

JUDAISM AND FEMINISM

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There is much we can learn from the women's movement in terms of our own growth as Jews; there is much that feminism can gain from the perspective of traditional Jewish values. Yet, at this point, the possibility of a positive relationship between the two seems improbable, if not impossible. Traditional Judaism has written off feminism as a temporary cultural fad, if not an extremist movement. Feminists have vilified the rabbis as woman-haters, male chauvinists or, at best, men with ancient hangups. A religion and an ideology which could interact and nurture each other have instead squared off. Why?

The aims, goals, achievements, and even processes of feminism have been revolutionary. Increasingly, public philosophy, policy, and prescription assume that women are full human beings with a potential capacity for achievement in all spheres in which men function. Our secular legal, social, and educational systems are under constant pressure to include women as equals. Our religious systems and institutions, however, lag far behind in the process of recognition.

If, throughout the centuries, Judaism was capable of generating various revolutionary ethical teachings, why should it not incorporate the lessons of feminism easily? Equality in various spheres is a fundamental idea in Judaism¹—equality before law,² equal ownership of property,³ equality of all men.⁴ Logically and theologically, therefore, should not feminist goals be understood as a means to achieving the equality of women and men in the eyes of God and of community?

Oddly enough, the Jewish community, in which many pioneer feminists were nurtured, is one of the last groups to grapple with the

challenges of feminism. True, Reform Judaism has taken many steps, beginning with the Breslau Conference's call in 1846 for full equality of men and women in all areas of religion. However, this equalization was largely formal; little substance or leadership was given to women. (Moreover, Reform made fewer religious demands upon both men and women, and the changes it internalized tended to flow from adoption of liberal, modern values, not from Jewish considerations.) Basically, the response of the Jewish community, both male and female, can be characterized in this way: the more traditionally Jewish it was—or the more internally Jewish its orientation (including elements within Reform)—the more it tended to resist the challenges that flowed from feminist ideology.

There are many reasons for this reaction. First, Jewish women, on the whole, have been well treated by Jewish men who have been imbued with strong cultural values sanctioning or demanding good treatment. So Jewish women have been quite content to live with the traditional roles—both religious and social—assigned them. They agreed with the argument that freedom from communal religious responsibilities, such as synagogue prayer, enabled them to better fulfill the familial role which Jewish society had ordained for them.

Second, the halakhic model of Judaism is currently resistant to change, and *halakhah* includes in its all-encompassing rubric the religious institutionalization of social status. What was a sociological truth about women in previous generations—that they were the “second sex”—was codified in many minute ways into the *halakhah* as religio-ethical concepts binding upon future generations as well. What is often overlooked today is that, over the ages, Jewish tradition by and large upgraded the status of women by responding to changes in society at large. One of the virtues of the halakhic system is its attempt to maintain the dialectical relationship of needs between community and individual, Jew and non-Jew, authority and freedom, religion and society. However, in this century, the halakhic authorities have been overwhelmingly resistant to such change.

Third, although it is not always openly articulated, there is a widespread fear that feminist ideology poses a threat to Jewish survival, similar to the threat that modernism in general has posed. Subconsciously or consciously, Jewish leaders fear opening a Pandora's box in exposing Jewish attitudes toward women to the claims of Women's Liberation. This fear is not completely invalid, nor is it restricted to the

Orthodox sector. But feminism will not disappear by ignoring it or rejecting it as a danger. Rather, the dangers posed by feminism should be identified and guarded against in the context of a positive incorporation of feminist virtues into Jewish life.

Today secular society has opened a great new range of roles and psychological expectations to women, while, at the same time, the halakhic status and religious life of Jewish women remain circumscribed. The situation is comparable to sitting in a stationary vehicle alongside a moving one. The net effect upon one is a sense of moving backward; upon the other, a sense of pulling away, of losing connection, of leaving behind. When confronted with harsh, but often valid criticism, religious resistance takes the form of apologetics and defensiveness. Some Jewish women accept these prescriptions—others move closer to the secular pole, abandoning not only observance, but all traditional religious values as well. Since there is no currently sanctioned universe of discourse between feminism and Judaism regarding the religious status of women, the feminist movement has often attacked and rejected the basic structures and values which Judaism has contributed to human society.

