

Introduction

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For thousands of years, from ancient times until the 20th century, written Jewish culture was created exclusively by men. They were its creators, its students, its interpreters and its teachers – as clearly witnessed by the fact that the Hebrew terms “*tana*” (scholar of the mishnaic period), “*hakham*” (sage/rabbi), “*rav*” (rabbi), “*posek*” (halakhic authority), “*dayan*” (rabbinical court judge), “*moreh halakhah*” (rabbi/halakhic authority) have no equivalent in the feminine; and as evidenced by the fact that there is not one book in the Hebrew language, written, edited or published by a woman within the confines of the traditional world. The situation in the contemporary religious world – whereby women are barred from the *yeshiva*, the study hall and the *kolel* (*yeshivah* for married men), and have little or no voice in the rabbinical court, the synagogue, or in public affairs – clearly reflects the disparity between the sexes in the past and in the present. Torah study, the central value in the Jewish world, was the exclusive province of men; and *Halakhah* and other writings in the traditional world – which reflect the male perspective – have no female equivalent.

In the millennia-old literary tradition of the “People of the Book,” not a single book written by a woman, or reflecting a woman’s point of view, appeared before the late 19th to early 20th century. This silence is no coincidence. It is the product of a

complex reality in which differences of destiny, rights and status, as well as the extent of sovereignty, freedom and equality, were all extrapolated from biological differences. This reality forced all women into a patriarchal order, in which they were denied sovereignty – as their fathers' and husbands' possessions, and confined as they were to the realm of home and family and barred from all public activity.

By excluding women from public life, this approach has prevented them from taking part in study, culture and creativity, leadership and law, since all of these things require freedom of movement, independence and sovereignty, education and a place in the public domain. The boundary between within and without, the private and the public domains, subjugation and sovereignty, was also the boundary between silence and anonymity on the one hand, and a voice – the power of the spoken and the written word – on the other. Subjugating and excluding patriarchy was an integral part of many cultures, and determined the fate of most women throughout history, although each culture explained and justified it in keeping with its own values, and rooted in its holy scriptures. For eons, the fate of women was characterized by discrimination, exclusion and forced silence – until the 20th century brought change in the status of women, and recognition of their right to equality, sovereignty and education.

These rights often clash with various traditional approaches, fostering discussion of such subjects as women's study, the status of women, women in traditional texts, and changes in consciousness and *Halakhab* – in light of the past. The mores of the past, created within the patriarchal religious world, affect the status of women in all communities. Discourse between the various communities – conducted from a variety of viewpoints, and addressing common issues, a new consciousness and the fostering of dialogue – serves to build new bridges between the past and the present.

Modern liberal society – founded upon principles of freedom; equal rights; the amendment of laws and government, on the basis of considered criticism; pluralism; and inherent human dignity – has presented alternatives to the traditional patriarchal order, promoting equal rights between the sexes in legislation, education and equal access to sources of authority and knowledge. It has also created new opportunities for participation in culture, law, science and the arts, unknown before the 20th century. At the same time however, the stamp of patriarchalism still remains in many areas: from the Hebrew language, which expresses relationships between men and women in terms of ownership; through the personal status laws, based upon a religious legal system that fails to recognize equality between the sexes, and religious ritual performed entirely by men; to entire academic and professional fields still closed to women, for various reasons. Relations between the sexes entail dialogue between sacred tradition and democratic culture, and concern many different issues in the realm of authority and change, balance of power, ownership and sovereignty, ideology and family, law and education, modesty and exclusion, the authority of single-gender leadership, and many other questions pertaining to the foundations of the social order and relations between men and women.

The conference on “Men and Women: Gender, Judaism and Democracy,” held in July 1998, was devoted to the changing meanings of gender reality within Israeli culture. Contemporary society as a whole is heir to the patriarchal order – *nolens volens* – since a considerable part of language, culture, law and custom preserve this order. Patriarchalism is rooted in the traditional world which, for a large proportion of the Israeli public is sacrosanct and its values timeless, while others claim it requires re-evaluation and adaptation to the changing times. Various approaches and voices can be heard on the subject: Some wish to maintain the patriarchal order as is, perpetuating male prerogative and female inferiority,

based on the claim that essential differences warrant different rights; others demand segregation between men and women in various areas of religious and secular life, establishing a separate system of rights and obligations for each; and yet others believe that the components of the traditional order should be re-examined, in light of humanistic thought and egalitarian criticism – advocating equal rights for all.

