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From Chaos to Repair in Women's Education and Leadership

Writings on Women and Judaism

In Rabbi Dr. Norman Lamm's essay, "Are Women 'Lightheaded'? Three Troublesome Passages in Halakhic Literature," he examines the *she-lo asani isha* blessing (in which men thank God for not being created women), the talmudic statement that women are "lightheaded," and the proscription against teaching Torah to women.[1] He outlines various essential views on these topics, including his emphatic endorsement of the change in women's overall status and in their place in Jewish religious life. He suggests that were R. Eliezer alive today, he could not maintain that women's Torah education is *tiflut*, a frivolity, but rather the reverse, that it is obligatory. He recognizes that, although this is by no means a universal sentiment, many women are offended by the *she-lo asani isha* blessing, and seemingly pejorative aphorisms regarding women in the Talmud. Nevertheless, that fact notwithstanding, we must be reluctant to play fast and loose with tradition and halakha. He acknowledges that some of the Talmud's statements regarding women reflect a bygone sociological reality, that they are not prescriptive, and do not hold true today. And yet, some statements, while not necessarily couched in language that appeals to the modernist, are based on a deep understanding of differences between the male and female psyche. Finally, he offers a re-interpretation of the parallel blessing recited by women (*she-asani kirtzono*, which praises God for creating women according to His will), which not only enables us to make our peace with the blessing, but to understand the strength and the challenges of women's religious life today.

R. Lamm's remarkable reach as a thinker was a product of his role as a first-rank Talmudist, philosopher, and master *darshan*, wrapped into one. Regarding the *she-lo asani isha* blessing, he dismisses suggestions based on "minority authorities and stray opinions… [to] rephrase the liturgical passages that have been sanctified by untold generations of deeply pious

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women as well as men." R. Lamm's position leaves no doubt: Orthodox Jews do not tamper with the language of the Siddur, and halakha requires that we follow the rules, even in the case of a distressing or discordant passage. Instead, he articulates a philosophy of women's *avodat Hashem*, religious service, predicated on that blessing. Men's service of God is based on religious discipline, the demand for never-ending compliance with commandments, and this is acknowledged by the blessing recited by men, "who has not made me a woman." Women's service of God, on the other hand, generally exempts them from positive time-bound *mitzvot*. Their observance takes into account the divine *ratzon* (will), stepping beyond the letter of the law to seek out a more spiritually-elevated service, "what the Creator wishes for us." Women are granted the privilege of "rising beyond the limitations of the 'must' to the almost limitless sphere of the 'ought.'" This, R. Lamm maintains, should be our understanding of the *she-asani kirtzono* blessing.

Why were women exempted from positive time-bound *mitzvot*? In the past, the exemption was generally justified in two ways. In fourteenth-century Spain, R. David Abudraham wrote that women were exempted from this category of commandments because the woman is bound to serve her husband:

> If she were obligated to [perform] positive time-bound *mitzvot*, perhaps while performing the mitzva, the husband might demand of her to perform his command. If she were to perform the Creator's mitzva and disregard his command, woe to her from her husband. And if she were to perform his command and disregard the Creator's mitzva, woe to her from her Maker. Therefore, the Creator exempted her from His commands so that she have peace with her husband.[2]

By contrast, in nineteenth-century Germany, R. Samson Raphael Hirsch wrote that women do not require time-bound *mitzvot* to the extent that men do. The purpose of time-bound *mitzvot* is to call spiritual values to mind at fixed intervals and buttress the Jew against the temptations of the outside world. Women are inherently more spiritual, and, by the same token, less likely to lose their religious compass as their focus is in the home.[3]

Neither explanation, of course, speaks to our contemporary lifestyle where women, even Haredi women, often work full-time outside the home, and both partners, to varying degrees, may share household responsibilities. R. Lamm's understanding of *ratzon* makes room for a third approach. Women are subject to many commandments but are also granted

latitude to set certain religious priorities and—as they juggle family, work, and communal responsibilities—to determine how to allocate their limited time. But *ratzon* also makes space for new forms of religious expression, and here R. Lamm sounds a caveat. Let me explain.

