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A connection with God : the continuum of observance by orthodox women

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A CONNECTION WITH GOD
THE CONTINUUM OF OBSERVANCE BY ORTHODOX WOMEN

A Thesis
Presented to
The Faculty of the Department of History
San Jose State University

In Partial Fulfillment
of the Requirements for the Degree
Master of Arts

by
Penelope M. Elkins
May 1998

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ABSTRACT

A CONNECTION WITH GOD THE CONTINUUM OF OBSERVANCE BY ORTHODOX WOMEN

by Penelope M. Elkins

This thesis asserts that Orthodox Jewish women are inaccurately portrayed in some popular fiction and contrary to that depiction, Orthodox women adhere to the rigid tenets of their faith with a joyful knowledge that they are continuing an unbroken chain of observance and dedication to their religion. An examination of several works of fiction written by contemporary Jewish authors is followed by an explanation of the rules of observance governing the behavior of women in Orthodox Jewish life. The three areas of analysis are Commandments of Performance, Marriage and Divorce, and the Laws of Family Purity.

Biblical and historical data in conjunction with interviews of contemporary conservative rabbis and the wife of an Orthodox rabbi, indicated that Orthodox Jewish women positively accept the boundaries of their behavior. That acceptance is predicated on closely held beliefs regarding the maintenance of a proper Orthodox Jewish family environment.

TABLE OF CONTENTS

Chapter

1. INTRODUCTION	1
2. JEWISH WOMEN IN SELECTED NOVELS	6
3. IMMIGRATION	12
4. MAIMONIDES AND THE MISHNEH TORAH	26
5. MITZVOT OF PERFORMANCE	34
6. MARRIAGE AND DIVORCE	39
7. LAWS OF FAMILY PURITY	48
8. CONCLUSION	58
WORKS CITED	61

CHAPTER 1

INTRODUCTION

While doing research for this thesis, it came to my attention that Jews predominate as scholars of Judaism. How, then, did a middle-aged, Gentile and essentially non-religious woman become interested in the roots of women's roles in Orthodox Judaism and the unfolding of those roles in American life? It was a rather innocuous beginning twenty years ago while reading the novels of Belva Plain, Chaim Potok, and Erich Segal.¹ Repeatedly, I was struck by the ability of some of the fictional Orthodox women characters to abandon the tenets of their Judaism for the secular world which was represented alternately by love, money, position, or power. Then I started to wonder, does that really happen? Did Orthodox Jewish women often deny their religious beliefs for the more convenient and less restrictive ways of the predominantly Christian, secular world? The answer was, in the novels many do and, in real life, most do not! "In short, Orthodox Jewish immigrant women transplanted Old World arrangements to the New World. As they had in Eastern Europe . . . the religiously orthodox among them maintained the faith."²

There could be no better example of that axiom than the experiences of

¹Belva Plain-Evergreen, 1978; Erich Segal-Acts of Faith, 1992; Chaim Potok-Davita's Harp, 1985.

²Melvyn Dubofsky, "Some Of Our Mothers and Grandmothers: The Making of the 'New' Jewish Woman," Reviews in American History 19 (September 1991): 386.

Rebbetzin³ Channah Lapin, the wife of an Orthodox rabbi, and her mother.

Throughout this thesis, these two women will maintain and create anew the thread that binds them to the joyful celebration of their religion. And, the portrayal of Orthodox women in some of the popular culture novels I have cited will be balanced by the reality of the continuity of the observance and practice of Orthodox Judaism as evidenced by Channah Lapin, her daughter, and her mother.

Rebbetzin Channah Lapin's story began when her mother, an Hasidic Jew from Rumania, came to the United States and continued the process of living the Orthodox life she knew. And by extension, she provided the example that the Rebbetzin now follows with her own work, marriage, and family. In the present, Channah Lapin is passing that reverence for observance down to her thirteen-year-old daughter. The continuum is the key--the unbroken process that links the mothers and daughters through time with their religious orthodoxy which is at the core of their existence.

Those who chose not to deviate from the norms of their religion did so because the biblical roots of those beliefs were, and are, unchanged from the time God revealed the Torah to Moses on Mt. Sinai to today. Historically, the place of the Jewish woman had always been one of dignity, with many rights, but not of equality. There were two versions of the creation of woman in the

³Rebbetzin--the Yiddish term for a rabbi's wife.

Torah.⁴ Genesis 1:27 stated, "And God created man in His image, in the image of God He created him; male and female He created them."⁵

Genesis 2:21-22 stated, "So the Lord God cast a deep sleep upon the man; and, while he slept, He took one of his ribs, and closed up the flesh at that spot. And the Lord God fashioned the rib that He had taken from the man into a woman; and he brought her to man."⁶ The preceding verses confirmed the belief that woman derived her existence initially from God and by inference, from man.

There were advantages and disadvantages to the rigid and unchanging belief system of Orthodox Jewry. The advantage was that those who adhered to the dogma (approximately one million⁷ in the United States today) did so with great zeal and an unbending belief in the absolute sanctity and validity of their position.

The disadvantage was described to me in a conversation I had with a Conservative rabbi. It was his opinion that the Orthodox are blind to history. This rabbi faulted the Orthodox for believing that Judaism was a monolith. As he noted,

⁴Torah--specifically, the divinely revealed instruction of Holy Scriptures; used to designate the Five Books of Moses--Genesis, Exodus, Leviticus, Numbers, and Deuteronomy.

⁵Gen. 1:27 TANAKH--A translation of The Holy Scriptures according to the traditional Hebrew text by the Jewish Publication Society.

⁶Gen. 2:21-22 TANAKH--A translation of The Holy Scriptures according to the traditional Hebrew text by the Jewish Publication Society.

⁷San Jose Mercury, 28 April 1994.

there have always been deviations that later became the norm. He likened Judaism to a hose—supple at one end with a hard plastic nozzle at the other end. In his analogy, the supple hose was comprised of all the other movements in Judaism and the hard nozzle represented Orthodox Judaism. He hypothesized that by the year 2000, the Jews may no longer be one people and Orthodoxy will have separated from the other branches of Judaism.

"The tendency of Orthodox Judaism in recent centuries has been to resist changes in general, and concerning the status of women in particular."⁸ "Modern Orthodoxy . . . negotiates a means of existence by lowering the level of tension between itself and the larger environment even while attempting to uphold a traditional religious way of life."⁹

Predicted on the preceding hypotheses, I have sought to examine the role of Orthodox women as prescribed by the Bible¹⁰ and by subsequent written Jewish law in

⁸Leonard J. Swidler, Women in Judaism (Metuchen, NJ: The Scarecrow Press, Inc., 1976), 169.

⁹Lynn Davidman, "Accommodation and Resistance to Modernity: A Comparison of Two Contemporary Orthodox Jewish Groups," Sociological Analysis 51 (Spring 1990): 36, 39.

¹⁰One rabbi whom I interviewed noted that Jews do not use the designation of Old and New Testament. For Jews, there is only one Bible.

the areas of *Mitzvot*¹¹ of Performance, Marriage and Divorce, and the Laws of Family Purity. In the process, I will follow Channah Lapin, an Orthodox girl and then woman, as she navigated her role in the Orthodox world.

The predominantly eastern European women who came to the United States during the last decades of the nineteenth century and the first decade of the twentieth century had, as the basis of their being, their Orthodox Judaism. "These Jews . . . retained a residual affinity for the religious rituals they had followed back in Eastern Europe."¹² Orthodox historian Jeffrey Gurock's previous declaration regarding these first generation Americans was put to the test in the aforementioned novels. The fictional women--Deborah, Anna, and Channah--abandoned the dogma of their religion. They chose one path, but the remainder of this work will explain why many Orthodox women stayed the course. Those women who remained steadfastly grounded in their religion perpetuated the tenets of the faith to the succeeding generations of women who live by them today.

¹¹Mitzvah--commandment (plural Mitzvot); Mitzvah is God's command, both religious and ethical; Mitzvah is also the Jew's response to the divine call, by way of action.

¹²Jeffrey S. Gurock, The Men and Women of Yeshiva (New York: Columbia University Press, 1988), 8. Jeffrey Gurock is emerging as the primary historian of American Orthodox Judaism.

CHAPTER 2

JEWISH WOMEN IN SELECTED NOVELS

The number of authors mentioned in the opening chapter is small in number but large in influence. Together, they have sold millions of books in the last three decades and have consistently appeared on many bestseller lists. The sheer numbers alone attest to the fact that they are popular and often-read authors. Hence, it would be safe to say that the ideas in the works are disseminated on a wide basis. For those whose knowledge of Judaism is limited to what they read and since these works are novels, therein lies the problem. The average reader may not grasp that certain plot twists are done for dramatic effect and may assume from the actions of the characters that an Orthodox Jewish woman in real life and in the same circumstances might act the same way. The danger is that the reader does not understand the import of the choices that are made and the ramifications of those choices should they be made in the actual Orthodox world.

The three authors and novels chosen for discussion are Erich Segal, Acts of Faith, Belva Plain, Evergreen, and Chaim Potok, Davita's Harp. Each author has a Jewish female character who makes a choice to go against the tenets of her religion. To the casual observer, these choices might not seem monumental in the larger scope of the novel. But these authors know better because they are not just writing about Jews, they are Jews.

Erich Segal's list of successful popular novels began with Love Story in 1970.

That book alone sold 21 million copies and was translated into thirty-three languages.¹³ The book that interests me is Acts of Faith published in 1992. It sold over one hundred thousand hardcover copies¹⁴ and 1.29 million paperback copies.¹⁵ Those numbers speak volumes about the breadth of Segal's influence and his ability to reach the popular culture.

Erich Segal's father was an Orthodox rabbi so it is not unexpected that one of his characters in Acts of Faith is Deborah Luria, the teenage daughter of an Orthodox rabbi. What is unusual is that she allows herself to go against everything she has been taught regarding the appropriate behavior for an Orthodox female. She knew she should not be alone in the same room with an unrelated male. She knew that she should not be speaking to the Gentile neighbor boy her father had hired to turn out the lights in their home on the Sabbath. And most of all, she knew that she should never be touched in any way by any male not in her family. But the young Gentile came back every Friday for several weeks and the moment arrived. "And then he was sitting next to her. It had happened so swiftly that she had no time to grow frightened. She closed her eyes but still did not move away. It was his hand barely touching her, and then the warmth of his lips brushed hers. At that very moment,

¹³Putnam Berkeley Group To Publish Best Selling Author Erich Segal's New Novel (accessed 21 March 1998); available from http://www.twoten.press.net/stories/97/01/28/headline/BOOKS_Segal_Novel.html; Internet.

¹⁴Catherine Barr, ed., The Bowker Annual Library and Book Trade Almanac, 38th ed. (New York: R. R. Bowker Company, 1993), 569.

¹⁵Catherine Barr, ed., The Bowker Annual Library and Book Trade Almanac, 39th ed. (New York: R. R. Bowker Company, 1994), 626.

Rav Moses Luria entered the room."¹⁶ "She had desecrated her parents' home, profaned the Sabbath, and disgraced her family."¹⁷

Belva Plain wrote Evergreen in 1978. It was her first novel, hugely successful, and number six on the bestseller list for that year with total hardback sales of 182,738.¹⁸ In her career, she has written fourteen books with total sales of over ten million copies.¹⁹ This is quite an accomplishment for someone who did not write her first book until she was fifty-nine years old. Again, the sheer number of novels sold indicates that she is a force to be reckoned with in disseminating information to the popular culture.

Plain, a Jew, writes about Jews but not exclusively. However, just as Segal does, she knows the territory of Jewish custom and religious practice. Hence, when she has one of her female Jewish characters behave in a way that is diametrically opposed to her religious belief system, she knows that that behavior probably would not take place in real life and in an actual Orthodox environment.

