

# Beyond Apologetics



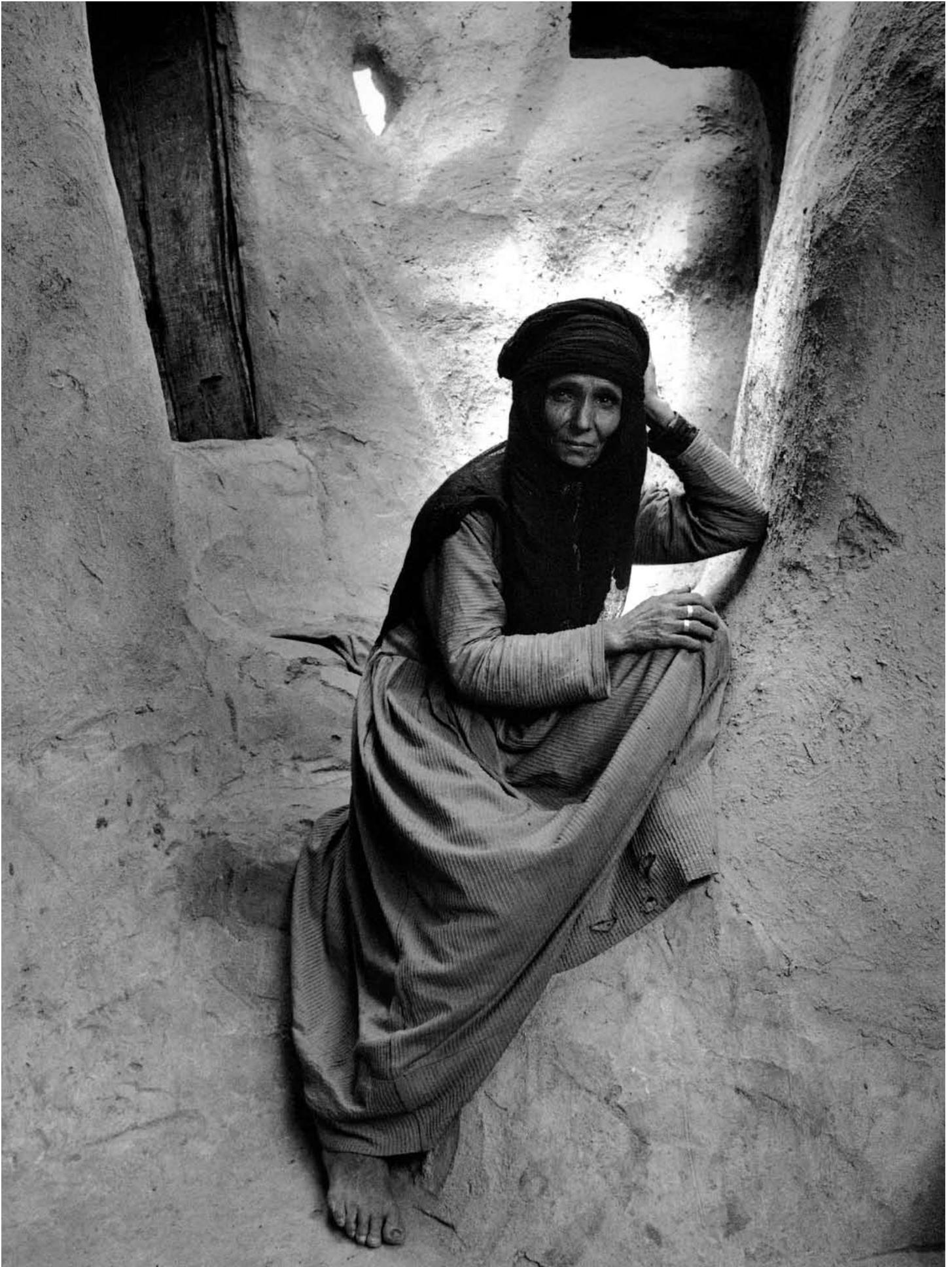
## Orthodox Feminism in the 21st Century



There is no escaping the fact that hierarchical divisions among people are intrinsic to the Jewish tradition. Perhaps the most blatant of these is the distinction between men and women. The Tenth Commandment, which prohibits envy of one's neighbor's wife as well as his other property, is emblematic of this hierarchical structure. Throughout rabbinic literature, the man is the normative, representative Jew.



