

Orthodox Feminism and Feminist Orthodoxy

By *Rabbi Emanuel Feldman*

In a recent panel discussion about the Jewish feminist movement, a female Jewish academic, not observant but religiously sensitive, related that in her “egalitarian” congregation — a mixed *minyan* of men and women — she was told that if she learned to read the Hebrew from the *sefer Torah* for a certain *aliyah*, she would be called to the Torah and be invited to read aloud that portion. She practiced with a tutor for several months, and then was called to the Torah. She read her portion flawlessly. “It was a moment of supreme joy for me,” she said. “I felt religiously happy.” Turning to me, she added, “Why do the Orthodox deny such joy to their women?”

I quickly assured her that Orthodoxy is all in favor of joy. “But,” I added, “joy is not the overarching criterion of Jewish religious life. There are many *mitzvot* we perform — such as fasting on Yom Kippur — that do not necessarily give us joy, and yet they help us make contact with our Creator. It is fine that you were happy, but that is not the touchstone of serving God.”

I went on to suggest that one surely experiences a deep inner joy reaching out to God, but it is best not to confuse joy and religion, because, while in a profound sense, things that are deeply religious are deeply joyous, not everything that is joyous is religious.

She was unconvinced. From her standpoint, *halachah* would deprive her of the right to serve her Creator joyously. I tried to point out that certain *mitzvot* are gender-linked (mandatory *mikveh* immersion with a *brachah* for women but not men; *tefillin* for men but not women); certain others are status-linked (*Cohen*, but not *Levi*, *Levi* but not *Yisrael*, Jew but not non-Jew); others are time-linked (daytime and not nighttime); and that we may not at our own discretion cross over to perform *mitzvot* that are limited to one gender or one status, even if those crossovers make us happy.

But all this fell on deaf ears. Joy and personal fulfillment were the major criteria, and anything that

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would deny them was by definition insensitive, unequalitarian, patriarchal, and therefore wrong.

This exchange highlighted much that is problematic in today’s Jewish feminism, including the loose congeries of various women’s groups that describes itself as Orthodox feminism. This article will attempt to show that Orthodox feminism has not been entirely unaffected by the tensions and consequent attitudes within feminism in general. Along the way, we will examine some of the forces that exert powerful influences on Jewish life in general, and to whose subtle overtures women’s groups are not immune; and we will raise certain vexing issues that, unless they are recognized and addressed, have the potential of seriously undermining the halachic integrity of Orthodox feminism.

In so doing, the intent is not to be critical of women who seek a deeper attachment to the Creator. Every Jewish woman who views herself as part of the halachic community is a priceless asset to *Klal Yisrael*, all the more so when so many Jewish men and women have been lost to us through apathy, ignorance, assimilation and intermarriage. Learned, dedicated, and *mitzvah*-practicing women are the vital key to the future of *Am Yisrael*, and it is not to such women that these comments are directed. Rather, they are directed at certain perceived trends within the larger circles of Orthodox feminism.

The views of my academic acquaintance are endemic to contemporary times, and it would be surprising if they had no impact on contemporary Jewish movements across the board — even the Orthodox ones. Contemporary culture emphasizes the Me and not the You. The Me focuses attention on rights; the You focuses attention on obligations. That which makes the Me feel good is good; that which makes the Me feel not so good, is not so good.

When a society is based on Me-ness and on its corollary — “How much am I entitled to take?” — then it is reasonable and just that everyone should be able to take as much as possible. Since this is not feasible, society works out a system whereby

everyone has equal rights to take. That is, everyone has the same rights that I do, and I have the same rights as everyone else. The focus is on Me.

The Torah is not a bill of rights, but a bill of obligations — to God and to other people. In Torah, there is no right to property; rather, there is an obligation not to steal or damage someone else's property. Torah does not mention the right to be treated decently; it stresses that we must treat others decently. In Torah we have no right to life, liberty and the pursuit of happiness; instead, we have the obligation not to diminish someone else's life, liberty or happiness. Torah is not designed to make us feel good; rather, it is designed to teach us how not to make others feel bad.

Thus, it is not an accident that in Biblical or Mishnaic Hebrew one is hard pressed to find a term for the Western concept of "rights." There is a classical Hebrew word for "obligation": *chov*. (In an effort to translate the Western concept of "rights," modern Hebrew has coined the term *zechuyot* — but *zechuyot* derives from *zechut*, meaning "merit," not "rights.")