"The former Belva Offenbergs, long offended by the popular portrayal of Jewish women as alternately hysterical and bossy, wanted her female characters to be

¹⁶Erich Segal, Acts of Faith (New York: Bantam, 1992), 80-81.

¹⁷Tbid., 82.

¹⁸Filomena Simora and Nada Beth Glick, eds., The Bowker Annual Library and Book Trade Almanac, 24th ed. (New York: R. R. Bowker Company, 1979), 434.

¹⁹The Detroit News, 30 September 1997; available from <http://detnews.com/1997/accnt>; Internet.

exemplars of inner strength and emotional stability."²⁰ One might notice in the preceding quotation that nothing was mentioned about adhering to the moral dictates of her religion. In Evergreen, Anna was strong, but she succumbed to the need for money. She slept with her boss, Paul, in return for a loan of two thousand dollars. "His voice came from far away, as if from another room. It echoed a voice within a voice. Her eyes closed; her arms were too heavy to move. She was lifted to the flowered chaise."²¹ Anna's thoughts went to her mother, but she was distraught to realize that this was something that could never be shared with anyone.

Chaim Potok definitely knows the subjects about which he writes. He is an ordained Conservative rabbi. His 1967 book, The Chosen, tied for number two on the hardcover fiction bestseller list.²² Over the ensuing two decades, in excess of nine hundred thousand copies of the book were sold. Potok appeared on the bestseller list again in 1972 when My Name is Asher Lev was published. The book to be discussed here is one of his lesser known works entitled Davita's Harp which was published in 1985.

Of the three authors, Potok is the least read and the least familiar to those who read the popular press. Some Jewish literary critics have expressed the position that

²⁰Ibid.

²¹Belva Plain, Evergreen (New York: Delacorte Press, 1978), 88.

²²Phyllis B. Steckler, ed., '68 Bowker Annual of Library and Book Trade Information (New York: R. R. Bowker Company, 1968), 118.

Potok portrays Jews as Gentiles want to see them portrayed and that his focus is toward the non-Jewish reader. If that is the case, then the fact that he shows one of the female characters as totally disconnected from her Jewish religion might seem to pander to the preconceived notions of the non-Jews who read his works.

Channah Chandal is not the main character in Davita's Harp. Channah Chandal is the mother of Davita, but through questioning from Davita, we find out a great deal about Channah's abandonment of her religion and its resulting substitution with leftist politics. Channah's father was a member of an ultra-Orthodox group in eastern Europe. Channah had been raised as religious before she came to America, but she chose a new path once here.

One day Davita related to her mother that some children had asked her if she was religious. Davita answered that she was not. Her mother confirmed Davita's position and said that, "The old way is false."²³ Channah showed her disdain by later claiming that all the ideas that the religious Jews lived by were false.

Here we have three characters from three separate novels and what do they have in common? They are Jewish, female, and have Orthodox families. When the moment comes and they have to make a decision as to which way to act, the ties to their orthodoxy loosen and their decisions have life altering and irreversible consequences.

The unknown arouses curiosity and suspicion. Therefore, when the lay person

²³Chaim Potok, Davita's Harp (New York: Alfred A. Knopf, Inc., 1985), 89.

reads one of these novels and the characters opt for disavowing their heritage in order to conform to the popular culture, the reader is relieved. The fictional character has chosen a path that the reader knows and understands. The decision to abandon the old for the new becomes intriguing and glamorous and entices the reader into purchasing another one of the author's works.

Where does that leave us? The aforementioned novels portray Orthodox women in one light, but there is an opposite position where observant women preserved their core religious values while on their way to America and passed those values and observances down to their families as time moved forward.

CHAPTER 3

IMMIGRATION

"We are an immigrant religion."²⁴ Those words spoken by Rabbi Allan Berkowitz described both the impetus that drove Jews forward toward America and the hold that the old religious ways and customs had on the newly arrived eastern European immigrants. The religious and societal values that predominated in the eastern European culture were not necessarily the ones that could prevail in America. Some did and others did not. However, a core orthodoxy survived and survives to this day. This chapter will examine the experiences of some eastern European Orthodox²⁵ women as they came to American shores. Subsequent changes will describe, for those who maintained their orthodoxy, the parameters of their lives.

How did these women with dignity, but not equality, get to America? The wave of eastern European Jewish immigration (predominantly Orthodox) that engulfed

²⁴Rabbi Daniel Pressman and Rabbi Allan Berkowitz, Introduction to Judaism Class taught from 10-13-93 to 2-16-94 at Congregation Beth David in Saratoga, CA. Class notes in possession of the author.

²⁵Orthodoxy--traditional form of Judaism, believing in the literal truth of Torah and its absolute historicity, and binding force of Halakhah as promulgated by ancient and later sages of the Torah. Halakhah-Interchangeable with "Jewish law" and "traditional Jewish law." All three terms denote traditional Jewish law as observed today by Orthodox Ashkenazi and Sephardi Jews throughout the world. Ashkenazi and Sephardi Jews--The Jewish community is commonly divided into Ashkenazic and Sephardic Jews. Most Jews whose families come from Europe are regarded as Ashkenazim, and those whose families come from either Spain or the Arab world are called Sephardim.

the United States after 1881 can best be exemplified by the staggering growth in the number of Jews enumerated in the various censuses of that time. In 1877, there were 250,000 Jews in the United States. That number grew to 938,000 by 1897 and to 1.7 million by 1907.²⁶ While the gross numbers are intriguing, the numbers for eastern European Jews immigrating are astounding. In 1881, 5,692 eastern European Jews arrived in the United States. By 1891, that number had risen to 50,201 and, by 1906, the number had increased to 152,491.²⁷ "There were forty-four Jewish women to every fifty-six Jewish men. . . ."²⁸ Sydney Weinberg, a female author, noted that most of those Jews who were immigrating at that time were Orthodox in their religious practice and some even responded to the joyous, semi-mystical appeal of the Hasidim.²⁹ "Orthodoxy continued to be powerful, its ranks constantly replenished by the masses of Russian, Polish, Rumanian, and Hungarian Jews who continued to stream into the United States each year."³⁰

²⁶H. S. Linfield, Statistics of Jews and Jewish Organizations--Historical Review of Ten Censuses 1850-1937 (New York: The American Jewish Committee, 1939), 23.

²⁷Abraham J. Karp, ed., Golden Door to America--The Jewish Immigrant Experience (New York: The Viking Press, 1976), 65.

²⁸Isaac Metzker, ed., A Bintel Brief, with a Foreword and Notes by Harry Golden (New York: Schocken Books, 1971), 21.

²⁹Sydney Stahl Weinberg, The World of Our Mothers--The Lives of Jewish Immigrant Women (Chapel Hill, NC: The University of North Carolina Press, 1988), 3.

³⁰Bernard Martin, A History of Judaism, Vol. II (New York: Basic Books, Inc.: 1974), 310.

However, there was another aspect of the female eastern European immigration that should not be overlooked. Illiteracy was almost twice as prevalent among females as males during the immigration period 1908-1912. "Of the 172,718 Jewish males fourteen years of age and over entering the country . . . 33,970, or 19.7 percent, were illiterates. Of the 139,283 females fourteen years of age and over, 51,303, or 36.8 percent, were illiterates."³¹

Interestingly, a look at the seating capacity of the established synagogues in 1890 indicated that there was half as many seats (46,837) available to Orthodox congregants as there were for Reform congregants (92,397).³² Two inferences can be gleaned from the above information. First, the Orthodox Jews were just beginning to stream to America when this accounting was taken. Secondly, the wave of immigration prior to the eastern Europeans had been predominantly western European and mostly Reform in predilection.

There was a definite schism between the German Jews who were usually Reform in their observance and the newly arrived and usually poor eastern European Orthodox Jews. "Within the confines of the synagogue--house of prayer, house of study, meeting hall, and general social center--were mirrored the irritants and

³¹Samuel Joseph, Jewish Immigration To The United States. From 1881 To 1910 (Ph.D. Diss., Columbia University, 1914), 147.

³²H. S. Linfield, Statistics of Jews and Jewish Organizations--Historical Review of Ten Censuses 1850-1937, 40.

vanities of Jewish life."³³

As Rabbi Berkowitz pointed out during one of his lectures, there was certainly an hierarchical paradigm in relation to the Jewish population in America. "The leadership of the German Jews in America not only looked down on the new arrivals and emphasized the differences between themselves and the newcomers, but coupled their antagonism with the negative attitude of the non-Jews."³⁴ In some instances, Berkowitz went on to say, eastern European Jews were denied the right to worship in German synagogues.

Jacob Marcus, a prolific writer on Jewish issues, believes this was reflected among women, since "the notable women who graced the Jewish community at the turn of the century" were "old-line native-born and the Germans." However, this was only a minority of Jewish women, outnumbered "at least five to one by East Europeans and their American-born children." According to Marcus, there were separate German and Jewish communities, and "Central European Jews looked upon [the Russians] with suspicion, deemed [them] uncouth, rejected them because they were 'orientals,' [and] avoided them because they were orthodox."³⁵

³³Moses Rischin, The Promised City--New York Jews 1870-1914 (Cambridge, MA: Harvard University Press, 1962), 37.

³⁴Marshall Sklare, ed., The Jews. Social Patterns of an American Group (Glencoe, IL: The Free Press, 1958), 17.

³⁵Jacob R. Marcus, The American Jewish Woman, 1654-1980 (New York: KATV Publishing House, Inc., 1981), 105.

Authors Sydney Stahl Weinberg and Susan A. Glenn gave complementary but somewhat divergent views of the Jewish woman's immigrant experience. Weinberg was instructive because she spoke more often with women who had not completely acculturated and were therefore more constrained by their previous lives and obligations in eastern Europe. Weinberg gave voice to those women who were more quiet and, as a result, left fewer traces of their experiences. Glenn, on the other hand, extrapolated the woman's immigrant experience into the realm of work and a dogged determination to explore the extraordinary new options in America.

In The World of our Mothers--The Lives of Jewish Immigrant Women, Sydney Stahl Weinberg interviewed forty-six Jewish immigrant women who came to America between 1896 and 1925. Weinberg discussed with them their personal stories and remembrances of their lives both before and after the journey to America.

Elisabeth Israels Perry wrote in the Journal of American History that she saw Weinberg's sample as skewed because she only interviewed elderly women who had survived their husbands. Perry was somewhat critical of the book and while she accepted some of the broad premises, was loathe to see the Weinberg effort as a seminal piece of work on Jewish immigrant women.³⁶

³⁶Elisabeth Israels Perry, review of The World of Our Mothers--The Lives of Jewish Immigrant Women, by Sydney Stahl Weinberg, in The Journal of American History 75 (March 1989): 1360.

In her review, Perry noted that

The first third of the book discusses *shtetl*³⁷ [emphasis mine] life in eastern Europe and Russia. Weinberg shows how Jews there valued men who spent most of their time studying religious texts, rather than supporting their families. The society also valued thrifty and enterprising women, who often provided their families' chief economic support. However, since Judaic tradition sanctified male authority in the family, women's economic power tended not to challenge patriarchy. In America, society expected male immigrants to support their families. When they failed to adjust to that expectation, their wives and daughters had to develop resourceful methods to survive, often at the cost of their personal ambitions or health. Yet most women continued to acquiesce to the patriarchal structure of family life.³⁸

Marie Poirier reviewed Weinberg's book in a much more favorable light. She found it significant that Weinberg spent four chapters discussing the Old World. Poirier observed that Weinberg showed how "Jewish women came from a society which valued women's work outside the home, valued education and accorded women a strong position in the household. Eastern European Jewish society was changing and that made emigration more feasible."³⁹ Poirier went on to say that Weinberg illustrated "the role of women in the migration process and the prevalence of

³⁷Shtetl—A Yiddish term denoting a small town or village (used especially in eastern Europe).

³⁸Elisabeth Israels Perry, review of The World of Our Mothers--The Lives of Jewish Immigrant Women, by Sydney Stahl Weinberg, in The Journal of American History 75 (March 1989): 1360.