Like any historical phenomenon, the traditional world – which derives its authority from the past, and legitimacy from *Halakhah* and custom – does not stand in one place, isolated from its environment. It evolves over time, relating to continuity and change, the force of *Halakhah*, new ideas, and the surrounding consciousness and reality. Nor does the modern world hold a single position and a fixed set of values, but rather changes constantly in its relationship with the past, from which it derives language, culture and tradition; and in its relationship with the present, which it fashions through the power of changing experience and new ideas that constantly raise the issue of real versus ideal, precedent versus innovation and criticism.

The aim of this collection is to approach, from the perspective of gender: the complex interaction between shared and distinct values within the mesh of Judaism and democracy; between sacred traditional values and contemporary values; and between prevailing norms rooted in the past, and changing consciousness.

At the heart of the discussion, lie relations between men and women – founded upon religious law, traditional reality and secular criticism, ancient custom and changing reality, modern law and humanistic standards, equal rights and differences in status and destiny, dominant and silent voices in the past and present. The contributors, both men and women, differ from one another in their lifestyles and in their level of commitment to respective cultural, religious and legal values, but all take part in the renewed reading of changing reality in religious and secular society, and in

examining relations between society's component parts and the sources of its identity and identification.

The legacies of the past are examined from different perspectives. There are those who take a critical approach toward *Halakhab*, and those who seek to deconstruct male cultural language, reconstructing it to express the "new" women's experience, alongside the "old," dominant male voice. There are those who strive to penetrate the various historical strata, in order to rescue lost voices and shed light on marginalized alternatives, while others seek to gain feminine insight into the traditional texts, releasing them from exclusive male control. Among those who return to the past and its precedents, re-examining the different voices it comprises, and among the commentators and critics, scholars and readers – some favor appropriating tradition and adopting the male cultural language, while others aspire to create a new female language, alongside the prevailing traditional male language, offering alternative concepts in the fields of social values and legal interpretation. The many voices present in this collection clearly demonstrate the existence of a new dialogue, re-examining the past, as well as shaping the present and the future.

The conference aroused a great deal of interest. The atmosphere in many of the sessions was intense, at times even tension-filled and impassioned – reflecting the feeling shared by all participants, men and women alike, that they were taking part in a decisive moment of change. The status of women in Israel, in the traditional and modern worlds, is an emotionally charged subject, presently at a number of crossroads. Consequently, the various approaches reflect frustration, criticism, expectations of change of consciousness, doubts, and debates, as well as hopes. The various lectures and points of view presented, made it eminently clear that gender-related questions pertaining to Judaism and democracy lie at the heart of discourse within the different communities – some committed to *Halakhab*, and some espousing other value systems,

stressing equality and partnership, humanism and feminism, to which few are indifferent, and regarding which many wish to voice their opinion. Following the conference, a discussion group was established, to address the issue of dialogue between men and women in the traditional world and in modern society. The group continued to pursue careful analysis of the various topics raised during the conference.

The participants, both men and women, from a variety of fields, maintaining different beliefs and lifestyles, are all part of the ongoing dialogue between tradition and progress and between Judaism and democracy, conducted under the auspices of The Framework for Contemporary Jewish Thought and Identity at the Van Leer Jerusalem Institute.

The collection comprises eleven articles, in four different areas: The Law: Patriarchy and Equality; Past and Present: History and Culture from a Gender Perspective; Socio-Religious Encounter in the Past; The Educational Process from a Gender Perspective.