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The position and function of the Jewish woman is usually defined in relation to the man and not independently; she is his helpmate and merits her reward through his achievements. Not only did women not occupy any authoritative position in the creation of halakhic literature, they were also not its intended audience. Over the centuries, as this invidious distinction became entrenched, an entire system of metaphysical and ideological assumptions developed within Judaism that defined the essential nature, and appropriate behavior, of each sex. This hierarchy of gender collides head-on with a democratic and egalitarian worldview. Today, women pursue professional careers outside the home, and husbands and wives share responsibility in families and the larger community. The equality of women recognized by the laws of the state clashes sharply with the picture painted in traditional Jewish sources.

Modern Orthodox Jews are thus suspended between conflicting loyalties. The insular culture of halakhah is characterized by hierarchy, absolute values, and a metaphysical conception of holiness. Centered in a figurative “Tent of Torah,” it is cut off from other languages of discourse. Feminism, by contrast, is a product of a humanistic liberal world, in which mutuality and dialogue between equals are sacred principles. Jews who internalize the spirit of democracy and egalitarianism may comfortably argue that these values are consistent with the traditional axiom that all people are created in the image of God - but they still have centuries of Orthodox teachings to contend with.

## From ‘spoken of’ to ‘speaking’

The deep chasm between the two kinds of discourse emerges if we attempt to apply ancient Talmudic teachings to our own time. Consider the following three examples:

- In Psalm 32, verse 6, it is written that every *hasid* - “godly person” - should pray to God *l’et m’tzo*, “at a time when God may be found.” In the Babylonian Talmud (Berachot 8a), Rabbi Hanina says that *et m’tzo* refers to the time of finding a wife, citing the Book of Proverbs (18:22): *Matza isha matza tov* - “Whoever has found a wife has found a good thing.” And then the rabbis ask: In the Land of Israel, “when a man married a woman, would people would say of him, *matza* (he has found), or *motze* (he finds)?” The answer: “*Matza*, for it is written: ‘Whoever has found a wife has found a good thing, and obtains the favor of the Lord.’” *Motze*, on the other hand, is linked by the rabbis with a verse in Ecclesiastes (7:26) that speaks pejoratively about women: “And I find more bitter than death the woman, whose heart is snares and nets.”
- Elsewhere in Tractate Berachot (57b), it is written: “Three things enlarge a man’s spirit: a beautiful dwelling, a beautiful wife, and beautiful clothes.”
- The well-known Mishnaic passage known as *bameh madlikin* (Shabbat 2.6), recited each week in the Friday night service, reads as follows: “For three sins women die in childbirth: because they are not careful in *niddah* - the laws of family purity; *hallah* - setting aside dough from the bread that they bake; *uv’hadlakat haner*-because they fail to light Sabbath candles properly.” The Jerusalem Talmud (Shabbat 5b) offers a possible reason why these particular three commandments were given to women:

Adam was the blood of the world...and Eve caused his death; thus the commandment of menstrual purity (*niddah*) was given to the woman... Man was the pure *hallah* of the world, and Eve caused his death; thus the commandment of *hallah* was given to the woman. Man was the candle of the world and Eve caused his death; thus the commandment of the candle was given to the woman.

These three midrashic texts speak for themselves. The male is all-important, the woman is an object. We may look in vain for a proverb that says that a husband is a “good thing.” Here, the woman is mentioned only in relation to her husband’s benefit from her beauty and morality, or else the destruction she may wreak upon him. While much talk about “the woman” is found in the Talmud, it’s always men speaking to other men. Women do not speak directly.

