

From Our President Slowly...But Surely

By Carol Kaufman Newman

I went out to dinner the other night with two good friends. They are both Jewish and very interested in things Jewish, although they are not observant. Jay was very anxious to talk to me. He has been taking a religion class at Princeton and the professor just spent a session on Orthodox Judaism. Jay's first question to me: How do I, as a woman, stay faithful to a tradition that doesn't care about me? He learned that in 1985 a woman started a campaign for more women's participation in Judaism and that she had written a book (he could not recall the name of the woman and when I suggested Blu Greenberg he was so excited that I had guessed right). Furthermore, said his professor, not one thing had changed in all these years.

It is not often I find myself defending the state of Orthodox Jewish women, but that night I did. I told him to go back to Princeton and tell his professor that



she is wrong and that there has been a lot of movement and enormous change of late. I intend to send him this issue of the JOFA Journal to prove my point.

Significant change always happens slowly. The *halakhic* process, a religious and ethical system of legal reasoning, moves more slowly. But what matters is not the time frame, but the fact that there has been change. I have gone to many weddings in the last few months. None of them resemble mine of the 1960's. At one wedding the young couple, instead of reading the *ketubbah*, made a *siyyum* of a tractate of Talmud.

And, by the way, at the end, the bride recited the *kaddish* (a role usually taken by a man). I have also been to weddings where a significant number of women participated in the *sheva brachot* at the wedding meal. Just this past Sunday at my nephew's wedding (where an Orthodox rabbi officiated), seven women went up with the men and recited the *sheva brachot* in English under the *chuppah*. Years ago, I went to a wedding where the bride wanted a female friend to read the *ketubbah*. The rabbis participating in the ceremony would not

have it. Today, many weddings I attend have a woman reading the *ketubbah*.

Yes, things are definitely changing. There are women Talmud teachers teaching boys, and *yo'atzot* (*halakhic* decisors) who have graduated the Nishmat program and are able to answer questions about laws relating to *niddah*. There are *to'anot* who accompany women into the courtroom to give them a fair hearing in cases involving divorce. There are two programs in Israel that parallel the men's *besder* experience, combining Torah study and full army service. One is the Hadas program in Midreshet Lindenbaum and the other is the Ma'ayan program at the Midrasha in Ein Hanatziv.

Our tradition has often been accused of squandering the gifts of its women. But this too is changing. We are living in very exciting times. This Journal highlights many of the innovations currently taking place. The Orthodox Jewish world is opening up to women—and there are so many intelligent, learned women ready to fill these new roles. Yes, “the times they are a changin’.”

Creating New Leaders: Interview with Malke Bina, Founder and Director of MaTaN

By Rachelle Isserow

Q: MaTaN is now in its eighteenth year. Can you take us back to its founding? What led you to start such an institution?

A: Let me go back to when I first came to Israel to study at Michlala right after the Six Day War. I had attended a Bais Yaacov school in Baltimore where I hadn't learned any Mishna or Gemara. At Michlala, I studied Mishna, and felt that it was a pity not to further expand my learning, now that I had been given a taste of the subject. I also thought that I would learn

Gemara in the future. If it was available, why shouldn't women do it? However, I put this thought on the backburner, met my husband, got married and we came to America where I completed a Masters program at Revel at Yeshiva University. During the course of these studies, I learned certain *sugiyot* of Gemara.

When I returned to Israel, I taught at Machon Gold and at Shappell's for Rabbi Brovender. I was working with the women in the *Beit Midrash*, helping them to pre-

pare for *shiurim* in Mishna. There were 10-15 very bright academic women. It so happened that the women decided they wanted to learn Gemara as well. Rabbi Brovender's response was: “why not?” I had not learned a lot of Gemara myself and so had to engage in a great deal of preparation to help them prepare. But it was immensely satisfying. I could also see that it was challenging for all of us and we felt more part of the *halakhic* system

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through Gemara learning. We felt the energy of Torah. After this, I continued learning in *chavrutot* with a core group of Jerusalem women, and we had a dream together to make this a formal arrangement.

Q: What was your goal at that time?

A: My goal was to open up an institution B”H that would welcome any woman who wanted to come to study. The dream was not just to provide adult education for women, including high level Talmud studies, but to create a strong *beit midrash* that would be a wellspring for future female religious leaders.

“MaTaN is a catalyst for female religious leaders in Israeli society”

Q: How radical a step was the founding of MaTaN in 1988 and its incorporation of Gemara teaching for women?

A: By 1988, Rabbi Soloveitchik had already taught his famous initial Gemara *shiur* at Stern College. We had the approval of HaRav Aharon Lichtenstein, and many modern Orthodox *rabbanim* viewed our idea favorably. I had the support of my husband (editor’s note—Rabbi Aharon Bina) and had explored *piskei halakha* (religious decisions) about teaching of *Torah she’be’al peh* (Oral Law) to women and girls. Many rabbis had given approval—such as Rabbi David Auerbach, nephew of HaRav Shlomo Zalman Auerbach, in *Halikhot Beta*. I personally had obtained approval from HaRav Shlomo Zalman Auerbach to teach groups of women Torah *she’be’al peh* to strengthen their attachment to Torah and Judaism. I saw this not just for *ba’alot teshuva*, but also for all Orthodox women to strengthen their attachment to Torah as they saw that Torah learning was dynamic and there was always further to go in it.

Q: MaTaN is known for the outstanding quality of its faculty. Did you have trouble getting teachers at the beginning?

A: No. We began and have contin-

ued with a strong faculty. It was understood that we had the approval of HaRav Soloveitchik. HaRav Lichtenstein had given official approval and was on our rabbinic board of advisors. He recommended several of his students who joined our faculty, and many wonderful teachers came from other Torah institutions.

Q: Studies at MaTaN include Tanakh, Gemara, Halakha, Aggada and Jewish Thought. What did you see as the goal of MaTaN?

A: We wanted the learning at MaTaN to be a mainstream activity for post high school religious women who would devote themselves to *Torah Lishma* (Torah for its own sake), not necessarily for a degree. I consider that it took 10 years for MaTaN to become mainstream and no longer be peripheral. Originally there were 4 to 6 women in the *beit midrash*. Now we have 22 women in a three-year Talmud program, and 20 in the Tanakh program. These are women from other areas of study who spend between one to three years at MaTaN. Getting a degree is optional—about 60-70% of the women are getting degrees (Tanakh in combination with the University of Haifa, Talmud through Bar Ilan). The emphasis at MaTaN is on study as a religious act, but always combined with high intellectual goals.

Q: What do the MaTaN graduates do after completing their studies?

A: Many teach in Israeli high schools and other *midrashot*, and others are involved in adult education. There are MaTaN branches in Ra’anana, Haifa, Beersheva, Bet Shemesh, Hashmonayim, Petach Tikva and Netanya. Esti Rosenberg who studied in MaTaN went on to found Migdal Oz. Some of our graduates have gone abroad and have had an impact in the United States and in England. We strongly encourage our graduates to become community leaders.

Q: How has MaTaN expanded its programming?

A: We now have a *Torani* vocational program for Ethiopian girls, which leads to training for employment as allied health professionals. We have a program for women from Poland who come to Israel to learn. We have the *bat-mitzvah* program for mothers and daughters to learn together, which stresses Jewish leadership roles for women. We are part of contemporary Israel, and we see MaTaN as having a leadership role in the community, and seek to be respon-

sive to needs of our society. Thus, when we saw a need for a Torah program for Russian immigrants, we provided one. When there were needs for a program for Ethiopian girls that would lead to gainful employment, we set out to establish one.

Q: How do you think MaTaN has influenced Orthodoxy in Israel?

A: Fifteen years ago, there were perhaps 2 or 3 *midrashot*; now there are 15-17. Even if all of them do not teach Talmud, women are studying *Torah Lishma* at high levels. There has been an increase in spirit and self-confidence among Orthodox women in the wider community in areas of learning, and MaTaN has had an important role in this development. MaTaN is a catalyst for female religious leadership in Israeli society.

Q: How do you see the role of women in religious leadership in Israel and abroad? How do you see your role? While everybody at MaTaN knows you as “Malke,” you sometimes use the title of “Rabbanit”—indeed that is your title



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both as the wife of a Rav and in your own right.

A: Let me answer on a personal level. I try not to be confrontational. If my using the title “*Rabbanit*” is of help to MaTaNa, then I use it. I think that there are two titles. One is that of *Rav* or *Rabbanit*. For this, the important factor is knowledge combined with piety. While certain other official responsibilities of a *Rav* are not given to women (such as being *mesader kiddushin* at a wedding), the role of teacher or social guide is. Women can teach, give *derashot*, etc. The other title is that of *rebbe*. The term “*rebbe*” indicates a personal “*rav*” or a mentor. A woman is often the *rebbe* in *midrashot*. One might say “*Aseh lecha rebbe*”—the quest for a role model should be gender-neutral. Many female figures in Israel today are role models for religious learning and piety, as Sara Schneirer was in the past.

Q: Do you think institutions like MaTaNa would be different if headed by men?

A: Having women in leadership roles in educational institutions is a natural development. Women are giving high level *shiurim*, and are in high level positions. I believe strongly in a partnership between male and female leaders. Both have leadership roles for *Am Yisrael*. As regards other institutions, many of those headed by men have women in high-level positions.

Q: Do you see MaTaNa as having a role in wider Israeli society?

A: MaTaNa is still not known enough in the *biloni* (secular) society. Oshra Koren has been working in Ra’anana for 12 years now, giving *shiurim* and organizing activities including *bat-mitzvah* classes. This has very much brought a Torah atmosphere to Ra’anana, and is a model for other locations. We are looking forward to seeing such outreach through dedicated and creative leadership in other places.

Q: What else do you see in the future for MaTaNa?

A: I see expansion in terms of breadth and depth. As regards breadth, every Jew should have a taste of Torah, and learning should be available in all places in Israel. We provide high level genuine non-coercive learning. We are doing this through our array of courses, the *bat-mitzvah* programs, and our summer programs. We have a *daf yomi* program, have started an academic journal called *Massekhet* which is dedicated to the exploration of questions relating to women’s position in Judaism, and have many *yemai iyyun* (days of learning). We

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have started evening programs to accommodate women who work all day. Young women after they have completed their army service come to learn at MaTaNa before going to university. As regards to depth, I want to see more women who can learn and teach Tanakh, Talmud and Jewish Thought at high levels, and lead *batei midrash*.

Q: To what extent do you think that having Hebrew as the Israeli students’ native tongue affects the level of teaching and learning at MaTaNa?

A: At the beginning, it makes things much easier as the language of the sources is more accessible and not a barrier to learning and comprehension. Even for the non-religious students, it is much easier to understand the material, and for those women who have studied at religious schools, they have already greater proficiency in Tanakh, and covered more ground than their peers outside Israel. Because of the greater prior knowledge among the mainstream, more can reach a higher level in their studies, and we see that in the large numbers of women who come to our *yemai iyyun* and seminars. This is not to say that there are not many Anglo Saxon students who are at a very high level, as well as many outstanding teachers who are not native Israelis.

Q: Is there a difference between the way women and men learn?

A: It is obviously hard to generalize, but women seem perhaps to have a more practical orientation and are more socially conscious and sensitive to non-legal aspects, looking to see the “real-life” applications of the textual material. Also, because Israeli women’s background in Tanakh is stronger than that of their male peers, they connect more with quoted *pasukim* (verses), and their background knowledge in Aggada is also extensive. This is not to say that women are not intensely interested in the legalistic parts of the learning as well.

Q: Has women learning and teaching Talmud in Israel brought about any shift in direction in the way Talmud is being taught or is it too early to tell?

A: Many male high school students are not attracted to the more traditional approaches to Gemara. It might be that an approach similar to women’s Talmud study, emphasizing connections to society and community, as well as learning as a spiritual act, would be more effective. Many times we have heard from a male teacher, “If only our male students would have the enthusiasm of our female students.” At MaTaNa we try to stress that learning should be new and fresh and exciting every day—the stress on “*hayom*” (today).

Rachelle Isserow is a member of the Board of Directors of MaTaNa.

Women and *Safrut*: Can a Woman Be a Scribe?

By Ross Singer

sofer: scribe (m)
sofer STa”M: scribe of texts of Torah scrolls, *tefillin* and *mezuzot*
soferet: scribe (f)
safrut: scribal arts

“Would you like me to fix it?” a female congregant offered. I replied, “It is in such bad shape that I don’t think there is time to fix it before Purim.”

Our synagogue’s *Megillat Esther* was extremely faded and worn. For the past few years we had been borrowing a *megillah* from a nearby shul. Upon learning of this situation, a female member of our synagogue and student of *safrut* (scribal arts) was offering to restore our scroll. I did not know what the classic sources said about women writing and repairing *megillot*, and I was relieved that the condition of the scroll precluded the necessity of an immediate response to her offer. However, our conversation got me thinking: Wouldn’t it be wonderful to have a *megillah* penned by one of our own congregants? Furthermore, to have a woman write it would fit with our community’s openness to exploring untried *halakhic* options for women’s participation in synagogue life.

With this in mind, I began researching the issue of women and *safrut* and uncovered a considerable amount of fascinating material. Perhaps most striking was the discovery that my very question regarding the status of women writing a *Megillat Esther* had been asked previously *l’ma’aseh* (in an actual case).

“Wouldn’t it be wonderful to have a *megillah* penned by one of our own congregants?”

WOMEN COPYISTS

In the Middle Ages, women copied bibles and *halakhic* texts, which involved an understanding of *halakhic* matters. The names of only ten of these women are known, but it is possible that there were more because so many scribes and copyists did not sign their names on their work. Usually the women came from the families of scribes and scholars. The name of Paula Anavim, who came from an important family of copyists in Rome in the 13th century, appears on many texts. At the end of one, she adds a prayer, “May the Omnipresent allow us to read it, me and my seed and my seed’s seed to the end of all generations.” There is also a 14th century Pentateuch with a note from a woman in San’a Yemen that reads: “Do not condemn me for any errors that you may find for I am a nursing mother, Miriam, the daughter of Benayahu the scribe.” The *Sefer Mitzvot Katan*, an abridged legal code, was copied in 1386, probably in Cologne and was signed “I, Hannah, daughter of Menahem Zion, completed this book on the 11th day of the month of Tammuz in the 146th year of the sixth millenium. May G-d lead his people to liberty. Deliver them from distress and sorrow and make haste to help them. Amen. Soon.” In 1454, Frommet Arwyller gave a copy of the rabbinic code, the *Kitzur Mordechai* to her husband. In the manuscript she wrote: “This copy has been executed by Frommet, daughter of Arwyller for her husband Samuel Ben Moses 1454.”

