Only in America

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Emancipation swept the old Jewish world away overnight. Nothing like that had happened for thousands of years. More radical changes were coming in the form of vast emigration, the Shoah, and the State of Israel. Judaism had to adapt quickly. The initial impulse, as always, was to do nothing and to reject any change in the words of Moses Sofer (1763–1839): "Any change is forbidden by the Torah."[1]

The old Jewish community, virtually "a state within a state" that governed itself was gone, and Jews, still without civil rights, were now treated as individuals in the new nation states. This revolution had been set in motion by Napoleon throughout his vast conquests. His new world view, with its promise of eventual civil rights and economic and social freedom, was hailed with joy by all Jews. Much of what he had promised and partially given was swept away with his defeat, but neither the ghetto walls nor the community of a "state within a state" could be reestablished by even the most conservative Central European states.

Jewish life had to be reconstituted and virtually reinvented as the community that had governed through Jewish law as a "state within a state"enforced by the Christian government was gone. The older mechanisms for change were no longer possible as communal authority was gone, the broader regional councils had disappeared and rabbinic decisions were ignored. Rabbis found their status, power, and decisions rejected. The Jewish individual with new-found freedom questioned everything. As Jews fought for equal rights and raised other issues in the new nation states, they also questioned every aspect of Jewish life that had thus far been taken for granted. This included the role of the *bet din*, synagogue services, the educational system, marriage and divorce laws, and everything else that was organized in such detail by the *Shulhan Arukh*. This

soon included the place of women in Jewish life. Jewish women were in a better position than their gentile contemporaries as they could control property, trade, had a voice in their marriages, and could initiate divorce. These and other rights had been in place for centuries, but women were not equal to men, and especially in religious matters, their role was very limited and secondary. Voices demanding change were soon raised, but the change came haltingly in virtually every area; nor was a historical or theological basis for them developed. New mechanisms had to be invented and adopted to initiate change in this ans every sphere of Jewish life.

This paper will deal with the emerging mechanisms for change and innovation. I will show how these avenues evolved within the Reform Jewish community and eventually became valid for other segments of the newly fragmented Jewish society. Each community in this pluralistic Jewish world was a voluntary society, and anyone who was dissatisfied could join another group since persuasion had replaced coercion.

The successes and limitations of each of these mechanisms can best be shown by tracing a practical issue; I have chosen the slow awakening of feminism in the nineteenth and twentieth centuries. It illustrates these mechanisms well. The struggle for equal rights for women in Jewish life has been continuous until the present; this is in vivid contrast to most problems of the newly emancipated Jewish community, which were resolved long ago. Women have struggled[2] for two centuries. This paper will therefore deal with the creative methods used by the Reform community to deal with feminist issues. This should provide insight into the mechanisms of change used by the modern emancipated Jewish world as it shaped its future.

INDIVIDUAL INITIATIVE

The beginnings can be traced to Napoleon, both generally and specifically through the questions he addressed to the Assembly of 1806 and the Sanhedrin of 1807.[3] Napoleon's purpose was to integrate the Jewish community into the new French nation state. He had eliminated the power of the Catholic and Protestant churches as well as the guilds. He wished to move the Jews in that direction and used the technique of forcing the Jews, eager for civil rights, to address the issues themselves through a forum that would be widely recognized. He boldly chose the Sanhedrin, a halakhic mechanism, to which he addressed a series of questions. The specific questions covered a broad range, but began oddly, with the question, "Are Jews allowed to marry several wives?" This was easily answered by citing the prohibition of a tenth century *takanah* attributed to Rabenu Gershom against polygamy.[4] The next two questions dealt with divorce and intermarriage and, of course, posed difficulties. The answers provided were straightforward, but skirted the *halakhah*, and did not deal with the feminist issues that might have been raised. The assembled delegates were not concerned with women's rights, nor for that matter was Napoleon. No women were among the delegates, as was to be expected.

As the Jews of France wanted civil rights and needed to have Napoleon's ratification of those granted earlier by the Republic, they willingly gathered in an Assembly and later as a Sanhedrin without raising the issues of its authenticity or authority. Napoleon asked a few difficult questions but did not demand any changes in religious practices, so no objections were raised.[5] Protests could, of course, have been voiced against the very establishment of a Sanhedrin by a non-Jew, the composition of the Sanhedrin, the right of those assembled to respond to the questions, and so on, but this did not occur. The entire procedure could subsequently have been denounced quite safely outside the borders of lands conquered by the Emperor;

this also did not occur. In 1844, when a later assembly of rabbis began their discussions in Braunschweig with a re-examination of the responses of the Sanhedrin[6] that effort was also not denounced except by the Orthodox community. The broader Jewish community gladly accepted the new status Napoleon granted even if it did not mean complete civil rights and congratulated the Emperor. The Jewish community had been launched into a new world; the ends were used to justify the means.

The Sanhedrin Napoleon had so cleverly revived could have been the mechanism for all further changes that were needed. This would have been challenged by the emerging Orthodoxy, but as it objected to everything else, it would have been possible to modify the ancient institution and revive it as a halakhic mechanism However, no one even considered this step. The single reappearance of the Sanhedrin on the stage of modern Jewish history in 1806 was considered enough.

The initial steps for women's equality came from Israel Jacobson, the founder of the Reform movement, (1768–1828),[7] who established the first modern Jewish school for boys and girls in the small Jewish community of Seesen (Westphalia) in 1801.[8] Slightly later he introduced the ceremony of Confirmation, which represented graduation and coming of age for both boys and girls.[9] The establishment of this school for boys *and girls*, an innovation, was a personal decision of Jacobson and his coworkers, undertaken without halakhic discussion or rabbinic participation. The school in contrast to others of the same period followed a radical modern curriculum and was also open to non-Jewish students. A parallel step toward education specifically for girls also took place in 1801 in Dessau under the leadership of David Fraenkel (1779–1865), a well known *Maskil*, who enrolled twelve girls among his thirty students. The curriculum in that school was, however not innovative. Confirmation in Dessau was introduced for boys in 1809 and for girls in 1821.

Jacobson's move toward equality for boys and girls faced a mixed reaction, but brought no major halakhic opposition. The effort lapsed with the fall of the Kingdom of Westphalia in 1813; the new conservative regime did not permit further experiments in Jewish education or rituals. Jacobson was denounced for these efforts which he felt were necessary. He saw the need and proceeded; he continued to work in this direction in Berlin when it was no longer possible in Westphalia, but ran into governmental opposition there also.

The next step was taken by the Hamburg Temple (dedicated in 1818) in the more liberal climate of that city. Its service included prayers in German partly to appeal to women, who knew little Hebrew and wished to participate in the service. There also was a sermon in German. Forty-three percent of the seats were designated for women, a much higher percentage than in Orthodox synagogues.[10] The contemporary scholar, Aaron Chorin (1766 – 1854) was among those who felt that Jewish services should appeal to both sexes.[11] The Hamburg Temple effort, of course, depended upon the good-will of the government which retained the power to supervise Jewish religious life. As most of the states of Central Europe in the post-Napoleonic period feared innovations, no matter how minor, we see how exceptional Hamburg was. The other states and cities saw any change as a forerunner of revolution. At the same time, the work of the educator Pestalozzi brought large scale educational reforms throughout Europe and influenced the general and Jewish patterns of education. Jewish education was fragmented, disorganized, and often left to poorly trained teachers.[12]

In Hamburg change was accomplished by the leadership of one synagogue without any broad-scale discussions. In Seesen, Breslau, Dessau, Frankfurt, and other cities which experimented with new educational efforts, a single individual brought about decisive changes. In the new free setting an individual or a single institution could experiment or bring changes at least on a local scale. It was

now possible to work outside the framework of the *Halakhah.* This freedom had not existed in the Jewish communities of the Middle Ages. We shall see it used again later and then better understand its positive implications and its limitations.

The Historical Approach

Abraham Geiger (1810–1874), the intellectual father of Reform Judaism, surveyed the Jewish past broadly through historical studies[13]. He demonstrated that Judaism had developed and adapted constantly through the ages. Therefore there was no reason to hesitate to undertake changes now desirable. Such an approach made it possible for him to make an early appeal for the proper education of women; this was part of a report on youth education in Bavaria, Prussia, Westphalia, and the smaller states which he published in his journal;[14] we do not know of any positive response. These educational steps were neither defended on halakhic grounds by the incipient Reform movement nor attacked by the Orthodox initially. Perhaps they felt that the conservative states would not permit them anyhow. They were right since all initiatives got under way slowly. By the later half of the nineteenth century, however, the Orthodox communities, especially those influenced by Samson Raphael Hirsch, founder of modern Orthodoxy, (1808–1888), followed a parallel path for young women's education.[15]

Prayers in the vernacular could and were easily defended through rabbinic statements; we should note, however, that such translations were not undertaken primarily for the benefit of women. When Mendelsohn's translations of the Bible into high German appeared, it was attacked mainly out of fear of what would come next. This was the basis for the opposition in 1791 of Ezekiel Landau, Moses Sofer and their disciples to Moses Mendelssohn's Torah translation. Landau realized that traditional Judaism could not reject this effort on the basis of the tradition but saw it as a dangerous

opening to the outside world.[16] Another Orthodox leader, Jacob Emden regretted that his father had not given him a general education, but opposed the new systematic general studies as they neglected the traditional material.[17]

Abraham Geiger was the first to connect innovation to the *halakhah* through his historical studies, which demonstrated that Judaism had evolved and that changes had always taken place.[18] Geiger showed that the changes in the liturgy as well as those that he suggested for marriage and divorce were part of a continuum. He demonstrated that Jewish women, despite all short-comings, were treated better in the biblical period than were women in the surrounding culture[19] and that their condition improved gradually later. The Talmud and subsequent rabbinic literature continued in this direction, albeit with centuries in which progress was scant. Geiger therefore felt that basic changes in such difficult areas as *agunah, halitzah*, and divorce were legitimate by pointing to major changes that had taken place in the past, prompted by new conditions in the surrounding society.[20]

Geiger's innovation lay in the justification for change through his developmental approach to Jewish history. Halakhic precedent by itself may have been insufficient, but viewed historically, Judaism could be seen in a developmental framework, not as eternally stable. The continuous development was influenced by the surrounding world as well as the internal conditions of Jewish life. This was also Zacharias Frankel's (1801–1875) view although he limited it to the rabbinic period. Here was a pattern that provided an ideological basis for many different type of change, including changes in the status of women.