³⁹Marie Poirier, review of The World of Our Mothers--The Lives of Jewish Immigrant Women, by Sydney Stahl Weinberg, in The Journal of American Ethnic History 8 (Spring 1989): 157.

female-initiated chain migration."⁴⁰ Continuity was the theme that Weinberg stressed in her book. "In particular, women's religious practice was a way of life linked to the maintenance of a proper Jewish home and was transmitted from mothers to daughters."⁴¹

Historian Melvyn Dubofsky, writing in Reviews in American History, praised Susan Glenn for addressing the issues of eastern European immigration from a female perspective in her book Daughters of the Shtetl: Life and Labor in the Immigrant Generation. He considered that a fresh historical perspective, "Glenn's story, then, concerns those women who consciously began the journey to a new life and left behind in print and speech descriptions of the paths they travelled. And that story is a rattling good one."⁴²

Whether discussing the women Weinberg described or the women Glenn portrayed, the quiet or the determined, the result was the same. Some were fatalistic, some were resigned and yet all were determined to survive their trek to America.

Jews were sometimes singled out for worse treatment than other immigrants during their passage to America. This situation was particularly difficult for the women. Their religiously dictated need for modesty including adherence to the Laws

⁴⁰Ibid.

⁴¹Ibid.

⁴²Melvyn Dubofsky, review of Daughters of the Shtetl: Life and Labor in the Immigrant Generation, by Susan A. Glenn, Review of American History 19 (September 1991): 389.

of Family Purity, kosher dietary restrictions, and a prevailing anti-Semitic attitude among the ship's crew were but a few of the reasons for this treatment. The religious responsibility of an Orthodox woman did not diminish when she boarded the ship. Since her role was as the keeper of the tradition in the home, she did not have to concern herself with formal religious observance on board the ship. Her duty was to facilitate the maintenance of the religious milieu within her space as best she could and to maintain her dignity in the face of unbearable circumstances. The woman set the example in innumerable ways. Maybe she kept close to her objects with special religious meaning. Her mother's candlesticks would grace the Sabbath table in America. Maybe the mother monitored the food her family ate or did not eat as the case might be. If it was not prepared properly, she set an example by eating only known kosher food. The role this Orthodox woman played out in the hull of a steamship was no different from the role the Rebbetzin Lapin plays today. She is the keeper of that space where her family is free to engage in its most fundamental expression of life and religion.

Mary Antin wrote her autobiography in 1912 and recounted the fear she and her mother faced as they began their voyage unprotected by a male escort.⁴³ The fear was palpable with its own unique smell. "The voyage introduced us to an olfactory phenomenon known to all transatlantic travelers of those days as the smell of 'ship.'

⁴³Mary Antin, The Promised Land (Boston: Houghton Mifflin Company, 1912), 168.

This pervasive, insidious odor, a distillation of bilge and a number of less identifiable putrescences, settled on one's person, clothes and luggage and stayed there forever. It was years before I realized that only steerage passengers smelled of 'ship.'"⁴⁴

While each travel story was unique, a report issued to Congress by an investigator chronicling the Atlantic passage gave a glimpse into the voyage and its concomitant hardships. "The first morning out I took special care to inquire for the women's washroom. One of the crew directed me to a door bearing the sign, 'Wash room for men.' Within were both men and women. Thinking I had been misdirected, I proceeded to the other wash room. This bore no label and was likewise being used by both sexes. . . . "

The Congressional investigator when observing the crew recounted that "what was far worse and of continual occurrence was their handling of the women and girls. Some of the crew were always on deck, and took all manner of liberties with the women, in broad daylight as well as after dark. Not one young woman in the steerage escaped attack."⁴⁵ The investigator subsequently contrasted the perception of the immigrants as dirty and unkempt with their brave efforts to maintain their physical and mental dignity.

⁴⁴Samuel Chotzinoff, A Lost Paradise (New York: Alfred A. Knopf, Inc., 1955), 58.

⁴⁵61st Congress, 3rd session, Senate Document 753, Reports of the Immigration Commission--Steerage Conditions (Washington, DC: Government Printing Office, 1911), 22.

"Steerage passengers may be filthy, as is often alleged, but considering the total absence of conveniences for keeping clean, this uncleanliness seems but a natural consequence. . . . Many make heroic efforts to keep clean. . . . It was forbidden to bring water for washing purposes into the sleeping compartments. . . . On different occasions some of the women rose early, brought drinking water in their soup pails and thus tried to wash themselves effectively, but were driven out when detected by a steward. . . ."⁴⁶

Anna R. recalled the danger the passengers faced when their ship encountered a violent storm. The captain told the people in steerage to pray--each to their own God. "And I remember now that all the people took out their crosses, and all the Jewish men put on their tfiln"⁴⁷ and it was one of those goodbye-to-the-world scenes. We are going to have a nice disaster."⁴⁸

Sarah Fox recalled that "we had passage on first class, but we were down in the bottom of the boat . . . where the rats were bigger than we were. . . . They had thousands of people shoved in like animals, and the whole time we were there we did

⁴⁶Ibid., 14-16.

⁴⁷Tefillin--Phylacteries--small cubes containing scrolls with several scriptural selections, including the Shema (Exodus 13:1, 11; Deuteronomy 6:4-9, 11:13-21). Scrolls and containers, made of parchment, are worn by men during the morning service on weekdays, placed on the forehead and left arm by means of attached leather bands.

⁴⁸Weinberg, The World of Our Mothers--The Lives of Jewish Immigrant Women, 80.

not eat."⁴⁹ Going without proper nourishment was not uncommon for Jews abroad ship. When unsure of the food preparation, they would subsist on fruit and goods baked prior to the voyage.

For all of their travails and hardships, many of the women expressed the same emotion as Ida Stack, a sixty-three-year-old retired Yiddish teacher. "What I shall never forget is when we were all on the ship; we came over not on a tugboat or anything. We came over on the Mauritania, which was a big ship. But at dawn, we entered the New York Harbor and there was the Statue of Liberty and everybody just fell on their knees, thanking God that they were seeing the Lady with the Lamp."⁵⁰

Whether it was Anna R., Ida Stack, or Sarah Fox, the facts were the same. "It was almost impossible for the average immigrant woman . . . to plan the journey with confidence. . . . Her most important intellectual baggage was her fatalism--her self-protective belief that what would be, would be."⁵¹ The women arrived with "sunken cheeks, scarves pulled tight over fierce black wigs; . . . "⁵² determined

⁴⁹Sarah Fox, interview by Howard Simons, Jewish Times--Voices of the American Jewish Experience (Boston: Houghton Mifflin Company, 1988), 10.

⁵⁰Ida Stack, interview by Howard Simons, Jewish Times--Voices of the American Jewish Experience (Boston: Houghton Mifflin Company, 1988), 37.

⁵¹Doris Weatherford, Foreign and Female. Immigrant Women in America, 1840-1930, with a Foreword by Lillian Schlissel (New York: Schocken Books, 1986), 193.

⁵²Ande Manners, Poor Cousins (New York: Coward, McCann & Geoghegan, Inc., 1972), 57.

to maintain their cultural and religious identities. They found a welcoming community of previously arrived immigrants. In these enclaves, "the Jews of Eastern Europe gloried in their separateness with no need to apologize and less to explain. Rendered conspicuous by their dress, language, and customs and confined in their occupations and habitats, they knew they were Jews, anchored in their religious traditions. . . ." ⁵³ In America they could be what they had not able to be in Russia. They could be Americans and Jews. ⁵⁴

Harry Golden, in the foreword to A Bintel Brief said, "And how lucky for America that millions of these foreigners were Jews from Eastern Europe. . . . They were the original 'ground kissers' of America. These were the immigrants who kissed the ground when they got off the gangplank because they saw hope, indeed were born again." ⁵⁵

The new women immigrants of eastern European origin faced a difficult task as they became accustomed to life in America. Yet, they were bound by the religion, tradition and, to a great degree, the patriarchy of the countries they had left.

A young woman wrote to the Jewish Daily Forward in 1906 with the following problem:

⁵³Rischin, The Promised City--New York Jews 1870-1914, 34.

⁵⁴Manners, Poor Cousins, 57.

⁵⁵Isaac Metzker, ed., A Bintel Brief, with a Foreword and Notes by Harry Golden (New York: Schocken Books, 1971), 32-33.

Two years ago when I was barely nineteen I left my home in a small town in Russia. . . . My mother and I agreed that I should go to the rich uncle, and I left for America. . . . From the day I arrived, my uncle was exceptionally good to me. I didn't even feel misgivings when my uncle became more intimate with me or when he seduced me. . . . I became his constant mistress. One day when a young man was in our house, my uncle suggested that he become my tutor. . . . Suddenly I realized I was pregnant. I told my uncle I was to become a mother, . . . Soon he came up with a suggestion: he would say that I was seduced by my tutor. . . . Naturally I could not agree to such a vile proposal. My uncle ignored me and carried out his evil plan. . . . and thus, because of me, was a decent man's reputation sullied. . . . I beg you to publish my letter in the name of the innocent man.⁵⁶

Sydney Weinberg noted that the cultural and religious heritage of the Jewish women immigrants definitely colored their responses to situations encountered in America⁵⁷ as is evidenced by the preceding lament in A Bintel Brief.

Corinne Azen Krause wrote in Grandmothers, Mothers and Daughters that she was often asked why she included ethnicity in the oral history she did of three generations of Jewish, Italian, and Slavic-American women who lived in Pittsburgh. Her answer was "I believe that ethnic background is a deep and significant fact of life, often ignored, often unconscious, but psychologically important. Ethnicity plays a role in the development of the identity of women."⁵⁸

⁵⁶Ibid., 39-40.

⁵⁷Weinberg, The World of Our Mothers--The Lives of Jewish Immigrant Women, 259.

⁵⁸Corinne Azen Krause, Grandmothers, Mothers and Daughters--An Oral History Study of Ethnicity, Mental Health, and Continuity of Three Generations of Jewish, Italian, and Slavic-American Women (The Institute on Pluralism and Group Identity of the American Jewish Committee, 1978), 5.

Weinberg remarked that Jewish daughters learned from their mothers and that the culture of Judaism would forever color their lives.⁵⁹ One fact was all-important in summarizing the lives and achievements of these Jewish immigrant women. They survived Jewishly.⁶⁰

The voyage was arduous and the dangers were many, but these stalwart women maintained their dignity and belief system remarkably well. They endured much to reach a place called America where their religious dictates and observances were allowed and validated.

What was the basis for the rules of observance? From whence did the supra-structure of behavior flow? That is the focus of the fourth chapter.

⁵⁹Weinberg, The World of Our Mothers--The Lives of Jewish Immigrant Women, 259.

⁶⁰Marcus, The American Jewish Woman, 1654-1980, 130.

CHAPTER 4

MAIMONIDES AND THE MISHNEH TORAH

What did surviving Jewishly mean to the predominantly Orthodox women who emigrated from eastern Europe and to their American born daughters and granddaughters?

To Orthodox (rigidly observant) women, the precepts of their religion were simply put. "God revealed or communicated commandments (*mitzvot*) to the Jewish people at Mount Sinai; that the oral tradition as well as the written Torah has its origin there; that Jewish law (*halacha*), which applies these *mitzvot* to every situation a Jew faces, has its origin in the divine and must be the guide to the Jewish way of life."⁶¹

Maimonides (Rabbi Moses ben Maimon), known in Hebrew literature as the RaMBaM, codified the 613 commandments that a Jew was obligated to obey. It is important to note that the Torah does not specify 613 commandments but Talmudic tradition teaches that there are 613 *mitzvot* in the Torah. Maimonides was, and is, one of the most widely studied of the Jewish scholars,⁶² and "is perhaps the most famous and resplendent figure of medieval Judaism. His fame was a direct result of

⁶¹Marc Lee Raphael, Profiles in American Judaism, The Reform, Conservative, Orthodox, and Reconstructionist Traditions in Historical Perspective (New York: Harper & Row, Publishers, Inc., 1984), 164.