What is sorely needed today is the creation of a dialectical tension between Jewish values and the mores of modern society in light of the far-reaching implications of Women's Liberation. One crucial part of the dialectic would be to measure the halakhic and religious status of Jewish women by the feminist notion of equality of women. But there must be a two-way relationship of communication and influence instead of withdrawal and widening of the gap. Thus, an authentic Jewish women's movement would seek to find new approaches within *halakhah* to respond to and express women's concerns. Simultaneously, it would seek to imbue women's concerns with Jewish values.

I would propose that there are four areas in Jewish religious life where the goals of feminism can be applied in a dialectical fashion. This means interaction—not mere aping or assimilation. Though the truth is painful to those of us who live by and love the halakhic system, as I do, honesty bids us acknowledge that Jewish women face inequality in these four areas: in the synagogue and in participation in prayer; in halakhic education; in the religious courts; and in areas of communal leadership. These areas have been examined in depth in the literature of the Jewish women's movement.⁵ Here I will touch upon some possible halakhic changes.

What Judaism Can Learn from Feminism

SYNAGOGUE AND PRAYER

The time is long overdue for a serious reanalysis of the principle of exemption from positive time-bound *mitzvot* in light of Rabbi Saul Berman's pioneering analysis of the basis of this exemption.⁶ Conceivably, the *halakhah* could obligate women to observe time-bound *mitzvot* equally with adult men, yet allow for exemptions during those years when there are massive familial demands made upon their time and energies. This exemption might be operative until a woman's youngest child is seven, ten, or thirteen. The model to follow here would be *haosek bamitzvah patur min hamitzvah*. (One who is occupied in doing one *mitzvah* is excused from the performance of another *mitzvah* which runs in the same time-span.) A further positive implication of this change would be that once women are attuned to prayer, they might continue to pray even during those times when they are exempt.

Sensitive halakhists must recognize that the general effect of the prayer exemption conditions women to a negative attitude toward prayer. Women hardly ever pray at home; thus prayer becomes a function of intermittent synagogue attendance alone—hardly an incentive to serious prayer. Although the Law Committee of the Conservative Rabbinical Assembly recently allowed the inclusion of women in the *minyan*, it did not take the necessary further step of equating women and men in prayer responsibilities. As a first step in Orthodox synagogues where the *mehitza* has been used to further the inequality of the sexes rather than to allow separate but equal *tefillah*, women's *minyanim* might be formed as a way of encouraging total development of women in prayer. This means women actually leading prayer, being called to and reading the Torah, etc.⁷

Prayer should not be a vicarious act, but rather one of personal participation. At present, men generally perform for women even those liturgical roles which are binding upon women, such as Kiddush and *Megillah* reading. The woman thus practices them by proxy, and finds herself helpless if the male in her life is absent. Even if the proxy situation were to continue to satisfy Jewish women—which is unlikely as their feminist consciousness changes—it operates only

within the family context. Single women, divorcees, and widows cannot enjoy rituals by family proxy and, therefore, are consigned to very tangential roles in communities which organize themselves Jewishly around a synagogue.

Furthermore, traditional life-cycle ceremonies for women are either nonexistent or less significant than those of men. Moreover, ritual responses to biological events which are uniquely female (such as childbirth and onset of menstruation) are conspicuously absent in the tradition. Little by little, and with the help and encouragement of some men, women are beginning to develop religious forms to tie into the tradition and the community the emotions and experiences which currently find no communal halakhic expression.⁸ A lot more is needed.

