

FROM OUR PRESIDENT

WALLS AND MEHITZOT: A BIG DIFFERENCE

By Bat Sheva Marcus

*Something there is that doesn't love a wall,
That sends the frozen-ground-swell under it,
And spills the upper boulders in the sun,
And makes gaps even two can pass abreast.*

In Robert Frost's "Mending Wall," the poet complains about the need for a wall between himself and his neighbor. Walls, he notes, come in two kinds. Some are useful, protecting crops and preserving relationships. But others are needless, and Frost notes that nature itself resists these unwelcome barriers. Over time, the cold and the earth seek to set things right, creating cracks and holes and ultimately bringing walls down.

Some of you may be aware of the current controversy surrounding the wall, or glass ceiling, that limits women serving in clergy roles. Much to our delight, many of these walls have been slowly eroding. Cracks and crevices have materialized, both here in the United States and in Israel. And wherever an opening appeared, bright, committed, and learned women have stepped into the space. Unfortunately, not everyone is happy with the erosion of these walls. And recently there have been more and stronger attempts to rebuild the wall, putting up new



stumbling blocks in the path of these women.

This is not a new controversy. For decades, women have been achieving ever higher levels of learning, religious commitment, and mastery of rabbinic roles that had long been the sole purview of men. But for the past fifteen years, these women have had to step over stones and contort themselves to fit through the crevices that have made this possible. They have used never-heard-before titles—or have used no title at all. They have struggled to create their own educational programs, to carve out employment opportunities, and to describe their jobs in paragraphs when a single word like “rabbi,” “*ram*” (*rosh metivta*), or “*posek*” would have sufficed. But they kept marching forward, and the walls that kept women out of Jewish leadership have slowly but surely crumbled.

In Israel and in the United States, these openings, and the reactions they have inspired, have diverged. In a recent article in the journal *Tradition*, Dr. Rachel Levmore recounts how women became fully integrated as *toaniyyot rabbaniyyot*—rabbinic advocates—in the highest rabbinical courts. The “serious, professional work and attitude” of these women, Dr. Levmore writes, “enabled their appearances in the Beit Din to become part of the rabbinic landscape.” Women received certification from the Chief Rabbinate to do this work, and the practice

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Why Mehitzot Matter

By Blu Greenberg

Item: A Modern Orthodox community in Queens, New York, celebrating an *aufruf*, holds Shabbat services in the social hall of the local yeshiva. The opaque *mehitzah* separating front from back is hung ceiling to floor, completely blocking sightlines. The rabbi, much beloved by his community, delivers his sermon in a voice inaudible to the women. He must be aware of this, because when he praises the groom's mother, a pillar of the community, he raises his voice so all can hear. I have the urge to call out, “*Heicher, heicher*” (“higher, higher”) using the traditional cry of hard-of-hearing *shul*-goers, but as a first-time guest, I

mind my manners. After *davening*, I hear clusters of women complain that they could not hear the rabbi—and that he often does this. I am taken aback. Why did they not protest, call out?

Item: My flight is delayed and lands in Tel Aviv on a Friday afternoon, twenty minutes before candle lighting. I call my children in Ra'anana to say I won't make it, leave my luggage at the airport, and check into a hotel nearby. On Shabbat morning, the concierge directs me to the closest synagogue, and I make my way up to the *ezrat nashim*. The lights are off, the place is dusty, and a few chairs are overturned. Prayer books open on the ledges are *mahzorim* from Yom Kippur—and this is February. More surprising, a bar mitzvah is taking place below, yet I am the sole resident of the *ezrat nashim*. The mother

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swiftly migrated into the *hareidi* world as well. Israeli society became accustomed to seeing women performing rabbinic functions, and when a small number of women received formal ordination, “the matter was passed over and did not engender any controversy.”

In the United States, where rabbinic practice and the struggle for greater women’s involvement center on our *shuls* rather than our courts, there have also been advances. More women are teaching and speaking publicly and answering questions of *halakhah*. But U.S. rabbis function not only as *darshanim* and *poskim*, but also as spiritual guides who visit the sick, comfort the bereaved, and help congregants in crises find the strength and resources they need. No one has ever argued that those tasks were inappropriate for women, and for years, heroic *rebbeztins* have handled many of these roles with no pay and little acknowledgment. It is somewhat ironic, then, that opposition to women in the rabbinate appears to be so much more fierce here than in Israel.

The crevices continue to open, however, and more and more women are stepping into the role of clergy *de facto*, if not *de jure*. On both sides of the Atlantic, the position of *yoetzet halakhah*, halakhic advisor on issues of *niddah*, has caught on and become mainstream. More women are observing *halakhah* because of the *yoatzot*, and more women are learning Torah and embracing lives of religious service and leadership as they become *yoatzot*. These women counsel women in need and answer *she’eilot* (questions of religious law). And despite the verbal gymnastics invoked to pretend that a wall exists where it has already come down, these women are making halakhic rulings.

As the poem continues, Frost insists that it not enough to invoke platitudes to explain our walls; we must always

ask and justify why our barriers exist:

Before I built a wall I’d ask to know
What I was walling in or walling out,
And to whom I was like to give offense.

Those are the hard questions that need to be presented to our critics, to those who are constantly rebuilding an unnecessary wall aimed solely at keeping women out. And for no good reason.

This issue of the *JOFA Journal* talks about a very different type of wall—a *mehitzah*, the divider within our *shuls* that separates men from women. For many of us, an appropriate *mehitzah* plays an important role. It preserves a certain atmosphere and creates a single-gender space that can be empowering. As Frost acknowledges, there are indeed some walls that are valuable and purposeful. Those walls are respected and maintained. These are the walls that serve a function, neither offending nor excluding, and these walls must remain untouched, if not unchallenged. But, like Frost’s unrelenting neighbor who builds a wall only because it was his father’s or because he can’t imagine a world without such barriers, walls should give us pause:

In each hand, like an old-stone savage armed.
He moves in darkness as it seems to me,
Not of woods only and the shade of trees.
He will not go behind his father’s saying,
And he likes having thought of it so well
He says again, “Good fences make good neighbors.”

In some cases, perhaps. But when it comes to women in leadership roles, “Something there is that doesn’t love a wall.”

Why Mehitzot Matter

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and a throng of female relatives arrive after services, bringing bourekas.

Item: I am at a Jewish renewal retreat with my husband. The group’s organizers have decided that there should be a variety of *minyanim* to choose from, but eliminate the Orthodox *minyan* on grounds of sexism. The few Orthodox Jews present, mostly men, protest. I do too. Our *minyan* is reinstated, and I join it, even though a women’s service run by liberal women is offered simultaneously. No one is going to take my Orthodox *minyan* away from me. My feminist sisters are surprised.

Item: Every summer for the past few decades, we have *davened* at a Chabad *shul* in Aspen, Colorado. The new building is magnificent—large windows and light wood everywhere. We praise God looking out on the beautiful scenery of mountains, trees, and sunlight. For the past many years, the *mehitzah* separating the two sides has been potted plants—a divider that feels inclusive. The rabbi often invites his Hasidic colleagues for Shabbat, and nothing is changed for them by the manifest presence

of women. I have concluded that this is what a Hasidic, yeshivish, *hareidi mehitza* could look like.

What Is the Future of the Ezrat Nashim?

The *ezrat nashim*, an ancient yet modern feature of traditional Judaism, makes a clear statement about women’s place in communal prayer—marginal and at the periphery. At this time in human history, when “separate but equal” has been challenged in the broader culture as retrogressive, when internally so many aspects of Orthodox women’s lives have come under the microscope and so much has changed, it is surprising that the *ezrat nashim/mehitzah* configuration has escaped the feminist gaze.

A specific *mehitzah* might arouse debate in local communities—but a broad critique? To my knowledge, *mehitzah* is not now, and has never been, an agenda item of any Orthodox women’s organization.¹ None of the

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¹ Hats off to the Yeshiva University Museum staff for their recent exhibition on the *Ezrat Nashim*.

new partnership *minyanim* seeking to increase inclusivity have questioned traditional *mehitzah* seating. Recently, the Orthodox cohort of the Women of the Wall rejected the compromise offer of new space at the Western Wall because it was not the “real” Kotel and because, in consideration of the liberal denominations, the proffered space included no standing *mehitzah*, only an ad hoc one. This was too high a bar for women who had heretofore prayed exclusively in designated women’s spaces.

The paradox is this: Objectively, the *ezrat nashim* can be catalogued as inferior to men’s space, with second-class status accruing to its inhabitants. Outsiders view *mehitzah* as demeaning to women. Yet insiders accept it, often with great equanimity, and even relief. This includes those who enter the community from a modern social reality and fall in without a complaint. In a JOFA survey of women-friendly *shuls*, one respondent from a *shul* with many *ba’alei teshuvah* wrote, “Our *shul* is full of people who are surprised to see themselves in a *shul* with a *mehitzah*, and even more surprised that they like it.” In fact, I must admit that when sight and hearing lines and comfort levels are satisfactory, I rather like it myself—a proud feminist feeling a surprising tinge of pleasure, as I make my way to the back or side or even upstairs to the women’s section. At the very least, *mehitzah* is the price we willingly pay to remain part of the community we love.

Still, in Queens, the women fumed. Why did they and their Barnard-educated daughters not protest? Were their husbands aware yet failed to speak out? Would I have called out “Heicher” in my own *shul*?

Other questions: Where are we headed with the surprising inconsistency of wanting both women rabbis and *mehitzot*? Does the *ezrat nashim* serve a function in Jewish communal life? What mysteries of gender does *mehitzah* unlock? Why do I want to defend it even as I critique it?

Mehitzah’s Staying Power: Some Tentative Answers

Fidelity to tradition and *halakhah* play the largest role. The *ezrat nashim* was a feature of the Holy Temple in Jerusalem for *Simhat Beit Hasho’eivah* and was universally maintained in Jewish communities throughout pre-modern times. Thus, it yields both a sense of continuity and the deep satisfaction that come from observing *halakhah*.

Mehitzah was not always the sine qua non that it has become in American Orthodoxy. In the first half of the twentieth century, many Orthodox *shuls*, especially in the South and West, had mixed seating. However, at mid-century, as denominational lines hardened and more *hareidi* Jews arrived on these shores, *mehitzah* became a more stringent requirement. In the 1950s, Rabbi J.B. Soloveitchik ruled that it was better to stay at home and miss the Rosh Hashanah *shofar* blowing than to *daven* in a mixed-seating congregation, because the fulfillment of the *mitzvah* of *shofar* would be as invalid as the service. The Orthodox Union (OU) directed its member *shuls* to

install *mehitzot* within three years or be expelled. Today, the three-year window no longer exists.

At a personal level, *mehitzah* has also become an identity badge of sorts—a shorthand summary of how we live our daily Jewish lives, of which our time in *shul* is but a small part.

There is also a powerful convergence in the *mehitzah* of *halakhah*, politics, and communal identity that goes beyond one’s ritual practice. Incongruously, a person can be halakhically meticulous and belong to a liberal congregation that lacks a *mehitzah* and another can be a nonobservant member of an Orthodox *shul* with a *mehitzah*, and each will carry his or her synagogue’s denomination label.

Another factor in the staying power of *mehitzah* is the great range and variety of structures, from potted plants to women-are-taboo floor-to-ceiling dividers. One can often (but not always) find a community with an *ezrat nashim* that meets one’s needs. Just as the *eruv* is a fact to check before moving to a new community, so is the *ezrat nashim*.

This range of *mehitzot* suggests two things: a flexibility in interpreting the law and the extent to which community sensibilities play a role in the process. As Orthodoxy was expanding to the suburbs in the mid-twentieth century, Rabbi Soloveitchik was brought to these communities to determine *mehitzah* height; he was known to give differing responses depending on the community’s character. Within individual *shuls* today, the *mehitzah* has been raised or lowered (mostly raised) as neighborhoods and rabbis change. Recently, a *shul* in Modi’in installed a one-way glass wall *mehitzah* to enable the women to feel more central to the services. Rabbinic authorities were consulted, but the entire project was community-driven.

