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Gender issues in Jewish law

Jacob, Walter

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Ordination of Women

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Ordination of Women

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Jacob Z. Lauterbach

The very raising of this question is due, no doubt, to the great changes in the general position of women, brought about during the last half century or so. Women have been admitted to other professions, formerly practiced by men only, and have proven themselves successful as regards personal achievement as well as raising the standards or furthering the interests of the professions. Hence the question suggested itself, why not admit women also to the rabbinical profession?

The question resolves itself into the following two parts: first, the attitude of traditional Judaism on this point, and second, whether Reform Judaism should follow tradition in this regard. At the outset it should be stated that from the point of view of traditional Judaism there is an important distinction between the rabbinate and the other professions in regard to the admission of women. In the case of the other professions there is nothing inherent in their teachings or principles which might limit their practice to men exclusively. In the case of the rabbinate, on the other hand, there are, as will soon be shown, definite teachings and principles in traditional Judaism, of which the rabbinate in the exponent, which demand that its official representatives and functionaries be men only. To admit women to the rabbinate is, therefore, not merely a question of liberalism; it is contrary to the very spirit of traditional Judaism which the rabbinate seeks to uphold and preserve.

It should be stated further, that these traditional principles debarring women from the rabbinate were not formulated in an illiberal spirit by the Rabbis of old or out of a lack of appreciation of women's talents and endowments. Indeed the Rabbis of old entertained a high opinion of womanhood and frequently expressed their admiration for woman's ability and appreciated her great usefulness in religious work. Thus, e.g., they say, "God

has endowed woman with a finer appreciation and a better understanding than man" (*Nidah* 45b); "Sarah was superior to Abraham in prophecy" (*Tanhuma*, Exodus, beginning); "It was due to the pious women of that generation that the Israelites were redeemed from Egypt" (*Sota*); and "The women were the first ones to receive and accept the Torah" (*Tanhuma*, (ed. Buber), *Metzora*, 18, p. 27a); and "They refused to participate in the making of the golden calf." These and many other sayings could be cited from Rabbinic literature in praise of woman, her equality to man and, in some respects, superiority to him. So we may safely conclude that their excluding of women from the rabbinate does not at all imply deprecation on their part of woman's worth.

But with all their appreciation of woman's fine talents and noble qualities, the Rabbis of old have also recognized that man and woman have each been assigned by the Torah certain spheres of activity, involving special duties. The main sphere of woman's activity and her duties centered in the house. Since she has her own duties to perform, and since especially in her position as wife and mother she would often be prevented from carrying on many of the regular activities imposed upon man, the law frees her from many religious obligations incumbent upon men, and especially exempts her from such positive duties the performance of which must take place at certain fixed times, like reciting the "shema" or at prescribed seasons, like Sukkot (*M. Kiddushin* 1.7): "Vekhol mitzvot aseh shehazeman geramah, anashim chayavim venashim peturot."

This fact, that she was exempt from certain obligations and religious duties, necessarily excluded her from the privilege of acting as the religious leader or representative of the congregation (*sheliah tzibur*). She could not represent the congregation in the performing of certain religious functions, since, according to the rabbinic principle, one who is not personally obliged to perform a certain duty, cannot perform that duty on behalf of others and certainly cannot represent the congregation in the performance of such duties: "kol she-eino mechuyav badavar eino motzi et harabim yedei hovatan." (*R.H.* 111.8; *Berakhot* 20b)

On the same principle, she was expressly disqualified from writing Torah scrolls. Since she could not perform for the congregation the duty of reading from the Torah, the text prepared by her

was also not qualified for use in connection with the performance of that duty (*Gitin*, 45b; *Mas. Soferim* 1.14). Women were also considered exempt from the obligation to study the Torah (*Eruvin* 27a; *Kiddushin* 29b-30a). Some Rabbis even went so far as to object to women studying the Torah (*M. Sota* 111.4). This opinion, of course, did not prevail. Women were taught the Bible and given a religious education, and there were some women learned in the law even in talmudic times. But to use the phrase of the Talmud (*M.K.* 18a), "*isha bei midrasha lashehiha*," women were not to be found in the *bet hamidrash*, in the academies and colleges where the rabbis assembled and where the students prepared themselves to be rabbis. Evidently, the reason that they could not aspire to be rabbis, was that the law excluded them from this religious office.