Obviously, the end result of Torah is that it helps us achieve a close relationship with God, which in turn infuses life with meaning, fulfillment and a deep inner satisfaction that can be called joy. But even if, theoretically, Torah were not to lead to meaning and purpose, even if it were to make us miserable, a Jew would still be obligated to live by it.

But when one peruses Orthodox feminist literature, or listens to its conference speakers and panelists, one still hears persistent voices that express religious yearnings in the accents of contemporary society. An *aliyah* to the Torah is fulfilling, as is wearing a *tallit*. Having a separate women's *tefillah* group is self-actualizing. A woman reading the wedding *ketubah*, the bride breaking the glass — all are significant because they presumably enhance the status of the woman.

The halachic legitimacy of these examples is not crucial to this discussion (though many of them are being actively promoted among Orthodox women's groups, as will be noted below). But a highly visible thread weaves its way through Orthodox feminism's halachic innovations, and the thread invariably bears the imprint of self-absorption: How can my needs and requirements be expressed, and my status and prestige enhanced? Not what doth the Lord require of me, but what do I require of the Lord?

While self-concern is natural and often healthful, it is clear that in the context of serving God, the

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spiritually healthful way stresses the You and not the Me. A preoccupation with, say, what worship does for me, or whether it makes me feel good, is in full harmony with contemporary culture. It reflects today's penchant for the narcissistic pulse-taking that affects us all: am-I-happy-today-am-I-feeling-good-about-myself-do-I-still-love-him/her?

Within the context of *avodat Hashem*, however, it strikes a discordant note. Concerns like "How do I feel about this *mitzvah*? Is *halachah* being fair to me?" unwittingly tend to transform the Torah into an instrument for self-gratification and a tool for satisfying one's needs and for making one feel good.

No less than Jews of any gender or any group, the Orthodox feminist's desire to achieve a spiritual relationship with the Creator can only be met by striving for the highest standards of religious devotion. A program that carries the residue of the old shibboleths of autonomy and self-hood is incongruous with such high standards. Pristine faith demands that the will of the self be subordinate to the will of God.

A recent issue of an Orthodox feminist newsletter provides a vivid case in point (JOFA Journal, 1:3, Summer, 1999). This particular eight-page issue is devoted to Jewish marriage. With one exception, every single article is focused on ways to rectify the perceived inequality of the bride and to right the "imbalance." We are told about making "her voice heard on a par with that of the *chatan*," the need to demonstrate that "Jewish women are a vibrant and essential part of the greater Jewish community," and that the traditional wedding ceremony "silenced women's voices and excluded the participation of other women." The feature entitled, "Thirteen Ways to Enrich Your Wedding," suggests that a woman translate the *sheva brachot* under the *chupah*, or read the *ketubah*, or hold the poles to the canopy, or "preside under the *chupah*."

One article does deal thoughtfully with the *agunah* issue and the role of prenuptial agreements. The lead article stresses the importance of marriage, but the presentation is marred by what has become *de rigueur* in today's overheated Jewish climate: the inevitable out-of-context citation from Rav Soloveitchik, *z"l* — in which he refers to the "equal rights of both parties concerned with the covenant" — as an implied justification for the suggested innovations.

Clearly, a sense of having suffered from inept and unfair treatment prompts such proposals. When a group feels that in the broader areas of religious life it is not regarded with the requisite dignity and

respect, pain and resentment are aroused. Such treatment is, of course, by no means universal, but even an occasional occurrence is inexcusable. Contemporary women, for good or ill, are not our grandmothers of old. They have contemporary sensibilities that need to be recognized and addressed. It should be possible, even within the framework of the strictest reading of halachic norms, to give women the sense that they are a vital and necessary part of Jewish religious life. This is not always conveyed effectively. To be sure, the lasting impress inadvertently made on some women that they are second-class Jews, disenfranchised and excluded from religious life, does not stem from the norms of Torah and *halachah* whose ways are ways of pleasantness; it stems, rather, from disregard of that "fifth" *Shulchan Aruch* that includes *sechel*, standards of *mentshlichkeit*, and old-fashioned sensitivity.