The *ezrat nashim* reflects and enables the halakhic distinctions between men and women in prayer obligation. Women’s exemption from time-bound commandments is a complex, scholarly matter, but the widely held popular view is that women have little responsibility for communal prayer at set times. This conviction holds true even when it flies in the face of halakhic sources: Women are obligated in Shabbat morning prayers and Torah reading, but are exempt from *mussaf*, the additional Sabbath prayer.² Yet the majority of Orthodox women do exactly the opposite—they arrive during or at the end of Torah reading and diligently recite *mussaf*, a tradition of sorts.

Without an *ezrat nashim*, a woman arriving an hour after her husband would have to scramble to find a seat alongside him or, awkwardly, sit next to someone else’s husband while her own sits a few rows ahead. In non-

² Maimonides ruled that women have a Torah obligation to pray daily, as the fixed prayer is not a time-bound commandment. Despite formal segments of the day set aside for each prayer, *tefillah* is an all-encompassing requirement to pray every day, all day. Thus, women are no more exempt from daily fixed prayer than are men (*Mishneh Torah, Sefer Ahavah, Hilkhot Tefillah*, Ch. 1, H 1-2). Fixed prayer includes the Shabbat morning *Amidah*. However, women are exempt from *mussaf* because of its time-bound nature, as it is recited only at specific times and occasions. Others disagreed with this reasoning.

Orthodox synagogues, families arrive together; in most Orthodox *shuls*, husbands precede their wives, who are home readying the children or preparing Shabbat lunch or simply setting out at the hour that generations of women before them set out. The *ezrat nashim* fits this model of two-tiered, gender-differentiated prayer obligation unique to Orthodoxy.

When a dignified *ezrat nashim* becomes standard operating procedure in Orthodox *shuls*, we will have gone far to separate it from being a vehicle of marginalization.

Thus, it could be said that the *ezrat nashim* serves another important function: It brings women to *shul*, and to prayer—in numbers smaller than men, but significant nevertheless. As with many other curiosities of life, *mehitzah* gives dual messages: inviting and disinviting, welcoming and off-putting. Yet without it, many Orthodox women would have no prayer experience at all.

Sociability and Gender-Bonding Factors

Still, there must be more to explain the staying power of the *ezrat nashim*. I believe there are additional satisfactions and compensations beyond fidelity to law and social conditioning that explain why *mehitzah* has escaped the accusation of sexism and will not find a place on the Orthodox Jewish feminist agenda any time soon.

First is the sociability element: People come to the *beit kneset* (literally, the gathering place) to pray and to see their friends. An Orthodox *shul* is a highly active social experience. Rav Soloveitchik wrote compellingly about *mehitzah* prayer as a framework for being alone with God rather than as part of a family unit. Yet it is easy to observe that another function operates simultaneously: Orthodox *shuls* pulse with life in extra-familial, cross-generational friendships, largely as a result of nonfamily seating.

Proof of that sociability is its downside—noise. There is simply more chatter in an Orthodox *shul* than in other liturgical settings. This can disrupt and distract those who seek an intense prayer experience. Every *shul*, therefore, should offer a course in “Whispering 101” to protect the *kavvanah* of the true daveners. It would also remind all present that even though socializing is of special value, the real purpose is prayer—if not one’s own, then that of the person within earshot.

Second is the gender-bonding function of *mehitzah* seating. We do not know everything about men’s space and women’s space, but we do know that once the hierarchical aspects are controlled, gender bonding can be a satisfying experience for both genders. We have all observed in contemporary social settings how men and women segregate of their own accord.

Third, *mehitzah* highlights the mystery of human sexuality. In a world that increasingly blurs gender

distinctiveness, the separate-seating *shul* has an almost palpable feeling of maleness and femaleness, a pervasive and satisfying mystery to many and one that does not intrude into one’s prayer relationship with God.

Some claim that when men and women sit together, sexual attractions emerge and disrupt the process of turning one’s heart to God. Yet friends who pray in liberal synagogues say that except for an occasional provocatively dressed visitor (who might also show up at an Orthodox *simbah*) the mixed seating arrangement is conventional and asexual. Paradoxically, then, the Orthodox separate seating immediately underscores the gender binary. For people troubled by the blurring of gender lines, the frank affirmation of the sexual factor while simultaneously shielding it can be comforting. Conversely, for those who feel that sex is all too pervasive in media, commerce, and arts, the old-fashioned separation becomes a statement against excess and the synagogue becomes an oasis of gentility.

Of course, all of these claims of advantage in gender distinctions now come under question as the long-suppressed sexual minorities assert their visible presence in society’s institutions, including the synagogue. With new cultural awareness that LGBT orientations are largely biologically determined and are found in all population clusters in roughly the same ratios, synagogues are beginning to deal with the questions this raises about human sexuality and community. This is uncharted territory and the Orthodox synagogue, with its unique seating arrangement, can be of help in charting new paths of understanding.

The Conflict between *Ezrat Nashim* and Women’s Prayer/Spiritual Lives

Having made the case that *mehitzah* seating has its own rewards and staying power, let me turn to the problematics of the phenomenon. (I hear the voice of my friend Belda Lindenbaum, *z”l*, in my ears. “Don’t let them off so easy!” She always pressed forward with the truth: “Don’t let ourselves off so easy!”)

Many *mehitzot* perpetuate their original design function—to remove from sight of the serious petitioner those distracting, levity-producing sex objects. What does it mean in the year 2016 to install a one-way mirror in a Modern Orthodox *shul*? What is the message of a *shul* rebuilt in the last decade that assigns women to floor 2 and carves out a square hole between floors so that women can follow the main conversation taking place on level 1? Siren and “second string” are the messages transmitted, not comfort and gender bonding.

And those are the easy objections. The bottom line is that *mehitzah*’s main impact is not on women’s dignity or equality, but on women’s prayer. Hannah’s model for the central Jewish prayer notwithstanding, women and *tefillah* are not a core feature of traditional Judaism. Do we “rather like it” because it is so easy not to have to *daven*, not to make the effort? Is it because, as my friend Carla, *z”l*, said years ago about women and prayer, and

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re-articulated by many others, “I have enough *mitzvot* on my plate; I don’t need more!”

Whether lack of firm obligation or unique spatial arrangement is the driving force, it is the interplay of the two that has delivered women to a back seat in the Jewish prayer enterprise. The vast majority of Modern Orthodox women, including women with deeply religious souls, do not *daven* every day nor recite fixed prayers. The small numbers of committed female *daveners* are drawn largely from the community of women learners and teachers. The process of opting out begins early. A teacher at a yeshiva high school observes that as soon as the girls pick up a *siddur* at the morning *minyan*, a veil drops over their eyes.

The range of *mehitzot* suggests two things: a flexibility in interpreting the law and the extent to which community sensibilities play a role in the process.

Even if a woman starts out with regular prayer, the likelihood of her persisting with it throughout life is small. Although some women do manage to *daven* regularly even through childbirth and child care (for which the exemption makes great sense), it is rare, so rare that I still recall my wonderment 42 years ago in Kibbutz Yavneh, when I knocked at the door of Rena, ז”ל. I knew that Rena, then a young mother of three, was inside, so I knocked and waited, knocked and waited. This was at the beginning of my feminist engagement, and there were no extant models of women and daily *tefillah*, so it simply never occurred to me that what was going on behind that door had anything to do with prayer. Finally, a tiny figure opened the door and said, “*Ema mitpallelet*” (Mommy is praying). Even now, when I hardly feel like pushing myself to *shul* on a cold Shabbat morning, I hear that small voice and think of Rena.

The larger question for women is this: Are we missing out on the extraordinary opportunity to enter into a personal and private conversation with God? Among men, such experiences do take place, even if but once a month or once a year. But only if the prayer dice are rolled every day, no matter how routinely, will that deep moment of encounter ever happen.

What else have we lost? Jewish prayer is a worldview of life as much as it is a discourse with God. What if we wake up years from now to find that we have missed out on a daily experience of awe at nature, or the solace that accompanies a heartfelt request, or the powerful sense of being a member of the covenantal community, at one with the Jewish people everywhere? What if we come to realize that by taking that back seat all these years, we have forfeited a thousand nourishing soul

surges of profound gratitude or humbling vulnerability or ennobling humility that come with daily prayer?

For centuries, women were deprived of the richness of text learning, but we did not know it until our own generation. Now, many women are making the effort and finding Torah sweeter than honey and the honeycomb (*Psalms* 19:11), its intellectual and spiritual rewards incalculable. Unlike learning, to which thirsty women came in droves on their own initiative, prayer is something to which only small percentages have come. Whereas learning is immediately rewarding, prayer may not be. All this reflects the level of difficulty that must be overcome for modern men and women to pray.

Thus, we must ask the hard question, the question many of us do not want to ask or hear: Should our newfound sense of Jewish maturity inspire us to question the exemptions we find so inviting? When prayer is commanded, many men find a way to overcome all obstacles and fulfill the call. The sense of obligation becomes more important to motivate steadfast pursuit of all *mitzvot*—from which we then reap the inner rewards. We Orthodox Jews know this in our bones; we live by the sense of being obligated.

What Can We Do Now?

This is all a slow process. Meanwhile, interim tasks need our attention. The first order of business is to ensure that the *ezrat nashim* conforms to the gender model of distinctive but equal, one that can suit the most egalitarian and the most traditional *shul* alike. Women and men working together should establish universal standards that show respect and appreciation for women’s presence. No congregation should have to struggle alone to define what this repair should look like.

Every *mehitzah*, every *ezrat nashim*, is different from every other, but all must meet essential criteria of inclusiveness to qualify under the coveted canopy of an inclusive Orthodox *shul*. Clear sight and sound lines to the *aron hakodesh*, the *shulhan* from which the Torah is read, and the *bimah* from which the rabbi teaches are basic requirements. The rabbi should pause to inquire whether women in the *ezrat nashim* can hear without straining. During the *derashah*, the speaker should remember to regularly glance at the women’s section to confirm that they are part of the flock. Women should be able to kiss the Torah as it is carried through the *ezrat nashim* or along the rim of the *mehitzah*. Wheelchair accessibility should be provided; in *shuls* where the *ezrat nashim* is a balcony, a portion of dedicated *mehitzah* seating should be provided on the main floor for older or infirm women. *Siddurim* and *humashim* on both sides of the *mehitzah* should be relatively uniform and in good condition, not cast-off volumes with torn bindings and missing pages. Signs hung on the walls of the men’s section noting special prayers or ritual symbols evoking national memory should be large enough to be read or seen by women or should be duplicated on the *ezrat nashim* walls. At least some portion of the service should have a woman’s voice—from announcing pages

Where Were the Women? The First *Ezrat Nashim*

By Vivian B. Mann

In the fall of 2015, a young girl, viewing the synagogue models in the Yeshiva University Museum in New York City, asked, “But where would I have been?” Her question prompted the museum to cosponsor (in conjunction with JOFA) a panel discussion on the women’s section (*ezrat nashim*) in the synagogue. This article, based on my talk as part of that panel, discusses the history of the earliest women’s sections in synagogues as they are known from the archaeological and textual evidence.

The Synagogue in Antiquity

It is important to state from the outset that a synagogue is *not* the Temple. According to the Mishna—redacted by Rabbi Judah Hanasi (d. ca. 217 CE)—on only one occasion during the liturgical year were the women separated from the men in the Temple; that was at the time of the *Simbat Beit Ha’Sho’eivah*, on the eve of Shemini Atzeret (BT *Sukkah* 51b–52a). In any case, our knowledge of the way services were conducted in the Temple in Jerusalem does not hold true for ancient synagogues built both before and after 70 CE. When archaeologists first uncovered the ruins of early synagogues in the Land of Israel in the late nineteenth century, they presumed that the rows of columns in synagogues such as the one at Capernaum



Figure 1. Cordoba Synagogue, Interior, 1314/5.
Photo courtesy of Nicolas Sapiéha.

supported galleries for women, analogous to the *ezrat nashim* found in later synagogues. However, now that more than one hundred ancient synagogues have been excavated and only five have been found with two rows of columns, their remains imply that in the vast majority of ancient synagogues women may have worshiped in the

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or greeting guests to leading prayers for Israel’s soldiers or delivering sermons.