Geiger followed the path on which his studies had led him into the practical realities of the times. While rabbi of Wiesbaden (1837) at the age of twenty-seven he called on his colleagues to make the

following changes in the status of women:

1. A declaration of death by the state would be sufficient to free an *agunah.*
2. As soon as the state issued a divorce document, it was to be considered valid even though the husband might refuse to provide the traditional *get* or express willingness to do so only through extortive conditions.
3. *Halitzah* should be removed, abrogated entirely, and in any case, be deemed unnecessary if the obligated brother could not be found or if his wife objected.

Geiger justified this new approach through his developmental view of the Tradition, though he understood very well that a different interpretation of the Tradition would not permit any of these changes.[21] Here we have a broad and sweeping approach as Geiger pointed to radical transformation of the past as his guideposts; they had often been made without detailed justification or any real roots in the more distant past. They would, nevertheless, eventually be anchored in the past and provided with some ties to the *halakhah.*

Geiger provided a theoretical basis for the changes that his generation considered necessary and made it clear that they were fully justified. His view of history destroyed the notion of an eternally stable Judaism that allowed for no adaptation or innovation. As Judaism had evolved throughout its history, there was no reason to hesitate now. This was a bold theory and provided an intellectual foundation for the reconstruction of Judaism that was necessary to face the newly emancipated world.

Responsa and Ther Innovations

The need for discussion and agreement on a practical path was clear. Individual adjustments in matters of marriage, divorce,

synagogue liturgy, and a good deal else no longer sufficed. Changes had been made in many communities by rabbis in accordance with their personal theological position and based on what was possible in a particular community.

Some efforts at a unified position had been made through the classical pattern of responsa which provided decisions and justified innovations. Individual responsa as well as published collections brought the opinions of colleagues. They were especially useful in the defense of liturgical innovations. These responsa marked the beginning of an effort to work together. They focused on major changes in the liturgy and on a most audible innovation, the use of the organ – which became a symbol of liturgical reform.[22] The Reform responsa immediately led to an Orthodox response, and these exchanges continue for a few years. Then they diminished and were briefly restimulated when the radical Reform Society of Frankfurt toyed with the notion of eliminating the *b'rit milah* – something rejected by Orthodox and Reform Jews alike.[23]

This halakhic path, brief as it was in Reform circles, contained the innovation of responsa in the German vernacular that appeared alongside Hebrew responsa. This step sought a broader readership and no longer limited the discussion to rabbis. This innovation interestingly paralleled the move of the *haskalah*, then and earlier, in the opposite direction in its effort to revive literary exchanges in Hebrew, something that remained most effective in eastern Europe. We should note that all these responsa dealt with liturgical matters and none with feminist issues. Responsa in the vernacular did not reappear until the very end of the nineteenth century and then in America, not Europe.[24]

These responsa never dealt with feminist issues in the liturgy, even when they should have. So the omission in some early Reform prayer books of the statement, "You have not made me a woman" was

not turned into an issue. It is true that Abraham Geiger objected vigorously to the traditional explanation that it merely indicated that the male thanked God for the obligations of assuming the commandments.[25] This specific change , however, did not lead to any thorough discussion, perhaps because it was one of many changes in the liturgy that were far more radical, such as dropping the *musaf* service, eliminating the repetition of the *amidah*, and rejecting virtually all *piyutim.* Jakob Petuchowsky's masterful study of the liturgical innovations and the reaction they brought, does not mention any discussion of this *berakhah.*[26] David Novak, who subsequently analyzed this *berakhah* and its meaning, indicated that there was little interest in this change among the traditionalists when it was made by the early Reform movement.[27] The expansion of the women's section in various synagogues and the elimination of barriers which had hidden women also was rarely discussed.

Responsa in the hands of a single decisive charismatic scholar could have provided a path toward change but the voices of democracy were too strong and the broad nature of the issues too overwhelming. Furthermore responsa were a rabbinic tool and did not appeal to the broader community even when written in German; they sought changes and were satisfied with less detailed explanations for them. Much of the Reform rabbinate was also more interested in rebuilding Judaism for the contemporary world than in the slow process of justifying innovations and discussing them in detail. Therefore the rabbinate chose a different path.

The Democratic Approach

Abraham Geiger was not only a theoretician, but a very practical leader. He proposed a a gathering of rabbis to deal with the problems of the community and the issues that faced his colleagues. The rabbinic colleagues as well as Geiger felt a need for collegiality in facing the numerous changes being made which needed common

solutions as well as a united defense. Geiger had considered this problem as early as 1837 and expressed it in private correspondence; he made it public through repeated calls for a rabbinic meeting in *Jeschurun*. Such a meeting of rabbinic colleagues took place in Wiesbaden in August 1837 and was attended by 16 rabbis, but the only practical result was consensus that a larger meeting should be held soon. Continuous pushing on the part of Geiger and the efforts of Ludwig Philippson (1811–1889), the editor of the *Allgemeine Zeitung*. Along with other factors led to the first major rabbinic meeting in 1844 in Braunschweig.[28]

Although halakhah would play a role, a new and different path was to be taken by three rabbinic meetings that took place in rapid succession in Braunschweig (1844) that was attended by twenty-five rabbis; followed a meeting in Frankfurt (1845) attended by thirty, and one in Breslau (1846), with twenty-four rabbi present.[29] The numbers remained relatively small as many states and principalities did not permit their rabbis to attend. Those that came represented a wide range of views from conservative to liberal, but Orthodox rabbis stayed away and awaited the direction which these meetings would take,[30] as the meetings and their purpose was an innovation. This group of rabbis had, after all, gathered to make decisions.

Rabbis gathering to make decisions had a long history with many medieval precedents.[31] Yet there was a major difference in these meetings as most of the earlier conferences dealt with taxation, fiscal policy, and economic regulations. They were often initiated or approved by the Christian government that then supported their decisions, as they led to a more efficient way of collecting taxes. Anyhow the government did not want to get involved in the details of the Jewish communities. Their status of a "state within a state" permitted this approach. There councils also dealt with issues of family law and ritual matters. When such questions however, arose, they turned to the halakhic authorities for direction which was

sometimes innovative, but always deeply rooted in the *halakhah*. Innovations did occur, but no radical changes. The three nineteenth century rabbinic conferences were to deal with status, the structure of family life and the liturgy of the synagogue in a totally open and democratic way. Anything could be questioned and was open to debate.

The rabbis adopted the democratic process that they saw around them. There were references to the limited democracy that had existed in the medieval councils but they were not interested in earlier precedents. This open democratic approach represented an enormous innovation and was to be the major path of all Jewish communities in the future. This path was adopted without discussion or protest as it fitted the times and the mood of those who attended. Furthermore, the deliberations, not only the conclusions would be publicized. The rabbis realized that in this new emancipated world their authority was limited to their persuasive powers. Innovations and changes had to be voluntarily accepted and could not be imposed since the Jewish communities no longer possessed any enforcing power.

Those assembled at Braunschweig saw themselves continuing the work of Napoleon's Sanhedrin, which had been organized democratically. It had legitimized changes sought by the French emperor, but the rabbis at Braunschweig did not consider their assembly a Sanhedrin. They knew that the ancient Sanhedrin had been an institution capable of innovation and change, but tradition had surrounded it with enough restrictions to read it out of existence. It remained as a purely theoretical device. It existed on paper, but in practice could not be reconstituted.[32] They decided to function as a democratic assembly, a major innovation in itself.

A second innovation followed, as the proceedings were carried out in the vernacular and then published in the vernacular as well. Thus the proceedings were open and transparent; the attendees, of

course, recognized that fluency in Hebrew among their congregants had become limited. This step also represented an effort to influence the broader community as widely as possible, which was clearly stated in the introduction of the published proceedings.

The Brauschweig Conference and its successors were democratic institutions with votes determining decisions; halakhic debate had its influence but was not the determining factor. Rabbinic authorities had no veto powers. In other words the democratic institution of the outside world had been adopted to guide the path toward change within Judaism. This set a pattern for the entire Jewish world; even within the Orthodox community democracy within limits would reign in the future.

Abraham Geiger and those who presided understood the limitations of democratic procedures. The proceedings could easily grind to a halt and block any decision. They therefore frequently used the tools that had been worked out in the broader society – referral to committee, postponement, and parliamentary procedures. Geiger and others also realized that halahkic and philosophical discussions among rabbis who needed to express their personal opinions would be divisive and would hinder conclusions on the practical issues that faced the conference, so they agreed from the outset to avoid or curtail such discussions.[33]

The innovation, therefore, lay in the conference itself and the manner in which it was conducted. Views at both ends of the spectrum – radical and conservative – would influence the practical decisions, but would be kept within bounds. This meant that individuals such as the more conservative Zacharias Frankel, generally considered the father of Conservative Judaism, (1801–1875) could not destroy a meeting, but would simply leave and express their views outside its meetings.[34] The new system worked, although these rabbis represented divergent backgrounds and came with different education,

some from *yeshivot* while others were university trained. This would influence their outlook on such specific issues as matters of status (marriage, divorce, *halitzah*) and liturgical innovations where confusion reigned and some agreement was necessary, though some were disappointed that a more theoretical approach was not taken.[35] Although the meeting was open to Orthodox rabbis, none attended as they understood the liberal agenda the organizers would press. Although women's issues arose often and were decided in a positive way, the underlying status of women was not discussed.

These meetings also provided a symbol of unity to the Jewish community – not a perfect by far, but at least a start. The Braunschweig Conference began its discussions with a review of the work of the Napoleonic Sanhedrin of 1807. The Conference looked at some of the implications but mainly from a practical point of view. There was no discussion of the underlying premises: no one asked about the validity of a Sanhedrin or Assembly called by a non-Jewish ruler to radically change the Jewish community. As the rabbis that gathered in Braunschweig did not have Napoleon looking over their shoulders and were dealing with a *fait accompli*, they faced the issues it raised but also continued one element of the Sanhedrin by emphasizing their patriotism. When they reviewed the response of the Sanhedrin on intermarriage, they let it stand with a proviso that the children be raised as Jews when permitted by the government, a permission granted by none in the 1840s. Nor was it yet an issue in their communities. The halakhic issues that the Sanhedrin had avoided were not raised nor were philosophical questions We should note that the Sanhedrin was never discussed in the later Reform rabbinic meetings in Europe or North America.

