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## FEMINISM, EGALITARIANISM, JUDAISM: WHERE ARE WE HEADED?

**T**he current reality of women's impressive Torah accomplishments and the greatly debated issues of women's roles in religious leadership and prayer give me grounds for both wonder and concern. As one who has been involved in Torah education for women for the past two decades, I am delighted and impressed with their accomplishments, and yet I have great trepidation when I consider where this all might be headed.

There is no doubt that we are in the midst of a revolution, but the direction this revolution will ultimately take is not yet clear. Whether the outcome will be to the benefit or detriment of *Kelal Yisrael* has yet to be determined. To paraphrase R. Yohanan ben Zakkai, "Before me are two paths and I do not know upon which one I will be led..."

The current revolution originated on high. What I term the first phase, i.e., the push for formal Torah education for women, was encouraged by Torah giants *al taharat ha-kodesh*. The second phase, which was more limited in scope and somewhat more controversial, was encouraged as well by Torah greats, albeit by only a part of the Orthodox spectrum. This phase, which encouraged teaching Talmud to women, was fueled by Rabbi Joseph B. Soloveitchik and his disciples, among others, to preserve the integrity of Torah in the modern world. What is troubling to me is that this great movement now has the potential to sow destruction and confusion should it take certain directions.

I fear that this "glorious revolution" is in danger of being hijacked by an agenda driven not by Torah values, but rather by the values of our host culture in the Western world, values that are antithetical to ours. The current climate of Western civilization encourages the blurring of gender distinctions. Nontraditional marriages, gender fluidity, and many of the messages of the feminist movement are part of this trend. Were this trend limited to the civic sphere, it would merely pose a challenge to the Torah

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community, not a threat. However, the advocates of gender indistinction in society do not distinguish between the public and the private or between the secular and the religious.

Concomitant with the rise of gender blurring and feminism in the secular arena, an effort is being made to push these agendas in the religious square as well. Religions perceived as sexist, including Torah Judaism, have come under attack. We certainly do operate under an entirely different set of assumptions than those of our host culture. One of the cornerstones of Jewish thought is the concept of *havdala*, separation or distinctiveness. Or, to put it rather bluntly, non-egalitarianism.

Our weekly *havdala* service, noting the “inequality” of time from the religious-metaphysical perspective by marking the conclusion of twenty five hours of sacred time and the return to the mundane, states our principle of inequality succinctly: “Blessed are you God who distinguishes between the holy and the ordinary, between light and darkness, between Israel and the nations, between the seventh day and the six days of labor. Blessed are you God who distinguishes between the holy and the ordinary.” In other words, the Jewish world is filled with distinctions. The notion of *havdala*, of distinction, begins with the very act of Creation. From the primordial chaos came order through *havdala*.

Let us now examine this revolution in women’s Torah learning and try to gauge where it is headed. We label it a revolution, for the halakha in terms of the Talmud and *Posekim* appears to be quite clear: On a biblical level, the Talmud states, *beneikhem ve-lo benoteikhem*, there exists no requirement to teach one’s daughters *Torah*, and therefore no obligation for them to engage in the *mitzvah* of *talmud torah*. On a Rabbinic level, normative *Posekim* accept the view of R. Eliezer (*Sotah* 20b) that we are actually prohibited/discouraged from teaching women certain areas of Torah. The halakhic justification for encouraging women to pursue Torah studies in modern times has been discussed in detail, and there is no need to revisit it here, but the term “revolution” does seem appropriate.

The driving force in the sea change of women’s Torah education was not adherence to a feminist or egalitarian agenda. It was concern for the religious and spiritual wellbeing of both women and men, and a desire to effectively combat what was seen as the negative effect of the influence of secular culture. When the Hafetz Hayim, for example, felt that Jewish values were being threatened by outside influences, his reaction was to teach more Torah, albeit in a newfangled fashion. But his purpose was to preserve and strengthen Torah values, not to adjust them to be in sync with the secular *zeitgeist*. Similarly, when the Rav felt that Torah learning was not being appreciated by women with advanced secular knowledge,

his reaction was not to accept this trend, but to battle it by teaching women Torah in an in-depth manner.