The *mehitzah* should meet some elemental objective standard of beauty. A manual on how to create an *ezrat nashim* of inclusiveness should be published, with some personal tales of the process and a list of dos and don’ts. A companion book of photographs of *mehitzot* around the world—the good and the bad—should be circulated, as a picture is worth a thousand words.

When a dignified *ezrat nashim* becomes standard operating procedure in Orthodox *shuls*, we will have gone far to separate it from being a vehicle of marginalization. The next step for our community is to explore how the new woman can stand before God on a regular basis. We must take the time to look at the factors that dull her sense of responsibility and diminish her level of performance. We must re-examine the sources, probe the pervasiveness of the exemption, and lift up the obligation—perhaps differentiated in some ways from men’s prayer, perhaps incorporating some of the new prayers of recent generations. We cannot keep our heads in the sand.

If, in the end, women’s active participation in prayer and encounter with God will lead us to question the institutions of *ezrat nashim*, *mehitzah*, and obligation, we must do so. Some will say that such ideas are an assault on the word of God as expressed in established practice. But, as with women’s learning, we need not protect God

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is different from every other, but
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from this enterprise of religious growth. The Talmud teaches, “God wants the heart” (*Sanhedrin* 106b), and no one would deny: the heart of man and woman alike.

To the women who hesitate, who feel no urge to find themselves in prayer, we must remember that we are all born with a prayer reflex which, if not strengthened, will atrophy with time. Worse, through non-action, we inflict that loss on the generations to come. At a time when our community has accomplished so much in extending Torah’s bounty to all women, why should it leave in place the barriers that will deprive our daughters and granddaughters of the Divine encounter, community connections, uplift, tranquility, and other magnificent gifts that come with prayer?

Blu Greenberg is the founder and first president of JOFA.

Where Were the Women?, *continued from page 7*

same space as did men. If there was a designated space for female worshipers, it would have been defined by other means, perhaps by the hanging of curtains. Thus, there is no archaeological or textual evidence for the existence of an *ezrat nashim* in ancient synagogues.

There is, then, a gap in our knowledge of synagogue architecture from the seventh until the eleventh century, due to various factors: First, medieval Jewish communities were often established in the centers of cities—areas that were built and rebuilt over time, rendering their excavation difficult, if not impossible. Second, many Jewish communities in Italy and Germany were established only in the late Middle Ages. Finally, given the expulsions and persecutions that often marked Jewish life, synagogues were transformed for other uses, and only in special cases—in Fustat (Cairo) and in Cologne, Regensburg, Speyer, and other Ashkenazi centers—have they been studied meticulously to determine their history.

Sephardic Synagogues in Medieval Times

The second synagogue of the Palestinians in Fustat, built after 1021, was investigated by a Canadian archaeological team after the signing of the peace treaty between Israel and Egypt in 1977. It exemplifies a type built later in Spain: a rectangular building with columns that supported balconies. In these synagogues, there were two entrances: one for men on the ground floor, and a second reached by means of a staircase leading to the *ezrat nashim*.

Galleries for women still exist in two fourteenth-century Spanish synagogues and were built as an integral part of these structures. In 1314/5, Isaac Mehab financed the building of a small rectangular synagogue in Cordoba whose entrance is reached through a courtyard and a vestibule (Figure 1). Stairs in the vestibule lead



Figure 2. Lorca Synagogue, general view of interior, first half of 15th century. Source: Ramón Avaso Martínez, ed., *Lorca: Luces de Sefarad. Lights of Sepharad* (Murcia: Editora Regional de Murcia, 2009), p. 209.

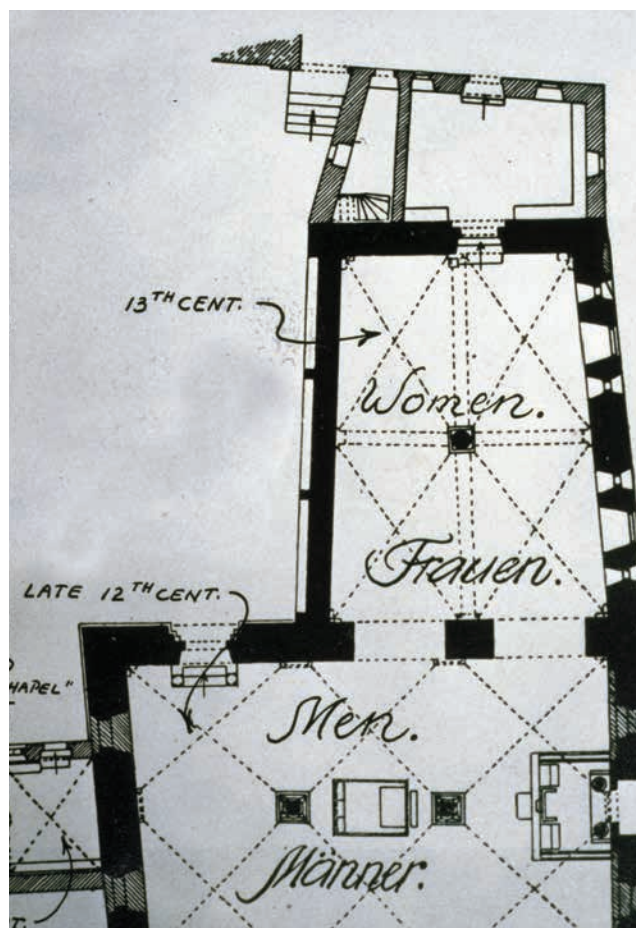


Figure 3. Worms Synagogue, Ground Plan, after 1213.

Source: Richard Krautheimer, *Mittelalterliche Synagogen* (Berlin, 1927), p. 49.

to a women's gallery that extends along one side of the synagogue. The El Transito Synagogue in Toledo, built by Samuel Halevi Abulafia, treasurer to King Pedro I, was dedicated in 1357. Like the Cordoba synagogue, its *ezrat nashim* occupies a balcony above one long side of the synagogue. Two other Iberian synagogues—both dating to the fifteenth century—have no *ezrat nashim*. One is a small synagogue in Tomar, Portugal, built in Gothic style, and the other is a synagogue that was accidentally discovered in 2002 adjacent to the citadel in Lorca, a city on the border between Christian Castile and Muslim Andalusia (Figure 2). The Lorca synagogue dates to the first half of the fifteenth century and has only one entrance and no *ezrat nashim*. It is one of the few medieval synagogues to have been excavated together with the homes in the adjacent Jewish quarter.

The archaeological evidence from existing synagogues in Sepharad, then, is mixed regarding the existence of women's spaces, but other findings indicate that the *ezrat nashim* was a widespread feature of Spanish synagogues. One type of evidence is the survival of synagogue façades, as at Calatayud, that have two entrances—one for men and one for women, which must have led to an *ezrat nashim*. Other evidence is textual—mention of women's sections in the responsa of Spanish rabbis and in municipal archival records. Seven synagogues named in medieval

documents in the archives of Saragossa, for example, state that two of the synagogues—La Mayor, built in 1311, and the Sinagoga de Bikkur Holim, built in 1382—had separate spaces called the *sinoga de las melleres* (the synagogue of the women) or the *casas de las mulleres de la dita sinoga* (the houses of the women called synagogues). A document from 1485 names Jentó Morenu as the rabbi of a *sinoga de las mujeres* in Saragossa.

There are also responsa that discuss issues related to women's sections in synagogues. For example, a ruling by Rav Judah ben Asher (d. 1349; author of the law code known as the Tur) stating that it was necessary to provide an *ezrat nashim* with a door leading directly to the outside so that women could enter and exit without hindrance (*Responsa Zikbron Yehudah*, no. 68).



As was true of Sepharad, our knowledge of women's sections in medieval Ashkenazi synagogues is based on archaeological and archival evidence and on rabbinic texts.

Ashkenazi Medieval Synagogues

As was true of Sepharad, our knowledge of women's sections in medieval Ashkenazi synagogues is based on archaeological and archival evidence and on rabbinic texts. An important difference between our knowledge of Sephardi and Ashkenazi women's spaces is that recent excavations of medieval synagogues in major Ashkenazi centers, such as Regensburg, Speyer, Cologne, Erfurt, and Vienna, have revealed more information than is available from Spain.

For many years, the earliest Ashkenazi *ezrat nashim* was thought to have been built in Worms in 1213, adjoining the men's synagogue erected nearly forty years earlier in 1174/5 (Figure 3). Now, however, as a result of recent excavations in Cologne that began in 2006, we know that an *ezrat nashim* was built there adjacent to the men's synagogue after the First Crusade of 1096, when the community suffered the loss of three hundred of its members and damage or destruction of its synagogue (Figure 4). Like most later medieval women's spaces, the *ezrat nashim* in Cologne had windows in the wall shared with the men's synagogue, enabling a few female members of the congregation to hear the service and transmit it

Figure 4. Cologne, Men's and Women's Synagogue and Jewish Quarter, before 1349. Courtesy of Stadt Köln, Archäologische Zone/Jüdisches Museum.

to the other women. A portion of one of the openings linking the men's and women's synagogues of Cologne remains (Figure 5). It is similar in form to an opening between the men's synagogue and the *ezrat nashim* in the Speyer synagogue, which dates to the late thirteenth century. Underneath the 1096 synagogue in Cologne, the excavators found two earlier houses of worship dating to the Carolingian era, indicating that there was continuous Jewish settlement in Cologne from the ninth century until 1424, when the community was finally expelled.

Women's Economic Power Reflected in *Ezrat Nashim*

One question left arising from all this evidence is why most medieval *ezrat nashim* were built from the twelfth to the fourteenth centuries. The answer suggested by a number of historians is that by the High Middle Ages, Jewish women had achieved both economic success and political power. If they were not domestic employees, most Jewish women who worked outside the home were moneylenders. In Northern France during the thirteenth and fourteenth centuries, Jewish women granted half of all documented loans, and in forty-one German cities, they financed one-third of all the loans granted between 1350 and 1500. Women appeared in both rabbinical courts and government courts as sworn witnesses offering testimony. The importance of Jewish women's economic roles allowed some of them to exercise political

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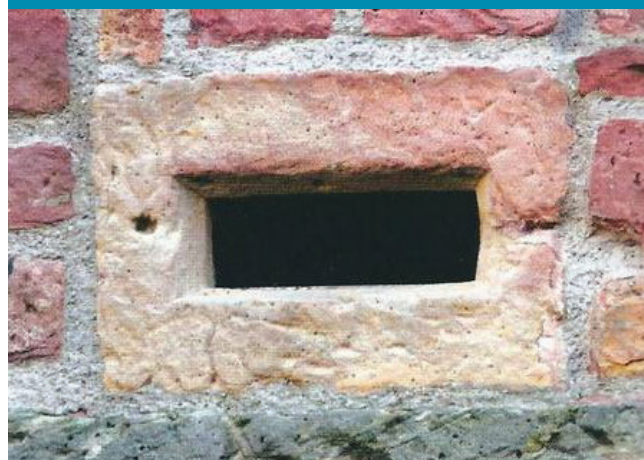
Where Were the Women?, *continued from page 9*

power—for example, to negotiate with rulers on behalf of the Jewish community. The establishment of the *ezrat nashim* in medieval German synagogues coincides with growth in the economic and political power of Jewish women. Successful in secular spheres, the women seem to have requested a place within the central institution of the Jewish community, the synagogue.

The types of spaces constructed for women in late medieval synagogues reflect both the emphasis on modesty in the writings of Ashkenazi rabbis and the assertion of male dominance in the face of new demands. In the most extreme cases, women were placed in cellars beneath the men's *shul* and were provided with a type of chimney or grill that allowed some to hear the service. At best, the *ezrat nashim* was a space adjoining the main synagogue



Figure 5. Window frames of the *ezrat nashim*.
Top: Cologne Synagogue, 1140–1150;
Bottom: Speyer Synagogue, end of the 13th century.
Courtesy of Stadt Köln,
Archäologische Zone/Jüdisches Museum.



with small windows that enabled a few women to follow the men's service and lead the assembled women in prayer.