This law, that women cannot be rabbis, was always taken for granted in the Talmud. It was considered to be so generally known and unanimously agreed upon that it was not even deemed necessary to make it a special subject of discussion. The very idea of a woman becoming a rabbi never even entered the mind of the Rabbis of old. It is for this reason that we find only few direct and definite statements to the effect that women cannot be rabbis. Only occasionally, when the discussion of other questions involved the mentioning of it, reference—direct or indirect—is made to the established law that women cannot act as judges or be rabbis. Thus, in a *baraita* (*Pal. Talmud Shevu-ot* 4.1, 35b, and *Sanhedrin* 4.10, 21c) it is stated "*harei lamedan sheha-isha einah dana*," "We have learned that a woman cannot act as judge," i.e., cannot render decisions of law. The same principle is also indirectly expressed in the *Mishnah* (comp. *Nidah* 6.4 and *Shevu-ot* 4.1). The Talmud (*Gittin* 5b) also indirectly states that a woman cannot be a member of a *bet din*, i.e., a rabbi or judge. For there it is taken for granted that she could not be one of three who form a tribunal or *bet din* to pass upon the correctness of a bill of divorce or of any other document (see Rashi, ad loc.).

The *Midrash* (*Numbers Rabbah* 10.5) also quotes as a well-known and established principle that women may not have the authority to render decisions in religious or ritual matters: "*Shehanashim einam benot hora-a*."

These Talmudic principles have been accepted by all medieval Jewish authorities. Maimonides (*Yad, Hil. Sanhedrin* II.7) declares

that the members of every tribunal or *beit din* in Israel, which means every rabbi, *dayan*, or *moreh hora-a* in Israel must possess the same qualities which characterized the men whom Moses selected to be his associates and whom he appointed judges and leaders in Israel. These qualities, Maimonides continues, are expressly stated in the Torah, as it is said: "Get you from each one of your tribes men, wise and understanding and full of knowledge, and I will make them heads over you" (Deut. 1:13). Maimonides here has in mind the idea, entertained by the rabbis of all generations, that the rabbis of each generation continue the activity and are the recipients of the spirit of those first religious leaders of the Jewish people. For, as is well known, Mosheh Rabbenu and the Seventy Elders who formed his Council were considered the prototypes and the models of the rabbis of all subsequent generations (comp. *Mishnah*, R.H. 11.9). Likewise, R. Aaron Halevi of Barcelona (about 1300 C.E.) in his *Sefer Hahinukh* (nos. 74, 75, 77, 79, 81, 83), Jacob Asher in *Tur*, *Hoshen Mishpat* VII, and Joseph Caro in *Shulhan Arukh*, *Hoshen Mishpat* VII.3—all expressly state the principle that a woman cannot officiate as judge or rabbi. It hardly need be stated that when some of the sources use in this connection the term "judge" (*dayan*) they, of course, mean rabbi, for which *dayan* is but another name. In rabbinic terminology the functions of a rabbi are spoken of as being "*ladin ulehorot*," to judge and decide religious and ritual questions. And even in our modern rabbinical diploma we use the formula "*yoreh yoreh, yadin yadin*," giving the candidate whom we ordain the authority to judge and decide religious questions and to give authoritative ruling in all religious matters.

To be sure, the rabbis do permit the women to be religious teachers, like Miriam, who, according to the rabbis, taught the women while Moses and Aaron taught the men (*Sifrei Zuta*, quoted in *Yalkut Shemoni*, *Behaalotekha*, 741 end), and Deborah, whom the rabbis believed to have been merely teaching the law (*Seder Eliyahu Rabbah* IX-X, Friedman, p. 50; compare also *Tosafot*, B.K. 15a, s.v. "*asher tasim*" and parallels). Some authorities would put certain restrictions upon woman even in regard to her position as teacher (see *Kiddushin* 82a, and Maimonides, *Yad*, *Talmud Torah* 11.4), but in general, the opinion of the rabbis was that women may be teachers of religion (see *Hinukh*, 152, and com-

pare Azulai in *Birkei Yosef* to *Hoshen Mishpat* VII.12); and as a matter of fact, there have always been learned women in Israel. These women scholars were respected for their learning in the same manner as learned men were respected (see *Sefer Hasidim*, 978, and compare also *Sedei Hemed* I, letter Kaf, no. 99), and some of these women scholars would occasionally even give lectures in rabbinics; but they have never been admitted to the rabbinate, since all the rabbinic authorities agree, at least implicitly, that women cannot hold the office of a rabbi or of a *sheliah tzibur* and cannot perform any of the official functions requiring the authority of a rabbi.

This is the attitude of traditional Judaism toward the question of women rabbis, a view strictly adhered to by all Jewry all over the world throughout all generations, even unto this day.