In contrast, in the cultural discourse conducted outside the walls of the beit midrash - in the academy, the business world, the social and political arena - women have become integral members of the community of speakers. When confronting a tradition that perceives them as marginal, many women, religious Jews among them, rightly resent their exclusion and take offense at various stereotypes, myths and images.

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In this modern context, it is worth recalling the example of the matriarch Rebecca. After being picked out as Isaac’s future wife, Rebecca is asked to make up her own mind as to whether she’ll go off to Canaan right away with Abraham’s servant, or tarry a while with her family in Mesopotamia: “And they said ‘We will call the girl, and ask her.’ And they called Rebecca, and said unto her: ‘Will thou go with this man?’ And she said: ‘I will go.’” (Genesis 24:57-58).

Only today are women, like Rebecca, being “called and asked” and invited by the establishment to participate in the discourse about them. While we can assume

that some feminine discourse existed in the past, it was culturally marginal and certainly was not acknowledged or included in the rabbinic canon. It is really only in the modern era that women’s responses to the discussions about them in Jewish legend and law are documented and discussed.

## Deconstruction and Reconstruction

In this unique historical situation - where old and new, continuity and change, come together - we can map out several possible reactions, which vary in their level of loyalty to the traditional discourse.

First, we have denial. It is only natural for religious groups to deny, consciously or subconsciously, the conflicts within their world, minimizing their importance, ignoring obvious tensions, and making no real effort at integration or synthesis. In the religious Zionist establishment, many educational institutions try to resolve such conflicts in a pragmatic fashion, rather than on a philosophical level. This can work out passably when dealing with halakhah and technology, for example, but the really difficult problems arise around social questions - the relationship with gentiles (including foreign workers in Israel), or the right of all citizens to get married. A lack of readiness to deal with such social challenges is an educational failure that must be remedied.

For the most part, this approach manages to preserve the religious comfort level. But it may also prompt the secularization of young people who are exposed to humanistic values and experiences. When torn between these values and their religiosity, they discover the depth of the gap between the two worlds and, believing that they are forced to choose, will sometimes prefer the humanistic ethos.

Then there is the apologetic posture, in

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which a range of arguments is adduced to prove the superiority of religious values over humanistic ones. This tack was taken by medieval sage Rabbi Yehuda Halevi who, in his Book of the Kuzari, tried to demonstrate that Judaism is more rational and consistent than philosophy. Rabbi Samson Raphael Hirsch and Rabbi Abraham Isaac Kook, among more modern thinkers, followed in this path.

Thus in the present generation, girls are taught, utilizing creative biblical and Talmudic interpretations, that the status of the woman is higher than that of the man. For example, in the proverb - "who is a good (literally 'kosher') woman? She who does her husband's will" (Tanna Devei Eliyahu Rabbah, 9) - the double meaning of the Hebrew word "oseh" is employed so that the saying reads: "Who is a good woman? She who forms her husband's will." This sort of interpretive acrobatics is widely practiced to resolve clashes between halakhah, Jewish lore, and egalitarian views.

At the opposite pole, we find strategies of deconstruction. Nurtured by postmodernism, this type of strident cultural criticism tries to dismantle and decode a text in order to expose the writer's motives and agendas. Clearly, the interests of the speakers in, and writers of, the canonical Judaic texts are not always

transparent and conscious; a deconstructive reading of these texts exposes interests and agendas below the surface. Such deconstruction of a culture necessarily entails a loss of confidence in it, often leading to alienation on the part of the critic. Hence this method risks the desertion of religion by young people inclined toward postmodernism.