I do not think that the role of these prayer leaders necessarily indicates literacy—or the lack thereof—among Jewish women of the High Middle Ages. This is a factor that is difficult to measure, despite the known cases of well-educated Jewish women, such as Dulcie, the wife of Rabbi Elazar ha-Rokeach. Rather, the role of these women may reflect the constraints created by the architecture of the *ezrat nashim* as well as a lack of sufficient prayer books. As late as 1733, three hundred years after the invention of printing, which reduced the price of books relative to that of manuscripts, Alexander

The types of spaces constructed for women in late medieval synagogues reflect both the emphasis on modesty in the writings of Ashkenazi rabbis and the assertion of male dominance.

David (1681–1765), the court Jew to the Duke of Braunschweig, explained to his ruler that mnemonic devices were inscribed on the walls of his synagogue to help those who didn't have books from which to read the service. During the Middle Ages, all prayer books were very costly manuscripts that could be afforded only by the most affluent members of the community, a fraction of the "1 percent."

Although the establishment of the *ezrat nashim* in some medieval synagogues during the High Middle Ages signifies a greater inclusiveness on the part of male leaders of Jewish communities, the architectural configuration of women's spaces serves as a constant reminder of women's secondary position in the synagogue. Grappling with the conflicting conditions shaping the lives of Orthodox women and their position in the synagogue still vexes us today.

Dr. Vivian B. Mann is curator emerita of the Jewish Museum and director emerita of the MA Program in Jewish Art and Visual Culture at the Jewish Theological Seminary.

Letter to the Editor

Dear JOFA,

I read every issue of the *Journal* from cover to cover.

I received the Winter 2015–2016 issue this week and was stunned to see that it focused on child sexual abuse.

I read every word on the spot.

I was abused daily by my school counselor from ages 13 to 16. I didn't tell for all the reasons expressed in your articles—and because he said if I told, he'd kill himself, and I'd be responsible for his kids being orphans.

I'm 60 now and at this point I don't expect I'll ever find it safe to tell family, friends, community, or my rabbi. I hope your focusing on this issue will make it easier for today's children to speak out when molested by trusted caretakers and professionals.

Todah rabbah.

The Synagogue *Mehitzah* Revisited

By Eliezer Hirsch

The topic of the synagogue *mehitzah* has generated impassioned discussion spanning more than a century. Widely debated in the United States throughout the twentieth century, *mehitzah* (and even separate seating) was not always the standard for Orthodox synagogues. In the 1950s, a significant number of synagogues that identified as Orthodox did not use a *mehitzah*. As American Orthodox Judaism developed, however, the *mehitzah* became a defining feature of its synagogues.¹

Recently, the public conversation has subsided, shifting toward more hot-button issues such as advanced Torah study for women and women in leadership positions, leaving *mehitzah* to the annals of previous generations.² Some Orthodox leaders refer to the topic as “yesterday’s news.” On the other hand, Rabba Sara Hurwitz, dean of Yeshivat Maharat, highlighted *mehitzah* as “one of the critical issues currently facing the Jewish community,”³ particularly in light of its impact on Orthodox women’s level of engagement in Jewish life. Other prominent female leaders, including Maharats Anat Sharbat and Rachel Kohl Finegold, have expressed similar sentiments, as have members of the Orthodox synagogue of which I have been rabbi for over a decade. To understand why *mehitzah* arouses strong responses and to see how we arrived at this juncture, I will trace the halakhic origins of the synagogue *mehitzah*, discuss some of the challenges it poses today, and conclude with possible solutions.

Source of the Synagogue *Mehitzah*

The *mehitzah* may be a staple of Orthodox synagogues, but its source in Jewish law is somewhat murky.⁴ The *Shulhan Arukh* does not include a single reference to a synagogue *mehitzah*. Rabbi Eliezer Waldenberg explained this anomaly by noting that up to and including that time, the complete synagogue *mehitzah* was ubiquitous, so the *halakhah* was taken for granted and went unmentioned.⁵

The first halakhic authority to document *mehitzah* as an obligation sourced in the Talmud was most likely Rabbi Moshe Schreiber, the Hatam Sofer, in his responsa.⁶ Like most subsequent halakhic authorities, he traced the requirement for *mehitzah* to Tractate *Sukkah* 51b–52a. In that passage, the Talmud introduces the *Tikkun Gadol* (Great Correction) of adding a women’s balcony to the Jerusalem Temple during the *Simhat Beit Hasho’eivah*

celebration.⁷ Technically, this construction should have been considered an illegal modification of the Temple,⁸ but it was mandated to prevent frivolity in the Temple, particularly during a time as joyous as the *Simhat Beit Hasho’eivah*.⁹ According to the Rambam,¹⁰ the purpose of the Temple balcony was to help prevent men from looking into the *ezrat nashim*, the women’s section, which in itself could lead to frivolity.¹¹

The administration of every synagogue should aim to create a welcoming environment for all congregants, men and women alike.

This line of reasoning formed the basis for the prevailing practice of *mehitzah* in most European cities, and the logic behind the commanding and influential “*p’sak din* (legal ruling) of the 70 rabbis.”¹² Released in 1866, this *p’sak din* was authored primarily by a student of the Hatam Sofer, Rabbi Meir Ash of Ungvar, Hungary, and his student, the author of the *Kitzur Shulhan Arukh*,¹³ Rabbi Shlomo Ganzfried. This ruling amounted to a public halakhic proclamation (*kol korei*) issued in response to modifications of *mehitzot* in certain European synagogues. In a strongly worded statement, the halakhic decision prohibited changes to the traditional synagogue *mehitzah*, and stipulated that all synagogue *mehitzot* must be constructed to prevent men completely from looking into the *ezrat nashim*. Based on this legal precedent, many prominent authorities, including Rabbi Eliezer Waldenberg,¹⁴ Rabbi Aharon Kotler,¹⁵ and Rabbi Yoel Teitelbaum (Satmar Rebbe),¹⁶ concluded that a synagogue *mehitzah* must be high and opaque enough to prevent men from seeing into the *ezrat nashim* during prayer services.¹⁷

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¹ At the time of this writing, all affiliate synagogues of the National Council of Young Israel and the Orthodox Union have *mehitzot* that comply at least with the minimum halakhic standards of R. Moshe Feinstein.

² For example, the title of a recent controversial blog post, “This Generation’s *Mehitzah*,” suggests that the topic of *mehitzah* is obsolete and no longer warrants serious discussion.

³ Interview, April 2016.

⁴ See Responsa *S’ridei Eish*, 1:8:4.

⁵ Responsa *Tzitz Eliezer* 7:8. Also see Responsa *B’nei Banim* 1:1.

⁶ *Hatam Sofer* 5:190.

⁸ Rashi *Sukkah* 52a s.v. “*Hakol*.”

⁹ *Sukkah* 52a and Rashi s.v. “*V’Safda*.”

¹⁰ Rambam, *Peirush Hamishnayot*, *Sukkah* 5:9.

¹¹ The opinions that hold the purpose of *mehitzah* is to prevent looking into the *ezrat nashim* imply that the partition must make it impossible for men to see inside. However, it is conceivable that the opinions that use the term *lehistakel* (as the Rambam does in *Peirush Hamishnayot Sukkah* 5:2), as opposed to *lirot*, may hold that the purpose of *mehitzah* is to prevent people from “looking with (sexual) intent” as opposed to glancing/looking casually. This merging of the two major views of the purpose of *mehitzah* may then conform with R. Moshe Feinstein’s lenient opinion. See *Shulchan Arukh* EH 21:1,3 and commentary.

¹² Printed in *Sefer Lev Haivri* and quoted by Responsa *Tzitz Eliezer* 7:8.

¹³ Abridged Code of Jewish Law, circa 1850.

¹⁴ Responsa *Tzitz Eliezer* (see n. 5).

¹⁵ Responsa *Mishnat Rav Aharon* OC 13.

¹⁶ Responsa *Divrei Yoel* OC 10.

¹⁷ Also see Responsa *Mishneh Halakhot* 7:12.

Chart yOUR Course



JOFA on the Map

- This summer, **JOFA Chicago** launched the Ahuzat Nahala Beit Midrash, a new Torah learning initiative accessible to all members of the Chicago community. The *beit midrash* is a welcoming and inclusive learning space with a focus on *havrutah*-style learning. Participants will meet once a month to develop strong text study skills.
- **JOFA Philadelphia** welcomed Rabba Yaffa Epstein for a *shiur* on “Trailblazing Women of the Talmud and Beyond.” Members of the Philadelphia chapter of JOFA are enthusiastic about expanding JOFA programming and are working actively with the New York office to continue planning events throughout the year.
- You spoke, we listened. Over the course of six listening tours in five different cities—**Atlanta, Washington, DC, New York, Philadelphia, and Chicago**—you shared your feedback and ideas on what you want to see from JOFA. We are now incorporating your voices into our programing online, at the conference, and in our JOFA chapters.
- JOFA advocated and demonstrated our support for Rabbi Haskel Lookstein by protesting the decision of the Petah Tikva rabbinical court to refuse to recognize a conversion conducted under his auspices.
- Overseas, **JOFA UK** has been busy with a full calendar of events, including an Agunah Conference with Dr. Ruth Halperin Kaddari, and a program on “Reflections of an Activist and Visionary Rabbi” with Rabbi Avi Weiss.

JOFA Online

Every month, JOFA partners with scholars, educators, and community leaders from across the world to create online learning opportunities that reach thousands of people in every geographic location. Here are some of the topics JOFA has explored this past spring and summer:

- “The Future of Women’s *Tefillah* Groups” with Rabbi Nathaniel Helfgot, Rabbi Chaim Marder, and Morateinu Alissa Thomas-Newborn, moderated by Pam Greenwood
- “Purim: Beyond the Costume” with Rabbi Aaron Frank, Shira Greenspan, Rosh Kehillah Dina Najman, and Rabbi Noam Stein. moderated by Tamar Cytryn
- “Equal in Faith” with Maharat Ruth Balinsky Friedman, Kate Kelly, Kathy KyoungAh Khang, Christine Schenk, and Ani Zonneveld, moderated by Gina Messina-Dysert
- “Women’s *Aliyot*” with Channa Lockshin Bob, Rabbi David Brofsky, Miriam Gedwiser, and Rabbi Ysoscher Katz
- “How to Prevent a Modern-Day *Agunah*” with Dr. Rachel Levmore, Rabbi Dov Linzer, Keshet Starr, and Dr. Susan Weiss
- “Preventing Sexual Abuse at Overnight Camps” with Rahel Bayar, moderated by Rabbi Menachem Hecht
- “Megillat Ruth—A Story of Survival, Love, and Politics” with Debra Band
- “Bat Mitzvah Reimagined” with JOFA UK Ambassador Dina Brawer

Visit www.jofa.org/education/blogcasts or www.jofa.org/resources/webinars to access this content today.



JOFA in the Press

- Rahel Bayar's webinar on "Preventing Sexual Abuse at Overnight Camps" had more than 3,000 views and was featured in *Lilith Magazine's* summer 2016 issue.
- "The Joy of Text," JOFA's groundbreaking podcast on sex, Judaism, and *halakhah*, hosted by JOFA president Dr. Bat Sheva Marcus and Rabbi Dov Linzer of Yeshivat Chovevei Torah, and moderated by Maharat Ramie Smith, was listed in *Moment Magazine's* Top Ten Jewish Podcasts.
- JOFA Executive Director Dr. Sharon Weiss-Greenberg's article on "Paid Maternity Leave: Are We 'Ready'?" was featured in the *Huffington Post* last April.
- JOFA's vocal response to Rabbi Steven Pruzansky's insensitive and inflammatory remarks this past April and our successful campaign to remove him from an educational panel in a New Jersey community were reported by multiple news outlets, including *Ha'aretz*, the *Times of Israel*, and the *Jewish Week*.

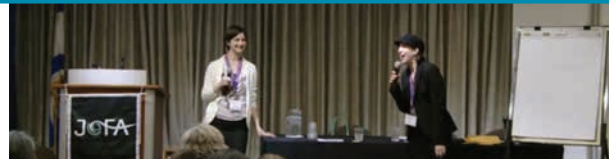
Look for JOFA in the press by visiting our website's press coverage page at www.jofa.org/Who_We_Are/Press_Coverage.



