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Gender in Jewish Studies

Proceedings of the Sherman Conversations 2017

Volume 13 (2019)

GUEST EDITOR Katja Stuerzenhofecker & Renate Smithuis

ASSISTANT EDITOR Lawrence Rabone

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Melilah is an interdisciplinary Open Access journal available in both electronic and book form concerned with Jewish law, history, literature, religion, culture and thought in the ancient, medieval and modern eras. *Melilah: A Volume of Studies* was founded by Edward Robertson and Meir Wallenstein, and published (in Hebrew) by Manchester University Press from 1944 to 1955. Five substantial volumes were produced before the series was discontinued; these are now available online. In his editorial foreword to the first edition, Robertson explained that *Melilah* had been established to promote Jewish scholarship in the face of the threat posed by the Second World War and its aftermath; the title of the journal refers to the ears of corn that are plucked to rub in the hands before the grains can be eaten (Deut. 23:25). The journal was relaunched as a New Series by Bernard Jackson and Ephraim Nissan in 2004 under the auspices of the Centre for Jewish Studies, University of Manchester. The current editors are Daniel Langton and Renate Smithuis.



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INTRODUCTION: FIVE DECADES OF GENDER IN JEWISH STUDIES

Where is gender in Jewish Studies and what does it mean? Labels send messages that result in self-selection but not always as intended by the sender. We chose gender because we assumed that it is now flexible enough to encompass methodological developments and individual preferences for feminism, women's studies, men's studies, gender studies, sexuality studies, and queer theory. The reader of this special issue, one of several similar recent stock-takes,¹ can gauge to what extent our efforts to capture such breadth have been successful.

The historiography of gender-sensitive study of Judaism encapsulates an interesting and ongoing dilemma of causality for the feminist movement: how do concepts and lived experience interact, and which of these should be the target for transformation? And indeed, is there a place for advocacy in scholarship?

Two early English-language pieces on Jewish religion and gender set this out, both first published in *Davka*; I mention this in order to signal the importance of dissemination platforms willing to support this work. In fact, Rachel Adler's "The Jew Who Wasn't There: Halacha and the Jewish Woman" appeared in a special issue of *Davka* on "The Jewish Woman" in 1971. Adler addresses halakhic scholars as change-makers; she is clear that inaction on their part should be countered with direct action: "the most learned and halachically committed among us must make halakhic decisions for the rest."² *Davka* was not an academic publication, and it could be argued that Adler's piece does not belong in the historiography of Jewish Studies, but Jewish activism. Yet, its republication in the Brandeis-based *Response: A Contemporary Jewish Review* in 1973, again in a special issue on "The Jewish Woman," illustrates the embodied link between advocacy and academia in the field, a theme that recurs in the following papers. What is also a recurring, still necessary process is the corralling of gender-sensitive approaches to Jewish Studies into special issues, a sign that mainstreaming has not yet been achieved.

The second early work to mention is Rita Gross' examination of gender in God language, originally published in 1976. Whether it is still essential to address this issue today or whether it is a purposeless distraction emerges as a point of contention in our later discussion of Jewish religious thought. When Gross reviewed her career in gender studies in religion, she stated: "It has taken me a long time to learn that telling the truth can exact a heavy price."³ "The truth" here refers to the development and application of research methods that do not omit, obscure, or falsify, something she helped to pioneer. Gross expressed her surprise about the resistance to such an endeavour. I suggest that there are at least two reasons for this resistance: first the perception that feminist gender studies in Jewish Studies makes patriarchy and by extension men look bad, and second that it makes Judaism look bad because it names its patriarchal aspects. Tal Ilan finds the latter to be a major stumbling block for gender-sensitive Jewish Studies today in environments where Judaism is to be protected.⁴ What Harry Brod (1994) theorizes as a double-bind in the wider social context mirrors the dynamic that Ilan describes in academia: solidarity as the collective's defence against hostility from the outside running in parallel with patriarchal oppression on the inside.

¹ E.g. *Jewish Social Studies* 24/2: 2019; see also the Oxford Summer Institute on Modern and Contemporary Judaism 2018: <https://www.ochjs.ac.uk/wp-content/uploads/2018/01/Oxford-Summer-Institute-2018.pdf>.

² Rachel Adler, "The Jew Who Wasn't There: Halacha and the Jewish Woman." Reprinted in *Response: A Contemporary Jewish Review* (Summer 1973): 82.

³ Rita Gross, "I am speechless: Thank you, colleague friends." *Buddhist-Christian Studies* 31 (2011): 90.

⁴ Tal Ilan, "Aufstieg und Niedergang eines feministischen Kommentars zum Babylonischen Talmud in Deutschland," in Andreas Lehnardt, ed., *Judaistik im Wandel: Ein halbes Jahrhundert Forschung und Lehre über das Judentum in Deutschland*, 149-59, (Berlin: De Gruyter, 2017).

She makes this claim in her examination of the state of Jewish Studies in Germany. At the centre of her account is the loss of funding for the feminist commentary of the Babylonian Talmud. Cecilia Haendler's article in this volume is related to this project.

The Sherman Conversations 2017

Mindful of this ongoing problem, it was the intention of the Sherman Conversations 2017, an interdisciplinary day-conference at the University of Manchester's Centre for Jewish Studies, to offer a platform for unapologetic, constructive evaluation of the development and application of feminist method and theory over the last five decades, to interrogate what difference gender-sensitive approaches have made in a number of areas of Jewish Studies, and what the future outlook might be.

