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RITUAL, LAW, AND PRAXIS: AN AMERICAN RESPONSE/A TO BAT MITSVA CELEBRATIONS

Modern American Judaism is marked by its attention to the public practice of religion. Additionally, Jews, like many Americans, came to place an emphasis on individual performance. In that environment, women's active presence or absence became a cause of concern fueling the contemporary feminist critique. During the last century, the Reform, Orthodox, Conservative, and Reconstructionist movements each reacted to these concerns with distinct programs and structures. Bat Mitsva ceremonies, developed during the twentieth century, present a noteworthy example of the denominational variations and shifts in practice and outlook that mark this period.

Historically, *rites de passage*¹ for women in Judaism, other than marriage and death, were minimal and most often celebrated privately.² Daughters were named in the synagogue in *absentia*, in a ceremony that usually involved the father only. Puberty rituals, for the most part, did not exist. In the latter part of this century an increase in the public celebration of a girl's "coming of age" transpired. The ensuing Bat Mitsva ceremonies, paralleling Bar Mitsva services for boys, increased in popularity, allowing some women to take a central role in public synagogue rituals.

The terms Bar and Bat Mitsva refer to one who is subject to the law and connote membership in the community. By the second half of the twentieth century, Reform, Reconstructionist, and Conservative congregations welcomed this opportunity to include women and to allow them an opportunity to participate publicly in and stand at the center of communal celebrations. Even segments of the Orthodox world willingly included some form of ritual recognition for twelve-year-old girls. Thus, the Bat Mitsva celebration became the entry point for women into the Jewish world today, a valid rite of passage that marks the transformation of the individual from one status in society to another. In this context, it represents an important vehicle for affirmation and endorsement of female Jews. Given the current popularity of Bat Mitsva ceremonies, one might contend that women's practice of religion is no longer an invisible or marginal issue.

The validation of Bat Mitsva ceremonies in and of themselves is not earth shattering. Yet, the process of instituting them, the problems faced, the strategies used, the arguments voiced, and the gains made reveal the tip of a feminist transformative iceberg.³ At issue is the acceptance of women as religious beings who sincerely need to publicly participate in, and sometimes stand at the center of, communal celebrations. At issue is the role of religion in the lives of Jewish women and in the human macrosocial.⁴

The feminist critique stimulated women within certain religious traditions to reexamine the levels of their participation and invisibility. Some deeply religious women chose not to abandon Judaism or Christianity but instead demanded greater recognition and participation. That the demand has been greeted with denigration and opposition—some might even say hostility—only serves to indicate how threatening and serious this new challenge is.

RITES OF PASSAGE FOR WOMEN

To require a rite of passage for girls signifies the beginning of recognizing and celebrating women as active "adult" Jews, regardless of their married state. The celebration is significant within the contemporary community as a framework for a response to modernity and to the feminist critique. Women are, after all, part of the Jewish world. They are born, grow up, some marry, and die as Jews. They work, celebrate, and suffer as Jews. The Bat Mitsva phenomenon then recognizes an entry point for women as Jews.⁵ All sociological studies focus on the importance of these life cycle rituals as vehicles for individual and corporate learning, commitment, and identity.⁶

Rites of passage mark the entry of an individual into a new status and designate incorporation into the community. Some cultures claim that the neophyte is shaped into the next stage by the ritual.⁷ Many initiates understand the ritual in terms of their own self-identity, but there is always a communal aspect in which the individual is attached to and supported by the community. The absence of these ritual moments has left many American Jewish women feeling detached, as though they personally the weak link in the chain of tradition.⁸ To be required to participate in a Bat Mitsva ritual is to be acknowledged as an indispensable adult: a responsible and accepted member of society.

Two points call for clarification. Women have always been ritually active in Judaism. This essay focuses on the shift in the modern period to different types of public participation as exemplified in initiations such as Bar and Bat Mitsva. Secondly, there were fewer public moments and less emphasis on the individual's public display of belonging

in the past. Jewish men and women of an earlier period were exclusively part of the corporate community. As such, their membership and identity were self-evident. Lacking that sense of belonging in the modern period, the Jewish community has responded by elaborating and expanding upon a number of ceremonies and rituals of celebrations. Bat Mitsva is one of them.

BRIEF HISTORY

Bat Mitsva ceremonies, apparently inaugurated in Germany, France, and Italy in the nineteenth century, have developed in twentieth-century America along denominational lines.¹⁰ Beginning slowly, most notably in 1922 with the Bat Mitsva of the daughter of Rabbi Mordecai Kaplan,¹¹ the 1950s and 1960s witnessed a ceremonial evolution in the Conservative movement. During the thirties and forties the Reform movement still concentrated on confirmation ceremonies rather than on the controversial Bat Mitsva. The ritual celebration of Bat Mitsva became ensconced within Reform, Conservative, and Reconstructionist congregations in the 1970s and 1980s. By the 1970s many in the Orthodox movement sought ways to fit a Bat Mitsva into the established order of services.

The variety of styles and formats both invigorates and confuses.¹² In the Conservative, Reconstructionist, and Reform movements, most girls have a Bat Mitsva celebration in which their performance is identical with a Bar Mitsva. Even though in some communities this marks the only time a girl reads from the Torah or Haftarah, nonetheless, the members feel it appropriate to acknowledge her coming of age with a Torah ritual. For some the ceremony is held on Friday night; for many others it takes place during Sabbath morning services. In the Orthodox communities, as will be seen, there is great resistance to a public performance in the synagogue. Some prefer home- or school-based rites. Others permit the use of synagogue when there are no prayer services.¹³ Many prefer a ceremony that is based on an educational format rather than as a form of worship. Noteworthy are the increasing numbers who celebrate their Bat Mitsva at the separate women's prayer services for Rosh Hodesh. In this array, one fact stands out—in almost every Orthodox community today, there exists some format for the recognition and celebration of a girl's initiation as an adult Jew on her twelfth birthday.¹⁴

RESPONSA INQUIRY

In an attempt to clarify the process of institutionalization of this new ritual ceremony, I will examine the work of one leading rabbinic jurist,

Rabbi Moses Feinstein, as he responds to requests for permission to celebrate this moment in a synagogue setting. His position, often hailed by conservatives to be proscriptive, is far more complicated than that term indicates.¹⁵ It is profitable to place his decision in the context of some of his colleagues to determine a more comprehensive approach to this change in ritual.

Not surprisingly, the religious legal issues and debates provide clues to the surrounding political and moral climate as well as to the prevailing American norms affecting the Jewish community. Inquiry into R. Feinstein's decisions and pattern of legalization illuminates the process whereby one traditionalist accommodates new ways while also refusing change, thereby advocating resistance to the modern world. Moreover, the Bat Mitsva celebration is an important example of a response to a grassroots phenomenon. As in the case of welcoming/naming rituals for daughters, the demand for inclusion of females came from "the community," from women of all ages, from mothers and fathers for their daughters. Thus, this investigation allows us to explore the responsiveness of responsa (legal decisions) and of the Jewish community. It also highlights the significant place of ritual in the Jewish feminist quest for religious participation and spiritual expression. Consequently, this inquiry sheds light on attitudes towards women as practitioners within the religious community.

LEGAL PRECEDENTS

Precedents are scarce, since even the Bar Mitsva celebration is relatively new¹⁶ and was never legally mandated. One need not have a "Bar Mitsva" celebration in order to be a Bar Mitsva.¹⁷ Moreover, the biblical age of majority is usually twenty. Only in the Talmud, the fifth-century source of rabbinic law and commentary, do we find the ages of twelve and thirteen as signifiers of adulthood. The Talmud advances the concept of a male and female age of maturity as a juridical status, referring to a person who is no longer a child and must legally act as an adult.¹⁸ Thus, after their respective twelfth and thirteenth birthdays, girls and boys must fast on Yom Kippur.¹⁹ For a woman this involves acting on her own behalf—for example, being no longer dependent on her father, mother, or brother in marital arrangements. Ironically, many see the changes in a boy's status as pivotal, while this radical change in a female's dependency mostly goes unnoticed.

