

## GENDER AND JUDAISM

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### MOSHE KIBAEI TORAH MISINAI UMESARAH L'YEHOSHUA--

Moses received Torah at Sinai and passed it on to Joshua. These words are the opening words of one of the Tractates of the Mishna<sup>1</sup>--Ethics of the Fathers. The message is that Moses received God's revelation at Sinai. The text does not say the Torah, but Torah. The rabbis were saying that both the written Torah found in the Bible as well as the oral traditions have their origin at a moment at Sinai.<sup>2</sup>

For the traditional Jew everything that we confront must be confronted with this concept of revelation kept in mind. The scripture and the heart of Jewish tradition are not merely human creations--whether of men or women--but the speech of the Divine. Now it is a given that while the traditional texts are the products of a lawgiver they are also the result of the response of men and women to that lawgiver's revelation. So there is certainly room for a sociological understanding of the transmission and interpretation of that sacred heritage. Nonetheless, its Divine aspect does not permit us to treat them the same as we would a novel or any other purely human work.

Certainly one can see gender as operating in the course of the development of Judaism. The Bible often addresses a world where men and women had distinctive roles in society. It neither condemns nor commends this reality most of the time. It is merely the background material by which to understand the stories of the lives of the Biblical characters. One example is the story of Ruth. The central characters are Ruth and Naomi with Boaz coming into the fore only after the activities of Ruth and Naomi. Yet Ruth cannot be secure without a husband. Neither she nor Naomi can envision security for Ruth without a husband.

There are instances where the Bible goes beyond simple observations of the realia of the Biblical world. In the story of the daughters of Zelophad the Torah clearly defines a system of inheritance where not only are the rights of the daughters minimal, but when they do inherit ancestral lands their marriage partners are limited in order to insure that the land will always remain in the hands of members of the father's tribe (Numbers 27:1-11).

There are laws of ritual impurity that have a different impact on the two sexes. There is a clear aversion to confusion of sexes--one sex may not wear the clothing of another. Men may not lay with other men as with women (Leviticus 18). If one accepts Divine origin of the Torah these cannot be simply dismissed as reflections of a patriarchal society, but as reflections of the Divine will. The Torah demands a distinction between the sexes. The degree of the distinction and the methods of the distinction are certainly open to question, debate, and interpretation, but the reality of distinction can be surrendered only by surrendering the initial revelation.

If "Torah names Jewish experience from male perspective" as argued by Dr. Plaskow, if, as she says, the image of God in the Torah is male, then either (a) her analysis is wrong, (b) the Torah is purely human, or (c) there is a reason for these realities. Being a traditional rabbi, I choose both (a) and (c). In part her analysis is wrong, and in part there are reasons for the gender distinctions.

I am convinced that the Torah does not simply name experience. It addresses human beings in language that human beings can understand and relate to, a patriarchal world related to language that had a dominant male circumstance. Men led the society and were assumed to be in positions of authority. But that did not preclude females taking on leadership roles whether it be to subvert the will of their husbands as in the case of Rebecca and Isaac or in saving the future savior of Israel as in the case of Miriam (Genesis 27; Exodus 2).

The rabbis were convinced that they had the right afforded to them as the judges of their generation to interpret the Torah. One sees that there has been tension between those who sought to add greater sanction to the expanded voluntary involvement of women in Jewish ritual and those who sought to delegitimize it. Thus Ashkenazic tradition has required women to recite a blessing before performing ritual acts that they were not required to perform, while the Sefardic tradition has been to deny the recitation of the blessing. The ritual question was whether one could say *asher kiddishanu b'mitzvotav v'tzivanu*--"who has sanctified us by His commandments and commanded us"--to perform a ritual, when the tradition has said that women are not commanded.

What is clear from the discussion is that there was no question that women were allowed to perform that ritual act, only whether or not they were required or allowed to recite the blessing. The act was still regarded as a voluntary acceptance of command which meant that it was on a different level than a required performance of a ritual. That has important implications for women performing

ritual on behalf of men. Since men were required to perform the ritual and women were not, women could not act on behalf of men in performance of the said act.

Did women feel left out? I would imagine that many did and others did not, just as one would see by an examination of the traditional Jewish community today. Part of the reason lies in the gender distinctive role of mother and baala busta, "mistress of the house." It is not simply apologetics to say that it required a great deal of religious knowledge and pious feelings to maintain a traditional Jewish household. Along with the tremendous labor required to maintain a house of any faith were the added burdens of Kashruth, Sabbath laws, and ritual purity during menses. The Jewish women certainly felt that they were actively leading a religious life even if it did not always take place in the public arena of the synagogue service. Judaism was lived not only in the house of prayer but in the family house as well as on the street.

It is significant that the gender roles in Judaism did not preclude a woman working outside the home. It was and still is a strong Jewish tradition for a woman to support her husband while he studied the holy texts.