JOFA in the Working World

This past February, JOFA convened a select group of participants for our first Women's Leadership Initiative (WLI) Workshop Day. WLI is a network of more than 100 women leaders from across the spectrum of Orthodoxy. Through WLI, these women can find unique support and resources for their Jewish professional lives. Our workshop brought together members of the clergy, educators and school administrators, *yoatzot halakhah*, and Jewish communal professionals. The day included sessions on best practices for interviewing, negotiating, and setting career goals. We are grateful for the Wexner Foundation's financial support in making this event possible and to Drisha for partnering with us in this workshop.

In May, WLI held its second event, which continued exploring how to meet the challenges of negotiation, with Dr. Michelle Greenberg Kobrin, a member of JOFA's advisory council. JOFA is excited to be working with such an accomplished cohort of Orthodox women, and we look forward to continue expanding possibilities for women and communities that seek women leaders.



DESTINATION: The Ninth International JOFA Conference

The JOFA Conference, held every three years, is the premier destination for supporters of Orthodox feminism to celebrate, strategize, and set the direction for innovation and impact in the organized Jewish community. Bringing together more than 1,000 people, the JOFA Conference explores the intersection of our feminist ideals with critical facets of our lives and religious experiences, including race, sexuality, family, and political structures.

This year, JOFA will also be hosting JOFA Shabbat in local communities throughout the New York and New Jersey area. If you're traveling to New York, we will gladly help you find a host family in one of our JOFA Shabbat locations to make your weekend as rich and meaningful as possible.

The Ninth International JOFA Conference will take place on January 14–15, 2017. This event will generate dialogue and thought leadership and will "chart yOUR course" of Modern Orthodoxy. Become a part of the change, and chart your course with JOFA. Visit www.jofa.org/conference2017 to register today.

A Different Perspective

In contrast to the stricter halakhic requirements of the Hatam Sofer, Rabbi Moshe Feinstein offered a more liberal approach to *mehitzah*. In a series of responsa, largely based on the Rambam's halakhically authoritative *Mishneh Torah*,¹⁸ R. Feinstein argued that the purpose of the synagogue *mehitzah* was to hinder frivolous behavior, which at times could lead to improper sexual activity.¹⁹ According to this reasoning, the *mehitzah* must prevent physical interaction between men and women, but not necessarily restrict them from seeing²⁰ one another.²¹ R. Feinstein preferred a *mehitzah* in the form of a balcony, which completely separates the two groups from one another and is also most comparable with the original Temple *mehitzah* as described in the Talmud.²²

Otherwise, a solid partition high enough to inhibit intermingling is necessary, making it critical that a floor-level *mehitzah* reach the height of an average person's shoulders. Based on the opinions of Rashi,²³ Tosefot,²⁴ and Rashbam,²⁵ R. Feinstein estimated that the minimum height requirement for a floor-level *mehitzah* is approximately 17 to 18 *tefachim*,²⁶ which he calculated to be in the range of 58 to 66 inches, depending on various factors.²⁷

The *midrash* and Talmud imply that it is meritorious and advantageous for women to be present at synagogue services.

An even more lenient approach to *mehitzah* was taken by Rabbi Joseph B. Soloveitchik,²⁸ Rabbi Aaron Soloveitchik,²⁹ and Rabbi Yosef Eliyahu Henkin,³⁰ who ruled that if necessary,³¹ it would suffice for a synagogue *mehitzah* to follow the general guidelines of halakhic partitions that serve as a separation barrier in other areas of Jewish law.³² These consistently require a height of at least 10 *tefachim*, or 30 to 40 inches.³³

Other Practical Considerations

The Talmud is silent as to whether a *mehitzah* is necessary outside the Temple and is inconclusive about whether a synagogue *mehitzah* would be a Torah-based, rabbinic, or custom-derived obligation.³⁴ There is much debate among the authorities regarding these details,³⁵ but the clear consensus, as well as current practice in Orthodox synagogues, mandates separate seating with a *mehitzah* in the synagogue during the prayer service.³⁶

Although the halakhic obligation of *mehitzah* is now universally accepted among Orthodox congregations, it is not universally beloved by halakhically committed Orthodox women. A balcony or an opaque *mehitzah* may meet specific halakhic requirements, yet it can also greatly diminish the synagogue experience for women. This point is sometimes overlooked amid the fervor for creating the most halakhically credible *mehitzah*. Rabbi Yechiel Yaakov Weinberg, author of *Responsa S'ridei Eish*, determined that because our culture has changed dramatically since nineteenth-century Europe, it is necessary to relax *mehitzah* regulations to create a comfortable synagogue environment for women. He further declared it prohibited to remain unresponsive to women's concerns, as displeasure with *mehitzah* will

¹⁸ See *Hilkhot Lulav* 8:12 and *Hilkhot Beit Habehira* 5:9, where Rambam says that the logic for *mehitzah* is to prevent intermingling, as opposed to *Peirush Hamishnayot*, where he gives the rationale of preventing people from looking, as explained earlier.

¹⁹ See *Igrot Moshe* OC 1:39 ff.

²⁰ One major disagreement between the Hatam Sofer and R. Moshe Feinstein is the contradiction in the Rambam's reasoning for the *Tikkun Gadol* (balcony/*mehitzah*) in the *Beit Hamikdash*. In *Peirush Hamishnayot* on *Sukkah* 5:2, Rambam gives the rationale of preventing people from looking, but in the *Mishneh Torah Hilkhot Lulav* 8:12 and *Hilkhot Beit Habehira* 5:9 he says the basis for *mehitzah* is to prevent intermingling. In *Igrot Moshe*, *ibid.*, R. Feinstein interprets the *Peirush Hamishnayot* to mean intermingling and therefore is consistent with the *Mishneh Torah*. Others explain that the *Mishneh Torah* is more halakhically authoritative than *Peirush Hamishnayot* in any case.

²¹ R. Moshe Feinstein, in *Igrot Moshe* OC 1:40, OC 3:23 ff., acknowledges the advantage of a *mehitzah* that prevents men from being able to see into the *ezrat nashim*.

²² *Igrot Moshe* OC 1:40 ff.

²³ *Shabbat* 92a s.v. "Eshtekhach."

²⁴ *Ibid.*

²⁵ *Bava Batra* 100b s.v. "Arba'ah."

²⁶ To determine the height of an average person's shoulders, *Igrot Moshe* OC 3:23-4 and 4:31 cite the opinions of Rashi and Tosefot as well as Rashbam who determine the height to be 18 *tefachim* or 16 2/3 *tefachim*, respectively. These two opinions form the basis of R. Feinstein's calculations regarding how high a synagogue *mehitzah* must be, depending on the circumstances.

²⁷ *Igrot Moshe* OC 3:23, OC 3:24 ff.

²⁸ Rabbi Herschel Schachter (*Mipininei HaRav*, pp. 46-47) and Rabbi Yehudah Herzl Henkin (*Responsa B'nei Banim* 1:1-2). Rabbi Aryeh A. Frimer ("Women and Minyan") quotes the Rav's opinion as 50 inches.

²⁹ Rabbi Aaron Soloveitchik's opinion was related to me by one of his students and is also quoted by R. Aryeh Frimer (*ibid.*) in the name of Rabbi Asher Lopatin.

³⁰ *Responsa B'nei Banim*; see n. 28.

³¹ These opinions stipulated that the leniency be relied on only in situations of dire necessity (*sha'at d'hak*).

³² *Responsa B'nei Banim* 1:3. According to this view, guidelines for a halakhic barrier/*mehitzah* were passed down from generation to generation from Mount Sinai, and applied to various cases, including *Sukkah*, *Shabbat*, *Kilayim*, etc.

³³ The height requirement may depend on whether *mehitzah* is of Torah-based or rabbinic origin, per the rules of *safeq* (doubt).

³⁴ See *Igrot Moshe* OC 1:39,41, where R. Feinstein says that the halakhah of *mehitzah* in synagogue is a biblical obligation (though in OC 1:39 he offers reasoning as to why it may be rabbinic). The Rav, in "On Prayer in a Synagogue with Mixed Pews," states that separation is required by Torah law, but the *mehitzah* itself is required rabbinically. Rabbi Y. H. Henkin, in *Responsa B'nei Banim*, proves the obligation (at least of the *mehitza* itself) to be rabbinic. Others have held it to be *midivrei kabbalah*, which may be interpreted as biblical, rabbinic, or in its own distinct category.

³⁵ See, for example, *Igrot Moshe* OC 1:39, YD 2:109, OC 5:12 ff. for guidelines regarding weddings, Torah classes, funerals, *shiva* homes, ad hoc prayer, etc. A student of R. Feinstein informed me that he made a determined effort to discourage the use of *mehitzot* during (separate) dancing at weddings, an effort that ultimately proved to be unsuccessful.

³⁶ See note 1.

lead some women to disconnect from Judaism. This consideration of potential detachment is far more critical than the *mehitzah* itself, whose basis in Jewish law, he said, is comparatively subtle.³⁷

My own experience as a rabbi, along with feedback from female Orthodox leaders and congregants, confirms the assertion of the *S'ridei Eish* that many women today find their connection to Judaism through the synagogue. An unpleasant synagogue experience may discourage attendance, thereby compromising affiliation over time. The possibility of alienation or detachment affirms the contention of Rabba Hurwitz, who identified *mehitzah* in this context as a top priority, one that should prompt an earnest search for viable solutions.

Although women do not take a leading role in Orthodox services, it is inaccurate and misleading

Women require a space in synagogue that is comfortable, inclusive, and connected to the services.

to presume that there is no halakhic value to their attendance. The *midrash*³⁸ and Talmud³⁹ imply that it is meritorious and advantageous for women to be present at synagogue services. Additionally, there are many obligatory synagogue *mitzvot*⁴⁰ as well as other *mitzvot* that women are able to perform only with a *minyan* in synagogue.⁴¹

These crucial considerations, together with the halakhic tenets of our basic *bein adam l'haveiro* (interpersonal) obligations,⁴² should require and inspire synagogue leadership to address concerns about their synagogue's *ezrat nashim* within the framework of *halakhah*.⁴³

Mehitzah Solutions and Recommendations

A primary grievance expressed from the *ezrat nashim* is the difficulty in seeing and hearing the prayer service. Aside from creating an uncomfortable synagogue experience, these obstacles can result in women not fulfilling their personal and communal synagogue *mitzvot*,⁴⁴ as noted earlier. Another common complaint is that the *mehitzah* makes many women feel like spectators instead of active

participants in prayer. Additionally, congregants often sense that the *ezrat nashim* is inferior to the men's section in size, arrangement, and management.

The administration of every synagogue should aim to create a welcoming environment for all congregants, men and women alike. Toward that end, I would offer some practical solutions that have been suggested to me by women:

- Increase the area of the *ezrat nashim* (which may very well increase female attendance).
- Situate the *ezrat nashim* in an equitable location vis-à-vis seeing the ark and the *bima*.
- Install a glass *mehitzah*⁴⁵ or otherwise change the material of the *mehitzah* to be more accommodating.
- Place the *mehitzah* in the center of the synagogue.
- Remind all speakers to address both sections, or, if necessary, remove the *mehitzah* during *divrei Torah*.
- Walk through the *ezrat nashim* to be certain that everyone can see and hear well enough to fulfill their *mitzvot*.
- Ensure that the *ezrat nashim* is accessible to women at all times throughout the year.

The modern *mehitzah* should not act simply as a means of division. Women require a space in synagogue that is comfortable, inclusive, and connected to the services. Let us recall that at the time of the Exodus, *yetziat Mitzrayim*, it was Pharaoh who minimized the role of women in communal prayer,⁴⁶ but Moshe who taught, "With our sons and our daughters ... we will go."⁴⁷ The public prayer⁴⁸ of both men and women is vital to our shared Jewish destiny.⁴⁹

Rabbi Eliezer Hirsch is the founding rabbi of Mekor Habracha Synagogue in Center City Philadelphia.