Nevertheless, the proper response to perceived wrongs does not lie in mounting an assault on the halachic ramparts. A deeply spiritual response is called for, one that would, for example, address the inchoate yearnings for closeness to God that apparently underlie the demands for activities like separate *minyanim* or dancing with the *sefer Torah*: how to approach God more closely, to serve the Creator with more fidelity. Instead, we read about ways to achieve parity with men. "Whatever can enhance equality," says the lead editorial of the above-mentioned newsletter, "should be instituted." Since this newsletter features several leading Orthodox feminist writers, it is fair to say that its tone is an accurate reflection of today's Orthodox feminist leadership.

One is in general hard-pressed to find Orthodox feminist studies and discourses that treat *halachah* as a means for reaching out to the Creator without the precondition that it must do something for the Me. To cite one notable example: In vain does one search Orthodox feminist literature or conclaves for an objective discussion of one crucial term: *tzniut*. This untranslatable word exemplifies another lexical void, this time a word that exists in Hebrew and has no English equivalent, for *tzniut* reflects a Weltanschauung that is foreign to contemporary society. To put it simply as "modesty" or to limit it only to sleeve lengths is to deprive it of texture and nuance. Orthodox feminists may cover their hair and wear modest clothing, but in the anxious rush to right perceived wrongs, that aspect of *tzniut* that transcends clothing but is concerned with matters

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Spiritual and intellectual *tzniut* is not for women only; it includes men. It calls for a certain attitude of mind that is cognate to humility. It shuns even the whiff of pride. It suggests a certain reticence and reverence towards classical elements of Judaism such as *halachah* — qualities not easily achieved by either gender. To demonstrate restraint, to be circumspect in attitude, to be guarded in language, to exercise discretion and not to seek to attract attention in dress, behavior or speech — this is classic *tzniut*. These are qualities not easily achieved by either gender in today's shrill and strident world.

A spiritually *tzanua* person will, for example, eschew the slogan-filled lexicon of a feminism that shoots from the hip at the Sages; a *tzanua* will refrain from discussing *halachah* in clichés that take the discredited paradigms of class struggle and apply them to gender; he or she will not discuss *halachah* in the tired slogans that echo the themes of male domination and redistribution of power and repression and hegemony and patriarchy and exclusion and control and oppression and victimization — for the *tzanua* will sense that the rhetoric of revolution is not only banal but is an incongruous intrusion into halachic discourse.

This is not to suggest that this alien vocabulary dominates the Orthodox feminist lexicon; it is to suggest that when it does occasionally surface, those who would employ the terminology should be sensitive to its origins in the past and to its destructive potential for the future.

It is indicative of how far Orthodox feminism tends to drift from these pristine concepts of *tzniut* that it is not uncommon to find within its discourse the astounding idea — accepted almost as a fact of halachic life — that *tzniut* is a rabbinic device whose purpose is to derogate women and keep them in their place. One rarely encounters a serious discussion by Orthodox feminists about the *kol kevudah bat melech penimah*, "the glory of the king's daughter is within" (Psalm 45), which is one of the underpinnings of classical *tzniut*. When an entire lecture was devoted to this verse at the International Conference on Feminism and Orthodoxy (February 1997), its use as a basis for *tzniut* was referred to as a "sound-byte" whose time had passed, and there was a call for newer sound-bytes. Apparently, the newer sound-bytes include terms like servitude, exploitation, deprivation and empowerment. It is unclear why those who seek objective truth would sweep a basic concept like

tzniut under the rug, there to be consigned to oblivion with other unsavory words.

And most puzzling: Surely Orthodox feminism does not deny that women have different roles from men, that they are different not only biologically but spiritually, and that as a consequence their approach to God is different. Somehow, however, Orthodox feminism presents an incoherent message in this area. It claims that women are not being given their due as full-fledged participants of the halachic community, and that, because they are women, they are being denied the opportunity to attain a state of closeness to their Creator. But instead of searching for ways by which women as women can effect this, Orthodox feminism proffers the concurrent claim that it is only in the emulation and adoption of male roles that women can find this closeness.

This is indeed wondrous strange, for what emerges is that a religious Jewish woman can serve her God only by being called to the Torah like a male, by being encircled by the groom at the *bedeken* just like the groom is encircled by the bride, by having an *aufruf* and reading the *haftorah* like a male, by celebrating "*shalom nekevot*" on Friday nights like a male, or by placing a *tallit* over the groom just like the groom places the veil over the bride.