Judaism, of course, has had to deal with changing expectations and situations throughout its history. Through the responsa literature<sup>3</sup> we can see the reaction to the changing role of gender in religion. Even within traditional circles there has been a recognition for a need to redefine some of the areas of life, provided the redefinition does not question the authority of Torah and Jewish tradition. It has not been smooth and without debate. Thus the question of women forming a prayer quorum for a separate women's prayer group has had its proponents and its detractors. It seems that those women who come from the traditional world and want to become more involved in a public form of prayer without violating traditional limitations will gain greater acceptance as long as they are not perceived as seeking to strike down the authority of Torah. Thus we have been witness to the phenomenon of a Rabbitzten Esther Jungreis, a Jewish evangelist, as it were, who is also a woman.<sup>4</sup> The style as well as the fact that it is a woman is a new phenomenon. It is significant, that with all the battles that have been fought concerning women as rabbis, it is not a problem of preaching and teaching but of juridical actions. In the Conservative movement in Judaism, from which I hail, the opposition to the ordination of women was never based upon problems with women preaching from the pulpit or teaching. It was in the areas of serving on rabbinic courts for conversion, divorce, supervision of the marriage ceremony, and the performance of duties that were ancillary to the rabbinic role, but are frequently performed by a rabbi in a small congregation and which are traditionally performed only by males.

The greatest difficulty that the traditional community has had with the entire feminist enterprise has been the antinomian aspect of it. For the feminist enterprise contends in essence that those aspects of tradition that differentiate between the sexes are morally repugnant. Secondly, there has been a questioning of the entire concept of law. Men are interested in rules while women are interested in relationships. Laws get in the way of interpersonal relations and should be done away with when they do so. This approach, while not totally agreed to by Dr. Plaskow, is discussed by her in a recent article.<sup>5</sup> Halakha, Jewish law, is seen as being only one way in which Judaism has been expressed and may not be the way it should be expressed.

The challenge is then only partially a question of gender. It is equally a question of the very nature of Judaism and thus becomes part of the debate between the liberal and traditional wings of Judaism. Within the traditional camp those women who are dissatisfied with the present state of affairs seek changes that will not destroy the fabric of Jewish tradition. Those outside the traditional camp have said in essence that it is the very fabric of the tradition that must be changed. The idea of content revelation, the authority of Torah and Halakha are rejected for a humanly derived set of standards. The past is gone, its teachers frequently irrelevant. Each individual is autonomous and must decide for himself or herself where to go. That is, as my colleague I am sure would agree, a short and perhaps insufficient synopsis of Reform theology, but within its parameters.

All of the above having been said, it is clear that the world of today, even in the traditional Jewish camp, has been affected tremendously. There is clearly a greater recognition that there needs to be a lessening of gender distinctions in many areas. Women have taken a greater leadership role in the traditional synagogue, serving on boards and as presidents of the synagogue. Marital roles have seen changes with even very traditionally minded men cleaning house, cooking dinner, and changing diapers. Even in the most right wing parts of the Jewish community the education of women has vastly improved in the religious aspects, and in the secular arena the women are often better educated than the men. These are not merely cosmetic. They signify an understanding that one can perform different functions without blurring gender differences.

Other, perhaps even more significant changes will come about. But they will occur only if they are not perceived as being an attack upon the integrity of Torah. Until now the changes have taken place in communities that have not valued Halakha very highly. In the Conservative movement while the rabbinic debates frequently used the rhetoric of halakhic discourse, the members of the movement in

general have no appreciation of Halakha. But in those communities made up of men and women dedicated to a halakhic Judaism any changes will come about as a natural and organic development. Evolution not revolution. But the changes will not be those that blur the distinctions between male and female. They will come as a means of strengthening Torah and not as an attack upon it.

#### NOTES

1. The Mishna is the earliest written collection of rabbinic teachings, compiled around 200 C.E. (Editors).
2. Torah ("teaching") basically refers to the teachings that Moses received from God. It is also the formal name for the first five books of the Bible, the Pentateuch. In Jewish tradition, the term Torah, as divine teaching, can be applied to small units, such as the Ten Commandments, or to larger ones, such as the whole Bible, or even the whole of the rabbinic tradition that is derived from the Bible (Editors).
3. Responsa literature: the correspondence between rabbis and their adherents wherein Jews raise questions about the applications of Torah to their own specific situations. A Christian reader may benefit from thinking about responsa literature as something analogous to the letters between Paul and the Corinthians. In Judaism, this kind of literature accumulated over the centuries and provides legal as well as cultural guidance concerning Jewish practices. Collections of responsa literature, ancient and modern, are now available in English (Editors).
4. See Esther Jungreis, *The Jewish Soul on Fire* (New York: Morrow, 1982).
5. Judith Plaskow, "Standing Again at Sinai: Jewish Memory from a Feminist Perspective," *Tikkun* Vol. 1, No. 2, pp. 28-34.

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