⁶²Rabbi Joseph Teluskin, Jewish Literacy (New York: William Morrow and Company, Inc., 1991), 175-76.

the quality and quantity, scope and originality, magnetism and fascination of his writings."⁶³ The Mishneh Torah and The Guide to the Perplexed, one of the great philosophic statements on Judaism, are but two of many aspects of this remarkable man's accomplishments. Although Maimonides was both a rabbi and a philosopher, his importance to Orthodox Jews derived from his Mishneh Torah and not from his philosophical writings.

Maimonides' Mishneh Torah⁶⁴ was designed as a method for Jews to know how to behave in every situation by reading the Torah and his Code without having to laboriously search through the Talmud for the answer. Make no mistake, nothing was more important to the observant Jew than the fulfillment of those commandments. Maimonides listed the 613 commandments and utilized the standard division into 248 positive and 365 negative and subsequently divided his work into fourteen books.⁶⁵

Women as well as men were obliged to obey all the negative commandments. Those were commandments that included "thou shall not." Regarding the 248 positive commandments, women were obligated only to follow those that were applicable at all times or regardless of any specific time. In other words, they were released from those commandments that were timebound or those that had time as an integral part of the observance itself.

⁶³Isadore Twersky, Introduction to the Code of Maimonides (New Haven: Yale University Press, 1980), 1.

⁶⁴Mishneh Torah—A second Torah.

⁶⁵Twersky, Introduction to the Code of Maimonides, 260.

Essential to the understanding of a woman's place in the Orthodox paradigm is a first discussion of the inflexibility with which scholars of Orthodoxy interpret the 613 commandments. The succeeding chapter will delve into the particulars of the woman's relationship to the timebound commandments and the rationale for her exclusion from performance of some of those commandments.

With reference to the divine revelation of the Torah and the binding nature of the 613 commandments, the editors of Commentary magazine submitted the following questions to a group of rabbis representing the four divisions of Judaism--Orthodox, Conservative, Reform, and Reconstructionist. "In what sense do you believe the Torah to be divine revelation? Are all 613 commandments binding [emphasis mine] on the believing Jew?"⁶⁶ The responses of the Orthodox rabbis fit the parameters of this subject in that the obligation to observe was fixed and permanent for men and even more so for women.

Eliezer Berkovits, Chairman of the Department of Jewish Philosophy at Hebrew Theological College in Skokie, Illinois, said, "I believe that God did speak to Moses, as the Bible says. . . . The divine revelation of the Bible is the mysterious contact between God and man by which God communicated His truth and His law to Israel through Moses."⁶⁷

⁶⁶The Condition of Jewish Belief, Compiled by the Editors of Commentary Magazine (New York: The MacMillan Company, 1996), 7.

⁶⁷Eliezer Berkovits, in The Condition of Jewish Belief, Compiled by the Editors of Commentary Magazine (New York: The MacMillan Company, 1996), 23.

Rabbi Berkovits went on to say that

It is not essential that the so-called ritual commandments should at all times and in every situation show obvious ethical or doctrinal content. To fulfill even the ritual commandments is to do the will of God. Doing the will of God represents for the Jew the only possible contact between himself and God. . . . The doing of the will of God is, for the authentic Jew, a deeply inspirational and highly ennobling experience. It is an intensely religious experience, which keeps religion itself alive.⁶⁸

Yaakov Jacobs, editor of the Jewish Observer, stated that "observing each of the 613 *mitzvot* thrusts man forward in striving for *shlemut*, wholeness and oneness with G-d."⁶⁹ This total commitment to G-d and His Torah is asked only of the Jew."⁷⁰

Immanuel Jakobovits, formerly the Rabbi of the Fifth Avenue Synagogue in New York City, said that "To me the belief in the Torah *min ha-shamayin* (the divine revelation of the Torah) in its classical formulation by Maimonides, represents a definition of Judaism as inalienable as the postulate of monotheism. The expression of God's will is authentic, final, and eternally binding upon the Jewish people."⁷¹

He went on to say that "intrinsic to this doctrine, as painstakingly emphasized by Maimonides, is the equal sanctity of all parts of the Torah and all of its laws. . . .

⁶⁸Berkovits, in The Condition of Jewish Belief, 24-25.

⁶⁹Some Orthodox Jews extend to English the prohibition against the utterance in any context other than prayer of the various Hebrew words suggesting the name of God.

⁷⁰Yaakov Jacobs, in The Condition of Jewish Belief, 104, 106.

⁷¹Immanuel Jakobovits, in The Condition of Jewish Belief, 109-10.

All biblical laws equally derive their validity from their revelation by God. . . . In the significant words of Maimonides, good conduct determined by 'the verdict of the intellect' rather than by revelation might be 'wise' (expedient) but could never be saintly (meritorious)."⁷²

Norman Lamm, a rabbi at the Jewish Center in New York City, posited that

I believe the Torah is divine revelation in two ways: in that it is God-given and in that it is godly. . . . Hence, I accept unapologetically the ideal of the verbal revelation of the Torah. . . . *How* God spoke is a mystery; how *Moses* received this message is an irrelevancy. *That* God spoke is of the utmost significance, and *what* He said must therefore be intelligible to humans in a human context.

Torah is not only God-given, it is also godly. The divine work is not only uttered by God, it is also an aspect of God Himself. . . .

. . . it is clear that I regard all of the Torah as binding [emphasis mine] on the Jew. To submit the *mitzvor* to any extraneous test . . . is to reject the supremacy of God, and hence in effect to deny Him as God.⁷³

Rabbi Aharon Lichtenstein, Professor of Talmud at Yeshiva University in New York, reiterated that the Torah ". . . imposes binding [emphasis mine] obligation. . . . To respond to the Torah, at whatever level, is not just to undergo mystical or even prophetic trauma, but to need a command. Or rather, to heed God as the giver of commands."⁷⁴ Rabbi Lichtenstein said, "It is obvious that all 613 commandments are equally binding. . . . All others are similarly obligatory, for it is their source

⁷²Tbid., 110-11.

⁷³Norman Lamm, in The Condition of Jewish Belief, 124-25.

⁷⁴Aharon Lichtenstein, in The Condition of Jewish Belief, 132.

rather than their content which binds."⁷⁵

Walter S. Werzburger, Rabbi of the Shaarei Shomayim Congregation in Toronto, succinctly summarized the Orthodox attitude toward obeying the 613 commandments in the Torah. "In view of the fact that all the commandments represent the revealed word of God, I cannot, insofar as questions of observance are concerned, differentiate among them. In the final analysis, irrespective of the doctrinal or ethical content of a given *mitzvah*, it is observed as a *commandment* of God, ideally performed out of unconditional love for Him as an act of submission to his will."⁷⁶

Regarding the Mishneh Torah, Isadore Twersky wrote that, ". . . the central historical fact [is]: acknowledgement of the underlying force and the intrinsic originality of his work, its creative underived elements and innovative emphasis, its rejection of mediocrity, timidity, and conventionality, the newness of its scope, structure, style, and intellectual sovereignty."⁷⁷

The Orthodox respondents to the Commentary queries, without exception, acclaimed the binding aspect of the commandments for every Jew--man or woman. Hence, every Orthodox Jew must submit to God's will.

⁷⁵Ibid., 134.

⁷⁶Walter S. Werzburger, in The Condition of Jewish Belief, 276.

⁷⁷Twersky, Introduction to the Code of Maimonides, 537.

Ancient Jews were a nomadic, patriarchal race whose laws reflected the dominant position of men in the society. "*Mishnah*"⁷⁸ arose, within, and can only imagine, a patriarchal society. . . . *Mishnah* does not image that men live apart from women or that women exist outside of relationship and therefore control of men. *Mishnah* is a man's document and imagines a man's world"⁷⁹ (emphasis mine).

The initial familial organization of the Orthodox Jews did not change after immigration. The commandments did not change throughout the centuries and the obligation to obey also did not. Therefore, when young, Orthodox women arrived in America--unschooled and bound by religion--many of them clung to their orthodoxy as a link to the familiar and reassuring.

When Sheina Konigsberg, a Jew from Crown Heights in Brooklyn, discussed the purpose of her life, she said, "To see beauty and holiness in everyday things. To try to elevate the ordinary life. The key is the Torah and the way to get there has been shown by the *mitzvot*. . . . Maimonides described the scriptural origin of each one. . . . The list embraces virtually every facet of a religious Jews' day. . . . When the Jews accepted God's challenge to follow his ways, he gave us the *mitzvot*

⁷⁸Mishnah--The name of the sixty-three tractates in which Rabbi Judah the Prince set down the Oral Law. In the Mishnah, Jewish law is systematically codified, unlike the Torah.

⁷⁹Jacob Neusner, "Mishnah On Women: Thematic Or Systemic Description," Marxist Perspectives 3 (Spring 1980): 92.

so that we'd know how to do it"⁸⁰ (emphasis mine).

The context for the steadfastness in observance by Orthodox women has now been explained and examined. From the shtetl in eastern Europe to the shores of America, some things remained immutable. The Torah set down the laws, the Talmud illuminated and illustrated the laws, and the role of the woman in Orthodoxy remained within a circumscribed area of duty and obligation.

⁸⁰Lis Harris, Holy Days, The World of a Hasidic Family (New York: Summit Books, 1985), 20-21.

CHAPTER 5

MITZVOT OF PERFORMANCE

Historically, the Orthodox Jewish woman has had a position of dignity but not of equality with men. Males dominated public life and women had absolute power in the home or the private realm. Once undisputed power in the home was granted to the woman, it has remained that way. Most Orthodox women would confirm that their private responsibilities form the religious bridges within the family.

Rebbetzin Lapin was no exception in her description of her role in Orthodoxy. Her religious role was private and foremost, homebound. According to Channah Lapin, the Torah gave the woman the responsibility of setting the spiritual tone in the home. The woman is also responsible for the spiritual welfare of her husband and children.

The male domination of public life and the female domination of private life carried over into the names for God as they related to His functions. In Exodus 15:3, God was identified as "The Lord, the Warrior—Lord is His name!" In Isaiah 66:13, when He spoke of dealing with His people, he said, "As a mother comforts her son, So I will comfort you."

As these dominions became increasingly distinct, male power began its ascendancy. *Mitzvot* of performance tied to given moments were confined to

men,⁸¹ who would not be burdened by pregnancies or the nursing of babies when duty arose.⁸² In other words, the same extent of observance was not required of women. But what was the rationale? One explanation was that women could not be bound by time-conditioned commandments that might interfere with household duties.

However, a further explanation revolved around the differences between the holiness of time and the holiness of place. Although Jews have great reverence for the holiness of place, the far more significant aspect of the religion is the holiness of time. As Orthodox author Norman Lamm wrote in A Hedge of Roses, "Man urgently needs these time-oriented commandments so that he thereby be made aware of the sanctity of time."⁸³ The operative word in this quotation is man. It was Lamm's assertion that men need timebound commandments because they were without the one thing that all women have--an inner biological clock. As opposed to men, Lamm asserted that women were in touch with time every minute of every day because of their periodic menstrual cycles. If women followed the Orthodox Laws of Family Purity, they were sanctified every time they observed the commandments. Men had no such biological make-up and, as a result, were required to have an

⁸¹Time-bound mitzvot of performance: hearing the shofar on Rosh Hashanah, eating in the Sukkah, praying with the lulav, praying the three daily services, wearing tallit and t'fillin, saying the Sh'ma.

⁸²Leo Trepp, Judaism--Development and Life (Belmont, CA: Wadsworth Publishing Company, 1982), 327.