The Place of Tradition

These new open democratic procedures were welcome and accepted. They soon led to a major question: should decisions be

based only on contemporary considerations even when it meant a major break with the past, or should the Tradition and *halakhah* play a dominant role. The two ends of the spectrum were represented in these conferences by Samuel Holdheim (1806–1860) and Samuel Adler (1809–1891) who became rabbi at Temple Emanu-El, New York in 1857). Adler's position was close to Geiger's view of the historical development of Judaism, but Adler also felt that innovations should be anchored in the halakhic tradition.[36] A major debate on this issue at the meeting was avoided, although it could have occurred a number of times. It threatened to break out over feminism and the status of women in Judaism. The confrontation did not occur; the views of Samuel Adler, however, were published as an appendix in the volume of proceedings of the conference. There, Adler presented a lengthy Hebrew essay defending the changes in the status and role of women by citing halakhic precedents, although often interpreted differently from the Tradition. Holdheim initially responded briefly but then in a lengthy German pamphlet. Both these reform leaders favored complete equality for women and were thinking far beyond the liturgical changes and those in the matrimonial law contemplated at the sessions, but they disagreed on the theoretical basis for such changes.[37]

In this exchange we can see a different approach to the halakhic material, not through an authoritative and binding responsum, but through persuasive essays. The old power of imposing an answer and enforcing it had disappeared. Now those that deliberated innovation had to be persuaded that the *halakhah* had bearing on the matter under discussion and that it should be heard and accepted. The new approach included looking at the halakhic material within the historical and sociological conditions of its time, raising divergent views rejected long ago, or totally reinterpreting the *halakhah*. Each

of these paths was suggested by Adler and was made part of his proposal for a basic review of the position of women as one can see through a quick review of his essay, reprinted as an appendix to this volume.

The essay of Samuel Adler is thoroughly argued; it knowingly took liberties with the *halakhah.* which has always been a way of expanding the *halakhah.* At the subsequent meeting in Breslau (1846) a similar paper in German was given by J. Auerbach (1810–1887); it provided many parallel citations.[38] This time a discussion of biblical and talmudic texts could not be avoided. Adler then proposed a far reaching resolution on feminism. He read a six point program was read to the Conference; it was the most thorough statement on the rights of women to be suggested at these meeting:

> We recommend that the rabbinical conference declare woman to be entitled to the same religious rights and subject to the same religious duties as man and in accordance herewith make the following pronouncements:
>
> 1. That woman are obliged to perform such religious acts as depend on a fixed time, in-as-far as such acts have significance for our religious consciousness.
> 2. That women must perform all duties toward children in the same measure as man.
> 3. That neither the husband nor the father has the right to release from her vow a daughter or a wife who has reached her religious majority.
> 4. That the benediction *shelo asani ishah* (Praised be You, O Lord, our God who has not made me a woman), which owed its origin to the belief in the religious inferiority of women be abolished.
> 5. That the female sex is obligated from youth up to participate in religious instruction and the public religious

service and be counted for *minyan*; and finally,
6. That the religious majority of both sexes begin with the thirteenth year.[39]

This resolution which went further than anything previously suggested was discussed briefly but then tabled for action at the next rabbinic meeting which did not materialize. Many of the same matters, however, – marriage, divorce, *halitzah*, Shabbat,, holidays, and liturgy generally – were brought up again at the synod held in Leipzig in 1869. This meeting and the following synod included lay leaders along with rabbis. The second synod, which followed in Augsburg, continued to deal with some of these practical issues, but neither undertook a broad look at the status of women. The rabbis attending the Braunschweig Conference may have been prepared for a summary of the changes that they had already made but not for the concluding point five which went further but they but also did not want to vote negatively, so it was tabled.

The disagreement between Adler and Holdheim was fundamental to the direction of the Reform movement. Holdheim, who was a talmudic scholar, was willing to review the rabbinic tradition but equally willing to make radical changes when necessary outside that tradition. He had stated his position quite clearly at the beginning of the conference and sought numerous occasions to turn the debates to a broader discussion of principle.[40] He felt sufficiently strongly about Adler's essay to write a sixty-page pamphlet that discussed Adler's monograph point by point; it was published separately in Schwerin in 1846.

This debate on the basis for change ran parallel to the rabbinic conferences, but was not part of them, so that its divisive force would not delay or possibly destroy the meetings. This very fact demonstrated that a new way of proceeding had quickly and quietly been adopted. There was enough feeling for the older path of

anchoring everything in the *halakhah* so that Adler's lengthy essay was published as an appendix. This may also reflect an attempt to include the more traditional rabbis that had not attended the conferences either because of governmental prohibitions or their own hesitation.

This effort to establish a theoretical basis for decisions either before making decisions through a majority vote or alongside it would certainly have been possible, but it was not followed on this occasion and generally discarded both in the Old World and the New World.

The Philadelphia Conference of 1869 followed the pattern of the three earlier German rabbinic meetings. The meeting was organized by David Einhorn (1809–1879) and Samuel Adler, who had also recently immigrated to North America; it was held in June – the same time as the synod in Leipzig. All the participants were Reform rabbis, many of whom had been part of the earlier conferences and were still most at home in the German language which was used for the meetings.[41] The sessions paralleled those of the European meetings, however, they brought more theological discussions and frequent references to the *halakhah* on marriage, divorce, *aguna, halitzah* and *yibbum.* Although halakhic concerns were mentioned, there were few long citations and no major statement such as Adler's earlier paper. The Atlantic Ocean created a great divide. No one felt any urgency to mount a major defense of innovations since all the rabbis served Reform congregations, not mixed communities as in Germany. The purpose of the meeting was also similar, that is to bring the rabbis of the New World together and to establish a pattern of Jewish life which would be more uniform – something even more necessary in America than in Europe as the new Jewish settlers were still seeking a pattern for their congregations.

The proceedings of the meeting were summarized and the total material was published in German and was therefore generally

available. It meant that many practical issues were now settled for those already in America and for the constant stream of newcomers. Despite the theological discussions, no broad statements were adopted; nor was a clear position on the status of women.

The Central Conference of American Rabbis organized by Isaac Mayer Wise in 1889, followed democratic procedures and was determined to meet annually to present a forum for discussion of major and minor. Its structure provides continuity which escaped the earlier rabbinic meetings. Its deliberations, resolutions, and responsa continue to provide a path toward change within the Reform Jewish community alongside its lay counterpart the Union of Reform Judaism. The democratic process of resolutions was and continues to be used to deal with many issues. It involved the Conference heavily in contemporary issues of all kinds, and brought Jewish views to the attention of the broader public.

The process of resolutions was quickly refined by the Conference, Resolutions were initially brought to a committee by individuals or groups of rabbis. They were then debated with the committee, rejected or refined at this level, and then sent to the broader conference for further discussion. This process avoided unwieldy discussion at the annual meetings. This mechanism has proven useful for more than a century. The resolutions were placed into the framework of the Jewish tradition in a general way and usually without a thorough review of the past. That was left to the Reponsa Committee if it wished to undertake the task or to individual rabbis.

In 1893 the Central Conference adopted a resolution on the status of Jewish women:

> WHEREAS, We have progressed beyond the idea of the secondary position of women in Jewish congregations, we recognize the importance of their hearty cooperation and active participation in congregational affairs; therefore be it RESOLVED that the Executive Committee have prepared a paper tracing the development of the recognition of women in Jewish congregations, and expounding a conclusion that women be eligible for full membership, with all privileges of voting, and holding office in our congregations.[42]

Any citing of traditional material would await a full paper. The paper which was to follow in the subsequent year, however, did not materialize. This resolution went further than any earlier statement. It came in the same year as the World Parliament of Religions met in Chicago with two papers on women in Judaism. Dr. Landsberg dealt largely with the biblical period, but noted the changes of the nineteenth century. Ms. Szold provided a review of the past, but concentrated on the modern period, however, with little about the problems remaining.[43] The Congress of Jewish Women also participated in that meeting.[44]

The American women's movement faced a long, tough, uphill battle for the right to vote which finally occurred through the ratification of the nineteenth amendment in 1920. This was the next step for women's rights which needed support. A number of prominent rabbis were heavily involved. However the Central Conference was slow to take a stand, yet the resolution process eventually worked. We will trace it through the years to demonstrate this democratic path. An effort in 1913 to place a resolution before the Conference failed. The proposed resolution in part reads:

> That this Central Conference of American Rabbis by common recognition the largest and most representative organization of progressive Judaism today in the entire world, places itself on

> record as a body in sympathy with and in support of the latest appeal for the extension of liberty in civilization and recommends that its members individually in their pulpits and through their ministries, advocate and advance the cause of women's equal political suffrage with man's.

The committee on resolutions, however, rejected this proposed resolution by stating "that this is a matter for the individual rabbi and deems it inadvisable for the Conference as a body to take action."[45] The issue was revisited in 1915 with the proposal of a similar resolution, but with eleven signatures and the statement

> Whereas , the question of Women's Suffrage will be presented to the voters of a number of States in the course of the year, Be it resolved that the Conference places itself on record as favoring the enfranchisement of women.

It was once more rejected on the basis that this was a matter for the individual rabbi.[46] A stronger resolution was proposed in 1917 that cited our own suffering through discrimination as well as the patriotism of women and concluded that

> We, the Central Conference of American Rabbis, hereby feel it to be our solemn duty, as preachers of a religion which has stood throughout the centuries for justice and righteousness, to assert our belief in the justice and righteousness of the enfranchisement of the women of our country.