The healthiest approach is one of reconstruction, which builds a new integration between traditional and modern values, presenting a fresh alternative for the person obligated to both halakhah and humanistic values. This path aims to create genuine dialogue with the world of external values, in contrast to the apologetic reaction that, seeing the mitzvot and Jewish faith as perfect and all-encompassing, devotes all its efforts to defending them. The reconstructive approach displays a positive attitude towards the culture and wisdom outside of the realm of Torah, and works from the assumption that the Torah and the entire Jewish tradition were created within a historical context. This position also finds a basis in what Rabbi Kook called "the greatness of the human spirit from the depth of morality and the peak of wisdom," seeing in the progress of the human spirit a revelation of the divine and a vehicle for conveying the Torah and its ways into the ever-changing present reality. Maimonides assumed this attitude in the *Guide to the Perplexed* when he adopted Aristotelian rationality as a basis of his thought and stated that the words of Torah should not contradict reason. If it sometimes seems as though they do, says Maimonides in the *Guide*, we need to continue to probe for an appropriate explanation. On this foundation he explained the entire sacrificial system that existed in the Temple period as a way of channeling the urge to commit idolatry, so ubiquitous in that period's rituals of worship, yet forbidden by Jewish Law.

Most of the religious public,

uncomfortable with the dissonance produced by adopting a critical stance towards the religious sources, is reluctant to implement this approach. Nonetheless, it seems to me to be the only way to create real cultural dialogue between the Torah and the modern and postmodern values.

## Hidden Voices

How can this be achieved? First, by arriving at a religious definition of humanistic values. It is not difficult to locate in the Torah many of the values that have developed in the new world; charity and social equality, the right to respect as a human being created in God's image and minority rights are all ancient Jewish values.

We should, in the spirit of Maimonides, also seek to contextualize Jewish values that today are objectionable or insupportable. Slavery was normative in antiquity, when Jewish Law was first developed. Ignoring historical context imparts the misleading impression that Jewish tradition is synonymous with patriarchy or chauvinism. In contrast, looking at texts through an historical lens enables new interpretations and fresh perspectives on traditions that are offensive to women. It also enables us to differentiate between halakhic obligations and time-bound traditions.

A new and open stance toward traditional texts, fueled by loyalty to humanism, may reveal interpretations of Torah that have been hidden thus far. This approach extracts out of the "seventy faces of Torah" hidden voices of subjugated minorities or those that identify with them, and exposes the sometimes subversive agendas beneath the text's surface. These interpretations uncover dissident voices even in the holiest texts. For example, while for the most part the silence of the matriarchs resounds, God displays sympathy for their complaints when they do express their dissatisfaction

with their husbands' lack of understanding. Exposing defiance within the texts, this hermeneutical method provides an anchor within the tradition for those who ask potentially subversive questions.

Tamar Ross, a leading Orthodox feminist thinker, suggests strategies for shrinking the gaps between hierarchy and equality in the halakhic realm. The above-mentioned apologetic stance, which preserves the existing norms, nevertheless requires a shift in rhetoric from the traditional hierarchical norm to a "separate but equal" outlook. Thus, although it is a conservative strategy, this rhetorical shift can actually pave the way to far-reaching halakhic accommodations. In addition, halakhically permissible practices that have been avoided for generations for cultural reasons - a prime example is the participation of women in synagogue ritual - should be re-examined and instituted.

In areas where the above strategies do not suffice, creative efforts must be made to exploit any openings that exist in the halakhic system. For example, prenuptial agreements that safeguard women from being refused a *get* (divorce) represent such a halakhically acceptable innovation. Lastly, certain halakhic notions - like hitting one's wife or limiting women's ability to leave their homes - need to become formally obsolete within the halakhic framework.

A midrash found in the text Seder Eliyahu Rabba (9th century CE) encompasses beautifully the possibility of integrating the humanistic and halakhic worldviews: "I call heaven and earth to witness that whether one be gentile or Jew, man or woman, male slave or female slave, in accordance with the merits of his/her deeds does the Holy Spirit rest on him/her." The work of religious feminists is far from complete, and it is in the spirit of this midrash that we must continue exploring the halakhic possibilities of adopting humanistic values into the realm of the living Torah. ■



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