The category of both Bar and Bat Mitsva depends on two criteria: age and physical signs. Having attained one or both of these measures, boys and girls are then considered to be of age: persons who are obligated to observe the precepts of Judaism. There is no Talmudic discus-

sion of any related ritual celebration. Boys are labeled Bar Mitsva in their fourteenth year and girls Bat Mitsva in their thirteenth year.²⁰ The term Bar Mitsva appears five times (TB BK 15a, BA1 96a, San. 84b, Men. 93b) and Bat Mitsva only once in the Talmud (TB BK 15a). The Mishna,²¹ the third-century collection of religious law that is the basis of the Talmud, asserts that thirteen is the year of commandment. In a different section, the Mishna²² specifies that the vows of a girl who is twelve and one day are valid, as are the vows of a boy who is thirteen and one day. The Talmud²³ clarifies that a boy is of age when physical signs appear after he is thirteen plus one day. The great medieval philosopher and legalist Maimonides²⁴ stipulates that a girl's signs of adulthood are those that appear only after her twelfth birthday plus one day. The concern exhibited in the cited texts is for the clarification of the legal autonomy and obligation of the individual.

There is only one hint of a public ceremonial recognition of this change in status for a boy of thirteen who is blessed by the elders.²⁵ In fact, some claim that there is no description of any ceremonial act before 1400, and even then it is only described in the lands of Ashkenaz (Central and Eastern Europe).²⁶ In the sixteenth century there was still no evidence of a Bar Mitsva celebration among Sephardim (communities originating in Spain or using Spanish custom). The celebration for the male that developed in the medieval period focused on his participation in the realm of public prayer: *tefillin* (phylacteries), *aliyah* (participating in the public reading of the Torah), and *minyan* (prayer quorum).²⁷ There is no reference to any similar pattern for a female. Early references to the celebration for a girl are found in some nineteenth-century sources, most notably and unambiguously in the book *Ben Ish Hai* by Rabbi Joseph Hayyim b. Elijah of Iraq.²⁸

Despite this initial little-known approval, the contemporary responsa literature on Bat Mitsva remains divided. Some rule against any celebration, others limit the context, and still others are more accepting of the concept. For the traditional halakhists, there are major questions to be settled before innovative practices such as celebrating a Bat Mitsva may take place in synagogues. All acknowledge that girls over the age of twelve and one day have attained religious adulthood. Subsequent to that day a girl is a Bat Mitsva, a person obligated in all areas of Jewish law that pertain to women. There is no ceremony required to achieve this transition; the same applies to males. The accompanying ceremony merely acknowledges the change that has automatically occurred on the appropriate birthday.

Instituting a new and optional ceremony for women raises many legal questions. The central issues include what a woman may do or say on this occasion, where it may take place, who can participate, and

what legal and liturgical responsibilities may ensue. Equally important is the legal question of where this idea originated and who introduced it. For some, the entire project is tainted because of its source in the non-Orthodox sector.²⁹ There is also an underlying concern, frequently unstated, that public ceremonies such as a Bat Mitsva celebration will lead the community to unacceptable actions and to a loss in the accepted pattern of Jewish life if women take on new roles, especially in the synagogue.

RABBI MOSES FEINSTEIN (1895–1986)

For Rabbi Moses Feinstein, one of the great legalists of twentieth-century American orthodoxy, the latter concerns of who introduced *Bat Mitsva* and how it will change Jewish life weigh heavily upon his decisions. In five different texts in his famous collection of responsa, *Iggerot Moshe*, R. Feinstein consistently demonstrates his recognition of Bat Mitsva as a juridical category while maintaining his dislike for the Bat Mitsva ceremony.³⁰ His stance shifts slightly over the few years the texts span, but his overall position remains one of resistance. Within that realm of general disapproval, however, he provides subtle distinctions that are significant. Of special importance in the context of this article, he disavows any implication that women's celebrations are forbidden or less important because women are somehow inferior. Despite the very real legal differentiation, with which he does not wish to interfere or diminish, he maintains that there is the same *simha*, joy, involved for a girl as for a boy.

The legal categories are very clear and unyielding. Girls become Bat Mitsva at age twelve. He does not hesitate in using that nomenclature³¹; in fact, he neither cites sources nor presents a legal argument for its use. Furthermore, the attainment of Bat Mitsva might be cause for an official *simha*, a joyous celebration of some sorts. His concern is related to the location, source, and method of celebration. These are the only topics of discussion. Without any vacillation R. Feinstein rules that the ceremony does not enter the realm of a ritual commemorative prescribed feast, a *se'udat mitzva*.³² His discussions center on the permissibility of optional celebrations. How, where, and what are the issues that concern him.

The following close examination of the responsa texts is unusual in a sociohistorical investigation, yet the material at hand is rich in information. If carefully explicated, these five documents can disclose a great deal about the transformation of ritual in a religious community and about the process of American cultural adaptation.

RESPONSA TEXTS

Rabbi Feinstein's first responsum, *Iggerot Moshe* Orah Hayyim 1:104, written in 1956, is his most negative and most often cited. In it he maintains that nothing can be done in the synagogue for a Bat Mitsva. Any such celebration or service is "worthless" (his word) since it is optional and all optional acts are deemed forbidden in the sanctuary. Correspondingly, "It is never to be considered a prescribed feist nor a commanded act." He insists unequivocally and steadfastly that the Bat Mitsva celebration can never be of the same genre as a boy's Bar Mitsva. There is no element of *mitsva*, religious duty, involved. He then gives grudging permission for some celebration in the home, but even so he displays his disapproval and he warns that it cannot attain the significance of a prescribed feast. Interestingly, he includes Bar Mitsva celebrations in his condemnation, indicating that the worthiness of the female is not the issue, nor is her status as a juridically obligated Jew questioned. Only the ceremony, with all its attendant inapproprieties, is unworthy. Contrary to popular opinion and to current psychosocial studies, he sees no benefit gained from any such celebrations, even for boys.³⁵

Fundamentally, R. Feinstein concedes that there are no prohibitions regarding a home celebration for girls but he would rather not permit something "new." In conclusion, he forbids any form of celebration in the synagogue, even when it is not being used as a synagogue. His disapproval of the celebration, of the stimulus and source (the Conservative and Reform communities), and of anything innovative, has led him to oppose the whole enterprise in general.

The second text, *Iggerot Moshe* Orah Hayyim 2:97, from 1959, makes no substantive changes. In it R. Feinstein presents some sources and establishes the reasons for not applying the category of *se'udat mitsva* to the Bat Mitsva celebration. He also clarifies key elements of his position. A girl reaches the status of a Bat Mitsva when she is twelve and one day, and on that day she becomes fully obligated under Jewish law. The difference between boys and girls with respect to this category of celebration rests on the distinctive nature of male-female ritual participation. Boys become men who are counted in the quorum. When a boy turns thirteen, his change of status has a public face to it. When a girl turns twelve, her change of status remains private, invisible, and is not readily apparent in any communal form.³⁶ For R. Feinstein the issue is not of singular rituals like *tefillin* or *aliya*. The issue is one of public representation that confers significance upon the act. The boy/man stands up to be counted; he can represent the community in prayer and, therefore, has a *se'udat mitsva*. On the other hand, when a girl becomes obligated in Jewish ritual law, no discernible change of

communal status occurs and, hence, there can be no equivalent celebratory ritual feast.³⁷

In the course of this responsum, R. Feinstein makes two interesting comments. He affirms that there is the same *simcha* for a girl as for a boy. His usage of the word *simcha* is interesting if ambiguous. It refers to both an emotional state as well as an event in which that state of joy is formally expressed. By applying the category of *simcha* to the Bat Mitsva, R. Feinstein concedes that it is a proper occasion for a celebratory format that would express the emotional state. He allows that there is a great sense of joy experienced by the girl and her family on this occasion equal to that of any similar event. Moreover, as seen in the next text, in accepting the American pattern of celebrating family and personal events in the synagogue, he is compelled to permit a synagogue format precisely because he is not willing to treat the female experience as a less worthy event. Thus, despite the very real difference in structural significance, he seems to believe that there is no difference at the communal and affective level.

In this text, R. Feinstein also makes a striking legal observation that he does not develop. He mentions that it would not be correct to prohibit the festive meal simply on the grounds that there is no known source specifically permitting it. In other words, each case must be presented on its own legal merits, and prohibitions cannot be derived from absent sources. This is a very significant aspect of his legal reasoning, mentioned in this responsum merely as an aside that would seem to contradict the first text. In *Iggerot Moshe* Orah Hayyim 1:104, R. Feinstein argues against allowing even a private party in the home, because it is new. In this responsum, R. Feinstein says that we cannot claim that the *se'udat mitsva* is prohibited simply because we have not heard of it before. Newness is not in and of itself sufficient in *halakha*, Jewish law, to create a prohibition. Consequently, although he lets us know in no uncertain terms that he does not like the novelty of the Bar and Bat Mitsva, nonetheless, he will not forbid it. He is consistent. Ultimately, R. Feinstein does not forbid a celebration, nor does he argue against it on the basis of its novelty. Rather, he limits and forbids on specific legal grounds such as *se'udat mitsva* and sanctity of the synagogue. He manages to separate what he believes the law dictates from his personal preference.

