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On the Jewish Canon and Male Privilege

Elana Stein Hain

Judaism, #metoo, and Ethical Leadership
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Dr. Elana Stein Hain is the Director of Leadership Education for the Shalom Hartman Institute of North America, where she serves as a lead faculty member and oversees the content of lay and professional leadership programs.

A widely well-regarded teacher and scholar, Dr. Stein Hain earned her doctorate in Religion from Columbia University with a dissertation sponsored by Professor David Weiss Halivni on the topic of legal loopholes in rabbinic literature.

She served for eight years as a clergy member at Lincoln Square Synagogue and The Jewish Center, both in New York, as well as adjunct faculty at NYU. A graduate of Columbia University, the Yeshiva University Graduate Program in Advanced Talmudic Studies, and the Cardozo Interdisciplinary Fellowship in Jewish Law and Legal Theory, Elana has taught around the country, including as a member of Wexner Institute faculty.

Dr. Stein Hain is a board member of Sefaria: A Living Library of Jewish Texts, co-founded the OLP (Orthodox Leadership Project) to support female leaders working in the Orthodox Jewish community, and was recognized by the Jewish Week as an emerging Jewish leader in its first "36 Under 36" listing. She lives with her husband Yonah and her sons, Azzan and Navon, on the Upper West Side of Manhattan.

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475 Riverside Dr., Suite 1450

New York, NY 10115

212-268-0300

info@shalomhartman.org

www.shalomhartman.org

1. Judith Plaskow, *Standing Again at Sinai*, (1990), p. 3

Like women in many cultures, Jewish women have been projected as Other. Named by a male community that perceives itself as normative, women are part of the Jewish tradition without its sources and structures reflecting our experience. Women are Jews, but we do not define Jewishness. We live, work, and struggle, but our experiences are not recorded, and what is recorded formulates our experiences in male terms.

2. Phyllis Trible, *Feminist Approaches to the Bible* (1995), p. 7

To know that one is a feminist and to know that one loves the Bible is, in the thinking of many, at best an oxymoron, perhaps clever as a rhetorical statement but surely not a possibility for existential living. After all, if no man can serve two masters, no woman can serve two authorities, a master called Scripture and a mistress called Feminism. Therefore, my predicament grew as I heard the challenge that Daly and others pose: "Choose ye this day who you will serve, the God of the fathers or the God of the sisterhood. Biblical religion gives us the God of the fathers. In it is no resting place for feminists." If this were true, then I am of all women most wretched, or whatever adjective seems fitting: confused, schizophrenic, misguided, conservative or just plain wrong.

Approach #1: Dualism – "Rescuing" God and Being Rescued by God

3. Sifre Numbers (Bamidbar) 133

ותקרבנה בנות צלפחד - כיון ששמעו בנות צלפחד שהארץ מתחלקת לשבטים ולא לנקבות, נתקבצו כולן זו על זו ליטול עצה, אמרו, לא כרחמי בשר ודם רחמי המקום, בשר ודם רחמיו על הזכרים יותר מן הנקיבות, אבל מי שאמר והיה העולם אינו כן אלא על הזכרים ועל הנקיבות רחמיו על הכל, שנאמר טוב ה' לכל ורחמיו על כל מעשיו...

When the daughters of Zelophehad heard that the Land was about to be divided among the tribes—but only for males, not for females—they gathered to take counsel. They said 'the mercies of flesh and blood are not like the mercies of God. Flesh and blood is apt to be more merciful to males than to females. But God Who spoke and the world came into being is different—God's mercies are for males as well as females, God's mercies being for all: "*The Lord is good to all, and God's tender mercies are over all God's works*" (Psalms 145:9).

4. Mijal Bitton, *And He Shall Rule Over You: The Genesis of #MeToo*, *The Forward*, Oct. 19, 2017

Let me explain: I read Genesis I as told from the point of view of God, how Hashem created the universe and humanity. In Genesis II, however, God describes the same event but from the anthropological point of view – *dibera Torah kileshon bene adam* - the Torah presents a human point of view in which the original creation narrative is transformed from one in which men and women are equal to one in which men have dominion over women. In Genesis II, God describes the way that men experienced and interpreted Genesis I, it is all about human creation, about our social construction of gender, society and human culture.

5. Babylonian Talmud Ta'anit 4a

וכתיב (ירמיהו יט:ה) "אשר לא צויתי ולא דברתי ולא עלתה על לבי"
אשר לא צויתי – זה בנו של מישע מלך מואב, שנאמר (מלכים ב' ג:כז) "ויקח את בנו הבכור
אשר ימלך תחתיו ויעלהו עולה"
ולא דברתי – זה יפתח
ולא עלתה על לבי – זה יצחק בן אברהם

And it is written, with regard to human sacrifice: "And they have also built the high places of the Ba'al, to burn their sons in the fire for burnt offerings to Ba'al, which I did not command, and I did not speak, nor did it come into My mind" (Jeremiah 19:5). "Which I did not command," this refers to the son of Mesha, king of Moab, as it is stated: "Then he took his firstborn son, who would reign after him, and he offered him as a burnt-offering" (II Kings 3:27). "And I did not speak," this is referring to Jephthah. "Nor did it come into my heart," this is referring to Isaac, son of Abraham.