This was signed by 18 rabbis. The vote of the committee was divided with the majority in favor and a minority opposed. The resolution was then adopted.[47]

Further statements on numerous issues which faced women continued to come from the Central Conference and the Union for

Reform Judaism. Other organizations grew out of the Reform movement as new needs became apparent. First among them was the National Federal of Temple Sisterhoods, now Women for Reform Judaism, founded in 1918. In 1972 following the ordination of a number of women as rabbis, the Women's Rabbinic Network was founded. Each of these organizations of the Reform movement, along with others, have dealt with a broad range of women's issues. Their concerns went beyond the immediate Jewish matters and ranged from the White Slave Trade to Reproductive Rights.[48] The Social Action Center of Reform Judaism has played a major role since 1959 and often spoken for the entire Jewish community on major causes including women's issues.[49]

As women rabbis began to play an increasing role in the affairs of the Conference, women headed committees and served as its president.[50] A gender neutral prayer book, which appeared in 2004, was the natural further step in this direction.

In the New World even more than in the Old, the democratic pattern became a major path of settling issues. The rabbis who were familiar with the path of responsa but chose not to take it. The pattern for creating changes in this manner, first introduced in Europe, found an even greater welcome in North America.

Each of these steps proceeded through the democratic process which had become the central agent of change. In contrast to earlier times, democracy prevailed in all matters without any limitations.

The *Minhag*

America used a time honored path for innovation – the *minhag* (the voice of the people) often. This was relatively easy as there were no restrictions and complete religious freedom. Isaac Mayer Wise (1819–1900), the founder of the democratic Reform organizations,

was also willing to follow the path of the *minhag*. He understood the need for organizations and had been present at the rabbinic meeting in Frankfurt, but he also understood that they move slowly. He was a proponent of equality for women and instituted the family pew which immediately became popular. The people saw it as a new *minhag*. The family pew, introduced by Isaac Mayer Wise in his Albany congregation was denounced by Isaac Leeser (1806–1868) in *The Occident* in1851,[51] but it rapidly became widely accepted. There was neither national outcry nor national debate. The seating of women with men was gradually adopted. It became the norm in Reform and many Conservative congregations without halakhic justification as did counting women as part of a *minyan* which fits well already into Isaac Mayer Wise's early thoughts.[52] Here was a major step forward toward the equality of women, taken quietly. It was followed by changes in marriage and funeral ceremonies and women on synagogue boards, along with other matters.

Isaac Mayer Wise and other Reform leaders never became leaders for change in the broader feminine issues. They remained uninfluenced by the events around them as for example, the first North American effort in this long struggle occurred in Seneca Falls, N. Y. In 1848. Of all the great revolutionary events of that year, this was the quietest. On July 19–20, 1848, a two day "convention" took place in a small Wesleyan chapel whose minister became reluctant when the meeting date approached. It was barely noted in the local paper. There were a large number of subsequent meetings in the next decade, often denounced, especially by religious leaders; women were divided over whether to demand the vote or not. When the 14th amendment, which gave rights to the Negro was proposed in 1866, a few raised the issue of women's rights, whereas some still wondered whether women were considered citizens.[53] The Supreme Court unanimously decided that citizenship did not confer the right to vote in 1874. The American women's movement was slow in getting started and faced a long, tough, uphill battle, until the equal rights amendment of 1920.

Individual Jewish leaders spoke out, but the organized community in North America did not although some Jewish women were suffragettes. A conservative wait and see attitude prevailed as it did in much of American society through those decades. The path of the *minhag* would bring only limited changes.

In the democratic setting of North America, the voice of the people could force innovation. This was an extension of the *minhag* which has been a major force in Jewish life throughout our history; the rabbinate resisted, reluctantly accommodated, or ignored these *minhagim*, especially if they were contrary to the halakhic tradition.[54] In numerous instances such divergent paths were, nevertheless taken. For example the Talmud ignored semi-pagan synagogue decorations which continued for centuries in Israel and the neighboring lands. Rabbis frequently accepted a local *minhag* in liturgy and in life-cycle ceremonies, such as breaking the glass at weddings or permitting pictures on tombstones. It was more difficult to resist in America even when the change was as drastic as mixed seating. Innovations occurred and spread without any attempt at halakhic justification. This was true of scores of innovations great and small and certainly of every move in the direction of feminism such as women's Torah reading, *bat mitzvah*, women in leadership positions and eventually the admission of women to rabbinic studies. All these changes occurred as *minhag*. In America *minhag* reigns supreme. The *minhag* has been a dominant force on the American Jewish scene, affecting every aspect of Jewish life. It, of course, represents popular democracy.

A Theological Approach

Kaufmann Kohler (1843 – 1926), who came to the United Sates from Germany in 1869 felt the need for a broader statement of modern Judaism that would go beyond practical changes. He had not instigated anything like this in Germany, perhaps as he saw it too

difficult in those communal settings and with the conservative governments. He did what Samuel Holdheim might have undertaken. However, he did not limit himself to writing, but used a meeting. Kohler understood the divide between the radical Reform rabbis in the East and the more conservative western rabbis led by Isaac Mayer Wise in Cincinnati. In 1885 Kohler therefore called a meeting in Pittsburgh, neutral territory half way between the two camps. It provided an opportunity to create a document that would go beyond the specific decisions of Philadelphia and place them into an ideological setting. Kaufmann Kohler came with a fully prepared text that with some modifications became the Pittsburgh Platform.

This represented another major innovation. Creedal statements had been created by some leading thinkers of the past, including Maimonides (1135–1204). Even this statement of the greatest medieval Jewish scholar was never fully accepted by the Jewish community, although it is printed in the private devotions of the traditional prayer book. Here, however, was a statement of principles that was adopted by a group of rabbis for a the Reform movement. It dealt with theology, the entire range of religious life and observance[55] and represented a striking innovation. As the Reform movement changed similar documents were later prepared, debated, and became the official pronouncement of the Central Conference of American Rabbis and of the Reform movement. This occurred in Columbus (1937), San Francisco (1976), and Pittsburgh (1999).

Kohler was concerned about the position of women in Reform Judaism and in modern Jewish life. The address presented to the assembled rabbis, therefore, included a major section on women and pointed to all that women do for religious life and education.

> They do the work of charity everywhere, and their sympathies are broader and more tender than those of the stern struggler for existence in the business mart. Indeed, none of the greater

time-absorbing tasks of Congregational life is discharged with the same self-denying devotion and enthusiastic zeal by our men, few of whom find even the time for our Sabbath School work on Sunday, as it would be done by ladies. Our religious life in America demands woman's help and participation. And I do not hesitate to claim for myself the priority of the claim for *women's* full admission *into the membership* of the Jewish Congregation. Reform Judaism has pulled down the screen from the gallery behind which alone the Jewish women of old was allowed to take part in divine service. Reform Judaism has denounced as an abuse the old Hebrew benediction: "Blessed be God who has not *made me a woman,*" borrowed from Plato who, notwithstanding his soul's lofty flights in the highest realm of thought, never realized the high dignity of women as the co-partner and helpmate of man. Reform Judaism will never reach its higher goal without having first accorded to the congregational council and in the entire religious and moral sphere of life, equal voice to woman with man.[56]

No statement of this nature, however, found its way into the Pittsburgh Platform and we do not know why. The broad outline of the published proceedings contains no discussion of any portions of this major document. This may have been intentional in order to provide a show of ideological unity. The Platform was radical and including a paragraph on women should have caused no concern. The bold statements which set the course for what was called "Prophetic Judaism" was not extended to women at this meeting. .

The radical Pittsburgh Platform adopted in 1885 followed the democratic pattern set forty years earlier. It made a conscious break with the past and contained no halakhic references whatsoever.[57] Oddly enough, discussions on specific ritual matters toward the latter part of the meeting cited traditional texts.

Earlier Isaac Mayer Wise's *American Israelite* or Isaac Leeser's *The Occident* could have become forums for a philosophical or theological debate on the issue of feminism, but that did not happen. Nor were the serialized stories so popular with the readers, especially of Wise's German language *Deborah,* used to further the cause of feminism

RESPONSA BY COMMITTEE

Yet the pendulum did not swing in only one direction, for Kaufmann Kohler felt the need for a solid basis in tradition for specific questions that rabbinic colleagues raised and in 1906 established the Responsa Committee of the Central Conference of American Rabbis.[58] Soon some responsa were published in its Yearbooks along with the report of the committee. The very fact of creating responsa through a committee rather than through a single scholar was novel and a bow to the democratic impulse. The Conference rarely turned to the committee for halakhic guidance, however, before debating and adopting major matters. So, for example, my long responsum on patrilineal descent was written after the decision had been made. In other words, this older method of reaching decisions continued for many practical matters of daily life that concerned both the rabbis and the congregants but was generally not used by committee chairs or the broader Conference as a body.

A major exception to this was the question of women's ordination as the Conference sought the advice from the chair of the Responsa Committee; the issue had been raised at the College in 1921 as Martha Neumark, the candidate asked to be assigned a high holiday pulpit as a student rabbi. She narrowly received a positive vote from the faculty with Kaufmann Kohler, the President of the College, breaking the tie. Kohler then turned to the Board of Governors to consider the broader question of ordination.[59] At the same time Professor Jacob Lauterbach of the College (1873– 1942) was asked

by the Conference to prepare and present a responsum. It came to a negative conclusion.[60] Lauterbach was not inclined to "creative misreadings of the *halakhah*." He based his decision on the principle that women are not empowered to "render decisions in ritual or religious matters" and equated the rabbi with *dayan*, citing that the ordination states *yoreh, yore, yadin, yadin* (*Yerushalmi* San 21c; Shev. 35 b; *Yad.* Hil. Sanhedrin 2.7; *Tur* and *Shulhan Arukh*, Hoshen Mishpat 7.3). In the matter of acting as a teacher, the tradition imposed some restrictions on women but generally permitted it. Lauterbach then continued by asking whether the Reform movement should separate itself from the rabbinic tradition and ordain women. He declined to do so, as in his view it would jeopardize the authority of all Reform rabbis. Furthermore, he questioned the ability of women to devote themselves fully to the task alongside their other duties. The conclusion was challenged on the matter of liberal principle by a large number of rabbis on the floor of the meeting, by women who were present, and by Professor Neumark of the Hebrew Union College, who as the father of the candidate.[61] The Conference under the leadership of a special committee, headed by Henry Cohen, then took the following position:

> Whatever may have been the specific legal status of the Jewish woman regarding certain religious function, the general position in Jewish religious life has ever been an exalted one. She has been the priestess in the home, and our sages have recognized her as the preserver of Israel. In view of these Jewish teachings and in keeping with the spirit of our age and the traditions of this conference, we declare that woman cannot justly be denied the privilege of ordination.[62]

Professor Lauterbach reluctantly modified his views under practical pressure. However, the Board of Governors refused to permit the ordination women. Neither the faculty nor the Conference was willing to push further, nor did anyone come forward and offer private

ordination.[63] This demonstrated either a failure of nerve or a lack of broader interest in this issue. Although women had studied at HUC and received a Bachelor's Degree, none were ordained or pushed hard in that direction.[64] No male rabbis stepped forward to provide private ordination as did Max Dienemann (1873–1939) who ordained Regina Jonas in Berlin in 1935 almost four years after she had fulfilled all the requirements of the *Hochschule für die Wissenschaft des Judentums* (1870–1942), the liberal German rabbinic seminary. Leo Baeck added his signature to the ordination in 1941. Regina Jonas, after some difficulties, served the Berlin community until her deportation first to Theresienstadt (1942) and then to her death in Auschwitz (1944).[65]

Jonas had written a halalkhic thesis with the title"Can a Woman Hold Rabbinical Office" for Professor Baneth who was to ordain. He regarded it as "good." This could have been the basis of a responsum, but remained unknown.[66]

The question of ordination was revisited by the Central Conference in 1956 with the approval of Nelson Glueck, the president of the Hebrew Union College. However this did not lead to a positive resolution.[67] Subsequently there were resolutions by the National Federation of Temple Sisterhoods, but no follow through by them; an Emma Goldman was lacking.