⁴⁵ It was explained to me by a number of *talmidei hahamim* that R. Feinstein's opposition to transparent *mehitzot* (*Igrot Moshe* OC 3:23 ff.) applied only if the men's section faced the *ezrat nashim* (which may result in a possible halakhic prohibition of reciting *devarim she-bikidusha*) but not if they did not face one another. One-way glass is another common material used, but women have informed me that in their experience, many of these *mehitzot* are difficult to see through unless a person is situated at a particular position or angle.

⁴⁶ "Let the men go now and worship God, for that is what you request" (Exodus 10:11).

⁴⁷ Exodus 10:11.

⁴⁸ "V'ivdu" (Exodus 10:11) clearly refers to public "Avodah" (see *Midrash Shmuel* 8, *Ramban Shemot* 29:46 ff.), and *Avodah* refers to prayer, per *Ta'anit* 2a.

⁴⁹ Although Moshe does not mention adult women explicitly, their participation in the *Avodah* is nonetheless highlighted by the stark contrast to Pharaoh's "let the men go."

³⁷ "שאינן לה יסוד מוצק בש"ס ופסוקים" (Responsa *S'ridei Eish*, 1:8:4).

³⁸ *Yalkut Shimoni Ekev*.

³⁹ *Sotah* 22a.

⁴⁰ Such as *shofar*, *megillah*, *arba parshiot*, mourner's *Kaddish*, etc.

⁴¹ *Tefilla b'tzibur*, public Torah and other readings, seeing the Torah during *hagba'ah* (the *Shulhan Arukh* OC 132:4 actually requires that women have the ability to see the Torah during *hagba'ah*; see n. 45), answering *Kaddish*, *kedushah*, *borkhu*, and other *devarim sheb'kidusha* during the service.

⁴² Rooted in halakhic principles such as of *vahavta l'rayacha kamocho*, *derech erez*, *ona'ah*, *kavod habriot*, *la'asot nachat ruach lanashim*, etc.

⁴³ R. Feinstein, in *Igrot Moshe* OC 1:43, believed that women in a specific instance who wished to move the *ezrat nashim* from the balcony to a lower level because of difficulty climbing the stairs had insincere intent. However, in our situation, when the objective is to become more connected to the prayer service, it would seem inaccurate and perhaps offensive to assume that motives are not genuine.

⁴⁴ A discussion comparing women's halakhic prayer obligations to men's obligations is beyond the scope of this article.

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Form Follows Values

By Adam Starr

Buildings can speak. Not with words, but with values—the values of their builders and the communities that use them.

Thanks to the extreme generosity of our membership, we at the Young Israel of Toco Hills in Atlanta were privileged to design, build, and move into our brand new state-of-the-art spiritual home on Rosh Hashanah 5775. This was one of the most rewarding times in my rabbinate—working with my community, with the building committee, and with the architect to design—literally from scratch—the *shul* we wanted for ourselves, our children, and future generations.

We needed to build a new *shul* because we had outgrown our previous space. We had assembled a larger property on which to build a *beit kneset* befitting our growing membership. I regularly shared with the congregation that we were not just building to have more room but, more significantly, we were also constructing a sacred space that would reflect our community's values. We went about this process by identifying the core values of the community and building the physical space of the community on those foundations. An example of this process was our commitment to the environment and the greater world around us. This resulted in our being the first Orthodox congregation in the world to build a *shul* from the ground up certified by environmentally sustainable standards, receiving Earthcraft Gold Certification from the Southface Energy Institute, an environmental group. The new *shul* was honored with the Congregation of the Year Award for Environmental Stewardship from Georgia Interfaith Power and Light in 2015.



The Young Israel of Toco Hills sanctuary as seen from the women's section.

A Message of Inclusion

We also wanted our *beit kneset*, and especially the sanctuary, to send the message of inclusion. The design—and the space itself—should articulate that everyone is equally welcome and equally valued in our spiritual home. To emphasize that this is a sacred space, an anteroom was created outside the main sanctuary to reflect the transition as congregants move from the

secular world into the sacred one. Spanning the men's and women's entrances to the sanctuary is the verse “*Mah tovu ohalekha Yaakov, mishkenotekha Yisrael*” (“How fair are your tents, O Jacob, your dwellings, O Israel”), inviting the congregants to take a moment to contemplate their entrance into this different realm.



A space outside the sanctuary provides an opportunity for meditation.

The design of the main sanctuary is circular, with every seat positioned in such a way as to make no one feel as if they were “at the back” and not central to the *tefillah*. There are ramps up to the *bimah* and the *aron hakodesh*, as well as a special *shulhan* that can be lowered to the height of a wheelchair, making our space accessible and welcoming to all. It was therefore important that our space—and, specifically, our *mehitzah*—would send the message of inclusion to both men and women. Structuring our *mehitzah* to abide by our strict commitment to *halakhah* while at the same time making women feel included was a guiding principle for me in advising the building committee. This requirement was also supported by the results of a membership survey that overwhelmingly wished for “equal seating for men and women in terms of placement of the *mehitzah*.”

Through my sermons and teachings, I shared with my congregation that I wanted our *mehitzah* to send the message that we are a complete *tzibur* only when the voices of both men and women emerging from their separate prayer spaces join together as one to form the unified voice of the community in prayer. The sanctuary was therefore designed to be completely symmetrical, with the *mehitzah* straight down the middle, bisecting the *bimah* from which the Torah is read in the exact center of the room. In a creative way, *mehitzot* on both sides actually form the walls around the *bimah* itself, serving a dual function. The sightlines are identical. The upper third of the *mehitzah* is transparent, to allow for complete visibility and a feeling of openness and unity while *davening*.

Through this design, the sanctuary space speaks for itself. Women's presence in *shul* is not as spectators, but

The Maharat Behind the *Mehitzah*

By Rachel Kohl Finegold

“But where will you sit?”

That was the very first question I was asked by the very first reporter to interview me after I was hired to serve as a member of the clergy at Shaar Hashomayim, my Montreal synagogue. This first question was not about my job function, nor about my role in life-cycle events or in programming, but rather about my physical placement in the sanctuary. I have since received this question many times, especially by those who know of the large *bimah* in my historic congregation, on which the [male] clergy and officers sit, wearing morning coats and top hats. To my ears, this question holds within it a deeper one: If I don't sit on the *bimah*, could I still be perceived as a full member of the clergy?

The *mehitzah* divides the room differently in every Orthodox *shul*. Some *shuls* seat the women in the back or on the balcony, whereas others have a *mehitzah* running down the middle of the sanctuary so the men's and women's sections are side by side. Each of these setups affects the way that women (and men) experience the *davening*. In synagogues served by a female member of clergy, the *mehitzah* informs how she operates in the *shul*. Over the years, I have taught and spoken in many kinds of synagogues, either as a member of the clergy or as a visiting scholar, and I have found the *mehitzah* to be both a challenge and an asset.

The *Mehitzah* as a Challenge

The *mehitzah* is a challenge because it hinders my access to those running the *tefillah*. I cannot tell you how many times I've stood waiting for the rabbi or the *gabbai*

as participants. Women's presence and *tefillot* matter, and we are an incomplete *tzibur* without them. The conductor may need to be male, but the orchestra producing the symphony consists of men and women equally.

The *mehitzah* is the most prominent feature of our sanctuary. We designed it not only to be a divider, but also to be a piece of art. It stands as a proud symbol of our commitment to *halakhah* and Orthodoxy, structured to show that although our *tefillot* may emerge from separate sides for men and women, they merge together as one whole, complete voice of our *kehillah* before the *Ribono Shel Olam*.

Rabbi Adam Starr is the spiritual leader of the Young Israel of Toco Hills in Atlanta. He thanks the building committee, led by Kerri Snow, and the architect, Kyle Epstein, for their partnership in envisioning the new YITH building.

to notice that I am trying to get their attention. Many of us have had this experience, trying to catch the eye of a spouse or other family member across the *mehitzah* (if the height of your *mehitzah* allows for it) to get some essential message across. I experience this myself, trying to tell my husband that our toddler daughter is making her way over to sit with him, for example.

As the maharat, I have often tried to get a message to the *gabbai*—perhaps to call his attention to a new member who just entered the synagogue and would appreciate an *aliyah*. Or I might try to get the attention of the rabbi to let him know that I'll give an introduction to *shlishi* (the third *aliyah* in the Torah reading), or to decide which of us will say the prayer for Israel that morning. There are countless details that even the most careful planning will not anticipate, and communication is necessary. I have often enlisted the help of other men who have noticed my efforts and can tap the rabbi on the shoulder to look my way.

Delivering a *d'var Torah* is also directly affected by the *mehitzah* layout. There have been times when I've stepped out from behind a small corner *mehitzah* to give the *d'var Torah* between *mincha* and *ma'ariv*, only to step back

behind it when the *tefillah* begins. My leadership during the teaching serves to highlight my lack of leadership, and even lack of presence, during the *tefillah* itself.

If I am making the announcements, I wait until the last “amen” of *Kaddish* to step forward. If I am giving the sermon, I wait until the singing of “*hadesh yameinu k'kedem*” is complete, and then make my way onto the *bimah* amid the *yasher koach*'s of the men who have been opening and closing the ark. It is in these moments that I am acutely aware of my lack of access and my limited participation in ritual moments, as I wait until the proper moment to emerge from the women's section.

Advantages of Being in the *Ezrat Nashim*

But there is also power in my location in the women's section. I have stood with women saying *Kaddish*, offering help with the unfamiliar words or putting an arm around a shoulder. I have stood beside women saying *birkat hagomel* after giving birth, ensuring that the men provide the space for her to jump in and say the *brakhah* at the right moment. At times, I have given *divrei Torah* from the women's section, giving a sense of leadership from that space. I am often the only woman's voice to be heard in the course of an entire prayer service, and I know I am symbolically giving voice to half the room.

There is one congregant who comes over to greet me warmly as soon as she arrives in *shul* each Shabbat. She says she does this because she loves that she can walk

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When a synagogue hires a maharat, it will only highlight whatever access is or isn't in place for women in *shul*.

Behind the Mehitzah, continued from page 17

right up and say hello to me when she comes into *shul*, something she cannot do with the rabbi. When it comes to the female officers of the board, these key lay leaders, much like me, do not occupy a seat on the *bimah* as do their male counterparts. But I have often had the opportunity to sit near them in the women's section, allowing me some personal time with the president, vice president, or other officers of the board. When we pass the Torah through the women's section, I walk behind it and greet the female congregants. It's a personal touch that they otherwise cannot receive from the clergy, during this key moment in the *davening*.

Architecture Matters

Shul architecture matters. *Mehitzah* structure matters. When a synagogue hires a maharat, it will only highlight whatever access is or isn't in place for women in *shul*.

The question of "Where will she sit?" is also a question of how will she exercise her leadership.

Not only does the nature of the *mehitzah* affect the presence of female clergy in the *shul*, but so does the seating of the leadership. Some *shuls* have a large central *bimah* where the leadership sits, others have no *bimah* at all, and still others have a front *bimah* that remains empty while the rabbi sits among the congregants. Indeed, in some *shuls* there is no one who will even think to ask, "But where will you sit?" That being said, whether or not the rabbi sits up on a *bimah*, he generally has a set place of honor, a *makom kavua*, which may be set apart by the presence of a special chair, or perhaps a *shtender* (book stand) at his place. This gives a seat of honor to the rabbi, or at the very least, ensures that no one would mistakenly take his seat.

It is often tricky to designate a seat for the female member of the clergy. Orthodox synagogues simply were not built with this arrangement in mind. Often the pew does not allow for it, or there just isn't the space for an extra *shtender* or table. For this reason, informal *shuls*, which use folding chairs or movable furniture, are better equipped to adjust for a *makom kavua* for the female clergy. I know one maharat colleague whose congregation presented her with the gift of her own *shtender* to designate her *makom*, but in most synagogues this simply isn't logistically possible.

This means that it is not unusual for me to leave my seat for a few moments, only to come back and find that someone has, unknowingly, taken my seat. I don't personally need the *kavod* of a special seat, but it does make it hard to feel that I have a place in *shul* leadership, when I often don't have a set place in *shul* at all.

Shul architecture can deeply inform the relationship between clergy and congregants. Despite constant new developments in *shul* life and leadership, synagogue architecture does not change quite so easily. When hiring a female member of clergy, a community might consider

the implications of where she will sit, from where she will speak, and how she will operate within the physical synagogue space, all of which will affect how she is perceived and the power of her impact.