Sarah, daughter of renowned head of the *Beit Din* of Prague, Rabbi David Oppenheim, (1664-1736)¹ wrote a *Megillat Esther* and the question arose as to the possibility of reading from it on Purim.

The deliberation over this actual *megillah*, as well as many other theoretical discussions, provided rich material² containing varied positions on women’s status vis-à-vis *safrut*. I am grateful to JOFA for providing me with this forum in which I can share a brief sketch of what my research uncovered. This is not the place for an exhaustive study. Instead, here I intend to give only an outline of the understandings of the key statement in the Babylonian Talmud that limits women’s eligibility to serve as *sofrot* (scribes) on the part of the *Aharonim* (16th-20th century rabbinic authorities). Following this, I will explore the possible ramifications of women’s self-obligation in the *mitzvah* of *tefillin* on their status to serve as *sofrot*. It should go without

saying that this piece is not intended as *halakhic* determination. It is merely a presentation of a small slice of a great deal of material, and is intended to engender discussion, study and further exploration.

Any *halakhic* discussion of women and *safrut* must address the following *beraita* (rabbinic statement from the time of the Mishna) that appears in

Tractate *Gittin* 45b (and *Menahot* 42a):

Rav Hamnuna, son of Rava from Pashronia taught: a *sefer Torah*, *tefillin*, and *mezuzot* written by an informer, an idolater, a slave, a woman, a minor, a Samaritan or an apostate are invalid, as it says “you shall bind them (*tefillin*) and you shall write them (*mezuzot*)” (Deuteronomy 6:8-9)—those who are “in” (connected to) [the *mitzvah* of the] binding [of them] (*tefillin*) are in [the category of valid] writing.

The Torah juxtaposes the commandment to bind *tefillin* with the commandment to write *mezuzot*. The author of the *beraita* deduced from this juxtaposition that in order to be considered eligible to write Torah scrolls, *tefillin* and *mezuzot*, one must be part of the *mitzvah* of binding *tefillin*. Those who are not, like an informer, an idolater, a Samaritan and apostate, because they reject the *mitzvot* of the Torah, are ineligible as are those who are not obligated in the *mitzvah* of *tefillin*, like slaves, women and minors. This much is clear.

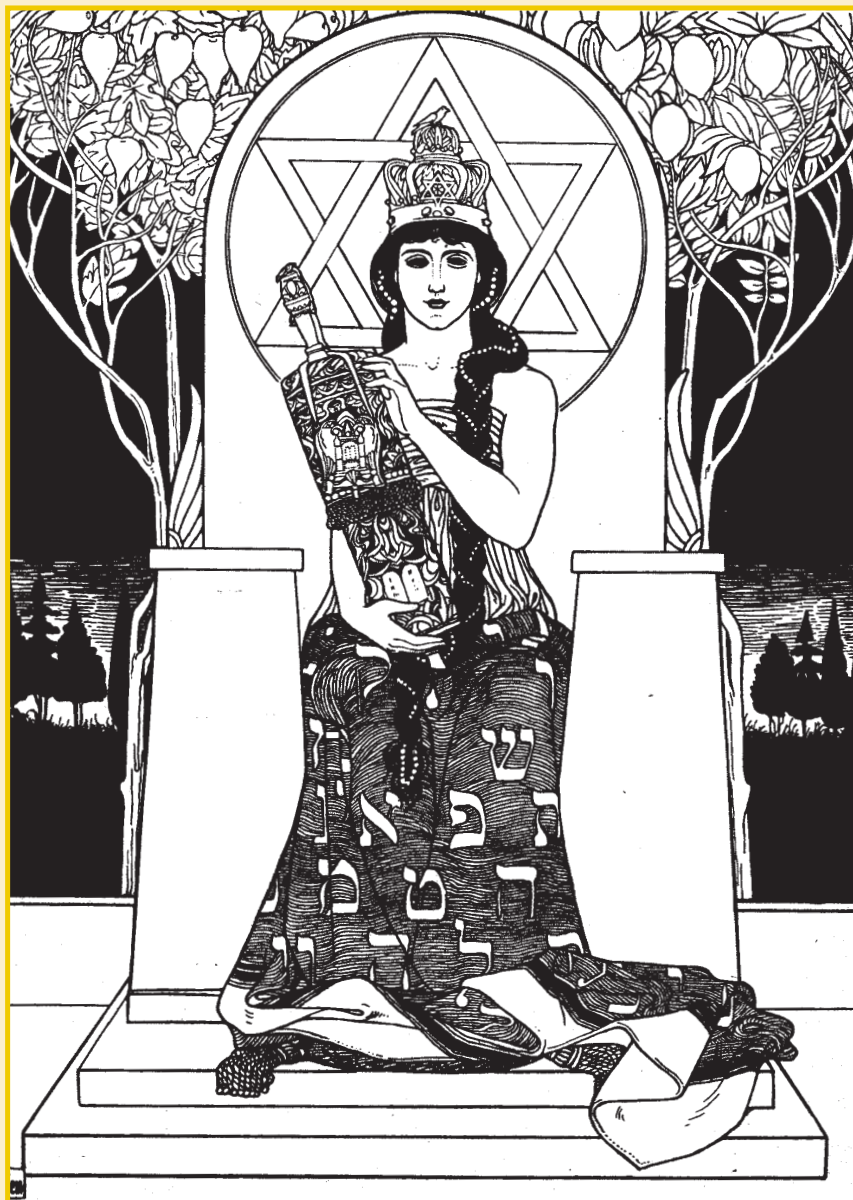
Yet, a close reading of this passage uncovers two subtle ambiguities. First, the beginning of the statement refers to the writing of *sifrei Torah*, *tefillin*, and *mezuzot* (all three are known by the acronym *STa”M*), while the end of the paragraph discusses writing in general—“in the category of writing.” Is it merely *STa”M* (the three categories of Torah scrolls, *tefillin* and *mezuzot*) that Rav Hamnuna is addressing, or are there other written items such as *Megillat Esther* from which he would exclude the individuals listed as valid scribes? Secondly, the verse “you shall bind them... you shall write them” is taken from a paragraph that refers to *tefillin* and *mezuzot* but not to a *sefer Torah*. From his proof-text, does Rav Hamnuna indeed deduce that women are excluded from writing *sifrei Torah* and, if so, how? These questions were addressed predominantly by the *Aharonim* and their answers yielded three positions regarding the extent to which Rav Hamnuna’s *beraita* excludes women from *safrut*.

The *Ma’aseh Rokeah* (b. circa 1690), in a lengthy passage on Rambam *Hilkhos Megillah* 1:1, addresses these questions. He

explains the reason for the inclusion of *sifrei Torah* in Rav Hamnuna's statement, even though his proof text refers only to *tefillin* and *mezuzot* as follows. Once the Torah validated only those obligated by the *mitzvah* of binding *tefillin* to write *mezuzot*, the Rabbis, through the exegetical device known as *gezerah shavah* (deducing legal details from one passage to another ostensibly unrelated passage, based on the existence of common terms in both passages), expanded this requirement to any precept in the Bible that involves writing. This would also apply to the precept to write *Megillat Esther*. Based on this logic, the *Ma'aseh Rokeach* considers women ineligible to write a *megillat Esther* in addition to the three categories of *STa"m*.

The *Hida* (1724-1806) in *Birkei Yosef* 691:6 however finds reason to validate the writing of *megillot* by women. He notes that the *Maggid Mishneh* (on Rambam *Hilkhot Megillah* 2:9) claims that the strictures for writing a *sefer Torah* do not apply to *Megillat Esther* unless *Hazal* (the Rabbis) explicitly tell us so. Since nowhere in the classic Rabbinic literature is there any mention of women being considered ineligible to write a *Megillat Esther*, the *Hida* concludes that the exclusion of women from writing a *sefer Torah* does not apply to a *Megillat Esther*. In his reading, Rav Hamnuna's exclusion of women does not extend to all *mitzvot* of *safrut* but is limited to *STa"m* (the three categories) listed explicitly in the *beraita*. This opinion of the *Hida* seems to be the dominant one and other later authorities add other reasons to suggest that women may write a *megillat Esther*. The *Pri Megadim* (*Mishbezot Zahav* 691:2) claims that women's obligation in the *mitzvah* of *keriat ha'megillah* (reading the *megillah*) makes them eligible to write a *megillah*. Rabbi David Oppenheim notes that the Targum renders Esther 9:29 as "Esther the daughter of Avihail and Mordehai the Jew wrote all this *megillah*." Rabbi Oppenheim takes this as an indication that Esther herself was involved in the writing of the very first *megillah* as a scribe, and that she serves as a precedent for women in general. Further, both the Rambam and *Shulhan Arukh* omit any mention of women's ineligibility to write *megillot*. A number of later authorities take this omission to indicate that these great codifiers held that women are therefore eligible to write *megillot*.

The *Drishah* (1555-1614) goes one step further and claims that women have *halakhic* standing to write *sifrei Torah* (Y.D.271.1). He bases this on two passages in the *Tur* (1275-1340). In *Hilkhot*



Ephraim Moses Lilien, Illustration from "Juda: Gesänge" (Judah: Songs), Berlin 1900
Lilien was an early 20th century Zionist artist known for his book illustrations.

Tefillin, the *Tur* (O.H. 39) states that women may not write *tefillin*. However, in his list of those ineligible to write *sifrei Torah* (Y.D. 271), the *Tur* omits women. The *Drishah* suggests that this indicates that the *Tur* maintained that women are in fact eligible to write *sifrei Torah*. The *Drishah* does not explain how he can maintain this in the face of Rav Hamnuna's undisputed statement.³ Perhaps the *Drishah* considered that, because Rav Hamnuna's proof text referred only to *mezuzah* and *tefillin*, room was left to allow women to write *sifrei Torah*. It is difficult to read the *beraita* this way, since the beginning of the statement explicitly mentions *sifrei Torah*. Further-

more, it is unlikely that the *Tur* would have actually maintained that women have the *halakhic* standing to write *sifrei Torah*.⁴ Given that the *Drishah* is a lone voice and his argument has serious flaws, it would be problematic to use his comments as a precedent. Indeed the *Shulhan Arukh* decides explicitly against the *Drishah*. It is worth noting that the *Drishah* concluded his remarks by stating that he had written at length about this matter in a responsum. Unfortunately, we do not currently have a copy of that responsum and we do not know if it addressed the difficulties mentioned above.

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Women and Safrut ...continued from page 5

Thus, we have three understandings of Rav Hammuna's statement in the *Abaronim*. The *Ma'aseh Rokeah* considers that the exclusion of the *beraita* should be expanded to any *mitzvah* of *safrut*. The *Hida* claims that the exclusion is limited to only the three items listed: *sifrei Torah*, *mezuzot*, and *tefillin*. Finally, the *Drishah* maintains that the exclusion applies only to *mezuzot* and *tefillin*.

The *Hida* and *Drishah*'s readings of Rav Huna allow for limited participation by women in *safrut*. I would also like to raise a theoretical possibility in which Rav Hammuna's *beraita* would be inapplicable. The *Rema* in his *Darkei Moshe* (*Orah Hayyim* 39:1) states that while a *ger toshav* (a gentile who rejects idolatry but does not fully convert to Judaism) does not have the *halakhic* standing to write a *sefer Torah*, he would be able to write *tefillin* and *mezuzot*. Many later authorities were perplexed by this claim. A *ger toshav* is not obligated in the *mitzvah* of *tefillin*, so how could he have standing to write *tefillin* and *mezuzot*? To solve this riddle, the *Yad Ephraim* (1760-1828) in *Orah Hayyim* 39 suggests that the *Rema* must have been referring to a *ger toshav* who accepted all the *mitzvot* of the *Torah* except the prohibition against eating carrion (*neveilah*).⁵ His voluntarily acceptance of the *mitzvah* of *tefillin* is sufficient to render him eligible to write the *tefillin* text. Nonetheless, he still has no standing to write *sifrei Torah* because the verse "thou shalt not eat carrion; to the *ger* in your gates you shall give it" (*Deut.* 12:21), which excludes him from the community, may offend him. This precludes him from writing the verse with proper intent. Because no such verse is found in the text of *tefillin* or *mezuzot*, the *ger toshav* is eligible to write them. While rejecting this explanation, Rabbi Israel Meir Kagan, known as the Hofetz Hayyim (*Be'ur Halakha* *Orah Hayyim*. 39) notes that according to the *Yad Ephraim*'s logic, a woman who voluntarily accepted upon herself the *mitzvah* of *tefillin* would be "in the *mitzvah* of binding *tefillin*" and would therefore have the *halakhic* standing to write *STa"m* (all three categories of *sifrei Torah*, *tefillin* and *mezuzot*).⁶ It is crucial to note that using this approach would require overcoming a number of *halakhic* obstacles. First, the permissibility of women donning *tefillin* is a matter of debate.⁷ Second, it is only implicit in the *Yad Ephraim*'s approach that women's self-obligation would have these *halakhic* ramifications; he never explicitly stated so himself. Third, other authorities such as R. Kagan himself

reject his approach, even regarding the *ger toshav*.⁸ Determining the practical implications of this *Yad Ephraim* with respect to the standing of women to be *sofrei STa"m* (scribes for all three categories) would clearly require careful deliberation.

"We did indeed find sufficient grounds to commission a *megillah* from our congregant"

Indeed much of the material touched on here requires extensive thought and study. Implementation of the theoretical possibilities explored here would require taking into account many factors from exegetical aspects to systemic *halakhic* principles to communal ramifications. Conclusions may not be simple. For example in my former community, where we did indeed find sufficient grounds⁹ to commission a *megillah* from our congregant, one *posek* (rabbinic authority) informed me that while he supported his decision for our community, it might not be appropriate in other communities. It is my hope that this short piece will serve as a springboard for further research and examination of this topic. May we be blessed to discover pathways to enable Jewish women to enrich our community with their God-given capacities while maintaining the integrity of the *halakhic* system and of *Torah* as a whole.

Ross Singer is the former Rabbi of Shaarey Tefillah Synagogue in Vancouver, British Columbia. He is currently a Jerusalem Fellow.