The next text, *Iggerot Moshe* Orah Hayyim 4:36, dated 1959, reveals an interesting shift. He restates the prohibition and then amends it. By using certain words he manages to permit that which had been forbidden and questionable. A ceremony—no; an obligatory meal—no; in the synagogue—no; at any time—no; in the home—preferably not; this had been his position. The new responsum permits a *kiddush*, blessing over wine with refreshments in the synagogue in celebration of a girl's Bat

Mitsva. He further permits her to say some “words,” *milim*, at the table, in the synagogue. There are no sources presented, no argument advanced. All that we have is a change of terminology. A girl then, cannot have a Bat Mitsva ceremony in the synagogue, but she can celebrate her twelfth birthday there. There can be no festive meal, but they can have a feast. She cannot deliver the traditional *devasha*, formal learned discourse, but she can make a speech that will honor the occasion. In R. Feinstein’s world, since words of Torah are the appropriate vehicle of such a commemoration, *milim* most likely refers to a speech that contains some Torah insight. And all this is done without any recognition that it in any way contradicts previous decisions. Nor is there any acknowledgment that women who are exempt from the study of Torah are now learned in words of Torah. In *Iggerot Moshe Orah Hayyim* 1:104, he mentions women’s exemption from study. A known fact.²⁶ Here he recognizes and gives implicit approval to women becoming learned and publicly sharing their knowledge, thereby disregarding any earlier prohibitions. This is of course consistent with his entire position on the education of females: the significance here is the tacit acceptance that an exemption is not a prohibition.²⁷

Despite this understated acceptance, R. Feinstein repeats his dislike of the whole puberty ritual, male or female. Thus his attitude to the “why” of a Bat Mitsva ceremony remains consistent. It is a *simha* like any other joyous occasion, but the ceremony has no religious significance. There is no *to’elot*, purpose, to a synagogue ceremony for either a boy or a girl. Furthermore, he adds that although some exceptional individuals may benefit from the celebration, the majority of children do not. Rather, for most Jews the ceremony involves desecration of the Sabbath and, therefore, should be eliminated. The claim of the individual is secondary to the requirements of the majority, and R. Feinstein does not create a separate category for the elite, which he does in other situations.²⁸ Finally, his condemnation does not extend to the rabbi who, it appears, would like to allow some celebration to be scheduled.²⁹ Consistently, his concern for the local rabbi’s position, honor, and authority, as well as his desire to avoid local controversy, yields a somewhat flexible text.

The significance of this responsum lies in its consistent rejection of anything new that nonetheless results in substantive changes. Pivotaly, this responsum creates a new venue for a future rabbinic decisor. Asked whether a family can celebrate a Bat Mitsva in the synagogue, another rabbi relying only on R. Feinstein’s first text would necessarily have to say no. Given this third text, that rabbi has room to maneuver—leeway in which to satisfy the communal search for a proper recognition of a girl’s induction into ritual responsibility.

The fourth source, *Iggerot Moshe Orah Hayyim* 2:30, dated 1961, is not directly concerned with the Bat Mitsva. The main text focuses on the proper use of a synagogue. A sanctuary exists for prayer and not for parties. Prayer requires a place dedicated exclusively to holiness. For R. Feinstein, synagogue means sanctuary and not a social hall. In a separate responsum, *Iggerot Moshe Orah Hayyim* 4:35, he discusses the use of other rooms in the synagogue building. He declares that they do not have any sanctity and, therefore, all general activities are permitted. However, he firmly prohibits cards, bingo, and mixed dancing. Significantly, for R. Feinstein the synagogue has special sanctity only if it is devoted exclusively to prayer (and study). Any other activity is inappropriate. Nonetheless, he recognizes that there are proper uses for rooms in buildings that also house prayer rooms, though their synagogue status might be compromised.

In the final paragraph of *Iggerot Moshe Orah Hayyim* 2:30, he turns to the question of celebrating a Bat Mitsva in the synagogue. Since it does not involve an obligatory meal, it cannot be held in the synagogue proper. If, however, the “synagogue” is one of those dedicated to both prayer and parties, then it has the status of a social hall and not a sanctuary. Thus, a proper celebration with a festive meal can take place. In other words, if the synagogue is not “*kaddosh*,” sanctified, then a proper Bat Mitsva celebration can take place there.

Once again, by emphasizing intent and changing words—synagogue to “hall”—R. Feinstein increases the possibilities for a public celebration when a girl reaches majority. While expanding the possibilities, this decision appears to contradict the previous one. Is it only a *kiddush*, wine and refreshments, that is allowed in a proper synagogue? In *Iggerot Moshe Orah Hayyim* 4:36, R. Feinstein specifies that in the synagogue, the designated location of prayer, no optional feast—*se’odat yeshul*—can take place. But a *kiddush* can be held even in the sanctuary. In this text, it would appear that a festive meal and Bat Mitsva celebration can take place only in a place not dedicated primarily to prayer. Combining the two positions, it seems that a girl’s twelfth birthday can be celebrated only with a *kiddush* and *milim*, words, in the synagogue proper. A different type of celebration can take place in public buildings sometimes associated with synagogues, but R. Feinstein never specifies what such a ceremony would look like or is named. This responsum confirms the shift from *Iggerot Moshe Orah Hayyim* 1:104. In the former, no synagogue involvement was allowed. Now a *kiddush* can be held in a proper synagogue and a joyful meal can be held anywhere. In the first decision, no public celebration was permitted, and even one in the privacy of the home was discouraged. Now a celebration in the public arena has two possible venues.

In the final document, *Iggerot Mashe Yoreh De'ah* 3:14A, dated 1977, R. Feinstein rules on the requirement for the recital of a special thanksgiving blessing, *shehehyanu*. For our purposes, its main significance is that he treats boys and girls alike in this ritual act. Boys who are thirteen and girls who are twelve are not renewing their obligations; rather, they have reached a level where their previous exemptions no longer apply. Therefore, they do not recite this blessing of renewal.¹⁰ Both males and females reach a level of growth where they are no longer exempt by virtue of age, even though women are categorically exempt from specific ritual obligations. Nonetheless, in principle women are like men—at the proper age they become juridical adults, responsible for the corpus of Jewish law. The Bat Mitzva, according to R. Feinstein's legal interpretation, is on some grounds equal to, though on others unlike, the Bar Mitzva.

It is interesting to compare this stance to the *Ben Ish Hai*. In the nineteenth century, Rabbi Joseph Hayyim b. Elijah wrote about having a *simha* for a girl on the day she becomes a Bat Mitzva.¹¹ He declared that even though it was not the custom in his community (Baghdad) to make a *se'udat mitsva* for her, nonetheless the event should be celebrated on that day and the girl should wear special (shabbat) clothing. Additionally, if at all possible, she should put on something new so that she could say the benediction *shehehyanu*. R. Hayyim, in a rather early document, posits that there is an equal sense of *simha* for boys and girls as they reach juridical responsibility. He also anticipates R. Feinstein in saying that there is no *se'udat mitsva* for the girl, but his legal grounds are quite different. Different too is his brief note that it is appropriate to celebrate this wonderful occasion. He also finds a way to include the prayer *shehehyanu* for both girls and boys. Although both agree that the proper place for celebration is in the privacy of one's home, there is a very different tenor to the two documents.¹²

SOURCES AND LEGAL REASONING

Rabbi Moses Feinstein bases his entire argument on two primary legal distinctions or judgments. One concerns the proper use of the synagogue and the other involves the required conditions for obligatory celebrations. His legal reasoning is sound and consistent given those two premises. He claims that a synagogue may be used only for prescribed activities; it cannot be used for merely permitted functions. Accordingly, a festive meal, even one for a charitable benefit, cannot take place in the synagogue (*Iggerot Mashe Orah Hayyim* 2:30).¹³ The distinction is not between the permitted and the forbidden; obviously an event to raise money for charity cannot be considered forbidden.

The legal issue revolves around the location of the event and the categories of what is permitted and prescribed. Things may be permitted, though they cannot take place in certain locations. For R. Feinstein *reshut* has no place in the *beit haneset*, sanctuary. In an earlier responsum, *Iggerot Mashe Orah Hayyim* 1:45, he does admit that Hasidim, pious Jews, do permit optional celebrations to take place in the synagogue, but he forbids it without presenting any argument or grounds. On the other hand, a meal such as a *se'udat mitsva* can be held in the sanctuary. He insists that he does not refuse a Bat Mitzva ceremony because it is a ceremony for girls but because it remains in the optional realm; not being prescribed, it cannot take place in the sanctuary.