Contrast the above approach with what is occurring today. Innovations such as partnership prayer services and the ordination of women, for example, are being pushed not to combat negative outside influences, but rather to accede to them. Egalitarianism is evaluated in these circles through the lens of Western society, which considers it a desideratum, rather than through the eyes of the traditional Jewish outlook, which considers it anathema. While I do not doubt the religious sincerity of those militating for these changes, even genuine spiritual yearning does not justify tampering with Judaism's world view.

So innovations must be viewed with a critical eye. They must be carefully examined to determine whether their impetus comes from within or without the Jewish *weltanschauung*. Not everyone accepted Hatam Sofer's famous play on words "*badash asur min ha-Torah*," in expressing his view that all change to Jewish practice and custom is to be flatly rejected. But another play on words comes to mind – *kol ha-meshanneh yado al ha-tahtona*, "he who seeks to change has the disadvantage." The burden of proof falls upon the one who wishes to institute changes in religious practice. Compelling arguments must be made on two fronts: the need for the change must be established, and the halakhic justification must be firm.

The innovation of ordaining women for the rabbinate fails, in my estimation, on both counts. However well-meaning its proponents might be, they have not made the case for the pros of having female clergy other than to satisfy feminist/egalitarian sensibilities. They often claim that changes are necessary if we are not to alienate an entire cadre of dedicated and devoted learned women. My point is that if such alienation were to occur, it would not be due to the lack of change but rather to the elevation of the values of the Western world over those of the halakhic world. Additionally, no *Posek* of note has provided halakhic validation to change a practice that has existed in a particular form for centuries, if not millennia.<sup>1</sup>

But, on the other hand, the fact that women today function as teachers of Talmud and Halakha in numerous Orthodox high schools can scarcely be considered an innovation. If license has been granted for them to study Talmud and Halakha, then the teaching of it is hardly a *hiddush*. And the need for such teachers is clearly evident.

<sup>1</sup> This statement is not intended to cast aspersions on those few who have attempted to provide *halakhic* reasoning. I assume that they make no claim to being world-class *Posekim*.

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Young women have always needed role models and individuals with whom they can discuss sensitive topics. Female students in high school, seminary, and college should have knowledgeable women available to them as they seek and search and grow and learn. From both Halakha/*Tseniut* perspectives and as regards comfort level, it is preferable for these young women to turn to females.<sup>2</sup>

One innovation with which I am personally familiar that has been gaining momentum over the past decade and a half or so is the training and practice of *Yo'atzot* halakha. The idea of training women to become experts in the area of *Taharat ha-mishpaha* and then field questions in that area from women was conceived by Rabbanit Henkin of Nishmat some twenty years ago. Five years ago the program was brought by Nishmat to the United States. To date, one hundred women have been certified as *Yo'atzot* after completing the program and being personally tested by four *Rabbanim* in Israel. Most of these women serve communities in Israel, generally on a volunteer basis. The American program has graduated twelve of these *Yo'atzot*, and they, together with a few Israeli-trained *Yo'atzot*, are currently employed in various communities across North America, but predominantly in the New York Metropolitan area.

The impetus for starting this program was the feeling – originally undocumented, but today well-established – that many questions were remaining unasked by women who did not feel comfortable discussing these intimate issues with males, no matter how sensitive these rabbis might be. There was no feminist/egalitarian agenda. The need was a genuinely Jewish one. It is therefore an organic outcome of the revolution in women's Torah learning.

And indeed, *hokhiah sofo al tehillato*, the results have demonstrated the truth of the proponents. *Yo'atzot* have had a major impact in the communities they serve. The American *Yo'atzot* alone in the past five years have handled thousands of questions. They work together with the rabbis of their communities, and have increased awareness and observance of *Taharat ha-mishpaha*, not just by being available, but by proactively giving *shiurim* and talks on *Taharat ha-mishpaha* and related subjects.

In Israel the program has become widely accepted in the *Dati Le'umi* community. *Rabbanim* and rashei yeshiva of note have offered their endorsements. But on these shores, the response in the corresponding

<sup>2</sup> This justification cannot be used to establish the need for female clergy. Ordination is not necessary to enable one to be a teacher, advisor, or role model. The only job descriptions that require ordination are those of the congregational rabbi and the *dayyan*.

community – let us call it the Modern or Centrist Orthodox community for want of a better term – has been more guarded. While many *Rabbanim* and their congregations have enthusiastically embraced the concept and have indeed hired *Yo'atzot* for their communities, others have been decidedly more hesitant.