⁸³Norman Lamm, A Hedge of Roses (New York: Philipp Feldheim, Inc., 1966), 76.

extrinsic format to facilitate their observance. Whether one agreed or disagreed with the rationale, the fact remained that Orthodox women accepted the situation in which they found themselves.

As with all dogma, other opinions call into question this explanation for the expected behavior of women in the context of observance. There are examples of contemporary Jewish thought that differ from Lamm's interpretation both in substance and in nuance.

Rabbi Allan Berkowitz explained his own personal conundrum regarding the lack of obligation for women to follow certain positive timebound commandments. He does think that it showed bias toward women by separating them out from the total religious experience. He went on to say that the fact remained that there were exceptions for women from adhering to the positive timebound commandments that have nothing to do with pregnancy, household duties, or child rearing.⁸⁴

Rebbetzin Lapin disagreed in that she believed that women are excepted from observing timebound commandments, not banned. She pointed out that there are two things that she does that are as high a *mitzvah* as reading the Torah (an exclusive male dominion). The two *mitzvot* she referred to are helping her husband to learn and sending her children to school. In that respect, Rebbetzin Lapin not only sends her children to school, but runs the school which they attend. At the time of her

⁸⁴Interview with Rabbi Allan Berkowitz on March 8, 1994. Notes in possession of the author.

interview, she had four children enrolled in the school.

Rachel Adler, a Jewish feminist writer, held that "ultimately our problem stems from the fact that we are viewed in Jewish law and practice as peripheral Jews. The category in which we are generally placed includes women, children, and Canaanite slaves."⁸⁵

Women who had once been relieved of certain obligations were now not permitted to perform certain duties. "Members of this category have been 'excused' from most of the positive symbols which, for the male Jew, hallow time, hallow his physical being, and inform both his myth and his philosophy."⁸⁶ Adler concluded, "Moreover, it is both feasible and desirable for the community to begin educating women to take on the positive time-bound *mitzvot* from which they are now excused; in which case, those *mitzvot* would eventually become incumbent upon women."⁸⁷

The Orthodox view of *Mitzvot* of Performance was that the woman was given a special gift by possessing the internal biological clock which provided a framework for her behavior. She was then saved from needing an external suprastructure of observance imposed upon her. As an example of men needing more structure, the Rebbetzin pointed out that men need to wear their standard uniform so as to be

⁸⁵Rachel Adler, "The Jew Who Wasn't There: Halacha and the Jewish Woman," Response 18 (Summer 1973): 77.

⁸⁶Ibid., 78.

⁸⁷Ibid., 82.

reminded constantly of God. Orthodox women dress extremely modestly in order not to tempt the men.

Rebbetzin Lapin and her mother had no philosophical discussion regarding the *Mitzvot* of Performance. They were simply done but done by example with joy, role modeling, and a happy and joyous demeanor. Rebbetzin Lapin recounted a story to illustrate that teaching by example was the way she was imbued with the core of her faith. She said that there were always guests for Shabbat⁸⁸ when she was growing up. Many of these guests would stay overnight and her room was the guest room. Her mother did not want her to resent the religious observance or the guests. Channah's mother made a special effort to provide a bedroom in the finished basement for Channah where she was allowed to choose the wallpaper and do the decorating. The point was that her mother was attuned both to the requirements of observance but also to the necessity of being sensitive to a young girl's needs.

Thus, when Rebbetzin Lapin said that women are created for deeper understanding, her story illustrated that philosophy clearly. In her view, women need not be reminded of God by timebound commandments because they are innately more spiritual than men.

⁸⁸Shabbat--the holy Sabbath.

CHAPTER 6

MARRIAGE AND DIVORCE

"The Book of Women, like all other books of the Code, represents the norm set down in the Talmud augmented by the subsequent legal developments up to Maimonides' own time. . . . Talmudic law itself represents a continuous development of the status of woman from that of a virtual chattel of her father or brother to that of a free person practically on par with the adult male."⁸⁹

A note must be made regarding the previous citation and its reference to the status of women being "practically" on par with men. There are two weaknesses in the Jewish law of divorce. Obtaining a *get*⁹⁰ was, and is, the first issue. The second issue was the *agunah* or "tied woman."

Judith Romney Wegner wrote in the Harvard Women's Law Journal that due to the nature of Judaism—a theocratic system in which all law is believed to be ordained by God—even though social change took place over time, it did not necessarily follow that archaic laws would be reformed. Wegner posited that Jewish

⁸⁹Rabbi Moses ben Maimon, The Code of Maimonides, Book of Women (IV), trans. Rabbi Isaac Klein (New Haven: Yale University Press, 1972), xxi.

⁹⁰Get--The divorce document which must be written either by the husband or by a representative appointed by him. Every get follows a standard format: twelve lines, written by hand, in which the city where the divorce occurs is invariably identified by reference to the nearest river.

law was ultimately based on Hebrew tribal customs as recorded in the Torah.⁹¹ Her conclusion, in 1982, was that "marriage and divorce laws today continue to reflect the role and status of women in ancient patriarchal society. Formal rituals often survive substantive social change. Thus, it is not surprising that in Jewish law some archaic forms preserve the ancient character of property transfer."⁹²

That original patriarchal society also forbade adultery. In that instance, too, it was simply a case of admonishing one man not to infringe on another man's property rights. Property usually consisted of livestock and land in addition to women.⁹³

According to Rabbi Allan Berkowitz, marriage is a positive covenantal relationship which is symbolic of the marriage between God and the people of Israel. Rabbi Berkowitz opined that Judaism was the opposite of Christianity. Christianity viewed marriage as a concession to sexual urges; whereas, Jews believe in the positive commandment to be fruitful and multiply.⁹⁴

With regard to the dictums of the ritual of marriage, one must always remember that the rabbinic tradition was written by men for men and, hence,

⁹¹Judith Romney Wegner, "The Status of Women in Jewish and Islamic Marriage and Divorce Law," Harvard Women's Law Journal 5 (1982): 10.

⁹²Ibid., 7.

⁹³Leonie J. Archer, "The Virgin and the Harlot in the Writings of Formative Judaism," History Workshop Journal 24 (Autumn 1987): 4.

⁹⁴Gen. 1:28, "God blesses them and God said to them, 'Be fertile and increase, fill the earth and master it; and rule the fish of the sea, the birds of the sky, and all the living things that creep on earth.'" TANAKH

represented only the male perspective. "The bridegroom must write a *ketubah*⁶⁵ [emphasis mine] before he inducts his bride into the bridal chamber, and only then is he permitted to approach her. It is also he who must pay the scribe's fee."⁶⁶ Ultra-Orthodox Jews require that the *ketubah* be negotiated between the bridegroom and the bride's father.⁶⁷ "Once the spouse has entered the bridal chamber, her husband may have intercourse with her whenever he wishes, seeing that she is his wife in every respect."⁶⁸ "In return for her right of maintenance, the Jewish . . . wife has a duty of obedience. . . . The requirement that she submit to intercourse is foremost among the Jewish wife's duties of obedience."⁶⁹

The following issue was an area where women were qualified and separated out because they were women. Today, one might be encouraged to describe the following pronouncement as discrimination due to "status." "The Sages have likewise ordained that he who marries a virgin should rejoice with her for seven days. If the

⁶⁵Ketubah (writ)--has two meanings: (1) marriage contract specifying the mutual duties of husband and wife, including the amount of the wife's dowry and the financial obligations towards her assumed by the husband; (2) the sums payable to the wife by the husband under the contract.

⁶⁶Rabbi Moses ben Maimon, Code of Maimonides, 63.

⁶⁷Wegner, "The Status of Women in Jewish and Islamic Marriage and Divorce Laws," 10.

⁶⁸Rabbi Moses ben Maimon, Code of Maimonides, Book of Women, 61.

⁶⁹Wegner, "The Status of Women in Jewish and Islamic Marriage and Divorce Laws," 23-24.

woman is a nonvirgin, he should rejoice with her for not less than three days."¹⁰⁰

Although the following passage is not operative today in relationship to Jewish marriage, it casts an interesting light on a man's obligations under polygamy. "A man may marry several women simultaneously on the same day. As for rejoicing, he must rejoice with each one separately according to her due, that is, with a virgin seven days, and with a nonvirgin three days, and one rejoicing may not be combined with the other."¹⁰¹

When a man marries a woman . . . he obligated himself to her for ten things, and is in turn entitled to four things from her.

Of the ten, three are found in the Torah: *her food, her raiment, and her conjugal rights* (Exod. 21:10).¹⁰² *Her food* signifies her maintenance; *her raiment*, what the term implies; *her conjugal rights*, sexual intercourse with her, according to the way of the world.

The other seven are of Scribal origin, and all of them are conditions laid down by the court. The first of them is the statutory *ketubbah*; the rest are called "conditions contained in the *ketubbah*."

And the four things he is entitled to are all of Scribal origin, namely the following: he is entitled to her earnings, to anything she finds, and to the usufruct¹⁰³ of her estate during her lifetime. And should she die in his lifetime, he is her heir, with precedence over anyone else as to her estate¹⁰⁴ (emphasis mine).

¹⁰⁰Rabbi Moses ben Maimon, Code of Maimonides, Book of Women, 65.

¹⁰¹Ibid., 65-66.

¹⁰²Exod. 21:10, TANAKH, "If he marries another, he must not withhold from this one her food, her clothing, or her conjugal rights."

¹⁰³Usufruct--the right of enjoying all the advantages derivable from the use of something which belongs to another, so far as is compatible with the substance of the thing not being destroyed or injured.

¹⁰⁴Rabbi Moses ben Maimon, Code of Maimonides, Book of Women, 73-74.

There was no doubt that the woman was entitled to her conjugal visits. "The conjugal rights mentioned in the Torah are obligatory upon each man according to his physical powers and his occupation."¹⁰⁵

For men who are healthy and live in comfortable and pleasurable circumstances, without having to perform work that would weaken their strength . . . the conjugal schedule is every night.

For ass-drivers, the schedule is once a week; for camel-drivers, once in thirty days; for sailors, once in six months; for disciples of the wise, once a week, because the study of the Torah weakens their strength. It is the practice of the disciples of the wise to have conjugal relations each Friday night.¹⁰⁶

In summary, regardless of the rights attributed to the wife regarding food, clothing and conjugal visits, the marriage contract was essentially a transfer of property (the female) from the father of the bride to her perspective husband. Men made the deal, consummated the arrangement, and directed the woman in question to obey the provisions of the contract.

If the marriage did not succeed and the woman desired a divorce, other measures were put into motion. In that situation, then as well as today, a problem existed for women. While the Bible permitted divorce,¹⁰⁷ "A woman may be divorced

¹⁰⁵Ibid., 86.

¹⁰⁶Ibid., 86-87.

¹⁰⁷Deut. 24:1, "A man takes a wife and possesses her. She fails to please him because he finds something obnoxious about her, and he writes her a bill of divorcement, hands it to her, and sends her away from his house." TANAKH

only by means of a writ that reaches her, and this writ is called *get*"¹⁰⁸ [emphasis mine]. The man could not be forced to grant a divorce against his will. Therefore, if the woman did not obtain the *get* from her husband, she could not be divorced and remained a "tied woman."

An *agunah* is a "tied woman." This is a woman whose husband's whereabouts are unknown and who cannot remarry as long as there is no evidence of his death. In Jewish law, there is no presumption of death even after a period of time. Since a missing husband cannot issue a *get*, a wife is barred forever from remarriage. Eliezer Berkovitz wrote in Jewish Women in Time and Torah that "the problem of the *agunah* [emphasis mine] has some very serious implications for the status of women in our days. There are numerous cases of unscrupulous husbands misusing their halakhically awarded control over the divorce process. Some men demand extortionate sums of money from the wife or her family before agreeing to a divorce. Still others simply refuse to give a *get* and abandon their wives without divorcing them."¹⁰⁹

In Jewish law, divorce by "repudiation is still the only means by which a marriage solemnized in Jewish law can be dissolved in Jewish law."¹¹⁰

¹⁰⁸Rabbi Moses ben Maimon, Code of Maimonides, Book of Women, Treatise II, Laws Concerning Divorce, Chap. 1, sec 1.