EDUCATION

Halakhic education is the most important area for reaching final equalization of women in the Jewish community. A great deal of leeway for personal judgment is given to *poskim* (halakhic decision-makers) in *halakhah*. Part of human nature as well as the halakhic system is the tendency to find positive solutions to problems with which the judge has the greatest sympathy. Women *poskim* are more likely than men to find sympathetic solutions for women's problems for they share and experience them in the most intense and personal way. Considering how far the *halakhah* will have to grow and stretch to meet women's needs and overcome disabilities, women *poskim* are essential. Until now, only men have studied and understood *halakhah*, and they alone have made all the decisions. Women have been kept ignorant of the sources and processes of the law, although they knew the details which applied to them. Today women must return to the sources and apply themselves seriously to Jewish scholarship. There must be institutes of higher Jewish education such as *kollelim* (communally supported Talmudic institutes) where women can study uninterrupted with some degree of financial security. Women must be trained to make legal decisions, not only for women, but for the entire Jewish community. And the notion of women rabbis must be accepted in all branches of Judaism, for women can make a contribution to the spiritual growth of the Jewish community.

THE RELIGIOUS COURTS

The third area where great pressure must be applied is in overcoming the legal disabilities which deny the dignity of women or cause outright injustice and unjustified suffering to them. The problem of Jewish divorce law (where a woman is altogether dependent on the will of her husband to grant and write a writ of divorce) has led to frequent discrimination, extortion, and innocent suffering. Similarly, the problem of the *agunah* must be reevaluated halakhically. In every generation, rabbis have worked prodigiously to circumvent the harshness of this law. In this generation, however, divorce has become much more prevalent and, therefore, serious. In addition, war is on a vaster scale and wife-desertion is easier. A global solution to the problem of a wife's dependence on her husband is needed. This kind of solution has been offered by Eliezer Berkovits in his work on the use of *tenai* (condition) in marriage and divorce.⁹ His proposal has not been treated with due seriousness by halakhic leaders here or in Israel.

Religious courts must change to accept women's testimony. A law which once protected women by preventing them from being subpoenaed into the public sector must now be rethought in terms of equality of men and women. All these changes can be wrought by using the principle of change for the better, which obtains in the history of *halakhah* especially in the area of treatment of women.¹⁰

COMMUNAL LIFE

In the communal arena, there are still strong obstacles to women's assuming leadership roles in many educational, philanthropic and political institutions. Aside from the question of sexual discrimination, the Jewish community can ill afford to reject out of hand one half of the potential pool of capable leaders.

Thus, many aspects of feminism are relevant to us as Jews and to the total Jewish community. These changes can be wrought in halakhic fashion, within its framework. *Halakhah* need not be asked to conform to every passing fad; neither, however, may the leadership be allowed to hide behind slogans of immutability that are dishonest caricatures of

the *halakhah*. Fidelity to the halakhic system demands openness to new realities of life so as to upgrade and enhance our own ethical and religious system. *Torah im derekh erez* means integrating the best values of society in which we live with our own tradition—especially where they illuminate or coincide with the tradition's own ultimate goals—in this case, the dignity of man and woman as image of God.

However, if we move only in the direction of integrating new (albeit good) values into the tradition, we would not be an authentically Jewish movement. To be Jewish means not only to take and learn from societies in which we live, but to serve as correctives within the broader society as well.

What Feminism Can Learn from Judaism

Since we are Jews, we need not buy the whole package of feminism. Rather, we must infuse a changing society with our own values and check the excesses to which all revolutionary movements fall prey. Further, we must walk a very fine line—continually monitoring even those parts of the new which we have integrated into our lives to see whether they adequately meet the test of Jewish authenticity. This means readiness to reject those aspects of new movements which are antithetical to Jewish values in their very essence. Feminism, for all its worth in upgrading the status of Jewish women, does not bode well in its entirety for Jewish survival. Some of its directions may be wrong—or even destructive—when judged from a Jewish perspective.

FAMILY

One of the by-products of the feminist striving for equality has been a strong attack on the family for having been the locus of abuse of women in all previous generations. Thus, Women's Liberation has escalated the crushing assault mounted on the family by contemporary society. The Jewish family, the most stable of all, is also beginning to crumble. We see signs of this erosion everywhere—increasing divorce rate, lack of communication between parents and children, poor models of family life for the next generation to learn from, etc.