At first blush this hesitancy is surprising. The *Yo'atzot* have made their mark. The need is clear, and the response of women has been overwhelming. Why therefore the reluctance among many *Rabbanim* to embrace the concept?

Had the *Yo'etzet* phenomenon developed in a vacuum, I believe that there would have been virtually no opposition to it. But developments in real life occur within contexts. The context here has unfortunately been the ordination of women in particular, and the egalitarian/feminist push in general. The perception “out there” is that *Yo'atzot* are just another form of women rabbis or the first step towards acceptance of women rabbis.

This is the tragedy of the situation. To fear an innovation that has done so much good and has the potential to do even more, lest this be seen as license to engage in other innovations, indicates just how great the danger of feminism/egalitarianism is perceived to be. One noted rosh yeshiva whom I greatly love and admire has even gone so far as to suggest, albeit tentatively, that the educational approach in Modern Orthodox women's day schools be revamped by removing Talmud from the curriculum in order to combat egalitarianism.

While the concept of building a higher fence than previously existed in the face of widespread wrongdoing is a well-established one, I would have grave doubts about the efficacy of following that principle today. *Gezeirot* do not go over well in our open society, and ultimately they require the assent of the masses. In our world, the best way to have the influence required to stem a negative tide is by permitting and prohibiting judiciously. If we are overzealous in the pronouncement of prohibitions, we run no less a risk of being cast aside as irrelevant as we do if we are overeager in our desire to permit.

The revolution in women's Torah learning is indeed at a crossroads. My feeling (or perhaps hope) is that only a small number will push for a radical feminist/egalitarian path. While they will eventually write themselves out of the Torah community, the toll this will have taken on the community in terms of the *hillul Hashem* of the ensuing *mahloket* and diminution of the honor of Torah will be not inconsiderable. And if I am wrong and large numbers take this path, the casualties will be all the greater. This is indeed reason for great consternation.

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The Rabbinical Council of America and Agudath Israel of America are both on record as opposing the ordination of women. While the National Council of Young Israel has not issued any statements on the matter, its *Va'ad Halakha* is certainly firmly opposed as well. I am not certain that these organizations have issued any pronouncements against the so-called partnership prayer services where women have a role in parts of the service, but certainly the mainstream Orthodox rabbinate is opposed to this concept. Similarly, with regard to women donning *tefillin*, an issue that surfaced a short while ago in a Modern Orthodox day school in the New York area, the Orthodox rabbinate stands opposed. Should these practices continue, and should yet other egalitarian practices be introduced, the voices in opposition will grow stronger and shriller, but will have no effect on those who support these practices. To the contrary, they will seek to defend their practices with articles and counter pronouncements of their own.

No doubt the Jewish and to some extent the mainstream media will delight in this controversy, and various publications will exacerbate the situation. The laity will start to discuss these matters in greater numbers as well, and it is more than likely that their comments will further inflame the atmosphere. While Jewish history is replete with controversy and dis-sension, the possibilities afforded by the internet to carry on such *mabloket* is truly mind-boggling. Anyone, regardless of his or her level of knowledge, can say anything, which, if argued persuasively, can influence those who are not very knowledgeable and cast aspersions on rabbinic leaders.

And if this nightmarish prediction of mine does indeed come true, the ensuing chaos might result in the forming of yet another schism in the Jewish community. Either the radical feminist /egalitarian forces will themselves break off in the face on intolerable hostility from the traditionalists, or the traditionalists will close ranks and formally write the radical feminists/egalitarians out of the Orthodox spectrum. I doubt that the first option will occur because those seeking to implement egalitarian change claim to be doing so under the umbrella of Orthodoxy. Their creating a new movement would deprive them of the legitimacy they crave.

With regard to the second possibility – of the traditionalists writing the others out of Orthodoxy – there are those in the mainstream community who would very much like to see this take place. They feel that removing the Orthodox label is the only way to make clear to the onlookers that egalitarian change is absolutely unacceptable. Others take a more moderate view and feel that the negative sociological effects of a schism outweigh any positive ideological gains. My own feeling is that “*ha-emet yoreh darko*,” “the truth leads the way.” If practices are indeed deviationist, there will be little choice in the matter; and therefore my great concern.