We should note that the simple path of innovation first taken by Israel Jacobson, and Max Dienemann finally resolved the issue of women's ordination in North America and largely in the same way. It was a unilateral decision taken with little internal or institutional discussion by Nelson Glueck, President of the Hebrew Union College, who admitted Sally Prisant or Alfred Gottschalk, his successor, who ordained her in 1972. There was no debate at the Central Conference, by the Board of Governors of the College or the Union of American

Hebrew Congregations (which passed a congratulatory resolution),[68] nor any question addressed to the Responsa Committee. This innovation was accepted, perhaps reluctantly by some, but without major protest.

With this question and others responsa here faced the democratic impulse. The Central Conference had wished to anchor this significant step in the Tradition, but that did not prove possible. The responsa committee holds a special position in the Conference. It is part of this democratic organization and in theory a committee like all others. In practice, however, it remains distinctive. Until my time as chairman, the committee never met and was rarely consulted as the chairman answered all questions and spoke for the committee. I introduced the practice of regular meetings and consultation on the major questions asked, yet ultimately, wrote the reponsa. That remains the current practice. Responsa continue to be used to inform both the rabbinate and the broader public but are not binding upon them.

Responsa continues to be a potential path toward change, but more as a way of justifying innovation. They began to be used systematically and in a broader manner in the early 1950s through the efforts of Solomon B. Freehof (1892-1990) as chair of the Responsa Committee. His *Reform Jewish Practice and Its Rabbinic Background* took a further step in placing contemporary practice into a traditional context. As questions began to be directed to him, he wrote formal responsa, reopening this path for innovation and justifying it. Freehof understood that there was opposition to this voice of authority and stated that these decisions represented "guidance not governance" which was his way of avoiding conflict. Because Freehof's responsa were published by the Hebrew Union College Press they had additional status.

Freehof's effort, at least in theory, represented a combination of the older style of responsa, i.e. produced by a single individual and

the pattern sought by the Conference of working with a committee, which he partially followed. A collection of the responsa issued by the Committee and published by the Conference, albeit in mimeographed form, may have represented at least a semi-conscious objection to Freehof's style of going it alone.[69] This slim volume was another indication that the path of responsa in an advisory role would be taken more seriously. Yet they remained either advisory or provided traditional grounding after a significant resolution had been passed. That was the case with "Patrilineal Descent." The Resolution was adopted in March,1983 and I was a member of that committee. The rabbinic tradition had been thoroughly discussed in the committee proceedings and was mentioned in the committee report. The committee, however, did not request a responsumas part of its report. My responsum on the subject was not issued till October 1983.[70]

I took the role of the committee seriously and under my chairmanship the Responsa Committee undertook the task of reviewing the existing responsa of the Conference and adding material that brought them in line with contemporary thought. That volume was published by the Conference. This step, somewhat akin to the older halakhic process of adding commentary to an existing work. Responsa now were more than a few pages in the *Yearbook* and became more important in the individual decisions of rabbis and congregants. Significant new questions were asked in greater numbers; As not all could be discussed without endless delay for those who had asked the question, only the most significant were subject to committee discussion and the decisions represented the committee. Aside from preparing a text to which the committee could respond and make its suggestions, my main task was two-fold. I sought to avoid minority opinions as those who asked sought an answer, not a choice. Secondly the answer while perhaps containing some compromise due to the committee process, still needed to be firm with a specific direction. These responsa and others which I gave outside the committee process made responsa more important to the Reform

Jewish community as well as the Central Conference. My two additional volumes of responsa were published by the Conference in succeeding years.[71] A more recent volume under the leadership of Mark Washofsky followed.[72] In 1990 the newly established Solomon B. Freehof Institute for Progressive *Halakhah*, which I founded along with Moshe Zemer, have brought halahkhic views on a wide variety of contemporary issues to the broader Jewish public. They also continue a more democratic and open approach as they do not seek to provide a single answer to the issues discussed, but represent a range of scholarly opinions. This effort will not replace responsa as those who ask specific questions seek an answer, not essays. The sixteen volumes of halakhic essays and responsa thus far published continue to provide a forum for *halakhah* in the Reform decision making process.[73] These volumes and symposia have dealt with a very wide range of topics from birth control and conversion to war and terrorism with essays by dozens of colleagues and academics.

These paths of responsa and halakhic studies represent an effort to include the tradition in a systematic but non-binding way in the structure of the Central Conference. The Pittsburgh statement of 1999 indicates a greater bond with the tradition. This older path continues to be part of the mechanism of change. Yet it has been clothed in the garb of democracy and so functions within those limits.

Some Conclusions

Let us begin with feminism. While change in some areas came swiftly, in others it was surprisingly slow. Despite the series of questions on women which Napoleon asked, none of the Jewish responses even hinted that progress for women was necessary and a logical step in the emancipation of all Jews.

In the early nineteenth century progress in young women's education came slowly with small steps taken in a number of cities.

Upper class individuals had already begun the process privately half a century earlier. Governmental policies forced changes in Jewish education, but only for males. The writings of Pestalozzi and those influenced by him stimulated feminine education and in the second half of the century this included the Orthodox world

The steps taken by the three mid-century rabbinic conferences made substantial changes and went further that the surrounding Christian world. They were, however, caught up in an internal battle over traditional justification for such changes versus a simple declaration that modern Judaism is different and need not heed tradition. That struggle did not halt the process, however, but it stopped short of a full declaration of equality. The last convention was willing to have such a statement placed on the table but then referred it to a future meeting. No one at the future meetings in Germany or North America was willing to reintroduce it.

From 1848 on German Jews spent their effort fighting for equal rights for men and so dodged the issue. In North America where this was not as issue, it was simply avoided even when introduced by someone as prominent as Kaufmann Kohler. That continued to be the pattern even while women's suffrage was widely debated in the broader world. Even after the victory of the suffrage movement the reluctance to ordain a woman remained.

After the initial burst of enthusiastic liberalism, the organized Reform movement lost interest in feminism and whatever progress was made came through the *minhag* or the action of a single individual. The stand on feminism represents a very mixed record until the social justice movement of the 1960s and beyond.

Now let us turn to the mechanism of change. The Jewish communities since Napoleon's Sanhedrin of 1807 have worked out a series of parallel mechanisms for innovation to meet the conditions of

modern life. The community reconstituted itself and began a struggle for full civil rights while it continued to make numerous changes.

Six mechanisms of change have existed in a parallel fashion, each with a claim to authority but in reality sharing such authority, even if unwillingly or silently. The most widely accepted mechanism was the democratic assembly in which the members or their delegates debated and then settled issues through the vote. This has been widely accepted by the entire Jewish world, though frequently it is not sufficiently decisive.

Equally significant was the independent democratic voice of the people as expressed in the creation of *minhagim*. They were shaped without discussion and were simply accepted, often against the opposition of portions of the leadership, both lay and rabbinic, yet they have overcome that challenge more frequently than in the past.

Change based upon the notion of historical development and intellectual justification through pointing to similar steps taken in the past have always had a strong intellectual appeal. Initially this came under the heading of progress, but we might better see it as rising to the challenge of new conditions not necessarily representing an improvement on the past.

As new Jewish theologies and philosophies appear, they are seen both as paths to change and ways of systematizing it so that it can be viewed in a broader fashion. The various Reform platforms have used this method, yet only the first Pittsburgh Platform (1885), although officially adopted by no one, captured the essence of the Reform movement from a philosophical perspective. Perhaps its success lay in the fact that it was not the work of a committee, but of a single mind.

Innovation through an authoritative voice, responsa in Judaism, represents the oldest method . It justifies or rejects an action,. This was widely used initially, but failed as too conservative, too slow and too mired in the past. Furthermore it depended on personal authority, often rejected in the name of personal autonomy. Reborn as the function of a committee, it has a bright future as it combines the voices of democracy with those of authority.

Innovation created by a gifted charismatic leader acting entirely alone has always been important, frequently within the halakhic framework. In the modern period it proved to be most useful at the beginning whether through Israel Jacobson in Germany or Isaac Mayer Wise in America. After the community had reconstructed itself and established other avenues, it played a smaller role. In the contemporary highly organized Jewish world it is a less likely to be as effective as in the past.

Through each of these ways modern Jewish life has been reconstructed and established on a firm footing in all the lands where Jews now reside. The community is vastly different from that of the eighteenth century, yet in many ways stronger and more resilient. The unsettled atmosphere of the early nineteenth century gave way with surprising rapidity to new forms of organization. It created contemporary voluntary world in which Judaism depends entirely on internal discipline along with perhaps social pressure, as no external mechanisms are available. Personal autonomy works for some but community demands voluntary discipline. This can be and is established through any and all of the mechanisms that have evolved. They have created a new type of Jewish community that functions in an entirely different manner. It forms a continuum with the past despite the extraordinary differences. Judaism is narrower as many traditional tasks and functions belong to the nation states in which we

reside this includes Israel which has constituted itself like other nation states. Within those parameters Jewish life has not only flourished, but found ways to expand the influence of our religious and ethical message in the world.