¹⁰⁹Berkovitz, Jewish Women in Time and Torah, 111.

¹¹⁰Wegner, "The Status of Women in Jewish and Islamic Marriage and Divorce Law, 16.

For many reasons, men would often refuse to issue the *get*.¹¹¹ In the Jewish state of Israel, men have been imprisoned, albeit it infrequently, to put pressure on them to grant a *get*. But in the secular state, where most Jews live, there is no such leverage available and, hence, the dilemma. ". . . The inequality of husband and wife with regard to divorce procedure remained, and remains, a problem for women."¹¹²

The disparity between the rights of observant Jewish men and women regarding divorce can be seen in the ability of each to remarry. A woman without a *get* cannot remarry.

A Jewish husband who remarries civilly after a civil divorce, without having given his wife a *get* [emphasis mine], is validly married to the second wife under Jewish law (even though still married to the first wife under Jewish law), provided only that the new wife is a [lawfully] recognized Jew. The religious validity of the second marriage, even though not conducted according to the Jewish rite, is based on the ancient mishnaic rule that a wife may validly be betrothed by intercourse. . . . Since the second marriage is valid, the children of the second marriage are legitimate under Jewish law.¹¹³

¹¹¹Ibid., 17. This causes special hardship among western Jews today. A woman married in accordance with Jewish law, who later obtains a civil divorce against a "guilty" husband, cannot remarry in Jewish law without first receiving a *get*. Deut. 24:1. If the *get* is not obtained, any children of a subsequent civil marriage will be *mamzerim* (illegitimate in Jewish law). Such children are subject to irremediable disabilities in Jewish law. . . . Thus, they may not marry Jews or participate in other Jewish rites. They are, in effect, outlaws.

¹¹²Ibid., 28.

¹¹³Ibid., 31n.

Rabbi Allan Berkowitz, speaking of the current situation, said that Judaism is still struggling with updating this situation in Jewish law. However, Rabbi Berkowitz was speaking from the perspective of a Conservative rabbi who was aware that change was needed in his branch of Judaism.

Rabbi Eliezer Berkovits seemed to agree with Rabbi Berkowitz when he wrote in 1990 that:

But by far more objectionable is the utter disregard for the numerous halakhic innovations introduced by talmudic teachers to protect the wife against the possible harmful consequences of the husband's behavior in matters of divorce. These innovations would enable us to introduce appropriate *tenaim* (conditions) into the marriage contract (*ketubah*) that would solve the many problems arising from a broken-down suffering of the many wives who are exposed to the willfulness of their husbands. . . . The prevailing conditions are not due to Halakhah; on the contrary, they are in violation of fundamental principles of halakhic ethics.¹⁴

The preceding quotation dovetailed nicely with the point that Rebbetzin Lapin made regarding the obtaining of a *get*. She stated that all Jews want to do what is right but sometimes might have to be forcefully reminded of that goal. She said that community pressure and the threat of perceived but not actual excommunication is usually enough to have a man come to his senses.

Rabbi Berkowitz has had to refuse to marry couples because the woman had been unable to obtain a *get* from her former husband. One solution to the problem for Rabbi Berkowitz was to require that, when he does agree to marry a couple, the

¹⁴Eliezer Berkovits, Jewish Women in Time and Torah (Hoboken, NJ: KATV Publishing House, Inc., 1990), 133.

woman has the promise of a *get* as part of her *ketubah*. It is hoped that she will not have to use it. However, to circumvent that part of Jewish law that is unfair to women, it is often necessary.

On the other hand, "Orthodox rabbis have rigidly adhered to established divorce laws, refusing to modify them in accordance with suggestions put forward in recent years. Thus, the disability of the Jewish wife, in the matter of obtaining a divorce, still persists."¹¹⁵

Rebbetzin Lapin was of the opinion that the promise of a *get* in the *ketubah* was not necessary because, in most cases, the man can be convinced to do the right thing. In a religion as old as Orthodox Judaism, patience and steadfastness are the keys to the perpetuation of the religion. Channah Lapin had a sister-in-law who was an *agunah* for eleven years before finally succeeding, with the help of her rabbi, in obtaining a *get*. Patience, reverence for tradition, and an unswerving adherence to a specific belief system will win the day according to Rebbetzin Lapin.

Channah Lapin did not feel that Orthodox women are disadvantaged by the *get* issue. She viewed the situation pragmatically with the thought that Judaism is an old religion, the rules are immutable, and the desire of the man to do the right thing will overcome any of his aberrant behaviors.

¹¹⁵Wegner, "The Status of Women in Jewish and Islamic Marriage and Divorce Law," 29.

CHAPTER 7

LAWS OF FAMILY PURITY

"It is probably safe to say that no aspect of Orthodox Jewish life has so piqued the curiosity of interested outsiders as the so-called Laws of Family Purity, the rules that govern sexual relations between all Orthodox men and women."¹¹⁶

Specifically, Jewish Law forbids a husband to approach his wife during time of her menses, generally from five to seven days, and extends the prohibition of any physical contact beyond this period for another seven days. At the end of this twelve to fourteen days period, the woman must immerse herself in a *mikvah*¹¹⁷ and recite a special blessing in which she praises God for sanctifying us with His commandments and commanding us concerning immersion.

Rachel Adler, when discussing the Laws of Family Purity, said that "our consciousness tells us that we are created beings and so are mortal. Our soul tells us that we are the image of the Creator and so cannot be mortal. Our knowledge of ourselves, then, is paradoxical. How do we reconcile it and make ourselves whole? Jews solve the paradox with the ritual cycle of *tumah* and *taharah*, in which we act

¹¹⁶Harris, Holy Days, 135.

¹¹⁷Mikvah--a ritual bath used for the purposes of ritual purifications.

out our own death and resurrection." ¹¹⁸

In contrast to Rachel Adler, Jacob Neusner analyzed the Laws of Family Purity as a way of dealing with women as an anomaly—something that was disordered and dangerous.¹¹⁹ For Neusner, the Mishnah's basic conception of woman was, "Abnormal and excluded, something out of the ordinary, they form the focus of sanctification: restoration of the extraordinary to the ordinary and the normal . . . Mishnah proposes to restore the equilibrium."¹²⁰ Leonie J. Archer, an author of works on gender bias, wrote in the History Workshop Journal about the time at which she saw the purity standards start to greatly affect women. In her article, "The Virgin and Harlot in the Writings of Formative Judaism," she studied the literature during the period from the second century B.C. to the first century A.D.

Archer saw the early biblical period as a time in which the Jews were semi-nomadic with an extended family unit and an emphasis on the importance of mother's kin. She observed that women were prominent in public life and enjoyed some

¹¹⁸Rachel Adler, "Tumah and Taharah," in The Jewish Woman, ed. Elizabeth Koltun (New York: Schocken books, 1976), 64. Tumah is the result of our confrontation with the fact of our own mortality. Taharah is the result of our reaffirmation of our own mortality.

¹¹⁹Neusner, "Mishnah on Women: Thematic or Systemic Description," 96. "The very essence of the anomaly, woman's sexuality, is scarcely mentioned, but it is always just beneath the surface."

¹²⁰*Ibid.*, 94.

freedom of movement with no constraints on them regarding purity and impurity.¹²¹

The pre-exilic period was marked by a move away from the extended family to something akin to the nuclear family. And, although women still had public responsibilities, there was a definite codification of the laws regarding the day-to-day life of the society.

Turning to our final period, that of the Second Temple or Commonwealth, it is clear that the destruction of the Temple, the exile to Babylon, and the subsequent return of the "remnant" to the land . . . paradoxically provided a tremendous impulse for change in Jewish religious and social ordering—a change prompted not least by the earlier works of the prophets. Interpreting the traumatic events as dramatic realisation of those early doom prophecies, the remnant rather than absorbing itself into those who had stayed behind, now worked to rid itself of all impurity and to establish itself as the elect, holy community of God. Complex purity laws were introduced to protect the sanctity and integrity of the new nation. These new purity laws, which covered all sorts of things now designated "unclean", were particularly onerous for women [emphasis mine] for they were now declared ritually impure and polluting for approximately two weeks out of every month following the menstrual flow and for an extended period following the birth of a child.¹²²

As the obsession with ritual purity increased and the nuclear family began to predominate, a sharper differentiation emerged between the male and female social function. The Second Temple period firmly cemented the woman's role in the private

¹²¹Leonie J. Archer, "The Virgin and the Harlot in the Literature of Formative Judaism," History Workshop Journal, 4.

¹²²Ibid., 6. Deut. 12:1-5: "The Lord spoke to Moses, saying: Speak to the Israelite people thus: When a woman at childbirth bears a male, she shall be unclean seven days; she shall be unclean as at the time of her menstrual infirmity. . . . She shall remain in a state of blood purification for thirty-three days: she shall not touch any consecrated thing, nor enter the sanctuary until her period of purification is completed. If she bears a female, she shall be unclean two weeks as during her menstruation, and she shall remain in a state of blood purification for sixty-six days." One wonders if bearing a girl is twice as onerous as bearing a son.

sphere of activity as wife, mother and homemaker. Archer concluded that ". . . such culturally constructed fear of women was a natural consequence of the ever-increasing patriarchal tenor of society."¹²³

There is always a division of labor in patriarchy: men get the status roles and women get the rule of doing everything that men don't want to do. . . . In the division of labor, the people who were considered most capable got the most important role. . . . Men have to have someone to whom they were superior. Women had a definite role to play. They were supposed to create and provide the kind of emotional atmosphere in the home that gave Jews emotional and psychological strength and made it worthwhile for them to struggle to survive as Jews.¹²⁴

Archer summarized her analysis of early Jewish society by noting that it was patriarchal in form and suffered from the one problem that those societies have in common. The patriarchal society must always deal with the very existence of women.¹²⁵

In keeping with Archer's theme that women create an ongoing management problem, it was interesting to find that Ivan G. Marcus illustrated a similar view in "Mothers, Martyrs, and Moneymakers: Some Jewish Women in Medieval Europe." "Girls should be taught practical Jewish law as it pertained to their personal and

¹²³Archer, "The Virgin and the Harlot in the Writings of Formative Judaism," 12.

¹²⁴Aviva Cantor, "The Oppression of a Jewish Woman," Response 18 (Summer 1973): 50-51.

¹²⁵Archer, "The Virgin and the Harlot in the Writings of Formative Judaism," 12.

domestic roles in the family: the laws of family purity concerning menstruation, separation and ritual bathing."¹²⁶

During his interview, Conservative Rabbi Berkowitz stressed that the Laws of Family Purity prevent husbands from overly objectifying their wives. Susan Schneider presented a similar view in her book Jewish and Female.

A bitter accusation, one based on a lack of contact with couples who follow the *mikveh* way, is that it is a means of oppressing women. In fact, the woman suffers no prejudice during the period of impurity. She and, of course, her husband are simply forbidden to relate to each other sexually. They may, indeed must, share communication, respect, love, and all the other aspects in their lives during this time. The husband cannot play the sexual autocrat. He, as well, as she, must yoke passion to the dictate of a higher authority. A marriage that cannot withstand this kind of self-control is ipso facto based on sexual slavery, and is contemptible in the eyes of Judaism.¹²⁷

Rabbi Berkowitz reiterated that the laws regarding abstention from sexual relations for the entire menstrual cycle as well as for seven days thereafter did not indicate that the woman was physically impure, just ritually impure during that time.

Interestingly, when Lynn Davidman analyzed two Orthodox approaches to modernity during the mid-to-late 1980s, she recounted an instance when an Orthodox rabbi had couched the laws of family purity in much the same terms as Rabbi Berkowitz.