Within this consistency, one glaring exception must be mentioned. R. Feinstein acknowledges that a *kiddush* is permitted in the sanctuary—even one in honor of a girl's birthday. It is possible to argue that the *kiddush* is in the realm of an obligatory Sabbath and holiday ritual, for it allows the community to recite the required blessings over wine and cake. But what could be his justification for allowing her to say words of Torah? After all, according to R. Feinstein it is not a *devarsha* which would establish a *se'udat mitsva*. It is merely optional, since a girl is not obligated in Torah study. Why is this optional item allowed in the sanctuary? Moreover, why if the *kiddush* is permitted can it not be transformed into an authoritative festive meal? R. Feinstein never entertains these questions.¹⁴ For him, items with distinct purposes and disparate legal categories must be kept separate, and different words help keep the necessary separations. His continued insistence on separations, especially between men and women, is at odds with many American norms and patterns of behavior yet consistent with his own legal and moral standards and cultural context.

The primary problem with this ruling is finding rabbinic sources for it and discerning R. Feinstein's reason for restricting the prescribed category and its application. He never once mentions any sources to corroborate his assertion. It is merely stated, as though all agree. At the outset, there are serious halakhic positions that forbid any food in the sanctuary.¹⁵ Yet there is no mention of this prohibition nor of the complex exemption for a *se'udat mitsva*.¹⁶ None of his responses ever alludes to the debate over food as the basis for the distinction between a prescribed event and a "merely" permitted one. R. Feinstein does not explain why a *kiddush* may be held in the sanctuary. Nonetheless, he is very deliberate in his choice of words. He does allow food in a synagogue dedicated to prayer in honor of a Bat Mitzva while refusing to bestow on it the classification of a *se'udat mitsva*. Why? More importantly, from where does he generate this discrimination of the optional and its concomitant exclusion from the synagogue? There are sources discussing the prohibition to eat and drink in the synagogue when the

celebration does not emanate from a commanded act.⁴⁷ Why does he not refer to them? He does not even refer to his own earlier responsum which raises some of these issues (*Iggerot Moshe Orah Hayyim* 1:45). His decisions on synagogue practice—such as *Iggerot Moshe Orah Hayyim* 2:30—advance an evident standard that forbids the permissible. This must be seen as the paramount halakhic enigma. What would be rule about permissible acts or ceremonies that do not involve eating? His discussion of the Bat Mitzva ceremony always hinges on its status as a *se'udat mitzva*. What if there were to be no food involved? Finally, the definitive contradiction in this sector resides in R. Feinstein's stated disapproval of Bat Mitzva ceremonies in light of his categorizing them as prescribed and therefore authorized. In an earlier responsum, he questions whether the Bat Mitzva actually retains the classification of a prescribed event (*Iggerot Moshe Orah Hayyim* 1:45). Without ever engaging the major sources that codify the Bat Mitzva as a *se'udat mitzva* (he does fleetingly list them in *Orah Hayyim* 2:97), he shifts his position of doubt to a definitive stance. In the above texts the Bat Mitzva ceremony has undeniably become obligatory in R. Feinstein's classification.

His second major justification for denying the Bat Mitzva synagogue ceremony depends on the category *nihar*, that which is recognizable. A boy may legitimately celebrate his Bat Mitzva in a public synagogue ceremony because his change of status is publicly in evidence. Here he is not referring to the rabbinic discussion of visible growth, of having those physical signs that we all associate with adulthood. It is quite clear in the discussions in the Talmud and Maimonides that the rabbis also considered the female signs of physical maturity as significant and determinative of Bat Mitzva adulthood. R. Feinstein's distinction between a boy's ceremony and a girl's ceremony lies in the realm of *minyana*, the quorum of ten males essential for Orthodox public prayer. Both boys and girls, upon reaching their respective age of majority, have a personal obligation to pray. However, communal halakhic prayer is the preferred mode of fulfilling that obligation,⁴⁸ and only males constitute that quorum. Males are counted in the public obligatory quorums of ten and three.⁴⁹ That is *nihar*: a public ritual recognition, which entitles the boy of thirteen to a synagogue celebration. It is the absence of any equivalent position that prevents the female ceremony from taking place in the synagogue, according to R. Feinstein.⁵⁰

Where is the support for this ruling? The distinction based on publicly evident traits or actions is certainly well established in Jewish law. The question rests with R. Feinstein's use of it in this case. From where does the equation of *nihar* with obligatory celebration come? He argues that it emanates from the Talmudic description of Rabbi Yosef, who was blind.⁵¹ This story forms the basis of the laws of *se'udat mitzva*. The

question arose as to whether R. Yosef was exempt from public prayer because of his blindness. Prayer and attendance at public service are two obligations incumbent upon the "normal" male. Normality is usually defined in terms of competence derived from possessing all of one's faculties. Hence, the question arose concerning R. Yosef because of his blindness. The decision that he was obligated allegedly pleased him immensely in light of Rabbi Hamina's ruling that commanded acts are preferred to merely voluntary ones. In appreciation he declared a festive day for the sages. R. Feinstein claims that the only way to understand that section is through the application of *nihar* as the distinctive and hence qualifying criteria that permits a *se'udat mitzva*. R. Yosef was able to perform certain rituals on behalf of others.⁵² Hence, as a representative of others, his status was *nihar*, worthy of a *se'udat mitzva*.⁵³

Furthermore, what is to be considered *nihar* or publicly recognizable? The Talmud clearly discusses that a twelve-year-old female must fast on Yom Kippur. Does that occur in the public realm? For R. Feinstein that ritual does not comprise a sufficient distinction. He is consistent in that, in his view, neither the male rituals of *aliyah* nor *tefillin* are sufficiently distinctive for the *nihar* status. A woman's other ritual obligations, notably candle lighting on Sabbath and festivals, take place in the domestic realm. But one change seems quite *nihar*: after her twelfth birthday, a girl may betroth herself. She is no longer dependent on her father or brothers. In legal terms she is now a person.⁵⁴ Even this change which is a very distinctive change of status, is not sufficient for R. Feinstein. The only absolute difference is that the boy/uman now stands in a quorum; he has not just entered the community, he represents it and can perform, or contribute to the performance of, a communal ritual obligation. It is of course exactly this absence of quorum status and communal representation that is at the core of a great deal of the feminist critique.

R. Feinstein's rejection of a Bat Mitzva ceremony relies totally on his singular determination of the *se'udat mitzva* category. Although quite a few contemporary decisors rule that a girl's twelfth birthday is a cause for a *se'udat mitzva* (R. H. Grossberg, R. Y. Nissim, R. O. Haadaya, and R. Ovadia Yosef),⁵⁵ R. Feinstein refuses to confirm that category here. Yet, even he recognizes that according to the general use of the term, it would appear that a Bat Mitzva might justify a *se'udat mitzva*.

The clearest description of the criteria for a *se'udat mitzva* is found in the sixteenth century *Yam Shel Shlomo*,⁵⁶ written by Rabbi Solomon Lania. The Bat Mitzva is considered an especially appropriate justification for this prescribed festive meal since it provides an opportunity for praise to God on the occasion of the boy's attainment of his complete ritual obligation. The discussion revolves around the Talmudic

concept of the obligatory being preferred to the voluntary, as noted above.⁵⁷

Rabbi Ovadia Yosef, in two responsa,⁵⁸ claims that the same is true for the female. At age twelve and one day a girl enters the world of adulthood precisely because she becomes obligated to all the laws that are incumbent upon a female. She is thus no longer voluntarily fulfilling her ritual role, but acting as commanded. She has risen from the inferior halakhic status of not commanded and is now *mitsvah ve'oseh*, obligated. Hence, she can have a *se'udat mitsva* to celebrate the attainment of this status, conforming to the description in *Yam shel Shlomo*. For R. Yosef there can be no distinction between the girl and the boy in the application of this halakhic category.⁵⁹ He goes so far as to say that it is a *mitsva* to celebrate a Bat Mitsva. Accordingly, there should be a festive meal, the *se'udah*, words of Torah, and a dignified celebration with appropriate *simha*. In fact, after citing many different sources, R. Yosef decides that not only is it legally appropriate but that there is a moral imperative. By denying girls the opportunity to celebrate, he maintains that the opponents of halakhic Judaism gain in their claims that the Orthodox version of Judaism discriminates unfairly between boys and girls.

Although sensitive to the charge, R. Feinstein absolutely disagrees. In this respect boys and girls are different. There can be no formal halakhic ceremony for a girl's transition into adulthood. He then must rely on this unusual use of the category of *nikar*, that which is evident in the public ritual sphere, to prevent the equation of male and female celebrations.