Many young Jewish women today state outright their objections to marriage and having children—in striking contrast to the previous

generation whose primary goals were marriage and child rearing. Today we must recognize that not every woman can find happiness in marriage—or in marriage alone. But peer influence is so strong that we risk the danger of having the other option—a traditional marriage and family relationship—being rejected from consideration altogether. This particularly threatens Judaism, where the family is so central to educational and religious life. Much of our religious life takes place within a family context. And the Jewish family has been the primary source of strength and support in coping with the often hostile and dangerous world Jews lived in for two thousand years. The very centrality of the family means that feminists who take Judaism seriously will explore every possible avenue of strengthening the family and correcting its evils before dismissing it. (This includes a willingness to suffer some disabilities, if necessary, and to live at times with frustration for the sake of the greater goal of Jewish survival and stability.)

We must reintroduce into women's consciousness the concept of a total life. Homemaking, childrearing, career and political action need not be seen as competing activities, each demanding total commitment *now*. Each activity can be pursued in turn, at different life-stages. This understanding might help women who respond naturally to the roles of wife/mother to feel less anxious in the face of contemporary pressures to choose one role exclusively or to be super-women, pursuing everything simultaneously.

Respect for family is important not merely for old time's sake. Despite contemporary desire to believe otherwise, the family remains the most important determinant of educational achievement and religious values and commitment available.¹¹ The contemporary shift to school and synagogue to do the job of transmission of Judaism for us is mistaken. So central is the family and so effective that I would reverse the modish argument that *havurot* and peer groups are the educational wave of the future, and suggest that the *havurah* can best be understood as growing out of the search of many isolated singles (and couples) for a family to provide the necessary climate for practicing Judaism. In *Sexual Suicide*, George Gilder places the responsibility for the decay of society on the breakdown of the traditional family unit.¹² Certainly, the family survived for so many thousands of years as an institution, even with its imperfections, because it was—and is—the most ethical and viable of relationships.

ENABLING

Although the family was the context in which women functioned as the second sex throughout history, and enabler was the only role open to them, neither of these conditions is axiomatic to a woman's choice of the wife/mother role today. The family was also a source of security, honor, merit, and satisfaction for the majority of women in the past and for most women today who consider their freedom to serve exclusively as wives and mothers a sign of their own liberation.

Thus we should not denigrate the traditional roles, nor those who choose them. Just as women resented the restrictive mold which confined them in the past, so we must not coerce all women into a new restrictive mold—that which excludes enablers. We must check the negative tone which abounds in references to child rearing. More than this, to counteract the current negative stereotype of wife/mother, we must educate others to the excitement, fun, and sweetness of being married and raising children. True, we must bring the husband into a central role in the family, not just as provider, but as childraiser, as involved husband, for the liberation of men and children as well as women. Support of career women, single women, and women involved in political change need not imply denigration of the family.

Another aspect of safeguarding the family is teaching society to open up more to women who have chosen the marriage/family route. One of the subtle indications of the prejudices of the feminist movement has been its ordering of its priorities to campaign for equal jobs and equal pay for full-time careers, while neglecting discrimination in salaries and benefits for part-time jobs, most of which are filled by mothers. Nor has the feminist movement dealt seriously with the adjustments necessary to help reintegrate women, who have been out of the labor market while raising children, back into careers.

SEXUAL FREEDOM

Another new message that should be confronted by Jewish feminists is the "new morality." Although this code of sexual license was on the scene well before Women's Liberation, feminism has extended these messages to the female population, thereby legitimating

them for all. Formerly "a man's thing" and oppressive to women, extramarital affairs are now a symbol of the equality of women, undermining family stability and contributing to the soaring divorce rate. Concentrated in urban, higher income, higher educational sectors, Jews are among the most exposed to these new values and their dangers. In previous generations, Jews lived by an internal moral code which may have been based in part on principles coercive to women; however, today's shift in mores is a grim warning of the destructive potential in many well-intentioned feminist clichés—particularly sexual freedom.