Women are obligated to comply with all of the Torah's prohibitions[4]—not to steal, not to violate the Shabbat, not to eat leaven on Passover, not to mix meat and milk, and so on. They are also obligated by most of the positive *mitzvot*—to believe in God, to honor one's parents, to sanctify the Shabbat, and so on. Women are exempt, however, from fourteen positive time-bound commandments. These include *mitzvot* that give shape to the very fabric of Judaism: the mitzva of Torah study, which, following belief in God, is the most central command in Judaism. They include, as well, *mitzvot* such as hearing the shofar and sitting in the sukka, which are the main features of the festivals. Regarding most of these positive time-bound commandments, women are exempt but may perform them voluntarily.[5] If they elect to perform these *mitzvot* despite their exemption they are rewarded.[6] In fact, Ashkenazim now universally follow the ruling of Rabbenu Tam that not only may women perform the *mitzvot* from which they are exempt but they may even recite, before performing them, the blessing "who has sanctified us by the commandments and commanded us to [perform the mitzva]."[7]

According to *Sefer Hasidim* (§313), and other authorities, women are *not* exempt from all Torah study; they are obliged to master the details of the *mitzvot* they are commanded to perform. They are freed, however, from that unique, dazzling, and all-encompassing requirement of Judaism: Torah study for its own sake. Within the last several decades, we have witnessed one of the most remarkable transformations within Jewish life, as growing numbers of women intuitively realized that in order to sustain their Judaism in a progressively intellectual and complex world, they needed, in Torah study, to transcend the limited territory of their obligatory *mitzvot*, and enthusiastically enter the supererogatory domain of serious, fully-engaged Torah study.

However, there is a further, uncharted world that R. Lamm hints at, in the realm of *ratzon*. This is a realm that beckons the unfettered spirit, yet, he cautions, has the potential to break loose from halakha and set out on its own dangerous path.

The absence of a Talmudic tractate devoted to the parameters of women's voluntary engagement with *mitzvot* and Torah study creates a remarkable, non-delineated, non-regulated field for women's religious creativity. For instance, if a woman is exempted from communal prayer, is it preferable that she nevertheless endeavor to pray with a synagogue

quorum, since that is the halakhically-normative model? Or, perhaps, another model can exist which is no less genuine for a woman?[8]

The Hebrew *eina metzuva ve-osah,* she who is not commanded but observes, can be understood in two contrasting ways. The first and accepted explanation is that it refers to a woman who fulfills commandments *she* is not commanded to observe, but which men are. Another possible meaning is that she does what neither she *nor* men are commanded to do, that is, she worships God in her own unique fashion, in a way not followed by men. According to the first explanation, a woman senses intuitively that the men's halakhic model—even though it does not bind her—is the only authentic one even though it does not obligate her; and when she seeks to take upon herself elective religious behavior, she adopts the so-called masculine mitzva. She will not create new ritual but rather attempt to find her place within prescribed ritual. According to the second approach, the woman realizes that the masculine model is not necessarily relevant to her or does not necessarily embrace her womanly experiences, and therefore she creates her own spiritual model.

Let me point out some issues that R. Lamm's model of *ratzon* can raise. We may ponder, for instance, why no ritual was established in place of the *korban yoledet,* the sacrifice brought by the childbearing woman.[9] The inclusion of this sacrifice in the Torah means that it is God's *ratzon* that the new mother give religious resonance to her delivering a child. Women determined the parameters of religious devotion as we know it. Hannah's prayer is viewed by the Talmud as the prototype for all silent prayer.[10] Eli the *Kohen Gadol*, saw Hannah moving her lips and thought she was drunk; apparently, he had never witnessed silent prayer. Before Hannah, prayer was presumably a ritualized recitation or chanting aloud. Miriam the prophetess, the Torah relates, led the women with drums and dancing, to give religious resonance to the miracle of the splitting of the Red Sea. She took Moses' song of praise to God and made it the subject of ecstatic movement. Years later, King David followed in Miriam's path, and established the model for the *Simhat Beit ha-Sho'eva* celebrations in the Temple. Hannah and Miriam established the parameters both of intense personal devotion and ecstatic communal thanksgiving that we know today. These became incorporated into the collective religious psyche. Hannah's prayer to God in the Book of Samuel is the source of many of the laws of prayer as found in the Talmud. However, interestingly enough, that which is distinctly womanly—the fact that her prayer resulted from her having given birth—has no resonance. Spiritual amplification of women's life experiences thus remains in the domain of the volunteeristic.

I do not pretend to know why no ritual was instituted in place of the *korban yoledet*, but I think it is simplistic to point a finger only at *Hazal*. No less do we need to ask: How can we understand the silence of women themselves? Perhaps *Hazal* refrained from establishing rituals and texts of prayer for women because so many women, for so much of Jewish history, did not know how to recite the prayers. Tosafot (*Berakhot* 45b) question whether women who answer to a men's *zimmun*, the invitation to recite the grace after meals, fulfill their obligation "since they do not understand" the Hebrew prayers. They assume virtually universal illiteracy of women regarding the most common of daily ritual matters. Perhaps that is why *Hazal* failed to address the prayer needs of women, but perhaps, too, certain prayers can only be written by a woman.