¹ R. Oppenheim (*Nishal David*, *Orah Hayyim* #30) himself argues that the *megillah* in question should be considered kosher. Yet, apparently he felt uncomfortable relying on his own opinion given that it was his own daughter who wrote it. He therefore directed the question of its validity to Rabbi Meir Pearles (*Megillat Sefer* to 9:29) who concluded that the *megillah* should not be considered kosher. See the analysis of the *Tziz Eliezer* 11:92.

² I collected much of the material regarding women writing *megillot* in: Ross Singer, "Women and the Writing of the Megillah," *Edah* 4:2 Kislev 5765.

³ There is a *Beraita* (*Bavli Gittin* 45b *Yerushalmi Gittin* 4:6 *Tosefta Avodah Zarah* 3:2) that states that a *Sefer Torah* written by an idolater is valid. This ostensibly contradicts Rav Hammuna's *beraita* and could serve as precedent for the *Drishah*'s opinion. However, both the *Bavli* and the *Yerushalmi* construe the term "idolater" in the *beraita* as a convert who returned to his former idolatrous ways out of fear of persecution, thus reconciling this *beraita* with Rav Hammuna's. See further Rabbi David Weiss Halivni, *Mekorot U'Mesorot: Nashim* pp.556-558.

⁴ See Ross Singer, *op.cit.* footnote #7, pp.556-558.

⁵ This is one of the suggestions of the definition of a *ger toshav* in the Babylonian Talmud, *Avodah Zarah* 64b.

⁶ Apparently, R. Kagan does not believe there are any verses in the *Torah* that would create a problem of proper intent for women.

⁷ See for example Aliza Berger, "Wrapped Attention: May Women Wear Tefillin?" in *Jewish Legal Writings by Women* (Jerusalem 1998).

⁸ Furthermore, some later authorities suggest that the *Rema* meant to say *ger tzedek* and the versions that record *ger toshav* have scribal errors—see for example *Levushei Serad* *Orah Hayyim*, 39.

⁹ Authorities who consider women to have *halakhic* standing to write *megillot* include R. David Oppenheim: *Nishal David*, *Orah Hayyim* #30, the *Hida*: *Birkei Yosef* 691:6, the *Pri Megadim Mishbezot Zahav* 691:2, the *Teshuvah me-Ahavah* *Orah Hayyim* 691, the *Mateh Yehudah* *Orah Hayyim* 691:4, the *Keset Hasofer* 28:9, the *Sedei Hemed Ma'arekhet Purim* #12, the *Arukh Ha-Shulhan* *Orah Hayyim* 691:3, the *Aunei Nezer* *Orah Hayyim* 518:11, the *Beit Oved* 691:6, and the *Tziz Eliezer* 11:92.

A First in Women's Leadership

Congregation KOE (Kehilat Orach Eliezer) in New York—a traditionally *halakhic* congregation—is finalizing the hiring of a woman in the newly created position of *Rosh Kehillah* to teach, to give *divrei Torah* and to find *halakhic* answers for community religious questions.

Reflections of a *Rosh Beit Midrash*

By Devorah Zlochower

Talmud Torah has undergone a profound change in the last twenty years. As new *batei midrash* (study-halls) fill with women of all ages, the next step in *harbatzat* Torah, the spread of learning, has occurred. It is indeed a moment of great joy as hundreds more bear witness, “מה אהבתי תורתך כל היום, היא שיחת”¹ “Women’s right to learn all of Torah is gaining mainstream acceptance in the modern Orthodox community. This is evident by the near universal inclusion of *Torah she-ba’al peh* (Oral Law) instruction for girls in modern Orthodox high schools, Gemara and text-based *halakha* tracks in post-high school programs, and the growth of institutions of advanced learning for post-college women including training in *halakha*. It is an appropriate time to engage in *heshbon hanefesh*, soul searching, and evaluate critically what has been accomplished, what expectations have gone unfulfilled and what the future might portend.

“הנה ימים באים נאם ה' אלקים והשלחתי רעב בארץ ולא רעב ללחם ולא צמא למים כי אם לשמוע את דברי ה'.”

“Behold, days shall come says the Lord God and I shall send a famine in the land; not a famine of bread nor a thirst for water but to listen to the words of God.”²

“Women’s visibility in the field of Torah scholarship and leadership are on the rise”

Echoing the words of the prophet, women are seeking greater levels of education for themselves often inspired by the examples set by their daughters. Growing numbers of teachers, many of them female, provide opportunities and nurturing environments for women to tackle new texts and gain new skills. For girls, pressure is being placed on modern Orthodox day schools and high schools for equity in curriculum, time and academic expectations. Young women are receiving an education that is far more comparable to their male counterparts than in years past and some girls are taught Talmud by women allowing them to form crucial *rebbe-talmida* (student) relationships. Women’s visibility in the fields of Torah scholarship and leadership are on the rise with the advent of *yo’atzot halakha* (*halakhic* advisors) in matters of *niddah* and menstrual laws, *to’anut beit din* (rabbinical court pleaders) and increasing numbers of Orthodox women pursuing Judaic studies in the academy.

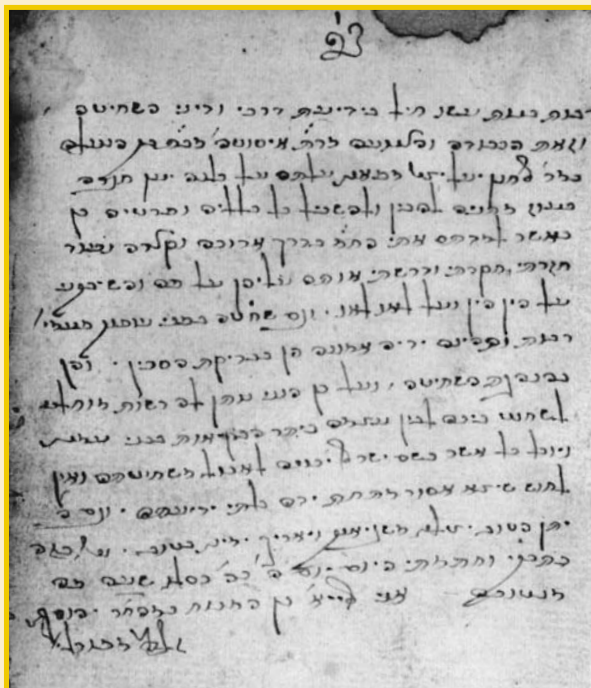
Perhaps it is only in the glow of these unprecedented achievements that we can see the barriers that remain and the promises yet unfulfilled. The true success of radical change is when it becomes normative and even commonplace. Indeed, the pioneers who demanded full access to the texts of our tradition have, in many ways, been replaced by women who take their entitlement to learn Torah in all its forms for granted. This is indeed a revolution.

And yet there are few female Gemara instructors in our high schools, few women serving as community leaders, and even fewer female Torah scholars. I believe there are a number of factors, institutional and personal, at play.

While the modern Orthodox community has begun to recognize that low salaries and low prestige dissuade many young

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Women and *Shechita*



Shechita License granted to Isota da Fano, Mantua 1614
Courtesy of The Library of The Jewish Theological Seminary.

TEXT READS: “Many daughters have done valiantly in the knowledge of the laws and rituals of slaughter but this Isota daughter of Elhanan da Fano outdid them all... Therefore I give her permission to slaughter for herself, as may other knowledgeable women of Israel, and all Jews may eat of her slaughter and need not fear that something forbidden has occurred without her knowledge. And may G-d prevent her from errors and lengthen her days with goodness.”

Women do not appear among those excluded from performing *shechita* by the Mishnah (*Hullin* 1:1). The text in *Zevachim* 3:1 states that even sacrificial offerings could be slaughtered by a woman. Medieval authorities clearly ruled that women could be *shochtot*. According to the Rambam, they “could do this by themselves, without the presence of learned scholars, provided only that they are competent in the laws of slaughtering.” There is evidence of women *shochtot* in different communities. Later Ashkenazi authorities said that the custom was for women not to act as *shochtot*. The Rema ruled, “There are those who say one is not to allow women to slaughter, as the custom has already been established that they do not slaughter, and thus the custom is that women do not do so” (*Yoreh De’ah* 1:1). In Italy and Yemen, women continued as *shochtot*. Often in small communities which could not support a professional *shochet*, girls were trained to slaughter, as well as in places where families went to remote mountain locations in the summer to avoid the heat, and the men remained in the city. Although women were authorized primarily to slaughter fowl, nine years after the initial *shechita* license was granted, Isota da Fano received an additional license to perform *nikkur* (removal of fat, veins, nerves and sinews).

Interesting Job Prospects

By Erica Brown

When the movie *Yentl* came out during my last year of high school, a group of us went to see it. I felt bad that a frustrated Barbra Streisand did not go to my co-ed high school and thought little of her anguish. The film seemed quaint and dated. In my first year of yeshiva in Israel, I even wrote a Purim *shpiel* called “Mentl” about a boy who wanted to go to a girls’ yeshiva. It was funny (or so I thought), and its underlying assumption was that we have come so far as Orthodox women that a reverse scenario seemed almost likely. Boys would want to study in our *beit midrash*. By the time I was a senior in college, however, the movie came out on TV. I sat alone, watching it in our family room and crying. Progress was not an illusion, but nor could we sit back and laugh about it either.

This confusion continued through my long career search. While I loved teaching and writing, when I was old enough to take these skills on the road, I had no clear destination. Not sure that I wanted to teach high school students, I had no other obvious place to go professionally while staying within the Orthodox community. In college, I dual majored in philosophy and Judaic studies and pushed myself to take all the advanced classes in Judaic studies that Stern College offered. But at the time, there were no women heading co-educational Orthodox day schools, nor were there clear professional roles in synagogues for women. Sadly, we have not moved all that much since I started teaching almost twenty years ago.

There were times I felt trapped by these limitations and almost choked with regret. The modern Orthodox community seemed almost too proud of the in-roads it had made in women’s study to ask the obvious questions: “What will these women do for a living? What jobs have we created to accommodate their new skills?” I watched friends leave the field of Jewish study because, as they became more educated, the glass ceiling seemed, ironically, to become higher. I am reminded of Rebecca Goldstein’s novel, *Mazal*, where a learned young woman in the *shtetl* is compared to an ostrich, an animal that has wings but cannot fly.

I worked for years on various projects, taught many classes for different institutions, kept up my graduate work, and mothered my children—working hard but not feeling that I had a career. To me, career implies a structured profession with an understandable pay scale and ladder of promotion that involves a discreet set of skills and training. Thus, I reveled under the safety net of graduate school where I would not have to answer the question: “What do you do for a living?” The vision that I had of the Red Sea splitting and the career path magically appearing was fading. I was nearing thirty, had two children and one on the way, owned a home, and had been teaching for close to ten years but was no closer to describing the job I wanted. I had no “strategic plan.”

Despite years of graduate school, I could not see myself in the halls of the Academy. I love research and reading, but aspects of academic life are a struggle for me. Knowledge as truth did not seem to account for much of the competition and game-playing of academia. The hierarchy of the professor/student relationship was profoundly difficult for me, and the lack of emphasis on pedagogy was painful. All around me, I saw people who loved knowing, but disliked teaching (or just were not good at it). I loved the research, but was not convinced that I was personally up to the task of an academic post. This process of self-knowledge came slowly and took years in the unraveling. I came to realize the falsity of the claim I heard buzzed in my ear

again and again—namely, that a Ph.D. for women was the “equivalent” of *smicha* for men. The disciplines are very different; the methods, objectives and outcomes, completely incomparable.

At the same time that I recognized the deficiencies of academic life, I began teaching regularly for the Combined Jewish Philanthropies of Boston, Boston’s Federation. They were engaged in a new educational initiative to expose more Jewish adults to serious Jewish study in order to become more connected and committed to the Jewish community. I enjoyed this type of teaching immensely, and as my schedule filled with classes, I approached the director of the Federation with a modest part-time job proposal through which I would serve as a scholar-in-residence. This initially involved ten hours a week. I had one office day a week and would teach lunch-and-learn classes, work on educational programs and launch some new educational initiatives. There was, at that time, only one other such position—also occupied by a woman—in the Federation of Montreal.

My work flowered, and we created learning opportunities all over the Boston area: in law firms, at the State House, and for high profile executives. We had lunch-and-learn programs in our own downtown offices which drew close to a hundred participants twice a month. More importantly, we were creating an infrastructure of adult education that was community-wide. Slowly, a job expanded to fill a need that had not been previously recognized. After six years in Boston, I took two years off to be a Jerusalem Fellow and then moved to the Washington area. Today, I work as the scholar-in-residence for the Jewish Federation of Greater Washington. This fall, I begin my tenth year working as a consultant or employee in the federated system.

Federations are philanthropic institutions. They are umbrella organizations that connect community institutions to one another and also raise and allocate funds for local needs, world Jewry and Israel. My job does not fit the traditional constructs of federation life; my training is neither in fund-raising nor social work. Connecting people to meaningful Jewish experiences is not something that Federations have “banked” on, but it represents the wave of the future. Our Federation has generated demographic and other studies of our community, and the data often determines the direction that we should take in setting a community-wide agenda. I take a special interest in these studies, and they help shape the kind of educational offerings that we will



Belda Lindenbaum, JOFA’s Vice President of Development, as *sandek* at the brit of her grandson. Before the 13th century, medieval Ashkenazi sources show that a woman was able to act as *sandek* or *ba’alat brit*—the person who holds the baby while the *mohel* performs the circumcision. Later Ashkenazic authorities disapproved of a woman in this role out of fear of intermingling of the sexes, particularly in a synagogue. Today certain Orthodox Rabbis do permit a women to act as *sandek*, and individual Rabbis should be consulted regarding synagogue policy.

consider. All of our work is a result of a lay and professional partnership, which can be rewarding and challenging. This year, I became a deputy-managing director, which means that I sit at the table when we make important management decisions for our local Federation. While my management duties take me away from teaching, they do allow me to think about overarching communal and organizational issues and provide me with the opportunity to make more concrete decisions.

In my current position, I also direct the Jewish Leadership Institute. This is a Federation sponsored service which is intended to strengthen the leadership skills of both lay people on boards in our community and Jewish communal professionals, using a meld of Jewish texts, leadership literature and reflective exercises. My calendar basically follows the academic cycle. Classes begin in September and wind down in June. In the summer, we provide professional development opportunities for our own staff. Serving in the nation's capital is a very special privilege, and we recently launched Jewish patriotic walking tours of Washington on our web-site. These tours for the public emerged out of professional development opportunities that we created for our staff.