Now we come to the second part of our question; that is, shall we adhere to this tradition, or shall we separate ourselves from catholic Israel and introduce a radical innovation which would necessarily create a distinction between the title rabbi as held by a Reform rabbi and the title rabbi in general? I believe that hitherto no distinction could rightly be drawn between the ordination of our modern rabbis and the ordination of all the rabbis of preceding generations. We are still carrying on the activity of the rabbis of old who traced their authority through a chain of tradition to Moses and the elders associated with him, even though in many points we interpret our Judaism in a manner quite different from theirs. We are justified in considering ourselves the latest link in that long chain of authoritative teachers who carry on their activity of teaching, preserving, and developing Judaism. For our time we have the same standing as they had (comp. *R.H.* 25a). The ordination which we give to our disciples carries with it, for our time and generation, the same authority which marked the ordination given by Judah Hanasi to Abba Areka or the ordination given by any teacher in Israel to his disciples throughout all the history of Judaism.

We should therefore not jeopardize the hitherto indisputable authoritative character of our ordination. We should not make our ordination entirely different in character from the traditional ordination, and hereby give the larger group of Jewry that follows traditional Judaism a good reason to question our authority

and to doubt whether we are rabbis in the sense in which his honored title was always understood.

Nor is there, to my mind, any actual need for making such a radical departure from this established Jewish law and time-honored practice. The supposed lack of a sufficient number of rabbis will not be made up by this radical innovation. There are other and better means of meeting this emergency. This could be accomplished if our rabbis would follow the advice of the men of the Great Synagogue to raise many disciples and thus encourage more men to enter the ministry. And the standard of the rabbinate in America, although no doubt it could be improved in many directions, is certainly not so low as to need a new and refining influence such as the influence brought by women to any profession they enter. Neither could women, with all due respect to their talents and abilities, raise the standard of the rabbinate. Nay, all things being equal, women could not even raise it to the high standard reached by men, in this particular calling. If there is any calling which requires a wholehearted devotion to the exclusion of all other things and the determination to make it one's whole life work, it is the rabbinate. It is not to be considered merely as a profession by which one earns a livelihood. Nor is it to be entered upon as a temporary occupation. One must choose it for his life work and be prepared to give to it all his energies and to devote to it all the years of his life, constantly learning and improving and thus growing in it. It has been rightly said that the woman who enters a profession must make her choice between following her chosen profession or the calling of mother and homemaker. She cannot do both well at the same time. Thus certainly would hold true in the case of the rabbinical profession. The woman who naturally and rightly looks forward to the opportunity of meeting the right kind of man, of marrying him, and of having children and a home of her own, cannot give to the rabbinate that wholehearted devotion which comes from the determination to make it one's life work. In all likelihood she could not continue it as a married woman. For, one holding the rabbinical office must teach by precept and example and must give an example of Jewish family and home life where all the traditional Jewish virtues are cultivated. The rabbi can do so all the better when he is married and has a home

and family of his own. The wife whom God has made as helpmate to him can be, and in most cases is, of great assistance to him in making his home a Jewish home, a model for the congregation to follow.

In this important activity of the rabbi—exercising a wholesome influence upon the congregation—the woman rabbi would be deficient. The woman in the rabbinical office could not expect the man to whom she was married to be merely a helpmate to her, assisting her in her rabbinical activities. And even if she could find such a man, willing to take a subordinate position in the family, the influence upon the families in the congregation of such an arrangement in the home and in the family life of the rabbi would not be very wholesome. (Not to mention the fact that if she is to be a mother she could not go on with her regular activities in the congregation.)

And there is, to my mind, no injustice done to woman by excluding her from this office. There are many avenues open to her if she chooses to do religious or educational work. I can see no reason why we should make this radical departure from traditional practice except the specious argument that we are modern men and, as such, we recognize the full equality of women to men, hence we should be thoroughly consistent. But I would not class the rabbis with those people whose main characteristic is consistency.

Discussion

Rabbi Levinger: I feel very strongly on this question. When we look at the various denominations in this country who are opposed to ordaining women as ministers we find that they are those who, like the Episcopalians and the Catholics, look upon their ministers as priests. To us the rabbi is merely a teacher and preacher. The question is not whether there are a great many women who want to become rabbis. Perhaps there are none at all. But we are called upon to act on a matter of principle, and if in the next thirty or forty years we produce but one Anna Howard Shaw, we want her in the rabbinate.

Rabbi Witt: I was present at the meeting of the Board of Governors when the matter came up, and it was decided to refer it to the Conference. After reading the responsa that were prepared by Rabbi Lauterbach, I feared that there would be much opposition. I trust that our action in this matter will be unanimous. It is not a matter of tradition at all. I must confess I was not in the least interested in Rabbi Lauterbach's presentation. It seemed reactionary to me. I did not feel that it was the proper presentation of the subject. I need not say that I honor Dr. Lauterbach for the learning contained therein, but the point he presents is not the point at issue. We have witnessed the revolution in the status of women. Five years ago I had to argue in favor of women's rights when that question came up in the Arkansas legislature, but I did not feel that there would be need to argue that way in a liberal body of men like this. There is a principle involved, and I hope that the stand we take will be one in line with all the progressive tendencies of our day; that we will have the vision to see what is before us. From the standpoint of today, shall we say to women that they shall not have the right to function as we are functioning?