The Law: Patriarchy and Equality

Pinhas Shifman examines the family status of women from the perspective of the Israeli legal system, which is marked by a duality between religious-halakhic law in matters of marriage and divorce, and secular-civil law in matters of child-support, custody and property. This duality is further enhanced by the patriarchal world view espoused by *Halakbah*, in contrast to equality-oriented civil law. The author raises the issue of a rabbinical court system that ignores the prevailing reality, which has internalized values of partnership and equality in marriage; and takes a look at the predilection toward patriarchal values that reinforce the traditional family structure.

Orit Kamir discusses the legal meaning of human dignity, a new concept in Israeli legal parlance, created as a result of the refusal by religious and *haredi* factions in the Knesset to afford constitutional status to the value of equality. According to Israeli law, women are not entitled to equality in their family lives, since they are subject to religious law, which does not recognize this value. The legal status afforded to human dignity helps to improve the status of women in places where attempts to rely on the value of equality have encountered difficulties. The article examines the change that has taken place over the past two decades regarding the legal and social meaning of women's dignity and its changing application.

Susan Weiss addresses the injustice and inequality between men and women, stemming from the laws of marriage and divorce, which are based on biblical law and its halakhic interpretation. The author points out the fact that according to Israeli law, the personal status of married women is entirely at their husbands' discretion, since a woman does not have the right to divorce without her husband's consent. The husband's right to divorce his wife, however, is not dependent upon her consent. The article calls for a new interpretation of *Halakhab*, based on a commitment to correct this injustice.

Deborah Weissman reviews the positions taken by Rabbi Kook and Rabbi Uziel on the issue of women's suffrage, and looks into the halakhic ramifications concerning women's political activity today. A woman's right to vote and be elected to various institutions is one of the central issues of gender, religion and democracy. A look at halakhic positions associating modesty and violation of traditional values with the prohibition against women taking part in public life, sheds light on the entire issue of the status of women in the public domain. The author presents two opposing positions and their halakhic and social background, in an attempt to re-

examine the concept of “public dignity” today. Women are denied the right to vote and be elected to various public institutions in both the religious and secular world.

Past and Present: History and Culture from a Gender Perspective

Rachel Elior discusses the social and cultural significance of the exclusion of women from institutions of learning, jurisprudence and leadership in the traditional world. Exclusion from the public arena, rooted in written law and detailed in hallowed literary tradition, prevented women from taking part in shaping the norms that governed their lives and made them inferior in status, devoid of sovereignty, and subjugated to male authority. This limited existence, the essence of which is subjection to male ownership in connection with childbearing and service, is reflected in the fact that not a single book in the Hebrew language was written, edited or published by a woman in the traditional world, until the 20th century. The article deals with the foundations of the patriarchal order, based on inequality between members of different groups, examining the religious language in which it is rooted and the cultural tradition that derives from it.

Lea Shakdiel explains the connection between Jewish feminism and *tikkun ha-olam* (“repairing the world”), demanding that the female half of the population be given equal opportunity to participate in the struggle to fulfill the liberal-humanist vision – characterized by socio-ethical protest, striving for a more just society, and treating weaker groups justly and kindly. The author discusses feminism of gender difference, based on the equal value assigned to different roles and unique cultural contributions. Shakdiel associates this position with *tikkun ha-olam* inspired by a feminist

approach, advocating morality of compassion and ethos of cooperation, and expanding the “the world” to be repaired, by adding feminist goals to the repertoire of traditional “*tikkun*.”

Chana Safrai addresses the tension that exists within a society that internalizes the egalitarian democratic principle, yet see itself as part of an opposing religious framework that excludes women. This duality is characteristic of both religious-Zionist and secular society – which is bound to religious institutions. Safrai evaluates the legitimacy of full participation by women in prayer, based on the halakhic framework, which includes various options. The discussion focuses on currently accepted exclusion of women – which has ceased to be accepted in terms of western values – in light of the alternatives that appear upon closer examination of the historical development of *Halakhab*.

