this generation will become an integral part of Jewish values and not at odds with them.