The question is: Have they the qualifications to function as spiritual leaders?

What does it require to be a spiritual guide? It requires a great spirit and the quality of leadership. Some women have it and some women have not. Some men have it and some men have not. If we had a great leadership we would not have the questions which were so ably presented yesterday among the practical questions of the ministry. The one thing that was stressed was that if we had devoted leaders who could inspire following, all the problems would vanish.

I believe that this body of men should do nothing that would stand in the way of any forward movement in behalf of the womanhood of America. I cannot believe that a religion that is so splendidly spiritual and forward-looking as our religion will stand in the way of such a movement. I feel that this Conference can only act in one way, and that is to fall in line with what is the destiny of the women of the future.

Rabbi Weiss: In a large measure I agree with the previous speakers. I agree with all that has been said in favor of ordaining

women as rabbis. I believe I am second to none in the rabbinate in the matter of idealism. But a vast measure of compromise must enter into all situations of life. I do not believe that we can have life exactly as we would like to have it. There is a vast debt due to cold austere justice, but there are fourteen million Jews in the world, and they must be considered. In the city of New York alone there are a million and a half who look upon you with a degree of respect but who have their own mode of procedure and who would look upon any radical action on your part as a line of cleavage in the House of Israel. I merely mean that we should proceed slowly. I believe that some compromise can be effected, such as allowing women to be teachers or superintendents; but I believe that it would be unwise at the present time to have them ordained as rabbis. Let me give one concrete illustration. Suppose a woman were to sign a marriage document. To many in New York today such a ceremony would hardly be recognized as binding.

Rabbi Brickner: here is much merit in what Dr. Lauterbach has said. He has not stressed the question of opinion, but the question of practicability. Modern psychologists agree that women do not differ from men so much in intellect. In fact, experiments prove that women are the peers of most men. There are women occupying positions in modern industry in which they could not be equaled by many men. It is not a question of equality. All that Dr. Lauterbach says has already been said against women entering other professions. The question with us is one of practicability. The tendency in modern Judaism is to conserve Jewish values. We wish to be in touch with the masses of Jewish people. When I came away from Toronto the other day I clipped from the newspaper the vote of the Methodist Church in Canada. It represents the liberal traditions in Canada. And yet it voted by a small majority against permitting women into the ministry. It is not a question of principle or equality—on that we are all agreed. It is purely a question of practicability.

Rabbi Charles S. Levi: The matter before you is not a matter of the hour, but a matter of all times. It is a matter that touches upon the acknowledged leadership of our people, and reaches the

lives of uncounted thousands of our American coreligionists. We are the links in the chain of time. We are the spokesmen who give expression to the great truths which bind the past to the future, and it is for us to keep alive the chain of tradition.

Rabbi Rauch: I listened with great interest to Dr. Lauterbach's presentation and was at first inclined to agree with him, but as he proceeded it struck me that there was a great omission. He gave a fine presentation of the traditional point of view and even hinted at certain modern needs, but I regret to say that he failed to touch on what Reform Judaism has to say on the subject. And yet our whole interpretation of religious life is supposedly based on the principles of Reform Judaism. Now what has the philosophy of Reform Judaism to say in regard to woman? I know from experience because I was born in an Orthodox environment. There was a very clear line of distinction between the boy and the girl, and the education given to the boy and girl. The boy had to learn Scriptures, while the girl was not expected to learn them. Many duties were imposed upon the boy, few upon the girl. This went on for centuries. What happened when Reform came in? One by one the barriers separating the boy from the girl educationally began to be broken down. We admitted the girls into the same schools, and we tried to teach them the same things. Even in the important ceremony of *bar mitzvah* we brushed aside the traditional point of view and we said that the girl should be educated and confirmed the same as the boy. And in our congregations, which is the practical side of our religious life, we have given to women exactly the same status as to men. In my own congregation women conduct the summer services, and they conduct them just as well as—if not better than—they used to be when we got someone temporarily for the summer. In every line of endeavor in our temples we have proceeded on the theory that woman is the equal of man. What do they ask us to do? They want us to make it possible for women to work along the same lines as we men are working. We do not ask privileges for them. Let there be the same demands, the same rigorous training, and let the congregation decide whether the woman is doing the work well or not. I do not think that our course will be hurt by a liberal attitude.