When I get to my desk in the morning, I might look up a Jewish quote for an invitation, script a speech with Jewish content for a lay leader, work on an adult education series for marginally involved Jews in Washington, DC, devise a professional growth opportunity for our staff or teach a lunchtime class at AOL's headquarters. I have taken many missions to Israel and have staffed a humanitarian mission to Cuba's Jewish community. Every year, I read dozens of articles and books about leadership and on aspects of Jewish life, and spend a good portion of my time writing articles, curricula or a weekly *haftarah* column which appears on the Federation and JOFA websites and elsewhere. I work only peripherally for the Orthodox community now. My community is the Jewish world in both its most local and most expansive scope.

I try hard to balance the administrative responsibilities of managing a department and supervising employees with ensuring that I have sufficient quiet time to read and write, and to participate in local and national conversations on what Jewish life looks like and should look like today. I often teach in the evening or on Sundays, times when adults can study. I leave every afternoon at 3 pm. to drive carpool and do much of my writing and reading after my children have gone to sleep or early in the morning. I do not

A Great New Agunah Resource

JOFA's newly published Guide to Jewish Divorce and the Beit Din System, including a grid for comparison of practices among *batei din*, is now available to the public at no cost.

The goal of the Guide is to help educate the community about the divorce process and *iggun*, and particularly to help individuals seeking a Jewish divorce make informed decisions as they proceed through the *beit din* (rabbinic court) system.

The Guide to Jewish Divorce and the *Beit Din* System includes:

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- Frequently Asked Questions
- General Comments and Cautions (a section based on litigants' experiences)
- Grid for Comparison of Practices amongst *Batei Din* in the NY Area
- Questionnaire Administered to the *Batei Din*



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apologize for being a mother, and am blessed to work in an environment where I do not have to. Nevertheless, the balance is always being calibrated.

My professional life is complicated—complicated by virtue of doing a job that is largely of my own making and complicated by the balance that all of us try to achieve as conscientious employees, involved parents, spiritual seekers and dedicated volunteers. My self-made job means that there is no clear professional track, no universally understood job description or set salary scale and no formal association of colleagues with journals, conferences and the like. My situation can be professionally lonely, but more often it is professionally thrilling. I almost have to write my job description as I go along. And over time, there are more men and women across the country who are assuming responsibilities similar to mine.

My administrative involvement has convinced me that many of the educational opportunities available to Orthodox women today (which far exceed what was available to me as a young adult) emphasize learning but not leadership. The text expertise currently available to women is foundational, of course, but is only one aspect of professional training. What readies women and men for senior jobs in schools, Jewish social service agencies and synagogues is a combination of Jewish studies and the development of strong management skills. Judaic background alone—even at its most advanced levels—is not sufficient to create Jewish leaders. Intense study

must be coupled with engagement and involvement with others to build a career in Jewish leadership.

As I look back from this anniversary perch, I have learned a lot about myself, the Jewish community and creative professional opportunities for women. I have learned to be more flexible in my definition of employment and more forgiving about the limited opportunities presented by the Orthodox community when I began to work. Women who take their professions seriously will use their drive and ambition to make a difference in the world, even if they cannot do that within an ideological comfort zone. And Orthodoxy is the poorer for it.

I also realize that while the Orthodox community has not created sufficient positions for women, or promoted enough women to senior positions, we women must take greater responsibility. Just as it is up to us to become educated, it is also up to us to think expansively and to create new positions including those that meet previously unidentified needs. Using the first chapter of Genesis as a paradigm, we know that the highest form of creation is to start with nothing and to bring something new into existence. I watch remarkable women do that all the time.

Erica Brown is the scholar-in-residence and the Deputy Managing Director for Education and Leadership at the Jewish Federation of Washington. Her weekly haftarah column can be read on the JOFA website.

Rabbanit Reclaimed

By Sara Hurwitz

I am a rabbi. Well, I'm not technically a rabbi; I don't publish *halakhic* responsa, and I am not ordained. But I speak from the pulpit of my congregation at the Hebrew Institute of Riverdale. I preside over *shiva minyanim*, teach classes to all members of my community, and field late night questions about *kasbrut* and laws of family purity. I even have a title: *madricha ruchanit* (religious mentor).¹ So, if I am not a rabbi, what is a rabbi, and what are the barriers for women considering this calling?

A rabbi is well versed in Jewish text, including Tanakh, Talmud and halakha²

Until recently, many women did not have access to Jewish text.³ Women, nevertheless, made *halakhic* decisions on a daily basis about how to *kasher* a utensil, or slaughter and clean a chicken. Women's vast knowledge of Jewish law was transmitted from mother to daughter in a rich mimetic tradition.⁴ In recent years, however, there has been a shift. Day schools, seminaries, and post-college institutions began offering women access to Jewish learning, and women have flocked to these institutions in droves. Empowered by their knowledge, women have begun asserting their authority both inside and outside the home. Now women make *halakhic* decisions based on their own erudition, in addition to relying on what their *bubbes* have always done. If access to Jewish text is a prerequisite for the rabbinate, this would no longer be a barrier to women.

Rabbis are authorities on halakha⁵

The next obvious step is to trust women to make *halakhic* decisions for others. In some communities, Orthodox women have already begun to make decisions for others about issues of *niddah* (family purity).⁶ Why stop there? If women have the ability to study text, and if they are intimately familiar with the pages of the Talmud, why can't women become general *halakhic* authorities able to answer questions for the larger community?⁷

The role of *madricha ruchanit* has allowed me to expand beyond issues relating solely to women. For example, I recently spent several months learning the laws of mourning, and have found the knowledge extremely valuable. Now, when a woman is about to tear *kriyah* for her loss, and feels uncomfortable with a male rabbi's assistance, I can help her. When a woman struggles to say the *kaddish*, I can stand next to her, and not

only help her with the words, but explain their meaning. I can advise all congregants about which celebrations are appropriate during their mourning period, and which they should not attend. One memorable moment came when I was asked a question by a congregant's grandson, who recently returned from studying in Israel. Despite the fact that he was not accustomed to discussing *halakhic* matters with a woman, he asked me when the first day of *shloshim* began. I was thrilled and humbled that he was able to look beyond gender barriers to get the required information.

Rabbis are pastoral counselors

Although the role of rabbi is often associated with being a teacher,⁸ the term has come to include family mediator, psychologist, and counselor. People turn to rabbis for advice about some of their most intimate decisions and challenges. Whether the average rabbi is adequately qualified to counsel people is a separate discussion, but there is no reason why women, with expertise and experience, cannot fulfill this role. To this end, I have been training with a social worker for the last year, who has been advising me on how to navigate sensitive issues. With her help, I have counseled couples on issues ranging from the *halakhic* and emotional ramifications of miscarriages to the pressures and dynamics of the conversion process. The training has helped me feel more comfortable with visiting the ill, with comforting mourners, and with helping couples work through infertility. In addition, I have begun to incorporate conflict resolution scenarios into the *hatan* and *kallah* classes that I teach.

The rabbi is a public leader and role model

Beyond knowledge of text and private counseling, a rabbi is a public figure. From Miriam who taught Torah to the women in the desert,⁹ to Devorah, who led the Jewish people,¹⁰ women have been exceptional leaders. However, the image of women standing before the entire community to teach Torah publicly remains fairly uncommon.¹¹

At the Hebrew Institute of Riverdale, I speak from the pulpit, during services. This public role is unusual for women, even in Modern Orthodox services. In my estimation, there are two main reasons for this barrier. First, there are those who think that it is immodest for women to stand and speak before a mixed audience.¹² Second, one of the foundations of an Orthodox service is that men and women pray on separate sides of the *mechitza*. Allowing a woman

to address the entire congregation during *tefillah* would require women to enter the men's side of the sanctuary which would likely be disruptive and possibly impermissible. It is therefore generally held to be both immodest and disruptive for a woman to publicly address the community during prayer services.

With respect to immodesty, it has become commonplace to see women in public positions of leadership, both inside and outside the synagogue. I have helped *bat mitzvah* girls prepare comprehensive discourses, which they have delivered publicly during services. Female mourners deliver *hespedim*, (eulogies) and many women opt to give *divrei Torah* at communal functions. At least in a modern Orthodox synagogue, it should no longer be shocking to see women address the congregation publicly.

H.I.R. has circumvented the second problem of keeping both sides of the *mechitza* sacred and separate by elevating the *bimah* in the middle of the sanctuary. This allows equal access to men and women from either side of the *mechitza*. Thus, when I get up to speak in the middle of services, I do not have to disrupt the *tefillah* by entering the men's side of the room. In addition, Rabbi Moshe Feinstein has ruled that it is permissible, occasionally, for one or two women to be present in a *beit midrash* or house of mourning during *tefillah* without a *mechitza*.¹³ Therefore, on this basis it can be considered acceptable on occasion, for a woman to stand in the men's section, during a regular prayer service to address the congregation.¹⁴

Last Rosh Hashanah I led a religious service at an old-age home. Upon entering the room, an elderly man named Murray, shouted, "Hey, you're not a rabbi!" Having expected this possible reaction, I smiled and proceeded to spend the next two hours singing, teaching and dancing with the residents. At the end of the service, to my surprise, Murray approached me and said endearingly, "I forgot you weren't a rabbi—you were much better than the rabbi who came yesterday." I felt grateful to Murray for the compliment, but at the same time, I felt pained. Because I am a woman, I had to prove that I was just as capable as the rabbi who had come the previous day.

This brings me to a final thought. Even if women do step into the role of rabbi, the matter of title will continue to be controversial. The modern Orthodox world is concerned with remaining separate and distinct from its sister denominations, and giving women the title "rabbi" will make Orthodoxy appear

similar to the Reform and Conservative movements. I believe that the title “*Rabbinit*” may be reclaimed to have the connotation of the title “rabbi,” yet still espouse Orthodox philosophy that men and women’s roles remain distinct.

I asserted at the beginning of this essay that I was not a rabbi. But I am a *de facto* rabbinic figure. My community embraces my role, and the rabbinic staff of my synagogue supports my professional development. In truth, I never thought of myself as a “trailblazer.” My desire for synagogue work always felt natural. However, at least for the HIR community, and the many welcome visitors to our synagogue, I have undoubtedly acclimated people to seeing women stand up on the pulpit and assume roles of leadership.

As for becoming a rabbi *de jure*, I am certainly willing to accept the risks and responsibilities of ordination. Unfortunately, the majority of the Orthodox Jewish community is not ready for a woman to assume a public role in the synagogue, despite *halakhic* sources permitting these roles.¹⁵ I hope that eventually, the Orthodox community will reconsider their opposition. Then the community will benefit from a large untapped supply of talent and will turn to these “*Rabbinit*s” for comfort, advice, and *halakhic* guidance, regardless of gender.

Sara Hurwitz is the madricha ruchanit (religious mentor) at the Hebrew Institute of Riverdale, and develops gender sensitive curricula for JOFA. She graduated from Drisha’s three year Scholars Circle program after receiving her B.A. from Columbia University.

¹ For a more expansive definition of “*madricha ruchanit*” see www.hir.org.
² The scope of rabbinic duties expands beyond the four areas mentioned below.
³ Only men have a positive commandment to study Torah. See *Tur Yoreh De’ah* 245:1 “Talmud Torah.”
⁴ See Hayim Soloveitchik, *Rupture and Reconstruction: The Transformation of Contemporary Orthodoxy*, Tradition 28:4 (1994).
⁵ It is important to distinguish here between answering simple *halakhic* questions and being a *posek* (*halakhic* authority). A *posek* must be able to integrate the vast *halakhic* literature and apply it to our modern era, creatively and independently from an established precedent. There are very few community rabbis who would consider themselves *poskim*.
⁶ For example, Nishmat’s *Yo’etzot Halakha* Program trains women in the laws of *niddah*. For more information, visit www.nishmat.net.

⁷ The Talmud Bavli *Shavuot* 30a cites the principle that “all who are unfit to serve as witnesses, cannot serve as judges. Women cannot serve as witnesses.” However, see *Pitchei Teshuva, Hoshen Mishpat* 7:5: “Even though a woman is disqualified from being a judge, a woman who is wise and learned is fit to render a ruling.” See also *Sefer Habinukh, Shmini* 152.
⁸ For the evolution of the term “rabbi,” see Encyclopedia Judaica “Rabbi.”
⁹ See Rashi’s commentary on Micah 6:4, in which he states that Miriam taught Torah to the women of her generation.
¹⁰ See Ran’s commentary to *Shavuot* 13a: “That which is written about Devorah...is not to say that she judged, but rather that she was a leader. That which the *Sifrei* states, that you should appoint for yourself a king and not a queen is not a problem, because they did not appoint her, they simply behaved according to her word.”
¹¹ See Rambam, Laws of Kings 1:5: “Do not appoint a woman to reign, since the verse [Deuteronomy 17:15] states, ‘a

king and not a queen.’ And so too, all positions in Israel—do not appoint anyone but a man.”

¹² R. Dov Eliezrov in *Sha’ali Tsiyon* 1:19 writes that women in the men’s section of the synagogue would abrogate rules of modesty and cause improper thoughts. See also R. Hershel Schachter, *Can Women be Rabbis?* at www.torahweb.org.

¹³ See *Iggrot Moshe, Orah Hayyim*, 5:12. This, however, does not imply that Rav Moshe would have allowed women to address the congregation publicly on Shabbat.

¹⁴ See R. Yehuda Herzl Henkin, *Bnei Banim*, p. 16, who permits a small number of women in the men’s section. See Mendel Shapiro, *Qeri’at Torah by Women: A Halakhic Analysis*, 1-2 *Edah Journal* pp. 41-43 (2001).

¹⁵ For *halakhic* sources permitting women to serve as rabbis, See Elisa Klapheck, *Fraulein Rabbiner Jonas: The Story of the First Woman Rabbi*.

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Rosh Beit Midrash

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people from choosing Jewish education as a profession, the unique barriers facing the budding female Torah scholar have not been sufficiently recognized. Coeducational high schools are, by and large, not hiring women to teach Talmud to their male and female students and there are too few “girls’ only” high schools to hire all the qualified applicants.

Moreover, from a larger cultural perspective, advanced Torah learning is not idealized for women as it is for men. Women who pursue advanced learning do not, as a rule, receive affirmation from parents and peers and may experience great ambivalence about their choice. In the absence of overwhelming *mesirut nefesh*, self-sacrifice, many women will not pursue this track without parental and societal support. The cultural ideal of *talmud Torah kineged kulam* (the supreme value of Torah study) and the prestige granted the *talmid chakham* or the *rosh yeshiva* are currently unattainable for women.