R. Feinstein's reasoning is as follows: Only obligatory or prescribed events can take place in the sanctuary/synagogue. A *se'udat mitsva* confirms an event as obligatory or prescribed. At a boy's thirteenth birthday the change in his status has a public recognizable element. This *nikar* factor establishes this as a *se'udat mitsva*. Hence, the Bar Mitsva is a legitimate cause for a *se'udat mitsva*. A girl enters the world of obligations and is "commanded" at age twelve. There is equal *simha* value in the occasion. There is no recognizable change in her public life, as she can never represent the community. Without *nikar* there is no *se'udat mitsva*. There can be no *se'udat mitsva* for a girl. Hence no Bat Mitsva ceremony or celebration may take place in the synagogue proper.

Given this intricate legal argument it is worth noting not only how he argues but also what he neglects. In the absence of a clear definition or legal delineation of the *se'udat mitsva*, it is difficult to understand R. Feinstein's application of the term. According to him, the Bar Mitsva ceremony can be labeled a *se'udat mitsva* because the boy's entry into adulthood is *nikar*. Does a marriage dictate a *se'udat mitsva* because the change is publicly evident? In what way? What about the celebration

with a groom before his wedding, which R. Feinstein allows is a *se'udat mitsva* (*Iggerot Mashe Orah Hayyim* 1:45)? What about that experience is "recognizable"? Just as there is no methodical use of sources to generate this concept, there is no systematic development of the term with a classificatory design. It is unclear how and when its use is necessary.⁶⁰ Is it only used here to prevent the female celebration from taking place in the synagogue? No, since R. Feinstein does allow a *kiddush* and "words" in the sanctuary in honor of the Bat Mitsva. Yet, *nikar* is used conveniently to differentiate the male from the female ceremony; to ensure that there is no analogy; to substantiate that the celebrations are not indistinguishable and to safeguard the separation.

THE CEREMONY

Interestingly, Rabbi Feinstein ignores the issue of the type of ceremony and the style of the "party." In one aside he indicates that it must be modest and proper (*Iggerot Mashe Orah Hayyim* 2:30),⁶¹ but he again does not elaborate. In contemporary America, the debate is precisely over this issue of content. The ceremony is in fact an evolving distinguishing mark between the denominations. His only relevant comment is to repudiate the idea of a Bat Mitsva because of its having originated in the non-Orthodox world. Not only does he overlook the contemporary debate, but he also makes no reference to the rabbinic debate concerning blessings. There is a traditional parental blessing of formal release, *havilah she-petarani*, made at the time of a Bar Mitsva. Some would apply it to females, too.⁶² R. Feinstein is silent on this issue. These lacunae can be explained somewhat by the type of questions to which he is responding. But since he frequently goes beyond the limited focus of a question, the ignored items offer clues to his major preoccupation. R. Feinstein's general, consistent pattern focuses on protecting the sanctity of the synagogue, preventing any non-Orthodox pattern from emerging in Orthodox synagogues, and promoting the separation between male and female.

MAINTAINING SEPARATIONS

In these five short texts, Rabbi Feinstein manages to maintain his standard of separation. His overall disapproval remains constant, as does his equation of male and female value. Girls reach Bat Mitsva on their birthday, as do boys. Some form of celebration can take place in a public arena, even the synagogue. Food can be eaten and words of Torah spoken, even by the girl herself. But men are public figures with

communal responsibilities, and women are different. The ritual must reflect those differences and all separations must be maintained.⁶³

R. Feinstein's Bat Mitsva responsa confirm and continue his policy of keeping the Orthodox world uncontaminated by non-Orthodox communities. In the first document, he rejects the idea easily, especially since it emanates from the Conservative and Reform movements. Without any serious analysis of the motivation for a celebration, of the psychological impact, or of the sociological background, he merely alludes to its source, implying that that is enough to automatically disqualify something.

In contrast, Rabbi J. J. Weinberg, twentieth-century author of the *Sivlei Esh*, writing specifically about Bat Mitsva celebrations (3:93), states that the source of the idea is irrelevant in determining permissibility.⁶⁴ He claims that there is no violation of the biblical law forbidding imitating gentile customs (Lev. 18:3). Those wishing to institute the celebration do so out of a desire to strengthen the girl's love of commandments and pride in her people. In his analysis, application of that law must depend on intention and not only on the source. R. Weinberg further explains that earlier generations did not need to invest in specific efforts to educate girls. The entire atmosphere was suffused with Torah values and beliefs. Girls absorbed their Jewish heritage without any special action, "almost nursing it from their mother's breasts." Since he finds the opposite to be true today, he sees the Bat Mitsva as one mechanism for attending to their necessary religious education. In this text, R. Weinberg pays careful attention to the girl's personal feelings of discrimination, self-esteem, and spiritual pride.

The difference between the two decisions is one of attitude and context, not legal reasoning. In fact, both forbid use of the sanctuary for the celebration and R. Weinberg approvingly refers to R. Feinstein. The difference lies in the tone of the decisions and the approach used. R. Feinstein looks with disfavor on the whole endeavor, fighting any similarity or shared environment with the non-Orthodox. R. Weinberg discounts the Conservative and Reform source and looks instead to the psychological and emotional motivations. Both operate within the same legal tradition but from different standpoints vis-à-vis their community. R. Weinberg is concerned with the individual, with her feelings of religious inclusion and sense of well being. R. Feinstein is concerned with communal boundaries. As just noted, one of R. Feinstein's goals is to keep the Orthodox world separate from the non-Orthodox.

It is important to note the background of these contemporary rabbinic differences. R. Weinberg functioned in a European context. R. Yosef wrote in Israel. For these rabbis, the influence of the Conservative and Reform movements was negligible. R. Feinstein, working in America with its great denominational divide, felt as though he must

battle with all things non-Orthodox.⁶⁵ It is significant that he does not forbid the celebration because of its source. Rather, his prohibition is based on his interpretation of the legal use of a sanctuary. Nonetheless, in the course of responding, his evaluation of the source colors his approach. Furthermore, he uses the decision to continue his barrage against all things Conservative and Reform. He can find no good in the proposed celebration, especially since it comes from "them."

R. Feinstein's ruling in this case remains consistent with his general policy of making distinctions and keeping firm boundaries. The synagogue (male defined and dominated) must be protected in order to keep its distinct character and sanctity. It can be used only for the purpose of *mitsva*, commanded or obligatory ritual expressions. Ironically, a Bat Mitsva ceremony, which will always remain in the realm of *reshut*, optional, is categorically forbidden in the sanctuary. It would appear that the ruling is not based on the fact that it is a girl's celebration, but rather on the gender distinction that the girls' celebrations are optional and not obligatory, permitted, not prescribed. At its core, his ruling is quite simple. Stripped of all his asides and personal views, the synagogue's sanctity and dedicated purpose frames the legal argument and determines the decision. The synagogue—the place of prayer, of a commanded male quorum—must never be misused. Boys become males and are part of that obligatory quorum. Their celebration may take place in the sanctified synagogue. Social halls, even those located in close proximity to the sanctuary, are fine for permitted optional celebrations. Bat Mitsva celebrations of a kosher kind may take place there. Despite all his misgivings and personal preferences, R. Feinstein's legal ruling sticks to the juridical domain of synagogue function always keeping distinct the optional and obligatory, as he delineates them.

Keeping the categories of permitted and prescribed separate also necessitates differentiating between boys and girls. Boys and girls are equally considered responsible adults, although they are differently obligated, and their position in the community differs. According to the vision of R. Feinstein, they have equal value and worth, but their ritual and communal environment is distinct and that must be maintained. The girl is Bat Mitsva, a fully obligated female, just as a Bar Mitsva is a fully obligated male.⁶⁶ Notably, he insists the celebration quotient, the *simha* level, is the same. Boys and girls are of equal value, and their birthdays, especially this one, are worthy of equal festivity. As in other texts (*Iggerat Moshe* Orah Hayyim 4:19), he is insistent that there is no ascription of inferiority involved in the distinction. But the distinction cannot be avoided. Boys celebrate their Bar Mitsva in the sanctuary and the feast is considered prescribed. Boys become men who are communal representatives in public prayer. Women can never attain that status. Their ceremony is optional, never mandated. Initially, R. Fein-

stein forbids the synagogue location, but eventually permits a public venue for the Bat Mitsva; however, its liturgical value can never equal that of the Bar Mitsva. R. Feinstein is unwavering in affirming that males and females are equal, different, and must be kept separate in the realm of ritual.