Rabbi Englander: Personally, I was surprised to learn that the Board of Governors submitted this question to the Conference. I thought that after the faculty—a body composed of the teachers—had taken action, that would be sufficient guidance for action on the part of the Board of Governors. However, I wish to touch on one argument which has been raised to the effect that if we admit women as rabbis we would tend to create a schism in Israel. During all the conferences in recent years there have been many actions that we would not have taken had we feared this. We would not have set ourselves on record against Zionism. Had fear been taken into consideration, we would not have taken a stand on many subjects. Twenty years ago, this Conference put itself on record favoring absolute religious equality of women with men. Are we going back on our own action? In spite of all the arguments advanced by Dr. Lauterbach, the faculty set itself on record as favoring the ordination of women, although it stated that at the present time it believed it was impractical for women to enter the rabbinate. But I do not believe that the question of practicability is for us to decide. The only question before us is: shall we, in the light of Reform Judaism, put ourselves in favor of admitting women to the rabbinate?

A motion is made that further discussion be discontinued.

Rabbi Morgenstern: I do not care to express any opinion upon this subject, because—you can readily understand—inasmuch as this question has been submitted by the Collegiate authorities to the Conference to get an expression of opinion, I am here rather to listen than to offer any opinion I myself may have. I realize that the time of the Conference is very precious and that you cannot afford to give more time than is necessary to the discussion of this question, but I believe that the question is of such importance that it ought to justify the expenditure of as much time as may be necessary for a thorough discussion of the question. Several of the men lay emphasis upon the significance of the principle of not breaking with catholic Israel. We have heard the arguments, but there are several valuable thoughts which have not yet been presented. And there is one phase of the question which has not been adequately discussed. We can all accept

the opinion of Dr. Lauterbach as authoritative, namely, that from the point of view of traditional Judaism the ordination of women would not be permitted. We need not discuss that. But the practical aspect of the question has not been discussed. Namely, is it expedient, and is it worthwhile?

Rabbi Abrams: It seems to me that the question resolves itself into three parts. First, what is the principle? Second, is it consistent? Third, is it practical?

As a matter of principle, women ought to be ordained, as we now recognize that they are entitled to the same privileges and rights as men. Our ancestors never asked, is it practical? They asked, is it the will of God? And thus they settled the question for themselves. But we must ask the question, is it in keeping with the tradition of the past? In the whole paper of Rabbi Lauterbach, we do not find the statement that women could not be ordained as rabbis. Indirectly, we inferred that they may not be ordained because we do not find any women who were ordained. At the most, sentiment was against it; but sentiment has been against women going into many of the professions even today. But that does not mean that they should not be ordained or could not be according to traditional laws.

What is our ordination today? In spite of our claim that we are the descendants of the ancient Rabbis, we must admit that the function of the modern rabbi is entirely different from the function of the Rabbi of old. In olden times, he was the judge. That was his chief function. Preaching and teaching were secondary. If we were to lay claim to be lineal descendants of the ancient teachers, we must go to the prophets of the Bible. We are the followers of the prophets more than of the Rabbis. And if we would follow the example of the women of the Bible, we would find that many women served as prophets and that during talmudic times many of them taught. So we are not inconsistent with the past if we put ourselves on record as favoring the ordination of women.

Rabbi Joseph L. Baron: I enjoyed thoroughly the scholarly paper of my teacher on the negative view of the question, and I shall not deny that the admission of women into the rabbinate will, like

any innovation, shock some people and call forth opposition and ridicule. But I wish to point out several flaws in the negative argument. Professor Lauterbach intimates that the matter has hitherto never arisen as a practical issue because it has been taken for granted that a woman cannot, in the capacity of a rabbi, carry out, or represent the people in, a function in which she is not personally obliged to participate. How, then, can we infer from this that with the full entry of woman in all the religious functions of home and synagogue, she must still be denied the privilege of ordination? We broke with tradition long ago when we granted women an equal standing with men in all our religious functions.

I disagree entirely with the remark that by taking the proposed step, we shall create a schism. The Russian Jews, to whom reference has been made, do recognize and follow women leaders, as in the radical factions. And if women are not recognized as leaders in the Orthodox synagogue, let us not forget that neither are we recognized as such. There is a distinct difference made, even in the Yiddish terminology, between a *rav* and a rabbi. Again, we broke with tradition long ago when we declared that a rabbi need not be an authority on questions of *kashrut*; and I need not mention which, from the point of view of Orthodoxy, is the greater offense.

When I received the responsum of Dr. Lauterbach a week or two ago, I inquired as to the attitude of the members of a Unitarian Church in Moline, where a woman has been officiating for about half a year, and the reply was very favorable. That minister is not falling behind her male predecessors in her zeal and ability in handling all the problems of the church. So, as to the practicality of the matter, I believe that should be left entirely with the individual congregation.