The religious woman today, it seems to me, has three options regarding her religious experiences as a woman. The first is to ignore or suppress the spiritual dimensions and profundity of her experience, taking a cue from halakha's silence. The second is to insert her own unspoken words, meanings, and intents, between the lines of fixed prayers that do not directly reflect her experience, in order to voice the thanksgiving in her heart. The third is to pave for herself—and for other women—new paths to the Almighty, in an original and creative engagement with God's *ratzon*. The truth be told, the awareness of the need for more feminine expression in prayer was not born yesterday. The medieval *tkhina* literature voiced women's connection to God and their desire to envelop their lives in sanctity. In any event, with the opening of the gates of higher Torah learning to women, the idioms of Torah and halakha are becoming natural religious vehicles of expression by women. A process has begun. Such a path is being spontaneously embarked on today by thousands of women across the spectrum of the religious community, as they insist upon spiritually meaningful bat mitzva and *simhat bat* celebrations, as students in Israeli *midrashot* pray long past midnight in women's *selihot*, as women seek participation in various forms in Simhat Torah's *hakafot*, among other examples.[11] It is a remarkable and religiously vital course.

However, R. Lamm voices concern lest loss of balance between "structured law" and unfettered religious energy lead to religious havoc. He writes:

> The former can lead to mechanical action, outward gestures without any spiritual dimension. The latter is in danger—and it is the greater danger—of cutting loose from its moorings in the fundamental basis of the law; the overemphasis on the spiritual leading to antinomianism. Ossified recitation is not to be recommended for a vital spiritual life, but it does

> promise the possibility of later change for the better, whereas the abandonment of the halakhic regimen of sacred quotidian performances by reason of "greater" spirituality usually forecloses the probability of return to halakhic norms.

Interestingly, there is a powerful relationship between women's voluntary engagement with *mitzvot* and post-modernism. Culture today is often a panel discussion between different perspectives or disciplines arranged non-hierarchically. The post-modernist seeks not an ultimate truth but an experiential connection. He is tolerant of, and potentially intrigued by, everything. Everything is of interest to the post-modernist—unless he is *forced* to be interested in it. Authority and coercion are the two deadly sins. Within religious life, this has led to a surge in Carlebach-davening, to a quest for new-age spirituality, and to a renewed interest in Hasidut and finding one's own way to God. These are positive developments, accompanied, on the other hand, by less uniformity in religious behavior, in externals as well as creed. What is *not* "in" is coercion, and here there is a head-on clash with Judaism. Judaism demands the acceptance of the yoke of Heaven and the yoke of *mitzvot*, but acceptance of any yoke is anathema to the post-modernist.

When the post-modernist engages in prayer or ritual, he puts a premium on his own inclination and spirit. The advantages, from the Jewish point of view, lie in the spontaneity and genuineness of the activity, while the dangers lie in the ease of passage from distaste for rote performance of religious obligations, to distaste for religious obligations themselves. As R. Lamm insists, the two models—the male model of commanded religiosity, on the one hand, and the female model of *ratzon*, or volitional religiosity, on the other hand—must, of necessity, work in tandem. When that is the case, the result can be innovation and spiritual vigor within the parameters of halakha. However, if *ratzon* cuts loose from mitzva, in R. Lamm's words, "the overemphasis on the spiritual [is in danger of] leading to antinomianism."

R. Lamm does not say whether he believes the predilection he seems to observe in women for *aggada* over halakha is inherent in the female makeup, or a function of long-standing rabbinic sanction of teaching *aggada* to women, as well as women's choice of a Torah field accessible to them.[12] Certainly the curricula of single-gender women's schools traditionally favored *Tanakh* with commentaries, a grain of Jewish thought, and practical halakha, typically taught from *Kitzur Shulhan Arukh*. Moreover, women teachers in girls' schools were forced by a lack of Aramaic and related textual skills to concentrate on material available to them in Hebrew,

which effectively put Talmud and halakha instruction beyond the reach of most female teachers. This was the case when I attended YUHS ("Central Manhattan") in the early '60s, and it only began changing there in the 1980s with a class in Women in Jewish Law taught by Rebbetzin Abby Lerner.[13]