IN AMERICA

The recent emphasis on Bar/Bat Mitsva ceremonies is characteristically North American and symbolic of a major shift in the modern practice of Judaism. In the premodern era Jewish celebrations focused on historic and communal events. *Rites de passage* were minimal for the most part. Certainly, they did not focus on the individual in the way that today's life cycle ceremonies do. Bar Mitsva celebrations were festive communal occasions for emphasizing the integration, if not submergence, of the individual into the community. The contemporary counterpart is a celebration of the individual as an individual, focusing on her/his accomplishment and singularity. This shift naturally fits into the cultural context of American individualism. It is a personal experience that is not privatized. It may take place in the community, in the public sphere, but its purpose is the glorification and display of the individual, not the collective. The battle for the Bat Mitsva becomes comprehensible in this changed environment. It is about the religious and communal celebration of women as individuals. Opportunities for personal public ritual participation and support were once unavailable to women and unimportant for both men and women. The changed emphasis in the general Jewish community has resulted in a shift to increase women's involvement and responsibility.

Rabbi Feinstein does not reject all opportunities for increased participation of females in a public ritual context (*Iggerot Moshe Orah Hayyim* 4:49). It is only this public ritual that he renounces. He calls the Bat Mitsva worthless or nonsense (*hevel bealma*, *Iggerot Moshe Orah Hayyim* 1:104), insinuating that since there is no purpose or function served by the Bat Mitsva, there is no reason to start something new. His attitude is consistent, as he adds that the Bar Mitsva is in no way beneficial (*Iggerot Moshe Orah Hayyim* 4:36). He admits quite plainly that if he could, he would stop the entire custom, even though it originates in a religious duty. In both texts he mentions the deleterious effects of the ceremony since it frequently causes people to violate the Sabbath. Thus, instead of celebrating and embracing God's law, it ultimately involves a desecration. R. Feinstein is so overwhelmed by this infraction, which he sees as common among Jews in America, that he can see no value in the celebration.⁶⁷ He argues with his questioner (*Iggerot Moshe Orah Hayyim* 4:36) on just this point. There is no in-

creased commitment or devotion, "not even for one hour" (*Iggerot Moshe Orah Hayyim* 1:104). In all these comments his sense of outrage is apparent and his disapproval is resolute. He is focused on the totality of the celebration and sees only desecration.

Others like Rabbi J. J. Weinberg have concentrated on the individual and her need for religious and communal affirmation. For many rabbis and educators the celebration offers many benefits as a vehicle of learning, commitment, and identification. They claim that anyone who experiences this moment of public support, confirmation, and inclusion is often changed in subtle and everlasting ways.

This shift to highlight an individual as a Jew does not reverberate in R. Feinstein's decisions. He responds to individuals all the time: that is the nature of responsa. He is neither unconnected nor unfeeling. In private matters such as birth control, he takes special care to consider all the needs, physical and emotional, of the individual.⁶⁸ But in writing decisions for the entire community, he is compelled to a juridical standard that serves the collective and maintains the historical pattern as he defines it.

R. Feinstein's measure is one of immediate actions; he is not measuring long-term identity or psychological factors. As a decisor, he responds to his perception of the immediate act, rather than long-term intangibles. At one point, he even admits that an exceptional girl might benefit in some way from the celebration. But because the majority will not improve but will also, in fact, disgrace the community standard, the act must be banned. The needs of the individual are submerged in the necessity to protect the group.

Evidently, R. Feinstein is reacting to the perceived threat of modernity with its violation of the Sabbath and collapse of all barriers. His method enforces separations, keeps legal categories protected, maintains distinctions, strengthens boundaries, and decries unchecked change. His goal is firmly fixed on group preservation and solidarity. In this discourse, unlike some other arenas of his work, R. Feinstein does not advocate or yield to the prevailing American version. He disagrees with those who firmly believe that there are notable and vital benefits. He does not see that in America, the rituals of Bar and Bat Mitsva do in fact bring youngsters and their families to Torah.⁶⁹ Nonetheless, embedded in his posture is an acceptance of a different American norm. The synagogue is the vital place to be protected from change; it is the locus of religious practice.

CHANGE AND NO CHANGE

De facto, Rabbi Feinstein does allow a different configuration to emerge. Given his dislike of the entire process and his initial ban on

synagogue usage, his final decision is quite startling. Under the guise of opposition, of prohibiting any "new" ceremonial, R. Feinstein in fact opens the door to a new format with a synagogue celebration of the Bat Mitzva. In *Iggerot Moshe Orah Hayyim* 1:104, as previously discussed, he specifically states that nothing can take place in the synagogue and, furthermore, it is better not to start something new, even if there is no prohibition involved such as with a party at home. But by *Iggerot Moshe Orah Hayyim* 4:36 he has shifted the discussion with a change in terminology. By using precise categories and specific words, his decisions do not appear to require innovative legal reasoning. They appear to permit the established pattern to continue. The synagogue *kiddush* is a well-established tradition. Historically, it was recited Friday night after services. R. Feinstein's application refers specifically to the North American custom of a Saturday morning recitation combined with a communal social event. Claiming its applicability to the girl's twelfth birthday requires no justification, according to him. It is merely a case of permitting the permissible without requiring extra judicial explanation or authorization. The introduction of this ritual to honor a female goes unnoticed as an innovation, as does his acceptance of the Saturday morning congregational *kiddush*, and the institution of birthday celebrations in the synagogue.²⁰ While resisting one aspect of American culture, he readily accepts another. There is *simha* on this occasion, and we designate such joyous events with a *kiddush* in synagogue. Hence, we mark the girl's birthday with this customary synagogue ritual. No change in law has ostensibly transpired, but the result is a definite change in practice. Whereas in previous eras there was no mention of a girl's Bat Mitzva, no celebration in home, school, or synagogue, R. Feinstein, while maintaining his disapproval, has paved the way for two types of synagogue celebration. Thus, a girl can have a celebration with a festive meal in the social hall of the synagogue building. She can also consecrate the moment in the sanctuary itself with a *kiddush* and with a speech. Innovation is permitted under the posture of preservation, and those traditionalists who appear to oppose modern innovations, often provide the vehicle of accommodation.

According to Rabbi Moses Feinstein's responsa, a girl who is Bat Mitzva can be honored in the sanctuary and there can be a public recognition of her attainment of majority. The form of the ceremony is not similar to the Bat Mitzva for males, and it must signify their respective distinct legal capacities. Most importantly, perhaps, the format will not approximate the Reform or Conservative custom. The distinctions he is so concerned with have not been eroded. However, a liturgical location has been found for this rite of passage, and it is in the public domain of the synagogue. Without losing the critical thread of continuity and tradition, without embracing all of American modernity, some-

thing new has entered the ritual program, and it has the potential to change the face of the community.

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NOTES

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1. For an excellent description of the development of distinct denominational rites of passage for boys and girls in the first part of the twentieth century, see Jenna Weissman Joselit, "Red-Letter Days," in *The Wonders of America: Reinventing Jewish Culture 1880-1950* (New York, 1994), pp. 89-133.

2. This refers to rituals marking the transition from one stage in the life cycle to the next, most notably found at birth, death, marriage, and puberty. Arnold van Gennep was the first anthropologist to note the importance of these rituals in his book *Les Rites de Passage*, 1909 (reprinted: Chicago, 1960). His phrase *rites de passage* has become a part of the language of anthropology and sociology.

3. Maimonides mentions special celebrations involving a first-time bride. In his *Hilhot Ishut* (10:13, 16:25), he refers to special celebrations the groom held in honor of the bride: seven days for a virgin, three days for a widow. Some of the customs involved special clothing and there was an element of communal involvement. Ira Robinson first mentioned this reference to me.

4. For more discussion on feminism and Judaism in America, see Sylvia Barack Fishman, *A Breath of Life* (New York, 1993). Also see my article clarifying the transformative impact, "The Feminist Challenge to Judaism: Critique and Transformation," in *Gender, Genre and Religion: Feminist Reflections*, ed. Morry Joy and Eva K. Neumaier Dargay (Waterloo, 1995), pp. 17-70.