How might these more entrenched cultural barriers be addressed? The women’s *batei midrash* may still have much to learn from the traditional yeshiva. The yeshiva environment is all-encompassing. It provides an intellectual and spiritual home for its students.

Women’s learning institutes are not termed “*yeshivot*” and in fact, are often more akin to high schools and universities where emphasis is placed on completing a set curriculum and following a schedule of classes rather than the ideal of *vi-hagita bo yomam va-laila* (devotion of all one’s time to study). Additionally, a newly arrived yeshiva student finds peers and older, more learned colleagues in his *beit midrash*; there are many stages to be mastered in the path from student to *maggid shiur* or gemara teacher. In contrast, for women, anyone who has spent a number of years studying is already a teacher.

“...the unique barriers facing the budding female Torah scholar have not been sufficiently recognized”

Changing ingrained expectations and attitudes as well as creating new kinds of Torah institutions are necessities if we are to maintain and expand women’s accomplishments in Torah study; they are also not immediately attainable. In the meantime, we might adapt tools that

have proven useful in helping women enter other fields which have been traditionally closed to them. One of these tools is mentorship. The women who fought to learn when no such institutions existed were mentored by their fathers. Now, teachers, both male and female, need to take on this role. Additionally, parents and community leaders must insist that faculty positions in Talmud departments be open to women. This will provide necessary employment for women who are currently learning, as well as inspire the next generation of learned women.

We are quickly approaching a crossroads. We can choose to be satisfied with a more educated laity that includes women, a situation unimaginable a few short years ago. We can also choose to further the dream if we are willing to make the hard choices necessary to foster the talents of a highly educated cadre of new leaders. I believe that the Jewish community will be richer when it calls upon all its potential leaders, male and female, to lead.

Devorah Zlochower is Rosh Beit Midrash at Drisha Institute where she teaches Talmud and Halakha. She is a member of the board of JOFA.

¹ Psalms 119:97.

² Amos 8:11.



Illustration of Zipporah performing circumcision, 18th century
George Daniel Heumann (1695-1751) *Zipora circumcidens*
Courtesy of The Library of The Jewish Theological Seminary.

(The famous second Nuremberg Haggadah, a manuscript haggadah from South Germany dating from the second half of the 15th century also shows Zipporah performing circumcision).

Women and Circumcision

Exodus 4:25-26 recounts that Zipporah took a flint and circumcised her son on her own accord (though some claim that Zipporah did not actually perform the circumcision but only gave the order for it). Whether women may circumcise was debated in the Talmud (*Avodah Zarah* 27a). Rabbi Yochanan allowed it, but Rav forbade it. Following R Yochanan, the *Sheiltot* ruled that women may perform circumcisions. There is evidence, from 1 Maccabees and *Megillat Antiochus*, of women actually performing circumcisions. The medieval Spanish authorities allowed a woman to circumcise in the absence of a man. While nearly all authorities in Germany until the 13th century allowed women to act as a *mobelet*, some of the *Tosafot* and then all later Ashkenazi authorities followed the opinion of Rav and have prohibited women from performing circumcisions.

A Primary Address for Women

By Rachelle Sprecher Fraenkel

A few weeks ago, in a hall in Jerusalem, twelve excited women were called up to the stage to receive their diploma from the dean and founder of Nishmat, Rabbanit Chana Henkin, and from Rabbis Yaakov Varhaftig and Yehuda Henkin. The occasion was the graduation of the fourth class of Nishmat's Keren Ariel *Yoatzot Halacha* (Halakhic Advisors) Program.

I remind myself of how the rabbi looked a short while ago on the morning of my certification exams. Following two years of preparation, my class was about to be tested orally by the committee of rabbis, for a total of four hours of grilling questioning. Compared to that tension, our excitement now was one of relief and satisfaction.

The text of the certificate the rabbi held read:

"The modest and learned woman of good character whose fear of Heaven precedes her wisdom [name] was tested by us and by a special committee of rabbis and found to be proficient in the laws of *Niddah* and immersion. In response to the needs of our generation and in order to distance many women from sin, we hereby support her and agree that she serve as a primary address for women who will wish to turn to her in these matters for guidance in the way of Torah and fear of Heaven; if a novel decision is needed she will turn to a recognized decisor." [translation of certification]

The words of this certification were obviously chosen carefully. One feels that its drafters are taking upon their shoulders a move that is *halakhically* sound but historically unprecedented—training and certifying women to answer questions in the *halakhic* field of family purity.

As graduations go, the speeches were touching and full of aspirations. However, how does all of this materialize in real life? To answer that question, let me take you along for a shift on Nishmat's Halachic Hotline.

It is almost six p.m., and I check up on each of my children, instructing them to approach *Abba* with any problem as *Imma* will now need quiet in order to concentrate and answer the phone calls—preferably without the sound of quarrelling kids in the background.

It has just turned six. How will this shift begin? With a few moments of quiet, as sometimes happens, or with a flood of calls, one immediately following

the other?

The first call comes in. On the line is a young woman, postpartum.

After three long months, she finally got to the *mikvah* last night. Today she is already seeing stains, and is concerned about her *halakhic* status. The oral contraceptive she recently started taking is throwing her system out of whack. The frustration that has built up during the long separation is evident in her voice. Our experience shows she might be facing an uneasy period of stains, doubts and breakthrough bleeding until her body adapts to the hormones associated with her contraceptive. I investigate the details of her current situation. To my satisfaction, I am able to tell her she is still *tehorah*. I prepare her for the coming period. Experience has taught us that when a woman's expectations are realistic, her level of frustration and stress are lower. There are also a few pieces of good *halakhic* advice that could prove highly beneficial to help her avoid problems. She is glad to refresh her memory and we review together the relevant laws and advice.

The conversation is finished. In my log I record the topic of the question and its duration; fifteen minutes. Sometimes I ask myself what this woman would have done if not for the hotline. Does she have a relationship with a rabbi? Would she ask a rabbi? And if she would not, would she be needlessly stringent upon herself? Would she be lenient without foundation?

One thing rabbis attest to clearly: the questions in our field that they receive from women are concise and laconic. The clear discomfort most women feel causes them to convey less information and to receive shorter answers. Communication is often minimal and tense.

Before the phone rings again, I manage a moment of reflection: I contemplate my frame of mind as a *yo'etzet*: I so want to help, to give the desired answer, the one that will make the woman happy. But one must stay composed—empathetic, but a bit detached—in order to stay objective. It is a matter of trust, and these women rely on us. Our *halakhic* responsibility is to see the situation as a whole, to consider all circumstances, but to remain impartial and trustworthy.

Here comes another call. This time it is a young husband on the line (occasionally it seems women are shy even

YOATZOT PROGRAM

Approximately forty women have graduated from the Nishmat Yoatzot program. In the US and Canada there are currently six *yo'atzot*. Calls are welcomed at the Hotline at 1-877-YOETZET. *Yo'atzot* can also be reached through the website www.yoatzot.org which provides *halakhic* and medical information about *tabarat mishpacha* and women's health.

with us). It has been four weeks since his wife's last period. Could she be pregnant? And what are the *halakhic* implications of that? He sounds naive and hopeful.

Immediately the phone rings again. This time the question is simple and the answer is brief. Still, I take another minute to explain. It is very important to me that the laws not seem arbitrary, the woman should have the tools to understand—and if possible—to control this part of her life.

Next, I receive a call from a woman in her fifties dealing with menopause, and then a call from a young *kallah*. She has been married for a month now, and though she and her husband have tried several times, they have not succeeded in consummating the marriage. She asks a practical *halakhic* question: at what stage of the month should she have the gynecologist remove the hymen. Gently, I ask her for more details, and she opens up and tells me more about the couple's hardship in trying to be intimate this past month. I try to calm her—she is not the only one this happens to, and there could be different causes for what she describes. At this point I begin explaining self-help options and suggest professionals who could assist her (for instance, a physiotherapist who specializes in pelvic and sexual difficulties, as well as her gynecologist).

My knowledge about these various matters comes from the comprehensive program of lectures and workshops we received during our training—workshops by professionals specializing in fertility, sexuality, contraceptives, pregnancy and birth, menopause, postpartum depression, family violence, *kallah* instruction, and more. I truly wish every rabbi would go through this essential training! It would provide them with the ability to recognize problems and refer those with questions for appropriate help. Imagine in the case of this last call—a wrong word of advice could cause irreversible damage to this couple!

On the table in front of me are telephones, my computer, and a growing pile of books I've been opening over the course of the evening. Since I spend the rest of my work-week learning and teaching Talmud, I feel at home with

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Teaching Gemara: Choices and Challenges

By Channa Lockshin Bob

At a recent Jewish educators' conference, I was sitting with two other women and two men waiting for a session to begin.

An older man peered into the room.

"Is this the session on teaching Gemara?" he asked, looking confused.

We told him it was.

"Then why are there so many women here?"

A few women are currently teaching Gemara in high schools in the New York area, and a handful in other communities in the United States. Some people find it surprising that there are so few women in these positions; others are surprised that there are any at all. It is exciting for women to be in this new role; it is also interesting to see how the role of the high school Gemara teacher will change now that women are in it. As a woman teaching in high school, I found that while the challenges of my job were mostly what I had expected – a mix of classroom management, making learning exciting, and the overall constant challenge of rendering an ancient legal text written in two foreign languages comprehensible to American teenagers – I had not anticipated how different my role would be from that of male high school Gemara teachers.

During my first year teaching high school Gemara, I quickly discovered that I was not simply a Gemara-*rebbe* in a skirt. I had thought that the difference between me and a rabbi in the same role was simply a matter of semantics. After all, we had received similar training, and were performing the same teaching duties. But others did not see it that way. My students did not stand up the first time I walked into their classroom as they did when a rabbi walked in. Students who had no male *limmudei kodesh* teachers would complain that they had "no rabbis." Many of my colleagues addressed the male Gemara teachers as "rabbi" and the female Gemara teachers by our first names. Early in the year I told one of my students a story about a *dvar Torah* that I had given at a shul, and she commented that she was impressed that the shul allowed "regular people" like me to deliver *divrei Torah*. I realized that my students did not perceive me as similar to a rabbi, but as a regular person who knows a lot of Gemara.

Not only did my students not perceive me as a rabbi, but since I am female, young in years, and even younger in appearance, my students perceived little

difference between them and me at all. They were curious about my husband, and asked for stories from our courtship. Some even asked to hear stories about old boyfriends! While I made them memorize important concepts – for instance, every word that appeared a thousand times or more in the Gemara – they took it upon themselves to memorize every outfit of mine that appeared even once, and commented every time I wore something new.

“...I was
not simply a
Gemara-*rebbe*
in a skirt”

Though it certainly made me worry about what to wear, this perceived similarity between my students and me is probably every Gemara-*rebbe's* dream. I did not have a problem gaining the students' respect; respect based on a title may give rabbis a head start, but eventually students respect a teacher as much as he or she earns their respect. And pedagogically, I had the incredible advantage of accessibility; my students perceived me, a learned woman, as someone they could easily become. In class I would often playfully begin sentences with phrases like, "So when you become a Gemara teacher you can tell your students..." and they would smile. My ninth graders seemed confident that they could soon learn Gemara independently; when I started to learn *daf yomi* after the *siyyum hashas* last year, some of them tried it too, albeit briefly. If I could do it, why couldn't they?

I hope that sometime in the near future, women like men, will be granted formal recognition for their level of learning. But in the meantime, I am glad to have the opportunity to convey to my students the message that any "regular person" can learn Gemara well.

Back to the man who was surprised to see women Gemara teachers: it turned out that he taught Gemara in a co-ed high school. Unfortunately, his school is one of many institutions that teach girls Gemara but find the idea of a female Gemara teacher surprising and unappealing. I wonder when this short-sighted policy will end. When their top female students come back as learned

women seeking to teach Gemara, will the school have to say "we lied when we said that your Gemara learning mattered?"

Yet, the ultimate goals for women educators are unclear to many of us. One male Gemara teacher in a women's Torah institution once told me that his goal is to put himself out of a job – to have only women teaching women. But is that ideal? If women are taught only by women and men are taught only by men, will the Torah split into two traditions? On the other hand, do we aspire to have women teaching Gemara to boys as well? In co-educational settings it seems that having women be able to teach all subjects is a necessary step in making women equal partners in learning, but I don't know very many women teachers who would want to face a classroom full of high school boys. Is separate schooling really possible if we want to achieve equality? On the other hand, is a co-ed setting ideal for all teenage girls?

It seems that none of us knows exactly where we are headed in this adventure. Every goal we achieve makes us question what exactly our next goal should be. Maybe this sense of introspection – examining what it means to be a Gemara teacher, a Rabbi, or a woman – will benefit Jewish education; maybe not. Important as these questions are, they are never as important as the actual Torah that we are teaching. On a day-to-day basis my primary concern is teaching my students as effectively as possible, much more than worrying about my status as a female Gemara teacher. Teaching and learning as much as we can is one goal that we can all agree on, and is a constant struggle. While issues of title, salary, and respect are important, the *Sifrei* reminds us that those are ancillary to the main point:

לאהבה את ה' אלהיכם, שמא תאמר
הריני למד תורה בשביל שאעשיר בשביל
שאקרא רבי בשביל שאקבל שכר לעולם
הבא, תלמוד לומר לאהבה את ה'
אלהיכם, כל שאתם עושים לא תהו
עושים אלא מאהבה.

To love the Lord your God – lest you say, "I will learn Torah in order to become rich, in order to be called 'Rabbi,' in order to receive reward in the world to come." Scripture says *to love the Lord your God* – everything that you do should only be done out of love of God (*Sifrei Devarim Piska 41*).

Channa Lockshin Bob teaches Gemara and Halakha at Maayanot Yeshiva High School for Girls. She is a graduate of the Drisha Scholars Circle.

Kol Isha: A New Voice in the Courtroom

By Rivka Lubitch

I am a *to'enet* (female rabbinic advocate) in Israel. *To'anot* study for three intensive years to pass the six arduous exams required by the Beit Din in order to be licensed as a *to'enet*. After licensing, they may represent either a man or a woman in a divorce case in the rabbinical courts. During the last five years that I worked for *Yad L'Isha*, and now while working at The Center for Women's Justice, I have only represented *agunot* and women who have long been refused a divorce by a recalcitrant husband.