¹²⁶Ivan G. Marcus, "Mothers, Martyrs, and Moneymakers: Some Jewish Women in Medieval Europe," Conservative Judaism 38 (Spring 1986): 36.

¹²⁷Susan Weidman Schneider, Jewish and Female (New York: Simon and Schuster, 1984), 205.

For example, the *niddah*¹²⁸ laws (laws of family purity), which have been highlighted by feminists as reflecting attitudes toward women's sexuality, were reinterpreted in a way that incorporated feminist ideas. In services on Saturday, the Beginners' Rabbi emphasized how these laws actually benefit women, by encouraging men to see women as individuals, not as sex objects.

In this reinterpretation of *niddah*, the rabbi uses one aspect of contemporary culture to criticize another: he incorporates a modern feminist analysis of the sexual objectification of women to reinforce a traditional religious critique of current sexual norms.

These teachings on women's roles, then, reflect the community's characteristic and precarious balance between upholding the implicit assumptions of the wide culture and advocating a retreat to a more traditional way of life.¹²⁹

Then, in contrast to the Orthodox rabbi, Lynn Davidman illustrated the rationalization criteria used by an ultra-orthodox Hasidic community when explaining the laws of family purity. Hasidic Jews are told that their will does not count and that they are expected to submit to God's will.¹³⁰

"Consistent with this goal of reversing modern conceptions of will and agency, and encouraging surrender to God and the representatives of God on earth, the teachers in this setting do not emphasize the rationales for the various observances,

¹²⁸Niddah--menstruant.

¹²⁹Lynn Davidman, "Accommodation and Resistance to Modernity: A Comparison of Two Contemporary Orthodox Jewish Groups," Sociologist Analysis (Spring 1990): 44.

¹³⁰Gina Kolata, "Orthodox Jews test teens to curb diseases," San Jose Mercury, 7 December 1993, 1(A) and 12(A). The following instance seems to contradict the Hasidic view of not interfering with God's will. "In an ambitious attempt to eliminate common recessive diseases from their community, a group of Orthodox Jews in New York . . . is using the most advanced molecular technology to screen young people considering marriage . . . The goal is to discourage marriage or even dating between people who are at high risk of having a child with a genetic disease."

or the benefits that the women stand to gain from following Jewish law."¹³¹

The Orthodox interpretation of a woman's role was based on the presupposed unique biological aspect of her being. That unique biological condition then determined her position in the culture and the responses of others to her.¹³²

Leonard Swidler, writing in Women in Judaism, questioned the conclusions of both Rabbi Berkowitz and the Orthodox rabbi quoted by Lynn Davidman regarding family purity regulations. Mr. Swidler was not sure "that they [Niddah] would foster consecration of the married life and family happiness. . . . But to claim that they promote respect for womanhood is puzzling."¹³³

It is difficult to see how declaring a person unclean and contaminating of everyone and everything within touch would encourage self-respect or respect from others. To go beyond this and say that the essence of the Jewish soul and the developing of a true religion, moral and spiritual Jewish life is absolutely dependent upon the "banishment" of all women for forty per cent of every year during thirty years or more of their adult lives is even more confounding; it would seem project misogyny into the very being of the soul of a Jew.¹³⁴

Rabbi Daniel Pressman, an instructor in a class on Judaism, posited that the woman's loss of blood signifies the loss of potential life and should be respected

¹³¹Davidman, "Accommodation and Resistance to Modernity: A Comparison of Two Contemporary Orthodox Jewish Groups," 47.

¹³²*Ibid.*, 48.

¹³³Swidler, Women in Judaism, 134.

¹³⁴*Ibid.*

for what it was, life to be.¹³⁵

"In all creation is the seed of destruction. All that is born dies, and all that begets. Begetting and birth are the nexus point at which life and death are coupled. They are beginnings which point to an end. Menstruation, too, is a nexus point. It is an end which points to a beginning. . . . The menstrual blood, which inside the womb was a potential nutriment, is a token of dying when it is shed. Menstruation is an autumn within, the dying which makes room for a new birth."¹³⁶

Once the *tameh*, the woman who is experiencing the status of *tumah*, has completed the duration of her "impurity," she must immerse herself in a ritual bath, *mikvah*,¹³⁷ to end the cycle and begin a new one.

The *mikveh* simulates the original living water, the primal sea from which all life comes, the womb of the world, the amniotic tide on which the unborn child is rocked. To be reborn, one must reenter this womb and "drown" in the living water. We enter the *mikveh* naked, as an infant enters the world. We stand in the water, feet slightly apart, arms outstretched frontward and fingers spread. The lips, too, should be loosely compressed and the eyes loosely closed. Then we bend the knees so that the entire body including the head and all the hair are simultaneously covered by the water, and we reemerge. At this point, a *niddah* says a blessing. . . . The blessing is followed by a second immersion. We emerge from the *mikveh*, having confronted and experienced our own death and resurrection.¹³⁸

¹³⁵Introduction to Judaism class, Rabbis Pressman and Berkowitz, notes in possession of the author.

¹³⁶Adler, The Jewish Woman, 65-66.

¹³⁷Mikvah--ritual bath which must contain running water, not stagnant. The mikvah stimulates the original living water from which all life comes.

¹³⁸Adler, The Jewish Woman, 68.

As with any highly symbolic activity, the interpretations are personal and as varied as the participants. For the Orthodox women, it is individually fulfilling but, more importantly, a necessity for maintaining the strength of their bonds with their religion and with the practices of their mothers and grandmothers. Jennie R. Gerstely wrote that "it seems as if the curtain rose on a play that was about people who lived, and things that had happened long ago—a play that bore me into the past."¹³⁹

Jewish women are generally divided on how they perceive the entire issue of the Laws of Family Purity. Some view the process as illustrating the old blood taboo and extrapolating from that the notion that men fear and loathe women. Others, however, view the maintenance of the purity laws as an expressive experience that allows them to maintain a connection to their gender through the revisiting of these ancient rituals.¹⁴⁰

While the preceding examples were probably true for many Orthodox women, Rebbetzin Lapin indicated that it was somewhat different for her. Her trip to the *mikvah* in Berkeley, California, every month provided her with an opportunity to renew her commitment to her marriage and to her husband. Rather than being an inwardly focused exercise, it was a concrete demonstration of her belief in her relationship with her husband.

¹³⁹Jennie R. Gerstely, "The Jewish Woman, The Jewish Home, The Ideal Achieved," American Jewish Archives (April 1979): 79.

¹⁴⁰Schneider, Jewish and Female, 207.

Regardless of the rationale, and whatever the explanation for the observance, the Laws of Family Purity are rarely practiced outside the Orthodox and Ultra-Orthodox communities. For these women, the experience is a necessary and welcomed part of the rituals that they hold closely.

CHAPTER 8

CONCLUSION

The following quotation might have correctly reflected my point of view prior to embarking on my research to gain an understanding of this subject. Certainly, it does reflect one position regarding women in Orthodox Judaism. "This conclusion, of the dominance of a severely inferior status of women and even an intense misogyny in the formative period of Judaism, is in no way weakened or deflected by evidence that there existed at the same time sincere human affection toward wives . . . But the evidence still staggeringly indicates that formative Judaism's societal and religious structures place women in a position decidedly inferior and subordinate to men."¹⁴¹

I have always been concerned that in the study of history some want to define previous behavior and paradigms by today's standards and popular culture. That is what many do when assessing the life that is lived by Orthodox women in the latter part of the twentieth century.

Society is curious about things that are not understood. For most Jews, the Laws of Family Purity, the keeping of the Sabbath, and *Kashrut*¹⁴² are totally foreign. If one were to extrapolate that to the general population, it is no wonder that the

¹⁴¹Swidler, Women in Judaism, 168-69.

¹⁴²Kashrut--Jewish dietary laws.

dominant popular culture is at once bemused and somewhat suspicious to the life of an Orthodox Jew in general, and the life of an Orthodox Jewish woman, in particular.

I met a thirty-eight-year-old Orthodox rabbi's wife, Rebbetzin Channah Lapin, who debunked most of the common conceptions regarding the place of women in the Orthodox paradigm. She is the mother of seven, principal of her synagogue's school, and wife of the rabbi. I found her to be joyous and giving to the extreme. The joy seemed to radiate out from her soul and influenced the people with whom she had contact.

When I asked about her life in the secular world, she answered with uncommon wisdom and serenity. She spoke of the fact that being a Jew in a predominantly Christian culture is difficult but manageable. She said that she is vigilant in the secular world but not paranoid because she and her family are firmly grounded in their knowledge of the differences between right and wrong. Her children play and eat with non-Orthodox children within certain parameters. Yet her children are firm in the knowledge of who they are and what they believe.

The Rebbetzin is keenly aware that their community is small and, by definition, somewhat isolated. So, in keeping with what her mother did for her when she was thirteen, Channah Lapin is allowing her daughter to attend a boarding school in Cincinnati beginning in the fall. She wants her daughter to have a larger pool from which to draw her friends and more experience with the wider Orthodox world.

The Rebbetzin remembered when she was thirteen and living in a Hasidic community in Israel that her mother sensed the restrictions on women were just too

difficult for a young girl who had grown up in Minneapolis. Channah's mother allowed her to come back to the United States to live with her sister and continue her education.

This study comes full circle from the Rumanian Hasidic mother who loved her daughter enough to let her go to Rebbetzin Lapin today, who is going to do the same thing for her daughter in the fall.

Rebbetzin Lapin's philosophy of "expose don't impose" sums up the constant and immutable bond between mothers, daughters, and their Orthodox faith.

WORKS CITED

- Adler, Rachel. "The Jew Who Wasn't There: Halacha and the Jewish Woman." Response 18 (Summer 1973): 77-82.
- Antin, Mary. The Promised Land. Boston: Houghton Mifflin Company, 1912.
- Archer, Leonie J. "The Virgin and Harlot in the Writings of Formative Judaism." History Workshop Journal 24 (Autumn 1987): 1-16.
- Ariel, David S. What Do Jews Believe? New York: Schocken Books, 1995.
- Barr, Catherine, ed. The Bowker Annual Library and Book Trade Almanac, 38th ed. New York: R. R. Bowker Company, 1993.
- _____. The Bowker Annual Library and Book Trade Almanac, 39th ed. New York: R. R. Bowker Company, 1994.
- Berkovits, Eliezer. Jewish Women in Time and Torah. Hoboken, NJ: KTAV Publishing House, Inc., 1990.
- Berkowitz, Allan, Rabbi of Congregation Sinai in San Jose, CA. Interview by author, 8 March 1994, San Jose, CA. Notes in possession of the author.
- Biale, Rachel. Women and Jewish Law, An Exploration of Women's Issues in Halakhic Sources. New York: Schocken Books, 1984.
- Buber, Martin. Hasidism and Modern Man. Edited and translated by Maurice Friedman. With an introduction by Martin S. Jaffee. New York: Horizon Press, 1958. Reprint, Atlantic Highlands, NJ: Humanities Press International, Inc., 1988.
- _____. The Origin and Meaning of Hadism. Edited and translated by Maurice Friedman. With an introduction by David B. Burrell. New York: Horizon Press, 1960. Reprint, Atlantic Highlands, NJ: Humanities Press International, Inc., 1988.