5. There has been a range of articles about Bat Mitzva celebrations in the past thirty years. Some related articles include Cherie Koller-Fox, "Women and Jewish Education: A New Look at Bat Mitzvah," in *The Jewish Woman: New Perspectives*, ed. Elizabeth Kohun (New York, 1976), pp. 31-42; Rabbi Alfred S. Cohen, "Celebration of the Bat Mitzvah," *The Journal of Halakha and Contemporary Society*, Vol. 12 (Fall 1986), pp. 5-16; Byron Shervin's chapter, "Bar Mitzvah, Bat Mitzvah," in his *In Partnership With God: Contemporary Jewish Law and Ethics* (Syracuse, 1990); Paula E. Hyman, "The Introduction of Bat Mitzva in Conservative Judaism in Postwar America," *YIVO Annual*, Vol. 19 (1990), pp. 133-146; and Faica Brown, "The Bat Mitzvah in Jewish Law and Contemporary Practice," in *Jewish Legal Writings by Women*, ed. Michal Halpern and Chana Safrai (Jerusalem, 1998), pp. 228-254. In 1961 an Orthodox basis for the ceremony was proposed by Leon Katz in "Halakic Aspects of Bar-Mitzvah and Bat-Mitzvah," *Journal of Jewish Music and Liturgy*, Vol. 9 (1986), pp. 22-30. See also the description in Fishman, *A Breath of Life*. Jenna Weissman Joselit's chap-

ter, "Red-Letter Days," in her *The Wanderers of America* adds an important historical context for the Bar/Bat Mitzva phenomenon in American Judaism. A new book in Hebrew dedicated specifically to Bat Mitzva has just been published: *Bat Mitzvah: Collected Writings and Reflections*, ed. Sara Friedland Ben Arza (Jerusalem, 2002).

6. See especially Cynthia Ozick's point that the only place she is not a Jew is in her synagogue, in "Notes Toward Finding the Right Question," *Libith*, Vol. 6 (Spring 1979), reprinted in *On Being a Jewish Feminist*, ed. Susannah Heschel (New York, 1983), pp. 120–151.

7. As we will see, awareness of this concept is relevant for some rabbinic decisors but most definitely not for Rabbi Feinstein.

8. See Audrey Richards, *Chisungu: A Girls' Initiation Ceremony among the Bemba of Northern Rhodesia* (London, 1956). The Bemba say they grow the child into woman.

9. Many have written about these problems. See my brief reminiscence as well as the other articles on these rituals: Norma Joseph, "When Do I Get to Say Today I Am a Jew?," *Lifecycles*, Vol. 1, ed. Rabbi Debra Orenstein (Vermont, 1991), pp. 92–93.

10. Zvi Kaplan mentions the European origins of the ceremony in the *Encyclopedia Judaica* article but no details are given: "Bar Mitzvah, Bat Mitzvah," *Encyclopedia Judaica*, Vol. 4, pp. 243–247. Research into the history of the various ceremonies is being undertaken by Gilad Gevayahu, e-mail communication (9 September 1996; 11 January 2001). In "Il Bar Mitzva in Italia: Una Riforma Discussa," in *L'Education Israelitica*, Riccardo Di Segni notes the early arguments between the Orthodox and Reform in Italy on this issue. Noteworthy are the nineteenth-century references to Bat Mitzva celebration in *Il Vessillo Israelitico* (Pavia, 1899), pp. 11–23, ed. Cav. Flaminio Servi, from 1899, 1901, and 1902 in which various authors mention an *iniziazione religiosa delle fanciulle* and *la maggiorita delle fanciulle* from as early as 1844. I am indebted to Franca Coen Giorgio for these sources and to Ira Robinson for helpful translations.

There are a number of intriguing references to Bat Mitzva celebrations in different European cities in the early twentieth century. Dov Sadan quoting a Polish journal *Vushkad*, Vol. 88 (1902), p. 3, mentions a ceremony in Lwow in 1902, although it was called confirmation, in "Bat Mitzvah," *Dat Unanah* (Tsvet, 1949), pp. 59–61. I am indebted to Jonathan Sarma and Gilad Gevayahu for this information. Gevayahu also told me (phone, 30 May 2002) that Rabbi Eliahu Hazan held a synagogue celebration for Bat Mitzva girls who had completed studies in religion and Jewish history in 1907 in Alexandria. Charlotte Salomon had a Bat Mitzva in Berlin; see Mary Lowenthal Felstiner, *To Paint Her Life* (Berkeley, 1997); and Edda Servi Machlin describes her Bat Mitzva experience in 1938 in Italy in her cookbook, *The Classic Cuisine of Italian Jews* (New York, 1981), p. 69.

11. Jacob Rader Marcus, *The American Jews, 1585–1990: A History* (New York, 1995), p. 196. Byron Sherwin claims the date to have been 1921 (Sherwin, "Bat Mitzvah, Bat Mitzvah," pp. 163–164). As noted above, there are references to earlier occurrences in Europe. Gilad Gevayahu, in a phone conversation (30 May 2002), informed me that he found a record of a Bat Mitzva ceremony from 1907 in the Midwest.

12. See Brown's appeal for standardization within the Orthodox world, "The Bat Mitzvah," p. 254. I would argue that while some form of standardization is necessary, innovative tendencies and flexibility mark the Bat Mitzva ceremonies with more meaning and inspiration.

13. Fishman, *A Breath of Life*, pp. 132–133.

14. I recently heard of Bat Mitzva ceremonies taking place in the Haredi communities of Israel at the tomb of Rachel in the women's section. I also know of Lubavitch Bat Mitzva celebrations now taking place in synagogues in Montreal. In some Habad communities the girl presents a discourse on one of the Rebbe's *sichot*. I. M. Berkowicz, e-mail communication (16 January 2001).

15. Many rabbis and scholars cite only his first and, most negative response. Getzel Ellinson, *Ha-Isha Ve-Ha-Mitsvat* (Jerusalem, 1977), pp. 171–184; J. David Bleich, *Contemporary Halakhic Problems*, Vol. 1 (New York, 1977), p. 77; Michael Kaufman, *The Woman in Jewish Law and Tradition* (Northvale, 1997), p. 257; Sherwin, "Bar Mitzvah, Bat Mitzvah"; Brown, "The Bat Mitzvah." Only Rabbi Alfred Cohen, in "Celebration of the Bat Mitzvah," notes the variety of responses in Rav Moshe's responsa.

16. Many historians claim no evidence pre-1400. Byron Sherwin disputes this theory of the late innovation of the ceremony. He claims dates for parts of the ritual well before the fifteenth century. However, even he concludes: "The exact origin of the bar mitzvah ceremony is indeterminable." At times the dispute is more a factor of confusion between the legal concept of Bar Mitzva and the ceremonial celebration of that status (Sherwin, "Bar Mitzvah, Bat Mitzvah," p. 153).

17. Rabbi Feinstein is so uncomfortable with the celebration of even Bar Mitzva that he states quite clearly, "If I had the power, I also would cancel the celebration of Bar Mitzva for boys in our country," *JM OH* 1: 104.

18. *TB Bava Metzia* 96a, *Kid.* 16b, and *Nid.* 45.

19. *TB Yoma* 85.

20. *Rushi* on "children," *TB Yoma* 82a.

21. *Arot* 5:21.

22. *Niddah* 5:6.

23. *TB Niddah* 16b.

24. *Yad, Ishot* 2:9–10.

25. *Safecim* 18:5.

26. Kaplan, "Bar Mitzvah, Bat Mitzvah." The clearest reference to a festive meal for a boy on his thirteenth birthday is found in the work of Rabbi Shlomo Luria (sixteenth-century Poland), *Yam Shel Shlomo*, *TB Bava Kamra*, 7:37.

27. The absence of these ritual expressions for women is exactly the problem for many from either an Orthodox or feminist perspective. See Kollet-Fox, "Women and Jewish Education."

28. Some sources are noted in: Ellinson, *Ha-Isha Ve-Ha-Mitsvat*, Vol. 1, p. 180; J. David Bleich, *Contemporary Halakhic Problems*, Vol. 1 (New York, 1977), p. 78; R. Ovadia Yosef, *Yabia Omer*, Vol. 6, p. 29; and *Yehavah Da'at*, Vol. 2, n. 29. There are indications of nineteenth-century celebrations in Italy (see note 10) and in Europe, under the authority of Rabbi Avraham Musafiva (see note 59).

The statement of the *Ben Ish Hai*, R. Joseph Hayyim b. Elijah, is found in his discussion of *parashat Re'eh*, note 17, Vol. 1, p. 132. See also my discussion below.