When approached by a prospective client, I try to detect from the initial phone call whether the woman is an *agunah* and if her case meets our organization's criteria. Then, I invite her into the office and conduct an extensive interview about her marriage, the crisis, her financial status, and her children. This usually takes at least two hours. I ask whether there has been a parallel or related court case initiated in the secular courts, and I request copies of all relevant documents, including protocols and decisions of prior secular and rabbinic proceedings, depositions from social workers, medical records, and police files regarding complaints of family violence.

Next, the woman and I review all her issues and complaints in an effort to determine which ones may serve as a basis for a rabbinic order against her husband requiring him to give a divorce. I also examine the evidence supporting her allegations. For example, if a woman

alleges domestic violence, I check to see whether she has filed a complaint with the police, and if not, if she is currently willing to file such a complaint. If she has witnesses to her complaints, I note who they are and try to determine whether they are willing to testify before a rabbinic court. I also check whether the husband has committed adultery and, if so, what kinds of proof the woman has, and whether she has the financial means to hire a detective to track the husband's movements for additional proof. I also inquire about other forms of undesirable behavior on the part of the husband, such as drug addiction, alcoholism, fits of rage, mental illness, and the use of various medications. Of course, we also discuss the couple's marital relationship.

On the basis of the woman's allegations, I try to build a case that would provide the basis for a forced divorce under Jewish law. I examine the *Shulhan Arukh*, other Jewish legal sources, and most particularly, the *Padarim* (a collection of earlier rabbinic court decisions). I also check for the latest decisions from the rabbinic high court, which are of great importance. Since there is no documentation of these decisions, it is crucial to maintain a good working relationship with other *to'anot*, who work in this field and can share decisions and information.

It is essential that women are fully advised about what rabbinic courts will rely on, in the context of divorce cases. For example, I once had a terribly abused client, who was in denial about her situation and insisted on representing herself in the rabbinic court. In presenting her case, she was unable to distinguish between relevant and irrelevant material. She thought that the *dayanim* (rabbinic court judges) would be impressed by the fact that her husband brought home humus that lacked the *haredi hechsher*. (This actually appeared in the court protocol she brought me!) It took me a long time to get her to understand that the *dayanim*, despite their *haredi* appearance, were not really concerned with this issue. It was, however, very important for them to know that the husband had been jailed twice for violence against her, that he had been hospitalized for mental illness before their marriage, and had withheld this information from her, and that he insisted that she "immerse" in the bathtub rather than in a *mikvah* before resuming sexual relations. After hearing these arguments, together with appropriate

documentation, the *dayanim* ordered the husband to give the woman a divorce. The humus issue was never raised again.

Preparation of a good argument by a *to'enet* is also critical and can save valuable time. A short time ago, I began working on a shocking case; an American woman made *aliyah* with her husband knowing no Hebrew (I served as translator for all sides in the hearings) and was in mortal danger from her husband. He was mentally ill and had repeatedly tried to kill her with a knife. While it was clear to me that this woman still loved her husband, I agreed to accept the case simply because I knew her life was in danger. I prepared a very strong argument for her case, which included veiled threats that if the husband refused to divorce her, she would show the court evidence of his criminal background in the U.S. and related jail-time. The husband was so stunned by the possibility of exposure that he gave a divorce at the first hearing (after lengthy negotiations over custody of the dog!). In this particular case, the *dayanim* immediately comprehended the threat posed by the husband. To their credit, they arranged the *get* on the same day.

As soon as a *to'enet* initiates divorce proceedings, she must immediately obtain a court order forbidding the husband from fleeing the country and leaving his wife an *agunah*. Currently, I am handling a case of a woman who has been refused a divorce for seven years. When the divorce proceedings began, she was represented by a very well-known lawyer, who forgot to apply for an injunction forbidding departure from the country. The husband left the country four years ago and is currently living in Thailand. When the woman came to me, I recommended that she not apply for such an injunction while her husband was abroad, lest he fear visiting Israel. A few weeks ago, he arrived in Israel for a visit, and we surprised him with an injunction which the *beit din* issued on the spot. At the moment, the husband is "stuck" in Israel, and there is a good chance that he will agree to a divorce if only in order to leave the country.

A *to'enet's* connections with the *beit din's* administration are also very important. There is a special department in the court that finances investigators trying to locate missing husbands. It is the job of the *to'enet* to request the court to appoint an investigator, to whom she then transmits all relevant information that might aid the search. During the search, she acts as a liaison between the woman and the investigator, exerting pressure when necessary to speed up the process, and representing the wife when

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TO'ANOT

In Israel, the profession of rabbinical court advocate is licensed by the Ministry of Justice in the same way as lawyers are licensed. The training program for women advocates was introduced by Rabbi Riskin of Ohr-Torah Stone in 1990, and the legal right to practice in the Israeli courts was won by Ohr-Torah Stone on appeal to the Israeli Supreme Court. There are about 80 licensed *to'anot* in Israel; approximately half of them work in the rabbinical courts. One *to'enet*, Rachel Levmore, was appointed in 2000 to work within the Directorate of the Israeli Rabbinical Courts to help resolve cases of *iggum*.

So far there is no similar training and licensing program in the United States.

Kol Isha

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the husband is finally located.

It is also essential for the *to'enet* to be familiar with the panel of *dayanim* before whom she must appear. She must consider the evidence and the manner in which it is presented in light of the specific *dayanim* assigned to the case. There are *dayanim* known to drag out cases over years without giving decisions. In such a situation it is better to press for a quick decision, whatever it may be, and then appeal the decision to the high court. Some *dayanim* will never order a husband to give a divorce, but they are sufficiently powerful that they will frighten the husband into giving a divorce without a court order. There are some who permit the *to'enet* to argue the case, and others who prefer to hear directly from the wife. There are *dayanim* who permit the *to'enet* to argue the case fully, others who cut her off before she completes the first sentence. Those who cut her off quickly are generally the same ones who have not bothered to read the material she has submitted in writing. With those cases, one must develop tactics to transmit material very concisely. It is best to be prepared for the worst case scenario: Do not expect the *dayanim* to have read anything you handed in or to listen to you for more than sixty seconds.

Preparing the woman for the court hearings is very important. It is particularly important that there be complete understanding between the *to'enet* and the client in case it is necessary to make any decisions quickly during the hearings. While I have never recommended that a woman cry in court, I do give a number of "friendly suggestions." Because one client, who has been denied a divorce for almost 20 years, often appears submissive and apathetic in court, I suggested on one occasion that

she "let go" a bit and express her feelings in order to show the *dayanim*, who were new to the case, how difficult things were for her. The woman ended up "letting go" far beyond what the *dayanim* regarded as appropriate. She exploded in a flood of words in which she warned the *dayanim* that if her daughter should carry out her threat and commit suicide, as she has threatened, her death would be on their heads. The *dayanim* saw this statement as a curse and announced that they would not forgive her for her words. This poor woman, victim of the helplessness or incompetence of the rabbinic court for 20 years, was forced to apologize to the court.

Despite the tremendous difficulties, I believe that women rabbinic advocates and others active in this area can effect a real revolution in the area of Jewish religious marriage and divorce. Particularly because *to'anot* are women, are Orthodox, and possess the relevant knowledge of Jewish law, they have four special strengths which I would like to touch upon:

Empathy. When women represent women, and when they do so in the framework of a support organization devoted to protecting those women, there is great empathy between the professional and her client. This empathy strengthens the rabbinic advocate in her work.

Marginality. The woman advocate is marginal to the Orthodox establishment by virtue of her gender. When one is not part of the "men's club" (which is particularly well developed in the rabbinic courts), not dependent on the establishment for a salary, and when the glass ceiling hovers so closely over one's head, one appears weak, but is in fact strengthened by this very marginality. Often female advocates do not fear the people in power precisely because as women, they have so little to lose. A female advocate cannot be a *dayan* or a community rabbi, nor will she ever stand to "*daven*

mincha" next to any one of the *dayanim*. Observing from the sidelines, she can more easily identify weaknesses, and can develop creative approaches to problems within the system.

Ideological consciousness. Many women who work in this field are extremely ideological. Some came to the studies with a declared feminist ideology, and their entrance into the profession was a deliberate step in advancing their goals. Ideology empowers the advocates and helps them take courageous steps against the Orthodox establishment.

Legitimacy to challenge accepted Jewish law. As opposed to other religious areas, in which there is no opportunity to challenge a ruling, in this area there is an obligation on the part of the advocate to argue with the *dayanim* and to challenge them whenever possible. The *dayanim* themselves affirm that an advocate fails in his/her work if s/he accepts a rabbinic ruling with a bowed head, without disputing it. This is obvious in a secular court, but there is an element of revolution and renewal when this occurs in a religious setting. The female advocate has an ethical obligation to constantly assemble all possible arguments and rulings in support of her position, and is trained to argue before the rabbis in a manner never before permitted to women.

In summary: *to'anot* have brought to the table a new critical vision which they will not compromise, refusing to waive either Jewish law or other elements of justice. Their insistence that there are reasonable *halakhic* solutions to protect Jewish women from *iggun* will be a decisive influence in the coming years, both on religious rulings and on the place of the courts in the religious and secular sphere. I am proud to be a *to'enet*.

Rivka Lubitch is a to'enet who worked for 5 years at Yad L'Isha, and is currently working at the Center for Women's Justice. She has an M.A. in Jewish History from Hebrew University.

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these books. But in this context, they are accompanied by the need to take the responsibility, define the question, and provide an answer. My computer screen is showing the *Yoatzot Halacha* website, which contains a great deal of useful and accessible information. The questions sent to the website are of a somewhat different nature from the ones received over the telephone. The questions appearing online are not urgent, and the total anonymity enables women to ask about the *halakhic* aspects of their most intimate situations. It is also a safe place to air and discuss frustrations and, sometimes, anger in response to these *halakhic* issues.

I use my telephone whenever I am in doubt. It is now 11:45 p.m., and I just called our supervising rabbi to get a ruling on a question about which I was unsure. And here comes a call from

Minnesota – an almost assimilated woman wishes to immerse before her wedding (to a Jew). How do you make *mikveh* an uplifting experience without emptying it of its *halakhic* meaning?

We started this shift at 6:00 p.m., when the house was chattering with children. Six hours and about 20 calls later, it is quiet and everybody is asleep. The shift ends.

Rachelle Sprecher Fraenkel of Nof Ayalon holds a B.A. in Biology from Bar Ilan University. She studied at Midreshet Lindenbaum and in the MaTaN Talmud Program before being accepted to Nishmat's Keren Ariel Yoatzot Halacha Program. In addition to her work on Nishmat's Golda Koschitzky Women's Halachic Hotline, she teaches Talmud at Hebrew University's "Chavruta" Program and Midreshet Lindenbaum and is part of the "Amitim" program at MaTaN.

Congregational Interns: What Does the Future Hold?

By Shayna B. Finman

Congregational Intern—an odd title if you think about it. Are these women preparing to become congregations? Rabbis? Are they preparing for any future at all? When I served as the intern at Congregation Ramath Orah in Manhattan, I was given many titles by my congregants—congregational intern, shul intern, Drisha intern, rabbinic intern, rabbi intern who is a girl (one of my personal favorites), and simply our intern, or Shayna, by those who were not comfortable with any title. The question of title may seem academic; however it underscores the larger question of what role these women serve and whether that role has a viable future.

To start with, it is important to understand what a congregational intern does. A female congregational intern has many of the same responsibilities as a male rabbinic intern. Just as rabbinic interns' duties vary from shul to shul, so do the duties of a congregational intern. These duties may include, teaching classes, giving sermons, organizing and running *shiva minyanim*, *bikur cholim*, answering *halakhic* questions, pastoral counseling, and there are also specific requirements for attending Shabbos and weekday services. In short, the position entails being part of the rabbinic staff of the *shul*. It may also include specific tasks like organizing women's *tefillah*, for which a male rabbinic intern may not normally be responsible, and trying to help create and sustain a general feeling of warmth, comfort and commitment amongst the women in the congregation. The addition of a female to the rabbinic staff creates a great role model for women and girls—seeing a woman in shul on time on a regular basis, teaching Torah and helping to coordinate the religious aspects of the synagogue may help to make female congregants feel more religiously invested, and impart a sense of ownership and responsibility for their own experience in shul that many women lack when they are “on the other side of the *mechitza*.”

To date, there have been seven congregational interns; one at Lincoln Square Synagogue, one at Congregation Ramath Orah, one at the Hebrew Institute of White Plains, and four at the Hebrew Institute of Riverdale. They have all been in shuls in New York. The first interns were hired in 1997, and most have served for one or two years. Currently there is one woman serving as

a congregational intern. Women who have fulfilled this role have usually spent numerous years studying Torah as adults. They have a desire to serve the Jewish community and give back some of what they have learned, and are attracted to the forum of the synagogue, which they feel allows for a much richer and oftentimes more complete experience of communal involvement than teaching in a school, another commonly accepted professional option for Torah-educated women. Some of them would become rabbis if ordination for Orthodox women were a possibility.

“...a great role-model for women and girls”

I think it likely that many women, in addition to those who have served as congregational interns, would be interested in working full-time in a rabbinic-like capacity in a synagogue, but have not been afforded the opportunity to do so. Part of the reason for this is financial. Rabbinical schools may help fund internships for their students; however educational institutions for women currently do not provide such funding. Synagogues, constantly balancing financial needs and constraints, may hesitate to commit the necessary funds to new initiatives not deemed integral and vital by the synagogue leadership. Another reason for the small number of Orthodox synagogues offering this position is the novelty of having a woman in this role. Many shuls do not want to be perceived as the forerunners on an issue still considered somewhat controversial.

However, you, as a member of your shul, have the power in your hands to help change this situation. If you would like to see a woman hired as a congregational intern in your synagogue, then speak to your rabbi and the shul leadership about it. If you are in a position to financially support the hiring of women as congregational interns then consider committing the funds to do so, both in your shul, and in other shuls that may be willing to consider the position.

Notwithstanding the availability of congregational internships, the question remains: what happens to these women after they have completed their intern-

ships? What then? Are there related long-term professional opportunities available to women within the Orthodox community? The Hebrew Institute of Riverdale has a *madricha ruchanit*, a permanent position which may be described as the female equivalent of an assistant rabbi. Barring that, there is not currently a clear career path for Orthodox women whose interests lie in this area. Nevertheless, the dearth of further professional options at present should not prevent us from hiring congregational interns. I would like to see synagogues across the country hire qualified women as congregational interns, because interning is a vital stepping-stone in the establishment of any career path. As more synagogues hire congregational interns, the Orthodox community will grow more accustomed to the idea that women can fill this role. As more synagogues hire congregational interns, more opportunities will be created for women who are now studying Torah, but are not sure what jobs are open to them. It is only by changing these two dynamics, the expectations of the community, and the expectations of female scholars, that we will change the reality on the ground, and create a viable career path for the abundance of talented Orthodox women who would like nothing more than to serve the Jewish people and have a voice in its leadership.