Rabbi James G. Heller: I do not believe that the Conference has the right to appeal to its duty to "Catholic Israel" in order to settle this question. In the past, many decisions have been taken which evidenced no regard for mere keeping of the peace. The one question at issue, the one question that should be discussed by this Conference, is whether in principle the admission of women into the rabbinate is desirable, and whether it is in accordance with the historic teachings of Reform Judaism. The entire content of Dr. Lauterbach's responsum, to my mind, be summed

up in that very logical inconsistency to which he refers toward the end of his paper in so laudatory a manner. He must complete the syllogism contained in his remarks. Since traditional Judaism, Orthodoxy, did not require women to perform certain duties or functions, did not permit them to share in certain duties or functions, did not permit them to share in certain religious acts, it could not allow them to become teachers of these same duties. And, per contra, since Reform Judaism requires and asks of women the performance of every religious duty in the catalogue, it cannot deny them the right to become teachers and preachers.

Rabbi Samuel S. Cohon: I wish to call your attention to the fact that in other professions there is a great deal of prejudice against women even where they administer with considerable success. You would imagine that women would welcome the services of women physicians; but in actual practice it is stated that women are more bitterly opposed to female practitioners than are men.

In the legal profession we also know that in many instances women are debarred from practice. But I believe that many of us who realize how much our wives have helped us, how they have cooperated with us, how they have borne many of the responsibilities, also realize that they should be given the opportunity to assume this work on their own accord, if they so desire. Of course, there will be prejudice against women in the rabbinate, but if one congregation is found that will welcome a woman, the opportunity should be granted.

Rabbi Frisch: We have made greater departures from tradition in Reform Judaism than the one which is before us, so we can afford to dismiss this question without further discussion. But I regard the ordination of women as the last step in the removal of restrictions in the Jewish faith. She is fitted by temperament and by all of her qualifications to the position of teacher, and she has been granted the right to participate in all our congregational activities as the equal of man. Civilization has had cause to regret every restriction it has placed in the way of those who wanted to be free.

I have been wondering whether we are not denying ourselves a new source of strength, a new source of inspiration, by our reluctance to admit women to the rabbinate. I recognize the

handicaps, but I believe that the women who surmount the obstacles will be greater spirits than the men who are in the rabbinate today. Will it be any greater reproach for a woman to give up the ministry for the sake of maternity than it is for a man to give it up to seek a livelihood in other work? I think it will be for a nobler reason. If we get women into our midst as rabbis, I believe that we will be enjoying some of the inspiration and strength we feel we need. So I plead that we place ourselves on record as in full sympathy with a further emancipation of women by their ordination as rabbis in Israel.

Rabbi Stern: Emotionally I am conservative and I do not like to break with the past, but I cannot agree with Rabbi Lauterbach in this instance. Is it not essential for us first to decide what is the principle? I believe the practical will take care of itself. It is very interesting to note that in the city of New York a professor in the Seminary, the rabbi of an Orthodox congregation, had a *bat mitzvah* of girls. This is very interesting and shows that the other wing of Judaism is also making progress.

A motion that the opinions of members which have been sent in should be read was introduced. The motion lost.

Rabbi Morgenstern: I think there is one possible source of information that we have not heard from and whose opinion would be very helpful to us. I mean the wives of the rabbis present. It would help us to get an expression of opinion from the women, if some of the wives would be willing to give us their ideas based on many years of experience in this work. I would ask that this opportunity be given to the ladies to express their opinions.

It was moved that the courtesy of the floor be extended to any of the ladies present who cared to take part in the discussion.

Mrs. Frisch: When I entered the hall this morning, I was opposed to the ordination of women as rabbis. I am now in favor of it. I have been much impressed with what I have heard.

The reason I was opposed to the ordination of women was what you would call the practical reason. I now feel that what-

ever practical reasons I may have had cannot be compared in value with the matter of principle which has been mentioned here this morning.

The practical reason that I had in mind was that I, as a wife and mother, did not understand how a woman could attend to the duties which devolve upon a rabbi and at the same time be a true homemaker. Candidly, I do not see at this moment how it can be accomplished. I cannot solve this question, but there may be some women who would prefer a life of celibacy in order to minister to a congregation.

Personally, I am selfish enough not to be willing to give up the happiness of wifehood and motherhood for this privilege, great though it may be. But I love the work of the rabbinate so much that could I have prevailed upon myself to forget the joys that come with homemaking, I should have become a rabbi. I do not believe that privilege should be denied women, and it behooves us to go on record as being in favor of this development.

Miss Baron: I am connected with Jewish work in New York City and I know that since the Jewish woman have entered this work it has intensified the value of Jewish education. I believe that should the Jewish woman enter the rabbinate, she will be able to intensify the religious feeling of our people.

