

Yoatzot Halachah: Fortifying Tradition Through Innovation

By Chana Henkin

When my husband and I moved to Bet Shean 26 years ago, I discovered that an average of six women per night used the local *mikveh* — a startlingly low figure given the traditional orientation of the mostly Moroccan population of 13,000. I decided to act on three levels. I gave the members of the Religious Council no peace until the *mikveh* supervisor, an ignorant and disagreeable woman, was transferred to another line of work. I raised a modest sum of money to renovate the *mikveh* and add some touches of luxury. Finally, I persuaded two prominent women to join me, and for several years, we met with young mothers twice a week through the municipal kindergartens to educate them about the laws of *mikveh*. Based upon *mikveh* receipts which we counted numerous times, use of the local *mikveh* rose from six women a night to twenty-six.

I recently took a second, highly public action on behalf of *taharat hamishpachah*, Jewish family purity, with the enthusiastic backing of prominent rabbis in Israel's Religious Zionist community. This past Chol Hamoed Sukkot, Nishmat graduated the world's first women halachic consultants [Yoatzot Halachah]. Eight women completed the first two-year course qualifying them to serve as halachic consultants to women, and 16 have begun the second class. The program combines more than 1,000 hours of the classic rabbinic curriculum of *hilchot niddah* (*Gemara, Rishonim, Tur/Beit Yosef, Shulchan Aruch* and *Nosei Kelim* through contemporary responsa) with supplementary training in women's medicine (gynecology, fertility and reproductive technology, sexuality, prenatal testing, etc.) and psychology. Written examinations were administered regularly, culminating in comprehensive, four-hour oral examinations by a board of *bochanim* [testers], all prominent halachic authorities and heads of *kollelim*.

The eight women were selected for our first class

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from among 40 applicants by a committee of four rabbis and myself. We looked for sincere religious commitment, Talmudic scholarship and leadership qualities. The average academic level of our fellows was midway between M.A. and Ph.D. One woman was a young pediatrician who had taught a *Daf Yomi* class as a medical student at Albert Einstein. Another woman teaches in the Talmud department at Bar Ilan University. All of the women were not merely devoted to *taharat hamishpachah*, but actively engaged in teaching others.

What prompted me to take this action? Years of work in *taharat hamishpachah* and communal leadership made me aware that many observant women will simply not consult a rabbi with an intimate question. In some cases, the husband asks on behalf of his wife. In most cases, the question is not asked at all. I have been informed even by rabbis' wives, both in Israel and in the United States, that they themselves would never bring an undergarment to a rabbinical expert with a question. Rabbis likewise have spoken to me of the paucity of *hilchot niddah* questions asked of them. All too many women decide the issues for themselves — some stringently, others leniently. Needless to say, unnecessary stringency at the expense of marital harmony, or unwarranted leniency not in accordance with *halachah*, are both terribly wrong.

What happens to a woman trying to conceive who is told by her gynecologist that her conception date falls before her *tevillah* [immersion] date? What happens to a woman in her 40s who stains repeatedly in mid-cycle and is too self-conscious to consult a rabbi? What happens when a woman wants to know whether her problem is typical and what others do about it? Until now, the answer for most women has been, bite your lip and suffer, or be lax about the *halachah*.

Dignified observance requires that a woman feel comfortable about the consultation, and that the *halachah* be explained patiently, clearly, competently and in detail — a procedure with which most women and, in fact, many rabbis, are not at ease because of their ingrained sense of modesty. Meticulous observance requires that a woman relate precisely what occurred. Many women have told me that when consulting a rabbi on these issues, their primary goal is to tell the minimum and try to exit as

quickly as possible in order to end the embarrassing exchange. The cause of a proper ruling is better served by a comfortable consultation with a learned woman, who can then bring the question to a higher authority when necessary. My husband has pointed out, based on *Yoreh Deah* 242:11, that enabling such consultation by a woman with a woman often falls under the category of *l'afrushei m'isura*, preventing mistaken violations of *halachah*, which takes precedence over other considerations.

Our *Yoatzot Halachah* are not replacing rabbis nor do they aspire to be rabbis. They can, however, determine which questions require a ruling by a qualified *posek*. Halachically conversant, they are capable of dealing with unanticipated and highly specialized situations, conducting serious consultations with rabbis and winning their respect. This is already occurring in every community in Israel where our halachic consultants live. I am gratified, but not surprised, that all our graduates have displayed sensitivity toward the authority of local rabbis, in addition to establishing working relationships with select rabbis who deal with highly specialized questions.

The assumption that a learned woman will attempt to flex her Talmudic muscles and rule on her own, instead of turning to a higher authority when warranted, could not be more mistaken. Our graduates have told me that the more they learn, the more they appreciate the richness of the tapestry of the *halachah* and its vast complexity, and the necessity to consult *poskim*.

Word of mouth has already carried the news of our

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graduates' availability to scores of women who have begun to consult them on a range of issues. The women coming for consultation are primarily well-educated, modern, Orthodox women; and *Chareidi* women have come as well. Some rabbis have begun referring women to our graduates.

Women halachic consultants are an evolution, not a revolution. The phenomenon has emerged within the halachic community, and, in fact, its emergence demonstrates the vitality of *halachah* and the halachic community. The problem of women's discomfort with bringing highly personal questions to a rabbi is not a new problem, but the solution is a breathtakingly new solution, made possible by the emergence within the last five years of a dazzling new resource in *Klal Yisrael* of Talmudically-learned women.

The debate about restricting access to Torah knowledge versus opening the gates is an old one. Rav Kook comments (*Ein Ayah*, vol. 1, *Brachot* 28a) that Rabban Gamliel, in insisting that only a student who was thoroughly worthy could enter the *beit midrash*, was basically pessimistic about human nature. He assumed knowledge would be abused by all but a select few. Rabbi Eliezer ben Azaria and the rabbis who opened the gates and added hundreds of benches to the *beit midrash*, on the other hand, were optimists who believed the force of learning Torah would lead students to grow in Torah and contribute to Jewish life. The emergence of women halachic consultants validates the faith of those who opened the gates of learning to them. It is testimony to the vitality of Torah and the devotion of the best of our women to our Torah future. **IA**