Despite his sense that women typically preferred *aggada* over halakha, R. Lamm's own thrill at the emergence of halakhically-learned women was obvious when he exuberantly addressed, in Hebrew, the first graduation of Nishmat's Yoatzot Halacha program, in Jerusalem on Sukkot 1999. I believe this is the first time his words are appearing in print, lightly edited and in English translation.[14]

> "Rabbi Yehoshua ben Hananya said: All the days of *Simhat Beit ha-Sho'eva*, they would not taste sleep at all" (*Yerushalmi Sukka* 5:2). But was it not stated: "One who took an oath not sleep three days, one flogs him [for taking an oath in vain because it is impossible to stay awake for three days], and he may sleep immediately"?! "Rather they would merely doze…" (*Sukka* 53a). What does "doze" mean? The Talmud defines dozing: "Rav Ashi said: *Nim ve-lo nim,* asleep but not asleep, awake but not awake. For example, when called, he answers; but he is unable to respond with a *sevara*, reasoned argument" (*Pesahim* 102b).
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> The pioneering effort made here today sheds a holy light on our entire era, and I rejoice in your and our celebration, of having merited seeing the fulfillment of the words of the prophet: "Behold, days shall come, says the Almighty, in which I will send a famine in the land—not a hunger for bread, nor a thirst for water, but for hearing the words of God" (Amos 8:11). Our generation is one in which knowledge is widespread. However, this hunger of the spirit for Torah is being felt for the first time by *women*; and specifically by women who yearn for Torah, not as part of a political or social agenda, but from a genuine hunger and thirst for the words of the God, for *Torah lishmah.* This first graduation ceremony echoes the *Simhat Beit ha-Sho'eva* of old in yearning for *kedusha* and *tahara*, holiness and purity.
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> The Torah world is no longer asleep. The opposition to in-depth Torah study by women has become outdated, and we dare not fall back asleep. However, we are still in a state of "dozing," *nim ve-lo nim,* according to the Talmud's definition: When we are challenged to recognize a *fait accompli*, such as women who specialize in a topic of halakhic importance, we respond readily and positively. And even if we cannot always explain,

or even always understand it ourselves, we sense that a sea-change has taken place in our camp. This is a change for the better, a shift which will strengthen love and knowledge of Torah and its spread among thousands and thousands of men and women, who in prior generations had no opportunity to delve into the depths of *Torah She-be-al-Peh*. We are privileged to live in an enlightened generation, illuminated by the light of Torah.

I think there most certainly is a special, unique contribution that women can make to Judaism. Halakha itself is eternal and unchanging and does not discriminate between those who study and rule according to it. We may not change a single letter of the codified halakha, but there is a shift in the manner of its application, and in the manner of its transmission.

"A woman would sift wheat grains by the light of *Beit ha-Sho'eva*" (Sukka 53a). Why does the Talmud specify her sifting wheat? *Benei Yissaskhar* writes that the hidden allusion of sifting the wheat from the chaff (חִטָּה equals 22 in its *Gematria* value) is to the 22 letters of the Hebrew alphabet, separating the scattered sparks from *olam ha-tohu,* the World of Chaos, from the World of *Tikkun*, repair and rectification. To translate this Kabbalistic parlance to contemporary terminology, the "World of Chaos" represents our dull, unsightly, opaque reality; the "World of *Tikkun*" signifies the ideal, tranquil, radiant world.

The unique strength of a woman Torah scholar is in her ability to explain the halakha in a manner which will be accepted by the inquiring student in this generation of people who seek God, to transform the world of chaos to a world repaired by addressing the heart and not only the mind of the student, by sifting the letters of halakha to present them in a pleasant and sensitive fashion which will appeal to the heart.

Therefore I tell you, go forth and conquer! Blaze for us a trail, in which multitudes of Jewish women will follow you and acquire the Torah. Set for us a living example of devotion to Torah with increased holiness—and through this, may you help hasten the Redemption for our People and the whole world.

In citing Rav Ashi's definition of dozing, that despite being partially awake, the dozer is "unable to respond with a reasoned argument," R. Lamm recognized that a shift in religious roles was underway, yet he recognized that at that early stage, it was not possible to process how this shift would play itself out. A giant leap had taken place in the world of Torah, and R. Lamm was confident that the result would be increased halakhic

observance on the part of thousands of women *and* men. He could not know then that in 2013, he would present Yoetzet Halakha certification to his own granddaughter, Tova Warburg Sinensky, at her graduation ceremony, or that by 2021 she would be one of more than 140 yoatzot halakha worldwide. What was, however, clear to him over two decades ago was that women were thirsting for *divrei Hashem*; this thirst was not politically or socially but religiously-focused; and while halakha will not change, the results will be a change that will impact many thousands of lives through greater knowledge and increased observance.

