# Breaking the Silence

## Women's Voices and Men's Anxieties

***The persistence of a Talmudic taboo presents a serious challenge for Orthodox consumers of popular culture***

Should Jewish women be allowed to sing in public? For most Jews in the modern world, this question is no more relevant than asking whether women should be allowed to vote. Yet for Jews who live according to halacha – including many Orthodox women who seek to harmonize their feminist instincts with their commitment to Jewish law and tradition – the question is serious and far from simple.

By **CHANNA PINCHASI**

The feminist issue is the litmus test of one's attitude toward the tension between halachic Judaism and modern life. In this regard, the subject of "*kol isha*" ("the woman's voice") is critical, for the voice, after all, signifies the border between the physical and the spiritual. The voice also represents the desire of women to express themselves in the public sphere – their opinions, personalities and abilities.

In 2009, Rabbi David Bigman, the American-born head of the Maale Gilboa Yeshiva in the north of Israel, was asked for his halachic opinion regarding women singing in public, and responded with an extensive ruling. Based on a close analysis of a key Talmudic passage (BT Berakhot 24a) and subsequent authoritative commentaries, medieval and modern, it was published by Kolech, an Orthodox feminist organization.

On the face of it, his opinion seems quite flexible. In communities that already have established the practice of women singing in public, he concluded, there is no reason to discontinue it, provided that five aspects of the singing are appropriate: venue, lyrics, musical style, clothing and body language. Bigman even indicated that religious women could work in show business: "There is no problem for those modest and virtuous daughters of Israel to develop a singing career even within the general culture, as long as they do not make concessions of the refined foundations of Torah culture and do not cooperate with those vulgar and commercialized features of the culture around us."

## Women's modesty and women's singing are not incompatible.

As I read this technical halachic ruling, it's clear to me that Rabbi Bigman has opened a gate far wider than previously thought possible. A central tenet of Jewish law holds that a woman's voice is tantamount to *erva* – a term that connotes sexual exposure and impropriety. Without denying this principle, Bigman is saying that women's modesty (*tsni'ut*) and women's singing are not per se incompatible. Such singing is permitted, as long as it is free of vulgar and insulting sexuality. Rabbi Bigman has finally succeeded in separating the wheat from the chaff.

Still, reading his response carefully leaves me unsettled. Rabbi Bigman takes the halachic sources as the plain truth, as a description of reality, and I find myself offended. As an Orthodox woman, I wish I could suppress my sense of insult, but I can't. How can it be, I wonder, that there's not one word in his ruling expressing any reservation regarding the assumptions made in the rabbinic sources?

What more do you want, I quickly correct myself, adopting a stance of practical politics. Rabbi Bigman, after all, is willing to go to bat for women. Criticism like mine, which questions the basic assumptions of the sources, will weaken Rabbi Bigman and those like him. "You see," observers from the religious right wing will immediately tell him, "*they* are never satisfied." Yes, it's a slippery slope, the dissent from our sages' beliefs. Rabbi Bigman's tools are the tools of the halachic process. These are the rules of the game. You decide, I tell myself: are you inside or out?

Inside *and* out, it seems, is my permanent existential position. I am torn between my understanding, as a religious feminist, that I need Rabbi Bigman and his halachic ruling; and my own personal conversation with the Talmudic sources, which is invariably bolder (and perhaps more dangerous) than that of the most responsive male rabbi. Can I at once support the rabbi, and convey my appreciation of him, and at the same time express my fundamental difficulty with the worldview reflected in his decision? I believe that I can.

### The Anxieties of Men

The ancient phrase "a woman's voice is *erva*" claims exceptional status in the Israeli

religious Zionist public and the Modern Orthodox world. Three little words – *kol b' isha erva* – encapsulate the risk of granting women a voice and space in the cultural and social sphere. I think that the power of this phrase derives from its didactic moral status, as expressed by Rabbi Bigman, and also from its halachically binding nature, which has been fortified by generations of rabbinical sages. The combination of "halacha" and "aggadah," of legal power and homily, has made this phrase more significant than many other Talmudic adages. Also, the statement embodies a much broader worldview concerning masculinity and femininity. In order to clarify these remarks, I would like to review the *sugiyah*, the Talmudic discourse, in Tractate Berakhot.