Judaism nurtured healthy sexual outlets within marriage, and even recognized them before marriage, yet put very strict curbs on extramarital sexuality. One need not identify with male privilege or the double standard suggested in traditional Jewish definitions of adultery to agree with the main goal of the prohibitions involved. As Jews, we have learned that freedom comes only within an ethical structure. Given human limitations, ethics of interpersonal relationships necessarily involve restraint and frustration. Although Judaism always permitted divorce as a necessary, if regrettable, way to end an unsatisfactory marriage, the parameters of the marital relationship, while it was being lived, were, at the least, sexual fidelity and mutual respect. Feminists who claim that now women should have full sexual freedom define freedom as allowing the ex-slave to have the same right to abuse that previously only the master had. Jewish feminists should rather challenge and censure these values in male society; we should press for equal morality, not equal amorality.

ABORTION

Another example of the dialectical relationship between Judaism and feminism is in our attitude toward abortion. In an era when 6,000,000 Jews were killed—and 1,500,000 of them were children—we have to examine both sides of the abortion issue. From our perspective, we must talk about the preciousness of life, not just the right to life. Stressing a woman's right to control her own body, and the legitimacy of considering the quality of life that she and her child will have, should go hand in hand with emphasis on the sanctity of life and on the risk of devaluating it in unthinking or easy medical solutions.

We must ensure that abortion does not become a preferred method of birth control.

The *halakhah* currently opposes abortion on demand. As Jews, we must demonstrate that abortion need not eliminate reverence for life and joy in creating life. On the one hand, this would lead to new halakhic attitudes toward abortion; on the other, *halakhah* could help curb facile and nonchalant attitudes toward abortion and the abuses which have grown out of abortion reform. The protection of the quality of life which is the ethical basis of abortion could be offset or destroyed by a loss of reverence for life.

A further application of this principle would be establishing adoption agencies for pregnant Jewish women who do not want or cannot keep their own babies. The virtual unavailability of Jewish babies for adoption, due to the acceptability of abortion, causes real problems for Jewish couples who wish to adopt.

SOCIETAL VALUES

The feminist movement has bought another unfortunate message of modern society—its materialistic orientation. Men and women's worth are determined by what and how much they produce, what kind of job they hold, their titles, how much they earn—not by what their values and characters are. This has consistently led to dehumanization, worship of success, and rejection of "failures," including the poor. As Jews, we must reject these standards and say that the human being is valuable in his or her very being. As Jews, we affirm that there is value and validity in serving and giving to others—in volunteer action and professional work, in being good family members and friends, in doing good works. The traditional role of enabling is still a valid one; as long as it is not limited to women, or women limited to it. We must attempt to infuse these values into the society we seek to create, rather than simply copy the errors of present male society. The truly revolutionary (and admittedly more difficult) task is to change these societal values and judgments, to overcome the production-value standard and liberate men and women for more human living.

Many interpret Women's Liberation as liberation to fulfill their own personal needs, narrowly defined. This leads to an attitude which values self-actualization to the exclusion of considering others' needs,

and a denial that there can be fulfillment in giving to others. Good family situations have been exploded by unreal expectations and demands for immediate and unlimited personal gratification. Capacity to live with frustration has been dangerously weakened. The skyrocketing divorce rate can be explained, in part, by the extreme of the women's movement which attempts to deny the undeniable: that successful marriages and parent-child relationships take time, energy, a measure of sacrifice and generosity of soul—all the very opposites of instant gratification.

Similarly, charity and giving of oneself to others are being undercut in the fight for self-actualization. Volunteerism is under heavy attack by hard-line feminists. Jewish charitable organizations, which rely on volunteer work, are suffering as a result. The slogan that "self-esteem comes from a paying job" or that "if it isn't paid for, it's not taken seriously"—is a half-truth. Not everyone can afford or wish to work without pay—but volunteerism, *tzedakah*, certainly should remain a respected option. Those who find satisfaction in giving of themselves to others should be praised, not scorned.