Notes

1. Moses Sofer, *Responsa Orah Hayyim*, 28, 181; *Yoreh Deah* 19, etc. See the discussion in Eliezer Katz, *Hatam Sofer – His Life and Work*, Jerusalem, 1969 (Hebrew). See also note 11.

2. See Walter Jacob, "The Woman in Reform Judaism – Meeting or Avoiding the Issue" W. Jacob (ed.) *Gender Issues in Jewish Law – Essays and Responsa*, Pittsburgh, 2002, pp. 130 ff. For the 19th century background of feminist struggles see Bonnie S. Anderson and Judith P. Zinsser, *A History of Their Own – Women in Europe from Prehistory to the Present*, New York, 1988, Vol. 2; Susan M. Okin, *Women in Western Political Thought*, Princeton, 1979; Catherine Clinton, *The Other Civil War - American Women in the Nineteenth Century*, New York, 1984; Ellen Carol DuBois, *Feminism and Suffrage: The Emergence of an Independent Women's Movement in America 1848– 1869*, Ithica N.Y., 1978; Joan Hoff, *Law, Gender, and Justice – A Legal History of U.S. Women*, New York, 1991; Mary Ritter Beard, *Women as a Force in History: A Study in Traditions and Realities*, New York, 1946.

3. See Walter Jacob, " Napoleon's Sanhedrin and the Halakhah," in W. Jacob (ed.), *Napoleon's Influence on Jewish Law*, Pittsburgh, 2007, pp.1 ff.

4. Louis Finkelstein, *Jewish Self-Government in the Middle Ages*, New York, 1964, pp. 111 ff.; S. Baron, *The Jewish Community*, New York, 1942, Vol. 2; L. Epstein, *Marriage Laws in Bible and Talmud*, Cambridge, 1942; L. Loew, "*Eheliche Abhandlungen,: Gesammeltew Schiften*, Szegedin, 1893, Vol. 3; Ze'ev Falk, *Jewish Matrimonial Law in the Middle Ages*, Oxford,1966, pp. 13 ff.

5. See Walter Jacob in W. Jacob (ed.), *Napoleon's Influence on Jewish Law*, Pittsburgh, 2007, pp. 50 ff.

6. *Protocolle der ersten Rabbiner Versammlung abgehalten in Braunschweig*, Braunschweig, 1844.

7. Jacob R. Marcus, *Israel Jacobson*, Cincinnati, 1972, is a charming biography of this leader; this study was first published in 1928. Details of Jacobson's efforts, what influenced him and critical analyses may be found in many of the works cited in this study.

8. Little is known about the literacy of the average Jewish woman in the Middle Ages. The publication of devotional books in Judeo-German specifically addressed to women attests to some degree of literacy in northern Europe. Through the centuries a few well educated and scholarly women were mentioned. Matters changed in the eighteenth century, especially in Berlin, as the daughters of wealthy Jews received a broad secular education but little or nothing Jewish.

9. The records indicate that the school enrolled girls. Michael A. Meyer in his *Response to Modernity*, Oxford, New York, 1988, p. 39f., indicated that although the documents stated that girls were to participate in the Confirmation/graduation exercises of 1810 there is no indication that this occurred.

10. Samuel Echt, *Die Geschichte der Juden in Danzig*, 1972, in Michael Meyer, Op. Cit. p. 408.

11. Aaron Chorin, *Ein Wort zu seiner Zeit*, Vienna, 1820, p. 55.

12. Mordecai Eli*av, Jüdische Erziehung in Deutschland im Zeitalter der Aufklärung und Emanzipation*, Berlin, 2001. A more personal view is provided by some of the autobiographies in Monika Richarz, *Jüdisches Leben in Deutschland – Selbstzeugnisse zur Sozialgeschichte, 1780 – 1871*, New York, 1976.

13. Ismar Elbogen "*Jüdische Geschichte und Literatur*;" Moritz Stern, "Bibliographie" in Ludwig Geiger (ed.), *Abraham Geiger Sein Leben und Lebenswerk*, Berlin, 1910 (republished in Berlin, 2001 under the auspieces of the Abraham Geiger College); Max Wiener (ed.), *abraham geiger and liberal judaism*, Philadelphia, 1962 – especially pp. 177 ff.; Michael A. Meyer. "Abraham Geiger's Historical Judaism in Jacob Petuchowski (ed.), *New Perspectives on Abraham Geiger*, Cincinnati, 1975.

14. Abraham Geiger, *Wissenschaftliche Zeitschrift für jüdische Theologie*, Vol. 3, 1837, p. 7.

15. Mordecai Breuer, *Modernity within Tradition – A Social History of Orthodox Jewry in Imperial Germany*, New York, 1992, pp. 123 ff. Samson Raphael Hirsch emphasized the role of prospective Jewish mothers and the need to educate them

properly (*Jeshurun*, 1862, pp. 417 ff.). Hirsch's school in Frankfurt even had mixed classes until the growing enrollment permitted gender separation. The Orthodox Israel Salanter (1819–1883) on visiting Hildesheimer in Berlin noted that he lectured to young women, which would have led to an uproar in Lithuania (Ibid. 125). See also J. Carlebach, "Family Structure and the Position of Jewish Women," in W. Mosse, *Revolution and Evolution–1848 in German Jewish History*, Tuebingen, 1981.

16. Alexander Altmann, *Moses Mendelssohn, A Biographical Study*, Philadelphia, 1973, p. 382; Moses Sofer's concerns were limited, but were expanded into an absolute prohibition by his descendants and disciples in keeping with the separatist later mood. Sofer himself was much more nuanced; his children learned German and approved a proposal for a seminary which taught secular subjects, etc. Meir Hildesheimer, "The Attitude of the Hatam Sofer Toward Moses Mendelssohn," *Academy for Jewish Research*, 1994, Vol. 60. pp. 141–188; Meir Hildesheimer, "The Secular Language and Secular Studies – Attitudes toward Them in the Thought of the Hatam Sofer and his Disciples," *Academy for Jewish Research*, Vol. 62, 1996, Jerusalem, 1996, pp. 129–164.

17. Mordecai Eliav, *Op. Cit.*, p. 20.

18. A series of articles by Abraham Geiger , *Wissenschaftliche Zeitschrift für jüdische Theologie*, Frankfurt a.M., 1835, Vol. 1 and subsequent volumes. Some have been republished in Ludwig Geiger (ed.), *Nachgelassene Schriften.*

19. More recent studies do not bear thisconclusion out.

20. A. Geiger, "*Die Stellung des weiblichen Geschlechtes in dem Judentume unserer Zeit*," *Wissenschaftliche Zeitschrift für jüdische Theologie*, Vol. 3, 1837, pp. 10 ff.

21. Ibid., p. 18ff.

22. *Nogah Hatzedek*, Dessau, 1818; Eliezer Lieberman, *Or Hanogah*, Dessau, 1818, were followed by Orthodox attacks in *Eleh Divrei Habrit*, Altona, 1819, Abraham Loewenstamm, *Tzeror Hahayyim*, Amsterdam 1821 and others. Much later German responsa of twelve rabbis defended the changes of the Hamburg prayer book in *Theologische Gutachten über das Gebetbuch des Neuen Israelitischen Tempelvereins in Hamburg*, Hamburg, 1842; and a later broader defense through *Rabbinische Gutachten über die Vertreglichkeit der freien Forschung mit dem Rabbineramt*, 1843. A year later Rabbi Solomon Abraham

Trier assembled a series of German language responsa from Orthodox rabbis defending circumcision in the volume *Rabbinische Gutachten über die Beschneidung* (Frankfurt a. M., 1844). This was part of the struggle against a radical Reform group that sought to eliminate circumcision. This Orthodox effort in the vernacular was not repeated.

23. Michael Meyer, *Op. Cit.*, pp. 122 ff.

24. See Walter Jacob, "Solomon B. Freehof and the Halachah – An Appreciation," in Solomon B. Freehof, *Reform Responsa for our Time*, Cincinnati, 1977, p. xv.

25. Abraham Geiger, *Wissenschaftliche Zeitschrift*, 1837, Vol. 3, p. 7.

26. Jacob Petuchowski, *Prayerbook Reform in Europe*, New York, 1968.

27. David Novak, *Law and Theology in Judaism*, New York, 1974, Vol. 1, 2.

28. For details of Geiger's intentions, see Ludwig Geiger, *Abraham Geiger, Leben und Lebenswerk*, Berlin, 1910, pp. 114 ff. Other forces were at work too. First the statements of the radical *Reform Verein* of Frankfurt which had made strong statements on the abrogation of *brit milah* and intermarriage. These had to be confronted. In addition many professional groups were organizing on a regional or national basis in order to gain strength, consult with each other, and come to common decisions. See Michael Meyer, *Response to Modernity – A History of the Reform Movement in Judaism*, New York,1988, p. 427, note 125.