> Rav Hisda said: "A woman's *shok* (leg, shin) is *erva*, as it is written (Isaiah 47:2), 'Reveal your *shok*, wade through rivers,' and it is also written (v.3), 'your nakedness will be uncovered and your shame will also be revealed.'"
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> Shmuel said: "A woman's voice is *erva*, as it is written (Song of Songs 2:14), '...for your voice is pleasant and your appearance attractive.'"
>
> Rav Sheshet said: "A woman's hair is *erva*, as it is written (Song of Songs 4:1), 'Your hair resembles a herd of goats.'"
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> (BT Berakhot 24a)

As is their custom, the sages find corroboration for their viewpoint in biblical verses. Rabbi Hisda's comment demonstrates this well: the verse in Isaiah indeed shows that if one reveals one's leg, one's "shame will be revealed." Shmuel and Rabbi Sheshet's positions, by contrast, are based on verses from the Song of Songs (*Shir HaShirim*), a poetic text that describes love between a man and a woman, and which is generally interpreted as a metaphor for the love between God and his nation Israel. Here, however, its verses are turned to another purpose.

The Song of Songs explicitly expresses love and desire. It was called "*kodesh kodashim*" ("Holy of Holies") by Rabbi Akiva (Mishnah Yadayim 3:5), hinting that the metaphor itself is both holy and dangerous: in the Temple, only the High Priest could enter the Holy of Holies, and only on Yom Kippur. The appropriation of the Song of Songs to underscore the seductive threat of the feminine is a forceful and suffocating statement. It seems to declare that one should not read the Song of Songs as a vital allegory, inspiration for an equal relationship in which the woman has passion and a voice, but rather as a cautionary tale. The choice of


Orthodox women's band Ashira at the Dead Sea, 2009. Photo by Miriam Alcer.

this beloved biblical text as proof for restrictive Talmudic opinions speaks volumes about how our sages have regarded women, a worldview that goes beyond their comments about body parts.

One may wonder how the leg, hair and voice were actually chosen. Was this Shmuel's personal opinion about female hair? Or was this how women's hair was seen in those days? Or maybe the similar ring of the words "*erva*" (nakedness) and "*arev*" (pleasant) was the determining factor: the pleasant voice is like nakedness, as if the poetry were the proof. Most likely, it was the intertwining of all these personal, cultural and interpretive elements that created the mantra "X in a woman is *erva*" – just fill in the blank.

Rabbi Hisda, Shmuel and Rabbi Sheshet do not, we should note (in all fairness), claim that *everything* in a woman is nakedness – though they could, since the Song of Songs also says "you are *all* fair, my love." Instead, they strive to pinpoint exactly where in the female body nakedness begins to reveal itself: the leg, voice or hair? Each of the three Babylonian sages specifies a different location, on the assumption that the mere exposure of these will trigger the same response in a man as

Rita in concert, Zappa Club, Tel Aviv. Photo by Yossi Tzevker

*erva*, the naked female genitalia, resulting in prohibited sexual relations. Men in general – according to the learned men who wrote this Talmudic passage – cannot control their urges: they see nakedness in a woman's voice, hair or leg, and immediately become slaves to their instincts.

And what is the halachic remedy for this male condition? That the woman must take responsibility for the man's uncontrollable urges, and hide from sight or earshot anything that ignites them. Since men work and circulate in the public sphere, this also means that the proper place for the woman is in the home. In other words, it is not the man's task to avoid the threatening female presence; instead, the woman, whose body is temptation, must keep herself under wraps. It is she who is blamed and penalized for the fears and anxieties of men.

The dispute among the sages is actually quite interesting: what can be learned from the fact that it is not clear where the nakedness is located? What does it mean that different things (voice, hair, or leg) represent one thing (*erva*, genitals)? And why, to return to our main concern, does woman's voice remain such a major issue among the Modern Orthodox?