I would also love to see male members of the clergy think critically about where they choose to sit, and whether

their *shul*'s layout maximizes their own potential as leaders. Some rabbis feel that being confined to the *bimah* hinders their access to congregants; others might understand a community's need to see their

rabbi in a place of importance. There is no one correct model when it comes to the seating of the clergy, whether male or female. But we should all be conscious of the importance of the answer to the question, "Where will you sit?"

We should all be conscious of the importance of the answer to the question, "Where will you sit?"

Maharat Rachel Kohl Finegold is the Director of Education and Spiritual Enrichment at Congregation Shaar Hashomayim in Montreal. She previously served as the Education and Ritual Director at Anshe Sholom B'nai Israel Congregation in Chicago. She received her B.A. from Boston University, and is a graduate of the Drisha Scholars Circle. She was ordained as part of the inaugural class of Yeshivat Maharat.



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My Bat Mitzvah Lesson

By Alan M. Schwartz

Memorial Day 2009 was a milestone in the life of our family. My wife and I had chosen that Monday as the date for our daughter Eliana's bat mitzvah, for two main reasons.

First, it would obviate concerns about Saturday travel by our non-Sabbath-observant relatives (and any time Jews have the opportunity to relieve ourselves of guilt, we take it). Second, it would enable Eliana to read from the Torah, though not on Shabbat, as the first part of the weekly Torah portion is read during the morning service every Monday and Thursday.

Fortunately, our Modern Orthodox synagogue takes a welcoming attitude toward increased women's participation—not only encouraging sermons and *divrei Torah* by women on Shabbat and during the all-night Shavuot community learning program, but also enabling women to hold their own prayer services. These women's services, always with fewer than ten men present, take place on occasions such as Purim (when the Megillah is read) and bat mitzvahs such as ours. If ten men are present, a *minyan* is formed and certain parts of the service, which involve *d'var shebikedushah* (sanctified text), become the men's responsibility; therefore, women's *tefillah* services cannot be attended by more than nine men. Having tutored dozens of local bar mitzvah boys, I was thrilled to have the privilege of teaching my own daughter to *leyn* the Torah, and proud that she wanted to do so. And, of course, as a modern American parent, I was pleasantly surprised to find that my preteen acknowledged that I might know something she could learn from me!

Preparation for the Bat Mitzvah

The whole experience of preparation, pressure, and performance was at once stressful, exhilarating, and joyously hectic. Making time for lessons, planning the details and logistics of the service, and, especially, planning the party (credit goes to my wife's keen and irrepressible organizational skills) were all challenging—but, in the end, pricelessly rewarding.

It was also the last family celebration for my mom, Eliana's Grandma Ruth, who was happy beyond words that day, having waited into her nineties to see the bat mitzvah of her first granddaughter, but who passed away only five months later.

Sitting Behind the Mehitzah

But of all these memories, the impression that lingers most pointedly—perhaps because it was so unexpectedly transformative—was the feeling I got while sitting behind the *shul's* *mehitzah*. I was one of nine males watching Eliana, her mom, her friends and cousins, and the other women of the *shul* lead and conduct the service that I could not take part in. After a lifetime of active personal participation in synagogue prayer, I was experiencing a new, surprising, and rather uncomfortable sensation of enforced restraint and passivity. Not that I felt entirely excluded—

after all, I could still recite the prayers, follow the Torah reading, and sing when others sang. But I was aware of an unfamiliar, unexpected state of restrictedness, of confinement—a force field keeping me in my place.

Ironically, counterintuitively, I actually enjoyed the experience. “So this is how it feels,” I kept thinking. Yet it was too easy for me to feel self-righteous in my realization. After all, it would soon be over, and I would return to my accustomed privileged seat across the divide.

Although my time behind the *mehitzah* was relatively fleeting, I understood that there was a valuable lesson in it. I consider myself Orthodox, and I accept the putative halakhic imperative for the separation of the sexes during prayer. At the same time, I realized that day (and have often thought about it since) that my experience sensitized me—and could sensitize other men—to the dispiriting separate-ness, even isolation, that many (though certainly not all) Orthodox women feel because of the *mehitzah*.

Not Advocating No Separation

My point is not to advocate removal of the separation barrier altogether. Like many of these women, I understand and accept the *mehitzah's* presence and its purpose: buying into the positive rationale that the *mehitzah* enhances the religious focus of both genders. But my experience has prompted me to urge other Orthodox men to consider and comprehend the psychological impact of the barrier and to use that recognition to sensitize themselves to the validity of a traditional Jewish woman's desire for halakhically sound expansion of her opportunities for spiritual expression.

Eliana has always been high-spirited and assertive, and we just knew that her coming-of-age celebration would reflect her personality. I was proud to see Eliana's confidence in mastering the chanting of the Torah and in taking center stage on the *bima* for the first time. But I have seen the same glow of pride in the faces of women in our *shul* who carry the Torah or deliver the Shabbat sermon for the first time—realizing a long-unmet ambition and gratified that their daughters can enjoy the luxury of taking these basic honors for granted.

In the end, taking my bat mitzvah lesson to heart has taught me to strive toward meeting an important moral challenge: how to literally put myself in another's place.

Alan M. Schwartz, a graduate of Yeshiva University and New York Law School, formerly served as research director for the Anti-Defamation League. He and his family live in Teaneck, New Jersey.



Eliana Schwartz celebrates her bat mitzvah with her grandmother, Ruth Schwartz.

Family Seating at Life-Cycle Events

By Justin Sakofs

For most of our married life, my wife and I have been members of *minyanim* with a *mehitzah*, and currently we are members of Kol Sasson, the partnership *minyan* in Skokie, Illinois. As a family with two young children, we've been at both egalitarian and partnership *minyanim* over the past five years, with occasional participation in a normative Modern Orthodox *minyan*.

Our elder child is four and a half years old, and while we are regular *shul* goers, issues of *davening* while parenting presented themselves only after he was born. As individuals and couples, we both had observed many parents navigating the sanctuary before we were in that situation, and we followed their examples.

Young Parents Navigating the *Mehitzah*

As young parents, we have frequently had to navigate the *mehitzah* to meet the needs of our children: Who has the diaper bag? Where are the snacks? And, of course, Is MagneticShul in the *tallit* bag or the food bag? Some *mehitzot* allow us to speak directly (and easily), whereas others encourage us to leave the sanctuary to ask short parenting questions. We have managed pretty well in developing some form of communication to get each other's attention—usually beginning with a game of “telephone” involving others in the congregation—but there are times when our children wander from one side to the other unannounced, not to mention the times when our son carries the message from one to the other. Let's just say that that doesn't usually go so well.

These challenges of being a young family could more easily be navigated in a family seating arrangement, but because we have a culture of separate seating in the sanctuary, I don't want to challenge it—at least not in our *shul*. Rather, I want us to think about family seating when it comes to life-cycle events as something that should override the location and force us to have a positive outlook for the future even when it seems that may not apply for tomorrow.

Separate Seating at Funerals

Last fall, my father-in-law passed away on Hoshana Rabba, making time of the essence. The local funeral homes were booked, so his funeral was to be held in the synagogue he helped found twenty years ago. Initially, this was not a welcome prospect for our family. The synagogue is Orthodox and has separate seating in the sanctuary. My wife spoke to the rabbi before the service, stating that the family would be sitting together. The rabbi didn't challenge her wishes; my wife, her mother, and her three brothers sat together. Everyone else who gathered was separated by gender. I thought this was odd, as the loss was deeply familial. The expectation of separation was further emphasized when the rabbi was asked, “The men walk behind the casket, but where do the women walk?” His reply was, “After the men.” This reply was

challenging because this was an opportunity for support to be provided by others sharing the experience, not a time for separation. For me, this separation furthered a feeling of loneliness, and I believe many others felt similarly.

In contrast to this experience, six years ago, when my grandmother passed away, I remember sitting with my immediate and extended family, and my wife holding my hand throughout the day. I had lost one of the greatest women in my life, yet through my wife's touch I was reminded that life must go on. No matter how much we say and believe that life cycles must occur, loss is devastating. When we experience loss, we require the love, support, and comfort of others so we do not become lost ourselves. I believe that it is through the supportive connection with those whom we love that we can gain a positive perspective, using the life transition to recall how the deceased has helped nurture us to the present, as we live and look forward to tomorrow.

Other Life-Cycle Events

Consider other life-cycle events such as a *brit milah*, *simbat bat*, or a wedding; in all these cases, we may find reasons to have separate or family seating. For example, the first two rituals may occur immediately after *tefillah*, when the guests are already segregated. At a wedding, the claim can be made that having only the *hatan* and *kallah* together emphasizes their unique status. On the other hand, these moments are about welcoming a new life or a new couple into the community, and family seating in these instances encourages us to be models of the reality that we cannot live alone.

I am reminded of being at such *smahot* at which my wife and I would turn to each other, excited about the new opportunities we anticipated as we awaited our first-born. There was a genuine feeling of happiness, knowing that we were together on this journey, and that others too were moving in parallel paths, albeit at different rates. We have wedding pictures of our parents standing beneath the *huppah* with us. Although there were nearly thirty years between our wedding and theirs, clearly they were marveling at the cycle that they had been a part of. Besides our parents, how many years of marriage and experiences of commitment were there in the room beyond the *huppah*? How many feelings were elated through the marriage of the two of us?

Just as we are reminded of the beauty of togetherness at *smahot*, I believe we need to remind ourselves of the supportive nature of being together in times of sorrow, especially when we may feel even more alone. At a funeral, we see our loved one's casket—alone. Our heart aches from the loss, and no matter how many people are with us, we still feel alone. In the moment of my wife's father's funeral, I was unable to provide her with the support she had given me years earlier. In a family seating

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Love, Marriage, and Jewish Families: Paradoxes of a Social Revolution

Sylvia Barack Fishman, Editor

Brandeis University Press/HBI Series on Jewish Women, 2015, \$40 (paperback), \$34.99 (ebook)

By Roberta Rosenberg Farber

The family is an institution most of us take for granted. We grow up in families and hope to create our own. So why has the family become such an important topic in the Jewish community today?

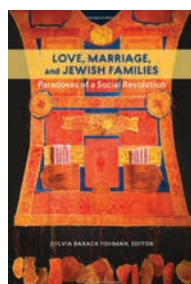
According to the Pew Research Center, “In 2011, 4.2 million adults were newly married, about the same number as in 2010 and sharply lower than the 4.5 million newlyweds in 2008.” The study found that “Barely half of adults (51%) were married in 2011 ... compared with 72% in 1960.” In other words, Americans adults (25 and older), if they are marrying at all, are marrying much later: “Marriage increasingly is being replaced by cohabitation, single-person households and other adult living arrangements” (Pew Research Center, November 20, 2012).

American adults are having fewer children; the fertility rate is below the replacement level of 2.1 children per woman. Many couples decide not to have children. Women who have a biological clock and want to have children but have not yet found an appropriate partner are deciding that they cannot wait any longer and may choose to have a child on their own. The traditional path of becoming an adult—marriage and then children—is no longer always followed.

These trends, of course, are not only happening in America, but are prevalent throughout the Western industrialized world. And to the extent that Jews have assimilated the norms and values that underlie these trends, Jewish communities are likewise changing. The way these changes are being played out within the Jewish community is the subject of the important new book, *Love, Marriage, and Jewish Families*, edited by Sylvia Barack Fishman, a preeminent sociologist of American Jews, who is a professor of contemporary Jewish life at Brandeis University and co-director of the Hadassah-Brandeis Institute.

The articles in this edited volume explore the changes in love, marriage, and the family as currently practiced and understood among American and Israeli Jews. Including articles on Israeli Jews in this volume makes sense simply because the culture of individualization and personalization is present in both countries, and North American and Israeli Jews together constitute the two major Jewish population centers, comprising 86 percent of the world Jewish population.

Some articles in this volume use quantitative methodologies, but most combine the results of both methodologies or are qualitative. The qualitative emphasis reflects the greater importance given to the individual



voice in the social sciences today. As a consequence, the sample size in most of the studies is smaller than might be expected, but there is greater depth and understanding of meaning; a sense of narrative is present. Nearly all the articles supplement secondary source material with data from original studies.