Many have listed Rabbi Jacob Ettlinger of Germany as favoring some form of puberty celebration. Rabbi Mordecai Breuer stated that he heard from Rabbi Shlomo Adler, who had seen a printed sermon of Rabbi Ettlinger honoring a Bat Mitzva. *Ma'ayan*, Vol. 2 (1972), p. 61. This is cited in Ellinson, p. 178. The confusion about his position has continued despite Judith Bleich's refutation in her Ph.D. dissertation, "Jacob Ettlinger, His Life and Works" (New York University, 1971) and her "Between East and West: Modernity and Traditionalism in the Writings of Rabbi Yehiel Ya'akov Weinberg," in *Engaging Modernity*, ed. Moshe Sokol (Northvale, 1997), pp. 169–273. However, it is clear in Ettlinger's *Binyan Tsion*, 107 (1867), p. 145, that he opposed confirmation and any similar celebration. Rather, in accordance with Danish regulations, he gave some girls a public exam on the completion of their religious studies (*limudei kodesh*) and then delivered a sermon. All this took place in the synagogue. According to Gilad J. Gevanyahu, e-mail posting of 11 Judaic (14 January 2001, #1), Ettlinger "did participate in a 'ceremony' in the middle of the 1800s—but it was not called 'confirmation' nor 'bat mitzva' and was educational in nature." I am indebted to Gevanyahu, who is researching the history of these events.

29. The laws forbidding imitation of non-Jewish customs are biblical (Lev. 18:3). Whether this drifts into a prohibition to mimic the customs of the non-Orthodox—or, as some claimed, the heretics—marks the assorted responsa.

30. It is ironic to note that his disdain for the ceremony parallels that of the early Reform movement in America, since his disapproval, in part, emanates from his assumption that the ceremony comes from the Reform movement. See the discussion of Reform and Conservative disapproval in Jenna Joselit, *op. cit.*

31. He is very critical of one respondent who mistakenly claims that women are not Bat Mitzva. *IM* YD 2:45.

32. There are a number of twentieth century rabbinic decisors who assert that a *se'udat mitzva* is held in honor of a girl's Bat Mitzva on her birthday. Rabbi Y. Nissim, *Na'am* 7:1; Rabbi Ovadia Yosef, *Yabia Omer* 6:29:4; Rabbi Chanoch Grossberg, *Ma'ayan* 13:12.

33. In fact, he only sees possible violations of law. But he recognizes that he cannot stop the Bat Mitzva celebrations and so he does not argue that an act which leads one to sin, by violating the Sabbath, is prohibited. Undoubtedly, if he thought the act directly violated the law, he would issue an explicit ruling prohibiting such a ceremony. Nonetheless, Jewish legal categories might allow for such a prohibition based on the resulting violations. Instead he allows the custom to stand. Yet, in yielding to the prevalent system, he manages to sustain his disapproval. It is possible that he is using this opportunity to indicate to the elite that even for boys the ceremony is problematic. He states his doubts and his preference, but does not issue a ruling because he is not confident that anyone will stop the boys' celebrations. He asserts that it is too difficult to suppress. This statement is a very interesting acceptance of the limit of his power or authority in a document whose ruling is presented solely on the basis of that authority.

34. Rabbi Feinstein never refers to the visible absence of girls from the men's section after their Bat Mitzva.

35. Rabbi Feinstein's unique development of the *se'udat mitzva* concept is discussed later in this section.

36. One aspect of the Bat Mitzva ceremony not discussed by Rabbi Feinstein is the blessing *Barukh she-potarani me'ansho shel zeh*. The argument amongst decisors claiming a father cannot say it on the occasion of a Bat Mitzva relies on the fact that he is not obligated to teach his daughter Torah. See Brown, "The Bat Mitzvah," p. 234, and Ellinson, *Ha-Isha Ve-Ha-Mitsvat*, pp. 172–173. Leon Katz, citing some of the same sources, claims that this blessing can also apply to a Bat Mitzva and should be part of the ceremony in "Halakhic Aspects of Bar-Mitzvah and Bat-Mitzvah," p. 28.

37. See my "Jewish Education for Women: Rabbi Moshe Feinstein's Map of America," *American Jewish History*, Vol. 83 (1995), pp. 205–222.

38. Ira Robinson, "Because of Our Many Sins," *Judaism*, Vol. 35 (1986), pp. 35–46.

39. Regrettably, there is no indication of what the rabbi had permitted.

40. Interestingly, the *Ben Ish Hai* determines that a father should buy a twelve-year-old girl a new dress so that she might say the *shehechyanu* blessing. Thus, he uses the new article of clothing to give the girl an opportunity to say this blessing on the occasion of her Bat Mitzva.

41. Note 17, *parashat re'eh*, Vol. 1.

42. Obviously, there are many explanations. One pertinent factor is the influence of twentieth-century America on Rabbi Feinstein.

43. According to his distinctions, use of a social hall in the synagogue is permitted.

44. Rabbi Feinstein's refusal to accept a woman saying an English prayer in the synagogue (*IM* OII 4:70) might be offset by this approval of *milin* from a girl in synagogue.

45. *TB Megillah* 28, *Sh*, OII 151:1.

46. *TJ Sanhedrin* 8:2.

47. For a different approach see *Yehaveh Da'at* 3:10 in which R. Ovadia Yosef cites many of the sources, including Feinstein's earlier one.

48. Moshe Meiselman, *Jewish Woman in Jewish Law* (New York, 1978), p. 135.

49. In fact, women are counted in the quorum of three women for grace and ten people for megillah and martyrdom. However, the primary quorum is the one for public prayer.

50. This emphasis raises questions on the nature of the obligatory meal for a wedding, a *pidyon ha'ben*, or a circumcision.

51. *TB Bava Kamma* 87a.

52. *TB Pesachim* 116.

53. Rabbi Ovadia Yosef criticizes the use of *nibai* in this fashion as having no foundation in law. *Yehaveh Da'at* 2:29. Rabbi Gombiner, the *Magen Avraham*, uses the same reasoning of public, quorum, and recognizable in explaining why a father says the blessing, *Barukh she-potarani*, only for sons (425:4).

54. Judith Romney Wegner, *Chattel On Person? The Status of Women in the Mishnah* (New York, 1988).

55. See note 32.

56. *TB Bava Kamma* 7:37.

57. *Gadol metsaveh v'oseh*, discussed in *TB Bava Kamma* 87a and *Kid dushin* 31a.

58. *Yehaveh Da'at* 2:29, 1978; *Yabia Omer* 6:29.4, 1986.

59. His one condition is that the *se'udah* conforms to the rules of modesty. He then relates the decision of Rabbi Abraham Misafia, written in the latter part of the nineteenth century but first printed in *Noam*, 7 (5724, 1964), p. 4, who claims that there is no difference between a boy and a girl in terms of the obligatory nature of the festive meal and that this festive meal is customarily held for boys and girls in France.

60. Rabbi Feinstein does address the use of the term in two other documents, OII 1:157 and OII 2:12. In both texts, he expands on the obligation to have a *se'udat mitava* after completing the study of a specific text corpus. However, even in these, he does not clarify the full concept nor explore the range of application.

61. This concern is also specified in the responsa of Rabbi Ovadia Yosef.

62. Rabbi Ovadia Yosef favorably quotes Rabbi A. Aburbia who recommends saying the blessing without God's name. *Yabia Omer* OII 6:29, p. 98.

63. Rabbi Feinstein's disapproval of the Bat Mitzva is based, among other things, on his desire to maintain gender distinctions. Reform movement supporters' early disapproval emanated from their fear that it was a way to maintain gender separation and avoid their egalitarian confirmation standard.

64. See the biography of Rabbi Weinberg by Marc Shapiro, *Between the Yeshiva World and Modern Orthodoxy* (London, 1999). Pages 209–221 discuss R. Weinberg's Bat Mitzva responsum.

65. Rabbi Yosef's battle appears to be against Ashkenazic customs found amongst the Sephardim.

66. Interestingly, he affirms the status of a female adult as a Bat Mitzva, ritually responsible, in his ruling on a woman as a *meshgiah* (*IM YD* 2:45).

67. It is difficult to understand this position. Is this desecration of the Sabbath found in the Orthodox community according to Rabbi Feinstein? The questioners are rabbis known within the Orthodox world. Are their congregants violating the Sabbath so rampantly? Clearly, this is part of his disdain for the evils of America and for its negative influence on American Jews.

68. This issue is discussed in my article "Searching for a Woman's Voice in Responsa Literature," in *Shofar*, guest editor Rochelle Millen (Summer 1998), pp. 40–50.

69. Fishman quotes a study in which girls described their Bat Mitzva experience as "profoundly spiritual and moving" in *A Breath of Life*, pp. 133–134. She also presents an interesting argument, namely that it was due to the preparatory needs of the Bat Mitzva ceremony that Conservative and Reform Jews began to send their daughters to Jewish schools (*A Breath of Life*, p. 191). The growth of adult Bat Mitzva ceremonies adds a whole new chapter to this issue.

70. We do have rabbinic reference to birthday celebrations. The *Ben Ish Hai*, in writing about the Bat Mitzva girl's celebration, notes the custom of having a birthday party at home.