Again, the halachic legitimacy of these "me-too" practices, most of which are advocated in the newsletter cited above, is not the issue here. Rather, it is the conscious mimicry of men. From one vantage point, such overt emulation of the male comes across as a serious denigration of women, for the inescapable message is that without these masculine accouterments a woman remains religiously inferior. It is hard to think of a more hurtful diminution of a bride than to advise her that the only form of self-respect available to her is to become a pseudo-groom.

Is it far-fetched to detect in this "groomification" of the bride a subliminal echo of the radical feminist assault on the fundamentals of male/female behavior that have been part of humanity since Creation? Has a whiff of some of these old notions unwittingly insinuated itself into the rhetoric of some Orthodox feminist circles? Perhaps it is a far-fetched analogy, but the thought does intrude — especially when it is recalled that radical feminism was in essence an attempt to remake the human past and to reconstitute the nature of men and women.

One also has the disconcerting sense that Orthodox feminists tend to push the halachic enve-

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lope very far. Somehow, their search engines seek out behaviors that, while not expressly forbidden, are invariably marginal. In a particularly striking example of the rush to the edges, a recently published book, "Jewish Legal Writings by Women," (edited by Halperin and Safrai,

Jerusalem, 1998, pp. 45-72 in the Hebrew section) contains a paper by a prominent Orthodox feminist that unconsciously resonates with the distant echo of the early radical feminist motto of "Who needs men?" In her paper, the author attempts to demonstrate halachically that, under certain circumstances, single Jewish women should be permitted to bear children through artificial insemination.

Such a discussion is rather poignant. It mirrors the reality of an Orthodox community where there are more single women than men, where many Orthodox single men are not ready to make life commitments, and where the Orthodox community has not addressed itself successfully to this issue.

Nevertheless, with all due awareness of the social realities that may impel it, the proposal reflects a mind-set in which things that are not explicitly forbidden are candidates for a seal of approval.

While this idea at least has the refreshing appeal of not miming masculinity, its destructive potential for the institutions of marriage and the Jewish family — over and above the issue of consciously creating fatherless children — should be self-evident. But an Orthodox feminism that does not want to appear judgmental apparently receives such proposals with equanimity.

An oddly shaped pattern emerges from all this. Orthodox feminism, despite its declared allegiance to the halachic process, gives the consistent impression that it has difficulty resisting both the anti-halachic winds that buffet it, and the anti-halachic models of contemporary society that tempt it.

Most confusing is the tableau of an halachically oriented group that seems to disregard classic halachic parameters in setting its priorities. *Halachah*, after all, is not a subjective matter reflecting the whims or prejudices of this or that *posek*. It contains its own objective methodology for arriving at halachic decisions. But it is difficult to reconcile a group's declared loyalty to a system of law with that same group's complaint that the system is male-dominated and therefore stacked against it. When universally recognized world-class *poskim* are by-passed for whatever reason — an assumption that they will not give women a fair

hearing, or that they are men who have no sympathy for women — the fundamentals of halachic discourse are undercut. When end runs are made around the halachic judicial system, and calls are heard for female *poskot* who will be more sympathetic to feminine causes, fealty to that system cannot be fairly claimed.

It is one thing to seek to redress perceived injustices against women. But it is quite another to view halachic history and its decisors from the times of the Talmud to the present as purveyors of female exploitation and of male empowerment.

The obvious — if naïve — question is: Orthodox feminists have certain serious halachic issues that require resolution. Do they discuss with universally recognized *poskim* their long-term priorities, or solicit their views about what practices are appropriate or inappropriate? It is important here to rise above the “my-*posek*-is-more-authentic-than-your-*posek*” syndrome. I refer to the towering, world-class figures in *halachah* who set the Jewish agenda, and about whose authority and eminence there is no disagreement. Until recently we had such *poskim* in Rav Moshe Feinstein, Rav Joseph B. Soloveitchik, Rav Shlomo Zalman Auerbach, Rav Shaul Yisraeli, *z”l*. We are bereft without them, but there are such figures today — Rav Yosef Eliashiv and his younger counterparts come to mind — who are rising to take their place and to become their spiritual heirs.

How is it that this integral element of the halachic process is consistently ignored? An intellectually honest search for Godliness must perforce involve the guidance of halachic specialists whose entire life span is devoted to full-time Jewish learning and service to *Klal Yisrael*. When such *poskim* are leapfrogged because of the pre-judgment that they will not listen, an essential element in *halachah* is overlooked. Of course it is more reassuring to allow the Orthodox feminist agenda to be approved by rabbis who are known in advance to be favorable, but this obviously devitalizes the objective nature of halachic decision-making. A wedding, for example, is an halachic event. But there is no evidence that any of the thirteen ways to enrich the wedding was ever submitted for adjudication to a world-class decisor — be he labeled centrist or rightist.