Mrs. Berkowitz: I am more than satisfied to be the silent member of our partnership, but I believe that it is the function of women to give spiritual value to the world, and especially the Jewish woman—imbued with the Jewish spirit—will naturally bring a certain quality to the ministry which some of our men lack. I think that might be enlarged and strengthened, and therefore I should like to see our women become rabbis, if they wish to do so.

A motion that action on this resolution be postponed until next year lost.
A motion that a referendum vote of the members of the Conference be taken lost.

A motion that this resolution be referred to the Committee on Resolutions lost.

Rabbi Joseph Leiser: The objections of Professor Lauterbach concerning the admission of Jewish women to the rabbinate are inadequate. His thesis, that the rabbinical profession is a career and involves the totality of life to the preclusion of even the function and offices of motherhood, is not valid and is no more applicable to the Jewish woman as rabbi than it is to the Jewish woman as lawyer, doctor, dentist, newspaper writer, musician, businesswoman or teacher. In all these trades and professions, Jewish women are actively engaged beyond the consideration or limitations of sex, and in spite of previous sex taboos. As a profession, the rabbinate ought to be open to women on a parity with that of men, provided women receive a degree for academic training carried on according to approved standards.

But my objection to the position maintained by Professor Lauterbach rests on more fundamental contentions than of sex discrimination in the rabbinate. The professor fails to analyze the rabbinate in the light of its function and activity in the world today. He carries over into America, a modern America the methodology and outlook of an Orthodox rabbi whose function is that of a lawyer, one who renders decisions in an ecclesiastical court from codes drawn up by established standards of behavior. Orthodox Judaism rests upon laws of conformity: one discharges his duties; one learns them and fulfills them, whereas Reform Judaism releases the individual, and enables him to realize his own nature, and therefore allows him to contribute whatever there is implanted within his soul, and mind in humanity.

This difference in motivation is translated to the profession of the rabbi, as it is interpreted in Reform Judaism.

The mere repudiation of the authority of the Talmud and *Shulhan Arukh* is not sufficient to constitute one as a Reform rabbi; nor does the acceptance of these make one an Orthodox rabbi. To be sure, the Orthodox rabbi is learned in the law, since the very nature and constitution require it. But the Reform rabbi is not primarily a legal expert. The modern rabbinate has become an institution, just as the synagogue has developed functions other than those pertaining to worship and the discharging of ceremonial observances. In these days, it serves more than one purpose, and therefore requires more than one type of professional labor.

The variety of activities that are now released in the ordinary synagogue calls for a number of workers, all of whom must be filled with the knowledge of God. The new work recently developed in the synagogue appeals particularly to the woman, who by nature and training is singularly fitted to undertake it.

It will be said in rebuttal that while the need and ability of these modern activities within the synagogue may require the professional assistance of women, these functions do not require the training and professional equipment of a rabbi. This is a mistake. Mere inclination provides access to those qualities of emotionalism and undisciplined enthusiasm which endanger the assistance of a woman. Professional training is required for the expert in the religious institution of the synagogue. In the departments of education, as our synagogues are elaborating them; a Jewish woman is particularly well qualified, provided her training in rabbinics is grounded in a thorough knowledge of the literature.

A Jewish woman is the logical adjunct to young people's societies and organizations, and no synagogue is complete without these new features.

The social activities of a congregation are dependent on the social instincts of a woman. Her rabbinical training enables her to link up these activities with tradition and provides the background of Jewish consciousness to this work.

The pulpit, and whatever pertains to it, is—and remains—a plane wherein man is by nature and temperament best qualified, although not exclusively so. But woman, by reason of self-limitation, is not disqualified. Viewing the rabbi in the light of a prophet and the man of vision, he—more than woman—responds to this unusual endowment. Men are prone to be idealists. They are quick to see visions. They are the dreamers. To men is given the gift of prophecy, but not exclusively (as the careers of Hulda and Deborah testify). Men are called upon by God to be pathfinders, liberators, protagonists of right, brandishing the shining sword of justice before the hosts of evil-doers. In the defense of right, men will face the outrages of the world alone.

On the other hand, women are conservative, and seldom are impelled to stand forth and proclaim these eternal convictions. They are pacifists, importunists, moderators, trimming their sails

to whatever winds blow on the seven seas of thought. Remember that while it was due to the merit of women that the children of Israel were redeemed from Egypt, it was only merit, not the fierce rebellion of a Moses, saying, "Let my people go free!" that wrought the miracle.

Were the woman as rabbi merely confined to pulpit discourses and the formal aspects of ceremonials, her admission to the profession would be inept and otiose. The synagogue, however, has enlarged its tent cords of service. It is an institution of which the pulpit is part, not the totality. Being only a feature of the institutional labor, there are spheres of activity in the synagogue that not only can be filled by woman, but are primarily her province.