The articles reflect the multi-dimensionality of the subject. Topics range from demographic analyses of Jewish fertility in Israel and America to an overview of gays and lesbians in Israel to the changing images of gender ideals among *hareidi* groups in Israel to alternative divorce procedures as solutions to the *agunah* problem.

Fishman's introduction provides the historical-sociological context for changes in the way love and marriage are understood and expressed in the modern or postmodern context. In the past, the purpose of marriage was to raise a family, meaning that the goal was to be a good spouse and a good parent. Today, in what is called “individualized marriage,” the focus is on achieving personal values. This is consistent with the emphasis on individual satisfaction found in Western industrialized countries like the United States and Israel. The fact that 90 percent of American Jewish men will be married by the time they are 45, and American Jewish women when they are over age 50, is taken as a sign that traditionalism does indeed endure, even when compared with earlier times when nearly universal marriage was achieved well before Jews reached age 30.

The book has four sections: Love, Sexuality, and Personal Choice; Family Transformations; Marriage and the Law; and Backlash and Reaction. Each of these sections contains fascinating articles about the transformations in the way we understand and practice gender, sexuality, marriage, and family. Although all the articles offer fascinating insights, I personally found it encouraging to note that, contrary to the trends brought about by the individualization of norms, values, and behavioral expectations in postmodern societies, Daniel Parmer, a research associate at the Cohen Center for Modern Jewish Studies at Brandeis University, offers new “evidence to support the counter-narrative claim that marriage remains a relevant and highly desirable form of family formation amid a changing landscape” (p. 33).

Ideas that specifically caught my interest include Rachel S. Bernstein and Fishman's reference to the practice of Judaism in the home as “the third shift” for Jewish women. This concept is an extension of Arlie Hochschild's designation of the housework that awaits women when they return home from their paid work as the “second shift.” Sergio DellaPergola attributes fertility rates in Israel, which are the highest among the Western industrialized countries, to Israel's being generally supportive of family life culture. He attributes this to the phenomenon that Israeli Jews continue to see having children as a national duty to replace the Jews lost during the Holocaust. The article by Tehilla Blumenthal provides an insightful and informative exploration of issues raised in the decision-making process by unmarried women to

continued on page 22

become mothers. She captures the need these women feel to become mothers, an action largely supported in pro-natal Israel, but not as positively viewed in America. These are but a few of the fascinating and valuable facts and ideas that I gleaned in this excellent volume. The variety of subjects explored indicate the multiplicity of concerns to be examined and taken into consideration in an analysis of the Jewish family in contemporary times.

As the primary institution for socializing the next generation, families provide the place in which behavioral norms, values, and mores are transmitted and the people youngsters mimic and from whom they learn. In other words, it is through families that Jewish behaviors are most effectively transmitted from generation to generation—and so, yes, it is essential that we understand contemporary trends and their impact on Jewish life. Nothing is more basic to the development and maintenance of Jewish communal life and personal identity than patterns of marriage and childrearing. It is thus difficult to think of a more timely and pertinent topic than that explored in Fishman's excellent book.

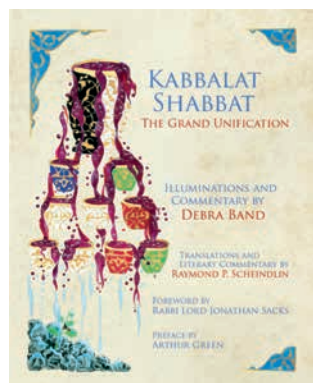
Kabbalat Shabbat: The Grand Unification

Illuminations and Commentary by Debra Band
Honeybee in the Garden, 2016, \$49.95

By Roselyn Bell

Debra Band's new volume of illuminated texts for *Kabbalat Shabbat* and Friday night home rituals is both visually breathtaking and conceptually very ambitious. She has provided multiple commentaries, artistic and literary, for the texts, as well as conceptual approaches to them from historical and scientific perspectives. This is a book designed to encourage *hiddur mitzvah*, the amplification of the beauty of carrying out a *mitzvah* and the deepening of its meaning.

Band expands our understanding of the Friday night liturgy by drawing upon *midrash*, history, and even contemporary astrophysical understandings of the structure of the universe ("Grand Unification Theory"). Prof. Arthur Green, in his introduction, traces the history of *Kabbalat Shabbat*, from its halakhic roots in determining the time of acceptance of the beginning of Sabbath and its mystical roots in sixteenth-century Safed. There, the followers of Rabbi Isaac Luria, building upon an earlier tradition of *merkavah* mysticism, brought the esoteric notion of the *sefirot* to the masses, and introduced the custom of welcoming the Sabbath as a bride and a queen. This feminine imagery then became amplified by the recitation at the dinner table of the verses from *Mishlei* describing the *eishet hayil*, the valiant woman who is both homemaker and heroine, and the glorification of



the Shekhinah, the feminine aspect of God and the most accessible of the *sefirot*.

The illuminated pages begin with the preparatory aspects of Shabbat—a prayer for the separation of *hallah* and the poem of Hayyim Nahman Bialik, *Hahamah Meirosh Ha'ilanot Nistalkah*—not your usual *erev Shabbat siddur* fare. The illustrations are richly symbolic, with explanations of their symbolism offered in the commentary at the back. The modes of illustration incorporate traditional forms of Jewish artistry, such as micrography and papercuts. At other times, the drawings portray scenes from the land of Israel or from nature that are symbolically connected to the text.

The Hebrew script is in a calligraphic hand that Band created and used in her earlier books, and the English script is based on an Italian Renaissance italic font. In contrast, the *Ma'ariv* liturgy (i.e., not the *Kabbalat Shabbat* or home rituals) is presented in standard Hebrew and English fonts, with a simple border framing all those pages.

This is an aesthetically and interpretively dense book. It may be a bit too rich to take to synagogue for davening *Kabbalat Shabbat*, but it is far more than a coffee table book. It should be invited, like the Sabbath queen, into our homes and Shabbat dinner tables to enliven and deepen our appreciation of Shabbat.

Faith Without Fear:

Unresolved Issues in Modern Orthodoxy

Michael J. Harris

Vallentine Mitchell, 2016, \$36.94

By Roselyn Bell

What is Modern Orthodoxy? Michael J. Harris, a rabbi serving the Hampstead Synagogue in London as well as an academic with a Ph.D. in philosophy, teaching in the Faculty of Divinity at Cambridge, applies the skill sets of both his disciplines to answering this question. He defines Modern Orthodoxy as "the attempt to combine full commitment to Orthodox Judaism with openness to the modern world." He describes it as trying "not to evade modernity but to face it head-on, rejecting whatever Orthodoxy can never accommodate but accepting whatever enriches, enhances and ennobles traditional Jewish life." Given the issues he highlights in this book—the status of women, the challenge of biblical critical scholarship, belief in a messiah, and the concept of the chosen people—he seems to say, "Bring it on!"

Rabbi Harris insists that Modern Orthodoxy is not lacking in authenticity and is no less "*frum*" than *hareidi* Judaism. Both exhibit certain discontinuities from the pre-modern past, and each has chosen to build upon different elements from the tradition. He sees, for



example, the concept of *da'as Torah*—the notion that specific rabbinic scholars provide the sole authoritative voice of Torah in their day—as a modern notion that arose out of the political circumstances of the late nineteenth century. It broke with an earlier notion of localized rabbinic authority that accepted the legitimacy of multiple opinions. In practical matters too, the *hareidim* have introduced new, more stringent standards than in the past, as in their adoption of the larger *shiurim* (measurements) of the Hazon Ish for *Kiddush*.

Of particular interest to JOFA readers is Rabbi Harris's chapter on the role and status of women in Judaism, which he sees as a test case for how *halakhab* and Orthodoxy respond to outside influences. He evaluates feminism in a generally positive way, saying that its ethical claims upon tradition must be taken seriously. But he insists, contra some feminists, that it does not have an axiomatic place in one's values structure as does traditional Judaism.

Refreshingly, Rabbi Harris rejects the claim of "essentialism"—that men and women have essentially different natures, mindsets, and capabilities. He critiques Rav J.B. Soloveitchik for claiming that "men and women differ not only physiologically ... but also spiritually and personality-wise." He labels as "apologetic" and not factual the widespread view that men and women have equal but different roles in traditional Judaism. As evidence of the inequality, he cites a statement in Mishna *Horayot* that a man's life is worth more than a woman's and the inherent male advantage in divorce.

Rejecting apologetics, Rabbi Harris suggests that the way forward is by developing *halakhab* from within. He proposes a two-tier system of *halakhot* in which some are timeless and not amenable to change, such as the laws of family purity, the prohibition of incest, and the separation of men and women in certain ritual contexts, and some are "not appropriate to the status and circumstances of women in modernity," such as the prohibition on women making *Kiddush* at home or women leaning at the Seder. These latter examples may seem minor, but significantly, he raises the much larger and more consequential category of *mitzvot aseih she-haz'man grama*, positive time-bound commandments, from which women are exempt. He cites Yoel Bin-Nun's suggestion that women voluntarily take on time-bound *mitzvot*; a group of such women, *b'not horin*, who obligate themselves to regular prayer, might then constitute themselves as a *minyán* and say the prayers for which a *minyán* is needed.

Rabbi Harris recognizes that the tremendous growth in opportunities for women to engage in advanced Torah learning is the engine driving the changes in women's role in Orthodoxy. And, significantly, he takes this development to the next step, saying, "Modern Orthodoxy now needs expert women Torah scholars to become part of the halakhic process and to help shape it." He envisages *poskot*—female Torah decisors who bring women's perspectives to the *halakhab*—effecting changes such as the creation of standards of *tzniut*, modesty, for men as well as women. There is much to applaud here.

Elsewhere, Rabbi Harris explores less familiar territory

in trying to incorporate mysticism and Kabbalah into a Modern Orthodox outlook, which, he says, suffers from an excess of rationalism. He observes that the *hareidim* have far less difficulty with mysticism because they see the world as "enchanted." For the Modern Orthodox today, however, Jewish mysticism is problematic in some of its ethical constructions—such as the view of Jews as inherently superior to gentiles. Rabbi Harris suggests looking to Rav Kook for hints of a kabbalistic ethic of love for all humankind.

Rabbi Harris dons his professorial hat most prominently in the chapter on "The Challenges of Academic Biblical Scholarship," in which he mounts a spirited defense of the belief in *Torah Min HaShamayim*, Torah as a God-given entity, against the regnant views in academia. He distinguishes between "Higher Criticism" or the classic Documentary Hypothesis, which challenges the Divine authorship of the Bible, and the kind of biblical scholarship that situates the Bible in its historical setting by comparing parts of it to, for example, the Code of Hammurabi. He responds to the challenges by proposing a doctrine of propositional revelation—meaning that God did not dictate the Torah word for word to Moses, but rather communicated the basic ideas and let Moses choose the words.

Rabbi Harris has bit off quite a lot of controversial material in this book, and, not infrequently, is forced to shut down a line of inquiry with the statement, "This lies beyond the scope of this volume." Nevertheless, one goes away with the feeling of an intellectually satisfying engagement with the issues. I came away pleasantly surprised by how little "politics" entered into the discussion, as it might have in the United States, and how fully the author plumbed the issues from both an academic and a traditional-religious perspective.

Family Seating, *continued from page 20*

arrangement, we can find ourselves with our partners, our friends, our companions, who know more about us than we may like to admit; although they may not be able to make the loss go away, as only time can move us through the grief, they can support us. They remind us that we are not alone, and that tomorrow will be a little brighter.

I'm not trying to say "right" or "wrong" to the issues of family seating, but I would urge us to put the human experience first and foremost when it comes to life-cycle events. I believe we need to embrace opportunities for family seating so we can model love and support through the act of being and living.

Justin Sakofs is a child-centered educator living with his wife and two children in Skokie, Illinois. He is the founder and creator of MagneticShul, a toy designed to engage young children in ritual synagogue life. In addition to being an entrepreneur, he serves on the board of Limmud Chicago and is an avid teacher at Limmud.



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