Shayna B. Finman is a graduate of the Drisha Scholars Circle and served as the first female intern of Congregation Ramath Orah in New York. Growing up she had the privilege of being a student of Rabbi Shlomo Carlebach, z”l. She currently works as JOFA’s programming coordinator.

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Women in Religious Leadership Today

By Rachel Keren

The striking change in our generation—that *Limmud Torah* (the learning of Torah) has become part of the lives of many women, began as a quest on a personal level, but has since become a broad social phenomenon. The ramifications of this change vastly exceed the achievements of one woman Torah scholar or another, and have had profound effects on Jewish religious leadership.

Now, we are facing the results of the process of change and pondering: Where is this process leading us? How should we define our expectations for the future? Will the results of this drastic change in women's Torah study result in an upper echelon of learned women who will develop a new agenda in their positions as mothers, educators, and community leaders? Will an entire dynasty of female *Talmidot Chachamim* evolve? What status will these new women scholars have?

A *Talmid Chacham* is defined as one whose Torah knowledge determines his status as arbiter, commentator, judge, and community leader. Will women scholars reach this capacity? The obvious answer to this question should be "Yes," for all in-depth, sincere Torah study leads its pupils to the level of *Talmidei Chachamim*. In theory, as women continue their pursuit of knowledge, society must accept that soon *Talmidot Chachamim* will be qualified to lead alongside male scholars. In the religious community, where leaders are chosen on the basis of Torah expertise, the eligibility of women scholars must be taken into account. The implications are of great magnitude!

However, do the religious communities presently take women's advanced Torah learning sufficiently into account? In this area, there is a need for a major change. While women are active in the religious life of their respective communities, those communities tend to limit them, and in many cases the women tend to limit themselves, to specific issues that are labeled as appropriate for their intervention. However, as the number of learned women increases, women will no longer be content to dabble in limited predefined issues. Study will lead to action, and the natural place for women to put their knowledge and

spiritual skills into practice is in the wider community. Moreover, it is clear that women scholars can enhance the spiritual and social lives of the members of their respective communities. Working together with local rabbis, the contribution of these women may help alleviate some of the confusion and chaos that plague young and old alike in today's modern world.

To achieve this, a major step must be taken. There is need for recognition that excellence in *Talmud Torah* leads its achievers, regardless of gender, to positions of *poskim* or *poskot* and religious leaders. That there is no *halakhic* prohibition against women being *poskot* or *morei halakha* (teachers of *halakha*) is clear. If a woman knows the right answer, she can answer questions of *halakha*. (For sources, see *Sefer Habimukh* (no.152), *Tosafot (Shavuot 29b)*, the *Hida (Birkhei Yosef to Hoshen Mishpat 7, para. 12)* and *Encyclopedia Talmudit Vol. 8, p. 494, esp. note 109*).

We have moved beyond the dispute about whether women are allowed to study or allowed to be *poskot*. Now we have to struggle for recognition and legitimacy, as one only becomes a true *posek* when recognized and accepted. Therefore, the voices of women scholars should be heard in our communities, not exclusively in their separate *batei midrash*. We must strive to develop an ongoing, open dialogue between women scholars and their respective communities, giving validity to the female voice in the Torah world. *Talmud Torah* of women will gain significance if this dialogue exists, and it will not achieve it if women remain in their own "corners." Communities can no longer rely on age-old habits, merely out of convenience or convention. The new voice of women scholars must be heard and incorporated into the foundations of a just and caring society promoting higher levels of spirituality and religious observance. Such innovative change is needed not only to satisfy the desire of the women ("*la'asot nachat ruach lanashim*") or to validate their study, but rather for the sake of our coping with the religious challenges that are of concern to all members of society, male and female.

Rachel Keren is a R"m (Rosh Metivta and Senior Lecturer) at *Midreshet Ein Hanatziv* and a member of the board of *Kolech*.

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A Time to Learn and a Time to Serve

By Ruth Zuria

It is early in the morning, and the two other girls are asleep. Seven girls in the same room.... I cannot turn on the light, so I put on my uniform and read the words of the *siddur* very slowly and quietly. When I finish, I leave the room and go to my office.

I am in army intelligence, so I cannot tell you what I really do... (then I'd have to kill you...) But I *can* tell you this—I attended a three-year program at Midreshet Lindenbaum in Jerusalem—one year in the *beit midrash*, and two years in IDF Intelligence.

This program is called Hadas (in English, “myrtle”). We were eight girls altogether in this program, and we called ourselves “*garin Hadas*,” (the word “*garin*” in Hebrew means both “group” and “seed,” a reference to the camaraderie and the growth that we experienced through the program). Together we learned Torah, Gemara and Judaism in the *midrasha*. Together we did our army training, together we served on the same base and together we obtained our discharge from the army.

It is a weird position to be in: a modern Orthodox woman in the I.D.F. The fact is that most religious girls in Israel do not go to army service. Most of my unit was not religious. Most of the religious people in the army are not female.

When we reached our army base for the first time, all the girls of the *garin* went to the synagogue. In the army synagogue, there were three seats in the *ezrat nashim* (ladies section). Three. But we, the *garin*, were eight girls. How were we supposed to pray there?

I asked my captain what to do. She told me to talk to the army rabbi. And so we did. We asked him to make the section larger. And so he did...after six months!

But not all was dark. Most of the time, the combination of serving in the army and being religious was an interesting one. My secular friends were interested in my way of life, my opinions and so on. With one very close friend of mine, an officer, I had a *havruta* (regular learning session), and during my army service we learned *Kobelet* (Ecclesiastes) together. For him, it was the first (but I hope not the last) encounter with traditional learning of the Tanakh. For me, it was a different point of view.

In general, when I look back at those three years, I feel very proud. The *midrasha* gave me a chance to get to know the world of the Torah better, and to strengthen the side of me that loves Judaism. And the army gave me a chance to learn more about the outside world, as well as a new side of myself. Those two qualities—*Torah* and *Avodah* (work) are what I believe are the stepping-stones to a tolerant and accessible Judaism. The courage to be exposed to new opinions, to know people with different lifestyles, to open myself up, and to bring to life the phrase from the book of Proverbs—“היא חיים וצדקה”—“[The Torah] is a living tree...”

Ruth Zuria completed her army service, and is now learning again at Midreshet Lindenbaum. Her mother, Anat Zuria, directed the movies “Tehora” and “Mekudeshet.”

The Hadas Program at Midreshet Lindenbaum was founded eight years ago by Rabbi Shlomo Riskin's Ohr Torah Stone institutions, and has been working in cooperation with the IDF in a *besder*-type program, designed specifically for religious girls who want to combine Torah study with military service. To date, about 300 girls have served in the program. There are currently 107 active participants in Hadas: 21 engaged in learning at Midreshet Lindenbaum and the remainder in various phases of army service. A significant number of soldiers are enrolled in officer training courses.

Until now, Hadas students have served in the Education Corps and in Intelligence. This month, for the first time, a group of young women enlisted in the top-secret General Security Services (*Shin Bet*).

After their year of study in the Midreshet Lindenbaum *beit midrash*, the students continue their learning with bi-weekly sessions on their bases, run by the director of the Hadas program, Rabbi Ohad Tehar Lev and other Lindenbaum teachers, discussing issues relating to religious observance and army service. After a year-and-a-half of army duty, they return to the *midrasha* for five additional months of learning, followed by their final five months of army service. Some of the participants then return to Midreshet Lindenbaum after discharge, to continue their studies. According to Tehar Lev, the army views these girls “as an elite group; they are very idealistic, very highly motivated and intensely committed.”

A similar program combining Torah study and military service, called Ma'ayan, is run by the *Midrasha* on Kibbutz Ein Hanatziv.



Hadas soldiers at Education Corps Graduation Ceremony



Hadas soldiers at Graduation Ceremony of non commissioned Officers Corps

Responses to the Agunah Issue

Revisiting the Agunah Problem

By Daniel Sperber

There has been a great deal of discussion in recent years over the *agunot* / recalcitrant husbands and wives issue. A number of solutions have been offered of late such as Rabbi Riskin's *hafka'at kiddushin*, Rabbi Aviad Hacohen's *kiddushei ta'ut*, the prenuptial agreement, etc. These have elicited vigorous opposition from a number of different quarters. Some of the arguments against the suggested solutions are of a primarily *halakhic*-technical nature, whereas others are of a more ideological meta-*halakhic* nature. One of the more putative arguments is that the use of these techniques will make the dissolution of marriage much easier, and may be used in an indiscriminate manner increasing the incidence of divorce, thus undermining the very institution of marriage, which constitutes the foundation and bedrock of the Jewish family unit.

It would, however, seem to me that the reverse is the case. More young couples are steering clear of rabbinic marriage, to avoid what an English writer a generation ago called "unholy wedlock". Alternatively, rabbis are resorting to unpalatable techniques, such as the use of disqualified witnesses. Hence the rejection of plausible solutions, far from protecting the institution of marriage, is eroding and undermining it. Throughout the generations, when the rabbis sensed that the *halakha* seemed to be working against itself, they most creatively found ways to rectify the situation.

This, for example, is precisely what happened in the time of Hillel (late first century B.C.E.). Biblical (and Rabbinic) laws determined that unpaid debts were to be cancelled at the end of the sabbatical year. Clearly, this was intended to help the impoverished from sinking into ever-deepening debt, from which they saw no escape. The sabbatical year was for them their only hope of recovery. But when Hillel saw that people were no longer giving out loans to the poor, precisely because the sabbatical year's cancellation-law obviated the creditor's chance of retrieving his money, he instituted the *prosbul*, a legal means by which this law was circumvented, thus allowing creditors to claim back their loans even after the sabbatical year.

Similarly, in the case of the medieval *heter iska*, a means

which permitted money-lenders to receive interest on loans granted to fellow Jews (usury). Here again, without such incentive people would desist from gratuitously lending out their money. So the biblical law forbidding usury was, in point of fact, waived aside for the sake of the poor who desperately needed to borrow for their livelihood.

And perhaps the most remarkable example of this phenomenon is that of the *heter mekhirah*, the permission to sell the (arable) land of *Eretz Yisrael* to avoid the strictures of the sabbatical year. For clearly the sabbatical year was originally instituted to strengthen the Jewish settlement of the land (*yishuv Eretz Yisrael*), socially, economically and agriculturally. However, when it became apparent that the Jewish settlement in Israel could not survive if the sabbatical year was kept with all its biblical and rabbinic restrictions and that, in point of fact, it would most likely bring about the economic collapse of the *yishuv* rather than strengthening it, a means was sought out to avoid such a situation, and the *heter mekhirah* was developed. Thus, paradoxically, by selling the land to a non-Jew, one was strengthening the Jewish settlement of the land.

We see then that whenever it became preeminently clear that a specific *halakhic* situation was threatening and endangering its own survival, the rabbis found an acceptable solution within the structure of Jewish law.

Let it not be thought that I am unaware of the difficulties in many details of the proposed suggestions to the *agunah* problem. I am fully aware of them, but equally I believe that a concerted effort on the part of rabbinic leadership can pave the way to ironing out these difficulties.

On the other hand, the outright rejection of legitimated and long attested and proven solutions to (some of) the *agunah* problems, is not bolstering the bastion of marriage, but undermining and eroding it in ever-widening circles. Let us then act with the same judicious understanding as did our rabbinic masters of old. Let us dignify Jewish law rather than abasing it in the eyes of many. Let us draw in our fellow Jews rather than drive them away. And in this way we will be able to show the beauty, humanity and compassion of the *halakha*.

Daniel Sperber is the Milan Roven Professor of Talmudic Research at Bar-Ilan University and Rabbi of the Menachem Zion Synagogue in the Old City of Jerusalem

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This groundbreaking documentary chronicles the struggle of three Israeli women to obtain a *Get*. The *agunah*, the wife trapped in a dead marriage, is one of the most painful challenges facing the Jewish community.

PRESENTATION BY AGUNAH ACTIVISTS FOLLOWS SCREENING:

Michelle Greenberg-Kobrin is Dean of Students at Columbia Law School. She has published and lectured extensively on the issue of *agunot*.

Josh Ross is one of the founders of ORA, established by Yeshiva University undergraduate students to help resolve difficult Jewish divorce cases.

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Dear Editor,

Thank you for your wonderful issue on *iggun*. The amount of space you gave to the subject indicates how important you think it is.

Invariably, the issue turns to how many *agunot* exist. We seem to be a generation moved by the numbers of the suffering rather than *rachamim* towards each person. Those of us working and advocating in this area have endeavored to find statistics but they are hard to attain because of the lack of definition of what constitutes *iggun* today. (Is it the classic definition of disappearance? *get*-refusal with or without extortion? or “negotiations are taking place” but for how long?) The number of *agunot* should not be an issue: it is too callous an approach. Rather we need to see the suffering of each woman as something which needs to be alleviated. If one suffers from a rare disease or cannot have a child, we do not play the numbers game. We want to find a solution, we work towards one, we pray.

If we do not want to see *halakha* corrupted by individual solutions which undermine both Orthodoxy and the *halakha* of Jewish marriage, it is incumbent on each of us to ask our respected rabbis and *dayanim* to solve this inhuman problem. We ask, from each of you, your sympathy for these poor women and their children, and we seek your help.

Batya S. Levin
 Chair, JOFA's *Agunah* Task Force

Dear Editor,

My husband and I always read and enjoy the JOFA Journal. But your recent expanded issue is particularly worthwhile. We enjoyed the contents tremendously. Rabbi Riskin's proposal, if anything comes of it, could represent a real breakthrough. And Susan Aranoff's discussion of the Rackman Beit Din told a lot. Long after the pygmies who try to diminish his work are forgotten, Rabbi Rackman will be remembered for his great contribution to freeing chained women. Congratulations on the whole issue.

Shirley Feldstein
 Teaneck, New Jersey

Dear Editor,

Thank you for the issue on the problem of *agunot* and possible solutions. My husband has refused to give me a *get* for several years and I am waiting for a decision from the Beit Din. *Agunot* have to do many things just to keep going and keep their sanity. I have done many things including writing this poem to express my feelings at this difficult time. I think it will resonate with other women in a similar situation. All of us pray that the rabbis take our situation seriously and work to free us.