29. The rabbis that attended the Conferences are listed; others were present, but not in an official capacity and were not named:

BRUNSWICK CONFERENCE June 12–19, 1844
WORMS - A Adler. ALZEY - S. Adler COBLENZ - Ben Israel
HILDESHEIM - Bodenheimer MINDEN - Adler, OFFENBACH - Formstecher
HAMBURG - Frankfurter BRESLAU - Geiger KURHESSEN - Goldman
SONDERHAUSEN - Heidenheim BRUNSWICK - Herzfeld
BERNBURG - Herxheimer WEIMAR - Hess LUXENBURG - Hirsch
MEININGEN - Hoffmann MECKLENBURG-SCHWERIN - Holdheim
MANESWERDER - Jolowicz TREVES - J. Kahn POMERANIA - Klein
STUTTGART - Maier (was president of the Conference)
MAGDEBURG - Philippson HAMBURG - Salomon, Randegg: Schott
BINGEN - Soberheim

FRANFURT-ON-THE MAIN CONFERENCE July 15–28, 1845
FRANKFURT a.M. - J. Auerbach, BIRKENFELD - Einhorn
DRESDEN - Frankel MARBURG - Gosen BUCHAU - Gueldenstein
FRANKFORT - Jost ALT-BREISACH - Reiss BURGKUNSTADT - Stein
WIESBADEN- : Suesskind WEIBURG - Treuenfels MANNHEIM - Wagner
OLDENBURG - Wechsler FRANKFURT a.M.. - Leopold Stein (as President of the Conference)

BRESLAU CONFERENCE July 13–24, 1846

WORMS - A. Adler ALZEY - S. Adler, FRANKFURT a.M. - J. Auerbach
COBLENZ - : Ben Israel BIRKENFELD - Einhorn OFFENBACH - Formstecher
BRESLAU - Geiger (who was president of the conference) WAREN - Goldstein
MARBURG - Gosen BUCHAU- Gueldenstein, BERNBURG - Herxheimer
BRUNSWICK - Herzfeld EISENACH - Hess,
MECKLENBURG-SCHWERIN - Holdheim TREVES - J. Kahn
BRESLAU - M. Levy MÜNSTERBERG - L. Loevy TEPLITZ - Pick
MAGDEBURG - Philippson BINGEN - Sobernheim FRANKFURT A.m. - Stein
MANNHEIM - Wagner OLDENBURG - Wechsler

30. Some rabbis were not permitted to attend by their governments. Ultimately the Orthodox objected vigorously to the decisions made and gathered signatures of colleagues from neighboring lands. Heinrich Graetz, *Geschichte der Juden*, Leipzig, 1878 , Vol. 11, p. 534. See also .*I.M.* Jost, *Geschichte*.des Judenthums und seiner Sekten, Leipzig, 1859, Vol. 3, pp. 379 ff.

31. Louis Finkelstein, *Jewish Self-Government in the Middle Ages*, New York, 1964; Salo Wittmayer Baron, *The Jewish Community*, Philadelphia, 1945; Y. Baer, "The Foundations and Beginnings of Jewish Organizations in the Middle Ages," *Zion*, Vol. 25, 1940; A. Agus, "The Autonomous Rule of the Jewish Communities in the Middle Ages," *Talpiot*, 1951, Vol. 5; S. Dubnow, *Pinkas Hamedinah*, Jerusalem 1969; Samuel Atlas, "The General Will in Talmudic Jurisprudence," *Hebrew Union College Annual*, Vol. 26, 1955, pp. 1 – 38. Records of such councils have not survived.

32. Let us take a brief look at the special function of the ancient great Sanhedrin. The origins and the way in which the ancient great Sanhedrin functioned are not clear as the various sources contradict each other. This Sanhedrin as a religious and political institution seems to have functioned through the Hellenistic period, with its membership changing to reflect the struggle between Saducees and Pharisees. Echoes of these struggles appear in the *Mishnah*, *Tosefta*, the *Babli* and *Jerushalmi*.

Josephus, and the *New Testament* as well as the Dead Sea Scrolls. It was viewed as the ultimate religious authority. Long after it had ceased to function, an idealized version of its procedures was described in the mishnaic literature. We cannot judge the accuracy of this description.

Maimonides provided a description of its powers and functions as he understood them: It had the power to make major decisions that were to be recognized by all and could do so by majority vote. .Membership in this august body was limited to those that had received ordination in the continuous line that according to tradition traced itself to Moses. However, when the Great Assembly turned to the qualifications for membership, they agreed that there were no specifications, voted on the matter and settled it. As ordination in the traditional sense stopped in the fourth century, it meant that this route for making changes or modifications in the *halakhah* were no longer available.

The need for greater flexibility was felt from time to time, but no one was sufficiently bold to attempt the reintroduction of ordination and thus to begin the process of recreating a Great Sanhedrin. The exception was Jacob Berab of Safed. In the sixteenth century made the bold attempt which immediately failed since he did not include the leading rabbinic authority of Jerusalem. This effort would undoubtedly have collapsed anyhow a bit later. Those that participated in this venture, such as Joseph Karo, did not mention it in their writings as it would only have injured their reputation. No subsequent similar efforts to create a central Jewish religious authority that might have the power to make major changes in the *halakhah* were undertaken.

33. "Statuten," *Protocolle, Op. Cit.*, xii ff.

34. *Protocolle und Aktenstuecke der zweiten Rabbiner Versammlung abgehalten in Frankfurt am Main*, Frankfurt, 1845. Frankel left after a debate on the report of a commission that suggested that Hebrew be limited to *barkhu*, the following paragraphs, *shema* and its paragraphs, the initial three and final three paragraphs of the *amidah*, and the Torah reading. The remainder of the service could be in the vernacular [German] (p. 61). There was considerable discussion; the vote on this issue was for acceptance of the report eighteen to twelve, with Frankel not participating. He then immediately published a statement declaring his objection (p. 72). This statement was brought to the attention of the Conference two days later and the assembly decided against publishing a rejoinder and starting a public polemic against him (pp. 86 ff.) Although this was the ostensible reason for Frankel's withdrawal, his theological position differed on many other matters with the majority in attendance.

Frankel also expounded a historical view of the tradition but limited himself to the post-biblical period. His works *Ueber den Einfluss der palaestinischen Exegese auf die alexandrinische Hermeneutik*, Leipzig 1851 and his *Darkhei Hamishnah*, Leipzig, 1859 provided a historical, critical approach to these classic texts.

35. I.M. Jost, *Geschichte des Judenthums und seiner Sekten*, Leipzig, 1859, Vol. 3, pp. 379 ff. Jost as a contemporary followed the proceedings closely.

36. A. Geiger, *"Die Stellung des weiblichen Geschlechtes in dem Judentume unserer Zeit" Wissenschaftliche Zeitschrift fuer jüdische Theologie*, Vol. 3, 1837, pp. 10 ff.

37. Adler's paper is reprinted as an appendix to this volume as it is not generally available.

38. *Protokolle der dritten Versammlung deutscher Rabbiner*, Breslau, 1847, pp. 253.

39. *Ibid.*, 1847, p. 265.

40. Samuel Holdheim's response appeared in *Die religiöse Stellung des weiblichen Geschlechtes im talmudischen Judenthum*, Schwerin, 1846, 79 pp.; *Die Erste Rabbinerversammlung und Herr Dr. Frankel*, Schwerin, 1845, 35 pp.; see also Philipson, *The Reform Movement in Judaism*, Cincinnati, 1930, p. 145

41. Sefton D. Temkin, *The New World of Reform Containing the Proceedings of the Conference of Reform Rabbis Held in Philadelphia in November 1869 – Translated from the German with an Introduction and Notes*, Bridgeport, 1974, viii, 123 pp.

42. *Yearbook of the Central Conference of American Rabbis*, 1892–93, Cincinnati, 1893, p. 40.

43. Dr. Max Landsberg, "The Position of Women and the Jews," pp. 241–254 and Henrietta SzoldJosephine Lazarus, "What has Judaism done for Woman," pp. 304–310, *Judaism at the World's Parliament of Religions*, Cincinnati, 1894. Josephine Lazarus also presented a paper, but not on this topic.

44. This meeting led to the call for a National Council of Jewish Women in 1894, which was more concerned with charitable efforts than women's suffrage initially.

45. *Yearbook of the Central Conference of American Rabbis,* Cincinnati, Vol. 23, p. 120, 1914. "Resolution on Woman Suffrage" proposed for 1913 national convention, signed by Moses P. Jacobson, Harry H. Mayer, G. Deutsch, Wm. S., Friedman, Harry Weiss, Isaac Rypins. For the rejection see p. 133.

46. *Yearbook of the Central Conference of American Rabbis*, Cincinnati, Vol. 25, Convention 1915, Cincinnati, 1915, p. 133.

47. *Yearbook of the Central Conference of American Rabbis*, Cincinnati, Vol. 27, 1917, pp.

48. This is not a complete list, but a sampling: White Slave Trade (1911), Wage Discrimination (1963), Rabbinic Family Relationships (1975), Women on the Board of Trustees (1976), Affirmative Action (1978), Patrilineal Descent (1983), Economic Justice for Women (1983), Jewish Day Care (1984), Violence Against Women (1990), Women's Health Care (1992), Abuse in the Family (1992), Women's Health (1993),Women in Professional Life (1993), Reproductive Rights Life (1993), International Women's Rights (1994), Breast Cancer (1997), Women's Rights (2008).

49. For their current legislative agenda on women's issues see their website www.Social Action Center of Reform Judaism.org

50. The Women's Rabbinic Network created in 1975 as a constituent of the Central Conference of America Rabbis continues to guide and strengthen women in the rabbinate and to deal with feminine issues.

51. James G. Heller, *Isaac M. Wise – His Life, Work and Thought*, New York, 1965, pp 213.

52. *Ibid.*, pp. 568 ff. Wise mentions it casually in the introduction to his *Minhag America.*, which gave this newly established *minhag* broad publicity.

53. Eleanor Flexner, *A Century of Struggle - the Women's Rights Movement in the United States*, New York, Atheneum, 1973, p. 143 ff.

54. For a contemporary discussion see Mark Washofsky , "Minhag and Halakhah," in Walter Jacob and Moshe Zemer (eds.), *Rabbinic - Lay Relations in Jewish Law*, Pittsburgh, 1993, pp. 99 ff.

55. For a discussion of the Pittsburgh Platform see Walter Jacob, (ed.,) *The Changing World of Reform Judaism – Pittsburgh Platform in Retrospect.*, Pittsburgh, 1985, pp. 104 ff. The full text of the meeting has been reproduced there. Also Sefton D. Temkin, "The Pittsburgh Platform – A Centennial Assesment," *Journal of Reform Judaism*, Fall 1985, Vol. 32, No. 4, pp.1 ff.; Dana E. Kaplan (ed.), *Platforms and Prayer Books*, New York, 2002.

56. This is the complete text of Kaufmann Kohler's statement:

PLATFORM

Dr. Kohler laid the following platform before the Conference for its consideration:

In view of the wide divergence of opinions and the conflicting ideas prevailing in Judaism today to such an extent as to cause alarm and feeling of uncertainty among our well-meaning coreligionists and an appalling religious indifference and lethargy among the masses, we, as representatives of Reform Judaism, here unite upon the following principles:

1. While discerning in every religion a human attempt to grasp the Infinite and Omnipotent One and in every sacred form, source and book of revelation offered by any religious system the consciousness of the indwelling of God in man, we recognize in Judaism the highest conception of God and of His relation to man - expressed as the innate belief of man in the One and holy God, the Maker and Ruler of the World, the King, the Father and Educator of the Human Race, represented in Holy Scriptures as the faith implanted into the heart of the original man and arrived at in all the cheering brightness by the forefathers, the inspired prophets, singers and writers of Israel, developed and ever more deepened and spiritualized into the highest moral progress of their respective ages and under continual struggles and trials, defended and preserved by the Jewish people as the highest treasure of the human race.

