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‘PRESENT BUT ABSENT’, ‘STILL LIFE’,
AND ‘A PRETTY MAIDEN WHO HAS NO EYES’

On the Presence and Absence of Women in the Hebrew Language,
in the Jewish Religion, and in Israeli Life*

Cultural criticism is the urge to activate in
as extreme a manner as possible the
undefined work of liberty.

Michel Foucault

SUMMARY — The present essay is concerned with the following question: why there is not a single book written by a Jewish woman in the Hebrew language before the 20th century? The total absence of women writers in the vast library of the ‘the People of the Book’ created along three millennia in various parts of the world is explained in connection to the present reality of Israeli women and its origins in the past. This article explores the historical background and the religious and social context of the prevailing legal situation and elaborates on its origins in the past and on its implications from antiquity to the turn of the modern era.

Contemporary Israeli society, regarded on the surface as a modern society committed to secular, democratic, liberal and egalitarian values, in fact exists and operates within a religious-patriarchal conceptual world that influences many aspects of life. That world has been shaped under the influence of an ancient sacred tradition to which the concept of equality between the sexes is foreign and unknown. The Jewish religion, which reflects reality seen from a male perspective, plays a crucial role in social relationships and political discourse in Israel, and it occupies a central place in the gender relationships that depend on the personal status laws applicable to the entire population. The personal laws

* This article is lovingly dedicated to my mother, Leah, a member of the older generation, who chose liberty and granted it in abundance to her children, and to my daughter Avigail, a member of the new generation, who was born into liberty and never imagined things could be otherwise.

of their respective religious communities govern all permanent residents of Israel, regardless of their own religious beliefs or individual ways of life; accordingly, within the Jewish community, religious laws related to marriage, divorce, levirate marriage, women denied a divorce, women whose husbands are presumed but not known to have died, married women who gave birth to children out of wedlock that are defined as bastards, and laws of inheritance apply to all women in Israel, religious and secular alike.¹ All of them are subject to patriarchal systems with respect to determining their personal status. The norms pertaining to personal status within the religious systems were, and continue to be, determined by male institutions in which women take no part, and it follows that they play no role in determining those norms, to which they are nevertheless subject.

But it is not only the legally established relationships between the sexes that are grounded in religion. Beyond the realm of law, a substantial portion of the broader culture and the the public space is influenced by the conceptual world of religious patriarchy. The Hebrew language, steeped in the concepts of Judaism and the traditional world, shapes the worldview that directly or indirectly influences gender relationships, for a language embodies social values and preserves forms of thought and ways of life. Accordingly, all speakers of Hebrew – which developed as a language and a set of explicit and implicit concepts over thousands of years within a traditional society, a culture and a religion – are witting or unwitting heirs to a religious, patriarchal, and gender-oriented mode of thought. The legacy of religious thought pervades all aspects of the language, appearing in varied written and oral turns of phrase, in law and jurisprudence, speech and norms, custom and imagery, explicit cultural values and implicit expectations, the infrastructure of sanctity and life, associations and myths. All of these bear on judgments regarding what is significant in private and public life, and they influence the power relationships among the segments of society and the ways in which the individual and society relate to sovereignty, liberty, authority and equality.

In what follows, I consider some manifestations of this conceptual legacy, which shapes the discourse of secularists and religiously observant people alike, and I examine their ties to gender relationships in Israeli society. This society, slowly moving from the traditional to the modern world, pays little attention to the import of its ancient language, to its reflection of values that are now a matter of debate, and to its role in discourse between the sexes and the shaping of ways of life. But it is impossible to ignore the fact that spoken and written

¹ See Frances Raday, 'Al ha-shivyon' [On equality], in: F. Raday, Carmel Shalev & Michal Livan-Kobi, *Ma'amad ha-ishah ba-hevrah u-va-mishpat* [The status of women in society and law], Jerusalem-Tel-Aviv 1995, 19-65: 46.

Hebrew – the holy tongue, the language of reading and writing, of *halakhah*, law, and ritual, of study, culture, and religious creativity; the language that therefore established the domain of significance within which relationships between men and women were conducted – *was created in its written form, and preserved in all manifestations of cultural creativity, solely by men*. Even in its modern incarnation as a secular language spoken by most Israelis, Hebrew preserves a highly significant range of traditional concepts, whose written record was created by men for men and reflects to a great extent the experience and outlook of male hegemony. A critical analysis of language, religion, and culture, and an attempt to trace their mutual relationships – which are reflected in law and custom, ritual and everyday language, and which establish the limits of the sacred and the domain of the self-evident in the traditional world as well as norms in the modern world – will sharpen our awareness of the gap between the abstract recognition of women's rights to equality and liberty, to sovereignty and respect, and the implementation of those rights in practice.

The attitude toward women in traditional Jewish culture draws on three inter-related and sometimes overlapping aspects of that culture; they are differentiated here to facilitate clarification of their sources of authority:

1. *The written tradition with its sacred quality*, embodied in Torah and *halakhah*, in narrative, way of life, law and jurisprudence. This tradition, written and studied solely by men, is grounded in divine law and, as noted above, does not recognize equality between men and women. Positing an essential difference between male and female, it assigns to each a different status and different rights and obligations. It also distinguishes between them with respect to sovereignty and acquisition; substantive disabilities and inherent rights; relation to the private and public domain; and proximity to the sacred on the basis of purity or impurity, education or ignorance.

2. *The traditional patriarchal order*, which sets the balance of power between the sexes within a social structure in which men stand at the head of every institution, from family and community to government, and maintain central control over power, force, and social, cultural, and economic resources. This social order establishes a patronizing norm of imposed protection, which limits the sovereignty of the woman who is protected; it is enforced by law, custom, and the authority of the father, lord, and husband over the dominated daughter, servant, or woman. This social reality, anchored in the laws, regulations, and customs of various cultures, is grounded in the biological differences between the sexes, which are interpreted as concepts of strength and weakness that imply status and destiny and that establish male superiority and female inferiority. The biological difference between the sexes is taken as an essential difference that categorizes the woman as 'different' or 'other' within a social

order that withholds equality from those who differ, reserving it to those who are alike – who share the same sex, the same religion, the same race, the same color, the same class, the same nation.² This notion, which denied equality and sovereignty to the ‘other’ and determined the fate of minorities, strangers, and those who differed, also denied sovereignty to woman, making her the subject of protection or of acquisition. It restricted her role to the confines of her body, limited her significance to reproduction and continuity of the line, and denied her any existence that extended beyond her physical being and her domestic and familial roles. The patriarchal perspective, linked to male control over the female body, to protection of the woman to ensure reproduction and continuity of the line, and to possessiveness, authority, and demarcation of boundaries, established a crucial distinction between culture – the sphere specific to men – and nature – the sphere associated with women. That distinction provided the basis for a social order that reserves culture, control, religion, law, independence, sovereignty, and the public domain to men, while assigning nature, subordination, cultural marginality, servitude, ignorance, obedience, and the private domain to women. And that, in turn, caused women to be present in their homes but absent from the public realm and denied them any existence in the spheres of intellect, creativity, memory, study, and culture. More than a few traditional societies in various parts of the world still bear the mark of these distinctions, and language maintains concepts of authority, ownership, mastery, and control. Consider, for example, such terms as ‘husband’ (Heb. *ba’al*, lit., owner); ‘master’; ‘a woman is acquired’ (introducing the talmudic discussion of how betrothal is accomplished); ‘his wife is his household’ (reflecting the understanding that the word *bayit* [‘house’] as used in the Bible can also mean wife); ‘a woman exists solely to bear children’; ‘the man is the head of the family’;

² For an analysis of the Aristotelian logic underlying the legal system that grants equality to like entities and denies it to unlike, see the path-breaking book by feminist legal scholar Catherine MacKinnon, *Feminism unmodified: Discourse on life and law*, Cambridge, MA: Harvard University Press, 1987. Aristotle, the intellectual authority par excellence in the Middle Ages, held blatantly androcentric views. Basing his theories and normative order on the natural inferiority of women and the innate superiority of men, he drew an essential distinction between them, identifying men with form or spirit and women with matter. Plato, in contrast, argued that the differences between men and women were limited to biology, and that they were equal in mind and spirit. In Plato’s ideal state, women are portrayed in an egalitarian way as rulers, warriors, and philosophers (Plato, *The Republic of Plato*, transl. Francis Macdonald Cornford, New York-London: Oxford University Press, 1941 [28th ed. 1965], 144-155, 262). Aristotelian androcentrism dominated medieval Jewish thought, though Plato’s egalitarian views exercised some influence as well (as in the *Dialoghi di Amore* [1535; tr. *The philosophy of love: Dialogi d’amore*, transl. F. Friedeberg-Seeley & J.H. Barnes, introd. Cecil Roth, London: Soncino Press, 1937], by Renaissance writer Judah Abrabanel [Leone Ebreo]).

'a help mate for him'; 'the weaker sex'; and other expressions that reflect male normalness. In the Jewish context, this order draws on sources that distinguished dialectically between interior and exterior in relations between the sexes but is influenced as well by the surrounding cultures' gender-based relationships between rulers and ruled, purchasers and purchased, masters and servants, and learned and ignorant, as they have changed from time to time.

3. *The world of explicit and implicit socio-religious concepts*, fed by traditional cultural conventions, class-based power relationships, weighty social expectations, and the residue of religio-patriarchal thought. All of these differentiate between the sexes on the basis of liberty and subjugation, power and weakness, paternalism and compulsion, superiority and inferiority, the right to be served and duty to serve, articulation and silence, interior and exterior, purity and impurity, culture and nature. These interrelated binary distinctions are sustained by a religious worldview that distinguishes between women and men on the basis of various measures of proximity to and distance from the sacred and the profane, the pure and the impure, and by social pressure that aims to preserve the traditional order by force of these distinctions. Society is helped to do so by the force of custom in relations between the sexes and by the sanctity of ritual that is based on binary distinctions between proximity to and distance from the sources of sanctity, purity, knowledge, power, and authority. It is helped as well by the power of language, which preserves ancient concepts of ownership and acquisition and by the power of segregated education, which promotes discriminatory images related to concepts of strength and weakness, honor and shame, modesty and licentiousness, authority and obedience, erudition and ignorance, sound and silence – all of which firmly establish the traditional, patriarchal order.

Discrimination, exclusion and silencing, marginalization and oblivion – all of these followed from biological differences, from an allocation of tasks associated with those differences, and from the inequality reflected in the balance of power between the sexes. They were established within social frameworks and sanctified within religious thought and the laws derived from it. They formed the lot of women in various societies and religions throughout the ages, but each society had its own way of establishing, interpreting, and justifying these power relationships in law, myth, language, and custom. In the following analysis, I want to examine this basic universal phenomenon as it appears in the Jewish context and note the connections between the world of religious concepts implicit in the holy tongue (Hebrew), which has become a secular language, and several aspects of contemporary socio-cultural reality. The breadth of the phenomenon precludes any attempt to summarize its complex interconnections or to do justice to the historical nuances or to the wealth of research dealing

with the questions at issue, but my purpose is neither to exhaust the field nor to provide detailed consideration of any manifestations of the phenomenon that are limited to a specific time and place, in the manner of chronological, descriptive history. What I mean to do, rather, is analyze what regularly occurred within a particular society over time; to examine its characteristic, recurrent practices in the area at issue; and to convey a sense of the concepts and values underlying the institutions and social modes that determine the status and fate of women. My goal is to illuminate the deep structures shared by the basic concepts passed from generation to generation and by the religious and social outlooks preserved in language, and to examine their connection legal and social perspectives that determine the fate of women within Jewish society.

The written tradition goes back thousands of years. It begins with the Torah and the Zadokite priestly literature found in the Qumran scrolls, continues with the Mishnah, Tosefta, Talmud, halakhic and aggadic *midrashim*, and geonic literature, and traverses a varied course through the responsa literature, the heritage of *halakhah* and halakhic rulings, Jewish philosophy, the literature of preaching and the liturgical and religious poetic tradition, and kabbalistic and folk literature. This huge literature encompasses a variety of postures however it was written solely by men as well as having been recited, read, studied and reviewed only by them. But within the multi-faceted oeuvre created in the traditional world – in which women were not allowed to take part or to make their voices heard, as is evident from their absolute absence from Jewish religious literature from its inception until the twentieth century – there recur several basic models that fix the relationships between the sexes and determine language, consciousness, law, and way of life. Alongside encomiums to women and positive statements about their understanding and value, one can find recurring words of disdain and criticism regarding their separate, ‘other’ essence. These texts, to be sure, have not been assigned the same weight at all times and in all places; but in the present discussion, I want to note the varied voices that defined women from the male perspective and shaped their negative image and standing as the ‘other’ within the Jewish world – and within a general social context that required such positions. The concepts, biblical verses and rabbinic statements that were seen to legitimate exclusion and discrimination, inequality and silencing, and that left their mark on the fate of women through the ages and even determined their self-image and the attitude taken toward in the public and private domains, resonate with the following voices:

‘Unto the woman He said: “I will greatly multiply thy pain and thy travail; in pain thou shalt bring forth children; and thy desire shall be to thy husband, and he shall rule over thee” (Gen 3:16). ‘For women are evil, my children, and by reason of their lacking authority or power over man, they scheme treacherously how they might entice him to themselves by means of their looks (...)

Women are more easily overcome by the spirit of promiscuity than are men. They contrive in their hearts against men, then by decking themselves out they lead men's minds astray...' (Testament of Reuben 5:1-3).³ 'And while he was sleeping, I took from him a rib. And I created for him a wife, so that death might come to him by his wife (...) and I called her name Mother, that is to say, Euva' (2 Enoch 30:17:18).⁴ 'A single rib was taken from primeval Adam and he was given a handmaiden to serve him' (BT *Sanhedrin* 39b). 'When Eve was created, Satan was created with her' (*Genesis Rabbah* 7). 'A man should be revived before a woman' (Mishnah *Horayot* 3:7). 'All glorious is the king's daughter within the palace' (Ps 45:14). 'If one teaches his daughter Torah, it is as if he is teaching her foolishness' (Mishnah *Sotah* 3:4; BT *Sotah* 20a). 'Better that words of Torah be burned than that they be handed over to women' (*Yerushalmi Sotah* 3:4; *Bemidbar rabbah* 9:54). 'Gentiles, slaves, women, fools, and minors are invalid as witnesses' (BT *Bava Batra* 155a). 'A woman neither judges nor testifies' (*Yerushalmi Yoma* 6:1, 43b). 'Blessed be He who has not made me a woman' (*Tosefta Berakhot* 7:10, 18; daily morning prayer). 'A woman's voice is sexually arousing' (BT *Berakhot* 24a). 'A woman's wisdom pertains only to the spindle' (BT *Yoma* 66b). 'Women are frivolous' (BT *Shabbat* 33b). 'Do not converse much with a woman' (Mishnah *Avot* 1:5). 'A woman and a child should be pushed away with the left hand and drawn near with the right' (BT *Gittin* 47b). 'You shall celebrate three pilgrimage festivals for me (...) three times a year all your males shall appear before me (...) [the verse refers to males] to exclude women' (*Mekhilta de-rabbi yishma'el* 45).⁵ 'A woman exists only for beauty; a woman exists only for children' (BT *Ketubbot* 59a). 'A woman is a vessel full of excrement and her mouth is full of blood, yet all chase after her' (BT *Shabbat* 141a). 'A woman smells' (*Genesis Rabbah* 17). 'I find more bitter than death the woman (...) whoso pleases God shall escape from her' (Eccl 7:26). 'The womb is a grave' (Mishnah *Ohalot* 7:4). 'He made her a woman and brought her to him to be a help to him, to be useful' (introduction to *Tur, Even ha-ezer*). 'The reason women were exempted from time-bound positive commandments is that a woman is subservient to her husband, to perform what he needs' (Abudraham's Commentary on the Prayer Book).⁶ 'For any woman who refrains from performing any of her obligatory tasks is compelled to perform them, even by the rod' (Maimonides, *Mishneh torah, Hilkhhot*

³ 'The Testament of the Twelve Patriarchs', in: James H. Charlesworth (Ed.), *The Old Testament Pseudepigrapha*. 2 vols., New York: Doubleday, 1983-1985, vol. 1, 782-828: 784.

⁴ 'Second Slavonic Apocalypse of Enoch', in: Charlesworth, *The Old Testament Pseudepigrapha*. Vol. 1, 91-221: 152.

⁵ *Mekhilta de-rabbi Yishmael*, ed. Hayim Saul Horowitz & Israel Avraham Rabin, Frankfurt 1931, 45.

⁶ David b. Yodef Abudraham, *Commentary on the prayer book*, Esbona 1489, 25.

isbut 21:10). 'Her work product belongs to her husband (...) and she must serve him' (Maimonides, *Mishneh torah, Hilkhoh isbut* 21:1). 'It is forbidden for a menstruating woman to pray or enter the synagogue' (*Baraita de-masekhet niddah* 3:17).⁷ 'Women may not read from the Torah because of the dignity of the congregation' (BT *Megillah* 20a). 'Three things give a man an expansive mind [that is, comfort]: a beautiful house, a beautiful wife, and beautiful utensils' (BT *Berakhot* 57b). 'The best of women is a mistress of witchcraft' (*Masekhet Soferim* 15). 'Simeon ben Shetah directed that eighty women be hung as witches in Ashkelon' (BT *Sanhedrin* 45b; *Yerushalmi Sanhedrin* 6:9, 23c). 'A man should not walk between two women (...) on account of witchcraft'; 'The more women, the more witchcraft' (Mishnah *Avot* chap. 2). 'A man may divorce his wife only voluntarily [that is, he may not be compelled to do so], but a woman is divorced even against her will as a matter of Torah [as distinct from rabbinic] law' (Mishnah *Yevamot* 1:14) until R. Gershom Me'or Ha-Golah enacted that a woman may not be given a bill of divorce against her will. 'A man who divorces differs from a woman who is divorced, for the woman is divorced whether or not she so wills, but a man divorces only if he so wills' (BT *Yevamot* 114b). 'Woe to him whose children are females' (BT *Bava Batra* 15b). 'A daughter is a vain possession to her father, and worry over her prevents him from sleeping. When she is a child, [he worries] lest she be seduced; in her youth, lest she go astray; when she matures, lest she not marry; when she is married, lest she be barren; when she is old, lest she engage in witchcraft' (BT *Sanhedrin* 100b; cf. Sirach 42:9 et seq.).

These statements, and many others like them, attest to the perception of woman in male consciousness and to her place in society. They manifest discrimination, negation, contempt, scorn, aversion, and fear, and they say much more about the consciousness and actions of the disparager than about the disparaged. They implicitly link women to mysterious and dangerous forces, such as sex, death, and magic, that evoke an invariably ambivalent attitude; to forces close to nature (impulse, lust, desire, fertility, birth, and barrenness); or to forces that cannot be controlled and that therefore must be kept at a distance, fenced in, tamed, domesticated, or restrained.

These statements attest as well to the opposite side of the coin of fear and aversion, that is, to the imposition of control, ownership, separation, enslavement, prohibition, and segregation of the sexes. These sentiments are bound up in a conceptual world of honor and control, blame and suspicion, shame and embarrassment, concealment and hiding. This conceptual world is grounded,

⁷ 'Baraita de-masekhet niddah', in: Hayyim Meir Horowitz, *Tosefta atiqta*, Frankfurt 1889, 3:17.

in turn, on a dichotomy that takes a positive view of male sexuality and a negative view of female sexuality. The former is associated with might, masculinity, heroism, impulse, and conquest; the latter with embarrassment, weakness, seduction, and shame – all as we shall see below. The foregoing statements and others like them often reflect a view of woman as impure and excluded, as a creature lacking understanding and judgment, as a vessel having no independent character and meant for use by a man. These concepts, which depersonalize woman and relate to her as a subservient object, an object that serves, willy-nilly, the needs of reproduction and of family service now and forever, account for the centrality and superiority of man and for the marginalization, otherness, impurity, danger, unfitness, and inferiority of woman – who is, at the same time, tied to the opposites of these qualities, that is, to life, to birth and fertility, and to mystery and desire. Woman is linked as well to the sin of insubordination, which must be punished; to ignorance, stupidity, frivolity, and weakness, which call for supervision and discipline; to illicit thoughts and witchcraft, which generate fear and persecution; and to unreliability, lust, and rejection, which require taming and banishment. Language, together with its origins, its associative contexts and its phonetic and semantic links, describes the essence of a woman in ways that clearly demonstrate these attitudes: *neqeivah* (female), from a root meaning a hollow hole, a flaw, or a defect; *tashmish* (sexual relations), from a root meaning use or a utensil to be used (cf. the vulgar term ‘a used woman’, which preserves this sense of the word); *nashim* (women), associated with a root having two meanings – to take usury, and to forget, to cast into oblivion⁸ *mishpahah* (family) from the word for maidservant; *ervah* (genitals), from the word for nakedness, illicit sexual relations, shame, weakness, and disgrace, all linked to unrestrained sex, as we shall see below; *be’ulah* (a woman who has married or cohabited) literally means one who has an owner; *mequd-deshet* (betrothed, sanctified in marriage) connotes, in its primary sense, a woman set aside for a specific man and unavailable to others, but, in a more profound sense, one transferred from the domain of unrestrained nature to that of civilization, which is controlled through marriage, ownership, and the link to the holy, all of which are to be found only in the masculine sphere. *Heqdesh* (devoted to sacred use), of course, refers to the realm of something forbidden because of its being owned by someone or something else; *niddah* (subject to menstrual impurity) is from the word for banishment, referring to the impure woman who may not be touched while menstruating or to ‘one driven out’;

⁸ This is not the actual linguistic history, for, the words *ish* (man) and *ishah* (woman) both come from the root ‘-n-sh. In other Semitic languages, the letters are reversed and the root is n-sh- hence the plural form *nashim*, beginning with n. A word’s associations and meanings, however, are not confined to its true grammatical root.

gerushah (divorcee; lit., ‘one driven out’) refers to one who can be divorced by her master, though she, his chattel, cannot divorce him any more than a servant can divorce his master. This set of concepts, with their linguistic associations, shaped the attitude toward women in the traditional world until the twentieth century, and left its mark in many aspects of the discourse reflecting the relationships between the sexes until today.⁹

The written text does not necessarily reflect all facets of life and does not provide the only evidence of the historical reality with respect to the status of women. Without doubt, reality was far more diverse than the written expressions of the sacred tradition, and there were certainly women who escaped the sentence of the tradition that determined the fate of so many others. But it is the written heritage that preserved and transmitted a paradigmatic and sanctified set of concepts; that generated the language’s resonances, for better or worse; and that established an ongoing consciousness that transcended the bounds of changing historical reality. This is because philosophical, halakhic, literary, and legal sources that are at the heart of Jewish culture, in which text study is central, enjoyed sanctity, authority, and continuity and shaped the value system of the ‘people of the book’ from an exclusively patriarchal-masculine point of view – even as the meaning and application of the terms were undergoing change. Only men – scribes and legislators, scholars, priests and prophets, masters and judges, rabbis and exegetes – wrote books, created civil law, religion and religious law; only men taught and interpreted the law and acted as judges; only men recalled and preserved the religion embodied in the written memory. And while these functions, within the traditional world, pertained only to men, women were denied sovereignty even over themselves and were subjected to a

⁹ There is a passive/active ambivalence attached to the forms of address used for women, related to their sexuality, their helplessness, their overt weakness and covert power; such terms include female, wife, acquired sex-partner, fertile, barren, divorcee, forbidden to her husband and sex partner, *niddah* (banished because of menstrual impurity), impure, harlot, used, slut, daughter of a harlot, ‘be pretty and shut up’, wanton, dirty, submissive, ‘another big mouth’, easy, cunt, ugly, dried up hag, old witch, bitch, pushy, and other similar terms. These terms can be compared to the straightforward and unambiguous (though not necessarily positive) meanings of terms and verbs associated with male sexuality and the power associated with it. The latter include ‘what a man’, to bang, to screw, to take, to rape, to force, to abuse, to conquer, to divorce. The differences in terminology are only some of the modern incarnations of traditional language and the perspective on gender incorporated within it; there are many others. It is worth noting as well the unfortunate contribution of Israel Defense Forces slang to discourse between the sexes. The power relationships and coercion embodied in such expressions as to conquer, to bang, to screw, to divorce, to beat up are applied, unconsciously, both to women and to Palestinians, and it would be good to free those involved from the burden of this discourse and its consequences. The links among the expressions ‘harlot’, ‘we’ll smash your faces’, ‘I screwed her’, ‘screwing’, ‘sons of harlots’, and ‘weapons’, all of which use forms of the same Hebrew root, speaks for itself.

possessive structure in which their sole use was for reproduction. The social structure kept them from learning to read and write in the Holy Tongue and certainly from telling and writing their story and participating in cultural memory. Women were prevented from creating law or judging, from legislating or interpreting the law, from speaking and narrating, and from participating in and leaving their mark on what *Sefer Yezirah* (Book of Creation) refers to as 'the book or the accounting, the counting, and the recounting'. Certainly, the wide expanse of ever-changing history included other sorts of relationships, measures to defend the rights of women by means of general enactments and private arrangements. There were rabbis and decisors who made efforts to broaden the rights of women and to protect their standing and dignity, and they improved the lot of Jewish women in comparison to that of women in other religions. Many laws were intended to advance the standing, welfare, and dignity of woman within the domestic and family spheres – but not beyond them. There is no legal treatment in the Talmud of woman's standing within the community or of her life outside the family, unrelated to a biological or sexual context. It is almost certain that there were women who enjoyed a measure of freedom, dignity, and equality within the confines of their homes and who could lead their lives as they wished; and there may have been a few women with means, power, and status who were able to study and work outside the home and act independently, alongside the many subjugated and ignorant women who were denied those rights. But in the shared sphere of meaning created in the public arena, in the areas of law and justice, culture and norm, in the sphere of implicit and explicit discourse that establishes consciousness, standards, and values, and in the realm of language and memory, aspiration and custom, the dominant voices were those that denied a woman her liberty, her sovereignty, her equal rights, her standing within the community, and her dignity as a human being.¹⁰

¹⁰ On the lives of Jewish women in western Europe, see Jacob Katz, 'Nisu'im ve-hayyei ishut be-moze'ei yemei ha-beinayim' [Marriage and sexual relations at the end of the Middle Ages], in: *Zion* 10 (1946), 21-54; an expanded version of that article, dealing with the Jews of Ashkenaz, appears as Chapter 14, 'The Family', in the author's *Tradition and crisis*, trans. from the Hebrew by Bernard Dov Cooperman, New York 1993, 113-124; Idit Zertal, 'Mavo li-zeman nashim' [Introduction to 'Women's Time'], in: *Zemanim* 46-47 (1993), 3; David Biale, *Eros and the Jews: From Biblical Israel to contemporary America*, New York 1992; Samuel Feiner, 'Ha-ishah ha-yehudit ha-modernit: Miqreh mivhan be-yahasei ha-haskalah ve-ha-modernah' [The modern Jewish woman: A test case in the relationship between the Haskalah and modernity], in: *Zion* 58 (1993), 453-499. On the changes in women's historiography, see Billy Melman, 'Lae-mal'akh ha-historiyah yesh min' [The angel of history has a gender], in: *Zemanim* 46-47 (1993), 19-33. On the effects of historical events on women throughout the Jewish Diaspora, see Yael Atzmon (Ed.), *Eshnav le-hayyeihen shel nashim yehudiyot* [A window on the lives of Jewish women], Jerusalem 1995; Israel Bartal & Isaiah Gafni (Eds.), *Eros, eirusin, ve-isurim: Miniyut u-mishpahah be-historiyah* [Eros, betrothal, and prohibitions: Sexuality and family in history], Jerusalem 1998.

If we study the meaning of the foregoing texts and many similar ones, their religious and cultural background, and the interrelationships among the gender concepts derived from them – all of which were the product of the traditional world and became established within the language through reading, study, halakhic rulings, legislation, ritual routine and social norm – we can explain the patterns of female presence in society and absence from it. Women were present in a material and social sense, a presence that developed for many years under conditions of humiliation, servitude, discrimination, exclusion, limitation, and silencing; and they were absent, until recently, from culture, from intellectual discourse and from creativity within the Jewish tradition.

The significance of the prevailing attitude, expressed in the verse ‘All glorious is the king’s daughter within the palace’ (Ps 45:14), is that a woman’s place is inside, not outside, in defined and limited spheres – the sphere of home, family, and children, the private domain, related to fertility and the continuation of life – but not in the public sphere. The public domain – where the public voice is heard, where one can participate in decision and change, where one can influence the community through language, knowledge, study, teaching, law, preaching, and persuasion, and where one can acquire information related to knowledge, authority, power, and status – was entirely closed to women. Active participation in secular communal activities such as leadership, judgment, law-making, education, culture, criticism, and politics, and in sacred activities such as study, prayer, preaching, halakhic decision-making, and teaching, was absolutely denied and closed to women. Voice is a metaphor for an opinion that does not remain in the private domain and that acquires the acoustic dimension of speech, of being heard and listened to in the public domain, along with the conceptual dimension of public significance and authority that is bound up in being heard widely. Power is measured by the ability to impose silence and the ability to capture rapt attention – or by the degree of participation in the public voice and the right to take part in the interpersonal dimension where one gives voice, listens, is listened to, or is considered an audience having the right of self-expression as a sovereign partner in determining one’s own fate and that of others. All of these are accomplished through speaking up and listening during discussions, through the voice of law, through the meaning and significance of one’s speech and reactions, and through having one’s voice heard and taken into account. This sort of voice was denied to women, who were present absentees, excluded and silenced in many communities, until the twentieth century.

An illustration of the place of these views in modern times in the Ashkenazi world can be found in the rabbinic encyclopedia *Ozar yisra’el* (Jewish Treasure), written in the United States during the first decades of the twentieth century. The entry on women includes the following: ‘According to the spirit of Judaism, woman is a helper to man (...) Nature, too, has limited the quality

of a woman to staying home and tending to all domestic needs, while the man goes out to earn a living for his family; the woman must cook, sew, and weave for herself and for her husband and children, while the man must support her through labor or business'.¹¹ After a learned discussion that lauds the Sages' positive attitude toward women and disregards the androcentric implications of the sources that are presented, the author sums up with a picture of the patriarchal ideal of the woman and her role:

And there is no other nation whose women can compare with Jewish women in their modesty, their innocence, their generosity in all matters related to charity, to the education of their sons and daughters and to helping their husbands. And therefore even today Jewish women have shown no inclination toward that sect of women who demand independence and equal rights in all political matters (suffrage).

The suffragettes became active in 1840, complaining that they had been excluded from an anti-slavery gathering. They demanded that women be granted the right to vote and to hold legislative and executive office in the United States, and attained that right only in 1920.

To trace the factors that brought about a one-sided monopoly over the public voice and intellectual creativity, we must examine the dialectical significance of the inner-outer relationship. Woman's honor is dependent, in the traditional outlook, on her absence from the communal sphere, the public domain, the outside (referred to in traditional language as 'world', congregation, public, echelon and considered to be reserved to men, as is evident from such phrases as 'the dignity of the congregation', 'the sacred congregation', 'by the consent of the congregation', 'the world acknowledges') and on her presence inside, within the bounds of her home, under the authority of her father or her husband and

¹¹ Judah David Eisenstein, *Ozar yisra'el* [A Jewish treasure], Jerusalem, undated offset edition, vol. 4, 117-118. This entire work is an instructive sociological document regarding power relationships and inequality between the sexes within Jewish society in the early twentieth century, at the point of transition between the traditional and modern worlds. Paula Hyman, *Gender and assimilation in modern Jewish history: The role and representation of women* (Seattle, 1995) offers a critical account of the change in the Ashkenazi Jewish world during this period. The place of women in oriental Jewish society during this period is described in Judah Burla, *Agunot* [Bound women], Tel-Aviv 1962; in Bracha Seri's story 'Qeri'ah' [Tearing], in: Lili Ratok (Ed.), *Ha-qol ha-aher* [The other voice], Tel-Aviv 1994; and in the books of Dan Benaya-Seri. It is presented as well, with penetrating conciseness, in Dorit Rabinian's account of the women among whom she grew up. She describes the 'modern' female experience of the generation of women who were denied the right to education: 'Like Sophie, Marcelle, and Lizzie, who will not remain in a place where the possibilities are limited, courage is stifled, and willpower is diminished' (interview in *Yedi'ot Aharonot*, March 1999).

with her nature, her existence, and her sovereignty fully entrusted to them. The division between inside and outside in its broader sense, in the cosmic and cultural sphere, parallels the fundamental distinction between a domain that is controlled, regulated, and subject to enumeration, cyclicity, expectation, and recurrence and one that is uncontrolled, chaotic, unpredictable, immeasurable, and infinite, that cannot be controlled by man or subjected to man's will. In effect, it is the division between civilization and nature. Woman, who is linked to nature, to the outside, by the very fact of her changing biological condition, who is subject in her body to nature's uncontrollable laws, was brought inside, into the home, where she was tamed and controlled; but she was excluded from the public domain of civilization so that the forces of nature and fertility might be domesticated and sanctified. In contrast, man is linked to the spirit, which is not subject to the cyclical changes of nature, and he ventured out to domesticate nature by sanctifying it and bringing it, at least partially, into the domain of civilization and control. The clearest expression of the controlled domain, the domain of civilization and sanctity, is the voice – speech, language, memory, symbols, numbers, measures, calculations, authority, law, reading, writing, and books. In contrast, the uncontrolled domain – the menacing yet attractive domain of nature, of material and of the body – lacks language and speech, books and numbers. It is chaotic, gushing forth mightily, unexpected, instinctual, seductive yet threatening, dangerous and deviating from controllable and regulated human categories – but it is considered as well to be the source of beauty, eros, eternity, fertility, and life. In religious parlance, civilization is identified with sanctity and purity, book and number, law, knowledge, justice, counting and regulating, memory and custody, speech and order in the public domain – primarily the sphere of male existence, identified with the 'outside', which is controlled by language, symbol, and number.

Nature, as it relates to man, is identified with an uncontrollable force that cannot be regulated, lacking memory and language, law and justice. It is connected to impurity, transgression, silence, and uncontrolled instincts; and it poses the danger of an incomprehensible power, menacing yet desired in the private domain. It is primarily the sphere of female existence, identified with the 'inside' controlled by silent cyclical forces of nature over which man lacks any control and which reflect, ambivalently, both blessing and curse, both life and death. Sanctity, as it relates to man, is that which has size, measure, number, and order, cyclical regularity, speech and language, symbol and number, counting and time, religion and law, permission and prohibition, a domain of the sacred and a domain of the prohibited. In the religious perspective, all of these concepts flow from a divine source, and their profound purpose is to establish an orderly set of interconnections that ensure the creation and continuity of life, itself dependent on measure and number, on sanctity and purity. Impurity,

as it relates to man, involves the uncontrolled manifestations of nature and their ties to the body and its involuntary, uncontrolled discharges – menstrual blood, discharges caused by gonorrhoea and other illnesses, semen – which are tied, explicitly or implicitly, to the limitless power of death, the diminished hope for fertility, or the destruction of the conditions for life, as happens when blood and semen, the essence of life, are destroyed by being situated outside the body.

Because of her biological make-up, which is related to fertility, cyclical ovulation, a monthly cycle, pregnancy and birth, a woman has a fixed and uncontrollable cyclical connection to the forces of nature, to menstrual blood and, at times, to the bleeding or other discharges that are associated with birth, miscarriage, life, and death. Because women are connected willy-nilly to nature and its uncontrollable forces and are indirectly linked to its chaotic and eruptive forces associated with life and death, they are inherently impure or given over to the uncontrollable dominion of nature for significant portions of their lives – about two weeks every month as long as they have their monthly periods (termed *niddah* [menstruation; lit., banishment], *tum'at niddah* [menstrual impurity], or *orah nashim* [the way of women]). During that time, they are expected to distance themselves physically or symbolically from the world of civilization, for they are impure and must purify and immerse themselves before reentering the domain of sanctity and culture. Purification always involves the counting of seven days, a number that, since the seven days of creation, has symbolized the imposition of civilization on nature, of fixed and measured cyclicity on unnumbered, immeasurable chaos – or the dominion of sanctity, which is enumerated and spoken and conditions the continuity of life, over the formlessness and void that have no measure, number, cycle, law, time, speech, or word and that constitute the embodiment of death.

On the social level, this transition from formlessness to creation, from impurity to sanctity takes place through *qiddushin* (betrothal; reserving and sanctifying a woman for a particular man), a process that entails acquisition (the marriage document), enumeration (the seven days of purification), ownership, covering (of nakedness), and taming and restraining of the woman/nature/nakedness on the part of one who is a master of sanctity, knowledge, language and number, law and commandment, permission and prohibition, religion and rule. Women, whose bodies are controlled by the uncontrollable cyclicity of nature, geared to regulation of fertility and destruction, were identified with nature that must be tamed, mastered, and possessed. They were set in their homes, within the ambivalent bounds of impulse, desire, sexuality, lust, and fertility, and within the bounds of impurity that required purification and sanctification. They were thus left as still life. The right to be heard in the public domain, to sound a public voice, and to speak outside their homes was denied

them by distancing them from the centers of sanctity and culture in the public domain. They were thereby excluded entirely from study, from the writing and reading of holy texts written in the Holy Tongue, and, thus, from public discourse and from authority, judgment, legislation, and halakhic ruling implicit in it. As suggested by myth, legend, fears, and dreams, woman was implicitly considered to be an animal-like, sexual creature (Eve, from the root for 'live'; 'mother of all that lives'; Lilith), controlled against her will by a natural cycle in which she oscillates between purity and impurity; and she was explicitly considered to be a vessel to be used for purposes of fertility and generational continuity. She was denied her dignity as a sovereign, independent creature who could be 'inside' or 'outside' as she willed and who could live its life as she saw fit, enjoying liberty, access to knowledge, freedom of movement and access, equal rights, and choice. Her value and status were determined first and foremost in relation to reproduction and fertility within the family, to her contribution to the continuity of the generations and of life; this took place in a physical-sexual paternalistic context, in which the woman was a sexual object or vessel and the man its user. The concept of woman as a vessel to be used by her husband is evident in the sources: 'A woman is a lump of clay [that is, an unfinished utensil] and can enter into a covenant only with one who makes her a utensil: "For thy Maker is thy husband; the LORD of hosts is His name" [Isa 54:5]' (BT *Sanhedrin* 22b). The point is clearly evident in the words of the widow of Elazar, the son of Simeon bar Yoḥai, in rejecting a proposal of marriage from Judah the Prince: 'Should a vessel used for something holy be used for something profane?' The instrumental attitude toward women was the lot of all members of the patriarchal society, and the terms 'vessel' (for a woman) 'use' (referring to sexual relations) and 'ownership' (referring to cohabitation and husbanding) fittingly express it.

The perspective we are considering deprives a woman of sovereignty and independent standing; instead, she is a virgin in her father's possession as property until she is wed, at which time she passes to the possession of her husband, who acquires her in exchange for a bride-price. Only in old age, after her husband's death and the exhaustion of her reproductive potential, can she become independent. Her father, who is responsible for his daughter's virginity until her reproductive potential is realized in marriage, becomes a seller. In exchange for her virginity, he receives the bride-price from the groom, as purchaser. The woman is viewed in religious law as the property of her father or her husband, as chattel, as livestock, as still life, a piece of property that can be bought and sold in a transaction between men alone (though her consent is needed to the choice of a partner and the law held that she could not be married against her will and that any such putative marriage was invalid [*Shulḥan arukh*, *Even ha-*

ezer, sec. 42]). The woman is transferred from her father's possession to that of her husband through *qiddushin*; that is, the bride-price is paid to the father, just as is the fine paid by a rapist or a seducer to compensate the father for the impairment of his property (Ex 22:15; Dt 22:28; 31-32).

Ownership (*ba'alut*) and sexual intercourse (*be'ilah*) on the part of the husband (*ba'al*) are interconnected, as their common root suggests, and, in return, the husband receives a dowry (money or property that the parents of the bride give to the bridegroom according to Jewish tradition) from his wife. It is interesting to see the modern formulation of this position, at the start of the twentieth century, which is focused on the transfer of possession from the paterfamilias to the husband of the woman and the father of her children – a transfer that marks the difference between ownership (a woman having a husband) and licentiousness (a woman having no master, belonging to no one): 'The rule giving a father possession of his daughter and a husband possession of his wife is for the benefit of the woman, so she not become a harlot available to everyone'.¹² The fact that the woman is her husband's possession – 'a woman can be acquired in three ways and acquires herself [that is, becomes independent] in two ways. She is acquired with by money, by written contract, or by sexual intercourse (...) she acquires herself by bill of divorce or by death of her husband. The woman subject to levirate marriage is acquired by sexual intercourse and acquires herself by *halizah* [the ceremony for declining levirate marriage] or by death of the levir' (Mishnah *Qiddushin* 1:1; BT *Qiddushin* 2a) – becomes painfully evident during divorce, when it is clear who has the power to divorce and require acceptance of a *get* (bill of divorce) and who is denied that power. The husband, if he wishes, sends away/divorces/frees his possession/wife/sheep/cattle/property (cf. Mishnah *Gittin* 9:10) or retains it in his possession, all by dint of the laws of acquisition and ownership; as in the case of cattle or sheep the choice is entirely his, and the wife has no say. (The Hebrew name Rachel means lamb; Rebecca is derived from the same root as fatted calf; the wife of Jacob's son Dan is called *eglah*, a female calf, and Samson calls Delilah 'my calf'. Sheep, lambs, and kids are names of both women and livestock, and possession relates to both.) The woman, who is acquired through money, marriage contract or intercourse, cannot divorce her husband or force him to accept a divorce, for divorce is a one-sided legal act carried out by men alone. The hundreds of women in our time who have been denied divorce, imprisoned as chattel held against their will by their husbands, offer a practical illustration of the terrible injustice that results from the denial of sovereignty, the outrageous distortion inherent in the relationship of acquisition and ownership that applies

¹² *Ozar yisra'el*. Vol. 3, 312.

between men and women, the essential inequality involved in marriage, and the subjugation that results from marriage arrangements that are, in essence, matters of acquisition and ownership.

As we have seen, woman is not regarded as an independent, sovereign creature, entitled to equality and respect, possessed of judgment, responsibility and authority in any area outside the bounds of her home – and even there, she is subject to her husband's control. Consider such terms as the owner (*ba'al*) of his sheep, the lord (*adon*) of his cattle, the prince (*sar*) who rules in his home, the master (*mar*) who imposes his control and authority, *gever* (man), from the same root as *gevurah* (strength), *adon* (lord, mister) from *adnut* (lordship), *ba'al* (husband) from *ba'alut* (ownership) and *be'ilah* (sexual intercourse). It should come as no surprise, then, that *mishpahah* (family) is connected to *shifhah* (maidservant) and that the Latin *familia* refers to the retinue (Heb. *pamalya*) of male and female servants who aggrandize the master's glory and serve him (*famulus* in Latin means servant). The word connotes subservience to the master and husband, who owns the bodies of all those who are subject to him. The husband, according to biblical law, may take additional wives; and though doing so was forbidden (at least for Ashkenazi Jews) during the Middle Ages by R. Gershom Me'or Ha-Golah (960-1028), the practice is alive and well within certain Jewish communities in which polygamy is permitted. It is also practiced by Muslims and Bedouins in Israel, who are required by the law of the state, but not by Islamic law, to be monogamous. Polygamy, oppression of women, considering them by law and tradition as property like sheep and cattle, viewing them in terms of ownership or licentiousness, channeling them against their will to serve the sexual needs of their husbands, subjugating them, objectifying them as property, divorcing them against their will, beating them, silencing them, and denying their right to control their bodies as they wished – all of these were common at various times in history in Jewish and surrounding societies. In more than a few sectors of these societies, some of these practices continue to this day, under the aegis of tradition, religious law, rabbinic courts, the Catholic Church, and *shari'a* courts. They are authorized by the personal status laws that enacted under the authority and sovereignty of the democratic State of Israel; for all permanent residents in Israel are subject to the personal religious law of his or her community, without regard to one's own religious belief or worldview. Democratic liberal civil law, which has sought for decades to broaden the degree of equality, not only between similar individuals but even between diverse ones, and to recognize, by dint of human dignity, the individual needs of members of various groups and their rights to liberty and sovereignty, remains far indeed from responding to the socio-cultural and personal reality created by the applicability of centuries-old religious law. The models of subjugation and acquisition associated with the traditional patriarchal order have been internalized for thousands of years and change is no simple matter, for these models establish social norms

and expectations, even where a new, egalitarian order that recognizes the sovereignty of both sexes is beginning to emerge.

From this perspective on the world, the only way in which a woman could establish her connection to society was through marriage, with the submission to ownership, fertility, and motherhood that it entailed. A woman was related to society via the family and the private domain, and there was no alternative to her being excluded from the public domain of the religious and cultural community and from any public voice. A woman was denied the right to sovereignty and choice, the right to equality, and the right to determine her own fate. She had no separate autonomous existence unconnected to the limits of her body, to the realization of her potential to breed, and to male ownership of those characteristics. Jewish religious thought left almost no place for a sovereign woman not under male patronage and ownership, a woman not potentially or actually bound to virginity, betrothal, marriage (ownership), cohabitation and fertility, pregnancy and birth, a woman not controlled by father, husband, or son. The word for 'female bachelor' or 'spinster' does not appear in scripture, for that status did not exist in a society that saw all its women as virgins, betrothed, or married, pregnant, and birthing. In contrast to other religions that allowed women who did not wish to marry to become nuns, Jewish culture never offered that option, instead, it set 'be fruitful and multiply' as a commandment of primary importance for all its sons and daughters and denied its women any other social outlet. The ancient biblical construct – which drew no distinction between body and soul, this world and the next, immediate life and eternal life, and which contemplated 'continuity of the line' rather than resurrection of the dead – did not permit abandoning physical life for the sake of spiritual life, and it forbade asceticism and withdrawal. Jewish thought later adopted these distinctions in relation to exile and redemption, comfort and hope, reward and punishment, but they became the exclusive domain of men, who might abandon the life of this world in order to attain the world-to-come. Symbolic or concrete withdrawal, isolation, and asceticism were practiced in order to attain *Devikut* (communion with God) with the supernal worlds, unite with the *Shekhinah* (the divine presence), and hasten the redemption. Women could never choose asceticism and withdrawal tied to bodily death for the sake of spiritual life, for they were defined exclusively by the bounds of their physical existence, meant symbolically and concretely to carry on the life of the body and suppress the life of the spirit.¹³ The woman's mission is to bear children,

¹³ In her lecture 'Why do Women Play No Part in the Jewish Mystical Tradition?', presented at the second conference in memory of Gershom Scholem (Jerusalem 1986), Ada Rapoport-Albert first directed attention to these distinctions between men and women with respect to withdrawal and ascetic life. See also pp. 506-508 of her 1988 article 'On women in Hasidism:

and her legal, personal, and social rights stem primarily from her potential to give birth and her participation through her fertility. That is why a woman who does not participate in the cycle of fertility has to be divorced. Jewish tradition generally does not recognize an independent woman or a married woman who is not a mother of children, be it by choice or circumstance. A married woman who does not give birth is barren, and *the* rabbinic law provides for her to be divorced if she does not bear a child within ten years of marriage: 'If one marries a woman and lives with her for ten years and she does not bear a child, he should divorce her and pay her marriage settlement' (BT *Yevamot* 64a).

Fertility, tied to nature and its cyclicity, is considered to be in no way a manifestation of biological arbitrariness or the result of shared responsibility, luck, or chance; rather, it is associated with divine blessings and curses. Woman is connected to nature through the cyclicity of her body's reproductive potential, which is on the same plane as the yield of the fields, the fertility of cattle, 'blessings of the breasts and of the womb' (Gen 49:25). All of these lie beyond human control and belong to the domain of divine blessings and curses. In other words, what applies to nature and fertility, which are controlled by God, applies to woman as well.¹⁴ Man, in contrast, who is not subservient to the cyclical laws of nature, is situated in the domain of sanctity and culture, taming nature through the force of the divine law, the sacred order, and the accepted norm of ownership and rule. (In that connection, one should note the connection between the ancient Canaanite divine name Ba'al [owner], Ba'al of rain – which continues to be used offhandedly today, in such agricultural terms as

S.A. Horodecky and the maid of Ludomir tradition', in: Ada Rapoport-Albert & S. Zipperstein (Eds.), *Jewish history: Essays in honor of Shimen Abramsky*, London 1988, 495-525, for references to withdrawal and isolation by women of various other religions looking beyond the bounds of their sexuality to a mystical-spiritual orientation, along with the prohibitions entailed in doing so. In *Eros and the Jews*, David Biale considers the clash between the prohibition on withdrawal from sexuality and its great attraction, along with other related matters. On the religious significance of asceticism on the part of men, as reflected in kabbalistic literature, see Rachel Elior, 'Joseph Karo and Israel Ba'al Shem Tov: Mystical metamorphosis; kabbalistic inspiration; spiritual internalization', trans. from the Hebrew by Joel Linsider, in: *Studies in Spirituality* 17 (2007), 267-319 (Hebrew original published in 1996).

¹⁴ In the ancient strata of the Hebrew language, the word *arusah* (betrothed woman) and the word *aris* (sharecropper, serf) both draw on the root 'r-s (perhaps related to 'r-z, as in *erez*, land), connoting a permanent attachment to the field, to the land, and to fertilization of the land. The term *ba'al* (husband, owner) is related to Ba'al, the Canaanite god of storms and rain, the 'husband' of the land who waters the land through his sexual relations with it, thereby brings to it the blessings of fertility. (See *Inziqlopediyah miqra'it* [Biblical encyclopedia] [1954], s.v. 'Ba'al', 283.) Virginity is attributed both to the soil and to a woman. Fertilization of the land and of a woman are described in similar terms, related to seed (*zera*), sowing (*zeriyah*) and insemination (*bazra'ah*), spreading seed (*meshech ha-zera*), and offspring that will survive (*zera shel qayyama*). Cf. 'If a woman bears seed [*tazri'a*]' (Lev 12:2).

ba'al plantings or *ba'al* irrigation, referring to reliance on water from natural rainfall – and the male, who is *ba'al* [owner; husband] of seed, land, livestock, property, home, and woman.) Man is linked to the domain of the sacred, of speech and number, of control and ownership of property, of the power of law and the authority of tradition and culture. By virtue of that link, he becomes responsible for the taming or restraint of nature, represented by woman; and it is she over whom that power is exercised, symbolically and concretely, through law, culture, and society. This order subjects woman to two-fold subjugation: to the divine natural order of biological cyclicity associated with ovulation, monthly periods, pregnancy, and birth; and to the human social order of control by her husband, whom she is expected to desire. It is considered to have been established at the beginning of time in the divine curse: 'Unto the woman He said: 'I will greatly multiply thy pain and thy travail; in pain thou shalt bring forth children; and thy desire shall be to thy husband, and he shall rule over thee' (Gen 3:16). In his mercy, God punished both man and woman in the context of fertility: he must work hard to produce seed from the ground ('In the sweat of thy face shalt thou eat bread'); she must suffer the pangs of pregnancy and birth to produce (for him) seed from her body. Apparently, his dominion over her and her desire for him, bound up in the curse, reflect the masculine view of reality, in which the man alone rules, speaks, and suppresses the woman beneath him, cohabits with her and divorces her if she produces no seed – for he is entitled to seed and to a memorial, to a name and a remnant. The woman, in contrast, is cohabited with, bears children in pain or else is divorced, goes unmentioned by name, is lost to written memory and is silenced as a 'mute dove' (Ps 56:1) and 'as a sheep before her shearers is dumb' (Isa 53:7). The Hebrew words for mute (*ilem*) and anonymous (*almoni*) are connected, as are the words for women (*nashim*) and oblivion (*neshiyah*).

The words of the barren matriarchs of Israel express well the significance of woman's connection to the natural sphere that is subject to heavenly laws, and the consensus that a woman's fertility or barrenness reflect primarily God's love and blessing or hatred and curse, as the case may be. In *The Testament of Issachar* 1:6 in the Hebrew version it is written: 'And Rachel said: I will not give you these [mandrakes] because they shall be mine in place of children for God hated me and I did not bare children to Jacob'. Barrenness, understood as a divine curse, was not only a cause of endless suffering; it also caused the barren woman to be regarded as accursed and, therefore, a sinner ultimately punished and divorced pursuant to law.¹⁵ In contrast, a childbearing woman – the visible

¹⁵ Quite a few of the biblical stories related to women involve barrenness and the painful longing for offspring. Less often noted is that pregnancy and barrenness, which reflect blessing and curse, are said to come from God. See, for example, 'And Sarai was barren; she had no

link between man and the concealed order of nature and the hidden divine order of fertility – fulfills her purpose by bearing children and continuing the line; she is seen as a ‘fruitful vine’, as a blessed and fertile one who produces seed, generates progeny, and continues the memory of the line. In this view, man is not subject to nature’s uncontrollable cyclicity; he is detached from the concealed order of nature, has no monthly cycle and is not responsible for fertility or barrenness, which are the responsibility of the merciful God (*el malei rahamim*; God full with compassion *rahamim* from *rehem*, womb). Man is connected to spirit, culture, and creativity, to the domain that can be changed by humans, while woman – the link between man and nature – is restrained by the bonds of the body, its cyclicity, and the divine blessing and curse. She is defined by the limits of sex and fertility alone and kept away from freedom of the spirit and the world of culture and creativity.

This tradition, then, assigns freedom of the spirit, creativity, culture, and freedom of movement to man and relegates woman to bodily subservience, instincts, desires and nature and restricts her to the bounds of the home. Within that tradition, married life – in which the woman is a controlled possession and owned asset – does not provide for equal rights, shared obligations and duties, or equal responsibility for results. The woman is measured first and foremost in

child’ (Gen 11:30); ‘And Sarai said unto Abram: “Behold now, the Lord hath restrained me from bearing” (Gen 16:2). Compare ‘For the Lord had fast closed up all the wombs of the house of Abimelech, because of Sarah Abraham’s wife’ (Gen 20:18); ‘And Isaac entreated the Lord for his wife, because she was barren; and the Lord let Himself be entreated of him, and Rebekah his wife conceived’ (Gen 25:21); ‘And the Lord saw that Leah was hated, and He opened her womb; but Rachel was barren’ (Gen 29:31). The biblical text clearly implies that while love and hate are within the human domain, fertility and barrenness are up to God, as reward and punishment. The point is illustrated, for example, by God’s blessing to Israel, ‘there shall not be male or female barren among you, or among your cattle’ (Deut 7:14) and by the story of the prophet Samuel’s birth: ‘Peninnah had children, but Hannah had no children (...) but unto Hannah he gave a double portion; for he loved Hannah, but the Lord had shut up her womb (...) because the Lord had shut up her womb’ (1 Sam 1:2-6). The *Qur’an*, in *Surah 4, An-Nisa*, which deals with women, states that ‘Men are in charge of women, because Allah hath made the one of them to excel the other’ (*Qur’an* 4:34, in: Mar-maduke Picktall, *The meaning of the glorious koran: Explanatory translation*, New York: Knopf, 1992); accordingly, men also possess the right to divorce women against their will. Islam adopted the Jewish law with respect to divorcing a barren woman; cf. Ariella Deem’s comments on the cruel application of that law in the modern world: ‘In 1958, as is known, the Shah of Iran divorced Queen Soraya. He divorced her because she had not borne him children, because, as it has been said, woman’s only purpose is to bear children. In the words of the encyclopedia, s.v. *aqarah* [barren woman], “a women who does not bear children (...) from whom something has been uprooted [*ne’eqar*]”. And if the Shah of Iran, in the year 1958, divorced Soraya because of her barrenness, he acted in accord with her worth – the worth of a barren woman’ (*Zot ha-pa’am* [This time], Jerusalem 1986, 23).

relation to fertility vs. barrenness, in which the productivity of her womb is subject to divine will or to the love of the Master of Wombs (=compassion). But she is subject not only to the divine order and the forces of nature; she is considered as well to be subject to her husband and meant to serve him, willingly or not, in all areas of life. The preeminent medieval Jewish philosopher Moses Maimonides (1137-1204) so ruled: ‘For any woman who refrains from performing any of her obligatory tasks is compelled to perform them, even by the rod.’¹⁶ Or, as the 14th century prayer book commentator David Abudraham wrote, ‘A woman is subservient to her husband, to perform what he needs’ (Commentary, p. 25). Her intended place was limited to the private domain, to sexual relations within the framework of marriage, for the purpose of reproduction, to serving the members of her family by doing the domestic chores imposed on her willy-nilly, to subordination to the family’s endless needs, and to raising children. The public domain, involving freedom of movement, thought, and expression, equal rights, access to knowledge, authority, criticism, power, influence, and status, was totally closed to her.¹⁷

A woman who sought to deviate from these arrangements – to reject this division of tasks, to escape subjugation to nature and to the social order imposed on her, to act freely in the domain of the spirit and take part in the masculine discourse of study, knowledge and authority, teaching or criticizing, using her talents, wisdom, curiosity, independence, and erudition – was considered a stumbling block in the public way. The point is vividly made in the tragic story of the sage Beruriah, the daughter of R. Ḥananiah ben Tradyon and wife of R. Me’ir, a cautionary tale about the fate of women who dare to deviate from the accepted order. Because of her learned unconventionality, she was humiliated, deliberately removed from the straight way, and caused to stumble into sin – to the point that she had no escape other than suicide.¹⁸

Another way to escape the bonds of subjugation was madness, as we learn from stories about the *dybbuk* (spirit possession), discussed below, and as Hasidic legend teaches in connection with the bitter fate of the ‘Maid of Ludomir’, the young woman who was blessed with prophecy, wanted to act as a *zaddiq* (leader of a Hasidic court), and refused to marry and bear children.

¹⁶ Maimonides, *Mishneh torah, Hilkhoh ishut* 21:10.

¹⁷ On the social and legal significance of the subjugation and beating of women within the Jewish world, see Abraham Grossman, ‘Alimut kelappei nashim ba-ḥevrah ha-yehudit ha-yam tikhonit bi-yemei ha-beinayim’ [Violence against women in Mediterranean Jewish society in the Middle Ages], in: Yael Atzmon (Ed.), *Eshnav le-ḥayyeihen shel nashim yehudiyot* [Window on the lives of Jewish women], Jerusalem 1995, 183-208.

¹⁸ See Rashi on *Avodah zarah* 18a; *Tosefta Keilim bava gamma* 4:17 (ed. M.S. Zuckerman, Jerusalem 1938, 573-574); BT *Pesahim* 62b; *Tosefta Keilim bava mezi’a* 1:6 (Zuckerman, 579-579).

She was finally forced against her will to marry, so she would give up her disorderly spiritual demands; as a result, she became possessed by a *dybbuk*, went mad, and died.¹⁹ In this spirit of denying women sovereignty, independence, freedom of movement, and access to wisdom, authority, and knowledge, the Sages maintained that the Queen of Sheba – depicted by Scripture as a wise, independent, and resourceful woman, a sovereign who acted freely and dared to pose riddles to the wisest of men and challenge his wisdom – was, in fact, a man in women’s clothing!

The practice of distancing women from the public domain was bolstered and fixed for generations by the halakhic stance that denied women access to study, knowledge, authority, halakhic ruling, lawmaking, leadership, and sanctity. Among the reasons women were consigned to inferiority and marginality were their subjection to the cycle of fertility and the pangs of pregnancy and birth, their forced servitude and yoke of ownership, and their being barred from entering the public domain unsupervised (a woman who ‘converses with anyone’ may be divorced by her husband without payment of the marriage settlement). But beyond those factors, women were excluded from the central value in Jewish life – the study of Torah and participation in the world of Talmud and *halakhah*, halakhic ruling and decision-making – and from the rabbinic and leadership functions that were dependent on it. A woman’s place was limited to home and family; she was exempted from time-related commandments (a woman is exempt from ‘time-bound positive commandments’ [BT *Qiddushin* 35b]; and note that one exempt from duties does not enjoy corresponding rights); and she was kept ignorant of the Holy Tongue and the world of religious concepts. That ignorance was maintained by force of the popular aphorism ‘women are frivolous’ (*Shabbat* 33b); the premise that there are commandments that are not time-bound, such as Torah study, from which women are nevertheless exempt (*Qiddushin* 29b; 34a); and biting sayings noted above such as ‘if one teaches his daughter Torah, it is as if he is teaching her foolishness or vanity’ (Mishnah *Sotah* 3:4; BT *Sotah* 20a), ‘better that words of Torah be burned than that they be handed over to women’ (*Yerushalmi Sotah* 3:4; *Bemidbar rabbah* 9:54), and ‘a woman neither judges nor testifies’ (BT *Sanhedrin* 21b). That, together with the exclusion of women from a *minyān* (prayer quorum of ten men) and the rule that they themselves do not form a congregation, prevented women from taking part in public religious service, in a quorum for prayer, in the synagogue, the

¹⁹ On the story of the Maid of Ludomir, see Yoḥanan Twersky’s book of that name (Jerusalem 1950). For a comprehensive analysis of the place and meaning of the story, see Rapoport-Albert, ‘On women in Hasidism’ (above, fn. 13).

study hall, the yeshiva, and the court. Maimonides explained the exclusion of women from the circle of study with the following generalization: 'Most women lack the sort of intellect that can be directed to study; rather, they reduce words of Torah to words of vanity in accord with the poverty of their intellect' (Maimonides *Mishneh torah, Hilkhot talmud torah* 1:13).

Distancing ('impure') women from the place of public worship, reserved for ('pure') men alone, in accord with certain traditions holding that 'it is forbidden for a menstruating woman to pray or enter the synagogue' (*Baraita de-masekhet niddah* 3:17, an apocryphal text that has no halakhic standing but nevertheless evidences a particular mind-set; the prohibition itself was removed by the responsa and has no force today), and confining her to the women's section of the synagogue, at the margins of the public space – a practice that continues to this day in orthodox and traditional Judaism – clearly attest that she is not needed for the conduct of religious life in the synagogue.²⁰ Most of the commandments may be fulfilled without her contaminating and dangerous presence, bound up with menstrual blood and death (as we shall see below). One may argue about whether this was the basis for excluding woman from the sacred space, but it is beyond question that the silencing was total, and her absence from sacred institutions and communal leadership speaks for itself: to this day, in the orthodox world a woman may not participate in the synagogue service, study in a *yeshiva* or study hall (that has somewhat changed in recent years where exclusive study centers for orthodox women were opened), or testify in monetary or capital cases (the sorts of cases requiring two witnesses) in a court conducted in accord with religious law. All women are barred from holding any halakhic, adjudicatory, or communal position, as Maimonides wrote: 'Only a man is to be appointed to any office in Israel' (Maimonides, *Mishneh torah, Hilkhot melakhim* 1:5). Be the reason what it may – a woman's supposedly inadequate intellect, her menstrual impurity that endangers the purity of

²⁰ The physical expression of this view, which turns a woman into a spectator who does not take part in the sacred service, is the women's section, where she is fenced in at the margins of the synagogue, silent and barred from taking part in the public domain, unseen and unheard. When the women's section originated is a matter of scholarly debate. Some date it to the Middle Ages, citing ancient synagogues in the Land of Israel that show no clear evidence for the existence of a separate women's section. The talmudic tradition on the arrangement of synagogue seating, however, states explicitly that 'they ordained that the women sit above and men sit below' (*Sukkah* 51b), and there is no doubt that until the second half of the twentieth century, all Jewish women who entered an Orthodox synagogue sat in a women's section. It is worth examining the allocation of sacred space as an expression of the public devaluation of women's worship, in light of Joan Wallach Scott's observation that not only is gender tied to social and cultural differences between the sexes; it also serves as 'a primary way of signifying relationships of power'. Joan Wallach Scott, *Gender and the politics of history*, New York 1988, 42.

the sacred, her seductiveness or suggested nakedness, or some other source of inferiority or lack of fitness – a woman is denied any participation in communal religious activity within the orthodox halakhic world. The opposition to study of the Oral Torah by women, prevalent to this day in many circles, maintains this situation and prevents women from taking part in the world of study and communal leadership. Women are not expected to participate actively in most of the sacred activities that take place within the home which are obligatory for men, such as donning *tallit* and *tefillin* and participating in practices related to life-cycle events – and that, even though the woman, the homemaker, is considered the pillar of the family and is treated within the home with love, appreciation, and respect. The adage ‘a woman’s voice is nakedness [that is, sexually arousing]’ (BT *Berakhot* 24a) ties the prohibition against the public sounding of a woman’s voice, in the domain of culture and sanctity, to her sexuality, which is always considered arousing and dangerously seductive, for it is bound up with the uncontrollable sound of nature, sex, and impulse and causes males, normally in control, to lose control over their bodies and minds. That connection contributed to the silencing of women in the context of sacred worship, which is based on clear male voice and free speech of men, communal song, declamation, sacred reading, ongoing study, free interpretation, creative homiletics, and free public conversation reserved exclusively for the male members of the community. All the basic elements of Jewish identity connected to the public sacred service were the domain of men alone; and any public voice, associated with study, worship, preaching, exegesis, halakhic ruling, and adjudication, was denied to women. A fortiori, the voice – the symbol of culture, sanctity, and law – when heard from a woman is nothing more than tempting nakedness, the voice of instinct or the forbidden voice of nature, which ought to be silent.

The silencing of woman in the public domain; the view of her as ‘silent nature’ (the man betroths while the woman is the betrothed, the root is ‘-r-s, similar to ‘-r-z, meaning ‘earth’; he is Adam, the feminine form of which is *adamah*, a common noun meaning ‘land’, ‘soil’; he lives [*hai*] and speaks while she is *Havvah*, a silent pasture; he speaks and leads while she is the ornament of his home, his silent companion); her lack of spiritual talent, caused by her being situated in the domain of language-less, threatening, unrestrained, seductive, and repellant nature; her one-dimensional physicality; her links to impurity and menstruation; her subjugation and humble status within the Jewish world – all of these are evident from the areas that are closed to her. A woman may not enter the male public domain of the synagogue and is relegated to the women’s section, where she is neither seen nor heard. (In many communities throughout the Jewish world, the women’s section was a closed room or balcony with only

small openings; cf. BT *Sukkah* 51b.) She is not present in the study hall and is disqualified as a witness, just like a deaf-mute, a fool, and a minor. She is forbidden to sit as judge and decisor, to interpret the law, to serve in any public religious capacity, to vote or be elected, or to act as teacher, judge, rabbi, decisor, instructor or prayer-leader. She cannot influence public opinion, participate in public deliberations, or act as decisor or legislator. And these measures to exclude women are not merely the legacy of the past; they are alive and well to this day in broad segments of Orthodoxy and of traditional Jewish and Muslim society. Many still retain these perspectives and forbid women, to sound their voices in public, to legislate or adjudicate, to criticize public conduct or to serve as rabbis, judges, religious authorities and halakhic decisors, prayer-leaders, cantors, or scribes, or to recite blessings in public – and so on. In other words, they are forbidden to serve in any significant position within the realm of sanctity and culture, of spirit and creativity, any position in which it is possible to sound a voice within an audience that is mature, attentive, and influential, that can decide or rule on issues. Beyond that, they are prevented from taking part in any role having public authority or status, any role that enable its player to sound a public voice and demand attentiveness, any role connected with reading and writing, opinion and knowledge, freedom of thought and expression, and they are denied the array of opportunities, achievements, and public recognition embodied within those roles. These functions were and remain the exclusive province of the sage, who has always been male; and it is only he, of course, who enjoys the associated rights, honors and benefits – spiritual and physical, social, cultural, and legal.

It sometimes seems that the only voice left to women within the tradition is the sound of bitter weeping, for man is the *'iqar* (primary subject), but woman is the *'aqarah* (barren wife); he is the *maskil* (intellectual), but she is the *shakulah* (bereaved mother); he is the divorcer and she is the divorcee; he seeks memorializing and continuation of his line, but she is doomed to anonymous oblivion. Man is the ruler, while women bears children in sorrow; he can father children with other women (consider the polygamy practiced by the biblical Patriarchs as well as by fathers of Jewish and Moslim families in Moslim countries), while she remains barren or divorced. Numerous female figures in Scripture and the rabbinic tradition illustrate the various dimensions of the tragic lot faced by women and its interpretation within the patriarchal order that grants sovereignty, ownership, and dominion to man while consigning woman to every manner of servitude. These exemplars include barren women such as Sarah, Rachel, Rebecca, Hannah, Saul's daughter Michal, and Manoah's unnamed wife; bereaved mothers such as Eve, whose son Abel was murdered, Rizpah bat Ayah, whose sons were turned over by David to the Gibeonites and murdered, the anonymous Shunamite woman whose son died, Beruriah, whose

two sons died, and Hannah, who mourns her seven sons who were killed as martyrs. Other women succumb to fatal pregnancy (Rachel); to expulsion by an ungrateful husband (Hagar); to murder by her father (Jephthah's anonymous daughter, who goes off to weep in the mountains); to being offered by her father for rape and torment (Lot's unnamed daughters); to the fate of the unnamed concubine from Gibeah; to narrowly avoided immolation by her father-in-law (Tamar, whose father-in-law Judah had taken her to be a harlot); to mortal shock upon learning of her son's being offered as a sacrifice (Sarah, on learning of the binding of Isaac, according to rabbinic midrash); to rape by her brother (Tamar, sister of Amnon, son of David) or by a would-be suitor (Dinah, at the hands of Shechem). The voice of Rachel mourning her children and weeping bitterly, as depicted by Jeremiah; of the daughter of Zion, described in Lamentations as weeping for the children killed in the destruction of Jerusalem; of Hagar, pleading for the life of her son dying of thirst and asking that she not witness his death; of other barren women who plead with the God who desires the prayers of barren women, according to rabbinic midrash – all these attest to the one despairing and non-verbal voice that is left to women in the Jewish tradition and its written record. It is a striking fact that almost the only feminine literary oeuvre within the Jewish tradition are the supplications of barren women, reflecting bitter weeping over the frustrated hope for fertility. The Yiddish *tekhinos* literature, and the specifically feminine elegies that appear in the traditions of various Jewish communities, carry on these traditions.²¹

Tied to these exclusionary attitudes – each of which, in its own way, denies women access to various areas of public life, of sanctity, culture, and authority

²¹ See *Genesis Rabbah* 45:4 – ‘And why were the matriarchs made barren? (...) For the Holy One, blessed be He, craves their prayers and craves their discourse, as is written [Song of Songs 2:14]: “O my dove, that art in the clefts of the rock” Why did I cause you to be barren? So I might “see thy countenance (...) hear thy voice”. And cf. “And Isaac entreated the Lord for [*le-nokhal*; lit., in the presence of] his wife” – Scripture does not say “for his wife”; rather, it says “in the presence [of his wife]”. This teaches that both of them were barren (...) Said R. Isaac: Why were our fathers barren? Because the Holy One blessed be He craves the prayers of the righteous. Said R. Isaac: Why are the prayers of the righteous compared to a winnowing shovel? Just as the winnowing shovel turns the wheat from place to place, so the prayers of the righteous turn the attitude of the Holy One blessed be He from anger to mercy’ (BT *Yevamot* 64a). The link between *rehem* (womb, uterus) and *rahamim* (mercy and compassion) is obvious, and its connection to the descriptor of God as *el malei rahamim* (‘God full of compassion’) raises interesting questions, some of which are treated by Yehuda Amichai in his poem of that name, which uses the term in a non-routine manner. The *Zohar* (part 3, 296a-b) states that Zion is the womb of the *Shekhinah*, through which the Holy One blessed be He bears blessing into the world. As noted, tearful supplications related to fertility and children are almost the only mode of creativity associated with women within the tradition. See further, fn. 37 below.

– is a paternalistic world view that embodies this exclusion and separation and establishes the feminine ideal from a perspective based on mandated protection that limits the autonomy of the protected person in the name of morality and modesty. Paternalism refers to a regime of male dominion over family and property, over the fertility of living assets, over acquisition, livestock, and real estate; the goal is to preserve the patriarchal interest. In the Jewish tradition, paternalism is centered on the concept termed ‘modesty’ (*zeni’ut*), which identifies a woman’s honor with her modesty, silence, and obedience, while a man’s honor is identified with dominion over a woman’s modesty, silence, and obedience. The word *zeni’ut* is associated with *zanu’a* (humble, modest, retiring, small, hidden, compact) and it generates the verb *lehazni’a* – to hide, to cover. It is the opposite of *’ervah* (nakedness, lewdness), which is directly derived from *’eryah*, *’arayot* (nakedness, shame, improper sexuality, incest) and indirectly associated with licentiousness, dissolution, forwardness, and forbidden erotic arousal. All of these concepts are tied to woman’s sexuality and man’s control of it, or to the relation between nature and culture, as established in the figurative language of the traditional patriarchy. In its religious expression, that relation, as noted, is taken to be the distinction between impurity (uncontrolled nature, as linked to the body, silent nature) and purity and sanctity (taming and acculturating, purifying, and sanctifying nature by means of number, counting, and drawing boundaries related to language, culture, authority, and dominion), and it is tied to ideas of sin, punishment, exclusion, and purification, as we shall see below. In its manifest sense, *zeni’ut* refers to the disappearance of women from the male gaze by means of bodily covering and social segregation, confinement to the home, and the imposition of barriers that prevent a woman’s body becoming an object of contemplation and desire in the public domain. In a more implicit sense, however, the term connotes a symbolic and substantive ability to impose mastery and prevent defiance of the male directive with respect to his right to control a woman’s sexuality, her eruptive, dangerous, and defiling nature, or her nakedness, which expresses all of these.²²

Woman is considered lewdness by force of her being understood as a potential sinner and cause of sin, as one who causes others to stumble on account of her sexuality, and as one whom each month heralds life and death through her

²² The *midrash* explains why Eve was created from Adam’s rib: ‘Scripture states “He made [*vay-iven*]”; that is, he contemplated [*hitbonen*; a play on the assonance of the two words] where [in Adam’s body] to make her from. He said: I will not make her from the head, so she will not be haughty; nor from the eye, so she will not be inquisitive; (...) nor from the mouth, so she will not be talkative [and on through other organs, after which He concluded] rather, from a place that is concealed in a man even when he stands naked (...) and with respect to every organ He created in her, He said: Be a modest woman, a modest woman’ (*Genesis Rabbah* 18:2).

ovulation, impurity, and purification. Accordingly, she must be segregated, confined, distanced, and covered, trained and restrained, guarded and sanctified. The insistence on the purity of a women's conduct and on her *zeni'ut*, on the covering of her shame and nakedness, is the responsibility of the man, who covers her nakedness, determines how and to what extent *zeni'ut* is to be expressed, supervises its enforcement, and rules on and punishes violations. These paternalistic protections distinguish between 'owned' sexuality (a married woman, hidden from others, is dedicated to her husband alone, serving him sexually, concentrating on fertility, birth, and growth of the family, concealed from the eyes' of others under his supervision, and forbidden to step out of her home) and 'ownerless' sexuality, which is directed not toward sacred, owned reproduction within the framework of the family but toward gratification of the flesh or unrestrained independence. (Hence the legendary figure of Lilith, the first created woman according to the *midrash* who insisted upon sexual equality, according to *Alfa beita de-ben Sirah*, and when refused and coheresed ran away from Adam's dominion – independent, rebellious, licentious, subversive, destructive, entrapping, desired, and fatal – who embodies wild, naked, instinctual nature, both threatening and attractive.) Language reflects this notion of 'ownerless' sexuality: one who leaves (*yoze'it*) the context of ownership is 'forward' (*yaz'anit*); 'wanton' (*mufqeret*) is associated with 'ownerless' (*hefqer*); a wife suspected of infidelity (*sotah*) is one who strays (*sotah*) from the conventional path of ownership, violating the norm; 'licentious' (*peruzah*) refers to a woman whose nakedness is breached, that is, lacking an owner/husband and uncovered. The distinction between 'owned' and 'ownerless' sexuality helped maintain the patriarchal order as a hierarchal system headed by the husband and father, whose exercise of dominion and supervision were explained as beneficial to the woman subject to them, guarding her, assuring her protection and providing her with honor ('all glorious is the king's daughter within the palace') and saving her from shame and wantonness. As a practical matter, these protections – based on one-sided benefit; on power, exploitation, discrimination, and denial of rights rather than on reason, justice, or sincerity; and on concealment, silencing, and negative depiction of the woman – advanced the placement of women within the domain of nature, which required control, or within the domain of sexuality, which required supervision. It thereby distanced them from the realm of culture, the centers of authority and sovereignty, and the public arena.

The appropriate course for the modest woman is considered to be the maintenance of her essence as still life, raising no voice and hidden from the eye, trained and controlled and devoted to fertility, birth, and her husband's memorialization and legacy. The secreting of women was accomplished by limiting them to the domestic sphere and emphasizing their obedience and modesty,

purity and submission (the opposite of impurity, profanation, rebellion, and wantonness). All of these depend on concealing the woman's body, making it available exclusively to her husband, and granting him control over her sexuality, all in the private realm. They are bound up as well with a prohibition on any public exposure of that sexuality in any form, from voice to hair. A harlot (*zonah*) is one on whom anyone may feast (*lehazin*) his eyes, the antithesis of the modest woman who is hidden from view and whose dignity is preserved within her husband's house. (Linguistically, *zonah* and *lehazin* come from two separate roots; still, the expression 'feasted [*heizin*] his eyes on the glow of the divine presence', referring to a forbidden observation, suggests a link between the two roots.) A wanton woman (*mufqeret*), as already noted, refers to one who is ownerless (*befqer*), that is, lacking a husband and ruler who protects her dignity and covers her nakedness, or one who sanctifies (*meqaddesh*) her, that is, sets her aside (*meqaddesh*) for himself and makes her forbidden to others. Profanation (*hillul*) of the sacred and profanation of a woman's dignity or innocence connote impairment of a sacred, forbidden sphere, one having an owner, or of a domain of exclusive possession. (*Herem* [forbidden], *haram*, *beqdash*, and taboo are all lined to spheres of ownership and the breaching of bounds.)

In a structural sense, *qiddushin* (betrothal) implicitly connotes movement from the realm of nature/unrestrained sex/wild eros to that of culture and control. The former is the domain of unrestrained and wanton impulse, lacking any purpose; it is uncontrolled and unowned, subject to no sanctification, limit and authority. The latter, in contrast, is the domain of culture, ownership, restraint and taming, counting and numbering, regularity, order, authority, and purpose-driven law and norm. This outlook, which is bound up with dominance, restraint, oppression, segregation, expulsion, and submission, regards sovereign sexuality on the part of a woman as a stumbling block (in the form of unrestrained nature, potential licentiousness, lewdness, shame, miasma, impurity, danger) and associates the defense against woman's danger-laden sexuality with ownership and supervision by her husband – the husband who redeems her from her virginity and transfers her, by dint of betrothal, from wanton nature to restrained culture, or from the domain of impurity to that of purity and holiness. It sets as an ideal the statement regarding 'the proper and pure daughters of Israel' (*Exodus Rabbah* 22). In the name of modesty focused on controlling woman's sexual essence – as virgin or wife, as lewd or menstruant, as impure or pure, as seductive and dangerous snare – woman was barred from contact with learning, thought, knowledge, and positions on issues; she was denied independence, authority, and her rights as a sovereign human being. Covering nakedness on the social level requires segregation, separation, and concealment; when the woman is a virgin, she is not permitted to leave her father's home without supervision (a 'forward woman' [*yaz'anit*], as noted, is

one who leaves the private domain for the public, thereby disrupting the patriarchal order and going astray). In the ideal conception – ‘all glorious is the king’s daughter within the palace’ – she is not permitted to leave the home, to study or work outside the home; and after she is married, she is forbidden to breach the boundaries of her home without her husband’s permission. When she does leave, she must cover herself from head to foot so no man may feast his eyes on her, stumble on her account, be seduced by her, or sin with her. (One who breaches [*porezet*] the rules of modesty is licentious [*peruzab*], unowned, given over to the public domain – an ownerless expanse, in contrast to virgin soil or owned, cultivated soil.) To be an honorable woman, one whose sexuality is properly controlled by her father or her husband (in a manner reflecting the man’s dominion over the family’s assets and ensuring continuation of the male line by exclusive dominion over her virginity, sexual activity, and childbearing), she must avoid ensnaring men with her nakedness. She must be isolated and excluded during menstrual impurity, separating herself and concealing her impure sexuality, and she must count seven days, immerse, and be purified in order to pass from impurity to purity and once again be allowed to unite with her husband. (This perspective is well illustrated by the practice of Ethiopian Jewish women, who leave their homes and reside in a ‘menstruant house’ or ‘the house of the impure’ during their periods and purification days – a practice that preserves the ancient tradition before its later reworking by the Sages.) In the ideal state, and often in actual practice as well, a woman was obligated, in all her actions, to take account of the honor of the men in her family, to serve them obediently (*tashmish*, ‘service’, also denotes sexual intercourse; ‘A woman who denies her husband sexual intercourse [*tashmish*] is considered insubordinate’ [Maimonides, *Mishneh torah, Hilkhhot ishut* 14:8]), and to subject herself to segregation, modesty, and withdrawal from the public domain, as Maimonides ruled: ‘But it is demeaning for a woman to go out continually (...) and a husband should prevent his wife from doing so and should allow her to go out only once or twice a month or so, as may be needed, for it is proper for a woman only to stay in the recesses of her home, as is written “All glorious is the king’s daughter within the palace”’ (*Mishneh torah, Hilkhhot ishut* 13:1). Maimonides was writing in the context of a discussion meant to improve the existing situation, in which women were not permitted to go out at all; he introduces his analysis with the statement that ‘she is not imprisoned to the point of being unable to come and go’. In discussing the requirement that the husband of a rebellious wife divorce her, he explains that ‘she is not like a captive, forced to cohabit with one who is hateful to her’. Whether those positions express a view of the world or simply manifest the efforts of the legal system to deal with and improve social reality, the sense they convey is clear. Beyond the explicit message dictated by a changing social reality, there is the implicit message that

shaped one's consciousness with respect to the female essence: shameful, sin-provoking, indecent, perverse, in need of supervision and ownership, concealment and mastery.

This feminine experience of sin and punishment, associated with impurity and modesty, is tied to the curses imposed on Eve in the wake of her sinful eating from the tree of knowledge, an action that was interpreted as rebellion against the divine command and acquisition of forbidden knowledge, knowledge gained in exchange for the sin of forbidden carnal knowledge. That eating/first knowledge (as in the verse 'And the man knew Eve his wife' [Gen. 4:1]) was interpreted by the Sages as a sexual sin of forbidden fleshly passion and forbidden cohabitation between Eve and the serpent/Satan, a cohabitation that preceded her union with Adam: 'When the serpent came to Eve, he imparted filth into her' (BT *Shabbat* 146a). The breach of boundaries between an animal (*hayah*) or a serpent (*havya* in Aramaic) and Eve (Havvah), or the licentiousness of uncontrolled, unsanctified and uncultured sex, linked to nakedness and impurity, is alluded to even earlier than in the rabbinic statement just noted. 'The Life of Adam and Eve', a First Century book in the Pseudepigrapha, has Eve recount the story about the sin in a suggestive way: 'When he had received the oath from me, he went, climbed the tree, and sprinkled his evil poison on the fruit which he gave me to eat which is his covetousness. For covetousness is the origin of every sin. And I [other mss.: "he"] bent the branch toward the earth, took of the fruit, and ate'.²³ Filth, evil poison, impurity, desire (covetousness) sin, a conspiratorial serpent, forbidden bestiality, nakedness, lust, intrigue, evil impulse, breached boundaries – all of these are linked to uncontrollable nature, to Eve, and to Eve's seductive and seducible daughters, who require restraint and taming, concealment and domestication.

Shame, blame, and disgrace lie at the foundation of culture, as E. R. Dodds, a scholar of Greek religion, has noted.²⁴ But while mythology allocates these qualities to various heroes, Jewish culture considers all of them to be embodied in the figure of Eve. Eve is blamed for sinning and is sentenced to shame, to concealment of her shame and disgrace, to torment in childbirth, to exclusion and silencing, and to bequeathing of the sin and its punishment to her daughters. Eve sinned in her defiance of God's word, her breach of boundaries, her forbidden and wanton sexual conduct, her freedom, her carnal knowledge, or her eating from the tree of knowledge; in consequence, she is cursed: 'in pain thou shalt bring forth children; and thy desire shall be to thy husband, and he shall

²³ 'Life of Adam and Eve, Apocalypse', in: Charlesworth, *The Old Testament Pseudepigrapha*. Vol 2, 279.

²⁴ E.R. Dodds, *The Greeks and the irrational*, Berkeley: University of California Press, 1951.

rule over thee'. To these biblical curses, R. Dimi (BT *Eruvin* 100b) adds a list of others that clarify the modesty-related punishment for having eaten from the tree of knowledge – 'knowledge' in the sense of carnal knowledge that is untamed, unsanctified, unowned and, hence, forbidden as lewdness; and 'knowledge' in the sense of forbidden knowing, that is, an unauthorized approach to protected information situation in the forbidden realm. These punishments include distancing from knowledge in both senses: in response to the wanton exposure of her nakedness before her sin, the sinful, blameworthy woman is 'cloaked as a mourner' (Rashi: 'It is shameful for her to go out with her head uncovered'); in response to the breaching of the bounds of modesty in her forbidden befriending of the serpent and the potential for sin in any unsupervised befriending, she is 'banished from contact with any man' (Rashi: 'She is forbidden to any man other than her husband, but the man may marry many women!'); in response to the freedom within nature – a domain free of blame and embarrassment inasmuch as permission and prohibition do not apply there – and in contrast to the freedom of movement and unrestricted right to go out that characterize the natural domain, she is 'confined within her prison' (Rashi: 'All glorious is the king's daughter within the palace'). The Talmudic reality in which a woman is described as 'cloaked as a mourner, banished from contact with any man, and confined within her prison' (BT *Eruvin* 100b) connects woman's sorry state with Eve's sin and punishment. Various midrashic sources detail the curses decreed on Eve, the sinful, blameworthy, and ashamed. Among others are the following: isolation under her husband's control; economic dependence; exclusion from the public domain ('she sits in her home and does not support herself as a man'; 'her husband jealously prevents her from speaking with a man'); subservience ('he pierces her ear like that of a permanent servant and as a maidservant who serves her husband'); unreliability and moral inferiority, tied to her sexual essence that interferes with her ability to reason ('she is not a credible witness'); and silencing ('she sits in her home and appears publicly to no man') (Menaḥem Kasher, *Torah sheleimah*, notes on Gen. 3, sec. 111). The wisdom allowed to women was that associated with weaving in the private domain, with serving her husband as the woman of the house (BT *Yoma* 66b), and with the earning money through labor performed at home. The only knowledge a woman was allowed was that associated with carnal knowledge, within the bounds of marriage. These sorts of knowledge move her from the wantonness of innumerate, non-verbal nature, lacking shame and modesty, to the sanctity of culture based on letter, counting, and recounting, on modesty and drawing boundaries – the private domain, the mastery of the husband/owner, the ownership of her body, a reality in which all she produces belongs to him. Permitted carnal knowledge was associated with concealment of her shame, her weakness, her embarrassment, and her nakedness – all the expressions of feminine sexuality are linked, in traditional language, to expressions of

shame and danger – and confinement because of the lusting after her sin. Meanwhile, the woman was forbidden to acquire knowledge from the realms of spirit and information, study and creativity, from the realm of book, counting, and recounting, of culture, law, and justice in the public domain, knowledge associated with going out of the home and approaching the world of culture and sanctity, the male domain. That prohibition was imposed on her in light of the lesson learned from her sin with respect to the tree of knowledge, which showed everyone her wanton sexual nature – referred to, in the male language of the religious tradition, as shame, embarrassment, weakness, nakedness and impurity – on account of which a collective punishment of exclusion and servitude, silence and ownership, was imposed on the entire community of women.

As noted earlier, within the religious-patriarchal order, man embodies culture, refinement, dominance, order, law, exclusive access to sanctity, and participation in the domain of power, spirit and knowledge, rights, freedom, understanding and wisdom. This domain advances through use of the Holy Tongue (Hebrew), in speech or voice and the freedom to sound it, in mastery over reading, counting, and recounting. Woman, meanwhile, embodies nature (which requires restraint, taming, and dominance), impurity and desire, impulse and breach of rules, disorder, physicality and lack of intellect, silent servitude, silencing and distancing from reading, counting, and recounting. This dichotomy parallels that between modesty and nakedness. As noted, nature – bound up with attractive yet frightening forces, with wanton impulses and casting off restraints, with impulse and desire, life and death, fertility and destruction, *eros* and *thanatos*, birth and death, impurity and purity – must be tamed, acculturated, controlled, restrained, sanctified, and purified. It follows that woman, who is near to nature's cyclicity on account of her bodily link to birth and fertility, the monthly cycle and nursing, must be brought under the dominion of the spirit, must be subjected to the bonds of morality and acculturated under the auspices of those who represent culture and knowledge and establish law, morality, and order – that is, men. *Ervah* (nakedness, lewdness) means sexuality that is not subjected to the power of the social order, and *arayot* (improper sexual relations, especially incest or adultery) refers to unrestrained, unashamed, impulse-driven sexuality that bursts the bounds of taboo, breaches the borders of purity and impurity, sanctity, culture, and ownership, and disrupts the normative order of dominion and silencing, imposing disgrace and shame ('uncovering nakedness'; 'a woman's voice is nakedness').

A Christian-feminist perspective on nakedness and modesty can be found in Adrienne Rich's striking comments:

Throughout patriarchal mythology, dream-symbolism, theology, language, two ideas flow side by side: one, that the female body is impure, corrupt, the site of discharges, bleedings, dangerous to masculinity, a source of moral and physical contamination, 'the devil's gateway'. On the other hand, as other the woman is

beneficent, sacred, pure, asexual, nourishing; and the physical potential for motherhood – that same body with its bleedings and mysteries – is her single destiny and justification in life. These two ideas have become deeply internalized in women, even in the most independent of us, those who seem to lead the freest lives.

In order to maintain two such notions, each in its contradictory purity, the masculine imagination has had to divide women, to see us, and to force us to see ourselves, as polarized into good or evil, fertile or barren, pure or impure. The asexual Victorian angel-wife and the Victorian prostitute were institutions created by this double thinking, which had nothing to do with women's actual sensuality and everything to do with the male's subjective experience of women. The political and economic expediency of this kind of thinking is most unashamedly and dramatically to be found where sexism and racism become one.²⁵

As noted, woman has been associated, since Eve in the Garden, with seduction, desire, nakedness, impurity, sin, and punishment. The name Eve (Ḥavvah), 'mother of all that lives' is associated with Aramaic *ḥivya*, serpent, the symbol of death and seduction, Satan and impulse, eternity and renewal, and all the associated dangers. From this perspective, every woman represents, by her very biological essence, the eruptive forces of nature not subject to restraint; accordingly, she must be concealed, covered, hidden, restrained, silenced, and excluded from the male public domain in order to prevent her from exposing her nakedness. The man, as patron and ruler, must rule over the sexuality and modesty of his wife, daughter, sister, daughter-in-law, mother, and other women in his family, to supervise their sexual conduct and restrain and conceal their eruptive sexuality – for they are the source of seduction, nakedness, and impulse. It goes without saying that no one ever even considered the possibility that man should be expected to act modestly, control his own sexuality, desire, or impulse, withhold his power, cover his nakedness, and allow his partner, sister, or daughter to deal independently with her own sexuality, in accord with her sovereign exercise of reason. Man was understood as the embodiment of culture, law, and order, justice and righteousness, power, independence, freedom, mastery, patronage and ownership. His sexual drive was regarded as might, manliness, and strength, as ability and potential (cf. 'potency', 'impotent'). The view is epitomized in the suggestive adage that 'to the extent one is greater than his fellow, his drive is greater as well', and a man's honor and that of his family is determined on the basis of his power and on the degree to which he controls the nakedness and modesty of the female members of his family. Free of blame and shame, men took pride in their sexuality and might and legitimated their

²⁵ Adrienne Rich, *Of woman born*, Norton 1976, 34. On Feminist theory, cf. Mary Eagleton (Ed.), *Feminist literary theory: A reader*, Oxford 1996.

various expressions, as is evident in masculine terms lacking feminine analogues: abundantly mighty (*rav onim*), male and maleness, man, might, and power (*gever*, *gevurah*, *gavrut*), possessed of drive, 'if he is overcome by his drives, let him go to a foreign city [to satisfy them]', etc. Women, meanwhile, were forbidden to give any expression to their sexuality outside the context of ownership and the patriarchal order. Those who violated that restriction were harlots, strays, wanton, forward, naked, Liliths, and perhaps even necromancers and witches. Significantly, most of those Hebrew terms lack masculine equivalents.

In this connection, two expressions, rich in meaning, are of great interest. The first, in Rabbinic Hebrew, expresses the complex interrelationship among woman, sex and death by referring to the womb as a grave.²⁶ That analogy expresses the subconscious fear underlying the desire to control fertility and illuminates the male ambivalence regarding sex and death, both associated with woman, the source of life, whose womb is implicitly and explicitly linked to both life and death. Each month, it yields potential life, in the form of an ovum, but if pregnancy does not ensue, it emits the blood of death, in the monthly cycle of menstruation (*niddah*), which requires the woman's exclusion (*nidui*) on account of its impurity. The cycle, however, is also referred to as *veset*, because of its oscillation (*visut*) between life and death. The association between woman and death, rich in meaning, is widespread in the universal language of symbolism, in myth, mysticism, and psychoanalysis; examples include the myths of Persephone and Hades; of Ishtar and Dumuzi, and the kabbalistic imagery of the female of the great depths, the sea of death. The transition from womb to grave is linked to the primeval identification of woman with the cycles of nature and the cosmos and with the seasons; and it is tied as well to the concepts of life and death as recurring events continually flowing one from the other, by means of various temporal and spatial systems within the bodies of men and women.

The second intriguing expression, appearing in kabbalistic literature, is 'incest [*arayot*] are the king's scepter' and 'on high there is no nakedness [*ervah*]' (Recanati on the Torah; *Ta'amei ha-mizvot* by Joseph Mi-Shushan ha-Birah; *Tiqqunei ha-zohar*). – in other words, the prohibitions against certain sexual relations do not apply in the supernal realms. These turns of phrase disclose, in the language of symbol and myth, what the culture prefers to cover up, explicitly stating that control over sexual relations is one of the privileges enjoyed, on earth as in heaven, by one who is master and ruler, one who is exempt from the

²⁶ *Ohalot* 7:4; cf. the *Even-Shoshan Hebrew dictionary*, Jerusalem: Kiriayt Sefer, 1963, s.v. *qever*.

bonds of morality and the boundaries of taboo, or one who is exempt, under certain circumstances, from the rules that one would otherwise have to give up his life rather than transgress. Culture is based on the taboo that forbids sexual relations between blood relatives. Improper sexual relations that violate that taboo (that is, incest) become permissible, on this argument, because they are 'the king's scepter'; in this way, recognition is given to a privilege transcending the limits set by the prohibition, a privilege implicitly linked to control over life and fertility, over permitted and forbidden couplings, or over urges that exceed the bounds of taboo. Royal families in ancient Egypt and Rome and in the Inca kingdom allowed themselves the prerogative to indulge in incestuous relationships forbidden in their cultures, and the kabbalistic and Sabbatean literatures depict supernal and terrestrial realms exempt from the bounds of taboo and from distinctions based on forbidden and permitted, good and evil. In the male world, marked by special privileges and the sovereign freedom to set limits, 'incestual sexual relations [*arayot*] are the king's scepter'; in the female world, where rights are denied and boundaries are imposed, *arayot* are nakedness and shame. This metaphorical dichotomy identifies the good with one sex and the evil with the other. In light of these patterns of thought, it should come as no surprise that in the early twentieth century, the philosopher Otto Weininger, a convert from Judaism, could identify 'the principle of masculinity' with 'the principle of good' and 'the principle of femininity' with 'the principle of evil'.

To note the vast gap between this one-sided view and the humanistic perspective that considers each individual as a sovereign creature is to belabor the obvious. The former takes inborn biological differences and ties them to acquired moral, cultural, and ethical differences, to the rights to exercise power and dominion and to subjugate – all of which establish male superiority and female inferiority and connect the gender difference to a substantive divide with respect to power and sovereignty, freedom and enslavement, sanctity and impurity, speech and silence. The humanistic perspective, in contrast, sees each sovereign person as entitled to control his or her body and spirit; as equally tied, by virtue of having been created a man or a woman, to culture and sanctity, authority and law; and as equally entitled to freedom of choice, freedom of expression, freedom of movement, liberty, equal rights, and all manifestations of human dignity.

In Judaism as in all other religious systems, it is male institutions, in which women play no part, that have established (and continue to establish) the rules and norms related to personal status, control of one's body, sexuality, virginity, marriage, birth and abortion, menstruation, demarcation and modesty, 'blessings of breasts and womb', harlotry and wantonness, forbidden sexual relations and body control. Having played no part in those governing institutions, women of course played no part in formulating those rules and norms, which

therefore fail to reflect women's existential experience, intellectual consciousness, bodily reality, perspective, and thoughts. The distinctions discussed earlier, which establish relationships of ruler and ruled in connection with modesty and nakedness, honor and shame, cultural restraints and nature that needs restraint, are not merely historical. Contemporary newspapers are filled with stories showing the continued reality of issues related to control and ownership of sexuality, wantonness and modesty, virginity, sexual intercourse and ownership of sexuality, compelled sex and rape, faithfulness and suspicion, treachery and adultery, family honor and its violation, and the full array of relations between the sexes based on power and control and on double standards of good and evil. These issues contribute to the frightening statistics on murder in the context of violated family honor and the rising incidence of male violence against women, including numerous cases of rape and incest. That violence typically begins with sex-related verbal hostility in which the woman is accused of violating the conventional patriarchal norm related to modesty and wantonness. It moves on to establishing the control relationship between man and woman, a raised voice and a raised hand, which are meant to reinforce the boundaries of the norm, to restore order and impose it by force. Finally, it ends with harsh violence, forced intercourse, torment, rape, and murder. The process draws its inner legitimacy from the internalized world of implicit and explicit concepts discussed earlier, whose cultural, linguistic, religious and legal manifestations, have been transferred, by dint of language, from past to present.²⁷

²⁷ On the occasion of the International Day of Struggle Against Violence Toward Women, the centers for assistance to victims of rape and sexual assault announced that in 1998, twenty-six women had been murdered in Israel. In 1999, seventeen women and eight children were murdered. From 1992 to 2000, 169 women were murdered by their partners. From 2000 to 2008, 212 women were murdered by their partners. According to the data of the inter-ministry committee on the problem of family violence, 200,000 battered women live in Israel – in other words, one woman in every seven is battered. In 1998, 16,895 women filed violence-related complaints against their husbands. In 2008, 19,703 such files were opened and in January-September 2009 11,625 files on family violence were opened. 1184 files on rape were opened in 2008 according to the Israeli Police website. 3000 more files were opened on sexual harassment and on sexual attack not constituting rape. The international scholarly consensus is that reported events of rape represent only about one-tenth of the total. In 80% of rapes, the attacker is known to the victim from within her family, social circle, or immediate neighborhood. Of the eight thousand women turning during the year to support centers and complaining of sexual violence, improper use of force, or sexual degradation and attack, 35% involved allegations of incest. (In 1998 the complete breakdown is 35% – rape 5% – group incest; 35% – incest; 25% – sexual attack not constituting rape; 5% – sexual harassment.) (In the year 2008, 7793 calls were recorded in the help centers for victims of rape crisis and sexual violence in Israel: 2383 were reports about individual rape [30.6%]; 379 on group rape [4.9%]; 1404 on incest [18%] and 1731 on sexual harassment [22.2%]. 1896 sexual attacks of unclassified nature [24.3%] were reported as well without reporting the identity of the perpetrator.

An inquiry into the ancient roots of these concepts, and their basis in religious dialectic, can shed light on their complexity and significance in the ancient world and in our own.

SANCTITY, NAKEDNESS, IMPURITY, PURITY, CREATION, DESTRUCTION, LIFE, AND DEATH

Social reality distinguished between men and women with respect to voice and silence, and it distinguished between the public sphere, in which man sounds his voice but woman is absent (or is present but absent, as a still life whose voice is not heard) and the private sphere, in which woman spoke, though her words neither reached nor influenced the public domain. Those social divisions were projected into the religious sphere when it differentiated between the domain of sanctity, spirit, and culture, which was reserved to men, and the domain of impurity, impulse, and uncontrolled nature, associated with woman. The allocation of sanctity, in conjunction with purity and impurity, was implicitly associated with all the divisions related to culture and nature or the divisions between the voiced, authoritative, and powerful sanctifier, who restrains and tames, and the silent, controlled object of that sanctification, who lacks authority, is not taken into account, is present but absent, denied a voice, denied command (*piqqud*; an Aramaic cognate means 'commandment'). It gave rise to a fundamentally different degree of access to the sources of culture, which are to be found in the public domain, and it created an overlap, in the male world, among sanctity, literacy, voice and speech, liberty and control, education and creativity. In the female world, the overlap was among impurity, menstrual exclusion, distancing, silencing, illiteracy, subjugation and enslavement.

The patriarchal and androcentric religious environment was grounded in the division between two realms – on the one hand, sanctity and purity in the public realm, linked to the sacred written heritage and to the domain of culture; on the other hand, impurity, nakedness, and impulse in the private realm, linked to nature and to the domain of the illiterate. Within that environment, man, linked to the spirit, exercised exclusive authority with respect to matters of sanctity and the sacred and the domain of the spirit; woman, linked to impulse

presumably the identity of the perpetrators are connected to incest.) Sociologists and criminologists attribute the violence to social inequality between men and women, expressed in the context of acquisition: a violent man regards the woman as his property, and any disagreement or dissent on her part is taken as a loss of property and a threat to his control that demands drastic remedies. Violence mirrors the inequality built in to society; it follows that a shift toward equality of rights will bring about a reduction in violence against women.

and nature, was seen as the potential or the realization of impurity, menstruation, bodily discharge, and sin.

Impurity (*tum'ah*) includes uncontrolled secretions from the sexual organs, which symbolize the destruction of reproductive potential ('futile destruction of seed', 'wasteful emission of seed', seminal emission, or menstrual blood, which represent putting off the possibility of pregnancy) or contact with blood or semen that have been emitted and destroyed rather than serving as creators of life. It includes death in all its manifestations, endangering both the individual and society and requiring purification. In the Torah and *halakhah*, the terms pure and impure specifically and explicitly refer to states that permit or preclude, as the case may be, contact with the Temple and its sacred appurtenances; implicitly, they were linked to the opposition between life and death. Anything that advances, promotes, or increases life, fertility, or continuity linked to numbering and counting, reading and observing the law, is associated with sanctity and creation; anything that prevents or endangers the continuity of life and fertility is associated with impurity and destruction. Over the ages, following the destruction of the Temple, the terms changed and acquired additional layers of meaning, but the fundamental principle expressed in *Baraita de-masekhet niddah* remained widespread: 'A Jew may not enter a place of prayer while impure'.²⁸ A woman experiences regular, cyclical proximity to impurity, the result of her biological makeup and the uncontrollable elements of the laws of nature, the monthly cycle, and the menstrual blood that is the opposite of pregnancy and that represents death and the delayed potential for life; she is therefore associated with impurity. Impurity requires separation and purification in the private domain; it follows that woman is barred from any involvement with sancta in the public domain. A woman's sexuality and cyclical blood flow have been associated since biblical times with impurity requiring exclusion; her monthly cycle is called *niddah*, a word related to *nidui* (expulsion, banishment) and the impurity of *niddah*; and she is presumed to be impure and banished. The halakhic definition of *niddah* is 'secretion of a woman's blood at the time of her impurity'. The Torah admonishes 'thou shalt not approach unto a woman to uncover her nakedness, as long as she is impure by her uncleanness [*niddah*]' (Lev 18:19), and because she is impure, she must be banished (*menuddah*), separated, situated in the domain of nature and uncontrolled impurity. The passage from the domain of nature to that of culture is conditioned on a process of purification, or of submission to numerical regulation. The *niddah* must be purified at set times, based on the number seven – since the seven days of creation, that number has symbolized the imposition of

²⁸ In Horowitz, *Tosefta atiqta*, part 5.

order on chaos, of sanctity on impurity, the cyclicity that ensures life on the chaos that destroys life – and only then can she return to the domain of the sacred, of culture, and of life or to carry on with fertility through sexual relations with her husband. A woman is considered menstrually impure for seven days following the start of her cycle, and she defiles people, utensils, and clothing. She must then count seven clean days before purifying herself for return to the domain of creation and sanctity. A *zavah*, one who emits blood outside her regular cycle (a possible mortal danger or an impairment of fertility) is likewise considered impure, and her impurity is terminated only after seven days elapse. A birthing mother is impure for seven days after bearing a son and may not come to the Temple for an additional thirty-three days; if she has borne a daughter, she is impure for fourteen days and may not come to the Temple for an additional sixty-six days. During all those intervals, she is considered unclean. The Book of Jubilees, which reflects ancient priestly law attributed to angels, instructs:

In the first week Adam was created and also the rib, his wife. And in the second week he showed her to him. And therefore the commandment was given to observe seven days for a male, but for a female twice seven days in their impurity. And after forty days were completed for Adam in the land where he was created, we brought him into the Garden of Eden (...) And on the eighty day his wife was also brought in. And after this she entered the garden of Eden. And therefore the command was written in the heavenly tablets for one who bears: 'If she bears a male, she shall remain seven days in her impurity like the first seven days. And thirty-three days she shall remain in the blood of her purity. And she shall not touch anything holy. And she shall not enter the sanctuary until she has completed these days which are in accord with [the rule for] a male [child]. And that which is in accord with (the rule for) a female is two weeks – like the first two weeks – in her impurity. And sixty-six days she shall remain in the blood of her purity. And their total will be eighty days.'²⁹

All of these purification procedures share the idea that purification depends on time, on counting, and on a ritual connected to living waters, all of which regulate uncontrolled nature, with its secretions, bleeding, semen, and death and restore it to the realm of regulation and control, fertility and life.³⁰ Conditioning

²⁹ Jub. 3:8-11; in: Charlesworth, *The Old Testament Pseudepigrapha*. Vol. 2, 59.

³⁰ Impurity and purity in connection with menstruation, seminal emission, and other uncontrolled bodily secretions that determine one's proximity to or distance from the sacred are treated in detail in the Torah and the Talmud and are the subject of wide-ranging scholarly study from halakhic, sociological, and feminist perspectives. For further information, see, to begin, the pertinent entries in concordances to the Bible, the Qumran literature, and the Talmud and other rabbinic literature and the bibliographies to the pertinent entries in various

purification on the counting of seven clean days following the end of menstruation ensures life and fertility, for it associates sexual contact with the time when pregnancy is most likely to ensue; and it connects sanctity, blessing, and the mystery of life with cultural regulation that depends on number and counting. The seven-based counting unifies and integrates the sacred realms bound to number all the way back to the beginning of creation and life, from the seventh-day Sabbath to the seven days of purification that ensure fertility; from the seven-day weeks of the year, counted on a fixed cycle consistent with the solar calendar, to the seven festivals in the sanctuary, celebrated during the first seven months of the year, from Nisan to Tishri. Those festivals, moreover, are separated by seven-week periods related to agricultural fertility and yield, and the series begins and ends with a seven-day festival. The importance of the number

encyclopedias. The latter will provide references to halakhic analyses and to sources that clarify the precise meanings of the terms at issue and the changes in those meanings over time. In his *Tosefta ki-feshutab*, Saul Lieberman provides illuminating explanations of these concepts, and Getsel Ellenson, in his *Serving the Creator: A guide to the Rabbinic sources* (English version prepared by Mendell Lewittes & Avner Tomaschoff, Jerusalem 1986), conveys the contemporary religious approach to these issues in terms of actual practice. The breadth and complexity of the subject preclude exhaustive treatment in the present context, so I will limit myself to some bibliographical notes related to cultural, social, and halakhic aspects of the issue. See Rachel Biale, *Women and Jewish law*, New York 1984; Howard Eilberg-Schwartz, *The savage in Judaism: An anthropology of Israelite religion and ancient Judaism*, Bloomington 1990; Shaye Cohen, 'Menstruants and the sacred in Judaism and Christianity', in: Sarah Pomeroy (Ed.), *Women's history and ancient history*, Chapel Hill 1991, 273-279; Biale, *Eros and the Jews*; Daniel Boyarin, *Carnal Israel: Reading sex in Talmudic culture*, Berkeley 1993; Judith Hauptman, *Rereading the rabbis: A woman's voice*, Boulder (CO) 1998. Hauptman includes a bibliography on the issue at hand and important references to the overall consideration of Jewish feminism. And cf., on the basic question of the meaning of purity and impurity in various cultures, the path-breaking books by Mary Douglas: *Purity and danger: Analysis of pollution and tabu*, London 1996; and *Implicit meanings*, London 1975. See also her important study of the ambiguous meaning of the sacred and the prohibited, the impure and the pure, *Leviticus as literature*, Oxford 1999.

Despite the halakhic opinion that words of Torah cannot become defiled (BT *Berakhot* 22a), the priestly concept of a clear distinction between the pure, who can approach the domain of the sacred and the sanctuary, and the impure, who are obligated to distance themselves from it and purify themselves before approaching, left its mark even after the destruction of the Temple changed the definition of the sacred. The passage from tractate *Niddah* quoted earlier exemplifies this, even though the decisors rejected the custom of prohibiting a menstruant from coming to the synagogue. The dichotomy between sanctity and impurity as it corresponds to the dichotomy between man and woman is evident in the account in *Heikhalot Rabbati* of R. Ishmael's ascent to the supernal realms, from which he is cast down by force of a woman's impurity. (*Synopsis of the Heikhalot literature*, ed. Peter Schäfer, Tübingen: Mohr, 1982, par. 89). The dangerous threat of menstrual impurity, associated with death, is evident in the practice of Ethiopian Jewish women, who leave their homes during menstruation; they thereby preserve the original social meaning of the practice.

seven in the Temple cult is evident in the seven-fold sacrifices, the squads of officiating priests, who rotate every seven days, and the seven-branched candelabrum in the Holy of Holies. All of these connect 'seven' (*sheva*) and 'oath' (*shevu'ah*), the Sabbath and the eternal covenant; they likewise link the sacred seven-based cycle to the unending life and fertility promised by covenant and oath.³¹

The concepts of impurity and purity are associated in the Bible with the sins that one must avoid even at the cost of one's life, sins so serious that they defile the land – incest/adultery, idolatry, and bloodshed. Common to these offenses is their breach of boundaries, disruption of the order of fertility, submission to the uncontrolled domain, and violation of the bounds of the sacred and the culture that promote the continuity of life. Forbidden sexual relations entail a deviation, driven by impulse and nature, from the bounds of the incest taboo that lies at the very foundation of culture and that limits sexual relations in a manner deliberately tied to blood relationships. (The products of incestuous relations are subject to an above-average incidence of genetic flaws that are avoided by genetic diversification; some ancient traditions allow marriage only if the partners are genetically separated by at least seven degrees of consanguinity.) Idolatry breaches the boundaries between the human and the divine, for it turns its back on the source of sanctity and returns to unsanctified nature, abandoning the periodicity, counting, and seven-based regularity of the Temple and thereby disrupting the order of purity and fertility that ensure the continuity of life. Bloodshed, finally, involves the deliberate destruction of a life, thereby breaching the bounds of what is forbidden and what is permitted in the relationships between humans and nature and between one human and another. Woman is connected in myth to all the uncontrolled, chaotic, bounds-breaching and defiling forces (the sin of the Watchers; the story of the sons of gods and daughters of men in Genesis 6; her status as seductress and as one seduced by the force of unbounded impulse that breaches the bounds of taboo; her nakedness in the story of the Garden of Eden); to witchcraft (=idolatry, forbidden knowledge, see Jub 4-6 and the passages quoted earlier on women and witchcraft); and to bloodshed (Eve's guilt for Adam's death; Lilith, the rebel who kills infants; life and death connected to blood and menstruation, to pregnancy, birth, and abortion). Those ties established her inferior status with

³¹ On the cycles dependent on the counting of seven as the essence of the sacred and the divine order; the ancient mythological significance of idolatry, bloodshed, and incest/adultery as sins linked to death and to cutting off the continuity of life; and on their role in the struggles among various priestly regimes during the time of the Second Temple, see Rachel Elior, *The three temples: On the emergence of Jewish mysticism*, transl. David Louvish, Oxford-Portland (OR) 2004.

respect to the bounds of impurity and sanctity, distanced her from the sacred, and determined her lot.

Within Jewish culture, everything holy is tied to the sacred book that stands at the center of the culture and whose study and review are a commandment of the highest order. That commandment is dependent upon the ability to read, which pertains only to men ('you shall teach them to your sons') and on the ability to write, which is limited to men as well (women are not permitted to write a Torah scroll). Under those conditions, approaching the sacred becomes the exclusive province of holy and pure men. Oozing, menstruating, impure women, denied literacy because they are distanced from the study of the Holy Tongue and may not be present in the study hall, lack any unmediated tie to the book, to literature, to the library, to writing or reading books, to involvement in study, to exegesis, and to intellectual creativity and activity. It is worth noting the connection between 'author' and 'authority'; between the scribe who knows how to count numbers and letters and writes documents and laws and the person authorized to count and recount and to exercise control and dominion. One who is kept away from the world of culture and sanctity – a world created, in the words of *Sefer Yezirah*, with reading and writing associated with book, counting, and recounting (*sefer, mispar, ve-sippur*), with twenty-two letters and ten numbers – because of the impurity attributed to her, and one who is kept from reading and writing and drawing near to book and library because of the strictures of modesty meant to cover nakedness, can never possess authority and never be able to write books, stories, or documents worthy of study and preservation as part of culture, religion, or law. Under this view of the world, the foundations of human dignity – equal rights, equal opportunity, equal access to a public voice, sovereignty, freedom of expression, just laws, equal access to culture, enlightenment, creativity, and science, to work and status, to book and literature, to power and authority and communal activity bound up with the creation and interpretation of law, with adjudication, and with control and leadership – were denied to women simply because they were women and were thereby situated in the domain of nature, sex, fertility, impulse, nakedness, impurity, and owned sexual relations, which required in turn excluding, taming distancing, submission, illiteracy, silencing, inferiority and modesty, that were imposed on women by men.

These unambiguous perspectives left their mark, implicitly or explicitly, on the physical and spiritual consciousness of women and men and on the cultural environment in general. Nevertheless, there were some women in the traditional world who knew how to read and write. (For the most part, they were the daughters of scholars whose fathers had no sons, the sisters of scholars who learned through chance proximity to their brothers' study, the daughters of

printers, who helped in the work of the family business, or the daughters or wives of merchants, who dealt with commercial documents.) But these women were exceptions, who gained their knowledge despite the absolute exclusion of women from reading and writing connected with the Holy Tongue and with the world of Torah and *halakhah* – a segment of the sanctified public domain reserved to men alone. Even women who acquired a basic Jewish education did not attain the higher levels of Jewish learning, involving the public study of the Oral Torah. We have documents that attest to women being taught to read in the vernacular, and one can occasionally infer, from historical accounts in the responsa literature, that there were women who learned Hebrew to the point of being able to read the Pentateuch, but there were no women whose education equipped them to act as communal leaders in the traditional world. The astonishing extent of illiteracy among women coming to Israel from lands not reached by the Enlightenment offered insight into the narrowness of the world of those excluded totally from the circle of study. It is no surprise that against this background of ignorance of Hebrew and high levels of illiteracy, the words of the Talmud of the Land of Israel would again come to the fore: ‘There is no knowledge for women except at the distaff (...) let words of Torah be burned rather than given over to women’ (*Yerushalmi Sotah* 3:4); but what was really responsible for this illiteracy and perpetuated the limitation of women’s knowledge to the domain of weaving was the denial of Torah study to women and their exclusion from Hebrew and the study of the oral Torah. A striking parallel to the rabbinic exclusion and silencing of women appears in the New Testament, where Paul, a Jew, as early as the first century CE determined the lot of women in the Christian world, ordering them to be submissive and silent. So does his contemporary Josephus who describes the Jewish ideal order: ‘for, says the Scripture, “A woman is inferior to her husband in all things”. Let her, therefore, be obedient to him; not so that he should abuse her, but that she may acknowledge her duty to her husband; for God hath given the authority to the husband’ (*Against Apion* 2:22). A similar position is stated in the New Testament. Not surprisingly, Paul linked that fate to Eve’s sin and punishment: ‘Let a woman learn in silence, with full submission. I permit no woman to teach or have authority over a man; she is to keep silent. For Adam was formed first, then Eve; and Adam was not deceived [or: defiled], but the woman was deceived and became a transgressor. Yet she will be saved through childbearing, provided they continue in (...) holiness, with modesty’ (1 Tim 2:11-15). Paul emphasized the significance of the ‘original sin’, which began with the seduction of Eve, the ‘mother of all life’, and her conversation with the serpent and concluded with the ‘fall of man’, who was punished with death at the end of the creation story. He therefore subjected women in this world to silence, given the unique severity of their sin, related to forbidden speech, and to modesty, on

account of the sin of seduction and wantonness. He forbade them to teach but permitted them to learn in silence and tied their salvation to subservience to their husbands, subjugation to the rules of pregnancy and birth, and remaining obedient and modest. Jewish women likewise were sentenced to silence, by dint of the legacy of the myth about Eve's sin, regarded as warranting collective punishment in the form of male dominance and the exclusion of women from knowledge. Their lot was incalculably harsher, however, for they were barred not only from teaching but from the joy of learning as well and were excluded from the Hebrew language and removed from the holy Torah and the world of reading and writing. Under conditions of exile, Jewish women suffered two-fold discrimination – exclusion from traditional, sacred, Jewish educational institutions because they were women and hence impure, and exclusion from schools of the general community because they were sinful strangers or infidel Jews. Hayyim Nahman Bialik (1873-1934), who became known later as Israel's national poet, described the consequences of women's exclusion from the world of learning at the turn of the twentieth century: 'The failure (...) was that they educated only males. Half of the nation was left entirely uneducated. This was a crime and a dangerous tragedy. If alien women were a stumbling-block in the time of Ezra and Nehemiah, our women have become as alien women to us and have become a stumbling-block in the education of our children'.³²

The religious world was run exclusively by men ('pure' and 'holy', educated and subjugating), and a large portion of the commandments could be fulfilled only by men, for reasons related to the right to approach the sacred, as already discussed. Public worship, writing a Torah scroll and reading from it publicly, issuance of halakhic rulings, adjudication, testifying in court proceedings, public instruction, sounding the *shofar* (and performing all the other time-bound positive commandments) were matters reserved almost entirely to men, for women were exempt from them. In many contexts, women were reduced to serving as mere observers. The *halakhah* does not consider women to form a congregation, and a group comprising only women therefore may not recite blessings that require a congregation; such blessings would be in vain. A woman may not be called up to the Torah before a congregation of men, for that would be considered an affront to 'the dignity of the congregation', and she may not take part in commandments tied, directly or indirectly, to Torah study. (The prohibition against a woman writing a Torah scroll, like that against her writing *tefillin*, flows from the premise that one not subject to the commandment itself may not write the instrumentality used to fulfill the commandment.) A woman excluded – on account of her impurity, menstruation,

³² *Devarim she-be-al peh*, Tel-Aviv 1935, vol. 1, 26.

bodily discharge, fertility, pregnancy, birthing, illiteracy, and modesty – from the public domain, from study, from reading and participating in the sacred service, from proximity to books and literature, from connectedness to the Holy Tongue, to law, and to authority, from the right to count, account and recount, becomes a woman who is modest and proper, submissive and quiet, ignorant and silent, one who is present physically but always absent spiritually and culturally. It is no surprise that the Jewish woman is described in Zoharic myth as blind and powerless, referring to her standing in the community; and as a doe, bellowing in her labor pangs as a serpent goads her into giving birth, referring to her standing in private.

Jewish mysticism offers an incisive account of true reality from the perspective of creative imagination, free expression, and the mythical deep, projecting it onto the celestial experience without regard to the limitations of reality. It declares in the oblique language of symbols what people are prevented from saying outright. The mystical literature makes use of captivating symbols that embody the essence of female powerlessness in the traditional world. The symbols and images, all of them created within the learned male community, indicate the range of ways in which men explicitly or implicitly viewed the female essence.

The central female symbol in the Jewish mystical tradition is tied to the figure of the *Shekhinah* (literally signifying simply ‘God’s presence’, but coming to be understood as a female personality). The figure of the *Shekhinah* – variously termed ‘the tormented doe’, ‘the revolving sword’, ‘the redeeming angel’, ‘the admonishing mother’, ‘the bride’, ‘the beloved’, ‘the exiled and expelled’ – is complex and multi-faceted. Far from unambiguous, the symbol is widely ramified and multi-layered, blending opposing elements of the concealed and the revealed and including multi-layered metaphors, all of which reflect the ambivalence to the female essence.³³ Still, the paradoxical image in the *Zohar* contains some surprises. The *Shekhinah* is described as ‘a pretty maiden who has no eyes’ (*Zohar*, part 2, 95a). The blindness of the female presence in the divine world lends itself to interpretation in a wide range of contexts; these include a link between blindness (*’ivron*) and incestual sexual relations (*’arayot*), blindness as punishment for forbidden seeing and knowing, blindness as representing the knowledge of the blind, in contrast to the ignorance of the sighted, blindness as

³³ On the *Shekhinah*, see Gershom Scholem, ‘The feminine element in Divinity’, in: Idem, *On the mystical shape of the Godhead: Basic chapters in the Kabbalah*, New York 1976, 140-196; Isaiah Tishby (Ed.), *The wisdom of the Zohar: An anthology of texts*, transl. from the Hebrew by David Goldstein, Oxford-New York 1989, 371-422; Elior, ‘Joseph Karo and Israel Ba’al Shem Tov’.

virginity, blindness as a flaw and as powerlessness, and blindness associated with kindness, righteousness, and mercy, in contrast to the sightedness of law and rule. But beyond all of these, one cannot disregard the fact that in the literature of legend and myth, the angel of death is represented as all-seeing; nothing is concealed from his eyes and his penetrating gaze. In other words, the mythological contrast is between the female image of the *Shekhinah*, merciful [*rehumah*] which also means possessed of a womb [*rehem*]), virgin, powerless, eyeless, ignorant and blind, and the male figure of the angel of death – cruel, powerful, all-knowing, all eyes. The *Shekhinah* represents the female archetype of unknowingness, simplicity, powerlessness, the looking away associated with kindness and mercy, and the blindness of one who does not know how to read, whose blindness and ignorance subject her to dependence, obedience, silence, and weakness. The angel of death, meanwhile, represents the male archetype of knowledge, sightedness, penetrating vision from which nothing can be concealed, unyielding law, speech that determines the fate of people, indisputable authority, and the power to compel. There may be room to suggest that the *Shekhinah* is depicted as lacking eyes because she is a reciprocal embodiment of the most decisive factor in the female experience – modest women are not seen and not heard in public life; they are not seen and do not see, they are denied contemplation and may not be contemplated. That is, unlike men – who are seen by all and decide the point of view – a woman is not seen in public and she does not decide the point of view; rather, she is concealed and silent (behind a veil, a lattice, a scarf, a wig, a hat, a head-covering, a kerchief, a chador, a burka, a cloak, a harem; the *Zohar* has a recurring image of a maiden hidden in a tower behind seven veils, concealed from all eyes) and cannot return a glance. On the other hand, she is exposed to the penetrating male gaze depicted in mythical language as the angel of death, who is all eyes.

In the traditional world, men enjoyed an exclusive monopoly over seeing and speaking in public, authority and knowledge, law and justice, written and read culture, cultural memory and sacred service. It may be no coincidence that the Hebrew word connoting the foundations of society, the eternity of time, and the control of its written formulation – that is, memory (*zikkaron*) – is related specifically to the male (*zakhar*) and is tied to that root. Meanwhile, the word that connotes absence, vacuum, aperture (*neqev*) is related specifically to the female (*neqevah*), and the word that connotes forgetting (*neshiyah*) is related, phonetically though not semantically, to the word for women (*nashim*). In Greek mythology, Mnemosyne, the goddess of memory, is the mother of all the Muses, and the Greek word for truth, *aletheia*, means the opposite of forgetting (*a-letheia*, Lethe referring to the river of forgetfulness in Hades). In a culture that assigns great importance to memory – evident from the numerous commandments directing the Israelites to ‘remember’ and ‘commemorate’ –

memory and public speech are assigned exclusively to men, while forgetfulness and silence are imposed on women. In Jewish culture, one cannot speak of the 'People of the Book'; one can speak only of 'half-the-people of the book', the half that remembers and sanctifies, that is linked to the sacred, to knowledge, and to light, and of 'half-the-people of silence', doomed to be forgotten because they reside in the realm of impurity, darkness, modesty and silence.

It may be noteworthy that in Edenic times – before there were distinctions between memory and forgetting, culture and nature, nakedness and modesty, controller and controlled, forbidden sex and permitted sex, presence and absence, sanctity and impurity, voice and silence – Adam and Eve were blind, neither seeing nor seen, not knowing and not remembering. From the instant they sinned and ate of the Tree of Knowledge, their eyes were opened and both of them began to see, to understand, to know, and to remember. From that time on, connections were formed among sight, knowledge, sin, sexual consciousness and awareness, the distinctions between the sexes, contemplation and understanding, memory and forgetting – for until the sin, the innocence of life without knowledge and sight was the shared lot of both sexes, who were equally controlled by the all-seeing but unseen One. Since the story of Eden, opening the eyes has been linked to loss of innocence and acquisition of knowledge, entailing the risk that 'ye shall be as God, knowing good and evil' (Gen 3:5). It is possible that the forbidden opening of the eyes, and the acquisition of knowledge it implies, signify the understanding (the autonomous distinction between good and evil) associated with the refusal to accept arbitrary domination and to submit to omniscient supernal forces that impose their fear by dint of sanctity, knowledge, and cultural memory that are reserved exclusively to them. That understanding may also be associated with the danger of disobedience to the existing social order, which imposes the sight, understanding, and memory of one person on the blindness, silence, and oblivion of another. After the expulsion from Eden, Adam alone became the one who knows good and evil, who remembers, is holy, observes the law, contemplates, and enjoys the right to think, read, speak, and criticize. He became the controller of creation, science, and culture, using all his might to deny Eve, on account of her impurity and sin, her impulsiveness and her links to uncontrolled nature, any access to the forbidden knowledge. He did so by maintaining her modesty, innocence, ignorance, silence, and blindness, her exclusion and her silencing.

In the language of myth, one finds recurring depictions of the power relationships between a female figure that dies giving birth and a male figure that lives when she dies. She is blind and he is all eyes; she is a doe, bellowing and tormented as she gives birth, he is a serpent, beating her womb so she will bear the immortal messiah identified with him (*Zohar*, part 3, 249a-b). In Zoharic-Sabbatean mystical culture, the serpent's beating the doe embodies the relation-

ship between the living-dying/raped-birthing female figure, to whom is said 'in thy blood, live' (Ezek 16:6), and the male figure of the dying-living/serpent-messiah, who disappears and returns to life and gives birth to himself anew when he spills her blood. Depictions of the cohabiter / redeemer / serpent / messiah / dark-side, who is all eyes, merge into the male figure of the rapist; depictions of the cohabited / redeemed / doe / birth-giver / *Shekhinah* / maiden with no eyes merge into the female figure of the rape victim who gives birth to the messiah and dies doing so.³⁴ The myth is an expression of the way in which

³⁴ Rape appears in the foundational myths of many cultures, both as an explanation of the source of evil and as a divine privilege. In the Bible, the 'sons of God' took earthly women, 'whomsoever they chose' (Gen 6:2), and the outcome of those forbidden unions – unions involving rape and incest – was that 'the earth was filled with violence' (Gen 6:11) that led to the flood. This myth is given more extensive treatment in the Apocrypha and Pseudepigrapha, where the angels who commit the rapes are referred to as *'irim*, sometimes translated as 'watchers'. (The word means angel in Aramaic; its root – *'y-r* or *'w-r* – is associated with wakefulness [*'eiru*] or alertness [*'eranu*], but it can almost certainly also be tied to the root *a²-r-h*, related to incest [*'arayot*] – the sin to which the *'irim* are tied in the traditions appearing in the books of Enoch and Jubilees.) In those texts, these angels represent the forces of insubordination – unrestrained, transgressive, living their appetites with no regard to the bounds of taboo and destructive of fertility and life. This myth is used to establish the limitations imposed by culture and illustrate the consequences of breaching the prohibitions on incest, idolatry, and bloodshed. The Bible recounts rapes of various sorts involving forced forbidden relationships between family members, blood relatives, and other relations, as well as group rape against women in a family initiated by their relations. Intra-family incidents include the rape of Jacob's concubine Bilhah by his son Reuben (Gen 35:22), perhaps intended to explain why Reuben, Jacob's first born, was passed over as leader and as bearer of the first-born's rights; and the rape of Tamar by her brother Amnon. (In the latter case, the Bible reports that when Amnon's father David heard of the event, 'he was very wroth' [2 Sam 13:21]. The Septuagint, however, adds 'But he did not trouble the spirit of Amnon his son, for he loved him, for he was his first born'.) The rape of Dinah by Shechem is an instance of rape by a stranger and is the occasion for the zealotry that made Levi worthy of the priesthood, according to Jubilees and the Testament of the Twelve Tribes. There are two instances of group rape in which daughters are sacrificed by their fathers in order to save their male guests from being raped: Lot offers his daughters to the men of Sodom so they do not rape his guests, and the concubine of Gibeah is raped by the Benjaminites (Jud 19) after her host, aiming to save his other guests from rape, says to would-be rapists, echoing Lot, 'Behold, here is my daughter and [my guest's] concubine; I will bring them out now, and humble ye them, and do with them what seemeth good unto you' (Jud 19:24). All instances of rape are seen by the Bible as forbidden and reprehensible, but there is a degree of ambivalence regarding the standards that define what is permitted and what is forbidden with respect to women categorized as concubines, maidservants, or prisoners. The ambivalence appears within Jewish culture in the adage 'incest is the king's scepter', found in the kabbalistic tradition and appearing in other traditions in which rape and incest are special privilege reserved to the highest ranks. In Greek mythology, rape is associated with the conduct of the father of the gods; it is seen as an expression of might that establishes a man's status as a conqueror or ruler or as a divine privilege. Instances include Zeus's rape of Europa, Minos's wife's rape by the divine bull Zeus and the ensuing birth of the Minotaur, Persephone's rape by Hades

society anchors its basic conceptual structures and social organization in the nature of things themselves, for myth is a means to connect social order with its historical sources in the supernatural and cosmic realms.

It has been said of myth that the events it recounts never happened yet endure forever ('Now these things never happened, but always are').³⁵ For that reason, the system of symbols embedded in the myth will likely provide a profound reflection of the patriarchal social structure centered on the man, who sees, speaks, remembers, cohabits in ownership, and controls. It will likewise reflect the inferior and marginal status of women, who are blind, silenced, controlled, and forgotten, who suffer and die in childbirth. The symbols may lend themselves to other interpretations as well, but there is no doubt that in traditional society, women were directed to maintain their innocence or blindness, their modesty and silence, their illiteracy and quietness, their subjugation by the curse of 'in pain shalt thou bring forth children'. They were doomed to be denied a voice, present yet absent, unseeing and unseen; to hide their emotions

(and see Roberto Calasso, *The marriage of Cadmus and Harmony*, trans. from the Italian by Tim Parks, New York 1993, on the long series of divine rapes in mythology). Rome was founded by Remus and Romulus who were born as a result of a rape. Their mother who was buried alive was the vestal virgin Varia Silvia, who was raped by Mars, god of war. Eve's rape by the demiurge or the serpent, and the rape of Sophia by the demiurge in the Gnostic tradition likewise form part of the stories of divine might. (On rape in Gnosticism, see G. Strouma, *The other seed*, Leiden 1987.) In Babylonian mythology, Tiamat, the great mother, is carved into pieces by her son Marduk, and in Egyptian mythology, Isis in one version of the story is raped or, in another version, beheaded, by her son, Horus. These are just a few of the many examples that attest to the ambivalent place held by rape and incest stories in mythical-mystic thought, which, in turn, reflects the ambivalence toward rape and incest as a divine prerogative or heroic right within male society.

A female perspective on the experience of rape in the context of incest is presented in Virginia Woolf's books and journals and is explicated in the biography of Woolf by her nephew, Quentin Bell. An account of rape from an unusual perspective is considered in John Irving's book *Hotel New Hampshire* (1981) and in Judith Katzir's story 'Schlafstunde' in her book *Closing the sea* (trans. from the Hebrew by Barbara Harshav, New York, 1992). In Bracha Seri's story 'Qeri'ah' [Tearing], a child-bride describes her rape on her wedding night. Toni Morrison's story *Beloved* (1987) describes the terrifying ordeal of a rape from a feminine perspective involving the significance of physical and spiritual servitude, and Vladimir Nabokov's *Lolita* (1955) describes a rape from a complex male perspective. Judith Lewis Herman, *Trauma and recovery*, New York 1992, offers a comprehensive perspective on rape from female scientific point of view and Kathryn MacKinnon's book *Feminism unmodified*, offers an insightful perspective on male violence. In male mythology, Lilith – Adam's first wife, who sought freedom and equality and fled from Adam, who wanted to control her – is described as a rapist of men! (see Orit Kamir, *Every breath you take*, Ann Arbor [MI] 2001). A comprehensive and comparative study is yet to be done of how rape victims are treated, by the law and by the prevailing norms of their communities, in Jewish society and Arab society in Israel.

³⁵ Sallustius, *On the gods and the world*, transl. G. Murray, Oxford 1925.

and conceal their desires, figuratively returning to the situation that prevailed before the first sin, before eyes were opened and knowledge acquired. They had to accept the state of affairs in which only men were able to see and know, to contemplate, understand, judge and criticize; only men enjoyed freedom of emotions, movement, and expression; and only men maintained the right to determine perspective and to shape memory, culture, knowledge, and language. In ancient mythological traditions, blindness is a punishment for the sin of seeing what may not be seen (the holy, the sanctified, the divine, the forbidden); cf. the story of Teiresias, the prophet who was punished with blindness because he had seen the naked goddess (or because he had intervened in an argument between Hera and Zeus). It is also a punishment for incest, as in the case of Oedipus, who had intercourse with his mother and became blind. In many cultures, there are multi-faceted interconnections among sight, blindness, incest, contemplation, understanding and knowledge, sin and punishment, control and enslavement, sanctity and impurity, memory and forgetting. But in Jewish culture as reflected in kabbalistic myth, blindness is the lot of women, the symbol of their weakness, dependence, and illiteracy, their impurity and nakedness. Meanwhile, penetrating vision, insight, and understanding are the lot of men and of their enhanced representations in the supernal realms (the terms *ro'eh*, *hozeh*, *zofeh* [all meaning 'seer'], *navi* [prophet] and *mitbonen* [one who contemplates and observes] are all tied to seeing the sacred and to terrestrial vision with respect to men).

But there is another factor to be considered in addition to women's moral inferiority, associated with their essential nature being linked to sin; their social marginality, subordination, weakness, illiteracy, intellectual marginality, and powerlessness, symbolized by blindness; and their exclusion from the public domain and their being silenced in the communal realm. Alongside all of those, we find the disappearance or deleting of women from historical memory. Their story is not told and their names often go unmentioned except in connection with their husbands: Noah's wife, Jephthah's daughter, Manoah's wife, Job's wife, Lot's wife and daughters, the concubine in Gibeah, Sisera's mother, Nevayot's sister, and many others are left nameless. The wives of the ancestors of humanity, as recounted in Genesis chapter 5, are likewise left unnamed.³⁶ It

³⁶ It is interestingly that the genealogy in Genesis 5 mentions no woman by name. After reporting that Adam begat Seth (following Abel's murder by his brother Cain), it recounts that Seth begat Enosh, Enosh begat Kenan, etc. Not one of the ancestors of humanity seems to have had a mother or a wife – at least not one worthy of being mentioned. The genealogy of mankind consists solely of men, and no women are deserving of mention, appreciation, esteem, note, or recall; all are anonymous and all are deleted from the chronicle. It is possible that the

is hardly surprising that in these circumstances – in which a woman is regarded as a serving vessel, denied full participation in society and culture, regarded as less than a full or fully mature person, and is unable to play a role in governance, intellectual life, sacred service, memory, testimony, or halakhic ruling – men would daily recite ‘Blessed are you, Lord, King of the universe, who has

women’s names are omitted because of the unavoidable involvement of incest in the earliest generations. Seth could only have married his sister/twin, and his children and grandchildren likewise had no alternative but to marry close blood relatives. Jubilees, for example, notes that Cain married his sister, Awan; Seth married his sister Azura; Enosh married his sister, Noam; and Kenan married his sister, Mehalalleth. With the generation of Mehalalleth, the preferred model of marriage with a paternal cousin was established, and it was followed by Jared, Enoch, Methuselah, Lemekh, Noah, and members of Abraham’s family. Many women mentioned in the Bible go unnamed and are referred to only as the daughter, wife, or sister of some named male. They are given no voice and no memory, their inner world is not disclosed to us, and their story is told only from the perspectives of their male relatives. We know nothing of their feelings and do not hear the voices of Dinah, who is raped; of Lot’s wife fleeing Sodom; of Lot’s daughters, offered by their father to the men of Sodom to dally with; of the concubine abused and raped by the Benjaminites at Gibeah and murdered by her husband. We know little of Saul’s barren daughter Michal, married off by her father against her will, or of the fate of Esther, who became Ahasuerus’s concubine on orders from her uncle. See Deem, *Zot ha-pa’am* (above, fn. 15). Letters written by women are preserved in the Cairo Genizah, and some women’s journals have come down to us as well, but these are unpublished personal writings that did not make their way into the public domain. That is true as well of the writings of Glückel of Hamlin, who wrote to her children at the turn of the eighteenth century. The gap between the real and the ideal with respect to documentation of women’s lives can be described, in Bialik’s words, as imposing the need ‘to assemble shreds and patches into a whole garment’ (introduction to *Sefer ha-Agada* [Book of ancient legends written in Hebrew and Aramaic], ed. H.N. Bialik & I.C. Ravnitzki, Odessa 1909-1912). In medieval and early modern chronicles, such as *Zemah david* and *Divrei yosef*, women are not mentioned; they are present but absent. Hundreds of years later, when the founders of Zionism wrote the history of the Zionist renewal, they spoke only of founding fathers, not founding mothers; women went unmentioned, as if they had not participated in the early resettlement of the Land of Israel. Until Bracha Habas edited her book on the Second Aliyah, we did not even know of the existence women’s autobiographies, and once they came to light, we could see the extent of the injustice that Zionism wreaked on its forgotten daughters. On the absence of women from Hebrew poetry during the revival of Hebrew literature (1890-1920), tied to the dominance of male ‘high scholarly’ culture, cf. Dan Miron, *Imahot meyasdot, ahayot horegot* [Founding mothers, stepsisters], Tel-Aviv 1991, 51-85. In another context, in a culture in which writings by women have been preserved, it is worth considering Virginia Woolf’s classic *A Room of One’s Own* (1929) and to recall poet Sylvia Plath’s comment about her husband, the poet Ted Hughes, ‘he is a genius, I his wife’. Both of these wonderfully creative women committed suicide after a life of torment related to their youthful experience. It is also worth comparing the journals of the tormented Sophia Tolstoy to those of her husband, count Leo Tolstoy; who recorded his complaint that his wife’s screams while giving birth to their son in the next room prevented him from concentrating on his writing. See Henri Troyat, *Tolstoy*, Paris 1965.

not made me a woman'. Nor is it surprising that Jewish literature, comprising myriads of volumes written over thousands of years, was written solely by men.

The Hebrew literary oeuvre, spanning 3,500 years of creativity, from antiquity to today, appears to encompass (until the 20th century) not one line written by a woman. From the Song of Miriam (Ex 15:20-21) and the Song of Deborah (Jud 5) to the Hebrew stories of Deborah Baron (1887-1956), there is almost no published literary work written by a woman in Hebrew and bearing her name. One exception are a few Hebrew poems written by the Italian Jewish poetess Rachel Luzatto Murporgo (1790-1871) which were published posthumously as *Rachel's Harp* (1890). In other words, until the end of the nineteenth century and the beginning of the twentieth, not a single line written by a woman was considered worthy of being remembered. Not one book in the Jewish tradition written in Hebrew language, be it of poetry or prose, philosophy or research, *halakhah* or Kabbalah, was written or edited and published by a woman in her life time, within the sphere of the traditional world, and no work by a woman in the Hebrew language, beside the biblical tradition, was kept alive in cultural memory. There are no women who wrote from a woman's viewpoint, expressly or implicitly, about feminine experiences such as virginity, betrothal and sexual relations, pregnancy and childbirth, nursing and motherhood, marriage and wantonness, rape, enforced relations, polygamy, denial of divorce, widowhood, divorce and levirate marriage, loss of a child or of a parent, or desire to study and learn. They did not sound their voices and did not write about relationships and family ties, power and weakness, health and illness, pregnancy, birth, and miscarriage, childrearing and aging, religious, social, or legal concepts, yearnings and longings, or relations between mothers and children. No books directly convey, in their own words and from the female perspective, the life stories of women, including their relations with their parents, children, and siblings, and there are no dialogues recounted from a female perspective between femininity and masculinity, between controlled and controllers, between the objects of the law and the legislators, between those who are guided by the *halakhah* and those who do the guiding. Until the 20th century, the myriads of titles and thousands of authors that make up Jewish literature over the ages included not one female writer, poet, rabbi, scholar, judge, mystic, or essayist.³⁷ This bibliographical-historical reality is tied to the

³⁷ It may be possible to find female voices in the collective oeuvre, but they may be only the reflection of the female image as seen by the men who wrote the texts. On women's voices implicit in the Bible, see Ilana Pardes, *Countertraditions in the Bible: A feminist approach*, Cambridge (MA) 1992, and its rich bibliography on Bible study from a feminist perspective. For a discussion of feminine discourse in the midrash and of the image of women within it, see Galit Hāzan Rokem, *Riqmat hayyim*, Tel Aviv 1996 (Hebrew). Among the handful of

fundamental position of traditional, patriarchal society, which distinguished, as already noted, between the public spheres of culture, sanctity, and creativity, which was the exclusive preserve of men, and the private sphere of nature, sex, impurity, and silence, which was the domain of women. This position kept women away from the sacred and from the realm of culture and knowledge, denied them any autonomous standing, kept them from participating in the creative discourse going on in the public arena with respect to science, knowledge, and law, and subjected them to silence, exclusion, oblivion, and social and cultural marginality.

The unambiguous social message bound up in the concepts of maleness and sanctity on the one hand and femaleness and impurity on the other was expressed in the complex process of building separate cultural identities, defined by the relations between men and women. The central value within Jewish society was the study of Torah, which provided the link to the sacred, and its social division was between women and men. Women were trained from childhood for a femininity that sacrificed itself for the sake of scholars, on the model of Rabbi Akiva's wife Rachel, the symbol of Jewish female sanctity, whose dedication include the sale of her hair to support her husband while he was studying in *yeshiva* (study hall) and who waited in silence for his return through twenty-eight years of bitter poverty and sexual isolation (*Yerushalmi, Shabbat* 6:1); and they were prepared for innumerable births, for motherhood that raised scholars, and for life as the woman of the house whose purpose was to serve scholars. Femaleness was subject to motherhood, dependence, and powerlessness, to obedience, sacrifice, sexual relations, birth, and ever-lasting service. This social order, which demanded of women that they remain at home and tend to the secular aspects of running the household and raising children, freed the men to devote their time to study of Torah and sacred matters. A man was trained from childhood to study Torah and observe the commandments and to dedicate his time to learning, to the realm of the spirit and religious creativity, leaving material concerns to the women who surrounded him and served his needs. This ideal order – which bound women to the material and the physical in exchange for sharing in the world to come by merit of their husbands',

books bearing a woman's name, one should mention the supplication (*tehinot*; Yiddish, *tekhinos*) literature, addressed to women, comprising personal prayers, biblical stories, and ethical teachings, and written mostly in Yiddish beginning in the sixteenth century. The well known *Z'e'enah u-re'enah* is one such work. Some supplication books were anonymous, some pseudonymous; a well-known book bearing a woman's name is *Meineget rivqah* by Rebecca Tikliner (Prague 1609). On the supplication literature, see Havvah Wisler, 'The traditional piety of Ashkenazic women', in: Arthur Green (Ed.), *Jewish spirituality from the sixteenth-century revival to the present*, New York 1987, 245-282.

brothers' and sons' Torah study and defined the ideal situation of men as linked to spiritual and sacred matters and free of involvement in material matters in this world – influenced society as a whole. Even when men were in no way scholars, women remained responsible for satisfying all their material needs within the home and the family in order to free them for public involvement. These arrangements focused a woman's existence on the domain of the physical, denying her any access to the world of the spirit or intellect and preventing her from taking any part in the world of religious creativity, of law or justice, of reading and writing, counting, or recounting – all of them reserved for men alone.

It is almost certain that over the course of history there were more than a few women who were wise and curious, inquisitive and learned, insightful, quick-witted, educated, and respected. Not one of them, however, achieved equal rights, entrée into culture in the public domain, religious-communal esteem, or cultural memory within the written tradition. A very small number are mentioned within Jewish history, but the vast majority goes entirely unrecalled in any area not associated with marriage, fertility and motherhood, sacrifice, and service to the family. It should be noted that not one of those praiseworthy women achieved lasting recognition related to anything other than her charity, her propriety or her modesty. In other words, not one woman was found worthy to approach the sacred, to enter the study hall, to participate in leading prayers, preaching, issuing halakhic decisions, or legislating, or to attain any public office involving knowledge and authority. Not one woman took a direct part in the value structure of Jewish society, which granted its sages the titles *rabbi*, *hakham*, scribe, writer, decisor, halakhic teacher, preacher, or judge and assigned them a place of prominence in the cultural memory. In traditional language, the feminine forms of these titles simply do not exist, and not one woman has any of these titles associated with her name. Even if a few women were powerful mistresses of their households and learned in their spheres of activity, possessed of means and noble descent, directly or indirectly influential behind the scenes (by dint of their minds or bodies), they, too, were as still life in the public domain. They, too, were hidden, silenced, and subordinate to male authority regarding law, community affairs, and *halakhab* – matters bound up in the various aspects of holiness and primarily directed, as noted, toward life and fertility. They, themselves, however, were associated with subordination, ownership, exclusion, discrimination, silencing, and coercion.

Feminist scholarship has pointed out that the subjection of women to male control was a more widespread practice than the corresponding subjection of other groups or classes, and that women, by exclusion and silencing, were prevented from expressing their interests in a more comprehensive and absolute sense than were other groups. Not only was this the case with respect to equal

civil rights, denied to women until the twentieth century, with respect to discrimination regarding the right to vote and stand for office, and with respect to equal access to education, the economic market, justice, and moral-political power; it was the rule with respect to every level of social self-expression, in the private domain as in the public. The wide incidence of this social order was the result of its deep roots in myth, in sin and punishment, in concepts of purity and impurity, linked to the dangers in life and the fear of death, to women dependence on male support in societies where she could not inherit or study to gain independence, and to the ever-present fear of rape and the need for male defense. The prevailing order was tied to religious thought, to the traditional view of the world, and to the fundamentally patriarchal framework of thought in all areas of law and culture, society, and family.

The great transformation in the status of women that began toward the end of the nineteenth century and continued through the twentieth can be represented as a moment in which women stopped seeing themselves exclusively in the religious interpretive framework of sin and punishment, impurity and purity, nakedness and subjugation, menstrual banishment, separation and exclusion, sexual relations, modesty and illiteracy. They began to free themselves from the arbitrariness of their biological fate and their sexual situation within the socio-religious context of the traditional, patriarchal and paternal order. The transformation began when they threw off the yoke of ownership, free themselves of bodily servitude and of the exclusion from the public domain that had silenced their spirit, and striving for equality in the realms of spirit and creativity, knowledge and authority. The moment women freed their bodies from patriarchal ownership and ceased to be a commodity whose controlled virginity was sold for a bride-price; the moment their sexual essence, threatening yet attractive in its tie to life and death, ceased to be the sole axis of their existence; the moment they ceased to be linked exclusively to the male religious discourse of impulse, nature and impurity, seed, fertility and menstrual banishment, intercourse and ownership, shame, nakedness, wantonness and modesty, desire and its restraint, threat, concealment, and taming, a discourse that had perpetuated their marginality and subjugation, their illiteracy and blindness; the moment they began to attain sovereignty and control over their bodies – from that moment, they also began to attain sovereignty over their spirits and ceased to be still life, impure, mute, controlled, and owned. The transformation can be depicted as a time when women began to open their blind eyes, loosen the fetters on their silent tongues, shed their veils and modest dress, and venture forth to step out of paternal economical and legal dependence, when they were free to learn, to acquire language, knowledge and status, and to begin taking part in creative circles and sounding their voices in the public domain. It is worth not-

ing that many of the women who brought about the revolution, who forged their own language and sounded their voices in public as they left the domain of 'all glorious is the king's daughter within the palace' and began to step outside, were those who had freed themselves from subservience to the patriarchal framework of male ownership of female sexuality and abandoned the attitudes of modesty and the standards of the old order. This unshackling that was connected in number of ways to the liberation of the African-Americans slaves in USA after 1865, took many forms, and external liberation was not tantamount to liberation from the internal servitude generated by thousands of years of culture and tradition, law and custom, totem and taboo – all instilled in one's consciousness and preserved in religious law and the law of personal status. From a historical perspective, the liberation in its various dimensions is bound up with throwing off the yoke of paternalism, attaining the right to vote after the First World War, shedding the burden of the church in the Christian world and weakening the bonds of tradition in the Jewish world; other elements include the processes of secularization and enlightenment, and the beginnings of education for girls. (The first school for Jewish girls was opened in Krakow in 1917, at the initiative of the seamstress and educator Sara Schenirer (1883-1938) and with the blessing of the Belzer Rebbe; it was later taken under the auspices of the Agudas Israel movement. Israel Meir Ha-Kohen, known as the *Hafetz Hayyim*, supported the school and legitimated at least some sorts of Torah study for women in his *Liqqutei halakhot al masekhet sotah*, 11a-b; he did so in recognition that times had changed and that education for girls would be a defense against apostasy and assimilation.) The process was tied as well to the influence of the two world wars, during which economic necessity and labor shortages led women to work outside the home, demonstrating their ability to be active in any area; to the attainment by women of the right to vote (in Russia in 1917, in England in 1918, in the United States and in Canada in 1920, in France in 1944, in Lebanon in 1952, in Switzerland in 1972, and not yet in many parts of the Arab-Muslim world). Liberation was tied to democratization and to the struggle of African-Americans for civil rights, which, as it began to succeed during the 1960s, also influenced other minorities denied equal rights. It was affected as well by the end of the feudal order and patriarchal hierarchy after the First World War, and by progress of science and technology, which drastically changed the nature of housework (electricity, sanitation, running water) and afforded women various ways to regulate their pregnancies and biological cycles and began to free them from servitude.

But beyond these historical and cultural trends that changed the face of society, each of the women who participated in sounding a public or creative voice – in politics, academics, art, or culture – did so by protesting against illiteracy, blindness, and silencing; by dedicating herself to study and acquiring

education; and by rebelling against patriarchal servitude and the religious conceptions that promoted the silencing, banishment, and marginalization of women, their confinement to the sphere of home, family, and child-rearing, and their exclusion from the centers of knowledge, sanctity and authority, sovereignty, equality, and independence, which had been the exclusive province of men. Women who wanted to participate in the public domain of knowledge, creativity, and culture and to be heard in the public space did so by escaping from the patriarchal regulation that treated them as something owned and fleeing from a sexuality controlled by others to a sexuality of equality, sovereignty, freedom, and choice, a sexuality neutralized of impurity, sin, and punishment. They abandoned paternalistic protection and established themselves as sovereign: sometimes by selecting spinsterhood; sometimes by partnering without marriage; sometimes by childless marriage, whether by choice or infertility; sometimes by leaving family life through divorce or illness; sometimes through alternative relationships, grounded in social and sexual freedom; and sometimes through isolation, illness, or madness. Liberation and escape were the necessary condition for moving into the public domain of culture, liberty, knowledge and creativity, for gaining sovereignty, freedom, and equality. This meant liberation and escape from existence as a still life, a permanent servant, an owned obedient body; from endless births and pregnancies, from housework that enslaves by its limitlessness or from the sacred order that subjects women to the ownership of a man, whether father or husband, and to his service, welfare, and to the bearing of the husband's children, all within the private domestic sphere. Independence and a degree of freedom and distance from the needs of the other are a necessary condition for learning, for criticism, and for creative thought, as explained some time ago by Virginia Woolf in her famous essay *A Room of One's Own*. Accordingly, creative women are those who rebelled in various ways against the traditional role of women within the patriarchal order's framework of ownership and against exclusive commitment to fertility, and those who turned away from the values of modesty, silence, exclusion, and marginalization and from the exclusiveness of domesticity and the enslavement associated with it.

It should come as no surprise that the works of poetry and prose produced by creative women who lived on the threshold of the modern world during the past century or more are disproportionately the work of women who deviated from the routine social order of family life. They were single women, childless women, divorcees, recluses from society who forged alternate models or women who were able to deviate from the patriarchal order by reason of physical or psychological illness and thereby attained independence and new kind of power.

Among the creative women who shaped Hebrew culture and who were single by choice or circumstance or were partners in childless marriages, one can

mention, among others, the poets Rachel Blubstein, Leah Goldberg, Yona Wallach, Zelda, Miriam Yellin-Shtekles, Miriam Margolis, Hannah Senesh, Esther Rabb, as well as other poets and writers active to this day. Also in this group are the essayists and authors Jacqueline Kahnov and Azah Zevi; the biblical commentator Neḥama Leibovitz; the artists Hannah Orloff and Anna Ticho; other creative forces within the Jewish world, such as the Noble Prize poet Neli Zaks and the German-American-Jewish historian and philosopher, Hana Arendt, and the Yiddish poet Kadia Molodovska; community activists such as Ada Maimon, a founder of the Working Women's Council, Henrietta Szold, the founder of Hadassah and head of the Youth Immigration, Sara Schenirer, founder of the Beis Ya'akov network of girls' schools, Pu'ah Rakovsky, Emma Goldman, and Mary Sirkin, who were active in the American Jewish world, Bertha Pappenheim and Rosa Luxemburg, active in the European Jewish world – and these are only a few of many. It goes without saying that each of these women was a world unto herself, marked by rich and complex interconnections among her circumstances, her activities, and her oeuvre that cannot be done justice by this sort of schematic generalization that gives short shrift to nuance and conflict. Nevertheless, within the traditional world, in which motherhood provided the standing that linked a woman to society (though excluding her from the public side of the religious-cultural community and denying her a public voice), the choice not to marry or not to bear children, associated with psychogenic or compelled barrenness, distanced a woman from the circle of the biological family and from the patriarchal link to society. In so doing, however, it freed her from the bonds of society's norms and opened the door to sounding her voice in public and joining the literate cultural community that wrote poetry and prose, studied and taught, legislated and adjudicated, criticized and philosophized – a community that led and exercised influence by the force of the spirit, not of the body. Within the non-Jewish world, this group – which avoided, by choice or circumstance, marriage or motherhood – included the writer and essayist Virginia Woolf, who documented, in her stories and essays, the patriarchal tyranny under which she had lived her early years and which she fled in various ways all her life; and Simone de Beauvoir, whose autobiographical writings titled *Memoirs of a Dutiful Daughter* (1958) likewise demonstrate the passage from subordination to liberation – in both consciousness and deed. Also in this group are the writers and poets Jane Austen, Georgia O'Keeffe, Margaret Atwood, George Eliot, Louisa May Alcott, Elizabeth Barrett Browning, the three Brontë sisters (Emily, Charlotte, and Jane), Emily Dickenson, Isak Dinesen, Marguerite Duras, Edith Wharton, Marguerite Yourcenar, Tova Jansson, Selma Lagerlöf, Marianne Moore, Mary Montgomery, Katherine Mansfield, Mary McCarthy, Betty Friedan, Nancy Friday, Colette, Christina Rossetti, Kate Chopin, and Gertrude Stein. No

doubt there were many others, not mentioned here, who extricated themselves from the servitude of the traditional patriarchal order and took part in shifting the balance of power between instinct and creation, in challenging the traditional gender-based division between body and soul – a division nourished by the Aristotelian dichotomy between material and form, which assigned the former exclusively to women and the latter exclusively to men. The rejection of motherhood characterized some of the early feminist thinkers and was formulated by Simone de Beauvoir, who opposed the patriarchal order's notion that woman was a maidservant, valued for her body, and protested the idea that a woman's femaleness was subordinate to motherhood – doing so within an order that held that femaleness was nothing more than potential motherhood. As an expression of the new order, De Beauvoir chose not to marry and not to bear children, for, in her view, bearing children would draw her under the rubric of nature, which is subject to control by man and by culture.

Another way to escape subordination to the patriarchal order was through illness, for physical weakness might free a person from normal expectations, thereby empowering her in new and unanticipated ways. In the traditional Jewish world, the '*dybbuk*' – the entry of a deceased's spirit into the body of a living person, experienced as possession or as madness and lunacy – was an escape mechanism for women who could use it to avoid sexual relations imposed on them through marriages arranged against their will. Among the eighty or so *dybbuk* stories that have come down to us from the sixteenth to the twentieth centuries, markedly high percentage involves young women around the time of an arranged marriage. Marriage took place at so young an age that intercourse was often tantamount to rape, and it comes as no surprise that of seventy-five documented incidents of possession, forty-nine involve women and only twenty-six involve men.³⁸ Jewish society did not recognize bachelorhood, seclusion or

³⁸ Gedalyah Nigal, *Sippurei dibbuk be-sifrut yisra'el* [Dybbuk stories in Jewish literature], Jerusalem 1994. It is of interest that the cyclically changing moon entailing the concealed and the revealed, symbolizes, cross-culturally, the female representation of the divine such as the Shekhinah in the Kabbalistic myth as well Ishtar, the moon goddess and fertility goddess. Because of the link between the monthly cycle and the lunar cycle – both regular, fixed, and entailing oscillation – women were associated with the moon. The Hebrew word for moon (*yareiah*) denotes a month, and the appearance of the new moon – the *molad* – is associated with birth (*leidah*). Rosh Hodesh – the start of the month, the birth of the new moon and the occasion for sanctifying the moon – is a woman's holiday. Legend tells that God then asks forgiveness for having diminished the size of the moon in relation to that of the sun, to which it was at first equal, but because men, represented by the sun, were set over women, represented by the moon, it was necessary to diminish the moon's light and conceal it several days a month, in the manner of menstruating women. The moon is also called *sahar*, and madness – lunacy, from *luna*, moon – is called *saharuriyut*. One who has gone mad is referred to (in both Hebrew and English) as *mukkat yareiah* (moonstruck), or lunatic from *Luna*, and cf. Agnon's

monasticism, and, often enough, the only escape from the compelled socialization of early marriage to an unwanted partner was by means of madness, *dybbuk*-possession, hysteria or illness. Evidently, those who did not know how to speak for themselves and could not attain a public hearing often would express themselves through bodily pains and spasms. The *dybbuk*, by removing one from the usual circle of social expectations, provided a justification for conduct that deviated from the religious, sexual, and social norm on the part of those who did not or could not accept the dictates of socialization within the Jewish world, bound up with marriage and family. S. An-sky's insightful play 'Between Two Worlds' (The *dybbuk*) and Devora Baron's realistic and heart-rending stories excellently express this reality with respect to women forced into unwanted marriages. The incidence of *dybbuk*-possession, like that of hysteria (the female illness etymologically related to the Greek word for uterus) and of devils and witches, diminished significantly with the decline in the number of forced marriages, the opportunity to protest cases of incest, and the increased opportunities for expression and choice on the part of women.

Often, madness – characterized as 'non-normality' – is the refuge of those who do not accept the prevailing norms of their times and places or cannot live within their strictures. There can be no doubt that the flight from the 'normal' patriarchal framework led numerous creative women in that direction, whether by choice or by circumstance. Among female writers and poets, a sizable number declined to live under conditions of servitude and deviated, by choice or circumstance, from the prevailing norms and definitions of normality. In other words, a significant number of creative women suffered psychological or physical illness in a way that allowed them to withdraw from the community or avoid conforming to locally prevailing expectations. As noted, illness provided a sort of exemption from usual expectations and a degree of freedom from the paternalistic order – a freedom not available to a healthy, married woman who raised children all her life and served as woman of the house, tending to her family's needs and having neither a moment for herself or a private space of her own, nor a share in the family's assets, which were owned exclusively by her husband. Marilyn French's *The Women's Room* (1977), a book cruel in its realism, describes in a startling way the nature of this absurd normality during the second half of the twentieth century, and the books and diaries of Virginia Woolf attest to its significance in the lives of mothers and daughters at the turn

tale of the moonstruck Gemula in 'Ido ve-einam' as well as the myth of Artemis the moon goddess. On women, virginity, and madness in Jewish society, see Rapoport-Albert, 'On women in Hasidism' (above, fn. 13). On madness and women writers in Christian culture, see Sandra M. Gilbert & Susan Gubar, *The madwoman in the attic*, New Haven 1979. Cf. Rachel Elior, *Dybbuk and Jewish women in social history, mysticism and folklore*, New York 2008.

of that century. Often, it was only the ill that were free, having been liberated from servitude and having attained power and independence through their frailty of body and spirit. Jewish women who underwent this experience – at one or another point in their lives losing their sanity or withdrawing, in some markedly unusual way, from family or social life and from accepted norms or expressing their protest against the prevailing norms by means of seclusion and separation – include the following poets, authors and social leaders: Elsa Lasker-Schiller, Henrietta Szold, Bertha Pappenheimer, Deborah Baron, Yocheved Bat-Miriam, Leah Goldberg, Rebecca Alper, Yona Wallach, Tirzah Attar, and Dalia Ravikovitz. In the non-Jewish world, the group includes, prominently, Emily Dickenson, Virginia Woolf, Sylvia Plath, Anna Akhmatova, Marina Sve-taeva, and many others still living and creating some of the best literature and poetry of our time. These women transformed seclusion or madness into a territory freed of prevailing norms, a territory in which they could live and create by their own lights.

Things changed during the second half of the twentieth century, with the spread of egalitarian democracy, the enactment of free schooling laws that, for the first time, applied equally to both sexes, the development of liberalism and individualism that challenged the structures that had defined woman's status as unchanging, and the opening of a free market in which one could participate regardless of one's sex. The growing activism of the feminist movement brought about profound change. Feminism began to operate as a political movement in the late 1960s and loudly proclaimed the political nature of the private domain, no less than the public, hastening the legal revolution that broadened universal equal rights in the name of human dignity and led to the adoption of new modes of thought regarding the boundaries between the private domain and the public domain. The traditional patriarchal order ceased to be the only possibility, and the status of women changed in many areas as other social, legal, and cultural options became available. But we should not assume that things changed fundamentally, for the residue of the patriarchal order remains preserved in language and law, ritual and myth, image and story, body and soul, social order, custom, folklore and tradition. The formal right to equality of the sexes in public life was accepted in the western world over the course of the last ninety years, but sociopolitical, cultural, and religious reality advances slowly, trailing behind the grant of formal rights, and a change in law does not necessarily mean a change in consciousness. Women remain proportionately under-represented at all levels of leadership, in political decision making, and in the upper ranks of the professions. The language of religious law and social expectation retains numerous relics of the language of discrimination, inequality, and ownership, and a significant number of women still live in accord with the

traditional-patriarchal order. Women who continue under that order, which does not recognize a woman's sovereignty, autonomy, and right to equality, include all the veiled women in the Muslim world, many of the Jewish women who shave their hair in the ultra-orthodox community and part of the women that cover their heads with wigs. On another level all the women who endure genital cutting in the Muslim world, or suffer from family violence in all communities. All the women who are compelled to have intercourse against their will, all battered women, all women denied education, equality, and liberty and left to be illiterate servants of their male relatives, every woman given in marriage in exchange for a bride-price, every woman divorced against her will, every woman subject to levirate marriage or the mechanism for its avoidance, every woman who wants a bill of divorce and is denied it, every woman forced to be a woman of the house against her will, every woman without a bank account and dependent entirely on her father or husband, every Haredi (ultra-orthodox) woman ordered to shave her head and conform in her clothing to standards of modesty determined by men, every woman forbidden to sound her voice in public because 'a woman's voice is nakedness', every woman forbidden to learn, work, or drive a car because of considerations of modesty, and every victim of domestic violence.³⁹ These are just some of the visible, external expressions of the traditional-patriarchal order, but its residue is to be found beneath the surface as well, where it shapes the consciousness of both men and women, affecting one's soul and imagination, one's understanding and assessment of oneself, and one's physical and psychological health. Those concealed expressions are far more numerous than those that are externally visible. Literature, poetry, and art, which often reflect fears, motives, guilt, shame, depression, self-deprecation, attest in many various ways to the import of the ancient legacy in the construction of gender identity to this day.

³⁹ The number of women in political office is small, in both absolute and relative terms. Only a very small number serve in the Knesset (Israeli Parliament) and only two serve as mayors in Israel; only two women serve as government ministers; but 70% of minimum-wage workers are women! In general women earn only 64% of the male average salary. Women are entirely absent from positions of religious leadership and occupy only a few senior academic positions (84% of tenured academic positions are held by men, only 16% by women; women number only 7.8% of full professors). These data illustrate the wide gap between the real and the ideal, a gap that reflects the effects of the patriarchal order and all it entails. A listing of the one hundred most prominent Jews in the twentieth century, published in the newspaper *Yediot Ahronot* on the occasion of Israel's fiftieth anniversary, included only four women! (One of them was Anne Frank, the child killed in the Holocaust; another was the actress Barbra Streisand.) The minuscule number of women at the highest ranks of economic and social leadership – only recently did women begin to serve on boards of directors and that only by force of law – attests to the need for cultural criticism looking to bring about change.

Many Israeli women, religious as well as secular, have taken part in the ongoing struggle to alter the power relationships within society and to establish a cultural identity grounded on a new foundation of sovereignty, equality, and independence, a foundation in which women will have equal rights in all areas and unlimited freedom to sound their voices in every public forum and to take part in every area of life. The large and growing number of women in all creative endeavors demonstrate the change that has already taken place and will nurture its continuation, illuminating the power relationships within society. The growing place of educated women in the judicial and legislative systems, the academy, science and scholarship, cultural creativity and political, economic, and social leadership, journalism and communications, is promoting an ever more profound change in the limits of what is 'self-evident', expanding equality in all areas and realizing freedom in a new range of possibilities. But we should not err and think that islands of equality dispersed throughout a sea of inequality represent the ideal situation; and it is necessary to examine the extent to which women are present or absent in every context – from their disproportionately high representation in the statistics on poverty and unemployment to their absence from the industrial and military elite and from the ranks of religious and political leadership. The number of women in Israel who are murdered, raped, attacked or battered, like the number who are acquired in exchange for a bride-price or are bound by husbands unwilling to issue a divorce or are forbidden from taking part in religious public life, reflects the existence of social norms that ground relations between the sexes on discrimination, force and compulsion, exclusion and silencing, marginalization and scorn. The silencing and social marginalization of women (for example, in the Ashkenazi and Sefardi Haredi communities, in the rural Arab world, in the Bedouin world, in laws of personal status, in Jewish religious ritual, in the yeshiva world, and in some of the secular strongholds referred to earlier) are consistent with their subordination to the dominant male hegemony, with their economic dependence, and, in many instances, with control over their sexuality. As long as gender-based identity continues to influence our lives and to be reflected in statistics on violence against women, in laws of personal status, in the numerical marginalization of women in public life, in the paucity of women in the highest ranks of the academy and among social and economic leaders, in their absence from communal religious life, in their segregation in religious educational institutions, and in their unfortunate absence from the military general staff (unfortunate not because they should take part in the male world of warfare but because they could provide critical perspective on matters of life and death and enhance deliberations with respect to saving lives), we are not yet free of the need for comprehensive and continual critical assessment of our lives and for efforts to establish a new gender identity that

will promote freedom and equality. Changing in the degree to which women participate in government, the military general staff, military industry, and foreign affairs and defense will likely shift life and death decisions toward life, equality, and freedom, which women attained only within recent decades and therefore cherish, and against conquest, compulsion and ownership, to which they themselves were subjected not that long ago and which many of them reject. The process of establishing identity involves, among other things, a struggle between an attitude of obedience to authoritative language that is imposed on us by the very fact of its venerability, and a critical attitude toward the language that we make powerful and persuasive through our internal processes. Language in all manifestations can be a merciless control mechanism, and wording is an enduring battlefield on which the power relationships between the sexes are played out. It is a first-rate tool for broadening the universal, humanistic foundation premised on egalitarianism, a tool that frees one from servitude and is formulated in the plural, referring to both sexes: 'And God said: "Let us make man in our image, after our likeness..." And God created man in His own image, in the image of God created He him, male and female created He them' (Gen 1:16-27). The process of establishing identity begins with penetrating contemplation of everything whose contemplation was forbidden (the Tree of Knowledge) by those to whom contemplation and knowledge were forbidden by force of the patriarchal religious tradition. The process of establishing identity is a process in which one opens one's eyes and energetically examines the prevailing conceptual world, declining to accept it as the exclusive, self-evident truth; instead, one adopts a skeptical, critical position that strives to examine the existing order anew and even to undermine it and suggest alternatives that seem reasonable to people today. The vision that displaces blindness is associated with the process of constructing a language through attentive and critical dialogue with the previously dominant linguistic systems. The traditional, patriarchal religious linguistic system, formulated in writing exclusively by men, shaped the consciousness of men and women alike and left its mark on their world. The residue of that language surrounds us and determines relationships of control and liberty, silencing and freedom of expression, in the internal and external relationships between the sexes.

Members of both sexes participating in cultural activity in Israel and taking part in critical review of language and culture and in establishing the law are obligated to attend to the following questions: Isn't it time to reexamine the application of the laws of personal status, now formulated on the basis of the patriarchal religious tradition, to the population at large? Do the halakhic determinations of the great authorities of the past with respect to the status of women pertain as well to today's social reality? Is it possible to maintain a system of values grounded

in discrimination and circumvent it in legitimate ways in order to act justly and to enhance kindness, righteousness and justice? (This mechanism was used in the past to protect the rights of women, beginning with Z̲elofhad's daughters, who were permitted to inherit from their father; continuing through the remedial legislation that allowed presumed but unproven widows to remarry, made the ceremony for avoiding levirate marriage the norm, displacing levirate marriage itself, and forbade polygamy; and continuing to modern times with R. Uziel's ruling in support of women's suffrage)? Isn't it time to consider the notions of female subservience that are still reflected in language, to eliminate terms of enslavement and discrimination, exclusion and silencing, impurity and nakedness, modesty and shame, that pertain to women, and to strive to advance equality between the sexes in all areas? Those efforts would promote the establishment of responsible partnership between men and women, ensuring equal access to life in all its many layers and meanings, continuity of life with all its joys and complexities, and equality of rights and obligations in all matters, by dint of equality, liberty, peace, and inherent human dignity.

The profound change in relations between the sexes taking place in the world of Orthodoxy began with rabbis becoming persuaded that teaching Talmud to women did not exceed the bounds of *halakhah*. The first study halls for women were established in 1977; women there study sacred texts in the same manner as in the traditional male study halls. Once women began to study, feminism began to take shape within the observant world as well; it encompasses two principal streams. In the first, women aim to join the masculine world and be included in existing religious life, from which they hitherto had been excluded. In the second, women strive to forge a separate, female version of religious service.

The first stream is represented by such phenomena as the donning by women of *tallit* and *tefillin*, the organization of women's prayer groups, women learning to read from the Torah and being called up to the Torah, women reading the Scroll of Esther on Purim, and women taking part in fulfilling various home-based commandments, such as Sabbath Kiddush or the blessing over bread, on behalf of their families. Examples of the second stream – that is, the exercise by women of original religious creativity or the renewal of women's practices that have lapsed – include refraining from work and gathering for study on the New Moon. Not surprisingly, the rabbis tend to encourage the second stream, in which independent and separate female religious expressions are forged, and to reject the integrative stream that threatens male exclusivity in halakhic life and in the world of study and religious leadership. That the past decade has seen the appearance of female advocates before religious courts in Israel provides room for hope that in the orthodox world as well, doors will be opened to equality and to reevaluation of the relationships between the sexes in

changing times.⁴⁰ American Jewry in its various streams has opened the gates to new models of religious experience, and those changes are felt in the relations between the sexes in the United States – a country whose citizens were wise enough to separate church and state, enabling all forms of religious life to flourish. Echoes of these changes are resonating within the community of religiously observant women in Israel, who are seeking to take part in various aspects of religious life – study, prayer, halakhic ruling, spiritual search, sacred ritual, and communal life. A critical examination of the traditional order is under way in various circles, and there is reason to hope for far-reaching changes in gender relationships within the religious world. That is true, however, only in circles that have eased traditional modesty-related restrictions, permitted the king's daughter to leave the palace, opened the door to the modern world, and allowed women to gain an education and a degree of independence. A stringent stance with respect to women's modesty (as among some of the Hasidic and other Haredi groups and in the Muslim, Beduin and Druze worlds) results in the continued marginalization of women, their exclusion from centers of study, and the expansion of the gap between men and women together with the weakening of egalitarian tendencies within the family and the community.

There is reason to hope that reexamination of the underpinnings of existing law and critical attention to the foundations of gender discourse, the wording that sustains it, and the worldview that underlies it, will promote, in all circles, independent critical and skeptical thinking that rejects patriarchal control of femininity and motherhood, discards any sort of silencing, discrimination, exclusion, marginalization, shame, and humiliation, and spurns attitudes that are based on compulsion, ownership, or mastery. The opening of blind eyes depends on eating the fruit of the tree of knowledge, with its taste of freedom of speech, vision, movement, and thought; its skeptical and critical approach; its equal access to all areas of information, authority, and knowledge; and its ability to breach boundaries and provide the freedom to reshape ways of life. Accordingly, women should be encouraged in every way to become educated, and to think probingly and critically about society, for doing so ensures the right to sound one's voice and provides the standing and ability to influence and change society. These are the necessary conditions for changing the patriarchal order and casting off the cultural backwardness imposed on women, the cause of their inferiority. Education, knowledge, participation in culture,

⁴⁰ On the dialectical processes underway in the Haredi world related to education and illiteracy and the maintenance of the bounds of modesty, see Tamar El-Or, *Educated and ignorant: Ultraorthodox Jewish women and their world*, transl. from the Hebrew by Haim Watzman, Boulder (CO) 1994; *Next year I will know more: Literacy and identity among young orthodox women in Israel*, transl. from the Hebrew by Haim Watzman, Detroit 2002.

creativity and criticism, science and law, history and memory – all of these constitute the key to expanding the bounds of freedom as a practical matter and to actually realizing the equality of opportunity provided for by the law.

Twentieth-century women writers and scholars have noted for some time the gap between two views of woman: the theoretical notion of woman in patriarchal culture, embodied in literature and art and dependent on the concept of woman in male consciousness; and the self-perception of women from a perspective that is sovereign, empathetic, critical, and liberated. Nowadays, the patriarchal concept is but one of many, no longer exclusive, and its values and standards are no longer the only ones to be taken into account. To broaden the range of perspectives and voices that interpret culture and history and shape society, it is necessary to take part in the multi-faceted cultural mission borne by women. First, modes of expression must be formed that are free of the male perspective and that describe the image and world of woman from her perspective, on the basis of her experience and consciousness, and using her language. Second, women must undertake a critical retrospective reading of the entire cultural oeuvre created by men, in the world from which women were excluded as creative partners, and examine its underlying premises so as to reformulate gender discourse and broaden the bounds of liberty. Third, it is necessary to extract silenced female voices from the existing historical communities and uncover previously disregarded sources that document how women lived their lives. Finally, one must move from cultural criticism to an activism that changes reality through legislation and political activity, research, science, art and criticism, education, and public struggle. That move requires a realistic examination of the social and cultural order; analysis and criticism of the legal premises that pertain to personal status; identification of all the concepts, commonplaces, myths, customs, norms and laws that are based on discrimination and that assign an inferior status to any component of society; and relentless struggle against those concepts on all levels of discourse, using the power of knowledge. The struggle to undermine any form of enslavement, discrimination, and silencing and to promote equality within a multi-cultural society is an obligation borne by all of society, but it pertains particularly to those who have been denied that equality throughout history.

Women born during the twentieth century were educated as members of the first, second, or third generation that enjoyed freedom to learn, access to most areas of knowledge, a sovereign voice, and unmasked vision. With dizzying rapidity, they became creative forces – authors, poets, essayists, scholars, critics, artists, translators and editors, Journalists and analysts, judges and lawyers, cultural leaders and influential intellectuals. In all these capacities, they expressed, in various ways, the opening of their eyes and their acquisition of knowledge

and of the right to sound their voice in the public domain. They demonstrated the new direction associated with movement between the private and public domains and the liberation from ownership and enslavement that took place the minute the barriers fell between home, where it had been assumed that all of woman's obligations were focused, and the public space of formal education, forbidden to women until the last century; the minute women were liberated and allowed to leave their homes and venture into the public domain; the minute they removed their veils of modesty and cloaks of illiteracy, opening their previously blind eyes and beginning to see, to inquire, to evaluate, to learn, to analyze, to assess and to judge, to question what was thought to be self-evident, to hear and be heard and take part in the public arena. That there was a profound change should come as no surprise; one can only be deeply saddened by the thousands of years during which half of humankind was prevented from taking part in learning and creativity and one can only wonder how things would have differed had women been involved. The turning point between the traditional world and the modern world was associated with the recognition that many sorts of human activity other than those considered 'male' were of value, and that many ways other than those involving power, control, discrimination, and compulsion were available for structuring relationships among people and realizing the essence of humanity.

It is easy enough to identify many women, in Israel and in the world-wide community of Hebrew writers, who have tasted of the Tree of Knowledge and renounced innocence, blindness, compliant silence, modesty enforced by others, and the discourse of purity and impurity; they have begun to participate in shape ways of life based on a new, egalitarian, order. Members of various generations who are still with us or whose voices still live; they are characterized by open eyes, voices that are heard, and thoughts that are remembered. Their imagination roams free, their spirit studies and probes, their minds inquire incisively and their hands create and write poetry and prose. They contribute to transforming the silent, present-but-absent women of the past into women who now are fully present, speaking in diverse, changing voices. I can easily compile, from memory, a list of such women, participants in the chorus of creative women who are sounding their voices in the public domain, and contributing, in various ways to changing reality. They come to this from varied directions, bear a wide range of cultural identities, and represent diverse ways of life; they share the alternative perspective on reality and the struggle for freedom that impel these changes. The list, in alphabetical order, follows: Gabriella Avigur-Rotem, Gila Almagor, Ruth Almog, Michal Alfon, Gafna Amir, Deborah Amir; Ḥamutal Bar-Yosef, Hannah Bat-Shaḥar, Ḥagit Benziman, Galia Benzima, Maya Bejerno, Ilana Bernstein, Ruth Bondi, Yochi Brandes, Gentilla Broyde; Sarah Chinsky; Tova Cohen, Amalia Cahana-Carmon; Leah Eilon, Leah Eini, Rachel Eitan,

Rachel Elbaum-Dror, Ḥayyah Esther, Esther Ettinger; Assy Farber-Ginat; Nurit Gertz, Shulamit Gilboa, Anat Gov, Michal Govrin, Batya Gur, Karmit Guy; Ariella Deem, Manuela Dviri; Ronit Ḥakham, Miriam Ḥalfi, Rachel Ḥalfi, Yael Hadaya, Michal Hagati, Ilana Hammerman, Judith Handel, Gail Har-Evan, Shulamit Har-Evan, Raayah Harnik, Galit Hazan-Rokem, Dalya Hertz, Leora Herzig, Sharon Hess; Ayal Kafkafi, Maya Kaganskaya, Jacqueline Kahanov, Orli Kastel-Blum, Judith Katzir, Rachel Katznelson-Shazar, Alona Kimkhi, Tamar Kron,; Lilakh Laḥman, Shulamit Lapid, Rebecca Lefkowitz, Savion Librecht, Iris Liel, Irit Linor, Eleanora Lev, Rina Littwin, Orli Lubin, Mira Magen, Rela Mazali, Edna Mazia, Sabina Meseg, Ronit Metalon, Mira Mintzer-Ya'ari, Rebecca Miriam, Nili Mirsky, Agi Mishol, Orit Moran; Ada Pagis, Haviva Pedeya, Lili Perry, Dalia Rabikovitz, Dorit Rabinian, Yokheved Reisman, Edna Shabtai, Tsruyah Shalev, Anita Shapira, Naomi Shemer, Sh. Shifra, Gali-Dana Singer, Shoham Smit, Miriam Tvie'on, Noga Trebes, Aliza Tur-Malka; Ofra Yaglin, Galia Yardeni, Halit Yeshurun; Nurit Zarḥi, Yael Zerubabel, and Aza Zevi. Artists on the list include Deganit Berst, Nurit David, Bianka Eshel, Tamar Geter, Michal Hyman, Lilianne Klaphish, Esti Knobel, Sigalit Landau, Michal Ne'eman, Leah Nickel, Aviva Uri, Ruth Sternshuss-Tsarfat, and Ziona Tagar.

Some of these women study and write about the past and present lives of women and female creativity from diverse perspectives – historical, theological, legal, criminological, literary, folkloristic, and cultural – and participate in deepening our understanding of the complexity of the past and analyzing its gender significance from new points of view. Among them are Tamar Alexander, Dafna Arbel, Yael Atzmon; Jody Baumel, Bilhah Ben Eliyahu, Yaffa Berlovitz, Sylvia Biazi, Ataliah Brenner; Ruth Calderon, Ruth Cartoon-Blum, Esther Cohen; Tamar El-Or, Rachel Elior; Ruth Gabizon, Ariella Friedman; Rebecca Goldberg, Nurit Guvrin, Ruth Ginsburg; Tova Hartman-Halbertal, Ra'ayah Haran, Hannah Herzig, Tamar Hess; Tal Ilan; Orit Kamir, Michal Kushnir-Oron, Rena Levin-Melamed, Amia Lieblikh, Michal Liven-Kovi; Hannah Naveh, Judith Naveh, Dana Olmert, Ilana Pardes; Frances Raday, Shulamit Ramon-Kinan, Ada Rappaport-Albert, Tamar Rappaport, Lili Ratok, Zila Ratner; Hannah Safrai, Orna Sasson-Levy, Shulamit Shahar, Malka Shaked, Carmel Shalev, Suzanne Sered, Aliza Shenhar, Hagar Solomon; Dina Stein, Odeda Steinberg; Ḥavvah Tirosh-Rothschild, Ḥavvah Turniansky, Shulamit Volkov, Yifat Weis, Shulamit Weller, Lili Zamir, Sarah Zefatman, Idit Zertal, Shoshana Zimerman.

Female writers, scholars, and educators in the various streams of the religious world, touching on the secular world in their cultural, educational, academic, and scholarly activities, have taken part, directly or indirectly, in breaking the male monopoly over sacred texts and religious literature, and have contributed to women's participation in the world of learning by making their way into its

discourse and offering a previously unavailable female perspective on *halakhah* and religious thought. This group, which has brought about profound change in the world of religiously observant Jews, includes Bilhah Admanit, Malka Binah, Shira Broier, Naomi Cohen, Ruth Halperin-Kedri, Hannah Henkin, Tova Ilan, Hannah Kehat, Rebecca Lubitz, Hannah Pinhassi, Anat Ramon, Tamar Ross, Leah Shakdiel, Alice Shalvi, Susan Weiss, Deborah Weisman, Gili Zivan. Other women participate in shaping public discourse by working in editing, book production, cultural entrepreneurship, translation, and publishing; they include Leah Beirach, Lifsha ben Chach, Nili Cohen, Nitza Drori-Pereman, Orit Eliraz, Ilana Hamerman, Nira Harel, Racheli Idelman, Tamar Lotan, Nili Landsberger, Orli Morag, Tirzah Yuval, Edna Zahor, and Ilana Zuckerman.

Still others are active in broadcasting and written and spoken communication, shaping the written, broadcast, and virtual public domains; they include Orna Ben-David, Avirma Golan, Amira Hess, Silvi Keshet, Neri Livneh, Elat Negev Orit Shoḥet, Ziva Yariv, Shelly Yehimovitz, and Hannah Zemer. There are hundreds of others whom space does not allow me to list; active in the academy, in the sciences and the humanities, medicine, agriculture and law, including the Nobel Prize winner, professor Ada Yonat and the president of Israel High Court, judge Dorit Beinisch, they contribute to the establishment of new standards, expressing the pursuit of change in the existing order – the existing order in which, until recently, men alone exercised hegemony and political power; established authoritative norms; made decisions on all matters related to law, governmental authority, culture, learning, and scholarship; and sounded a public voice.

The philosopher Karl Popper (1902-1994) described the open society as one based on the recognition that no person, body, or organization enjoys a monopoly on truth; accordingly, society benefits from having a wide range of opinions and positions coexisting in peace and mutual tolerance. That is true in every society, but it is particularly so wherever traditional society believes that men have total monopoly over voice, sight, authority, wisdom, knowledge, opinion, rule and law, creativity and culture and even more so where portions of the population are silenced and denied any part whatsoever in the communal discourse. Feminism, which transformed women from 'present yet absent' to present and speaking outloud, represents a challenge against the silencing of women; it woke them to the extent to which women were and are controlled, made them aware of the inattention to women characteristic of power relationships between the sexes in human society, and gave them the will to change the order based on these circumstances. Its implicit significance is not in the specific actions, symbolic or substantive, that it inspire, nor in one or another

personality that may be associated with it, for better or worse. It lies, rather, in its systematic critique of all belligerence, coercion, inequality, deprivation, exclusion and discrimination; its broad challenge to the dominant, silencing voices; and its continual challenge to traditional modes of conduct and conventional thinking, which compel servitude and maintain discrimination. The task of that criticism is to pose more sharply the issue of women being present yet absent and silent while men are the sole speakers, under the rubric of various contemporary developments: the equal representation of various sectors of society; the strengthening of humanist, universalist, and egalitarian modes of thought, based on equal rights and human dignity; and the drive to transform the absent into the present by making human dignity, in all its variations and with the equal freedom and justice it implies, into the possession of every person. Feminist-humanist thought is devoted to ceaseless pursuit of change in social, legal, and cultural relationships, to expanding perspectives, and to setting an alternative to the patriarchal order on firm intellectual foundations or to conducting a comprehensive theoretical and critical inquiry directed toward establishing a new social order that is egalitarian, democratic, and universalist. This change is grounded in the freedom to read anew the foundations of our culture and its written expressions, which have become authoritative and sanctified, and in the freedom to reevaluate the canon in light of changing human experience and contemporary cultural and scientific accomplishments. There is a need to distinguish between exalted, universal elements that are worthy of adoption and general application, and the underpinnings of the aggressive, enslaving, and discriminatory patriarchal order, the order that excludes and silences, that should be rejected outright. That distinction can be drawn through a profoundly critical rereading of sacred texts and an examination of language and critique of its terms, directed toward deepening our understanding of the rationale on which culture is based and toward adopting those universal human values flowing from religious thought and prophetic morality – the sanctity of life, righteousness and peace, knowledge, truth and justice, kindness and charity, a sense of significance that transcends the individual and is reflected in concern for the stranger, the orphan, and the widow and in interest in the plight of the weak and downtrodden, defense of the needy, solidarity that extends beyond a particular time and place, general responsibility, a sense of community, concern for the other, freedom, skepticism, inter-generational dialogue, consideration of diverse perspectives, giving the benefit of the doubt to freedom and to being left alone, and comprehensive social responsibility that governs life and undergirds the concepts of righteousness and charity. On the verse ‘And the tables were the work of God, and the writing was the writing of God, graven upon the tables’ (Ex 32:16), the *midrash* comments, ‘Read not “graven” (*harut*) but “freedom” (*heirut*)’ (*Song of Songs Rabbah* 8:3). Feminism

connotes the freedom to read the socio-cultural order anew, to question the conventional and challenge what is accepted and sanctified, normative and authoritative. It involves expanding the bounds of liberty by means of cultural criticism; and that criticism, as Michel Foucault puts it, is the urge to activate in as extreme a manner as possible the undefined work of liberty.

Transl. Joel Linsider