Approach #2: Reading Midrashically

6. David Stern, *Midrash and Indeterminacy*, *Critical Inquiry* 15:1 (1988), P. 153

...the object of Midrash was not so much to find the meaning of Scripture as it was literally to engage its text. Midrash became a kind of conversation the Rabbis invented in order to enable God to speak to them from between the lines of Scripture, in the textual fissures and discontinuities that exegesis discovers. The multiplication of interpretations in Midrash was one way, as it were, to prolong that conversation.

7. Shoni Labowitz, *God, Sex and Women of the Bible: Discovering Our Sensual, Spiritual Selves* (1998), p. 156-7

...the Hebrew word for "anger" and "sparked," *vayechar-aff* could also mean "linger" and "glow." ...Perhaps God wasn't angry at all; rather, God's glow lingered as a lover would who had just heard the song of the soul of their beloved...Miriam was overtaken in a spiritual epiphany, and her skin became white as snow because she had just seen and touched the likeness of God and felt overwhelmed...Some say that in Numbers 12:14 God said to Moses, "If her [Miriam's] father were there he would have *certainly spit* in her face, and *she would have hidden* from embarrassment for seven days." Take another look at the Hebrew. The root letters *yud, resh, kuf*, "to spit," could also mean "a green plant" or "bud that flourishes within itself." And the word for "she would have hidden," *tikalaim*, could also be translated from the root letters *kav, lamed, lamed* to mean, "she will complete." With this new understanding we can read Numbers 12:13 as "God said to Moses, 'I will bring the bud that flourishes within her to completeness with seven days; she will retreat outside the camp and then she will rejoin you.'"

8. Avital Chizhik-Goldschmidt, “No, Modesty Won’t Protect You from the Harvey Weinstens, but this Might,” *The Forward*, Oct. 17, 2017

These laws were probably rooted in a Talmudic view of women as objects of temptation, laws intended to protect men from sin as much as women from assault, in a time when a woman’s purity and thus honor were everything. This explains why the classic details of the laws actually may not prevent assault — for example, according to *yichud*, two men may be alone with a woman, or for that matter, two men may be alone together.

But what if instead of dismissing these laws as irrelevant and misogynist, we reread them as mandated personal space? Perhaps it is time to reclaim them as acknowledgment of the darkest corners of the human sexual psyche and how they affect our social interactions — something that many Americans today recognize, and that most school and university policies about private student-educator meetings are beginning to reflect.

Whatever its original reasoning may have been, *yichud* today has the potential to serve as a powerful tool for women to cope with the realities of a Weinstein world: *Demand that others be present. Protect your personal space.*

Approach #3: Amplifying “precedent”

9. Ruth Fagen, Talmud Torah, in Debra Orenstein and Jane R. Litman, eds. *Lifecycles: Jewish women on Biblical Themes in Contemporary Life* (1997), p. 115

...seek those traditional texts, sometimes well known, more often hidden and esoteric, which speak to us in positive terms of women and women’s experiences

Approach #4: Redefining our Categories

10. Ilana Kurshan, *If All the Seas Were Ink: A Memoir*, 2017, p. 10

As a modern woman reader of Talmud, I was fascinated by the rabbis' assumptions about women's attitudes toward marriage and children, and I wondered whether they still resonate with women today. After my divorce, I thought about whether it is still true, as the rabbis insist, that *tav 'meitav tan du m'l'meitav armelu* – that a woman would prefer to be married than to be alone, even if, as the rabbis go on to assert, her husband is “the size of an ant.” Does this principle hold in an age when, at least in many parts of the world, women can own property, live independently, and have children out of wedlock without undue social sanction?

It soon became clear to me that by the Talmud's standards, I am a man rather than a woman – if “man” is defined as an independent, self-sufficient adult, whereas “woman” is a dependent generally living in either her father's or her husband's home. In some ways this was a relief because I could regard the Talmud's gender stereotype as historical curiosities rather than infuriating provocations. The Talmud did not offend me because I was defying its classifications through my very engagement with the text. So many of the classical interpretations of the Talmud reflect gendered assumptions, and these texts have the potential to take on radically new meaning when regarded through feminine eyes. Though plowed through by generations of scholars before me, the Talmud was fertile ground for gleaning new insights and fresh perspectives.

11. Judith Romney Wegner, *Chattel or Person? The Status of Women in the Mishnah*, (1980), p. 5

...the Mishnah is preoccupied with taxonomy, with placing everything in an appropriate slot. The sages' worldview posits a close connection between human society and cosmic order – a phenomenon well documented by the social sciences. Along with an insistence on order goes an abhorrence of the disorder caused by anomalies or ambiguities. As we might expect of a system designed by men, the Mishnah treats the male as the norm and the female, by definition, as an anomaly, a deviation from the norm. Woman as “other” automatically occupies a different category from man. Nevertheless, the sages do perceive woman as a human being, a creature similar to man in important ways. Hence, she is both “like” and “not like” man...

This ambivalent approach generates apparent inconsistencies in the Mishnah's treatment of women. On the one hand, the sages perceive women as sentient, intelligent beings whose reactions to real-life situations resemble those of men. On the other, they view women through the androcentric lens of a male-dominated culture, which sometimes turns woman into an object rather than a subject of the laws, makes her peripheral rather than central to the culture, and subordinates her to male jurisdiction – above all in those aspects of the female that hold most value for men.