Anonymous
 Israel

Choosing Life

*When a woman decides that she wants a divorce,
 she opens a case in the Beit Din.
 When her husband respects her right to choose,
 the process is a familiar scene.
 But when the husband believes that the wife does not have the right to choose,
 He'll do what he can to withhold the "get";
 his style of control is not news.*

*And what is the woman to do when the Dayanim don't help her get free?
 Why is emotional abuse so hard for those wise Rabbis to clearly see?
 Some men will eventually give their wives a "get",
 after many years,
 But the price the wife must pay is huge—
 in money, or kids, and tears.
 So what's the woman to do while she is waiting to finally be free?
 It's up to her to empower herself,
 and to take responsibility.
 She doesn't have to wait passively until she's no longer his wife;
 Right now is the time to move forward and grow,
 and to build herself a new life!*

Dear Editor,

The articulation “*Kol ha-Mattir Agunah Ahat ke-Illu Banah Ahat mi-Hurvot Yerushalayim ha-Elyona*” [Whoever frees one *agunah* it is as though he built one of the ruins of supernal Jerusalem] is first mentioned in a question concerning an *agunah* that was posed to Rabbi Joel Sirkes (1561-1640)- the Bach. Later codifiers utilized this concept as a rationale for their willingness to deal with the issue of *agunot*. This was in contrast to the reluctance that was evident amongst various *poskim*, who preferred to refrain from ruling in cases of *agunot*, due to the fear that the *psak* might possibly be incorrect in the future. The notion that “Whoever frees one *agunah* it is as though he built one of the ruins of supernal Jerusalem,” appears in a variety of sources and in diverse contexts. My recently published article (Hebrew), which appeared in *Dine Israel* (Studies in Halakha and Jewish Law) Vol. 23 (2005), pp.163-197, traces this articulation in detail.

Yael Levine
 Jerusalem

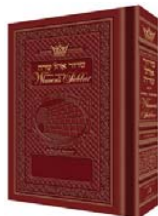
...continued on page 23

This issue's Book Corner is being devoted to the review of two books related to prayers for women.
—Jennifer Stern Breger, Editor.

Ohel Sarah: Women's Siddur

Mesorah Publications, New York, 2005 various formats and prices

There is a long tradition of women's *siddurim*. Traditionally, a bride received a *siddur* as a wedding present; in Ashkenazi communities this was often called a *shivlonos siddur*. These *siddurim* were sometimes bound in silver or mother of pearl. One *siddur* in Eastern Europe known as a *Korban Minchah Siddur* was probably first published around 1724 and has been republished many times since. Now we have a new woman's *siddur*, issued by Art Scroll, presented as a "*Korban Minchah Siddur*" available in a choice of fancy bindings.



What does it have to offer? As is traditional in women's *siddurim*, it includes *tehillim* and a collection of *tekhinot* (devotions known in Yiddish as *tkhines*) and prayers in Hebrew with English translation. These are mainly for marriage, childbirth and childrearing, as well as prayers to be said when visiting the *Kotel* and other Holy Sites, and prayers to be recited at a cemetery. These clearly do not cover every occasion for which a woman may want to turn to a personal devotion or supplication, but these are the traditional categories and their inclusion does serve to connect the user of the *siddur* with women of past generations. The *siddur* includes both the *beracha* for separating *challa* and the laws relating to this commandment as well as the laws of candle lighting. The *siddur* contains guidelines about what prayers to say when time is short, how to catch up when one comes into shul late (the *siddur* states firmly that women are generally not obligated to go to shul and the assumption is that when they do go they will be late and "will therefore need to decide which prayers to recite"), and a list of *halakbic* sources. In a section of the general guidelines on "Proper Attire," women are told to wear socks or stockings as well as shoes or sandals when *davening*.

There are precise instructions throughout for what to say and how to say it. In particular there are notes that tend to give reasons why women are not obligated in saying particular prayers. In general the *siddur* takes the mother of young children as the norm, and the stress is on the least that a woman can get away with. Not only does the note for *ma'ariv* say, "For women, *Maariv* is an optional service. If you choose to say *Maariv*, it would be best to precede its recitation with the words "*bli neder*" without a commitment, to indicate that you are not accepting its recitation as an ongoing obligation," and the note for *Hallel* says, "Though women are generally not obligated to recite *Hallel*, you may recite it, with its blessing if you wish," but for the *Shema* it says, "Women are not obligated to recite the *Shema*, but it is proper for women to recite at least the first verse or two. Saying the rest is commendable if you have time." While it concedes that women have a special connection to the *Shmonei Esrei* because of Hannah, it does not quote the *mishna* that says clearly that women are obligated in *tefillah*—i.e. the *amidah*—rather saying that it is considered highest priority at

Shaharit and *Minchah* when family obligations allow. It is commendable that at the top of each *Shmonei Esrei*, the notes refer you to a discussion in the *siddur*, "If your children need your attention, see p xl" explaining what you can do to minimize the interruption in the recitation, but this should be in the general Art Scroll *siddur* as well—surely a man's children may also need attention at a difficult moment. Every time Mourners *Kaddish* appears, rather than saying that there are different opinions, the notes say clearly, "Although reciting *Kaddish* is a comfort for the soul of the departed, even silent recitation by a woman is generally frowned upon." For *Birkat Hamazon*, the notes say, "The accepted custom is for a woman never to lead *zimmun* even if only women are present." In the text of *Birkat Hagomel*, the note says, "according to the prevalent custom, a woman does not say the *Bircas Hagomel*," and in the background note, "The primary reason given for women not saying *Bircas Hagomel* is that it is immodest for women to take any part in a *mitzvah* that is typically performed in public." Although there is a note at the beginning that says some of the prayers appearing in the *siddur* are not recited by women, but are included, "for the convenience of those following the prayers in shul," when it comes to *Tachanun* (the group of penitential prayers recited in the morning service on Mondays and Thursdays), it is not even included in the *siddur*, and there is a note saying, "Consistent with the accepted custom, you should not say *Tachanun*", rather than including it and saying that it is questionable whether women are obligated to say it. Regarding *kiddush*, the *siddur* acknowledges the obligation of women in *kiddush* and states, "While most women generally fulfill this *mitzvah* by hearing someone else recite *Kiddush*, a woman may also recite it herself." Regarding *havdalah* it states, "It is preferable for a woman to hear *havdalah* from a man rather than make her own *havdalah*." There is no mention of whether a woman can include a man in the performance of one of these *mitzvot*. In the section on Succot, the notes say, "In many communities, the women join the men of their family in the *succah* for Festival meals."

In general, the *siddur* ignores positions (many of them very mainstream) that run counter to the editors' own positions and viewpoints. There is a range of *halakbicaly* acceptable positions on many aspects of *tefillah*, but the editors do not include them. For example, the *Arukh Hashulchan* wrote that "it is difficult to explain why women are not particular to pray three times a day" and Rav Soloveitchik considered that women have an obligation of *tefillah* three times a day. The *Shulchan Arukh* stated that women eating together may form their own *zimmun*, and authorities such as the Vilna Gaon and R Shlomo Zalman Auerbach ruled that it was obligatory to do so. Similarly, the editors of this *siddur* do not include the comment of the *Mishnah Brurah* explaining the exemption of women from *zimmun* in the absence of three men, by saying that women were not educated enough to recite it (this excuse is surely not valid for day school graduates and others today). As regards saying *kaddish*, there are many authorities who consider that women can do so. Rav Soloveitchik ruled that a woman, even if she is the only woman present, may say *kaddish* in a synagogue. In a responsum, Rav Moshe Feinstein mentions that "in every generation it has been customary that sometimes ... a woman who is a mourner will come to shul to say *kaddish*". None of these views are presented in *Ohel Sarah*.

Also missing in the *siddur* are the views of women. What

would make this into a woman's *siddur* for today would be the inclusion of the thoughts, feelings, views and commentary of religious women. Women *daven* both to fulfill *halakha* and to achieve a closer relationship to the Almighty, and a better expression of this duality would have added greatly to the *siddur*. Certainly the recent *haggadah* of Joel Wolowelsky ("Women at the Seder") which includes not only laws and traditions relating to women and the *seder*, but also *divrei Torah* and comments written by women, makes the *haggadah* text more meaningful to the female reader. There are also historical *piyyutim* that include or stress the role of women and their inclusion would have been welcome in a *siddur* directed at women.

What is most disappointing about this *siddur* is that it is so minimalist. The message of the notes is: how little can a woman get away with in *davening*? One does not deny that women, according to *halakha*, do not have the same obligations in prayer as men. Nor does one deny that there is something very genuine and authentic about the Jewish woman of former times crying over her

tkhines. This does not mean that there is anything not genuine or inauthentic about an Orthodox woman today (of whatever age, single, married, widowed or divorced, with children or without, whether possessing a good Jewish education, or a recent *ba'alat teshuva*), participating in *tefillah* to the fullest extent possible and striving to make that participation her "service of the heart."

Some might say that this *siddur* is not targeted at modern Orthodox women and therefore it is pointless to criticize it. However, the problem is that Art Scroll markets itself heavily in the Modern Orthodox world and because of both marketing and presentation, their *siddurim* are used very widely by the Modern Orthodox. It is already being produced in twelve editions, including Sephardic and Ashkenazi, regular and pocket-size and in three different colors, but while it is attractive and is in the tradition of women's prayer books of old, that does not make it the "perfect gift for the contemporary Bat Mitzvah, Kallah, Graduate etc." as the promotions suggest. What is needed today is the creation of *siddurim* that are sensitive to the spiritual needs of both men and women including, for example both a prayer for an individual *agunah* to recite and a congregational prayer or *mi-she berach* for *agunot* in general. Such a *siddur* would enhance the *davening* of women today.

Letters ...continued from page 21

Dear Editor,

The latest JOFA Journal was very impressive. The number of articles, the intelligent level on which they were written, the various topics covered within what we call "the *agunah* problem" all did very well to serve our purpose of "educating the layman as well as the rabbinat." I believe that JOFA succeeded in demonstrating that the problem is not a monolith, but is complex and many-sided; thus it can be approached for resolution in various angles.

You did an excellent job. Thank you for asking me to contribute and for printing the *agunah* story I sent. I hope it will help to get her a *get*.

Rachel Levmore
Jerusalem

Dear Editor,

I cannot agree with you more about the need for community involvement. Perhaps if the women's organizations, i.e., AMIT and Emunah, got involved to some degree and put pressure on the Rabbis we would see some progress. It is true that these organizations have their own agendas, but they also have a lot of power and ability to raise vital issues and concerns facing the Jewish community.

Arlene Moriber
Queens, New York

Around the Family Table: Songs and Prayers for the Jewish Home

With Insights and Commentary by Rabbi Shlomo Riskin

Urim Publications 2005

\$18.00 (hardcover) \$9.95 (paperback)

This small volume should prove extremely valuable to the modern Orthodox family. It contains *kiddush*, *zemirot* and *birkat hamazon*, but goes way beyond the standard *bentcher*, including texts for *Yom Ha'atzma'ut* (Israel's Independence Day) meals, a dedication of a new house and a *Tu be'shvat Seder*. It contains the additional symbolic foods for Rosh Hashanah, and concludes with popular "songs of Israel Reborn." Rabbi Riskin has also carefully looked for precedents in Jewish tradition and sources to be sensitive to modern sensibilities. In particular, for *zimmun* in *birkat hamazon*, Rabbi Riskin notes straightforwardly, "When three or more males or three or more females are reciting *Birkat Hamazon* together, one



invites the others to join in praise of God in a special introductory blessing," and he adds "(When three or more females eat together, the Vilna Gaon rules that they are obliged to recite this *zimmun* while other authorities rule that it is voluntary.)" The *harachamon* blessing for a married woman uses the term, "*ishi*" to refer to the husband paralleling "*ishti*" for a husband to say and not "*ba'ali*" which has the connotation of 'master'.

Not only does the volume discuss a *Shalom Zachor* celebration on the first Shabbat after the birth of a boy, but Rabbi Riskin proposes a *Shalom Bat* for girls and says that the reason for the *Shalom Zachor* is not only the idea of protecting the boy in the dangerous period before circumcision, but also that it is a celebration to thank God for the good health of the mother after childbirth. He also says that one can consider the *Shalom Zachor* as an expression of mourning for the amount of Torah the baby lost at the moment of birth (according to the legend that an angel teaches every fetus the whole torah, but then kisses the baby above the lips before birth so that everything is forgotten and will have to be relearned), and that this clearly also applies to girls. As well as including a text for the ceremonies of *Brit* and *Pidyon Haben*, Rabbi Riskin also includes a text for a *Simchat Bat* based on the traditional Spanish-Portuguese ceremony of *Zeved Habat*. Many parents like the flexibility to create their own individual ceremony for a *Simchat Bat*, but other families will welcome the inclusion of a text that has verses from *Shir Hashirim*, *berachot*, a *mishaberach*, and *Eshet Chayil*.

Rabbi Riskin includes a wedding ceremony with full notes of explanation. When discussing the *hatan's tisch* (bridegroom's table), he adds, "In many instances there is now a *Kallah's tisch* or *Shulhan Kallah* for the bride, her close family and friends in an adjoining room." He also acknowledges that a bride might want to give her groom a ring as a gift of her love under the *chuppah*, and suggests it be done in the '*nissuin*' part of the ceremony and offers possible verses for her to say at this point. Rabbi Riskin's text for the *Ushpizin* ceremony on Succot notes that there are those who greet female biblical guests as well as males and includes Sarah, Rivkah, Leah and Rachel, Miriam, Devorah and Ruth, each one being greeted individually with the male guest on successive nights.

The Hebrew title of this book is *Si'ach Hashulhan*—Table Talk or Table Conversation and indeed it provides much insight and information to stimulate further discussion at the table on Shabbat and other occasions.

Mission Statement of the Jewish Orthodox Feminist Alliance

The Alliance's mission is to expand the spiritual, ritual, intellectual, and political opportunities for women within the framework of *halakha*. We advocate meaningful participation and equality for women in family life, synagogues, houses of learning, and Jewish communal organizations to the full extent possible within *halakha*. Our commitment is rooted in the belief that fulfilling this mission will enrich and uplift individual and communal life for all Jews.

COUNT ME IN! I want to support JOFA's work and have an opportunity to be part of a community striving to expand meaningful participation for women in Jewish life.

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