Thus it is that an observer finds Orthodox feminism to be internally conflicted. In its one hand it bears the exemplary desire of Jewish women to reach out for more connectedness to their Creator, and in its other hand it bears the deadening baggage of thinking and attitudes that stem from a world where God-connectedness has no currency.

This is not good for the Jews, because we desperately need the talents and insights of committed Jewish women. Who can quantify the positive results for the Jewish future if Jewish women were to use their considerable energies and talents in a focused assault on those issues which threaten to undermine our people, and in which the organized community of men has failed so badly: Jewish ignorance, runaway intermarriage, the breakdown of the Jewish family, and — most importantly — the disappearing disciplines and sliding boundaries of contemporary Jewish life?

This is where the future lies and where the action is — not in who breaks what glass in what context. It would be a pity if this generation of Orthodox women — well educated, dedicated and committed to halachic living — were to be sidetracked from the opportunities to enhance the Jewish future, and instead were to focus on ways that might give them status or gratification.

There is work to be done, a generation to be rescued. Placing a *tallit* on the groom’s head is clever and will achieve a certain notoriety, but so what? Outside the brightly lit wedding hall a generation is withering away, and precisely those women who have the ability to help are being urged to prove that they, too, can hold the poles to the *chupah* (suggestion #5 in “...Ways To Enrich Your Wedding”).

A delicate issue must be raised: If the halachic process is given little credence, and rabbinic authority is regularly being challenged or simply ignored, will Orthodox feminism remain a stream within Orthodox Judaism, or will it become the forerunner of a meandering tributary of non-Orthodox movements? They, too, began with efforts to save Judaism from what they called the halachic deep-freeze, made a powerful impact for a short while, but ultimately drained themselves as they eschewed classical halachic guidelines and fell under the thrall of contemporary intellectual fads. (It may or may not be significant, but a leading Orthodox feminist in Israel and a founder of the Israeli feminist network has followed her extreme views to their logical conclusion: She abandoned Orthodoxy and accepted the rectorship of the [Conservative] Schechter Institute in Jerusalem. And in what could be read as a further blurring of the lines, the religious feminist conference in Jerusalem this past July [which called itself “Kolech: the Religious Women’s Forum/Forum *Nashim Datioi*”] featured a strong Conservative presence, with four of the presenters listing this same Institute as their affiliation. The absence of the word “Orthodox” in the title and in the abstracts of the conference, as well as in the section discussing the

goals of the conference, is also worthy of note.)

In assessing its future direction, Orthodox feminism — which has not flinched from asking painful questions of the Orthodox community — would do well to ask a painful question of itself: Is sufficient heed being given to ideas like *avodat Hashem* and *kedushah* and *tzniut* and *mesorah* and *ahavat Hashem* and *yirat Hashem*, or are these being devalued by the dross of more stylish concepts like empowerment, self-realization and the other rhetorical shards of the politics of resentment? A Jewish movement, after all, can preserve its integrity and become historically effective only when it is able to identify and fend off the subtle incursions of the dominant culture. This kind of serious self-assessment would sensitize Jewish women to these incursions that hover over all of us, Jewish women and men. More specifically, it could persuade Orthodox feminists to be more alert to the influences of feminist orthodoxy.

Afterword

Every sensitive Jew and Jewess strives constantly for enhanced spirituality. But the Jewish spiritual tradition itself teaches that only within the parameters of halachic practice can true spirituality be realized. Amorphous spiritual hunger, unframed by *halachah*, leads nowhere.

Each Jew and Jewess is bidden to walk towards God in his or her own way, at his or her own pace, across an halachic bridge that is clearly marked with guardrails and directions. The bridges are not identical. Adjacent bridges may seem more inviting or may seem to offer faster or more secure passage, but this is an illusion. *Cohen*, *Levi*, *Yisrael*, male, female — each crosses a unique bridge that is prepared for him or her alone. The *Cohen* who jumps to the bridge of the *Levi* will only delay his passage, and vice versa. For every single bridge, as long as it is traversed in faith, in love and in discipline, leads inexorably to the other side — the side of the Other — where God waits patiently. 