R. Lamm understood that what was being birthed extended beyond Torah study into the sensitive realm of addressing practical halakhic questions. He confidently predicted that this would enhance observance because of the ability of halakhically-learned women to address the hearts of observant women. He was the first of many rabbinic luminaries to speak at Yoatzot Halakha graduations. At that event, a Jerusalem Post correspondent wandered into the invitation-only reception and asked the first two graduates, Dr. Deena Zimmerman and Tova Ganzel, for their phone numbers, which she published the next morning in the newspaper. That indiscretion triggered a deluge of phone calls to the two women, which Nishmat responded to by establishing a yoatzot halakha hotline, later augmented by websites in four languages. Together with yoatzot halakha in communities around the world these resources have addressed more than 350,000 questions to date. R. Lamm's prediction—that a paradigm shift was underway in the manner of the halakha's transmission and application, and that this would strengthen Torah observance for thousands—was borne out, to his satisfaction and to the astonishment of all, in the space of a few short years.

[1] "Are Women 'Lightheaded'? Three Troublesome Passages in Halakhic Literature" in *Rav Chesed: Essays in Honor of Rabbi Dr. Haskel Lookstein*, ed. R. Medoff (Ktav, 2009), 469–484.

[2] Abudraham, *Birkat ha-Mitzvot u-Mishpeteihem*, s.v. *veha-ta'am shenifteru ha-nashim* (translation based on deracheha.org).

[3] R. Samson Raphael Hirsch, Commentary to Leviticus 23:43 s.v. *kvar hizkarnu*.

[4] Excluding *bal takif,* not shaving the sidelocks; *bal tash'hit,* not destroying the beard (Vayikra 19:27 and Mishna *Kiddushin* 1:7); and the prohibition of a *kohen* defiling himself for the dead (Vayikra 21:1 and *Sifra*, *Emor* 1:1).

[5] Compare *Eruvin* 96a and *Yerushalmi Eruvin* 10:1 regarding women's performance of certain non-obligatory commandments. Numerous *Rishonim* reacted to the disparity between the two Talmuds, including prominently Rashi, *Eruvin* 96a, s.v.

ve-lo mihu and Tosafot, ibid., s.v. *Mikhal bat Kushi*, and s.v. *dilma savar*, and Rambam, *Hilkhot Tzitzit* 3:9 and *Hagahot Maimoniyot*, ibid.

[6] Rambam, *Hilkhot Talmud Torah* 1:13.

[7] Rabbenu Tam as cited in Tosafot in *Kiddushin* (31a), *Rosh Hashana* (33a), and elsewhere.

[8] The former view is generally more widely accepted in Modern Orthodox circles outside Israel, while in more right-leaning communities in Israel—where there are typically larger families, less household help, and where synagogue attendance has less of a social dimension—rabbis do not tend to emphasize the importance of synagogue attendance for women (even for unmarried young women), and some will tell a woman, even if she is able to attend synagogue, to determine for herself where she can pray best.

[9] The *birkat ha-gomel* recited following childbirth expresses thanksgiving for the survival and healing from childbirth, but is not parallel to the *korban yoledet*.

[10] *Berakhot* 31a.

[11] I have not counted here women's *megilla* readings, which have proliferated in recent years, as they are a halakhic possibility discussed in the *Rishonim* and *Aharonim*. For a full discussion, see R. Yehuda Herzl Henkin, *Responsa Benei Banim*, vol. 2, no. 10, and *Equality Lost* (Urim, 1999), 54–65.

[12] Hafetz Hayyim, for instance, in his *Likkutei Halakhot* (Sota 21) encouraged teaching girls *Tanakh*, as well as the moral teachings of *Hazal*, *Pirkei Avot,* and *Menorat ha-Ma'or* of R. Isaac Abohav, "so that our holy faith will be solidly moored for them."

[13] There seem to have been local initiatives in a number of girls' schools in the 1970s which did not gain traction in the larger community. In 1971, I taught *Hilkhot Shabbat* from *Hayyei Adam* at Torah Academy for Girls in Far Rockaway. In the late 1970s, R. Yaakov Lerner compiled booklets including Gemara sources for halakha studies at Manhattan High School for Girls. In mixed-gender schools, girls studied Gemara alongside the boys to varying degrees.

[14] Translation by R. David Fuchs.