Rabbi Neumark: I. "This fact that she was exempt from certain obligations, she could not represent the congregation in the performance of such duties": (R. H. III.8; *Berakhot* 20b). Against this argument the following can be said:

First, the traditional functions of the rabbi have nothing to do with representation of the congregation in the performance of certain religious duties from which women are freed. There are certain categories of men, such as are deformed and afflicted with certain bodily defects, who could not act as readers, but could be rabbis for decisions in ritual matters and questions of law. The same holds true of people with a "foreign accent" in Hebrew.

Second, women are not free from the duties of prayer, grace after meal, and *kiddush*, and they can read for others (cf. *Mishnah* and *B. Berakhot*, 20a,b). Thus, even in our modern conception of the function of the rabbi, which includes reading, woman can act as representative according to traditional law. Of course *tefilah* here is used in its technical meaning—"Eighteen Prayers"—while prayer in its general meaning of divine service had the *shema* in its center, and woman was freed from its obligatory reading. But no Orthodox Jew ever waited with the obligatory reading of the *shema* for the public service; it has, at least in post-talmudic times, always been done right in the morning, privately.

Third, the practice within Reform Judaism has decided in favor of admitting women as readers of the divine service. And since we are interested in the traditional law on the subject only

in order to take from it a clue for Reform practice, this argument would be of no consequence even if it were valid, as it is not. If a woman is to be debarred from the rabbinate in Orthodox Judaism because she cannot serve as a reader, then the only logical consequence would be that Reform Judaism, which has decided in favor of the woman reader, should disregard the Orthodox attitude, and admit women to the rabbinate.

II. The reason why a Torah scroll written by a woman was considered unfit is not, as Dr. Lauterbach claims, because she could not be reader of the Torah, but quite a formal one: whosoever has not the obligation of binding (*tefilin*), has not the fitness of writing (a Torah scroll) (*Git. 45b; Men. 42b*). The above reason is given in *Soferim* I.13, but there, woman is not debarred from writing a Torah scroll.

III. In *Moed Katan* 18a, it is not said that "women were not to be found in the academies and colleges where the rabbis assembled and where the students prepared themselves to be rabbis!"¹ It is only said *ishah bei midrasha lo shehiha*, "A woman is not often to be found in *bet hamidrash*. The academies and colleges of those days were not institutions for training rabbis, but institutions of learning, most of whose students were pursuing other vocations. A woman in those days was supposed to keep away from all public places, such as courts and the like, and even, as much as possible, from the streets: *kol kevodah bat melekh penimah*.

IV. As to the direct question of the legal situation, I have discussed that matter in the opinion I have submitted to the faculty of the Hebrew Union College. I want to add the following remarks: 1. The statement of *Yerushalmi San. 21c* and *Shev. 35b* that a woman cannot serve (occasionally) as judge, is not from a *baraita*, as Dr. Lauerbach claims, but occurs in a discussion between two Amorain. 2. *Lamadnu* does not mean "we have learned," but is a technical term for an inference on the virtue of a hermeneutical rule; in this case, *gezera sheva*. 3. Nowhere in talmudic but always by *tanya* literature is a *baraita* introduced by *tanei, lamadnu*, and the like. 4. The emphasis on "men" in the quotation from Maimonides is not justified.

V. As to the practical question of the advisability to ordain women at the Hebrew Union College, I do not believe that the Orthodox will have any additional reason to object. They them-

selves employ women in their schools as teachers and readers, and our women rabbis will not do more than this. In fact, the entire question reduces itself to this: women are already doing most of the work that the ordained woman rabbi is expected to do, but they do it without preparation and without authority. I consider it rather a duty of the authorities to put an end to the prevailing anarchy by giving women a chance to acquire adequate education and an authoritative standing in all branches of religious work. The practical difficulties cannot be denied. But they will be worked out the same way as in other professions, especially in the teaching profession, from the kindergarten to postgraduate schools. Lydia Rabbinowitz raised a family of three children and kept up a full measure of family life while being a professor of bacteriology. The woman rabbi who will remain single will not be more, in fact less, of a problem than the bachelor rabbi. If she marries and chooses to remain a rabbi—God blesses her—she will retire for a few months and provide a substitute, just as rabbis generally do when they are sick or are involved in an automobile accident. When she comes back, she will be a better rabbi for the experience. The rabbinate may help the women, and the women rabbis may help the rabbinate. You cannot treat the Reform rabbinate from the Orthodox point of view. Orthodoxy is Orthodoxy and Reform is Reform. Our good relations with our Orthodox brethren may still be improved upon a clear and decided stand on this question. They want us either to be Reform or to return to the fold of real, genuine Orthodox Judaism whence we came.