- Cantor, Aviva. "The Oppression of a Jewish Woman." Response 18 (Summer 1973): 50-51.
- Chotzinoff, Samuel. A Lost Paradise. New York: Alfred A. Knopf, Inc., 1955. Reprint, New York: Arno Press, 1975.
- Cohen, Shaye J.D. "Women in the Synagogues of Antiquity." Conservative Judaism 34 (Spring 1980): 23-29.
- Cordasco, Francesco. The Immigrant Woman in North America. Metuchen, NJ: The Scarecrow Press, 1985.
- Danis, Naomi. "Celebrating Ten Years of Women as Conservative Rabbis." Lilith 18 (Fall 1993): 6.
- Davidman, Lynn. "Accommodation and Resistance to Modernity: A Comparison of Two Contemporary Orthodox Jewish Groups." Sociological Analysis 51 (Spring 1990): 35-51.
- Donin, Rabbi Hayim Halevy. To Be A Jew, A Guide to Jewish Observance in Contemporary Life. With a Foreword by Dr. Norman Lamm. New York: Harper Collins Publishers, 1972.
- Dresner, Samuel H., Seymour Siegel, and David M. Pollock. The Jewish Dietary Laws. New York: The Rabbinical Assembly of America and United Synagogue Commission on Jewish Education, 1966.
- Drucker, Sally Ann. "'It Doesn't Say So in Mother's Prayerbook': Autobiographies in English by Immigrant Jewish Women." American Jewish History 79 (Autumn 1989): 55-71.
- Dubofsky, Melvyn. Review of Daughters of the Shtetl: Life and Labor in the Immigrant Generation, by Susan A. Glenn. Reviews of American History 19 (September 1991): 385-90.
- Ellman, Yisrael. "Intermarriage in the United States: A Comparative Study of Jews and Other Groups." Jewish Social Studies 49 (Winter 1987): 1-26.
- Fackenheim, Emil L. What is Judaism? New York: Simon and Schuster, Inc., 1987: Summit Books, 1988.
- Frank, Ruth S., and William Wollheim. The Book of Jewish Books, A Reader's Guide to Judaism. San Francisco: Harper & Row, 1986.

- Gabaccia, Donna. Review of The Immigrant Woman in North America: An Annotated Bibliography of Selected References, by Francesco Cordasco. In Journal of American Ethnic History 8 (Spring 1989): 127-33.
- Gerstely, Jennie R. "The Jewish Woman, The Jewish Home, The Ideal Achieved." American Jewish Archives 31 (April 1979): 75-79.
- Glenn, Susan A. Daughters of the Shtetl: Life and Labor in the Immigrant Generation. Ithaca, NY: Cornell University Press, 1990.
- Golinkin, Noah. Shalom Aleichem. With a Foreword by Rabbi David L. Blumenfeld. Rockaway Beach, NY: Hebrew Publishing Company, 1992.
- Greenberg, Blu. How to Run a Traditional Jewish Household. New York: Simon and Schuster, 1983. Reprint, Northvale, NJ: Jason Aronson Inc., 1989.
- Gurock, Jeffrey S. The Men and Women of Yeshiva--Higher Education, Orthodoxy, and American Judaism. New York: Columbia University Press, 1988.
- Haberman, Clyde. "Thousands in Israel pray for ailing Brooklyn rabbi." Minneapolis Star Tribune, 7 March 1992, 12(C).
- Harris, Lis. Holy Days--The World of a Hasidic Family. New York: Summit Books, 1985.
- Heilman, Samuel. Defenders of the Faith--Inside Ultra-Orthodox Jewry. New York: Schocken Books, 1992.
- Henry, Sondra, and Emily Taitz. Written Out of History: Our Jewish Foremothers. 3rd ed. New York: Biblio Press, 1990.
- Heschel, Susannah. On Being a Jewish Feminist. New York: Schocken Books, 1983.
- Holtz, Barry W., ed. Back to the Sources--Reading the Classic Jewish Texts. New York: Simon and Schuster, Inc., 1984; Touchstone Books, 1984.
- Jacobs, Louis. The Book of Jewish Belief. West Orange, NJ: Behrman House, Inc., 1984.
- Joseph, Samuel. "Jewish Immigration to the United States From 1881 to 1910." Ph.D. diss., Columbia University, 1914.

- Kaplan, David A. "A Question of Separation." Newsweek, 13 December 1993, 72.
- Karp, Abraham J., ed. Golden Door to America--The Jewish Immigrant Experience. New York: The Viking Press, 1976.
- Koltun, Elizabeth, ed. The Jewish Woman--New Perspectives. New York: Schocken Books, 1976.
- Kotlatch, Alfred J. The Jewish Book of Why. Middle Village, NY: Jonathan David Publishers, Inc., 1981.
- Krause, Corinne Azen. Grandmothers, Mothers and Daughters--An Oral History Study of Ethnicity, Mental Health, and Continuity of Three Generations of Jewish, Italian and Slavic-American Women. New York: The American Jewish Committee, 1978.
- Lamm, Norman. A Hedge of Roses. New York: Philipp Feldheim, Inc., 1966.
- Lapin, Channah, wife of Rabbi at Orthodox Synagogue Am Echad in San Jose, CA. Interview by author, 11 March 1998. Notes in possession of the author.
- Linfield, H. S., Ph.D. Statistics of Jews and Jewish Organizations--Historical Review of Ten Censuses 1850-1937. New York: The American Jewish Committee, 1939.
- Maimonides, Moses. The Guide For The Perplexed. Translated by M. Friedlander, Ph.D. New York: E. P. Dutton & Co., 1936.
- _____. The Code of Maimonides--Book Four--The Book of Women. Translated by Isaac Klein. New Haven: Yale University Press, 1972.
- Manners, Ande. Poor Cousins. Coward, McCann & Geoghegan, Inc., 1972.
- Marcus, Ivan G. "Mothers, Martyrs, and Moneymakers: Some Jewish Women in Medieval Europe." Conservative Judaism 38 (Spring 1986): 34-45.
- Marcus, Jacob R. The American Jewish Woman, 1654-1980. New York: KATV Publishing House, Inc., 1981.
- Martin, Bernard, and Daniel Jeremy Silver. A History of Judaism in Two Volumes. New York: Basic Books, Publishers, 1974.

- Meiselman, Moshe. Jewish Woman in Jewish Law. New York: KTAV Publishing House, Inc., 1978.
- Metzker, Isaac, ed. A Bintel Brief with a Foreword and Notes by Harry Golden. New York: Schocken Books, 1971.
- Nadell, Pamela S. "The Journey to America by Steam: The Jews of Eastern Europe in Transition." American Jewish History 71 (December 1981): 269-84.
- Neusner, Jacob. "Mishnah On Women: Thematic Or Systemic Description." Marxist Perspectives 3 (Spring 1980): 78-98.
- Perry, Elisabeth Israels. Review of The World of Our Mothers: The Lives of Jewish Immigrant Women, by Sydney Stahl Weinberg. The Journal of American History 75 (March 1989): 1359-60.
- Plain, Belva. Evergreen. New York: Delacorte Press, 1978.
- Pogrebin, Letty Cottin. Deborah, Golda, and Me--Being Female and Jewish in America. New York: Crown Publishers, Inc., 1991; New York: Anchor Books, 1992.
- Poirier, Marie. Review of The World of Our Mothers: The Lives of Jewish Immigrant Women, by Sydney Stahl Weinberg. In Journal of American Ethnic History 8 (Spring 1989): 156-8.
- Porter, Jack Nusan, ed. The Sociology of American Jews. Washington, DC: University Press of America, 1978.
- Potok, Chaim. Davita's Harp. New York: Alfred A. Knopf, 1985.
- _____. The Gift of Asher Lev. New York: Alfred A. Knopf, 1990.
- Pressman, Rabbi Daniel, and Rabbi Allan Berkowitz. Introduction to Judaism Class Taught from 10-13-93 to 2-16-94 at Temple Beth David, Saratoga, CA. Class notes in possession of the author.
- Prager, Dennis, and Joseph Telushkin. The Nine Questions People Ask About Judaism. New York: Simon and Schuster, 1975; Touchstone Books, 1986.
- Putnam Berkeley Group to Publish Bestselling Author Erich Segal's New Novel. Available from Internet. http://www.twoten.press.net./stories/97/01/28/headlines/BOOKS_Segal_Novel.html.

- Raphael, Marc Lee. Profiles in American Judaism. San Francisco: Harper & Row Publishers, Inc., 1984.
- Redman, Barbara J. "Strange Bedfellows: Lubavitcher Hasidim and Conservative Christians." Journal of Church and State 34 (Summer 1992): 521-48.
- Rischin, Moses. The Promised City. Cambridge, MA: Harvard University Press, 1962.
- Roberts, Steven V. "Reaching out a hand through a wall of fear." U.S. News & World Report, 13 December 1993, 11.
- Scheinin, Richard. "Area Jews get future in focus." San Jose Mercury News, 14 March 1994, 1(A) and 12(A).
- _____. "A place at the table." San Jose Mercury News, 26 March 1994, 1(C) and 11(C).
- Schneider, Susan Weidman. Jewish and Female. New York: Simon and Schuster, 1984.
- Segal, Erich. Acts of Faith. New York: Bantam Books, 1992.
- Sheler, Jeffrey L. "Who Was Jesus?" U.S. News & World Report, 20 December 1993, 58-66.
- Simons, Howard. Jewish Times--Voices of the American Jewish Experience. Boston: Houghton Mifflin Company, 1988.
- Simora, Filomena, and Nada Beth Glick. The Bowker Annual Library and Book Trade Almanac. 24th ed. New York: R. R. Bowker Company, 1979.
- Singer, Isaac Bashevis. Shosha. New York: Farrar, Straus and Giroux, 1978.
- Sklare, Marshall, ed. The Jews--Social Patterns Of An American Group. Glencoe, IL: The Free Press, 1958.
- Sorin, Gerald. A Time For Building--The Third Migration 1880-1920. Baltimore: The Johns Hopkins University Press, 1992.
- Steiner, Edward A. On the Trail of the Immigrant. New York: Fleming H. Revell Company, 1906.

- _____. The Immigrant Tide. New York: Fleming H. Revell Company, 1909.
- Steinsaltz, Adin. The Essential Talmud. Translated by Chaya Galai. New York: Harper Collins Publishers, 1976.
- Stump, Roger W. "Women Clergy in the United States: A Geographical Analysis of Religious Change." Social Science Quarterly 67 (June 1986): 337-52.
- Swidler, Leonard. Women in Judaism--The Status of Women in Formative Judaism. Metuchen, NJ: The Scarecrow Press, Inc., 1976.
- Szajkowski, Zosa. "Sufferings of Jewish Emigrants to America in Transit Through Germany." Jewish Social Studies 39 (Winter-Spring 1977): 114.
- Telushkin, Rabbi Joseph. Jewish Literacy. The Most Important Things to Know About the Jewish Religion, Its People, and Its History. New York: William Morrow and Company, Inc., 1991.
- Trepp, Leo. Judaism, Development and Life. 3rd ed. Belmont, CA: Wadsworth Publishing Company, 1982.
- Twesky, Isadore. Introduction to the Code of Maimonides (Mishneh Torah). New Haven: Yale University Press, 1980.
- U.S. Immigration Commission. Reports of the Immigration Commission: Steerage Conditions (Washington, DC: U.S. Government Printing Office, 1911), 5-36.
- Weatherford, Doris. Foreign and Female. New York: Schocken Books, 1986.
- Wegner, Judith Romney. "The Status of Women in Jewish and Islamic Marriage and Divorce Law." Harvard Women's Law Journal 5 (1982): 1-33.
- Weinberg, Sydney Stahl. The World of Our Mothers. Chapel Hill, NC: The University of North Carolina Press, 1988.
- _____. "Longing to Learn: The Education of Jewish Immigrant Women in New York City, 1900-1934." Journal of American Ethnic History 8 (Spring 1989): 108-26.
- Weissler, Chava. "For Women and For Men Who Are Like Women." Journal of Feminist Studies in Religion 5 (Fall 1989): 7-24.

Wiesel, Elie. Souls on Fire. Translated by Marion Wiesel. Paris: Editions du Seull, 1972. Reprint, New York: Touchstone Books, 1993.

Wolfson, Ron. The Art of Jewish Living, The Shabbat Seder. New York: The Federation of Jewish Men's Clubs, 1985.

Yezierska, Anzia. Hungry Hearts. Boston: Houghton Mifflin Company, 1920.

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