2. We prize and treasure the books comprising the national library of Israel preserved under the name of Holy Scriptures, as the records of Divine Revelation and of the consecration of the Jewish people of this mission as priests of the one God; but we consider their composition, their arrangements and their entire contents as the work of men, betraying in their conceptions of the world of shortcomings of their age.

3. While finding in the miraculous narratives of the Bible childlike conceptions of the dealing of Divine love and justice with man, we today, in common with many Jewish thinkers of the Spanish era, welcome the results of natural science and progressive research in all fields of life as the best help to

understand the working of the Divine Love, the Bible serving us as guide to find the Divine power working from within.

4. Beholding in the Mosaic Laws a system of training of the Jewish people for its mission as a nation among the nations of antiquity, planted upon the soil of Palestine, we accept only the moral laws and statutes as a divine, but reject all those social, political and priestly statutes which are in no way shape and form adapted to our mode of life and to our views and habits as people scattered among the nations of the globe, and standing upon the level of a far higher culture of mind and heart than stood the people for whom they are intended.

5. All the Mosaic Rabbinical Laws on diet, priestly purity and dress, originating in ages and under associations of ideas altogether foreign to our mental and spiritual state, do no longer impress us with the character of divine institutions, and fail to imbue us with the spirit of priestly holiness, their observance in our day being apt to obstruct rather than enhance and encourage our moral and spiritual elevation as children of God.

6. While glorying in our great past with its matchless history of one continued wondrous struggle and martyrdom in the defense of the Unity of God, which necessitated the exclusion of the Jewish people from a world stamped with polytheism and idolatry, with all their cruelty and vice, we hail in the modern era of universal culture of heart and mind the approaching realization of Israel's great Messianic hope for the kingdom of peace, truth, justice and love among all men, expecting neither a return to Palestine, nor the restitution of any of the laws concerning a Jewish State, nor a sacrificial worship under the administration of the sons of Aaron.

7. We behold in Judaism an ever-growing, progressive and rational religion, one which gave rise to the religions which today rule the greater part of the civilized globe. We are convinced of the utmost necessity of preserving our identity with our great past; we gladly recognize in the spirit of broad humanity and cosmopolitan philanthropy permeating our age, in the noble and grand endeavor to widen and deepen the idea and to enlarge the dominion of man, our best ally and help in the fulfillment of our mission and the only means of achieving the end aim of our religion.

8. We therefore hail with the utmost delight and in the spirit of sincere fellowship and friendship the efforts on the part of the representatives of the various religious denominations the world over, and particularly in our free country, toward removing the barriers separating men from men, class from class, and sect from sect, in order to cause each to grasp the hands of his fellow-men and thus form one great brotherhood of men on earth. In this growing religion of humanity, based upon the belief in one God as Father of men, and the conception of man as the image of God we find the working of the Divine plan of truth and salvation as revealed through Jewish history.

9. In view of the Messianic end and object of Jewish history, we feel bound to do our utmost to make our religious truth and our sacred mission understood to all and appreciated by all, whether Jew or Gentile; to improve and reform our religious forms and habits of life so as to render them expressive of the great cosmopolitan ideas pervading Judaism and to bring about the fulfillment of the great prophetic hope and promise "that the house of God should be the house of prayer for all nations."

10. Seeing in the present crisis simply the natural consequences of a transition from a state of blind authority – belief and exclusion – to a rational grasp and humanitarian conception and practice of religion, we consider it a matter of the utmost necessity to organize a Jewish mission for the purpose of enlightening the masses about the history and the mission of the Jewish people and elevating their social and spiritual condition through press, pulpit and school.

57. Walter Jacob (ed.), *The Changing World of Reform Judaism – The Pittsburgh Platform in Retrospect.*

58. Walter Jacob (ed.), *American Reform Responsa*, New York, 1983, p. xvi.

59. The Board of the College could not make up its mind originally and so asked for a faculty opinion in spring of 1921. Lauterbach, although opposed , reluctantly proposed that women be ordained as "Reform Judaism has in many other instances departed from traditional practice...." In the summer Lauterbach read his reponsum to the convention of the Central Conference; following a heated discussion , the convention voted fifty-six to eleven for the ordination of women. The matter then came back to the Board of Governors of the College in February of 1923 and despite the faculty and Rabbinic vote decided against ordination. See Michael A.Meyer, "A Centennial History," in Samuel Karff (ed.), *Hebrew Union College-Jewish Institute of Religion at One Hundred Years*, Cincinnati, 1976.

60. The issue could have been raised earlier in North America by Isaac Mayer Wise who was willing to admit women to study for the rabbinate. Heller, *Isaac Mayer Wise, His Life, Work, and Thought*, New York, 1965, p. 571.

61. *Yearbook of the Central Conference of American Rabbis*, Cincinnati, 1922, pp. 156 ff.

62. *Ibid.* pp. 24 ff.; *Yearbook of the Central Conference of American Rabbis*, Cincinnati, 1922, pp. 156 ff. This brief statement in favor of the ordination of women was issued by a special committee following the discussion of Lauterbach's responsum.

63. Ellen Uimansky in her analysis of this issue wrote that Lauterbach, at the conclusion of a lengthy discussion at a Board of Governors meeting of the Hebrew Union College, reluctantly agreed that as Reform Judaism has departed from the tradition in many ways, it cannot logically refuse the ordination of women. (Ellen Umansky, "Women's Journey toward Rabbinic Ordination," in Gary P. Zola (ed,) *Women Rabbis – Exploration and Celebration*, p. 32. Her documentation cites HUC correspondence. Lauterbach's final position remains unclear as he did not withdraw his responsum. Also in 1922 The Jewish-Institute-of -Religion founded by Stephen Wise in New York admitted Irma Levy Lindheim as a rabbinic candidate, but she was not able to complete her studies.

64. Other led congregational services after some self-study; the best known among them was Ray Frank. For more on her and others, see Ellen Umansky, *Ibid.* and Gary P. Zola, "Twenty Years if Women in the Rabbinate," G. Zola (ed.) *Women Rabbis - Exploration and Celebration.*

65. Rabbi Eduard Baneth , the professor who presided over ordinations, died before Ragina Jonas passed her final oral examination. His successor Chanoch Albeck refused to ordain a woman. He did not wish to be the first to do so.. This meant that no one from the faculty was willing to grant her ordination. Mostly such a refusal occurred through ideological differences. For example when my grandfather Benno Jacob had completed his studies at the *Jüdische Theologisches Seminar* in Breslau in 1887, the Seminary's ordaining rabbi refused to ordain him as he was a disciple of Heinrich Graetz, who also taught there. He and other students who were in the same position were then ordained by a special committee of the *Allgemeiner Rabbiner Verband.*

Jonas' path to ordination has been described in Elisa Klapheck (ed.), *Fraülein Rabbiner Jonas,* Teetz, 2000, pp. 38 ff. This book also published Jonas' paper "Can a Woman Become Rabbi" (German). For more on women in the *Hochschule für die Wissenschaft des Judenthums,* see Esther Seidel, *Women Pioneers of Jewish Learning,* Berlin, 2002; Katharina von Kellenbach, "God Does Not Oppress Any Humand Being: The Life And Thought of Rabbi Regina Jonas," *Leo Baeck Year-Book,* New York, 1994, Vol. 39; Alexander Guttmann, "The Woman Rabbi: An Historical Perspective," *Journal of Reform Judaism,* Summer, 1982, Vol. 29, Nu. 3, pp. 21ff.

66. See Katharina von Kellenbach's essay. I have not yet had an opportunity to study Jonas' thesis, but plan to make it available.

67. A committee under the leadership of Barnett Brickner was appointed by of the *Central Conference of American Rabbis* in 1956 to look into this matter further; it favored ordination. This step was endorsed by Nelson Glueck, the President of HUC-JIR, but the Conference tabled the report of the committee. The details of this long institutional struggle have been described in several essays in Gary P. Zola (ed.), *Women Rabbis – Exploration and Celebration*, Cincinnati, 1996, 135 pp.

68. Gary P. Zola (ed.), *Women Rabbis – Exploration and Celebration*, Cincinnati, 1996, 135 pp. For the resolution of the Board of Trustees of the Union of American Hebrew Congregations from their December 1976 meeting, see http://urj.org/Articles/index.cfm?id=7442&page_prg_id=29601&pge_id=4590 The Conservative Movement reluctantly eventually took the same step.

69. Jacob D. Schwartz (ed.), *Responsa of the Central Conference of American Rabbis*, New York, 1954 (mimeograph by the Union of American Hebrew Congregations). Freehof did not involve the Reponsa Committee at all with the exception of an annual postcard enclosed with the responsum he wished to print in the *Yearbook of the Central Conference of American Rabbis* as the report of the committee.

70. The Committee Report and Resolution were first published as an appendix to Walter Jacob (ed.), *American Reform Responsa*, New York, 1983, pp. 547 ff. The responsum on this topic, although issued in 1983 was then printed in Walter Jacob, *Contemporary American Responsa*, New York, 1987, pp.61 ff.

71. For more on my approach see "Writing Responsa: A Personal Journey," Walter Jacob (ed.), *Beyond the Letter of the Law - Essays on Diversity in the Halakhah in honor of Moshe Zemer*, Pittsburgh, 2004, pp. 103–118.

72. Walter Jacob, *Contemporary American Reform Responsa*, New York, 1987, xxii, 322 pp.; Walter Jacob, *Questions and Reform Jewish Answers – New American Reform Responsa*, New York, 1992, xxvi, 443 pp.; W. Gunther Plaut and Mark Washofsky, *Teshuvot for the Nineties*, New York, 1997, xxxi, 398 pp.

73. The publications are listed in the front of this book and at www/Jewish-Law-Institute.org