**A voice is a world: hence the intense religious and cultural struggle over the boundaries of the woman's voice.**

The voice is a central motif in Judaism. The voice is the vehicle of God's revelation in the world. Psalm 29, which we sing as the Torah is carried back to the ark on Shabbat, proclaims: "The voice of God is in power, the voice of God is in majesty. The voice of God breaks the cedars…" In human terms, the voice represents the elusive linkage of the physical and spiritual, body and mind, and expresses both emotion and rational thought. All human potential is bound up in the voice: wisdom, temptation, prayer. A voice is a world: hence the intense religious and cultural struggle over the boundaries of the woman's voice. The issue, indeed, is not merely a matter of singing – it is about the silencing of women in the largest sense.

## Opening the Gates

When I try to think what a woman's voice is to me, where it becomes meaningful in my own life, four scenes come to mind:

Yom Kippur eve, eating a hearty meal prior to the fast. Everyone who eats on the ninth (of Tishrei, the eve before Yom Kippur), the rabbinic adage says, is counted as having fasted both on the ninth and the tenth. The awe of the coming day is in the air, the holy mixed with the mundane. The radio is playing, and there the Israeli meets the Jewish. For years, the last song on Kol Yisrael before the announcement, "here our broadcast ends; we will return after Yom Kippur," was "Open the Gate," performed by the Israeli singer Tzila Dagan. "Open the gate to us, at the time of its locking, because the day is passing. The day will pass and the sun will set; we approach Your gates." For me, this song is part of the Yom Kippur experience. Beginning in my childhood, I was led into the sanctity of the day by this song; just before the holy day commenced I knew that soon it would pass and the gate would be locked. The fullness of Tzila's high-pitched voice as she sings "we will come to your gates," gives me goose bumps to this very day. I think this is the case for many Israelis who grew up on this song. I did not know then that her voice was compensation for the absent female voice in the synagogue.

August 2009, Sultan's Pool in Jerusalem, a performance by Yehudit Ravitz, the "mother" of Israeli rock music. A fifty-something secular woman standing on stage in faded jeans and a simple shirt. She sang as only she knows how, and hundreds of Israelis of all ages sang with her. Based on appearances, about half of

them were religious, screaming their lungs out, enjoying the recollection of songs that shaped their identities as Israelis. I'm moved as I hear her; I look at her and see a model of a woman in midlife, making a significant contribution to contemporary Israel. Her songs are us. It is clear that her femininity, bursting on stage in contagious vitality, is part of her power: without any attempt to seduce. This is how she is.

**Are we doomed to live split lives – sustained by the voices of women in the general culture, but accompanied by the knowledge that this is barely acceptable in our religious world?**

A few months after the disengagement from Gaza, I was listening to a new CD called "Orange Days." One song begins with a recording that documents the singing of the young women at the Neve Dekalim Synagogue; this is a song filled with plaintive crying. Slowly, you can identify the song. Slowly, amid the tears, you can hear the voices of girls singing with gentle and thrilling beauty. The crying voices fade as young women, recorded in a studio, sing the lines from Psalm 102: "A prayer of the afflicted, when he is overwhelmed and pours out his complaint before God." In their singing is their craving, their longing: "O God, hear my prayer, and let my cry come unto You." Through their voices we hear the depth of their religious experience, which remained steadfast even though their prayer – that the disengagement be prevented – was not answered.

September 2007. The first day of school at the Shalom Hartman Institute's high school for girls, known as the Midrashiya. A new school, excited teachers; girls who are strangers to each other gather in the middle of the month of Elul to pray together for the first time. At the end of the service, after *"Adon Olam,"* a feeling of relief fills the air. Soon the service, with all its awkwardness of unfamiliar tunes, would be ending. Just then, a seventh-grade student opens up her backpack and pulls out a shofar. She places it in her mouth and blows: *"tekiah, truah, tekiah, shvarim."* The resonant sounds of the shofar fill the space and penetrate the heart. Elul, the month of repentance, is here. I am moved by the girl's confidence, by her natural ownership of the shofar, by her ability to bring a large group of girls and women into the month of Elul.