The day's proceedings modelled a feminist participatory process of conversations between all attendees, be they the authors of the starter papers,⁵ invited respondees and other participants. Arrangement in small conversation groups and rotation of panellists between these groups encouraged close encounters across generations, levels of scholarly seniority, depth of engagement with gender studies and feminism, and between adherents of different waves of feminism, if such demarcations indeed exist. It was in this intentional mixing that participants found new impulses for their work and an embodied sense that gender studies are a worthwhile pursuit.

Readers find in the first section of this special edition of *Melilah* the Sherman starter papers together with the formal responses. These are followed by a number of questions which were raised in the discussions. Thus, we invite readers into the Sherman Conversations in the hope that they continue beyond these pages.⁶

The section opens with the transcript of the interview with Judith Baskin whose career spans the development of gender studies in a number of fields in Jewish Studies to date. Baskin's pioneer journey illustrates several recurring themes such as the embodied link between academia and social change in academics' lives, and the need for supportive platforms for collaboration and dissemination.

The progression from attention to women's experience through to queer theory is charted in Ruth Gilbert's survey of literary criticism. Gilbert recognises the affinities between queerness and Jewishness in their ambiguities and liminality. The response by Tamar Drukker continues the investigation of queerness as a stimulus for writing new social realities in the context of literary production in Israel.

Melissa Raphael reassesses feminist critique of the masculinity of God and biblical androcentrism in relation to social arrangements, and the resulting dilemma of how Jewish theology should move forward. She warns against the potential lack of community relevance of non-personal constructions of the divine. In her response, Lindsey Taylor-Guthartz examines efforts to prioritize biblical alternatives to masculinist images and language, and the potential of midrash as a traditional Jewish process of theologizing.

We pursue Rachel Adler's question of priority in the relationship between practice and theory further in Lisa Fishbayn Joffe's survey of Jewish law, here exemplified by the *agumah* issue. While earlier efforts to find a halakhic way focused on a gender-sensitive critique of law and the legal process, contemporary frustrations with lack of progress on the part of rabbinic authorities are channelled into jurisgenerative practices. However, as with other aspects of Jewish life, advances achieved in academia do not directly translate to adoption across Jewish communities, in fact they might lead to strongly defensive moves. Laliv Clenman's response brings to the surface yet again the spectre of systemic gender injustice: should it be uprooted or worked around?

⁵ Starter papers were available in advance and only summarized on the day to maximise discussion time.

⁶ These discussion points are based on the notes taken by Izabella Goldstein, Katharina Keim and Renate Smithuis.

Additional papers

The responses to *Melilah's* open call for papers are in no way covering the whole disciplinary spectrum of Jewish Studies. They can only be indicative of the state of the art and future directions in a small range of fields.

The first paper mirrors the interview with Baskin in that it is also a personal reflection on a pioneer journey, here in the field of feminist Jewish Bible studies. Naomi Graetz weaves into the narrative of her geographical journey from North America to Israel significant people, publications and events in the feminist movement. She discusses the personal cost of others' perceptions of tension between her identity as a feminist and as religious. In her estimation, feminist Judaism might be 'dangerous' but ultimately constructive and hopeful.

The eternal challenge for feminists of how to face offensive gender discourse in rabbinic literature finds a subversive solution in Tali Artman Partok's suggestion to see the funny side of *Genesis Rabbah* 17. A Bakhtinian double-reading of this midrash goes against the grain of the expected reader response, and leads to the conclusion that it is a mockery of patriarchal ideology. Such a reading disproves the charge that feminist engagement with the tradition is a dead end.⁷

Similarly, Cecilia Haendler's work demonstrates that gender-sensitive readings of rabbinic literature are by no means static and ideologically predictable. She examines Tractate Hallah as a narrative about the shifting intersection of sacred and domestic spaces, and the implications for the gendered division of ritual labour. What is highlighted here is the necessity for sophisticated gender-literate scholarship when working with material that carries complex gendered messages.

Methodological questions are pursued further in Etki Leibowitz's survey of the study of women in Antiquity. She traces developments in the ways historians have engaged with the representation of women, and shifting emphases in research since the nineteenth century. What past historians have examined is as telling as what they have ignored in women's life stories. Leibowitz highlights many such gaps in our knowledge of Antiquity waiting to be filled.

The representation of Jewish females is also the topic of Efraim Sicher's survey of contemporary British literature. Unlike the man-made representations in Antiquity, these are examples of Jewish women's creative production. Sicher considers the ways in which being Jewish and female in Britain highlights insider-outsider dilemmas where desire to defend Jewishness against hostile hegemonic culture clashes with the said hegemony's promise of women's empowerment from patriarchal restrictions of Jewish culture. Ultimately, gendered social change is not matched by new ethics needed to ensure justice, safety and self-determination.

What of the future? The pressing issue of bioethics responding to innovations in gender regimes and reproductive technologies is explored by Einat Ramon with a focus on Jewish conceptions of marriage and the family. Ramon calls for feminist Jewish theologians to review whether the concrete manifestations of post-gender thinking reintroduce the commodification of women and damaging gender relations. It seems more than apt to end this special issue by attending yet again to the relationship between theory and practice, the academy and the community.

Returning to the visibility of gender in Jewish Studies with which I opened, the Sherman Conversations brought to light a gap between student demand and staff expertise in the current British context. The mainstreaming of gender-sensitive, gender-focused and feminist approaches in Jewish Studies is still a project in progress. