
**"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 JEWISH
CULTURE, AND IN ISRAELI LIFE**

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

Michel Foucault

Contemporary Israeli society – considered a modern society, committed to secular, democratic, and egalitarian values – in reality exists and operates within a religious-patriarchal world of ideas which influences many aspects of life. This world has been shaped by the ancient Jewish tradition, to which the concept of equality between the sexes is alien. The Jewish religion, characterized by the masculine point of view, plays a crucial role in mutual social relationships and in political discourse in Israel, and is a fundamental element in those relationships between the genders which depend on the personal status laws – laws which apply to all Jews in the State of Israel, whether

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

they consider themselves secular or religious.¹

However, not only the law which establishes the relationship between the sexes is grounded in religion, but significant aspects of the surrounding culture are also influenced by concepts drawn from the religious-patriarchal world, for the Hebrew language, steeped as it is in Jewish thought and traditional culture, shapes the worldview that directly or indirectly influences gender relationships. Hence, all speakers of Hebrew – which developed as a language, a culture, a religion, and a set of explicit and implicit concepts over thousands of years within a traditional society – are, wittingly or unwittingly, the inheritors of a religious, patriarchal, and gender-oriented philosophy. The heritage of religious thought is found in every aspect of the language, diversely expressed in writing and orally, in law, in speech and norms, in custom and imagery, in explicit cultural values and implicit expectations, in the infrastructure of the concept of holiness and of life, in associations and myths – all of which determine what is considered significant in the private and public spheres. They also define the balance of power between different segments of society, and the way of life of the individual and of society in relation to sovereignty, liberty, and equality.

The following discussion will deal with some of the expressions of this conceptual heritage, which shapes the language of both secular and religious people, and will examine their connection to gender relationships in Israeli society. This society, which is slowly moving from the world of tradition to that of modernity, doesn't give much thought to the importance of the ancient language and its role in the discourse between the sexes and in the shaping of lifestyles. But it is impossible to ignore the fact that written and spoken Hebrew, which established the area of significance in which relationships between men and women were conducted (because it was a holy tongue, the language of reading and writing, the language of *halakha*, law and ritual or the language of learning, culture, and religious creativity) was created in its written form and preserved in all products of cultural endeavor, by men alone. Even in its modern incarnation as the everyday language of most members of Israeli society, the Hebrew language preserves a very significant tradition-oriented world of concepts, whose written record was created by men and for men, reflecting the experience and outlook

1. Religious personal status law applies to all permanent residents in Israel according to their ethnic origin, irrespective of their personal religious beliefs. Therefore, the personal status laws which relate, among other things, to marriage, divorce, levirate laws, women who are refused a divorce, women whose husbands have disappeared and cannot get a divorce (*agunot*), and inheritances, apply to all women in Israel, religious and secular alike. All are subject to the patriarchal system in determining their personal status. The religious norms of personal status are determined by male institutions, and women have no say in them. See Frances Raday, "On Equality" (Hebrew) in: F. Raday, Carmel Shalev and Michal Uvan-Robi (eds.), *The Social and Legal Status of Women*, Jerusalem and Tel Aviv, 1995, p. 45.

to a great extent of male hegemony. A critical analysis of language, religion, and culture, and the tracing of the mutual relationship among them - as reflected in law and custom, in ritual and in everyday language, and which establishes the limits of the sacred and what is self-evident in the traditional world, as well as the codes of the modern world - sharpens our awareness of the disparities between the rights of women: to equality and liberty, to sovereignty and respect, and their achievement in practice.

The attitude toward women in traditional Jewish culture draws upon three principal interrelated sources:

I. From the written tradition, sacred in nature and formulated in the Torah and *halakha*, in narrative, lifestyle, and law. This tradition, which was written and studied by men only, is based on Divine law and does not recognize equality of the sexes. It attributes to each sex a different status, different rights and duties, it also distinguishes between them in matters of dominion and ownership, in the public and private domains, and in relation to their proximity to or their distance from the sacred (in terms of purity or impurity) and on the basis of education granted or illiteracy maintained.

II. From the traditional patriarchal order, which sets a permanent balance of power between the sexes, and establishes a patronizing norm of forced protection, which limits the jurisdiction of the woman who is protected, and is enforced by law and custom, and by the authority of the father, lord, or husband over the dominated women. This tradition, which is based on strength and impotence, and on male superiority and female inferiority, restricts the role of the woman to the limits of her body and to the demands of fertility and continuity, denying her autonomous status and an existence in the spiritual and creative spheres. This outlook was the basis for a crucial distinction between culture, as a sphere reserved for men, and nature, as one inherent to women. This manner of ordering the world, which caused women to remain in their homes and be absent or omitted in public, draws upon Jewish sources which distinguish in dialectic terms between the inside and outside in relationships between the sexes, and is influenced by a gender-based order in the surrounding culture, Christian and Moslem, during different periods of history.

III. From strong social expectations fed by traditional cultural conventions, and from the influence of religious thought which differentiates between the sexes based on strength and impotence, paternalism and coercion, liberty and subjugation, superiority and inferiority, the right to be attended and the duty to serve, articulation and silence, public and private spheres, purity and impurity. These binary distinctions, all interrelated, are sustained by a religious world outlook which distinguishes between women and men according to different standards of proximity to and distance from

the sacred and the profane, purity and impurity, and by social pressure which aims to preserve the traditional order of things by the power of these distinctions. Society is aided in this aim by the power of custom in relations between the sexes. The sanctity of moral based on binary distinctions which allow for proximity to sacred centers or distance from them, purity, knowledge, strength and authority. To this add the power of segregated education, which enhances discrimination related to the concepts of strength and weakness, honor and shame, modesty and licentiousness, authority and obedience, voice and silence, all of which firmly fix the traditional-patriarchal order.

The four-thousand-year-old written tradition – which begins with the Torah and the priestly literature of the sons of Zadok in the Dead Sea Scrolls, continues with the Mishnah, the Talmud, and the Geonic literature, and ends with the Responsa, the halakha tradition, the Midrash, the Kabbalah, and moral popular literature – contains, by virtue of its tremendous scope, many and varied attitudes. In spite of the fact that it reflects a one-sided reality, since it was voiced, written, read, preserved, and studied by men only. Out of the multi-faceted literature created by the world of tradition, which prevented women from taking part in it and making their voices heard, repeatedly emerge a number of basic elements. These determined the relationships between the sexes and established a language, awareness, law, and lifestyle. Among the concepts, passages, and Rabbinic sayings which influenced the fate of women during the generations and determined their self-image and the attitude towards them in private and in public, we can find the following reverberating voices:

"Unto the woman he said, I will greatly multiply the pain of thy childbearing; in sorrow shalt thou bring forth children, and yet thy desire shall be to thy husband, and he shall rule over thee" (Genesis 3:16).

"And I took from him a rib while he slept and I created for him a woman; in order for his death to be caused by a woman!... and I called her Havva, the mother of earth and of life" (Hanhoch B, 11:68-70).

"To revive a man before a woman" (Mishnah, Horayot 3:7).

"All the honor of the king's daughter is within" (Psalms 45:14)

"He who teaches his daughter Torah it's as though he teaches her nonsense" (Mishnah, Sota 3 4 BT, Sota, 20a, 71)

"A woman's voice is {sexually arousing} like nakedness" (Kedushin 70a).

"A woman has no wisdom except with a spindle" (BT, Yoma 66b).

"Women are frivolous" (BT, Shabbat 33h)

"Avoid too much talk with women" (Mishnah Avot 1:5).

"A woman and a child should be pushed away with the left hand and brought near with the right" (Gittin 47h).

“You shall celebrate three pilgrimage festivals for me]...[three times a year all the males should be seen]...[women are excepted” (Mekhilta of R. Yishmael, 45, p. 332).

“Let the words of Torah be burned, rather than be handed over to women” (PT Sotah 3:4; Numbers Rabbah 9:54).

“Non-Jews, slaves, women, fools, and minors are unfit to give testimony” (BT, Baba Batra 155a).

“A woman cannot judge nor testify” (PT Yoma 7:1).

“Thank God for not making me a woman” (Tosefta, Berakhot 7:10 and daily morning prayer).

“A woman is a vessel full of excrement and her mouth is full of blood and everyone chases after her” (BT, Shabbat 141a).

“A woman stinks” (Genesis Rabbah, 17).

“And I find more bitter than death the woman]...[he who pleases God shall escape from her, but the sinner shall be caught by her” (Kohelet 7:26).

“The womb is a tomb” (Ohalot 7:4)

“When Eve was created Satan was created with her” (Genesis Rabbah 17:9)

“A woman is an unfinished vessel, and she makes a covenant only with one who makes her a vessel, as it is written ‘because your owner [husband] is your maker, the God of the multitudes is His name” (Sanhedrin 22b).

“And He built her into a woman and He brought her to him in order that she would be a help to him and be useful” (preface to the *Tur Even HaEzer*).

“And the reason why women are released from time-bound positive commandments is that the woman is enslaved to her husband to perform his needs” (Abudraham’s Commentary on the Prayers, p. 25).

“Because a woman who refuses to do any of the tasks which are her duty to perform can be forced even with a whip” (Maimonides, Marital Laws, Chap. 21, 1:2).

“The work of her hands belongs to her husband]...[and she must serve him” (Ketubot 69, Maimonides, Marriage Laws, Chap. 21, 1:4).

“They took a rib from the first man and gave him a maidservant to serve him” (BT, Sanhedrin 39b).

“A menstruating woman is not allowed to pray and to enter the synagogue” (Beraita of the Tractate Nida [Horowitz Edition, 1892] 3, 17).

“An attractive home, an attractive woman and attractive utensils cause a man pleasure” (Berakhot 57b).

“The purest of women is a mistress of witchcraft” (Soferim, Ch. 15).

“Shimon b. Shatakh gave an order to hang eighty witches in Ashkelon” (Mishnah, Sanhedrin 6:4; PT, Sanhedrin 6:9, 2:3).

"A man should not pass between two women[. . .] because of witchcraft" (Megillah 14)

"A man who passes between two women passes between two donkeys" (Rabbi Ovadia Yosef).

"He who has many wives, has much witchcraft" (Avot 2)

"A helpmate for him" (Genesis 2:18).

"Your wife is like a fruitful vine" (Psalm 128:3).

"A woman of valor is her husband's crown" (Proverbs 12:4).

"A man divorces only of his own free will, and a woman can be divorced against her will by religious law, until the rule made by R. Gershom Meor HaGola ("the Light of the Diaspora"), that a woman cannot be given a writ of divorce against her will."

These verses are clear expressions of discrimination, dismissal, disdain and degradation, aversion and fear, and they tell us much more about the one who hates than about the object of that hatred. These sources associate women with dangerous forces to which the attitude is always ambivalent, such as sex, death and witchcraft. Lust and desire, fertility and barrenness, or with powers which cannot be controlled and should be kept at a distance, fenced in, tamed, domesticated, and harnessed.

They also testify to the other side of fear and aversion, i.e. to expressions of dominance, enforcement of authority, ownership, separation, enslavement, prohibition and seclusion between the sexes. These utterances are replete with the dehumanization of all women and reflect a view of woman as impure and outcast, as a creature lacking in wisdom and judgment, and as a vessel having no character of its own, fit only for use by man. These concepts depersonalize a woman and relate to her as a subjugated object which has no choice but serve the needs of breeding and service to the family in the present and the future. They serve to explain the centrality and superiority of man, and the marginal status, the otherness, the impurity, the danger and the inferiority of woman, who is at one and the same time linked to the opposite of all these – to life, to birth, and to fertility. Woman is also linked to the sin of defying authority, which must be punished, as well as to ignorance, stupidity, frivolity, and weakness, which call for supervision and punishment; to illicit thoughts and witchcraft, which arouse fear and persecution; to unreliability, desire, and rejection, which require taming and banishment. Language clearly demonstrates these attitudes: *nakeva* (female) from the root which means a hollow hole, a lack or defect; *tashmish* (sexual relations) from the root which means use, and a utensil for use; *nashim* (women) from the root which has two meanings: usury, and oblivion and forgetfulness; *mishpacha* (family) from *shkacha*

the word for maidservant; *erva* (genitals) from the word for nakedness, illicit sexual relations, shame, and disgrace which are all connected to unrestrained sex, as we will see below; *be'ula* (she who is married or has cohabited) is one who has an owner, *netkedeshe!* (sanctified in marriage), one who is transferred from the sphere of untamed nature to civilization, controlled by means of marriage, ownership, and the link to the holy, which are found only in the masculine sphere; *nida* (a menstruating woman) from the word meaning outcast, one who is untouchable while menstruating; *gerusha* (a divorced woman, literally a woman who is driven out) who can be divorced by her master while she, his chattel, cannot divorce her husband, just as a slave cannot divorce himself from his master, but only vice versa. This set of concepts shaped the attitude towards women in the world of tradition until the 20th century, and in many ways it has left its impression on the discourse which reflects the relationship between the sexes until the present.²

The written text does not necessarily reflect all facets of life and is not the only evidence of historical accuracy in relation to the status of women. Undoubtedly reality was far more varied than indicated in the one-sided picture reflected in the written expressions of the sacred tradition; moreover there were certainly women who escaped the sentence of the written tradition that determined the fate of many others. But it is the written text that bequeathed an unchanging and sacred set of concepts, and established an ongoing awareness which transcended the boundaries of the changing historical reality. This is because philosophical, halakhic, literary, and legal sources which are at the heart of Jewish culture (in which study of the text is central) enjoyed sanctity, authority, and continuity and shaped the value system of the “people of the book” from an exclusive patriarchal-masculine point of view, this even when the terms and their application were undergoing transformations in meaning. Only men

2. The passive/active ambivalence attached to the forms of address used for women, which are related to their sexuality, their overt weakness, and their hidden power – female, wife, acquisitional sex mate, fertile, barren, divorcee, forbidden to her husband and her sex partner, *nida*, impure, prostitute, used, “be beautiful and shut up,” wanted, dirty, another bigmouth, easy, cunt, dried up prostitute, ugly woman, dried up old hag, old witch, bitch, pushy and other such common expressions – as opposed to the unambiguous expressions and verbs related to male sexuality and the power attached to it: What a man! to fuck, to screw, to rape, to have intercourse, to force, to conquer, to divorce – these are only a few of the modern imitations of the language of tradition and of the attitude to gender which it incorporates, and the list could go on and on. We should consider the unfortunate contribution of Israel Defense Forces slang to discourse between the sexes. Relations of power and force in expressions such as to conquer, to screw, to fuck, to divorce (drive out), et al., are unconsciously applied to both women and Palestinians, and we would do well to quickly free those involved from being subjected to such discourse and from its consequences. The connection between the Hebrew expressions for “prostitute,” “we’ll smash your face,” “I fucked her good,” “sons of bitches,” and “weapons,” (all of which share a common Hebrew root) speaks for itself.

created civil law, religion, and religious law; only men interpreted the law and judged, whereas women, whose purpose in life was fertility, attendance, and service were prevented from learning to read and write in the Holy Tongue, and in any case were prevented from sitting in judgment, creating law and interpreting it, for reasons which will be explained. Undoubtedly, there were in fact other attitudes, which defended the rights of women by means of general regulations and private arrangements. And quite certainly there were women who enjoyed a measure of freedom and respect, and could, within the confines of their homes, lead their lives as they wished; and perhaps there were a few women with means, power, and status, who were able to study and to work, alongside many subjugated and ignorant women. But in the public sphere, in the sphere of law, culture, and norms, in the arena of the explicit and implicit discourse which establishes awareness, standards, and values, those voices which denied a woman her liberty, her equal rights, and her respect as a person predominated.³

If we study the significance of the above-quoted texts and many others like them, the religious and cultural background in which they were written and the gender concepts which are derived from them – all of which were created in the traditional world and became established as part of the language through reading, study, legal decisions and legislation, the ritual routine and the establishment of a social norm – we can explain the pattern of the material and social presence of women, which developed under conditions of humiliation, servitude, discrimination, limitation, and silencing for many years, and the reasons for the absence of women from culture, from the spiritual discourse, and from creative output in Jewish tradition, until recent times.

The significance of the prevailing attitude, expressed in the passage "All the honor of a king's daughter is within" (Psalms 45:14), is that the place of the woman is inside and not outside, in defined and limited spheres, within the home, in the sphere of family and children, in the private domain, and relating to sex, fertility, and the continuation of life, and not in the public sphere. The public domain – meaning the place where the public voice is heard, where one can take part in decision and change,

3. For historical documentation about the lives of women see: Jacob Katz, *Tradition and Crisis* (Hebrew), Jerusalem 1937; Lilit Zertal, "Foreword to 'Women's Time'" (Hebrew), *Zmanim*, 46-47 (1993); David Hale, *Eros and the Jews: From Biblical Israel to Contemporary America*, New York 1992; Israel Barial and Yeshayahu Galin (eds.), *Eros, Engagement and Prohibition* (Hebrew), Jerusalem 1998; Shmuel Feiner, "The Modern Jewish Woman: A Test Case on the Relationship between the Haskala and Modern Times" (Hebrew), *Zion*, 58 (1993), pp. 453-499. For more about the changes in women's historiography see Dilly Melman, "The Angel of History Has a Gender" (Hebrew), *Zmanim*, 46-47 (1993), pp. 19-33. For more about various historical effects on the world of women in Jewish life see: Yaël Aiznor (ed.), *A Window in the Lives of Jewish Women* (Hebrew), Jerusalem 1993.

where one can influence the community by means of language, knowledge, study, teaching, law, admonishment, and persuasion, and can acquire intelligence connected to knowledge, authority, power, and status – was entirely forbidden to women. Active participation in secular communal tasks, including leadership, judgment, lawmaking, education, culture, criticism, and politics, and in sacred tasks such as study, prayer and halukhic decision-making, preaching and teaching, was completely denied and closed to her. Voice is a metaphor for an opinion which does not remain in the private domain and has a physical/acoustic dimension of speech – being listened to and listening in the public domain – and an ideological dimension of public significance and authority. Power is measured by the ability to 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 heard 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. This participation is achieved through speaking up and listening during discussions, or through the voice of law, the meaning and significance when one speaks and reacts, and one’s voice is heard and taken into account. This type of voice was denied to women, who were present absentees, excluded and silenced, until the 20th century.*

4. An illustration as to the place of these views in the 20th century Ashkenazi world can be found in the rabbinic encyclopedia *Jewish Treasury* (Hebrew), which was written in the United States during the first decades of the 20th century. The entry on Women includes the following: “According to the spirit of Judaism, woman is man’s helpmate [...] Nature, too, has limited the woman to sitting at home and taking care of all of the domestic needs, while the man has to go out and prepare food for his family, the woman must cook, sew, and weave for herself and for her husband and children, and the husband must support her by a trade or business.” After a learned dissertation which lauds the positive attitude of the Sages towards women and ignores the androcentric significance of the sources under discussion, the writer sums up drawing 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, and their good-heartedness in all matters relating to charity, to the education of their sons and daughters, and to helping their husbands. And therefore, even today Jewish women have not been heard to have any tendency to belong to that sect of women who demand independence, and equal rights in all political matters, like men [i.e. suffrage].” *Jewish Treasury* (Hebrew), Jerusalem, facsimile ed. [n.d.], IV, pp. 117–118. This entire work is an enlightening sociological document about the balance of power and inequality between the sexes in Jewish society during the first decades of the 20th century, in the stages of transition from the traditional to the modern world. Paula Hyman’s book, *Gender and Assimilation in Modern Jewish History: The Role and Representation of Women*, Seattle 1995, reflects the change in the Ashkenazi Jewish world of this period from a critical point of view. The role of women in Sephardi society during the same period is described with penetrating consciousness by author Dorit Rabinov, who describes the women among whom she grew up and about whom she writes – both from her own experience and from the memories of her female relatives. Her words describe the “modern” feminine experience of the generation of women who were denied the right to education: “Like Sofia and Marcelle and Lizzie who will not remain in a place in which the possibilities are limited and courage is stifled and willpower is shrunk” (Newspaper interview in Hebrew, *Yedioth Ahronot*, March 1999).

In order to trace the factors which brought about this situation, we must look into the dialectical significance of the inner-outer relationship. Woman's honor is dependent, in the traditional outlook, upon her absence from the public arena, from the outside, and her presence inside, within the boundaries of her home, under the authority of her father or her husband, with her name, her existence, and her sovereignty fully entrusted in their hands. The division between inside and outside in its broad connotations, in the cosmic and cultural sphere, parallels the basic differentiation between an area that is controlled, regulated, and enumerated and one that is uncontrolled, chaotic, unexpected, which man cannot regulate or enumerate, and cannot control or on which he cannot impose his will – or is like the division between civilization and nature. Woman, who is linked to nature, to the outside, by the very fact of her changing biological existence, who is subject in her body to the uncontrollable laws of nature, was brought inside, into the home, tamed and controlled, but was kept away from the public domain of civilization in the name of domestication of the forces of nature and fertility. Whereas man, who is linked to the spirit, which is not subject to the cyclical changes of nature, went outside in order to domesticate nature by sanctifying it and bringing it partially into the sphere of controlled civilization. The clearest expression of the controlled sphere, that of civilization and sanctity, is the voice, speech, language, written memory, numbers, and measures, authority and law, calculations and books. On the other hand, the uncontrolled sphere, that of nature, that both attracts and repels, is without language and speech, without books and numbers, chaotic, gushing forth and all-powerful, lustful and tempting, dangerous and deviating from controlled and regulated human categories, but also considered the source of fertility and of life. In religious parlance, civilization is identified with sanctity and purity, books and numbers, law, knowledge, counting and regulating, speech and order in the public domain, which is primarily the sphere of male existence – the same as the "outside" which is controlled by language, symbol, and number. Nature (as it is linked to man) is identified with an uncontrollable force which cannot be regulated, with impurity, transgression, speechlessness, and uncontrolled instincts, and with the danger of a power which is incomprehensible, threatening yet desired, in the private domain. This private domain is primarily the sphere of female existence, identical with the "inside" controlled by silent cyclical forces of nature over which man has no control and which reflect, in an ambivalent way, blessing and curse, life and death.

Sanctity (as it relates to man) is that which has size, number, and order, universal cyclical regularity, speech and language, letter and number, counting and time, religion and law, permission and prohibition, which in the religious view all flow from a divine

source. Their profound purpose is the constitution of an eternal recurring relationship between heaven and earth that guarantees the creation of life and its continuation, in itself dependent upon sanctity and purity. Impurity (as it relates to man) involves the uncontrolled aspects of nature, and their link to the body and to its instinctive and uncontrolled excretions – disease, menstrual blood, gonorrhea, illness, emissions – all of which are explicitly and implicitly connected to the unlimited power of death, to the destruction of the essence of life – blood and semen, or to the endangering of life and its discontinuation.

A woman, because of her biological constitution – which is related to fertility, cyclical ovulation, monthly periods, pregnancy and birth – has a regular cyclical and uncontrollable connection to the forces of nature, to the blood of menstruation and sometimes to the bleeding that is part of birth, miscarriage, life, and death. Because women are connected, involuntarily, to nature and its uncontrollable cyclical forces, which are chaotic and bursting, and are related to life and death, they are impure by their very existence, or are part of uncontrollable nature for significant portions of their lives, about two weeks of every month as long as they have their monthly periods, "the way of women," and they are expected to distance themselves physically and symbolically from the world of civilization, because they are *nida* (menstruating, literally: banished) and they must purify themselves and immerse themselves in order to return to the world of sanctity and of civilization. Purification always requires the counting of seven days, a number that since the seven days of Creation symbolizes the imposition of civilization on nature, or the domination of sanctity, which is enumerated and spoken, over chaos which has no measure, number, speech, or word.

On the social level, this process takes place through *kiddushin* (sanctification, i.e. the marriage ceremony), which involves acquisition, ownership, taming, and harnessing on the part of he who is the master of sanctity, of knowledge, of language as well as of number, of law and commandment, of permission and prohibition, of religion and religious law. Women, whose bodies are controlled by the uncontrollable cycle of nature, which is geared to the regulation of fertility and destruction, were identified with nature that must be tamed, and in any case connected to sex and death, to fertility, honor, fear, shame, and destruction, to impurity and purity, to banishment and sanctification. They were both threatening and desirable. They aroused fear and lust (see above for the identification of the womb and the tomb), and had to be tamed, restrained, and channeled towards the needs of fertility in a state of sanctity and ownership. Women were left in their homes, within the ambivalent bounds of lust, desire, sex, and fertility, and within the boundaries of nature which must be tamed, and of impurity which must be purified and sanctified. Thus women remained

as still life, because voice and speech were denied them by distancing them from the centers of sanctity and of culture, and by excluding them entirely from study, from writing and reading of the holy texts, and thus from the authority, judgment, lawmaking, and the language of holiness that is inherent in the public sphere. Woman – implicitly considered to be an animal-like sexual creature controlled against its will by the cycle of nature, and explicitly as a vessel to be used for the purposes of fertility and the continuity of the generations – was denied respect as a sovereign, independent creature, which could be “inside” or “outside” at will and lead its life as it wished, enjoying liberty, freedom of movement and access, equal rights, and the right to choose, as well as access to knowledge and authority. This was because the value and status of a woman were determined first and foremost in relation to reproduction and fertility, and in connection to her contribution to the continuity of the generations and of life, in a paternalistic sexual context, controlled by the men in the family.

The religious viewpoint, that equates woman with nature – which is dangerous, contaminating, and in need of mastery, restraint, and ownership, without which there is no continuation of life – denies autonomy to the woman. She is not sovereign and independent, but rather a virgin in her father’s possession as property, until her marriage; or in her husband’s possession, after he buys her from her father in exchange for a dowry, after her marriage. Only in old age, after the death of her husband and after her reproductive potential had been exhausted, can she be independent. The 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, the father, the seller, receives a *mohar* (bride price) from the groom, the buyer. The woman is viewed by religious law as the property of her father and of her husband, as chattel, like livestock, as still life, as a piece of property without will, which can be bought and sold in a transaction between men alone, in spite of the fact that her consent is necessary in the choice of a partner. Moreover, it was determined that a woman may only be married if she consents, and if someone marries a woman against her will – she is not considered married (*Shulhan Aruch, Even HaEzer*, p. 42). The woman is bought from her father and is given to her husband in marriage through *kiddushin*, i.e. the *mohar* was given to the fathers, just as the fine paid by the rapist and the seducer was considered as compensation paid to the father for damaging property (Exodus 22:15; Deut. 22:28; 22:31-32).

Ownership and sexual intercourse by the husband are related to one another (both words in Hebrew devolve from the same root), and in return the husband receives a dowry from his wife. It is interesting to see the modern formulation of this condition at the beginning of the 20th century, which focuses on transferring possession from

the head of the household and the father of the family, to the husband of the woman and father of her children, and which distinguishes between ownership and licentiousness: ‘The law of possession which is given to the father over his daughter and to the husband over his wife was for the benefit of the woman, so that she wouldn’t be a prostitute and available to everyone’ (Jewish Treasury, I, p.312). The fact that the woman is the possession of her husband – ‘A woman can be acquired in three ways..’ (Mishnah, Kiddushin; BT Kiddushin) – becomes painfully evident during divorce, when it is clear who has the power to divorce and to force acceptance of a *get* (writ of divorce) and who is denied this power. The husband, if he wishes, sends away/divorces his possession/wife/sheep/cattle/property, or retains it in his possession, by dint of the laws of acquisition and possession, like livestock, according to his will, and against hers. (The Hebrew name Rachel means a ewe; Rebecca derives from the same root as the word for a fat-tailed calf, Samson calls Delilah *eglati*, my calf; sheep, lambs, and kids are names of women and livestock; possession relates to both women and livestock.) The woman, as we know, cannot divorce her husband or force him to accept a divorce. Hundreds of women who have been denied a divorce, involuntarily held as chattel by their husbands, are a practical illustration of the terrible perversion of justice resulting from the denial of sovereignty which lies at the basis of the relationship of ownership and acquisition. This is the real inequality involved in marriage and the subjugation which results from the acquisitive nature of marriage and ownership (by a husband).

As we have seen, the woman is not considered an independent, sovereign creature, entitled to equality and respect, capable of considered judgment, responsibility, and authority in any sphere outside the bounds of her home – and even there she is subject to her husband’s authority. Take, for example, some Hebrew words: *gever* (man) from *gevura* (strength), *adon* (master) from *adut* (lordship, mastery), *ba’al* (husband) from *ba’alut* (ownership) and *be’ila* (sexual intercourse). It is no wonder then that the word *mishpacha* (family) is connected to *shifcha* (maidservant) and in Latin *familia* (household or *famulus*, servant) corresponds to the Hebrew word *panim* (retinue) of male and female servants. It connotes subjugation to the master and the husband, who is the owner of the bodies of all those who are subject to him. The husband may, according to biblical law, take other wives in addition to his wife. This law was changed during the Middle Ages by R. Gershon Maor Hagolah, but is still practiced in certain Jewish ethnic groups, in which polygamy is allowed and also by Moslems and Bedouins in Israel, though the law of the state prohibits bigamy. Polygamy, oppressing women, considering them by law and tradition as property like sheep and cattle, channeling them against their will to meet the sexual needs of their husbands, subjugating them, divorcing them against their will, and beating them, were common during various

periods of history in Jewish and Moslem society. In many sectors of these societies, these customs are still observed, under the aegis of tradition, religious law, the Rabbinic and Sharia courts, the Catholic church and through personal status laws, which exist with the permission and agreement of the modern State of Israel and its sovereignty. For religious personal status law applies to every permanent resident in Israel according to his or her ethnic group, without consideration of personal religious beliefs and outlooks.

In this world view, in which marriage, submission to ownership, fertility, and motherhood were the only options open to a woman to establish her connection to society, via the family and the private domain, there was no alternative to distancing her from the public arena of the cultural-religious community and from the public voice, in the public domain. A woman was denied the right to respect as a person, denied the right of sovereignty and choice, denied the right to equality and to decide her own fate. A woman had no independent autonomous existence that was unrelated to the limits of her body, to her ability to reproduce and to reproduction itself, and to male proprietorship over these functions.

In Jewish religious thought there is almost no room for a sovereign woman who is not under male patronage and ownership, and potentially or actually bound to virginity, engagement, ownership (marriage), cohabitation and fertility, pregnancy and birth, and who is not in a situation where she is dominated by a father, a husband, or a son. The word “spinster” does not exist in Scripture, because there is no such status in a society which sees all its females as virgins, engaged or married women, pregnant and giving birth. As opposed to other religions which permit women who don’t want to marry to become nuns, this possibility was never available in Jewish culture, which commands all its sons and daughters to “be fruitful and multiply” as a commandment of primary importance, and denies its women any other social outlet. The woman’s mission is to give birth, and her personal and social legal rights stem from the capability to give birth and from partnership through fertility. Therefore, a woman who does not take part in the cycle of fertility is **divorced**. Jewish tradition does not recognize an independent woman, or a married woman who is not a mother – whether by choice or by force of circumstance. A married woman who does not give birth is barren, and according to *halakha* she should be divorced if she doesn’t bring children into the world within ten years (BT, Yebamot 64a).

Fertility, which is connected to nature and its cycles, is removed from any arbitrary biological significance, from male responsibility, from bad luck or chance, and is connected to Divine blessings and curses. The woman is connected to nature by dint of the cycle of fertility, which is inherent in her body and is on the same continuum as

the yield of the fields – the fertility of cattle, the blessing of breasts and womb – all of which are beyond human control and belong to the domain of Divine blessings and curses. In other words, whatever applies to nature and to fertility, which is controlled by God, applies to her.⁵

Man, on the other hand, who is not subject to the cyclical laws of nature, is in the domain of sanctity and of culture, taming nature by dint of Divine law, the sacred order, and the accepted norm of ownership and rule. (One should note the connection between the ancient divine name "Ba'al," [owner] "Ba'al of rain," which is casually used until today in agricultural parlance in the concept of ba'al irrigation [which means irrigation by means of natural rainfall] – and the male who is ba'al adamot [owner of lands], and in similar phrases, ba'al of livestock, of property, of the home, and of woman.) Man is linked to the domain of the sacred, of speech and numbers, of rule, ownership of property, the power of law, the authority of tradition and of civilization. By dint of this link, the taming or harnessing of nature, as represented by woman, is his obligation, and in any case she is the one over whom power is exercised symbolically and practically, in law, in civilization, and in society. This order, which subjugates the woman doubly – it hands her to the Divine natural order of biological cycles connected to ovulation, monthly periods, pregnancy, and birth, and to the human social order of domination by her husband, whom she is expected to desire – was determined by the curse of God at the beginning of time: "Unto the woman he said: I will greatly multiply the pain of thy childbirth; in sorrow thou shalt bring forth children; and yet thy desire shall be to thy husband, and he shall rule over thee" (Genesis 3:16). God in His mercy punished both man and woman in connection with fertility: He was punished by having to work hard in order to raise seed from the ground ("By the sweat of thy brow shalt thou eat bread"), and she was punished by having to endure pain during pregnancy and childbirth in order to provide him with seed from her body. Apparently, his domination over her and her desire for him, which form part of the curse, reflect the masculine view of reality, in which man alone speaks and silences the woman beneath him, and in which the woman is silenced like "a speechless dove" (Psalms 56:1) and "as a sheep before her shearers is dumb" (Isaiah 53:7).

5. In the ancient foundations of Hebrew, the word arusa (betrothed woman) and aris (seed) are both connected to the root aras (aratz = land?) which is related in the permanent connection with the field, the land and fertilization of the land. The concept ba'al (husband) is related to Ba'al, the god of storms and rain, who has sexual relations with the earth and waters it. The fertility of the land and the fertility of woman are described in similar terms, which are connected to zera' (seed), zeriya (sowing) and hagra'a (sowing, fecundation). The Talmudic definition as to the chances of giving birth to a boy is "the woman is inseminated [sown] first."

The words of the barren Matriarchs express well the significance of woman's connection to nature, which is subject to Divine laws, and the consensus that woman's fertility and her barrenness reflect God's love and blessing or His hate and curse: "And Rachel said [...] because God hates me, and I have not borne sons to Yaakov" (*The Testament of Yisassehar, the Apocrypha, Kahane ed.*, pp. 180-181). Barrenness, which was seen as a Divine curse, not only caused endless suffering also but caused the barren woman to be accursed and a sinner, who was finally punished and divorced according to law.⁶ On the other hand, the childbearing woman – who is the visible link connecting man to the concealed order of nature and the mysterious Divine order of fertility – fulfils her function by giving birth to children and by continuing the generations, and is considered "a fruitful vine," one who is inseminated, sows seeds ("a woman is inseminated [sown] first"), raising seed and male progeny and remembrance, one who is blessed and fertile and who fulfills her function to *zakar* (male) and to *zikaron* (memory). In this view, man is not subject to the uncontrollable cycle of nature; he is detached from the concealed order of nature and is not responsible for fertility and barrenness, since God is responsible for them. Man is connected to the spirit, to culture, and to creativity, or to the domain which can be changed by man, whereas woman – who is the link between man and nature – is tied by the bonds of the body and of desire, and by the curse and blessing of God; she is defined by the limits of sex and fertility alone, and is kept at a distance from freedom of the spirit and from the world of culture and creativity.

According to this traditional view, which apportions freedom of the spirit, creativity, culture, knowledge, and freedom of movement to man, and submission of the body, instinct and nature, illiteracy and confinement to the house to woman, married life –

6. As we know, a substantial number of the Biblical stories related to women are connected to barrenness and the painful longing for offspring, but we do not always note the fact that pregnancy and barrenness, which reflect the curse and the blessing, are from God. Some examples: In the stories about Sarah: "But Sarah was barren, she had no child" (Genesis 11:30); "And Sarah said to Abraham: Behold now, the Lord has restrained me from bearing" (Genesis 16:2), and compare: "For the Lord has fast closed up all the wombs of the house of Avimelech, because of Sarah Abraham's wife" (Genesis 20:18), "And Yitzhak created the Lord for his wife, because she was barren; and the Lord was created of him, and Rivka his wife conceived" (Genesis 25:21); "And when the Lord saw that Leah was hated, he opened her womb, but Rachel was barren" (Genesis 29:31). From the Scriptures it is clear that love and hate are in the human realm, whereas fertility and barrenness are in the Divine realm, as blessing and curse, as reward and punishment. God's blessing to Israel: "There shall not be male or female barren among you, or among your cattle" (Deut. 7:14); "And Fenuha had children, but Hanna had no children [...] [but] to Hanna he gave a worthy portion, for he loved Hanna, but the Lord had shut up her womb" (I Sam. 1:2) and "Because the Lord had shut up her womb" (Ibid. 1:6) illustrate this point. An interesting fact is that almost the only feminine creativity in Jewish tradition are the pleas of barren women: the word for such prayers, *Yahannunim* comes from the roots of pleading – of assumed anticipation to which there is no response.

in which the woman is a controlled possession and an owned asset – includes neither equal rights, partnership in rights and duties, nor equal responsibility for results. The woman is measured first and foremost in connection with fertility and barrenness, in which she is subject to the will of God. But not only is she subject to Divine order and to the forces of nature, she is also considered subordinate to her husband and meant to serve him, willingly or unwillingly, in all areas of her life, as was ruled by the greatest Jewish thinker of the Middle Ages: "Because any woman who does not perform any of the tasks which she is obligated to perform, must be forced, even with a whip, until she does it" (Maimonides, *Marital Law* 21). Or, in the words of David Ahudraham, who wrote a popular commentary on the prayers: "That the woman is subjugated to her husband to perform his needs" (*Commentary on the Prayers*, p. 25).⁷ She is relegated to the private domain, to sexual relations within the framework of marriage, intended for reproduction, to serving the members of the family doing housework which is imposed on her by force, to enslavement to the endless needs of the family and bringing up children; the public domain, which involves choice of movement, freedom of thought and expression, equal rights, access to knowledge, authority, power, influence, and status is absolutely forbidden to her.

A woman who tried to deviate from this division of tasks, to escape the subjugation to nature and to the social order forced on her, and to enjoy freedom in intellectual life, taking part in the masculine discourse of study, knowledge, and authority by dint of her talents, her wisdom, her independence, and her erudition – was considered a threat to the public domain. She was humiliated, pushed aside, and forced into transgression by the scholars in the study hall, until her only option was to commit suicide, as we clearly learn from the tragic story of Beruriah the wife of R. Meir, which is a morality tale about the fate of women who try to deviate from the accepted order (Pesahim 62b; Rashi, *Avodah Zarah* 18a).

Another way to escape the bonds of subjugation was madness, as we learn from the stories of the dybbuk (demonic possession), and from the Hassidic tale about the bitter fate of the "Maid of Ludmir," the woman who refused to marry, was blessed

7 In the Kuran, in the Sura Women, it specifically says: "Men are the managers of the affairs of women, for that God has preferred in bounty one of them over another," (verse 38) and therefore they reserve the right to divorce women against their will. Islam adopted Jewish law in the matter of divorcing a barren wife; compare the words of Ariella Deem about its cruel implementation in the modern world: "In 1950, as we know, the Shah of Iran divorced his wife Queen Soraya. He divorced her because she didn't bear him children, because as it has been said, women's only purpose is to have children, or in the words of the encyclopedia for the entry *al-zana* [a barren woman]: A woman who does not give birth [...], because something has been uprooted [from the same root as *akara*] from her." And if the Shah of Iran, in the year nineteen hundred and fifty eight, could divorce Soraya because she couldn't bear children – he was behaving towards her in accordance with her worth as a barren woman" (*This Time* [Hebrew], Jerusalem, 1986, p. 23).

with prophecy, and wanted to lead the community as a *Zaddik*.⁹ In this spirit of denial of sovereignty, independence, and freedom of movement to women, and prevention of any access to wisdom, authority, and knowledge, the Sages maintained that the Queen of Sheba, presented in Scripture as a wise, independent, and resourceful woman, who enjoyed freedom and dared to pose riddles to the wisest of all men and to challenge his wisdom – was in reality only a man in woman's clothing!

Distancing women from the public domain was strengthened and established for future generations because of the halakhic stand which forbade women access to study, knowledge, authority, teaching, lawmaking, leadership, and to the sacred. Women's inferiority and marginal status resulted, not only because of their subjection to the cycle of fertility and to the pains of pregnancy and birth, to forced servitude, and to the yoke of ownership, but by the very fact that they were kept away from the central value in the world of Judaism – from the study of Torah and participation in the world of Talmud and halakha, from halakhic decision-making, from the rabbinate and communal leadership, all of which depended on study. Delimiting the place of woman to the home and family, and exempting her from all time-related commandments (a woman is exempt from all the positive time-related commandments, but one who is released from commandments doesn't enjoy rights), combined with her ignorance of the Holy Tongue and of religious concepts – to which women were sentenced by dint of the popular aphorism: "Women are frivolous" and other incisive sayings, such as: "One who teaches his daughter Torah – it's as if he were teaching her foolishness," "It is better to burn the words of Torah than to hand them down to women," and "A woman cannot sit in judgment nor testify" – prevented women from taking part in public religious activities, in the *minyan* (quorum) for prayer, in the synagogue, the study house, the *yeshiva*, and the court of law.

Keeping the woman ("the impure one") away from the place of public activity, which is reserved for men ("the pure ones") only, because "a menstruating woman is not allowed to pray and to enter the synagogue" (Bereita of the tractate *Nida* 3:17) and confining her behind the women's section at the margins of the public space, clearly proves that she is not needed for the observance of religious practices in the synagogue. Most of the commandments can be observed without her and her contaminating and dangerous presence, which involves menstrual blood and death.

9. For more about the social and legal significance of the subjugation and beating of women in the Jewish world see: Avraham Grossman, "Violence against Women in Jewish Mediterranean Communities in the Middle Ages" (Hebrew), in: Yael Auzmori (ed.), *Window to the World of Jewish Women*, Jerusalem 1995, pp. 183-238. For more about the Maid of Ludmir see: Ada Rapoport-Albert, "On Women in Hasidism: S.A. Hutwiesky and 'The Maid of Ludmir Tradition,'" in: Ada Rapoport-Albert and S. Zipporstein (eds.), *Jewish History. Essays in Honour of Chimen Abramsky*, London, 1988, pp. 495-525.

The silencing of woman was complete. As we know, to this day in the Orthodox world a woman cannot participate in study in a yeshiva or a Bet Midrash, and in a court of law conducted according to religious law she is not allowed to testify or to hold any legal or public position, because she is a menstruating woman, a sexual object, impure, or likely to arouse lustful instincts, or because in her impurity she endangers the purity of the sacred.

All participation in public religious activity in the world of *halakha* is completely denied to women, and they are also prevented from taking part in most of the sacred activities which take place in the home, from saying *kiddush* and the blessing over bread, to the wearing of a tallit (prayer shawl) and *tefillin* (phylacteries) and the conducting of ritual customs connected to the life cycle. This is so despite the fact that the woman, the homemaker, is considered the pillar of the family, and within her home is the object of love, appreciation, and respect. The expression ‘A woman’s voice is sexually arousing’ – which connects the prohibition against a woman speaking in public, in the realm of culture and of sanctity with her alluring sexuality, in which there is a hidden danger that is connected to the voice of uncontrollable nature, to sex, and to lustful instincts (which cause the ruling males to lose control of their body and spirit . . .) – contributed to the silencing of women in any public arena and to the prohibition against their voice being heard in any public discourse. In addition, it caused their remaining silent in the entire range of sacred activity which is based on voice and on speech: singing, recitation, reading, study, commentary, preaching, and conversation in the public domain. All the basic components of Jewish identity that are connected to sacred activities in the public domain were limited to men alone, and every public voice related to study and prayer, commentary on texts, religious decision-making, and sitting in judgment, was altogether denied and prohibited to women because, as we have seen, ‘A woman’s voice is sexually arousing.’

The silent nature of the woman, whose public voice has been taken away, the view that the woman is ‘still life’; her spiritual unsuitability which is a product of her very place in the domain of language-less, unrestrained, and contaminating nature, nature which threatens, bursts out, tempts and repels; her one-dimensional corporeality; and her subjection and her humble status in the Jewish world, are all apparent in the spheres of life which were forbidden to her. A woman is not allowed to enter the synagogue, the masculine public domain, and is sent far off to the women’s section, where she cannot be seen or heard. She is not present in the study hall, and she is disqualified as a witness, like a deaf person, a fool, and a minor. She is not allowed to sit in judgment, she is not allowed to create law or to interpret it, she cannot serve in any public religious capacity, and is not allowed to serve as a teacher, judge, rabbi,

religious authority, community leader, participant in public discussion, or decisor. In the language of symbols the illiterate powerless woman was described in Jewish myth as a "pretty maiden who has no eyes" (Zohar, 111, p. 93). As we know, these attitudes are still found among broad sectors of Orthodox society and in traditional Jewish and Moslem society. Many people still hold these views and forbid women to be heard in public and prevent them from access to *halakhic* knowledge, and hence from interpreting or creating law, from sitting in judgment, from being rabbis, religious judges, and teachers, from deciding in matters of *halakha*, from serving as prayer leaders and cantors, religious judges or scribes, from reciting blessings in public, writing *halakha*, or being members of a prayer quorum, and so forth. In other words, they are prevented from serving in any meaningful position in the sphere of the sacred and the cultural, in the spiritual and creative sphere, in any position in which it is possible to hear and to be heard among an adult, attentive, influential audience, which has the power to make fateful decisions.

Moreover, women are prevented from holding any position of authority which confers public status, any position which enables its holder to be heard in the public domain, any position connected with reading and writing, knowledge, and freedom of thought and expression. These positions were, and still are, reserved to the scholar, who is always a man, and of course only he enjoys the spiritual, material, social, and legal rights and privileges which are inherent in these prestigious positions.

Sometimes it seems that almost the only voice which Jewish tradition allows to women is the sound of bitter weeping, because the man is the *ikar* (the main thing) and the woman is *akara* (barren); he is the *maskil* (intellectual) and she the *shakula* (bereaved); he is the divorcer and she the divorced; he is the ruler and she the one who bears children in pain; he can father children by other women (note the polygamy of the biblical patriarchs) and she remains barren or divorced. The figures of women like Sarah and Rachel, Rebecca and Hannah, Michal the daughter of Saul, and the wife of Manoakh, who were all barren; or bereaved mothers, like Eve, whose son Abel was murdered, like the Shunamite, whose son died, or like Beruriah, whose two sons died, or like Hannah who mourns the death of her seven sons; or those who died in childbirth, like Rachel; or those thrown out without being shown gratitude, as Hagar was expelled by Abraham; or murdered by her father, as was Jephtah's daughter, who goes to cry in the hills; or is sent outside by her father for the purpose of rape and torture, as were the daughters of Lot, who were offered to the men of Sodom; or burned by her father-in-law, like Tamar, whom Judah wanted to put to death because she committed adultery; or one who was terrified to death when her son was bound as a sacrifice, like Sarah; or raped by her brother, like Tamar the sister of Amnon; or

raped by Shechem, who wanted to buy her as his wife, like Dinah – all these women reflect the various dimensions of the tragedy underlying the fate of women and its interpretation in the patriarchal order, which grants sovereignty, acquisition, and domination to the male, and imposes on the woman every type of servitude. The voice of Rachel who mourns her sons and lifts her voice in bitter moaning, mentioned by Jeremiah; the voice of the Daughter of Zion in the Book of Lamentations, who mourns the babes slaughtered in the Destruction of the Temple; the voice of Hagar who begs for the life of her child who is dying of thirst, and says: "Let me not witness the death of the child"; and the voices of barren mothers who lift their voices in pleading to the God who desires the prayers of barren women⁹ – these testify to the one despairing voice, almost the only voice, which remains to women in Jewish tradition and in written memory.

Translated by Rachel's Avital

⁹ The physical expression of this view – which turns the woman in a spectator who does not take part in the sacred ceremonies – is evident in the structure of the women's section of the synagogue, where she is fenced in at the far end of the synagogue, silent and prevented from taking part in the public domain, she is neither seen nor heard. We should take a closer look at the sanctified space as an expression of the lack of public recognition of the value of women's worship, following Joan Wallach Scott, who pointed out that gender is not related only to social and cultural differences between the sexes, but it also serves as "the main means of presenting the balance of power between them." J. W. Scott, *Gender and the Politics of History*, New York 1969, p. 42.