Such personal recollections help me to define a cultural landscape. These female voices are not expressed within the halachic framework – indeed they ignore or defy it. Many Israeli women in the religious Zionist and Modern Orthodox communities, who conduct their daily lives within halachic boundaries, can attest to the kind of life-affirming experiences I have described. These women often live with a sense of fragmentation, sometimes even guilt, regarding the penetration of these voices into their cultural and religious world, even though the voices feed and fill the soul and spirit. Are we doomed to live split lives – sustained by the voices of women in the general culture, but always accompanied by the knowledge that this sustenance is, in the best case, barely acceptable in our religious world?

## Do Not Disturb

It could be argued that according to Rabbi Bigman's ruling, all the female voices I have cited are permissible. At the same time, the fact that the religious public is primarily a consumer of women's voices, and not their producer, tells us a great deal. For most Israelis, it is hard to imagine a religious woman belting out the High Holiday prayer *"Avinu Malkenu"* ("Our Father, our King") like Barbra Streisand, or singing the Israeli

national anthem "*Hatikva*" before a national audience, as the Israeli diva Rita did at the state's 50th-birthday celebrations. (The wonderful performances by Streisand and Rita are both viewable on YouTube.)

The difficulty in imagining a religious woman in such a performance stems from the internalization of Shmuel's statement that "a woman's voice is *erva*." The spirit of these words has been deeply absorbed into Orthodox culture, and has influenced not only how men see women, but how women see themselves – as dangerous temptresses, whose voices should rather not be heard. A parallel source in the Palestinian Talmud (Tractate Challah 12:2) makes the point more bluntly: "Shmuel said: 'A woman's voice is *erva*.' What is the reason? 'Through the voice of harlotry she defiles the land.' (Jeremiah, 3:9)."

Rabbi Bigman's five conditions limiting women's singing – location, body language, and the rest – invite a raft of new questions: Is Jerusalem's Sultan's Pool, a favorite outdoor venue for artistic performances, deemed as appropriate? Who makes such a judgment? Yehudit Ravitz dresses modestly by modern Israeli standards, but is she acceptable according to halacha? And is rock, by definition, a musical style that breaks the boundaries? When Etti Ankri, a popular Israeli singer who has become religiously observant over the years, sings the medieval poetry of Rabbi Yehuda Halevi – "Friend, have you forgotten your presence between my breasts?" – is this a problem, even though the poet's word for presence (*shekhinah*) is a reference to the divine? And the movement that accompanies singing? How can we know when it is the instinct of life itself, and when it is gratuitously seductive? Is it at all possible to function as a religious artist – or enjoy the performance of women – if we live in fear of failing, God forbid, to comply with the five parameters?

I am not (of course) a rabbi, but through my close study of Rabbi Bigman's ruling, I have collected a few halachic tools that may facilitate new ways of thinking. For example, the term "the nature of things has changed" (*hishtanut ha'tevaim*), utilized in various responsa takes into account that the ways in which certain physical, natural and even social phenomena were seen in the Talmudic period are no longer applicable. I am also encouraged by the halachic principle, dating back to the 12th-century commentator Rabbi Avraham ben David (RaBaD) of Provence, that "if one is used to something, one cannot be disturbed by it." For example, a man who is accustomed, by dint of his everyday life, to seeing the uncovered hair of single women, is unlikely to be dangerously stimulated by such a sight. This rather obvious observation points to the larger possibility that social conditions do change the nature of arousal, and that there is a place in modern halachic discourse for the man that "cannot be disturbed" by what he sees – or hears – every day.

I'm not calling for rampant permissiveness, far from it. It is clear to me that women in the contemporary world need protection from degradation and sexual exploitation, and in this respect halacha has a broader moral purpose than just protecting religious women. But I do wish to question the fundamental logical structure of halachic thinking in this area, which argues that women are seductive by nature; that men cannot control their urges; and that public space therefore belongs to men, and women must turn inward. Each reiteration of this train of thought weakens women, and reduces the spiritual and cultural wealth of the whole community. Over the ages, this model has caused the loss of many precious women's voices.

I do not presume to offer a comprehensive or clear-cut solution, but I do have confidence and faith in the Torah's power to endure the upheaval brought about by the feminist stance, even its most critical expressions. A woman's voice, after all, is an important instrument of *tikkun olam*, the repair and redemption of the world.

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