Socio-Religious Encounter in the Past

Tova Cohen examines the first conscious attempt by women to cross the high gender barrier between women and the Hebrew language in traditional society, which forced women to live in ignorance of the canonical texts and the language of high culture. This attempt to effect change in the cultural status of Jewish women should be seen in light of the prevailing view that intellectual activities were the exclusive province of men. A small number of women, who obtained a Hebrew education in the second half of the 19th century and saw themselves as part of the *Haskalah* movement, marked the beginning of change in the place of women in the new Hebrew cultural world. This change, characterized by familiarity with the Hebrew language, grammar and traditional texts – and their personal appropriation – was the beginning of Hebrew women’s writing, and modern women’s Jewish scholarship.

Naftali Rothenberg takes a look at the reaction in male Jewish writings to discrimination against women, and their exclusion in public and private life. He asks whether these works reflect agreement and compliance with the gender reality of the writers' times, or perhaps a desire to challenge and change. The author perceives challenge and change in three areas: in halakhic criticism of polygamous norms and the establishment of monogamy as a counter-ideal; in emphasizing love and relations between the sexes as an expression of perfection, and reciprocity as a counterweight to discrimination-based hierarchy; and in the development of gender theology in kabbalistic literature, offering a female element alongside the male, in its perceptions of the soul and divinity.

The Educational Process from a Gender Perspective

Bilha Admanit addresses relations between men and women in terms of majority and minority, regarding the quality and concentration of power. Admanit claims that members of minority groups build self and group identity through interaction with the majority identity, seeking to build significant identification with the group. The discussion focuses on three ways in which a minority may act vis-à-vis the majority: rejecting majority norms, and setting itself apart; eliminating its unique character, and attempting to assimilate; and developing that which is unique, making it a part of the accepted norm, striving to achieve equality and legitimate participation in the social process. The challenge to education lies in fostering dialogue in which there is equality of value even without equality of identity, in the spirit of the third option, and in developing a different voice.

Chana Kehat discusses feminism within Orthodoxy, noting four types of women's behavior: sacrifice for the sake of male spiritual fulfillment – the prevailing model in *haredi* and national-*haredi* circles; women's scholarship in Modern Orthodox circles; militant feminism, prevalent in American Modern Orthodoxy; and female existence without voice or status – common in circles where the traditional patriarchal order prevails. The article compares the guiding principles of the different groups, and discusses differences in the development of feminist consciousness in various circles in Israel and in the Diaspora, and the accompanying differences in religious commitment. The various groups have different study and education patterns, affecting their respective approaches to male hegemony, and new demands concerning participation in ritual, rabbinical leadership and communal responsibility.

This collection is not a sealed scholarly work, presenting final research conclusions, but rather a many-voiced discourse seeking to present different viewpoints on the relationship between ideal and reality in a changing world, its roots, values, customs and parameters, in the context of gender. Some of the participants have striven to effect change, some have focused on the factual presentation of a certain topic, and some have expressed their feelings on the gap between ideal and reality. Some of the authors have chosen to adopt a subjective position, since they themselves are part of the society they wish to change, while maintaining its values and identifying with its essence in other areas. Others have taken an objective position, describing reality from a professional perspective, looking in from the outside and analyzing its complexity with critical empathy.

I would like to thank all of the members of the steering committee of The Framework for Contemporary Jewish Thought and Identity, who have participated in the ongoing dialogue between diverse points of view, and who have organized the conferences, designed to increase understanding of that which divides us, as well as that which unites us. I thank the Framework's directors, Professor Eliezer Schweid and Professor Naftali Rothenberg, and Van Leer Director Dr. Shimshon Zelniker. Special thanks to those who have worked throughout the year in organizing the conference, particularly Rabbi Chashi Freedman and Yona Ratzon, and to all who have taken part in pursuing the various avenues raised during the course of discussion. Thank you to Sara Soreni, in charge of editing and publishing *Ravgoni*, and to Felix Posen and the Posen Foundation, who have provided support for the translation and distribution of the collection. The Van Leer Jerusalem Institute, its administration and employees are a valuable resource in deepening inter-cultural dialogue in Israel, and in extending it in new directions. For that they have earned the gratitude of all who participated in the conference, as well as the readers of this printed version of its sessions.