MEN

We must check the excesses of those feminists who are hostile to men. Jewish women do not need to hate men to liberate themselves; nor should Jewish men be seen simply as crude oppressors of women throughout history. For most of our history, both Jewish men and women suffered from outside persecution and hostility, and their mutual solidarity carried them through. Instead of polarizing, we must try to liberate men so that they will not continue to be slaves to the rat-race, but also strive for a sense of dignity and self-worth. "Making it in a man's world" isn't all that easy for men either. We must also liberate men Jewishly so that they, too, can come to understand and grow in their tradition.

Finally, we must reject the notion that equality means sameness. From the perspective of Judaism, there can be separate clear-cut roles in which men and women function as equals without losing their separate identities. Male and female are, admittedly, difficult concepts to define, but we must be aware in every instance whether we are dealing with the dignity of equality, which is an essential value in Judaism, or identicalness of male and female, which is not.

Those Jewish women who have identified with many of the feminist goals have an added measure of responsibility, for we are in a better position to influence and be heard by both sides. It is no mean task to walk the fine line between old and new, status quo and avant-garde, God's commandments and the emerging needs of society. But one reason Judaism has survived against all odds, and even managed to contribute greatly to world civilization, is that in each era it managed to do exactly that. To keep the fine tension and balance between these opposing forces is probably harder now—the forces are stronger, tension is higher, and society is more open. But our faith in Judaism and the Jewish people gives us the strength to demand and expect the same achievement in our time. It is a task worth the effort.

Notes

1. Emanuel Rackman, "Equality in Judaism," in J. Roland Pennock and John W. Chapman, eds., *Equality* (New York: Lieber-Atherton, 1967).
2. The Jewish legal system enjoins that one is not to be favored in court either because one is the poorer or the wealthier litigant.
3. The laws of sabbatical and jubilee years insured that capital and land would revert to the masses of the population and could not be indefinitely accumulated in ever-enlarged aggregates by a wealthy landowner.
4. Such as freeing the Hebrew slaves in the sabbatical year.
5. See, for example, Rachel Adler, "The Jew Who Wasn't There; Halacha and the Jewish Woman," *Davka*, Summer 1971; Blu Greenberg, "Coming of Age in the Jewish Community," *Tradition*, Spring 1976; Judith Hauptman, "Images of Women in the Talmud," in Rosemary Ruether, ed. *Religion and Sexism* (New York: Simon and Schuster, 1974).
6. Saul Berman, "The Status of Women in Halakhic Judaism," *Tradition* 14(2), 1973: 5-28. An abbreviated version is reprinted in this volume, pp. 114-128.
7. Within Reform and Conservative ritual as well, counting women in a *minyan* and calling them to the Torah will remain cosmetic refinements unless these developments are integrated into a total campaign for developing women's capacities and roles in prayer.
8. See, for example, the articles in the "Life Cycle and New Rituals" section.
9. Eliezer Berkovits, *Tenai Benissuin Uvaget* (Jerusalem: Mossad HaRav Kook, 1966).
10. For example, the development of the *ketubah*, allowing the testimony of one witness to free a woman from *agunah* status, the polygamy ban of Rabbenu Gershom and his requirement that no divorce be given against the wife's will, etc.

11. Geoffrey Bock, "The Social Context of Jewish Education: A Literature Review," paper prepared for the Colloquium on Jewish Education and Jewish Identity of the American Jewish Committee, April 1974. See also Harold S. Himmelfarb, "Jewish Education For Naught: Educating the Culturally Deprived Child," *Analysis*, September 1975.

12. George Gilder, *Sexual Suicide* (New York: Quadrangle, 1973). See also George Gilder, "In Defense of Monogamy," *Commentary* 58 (5), 1974.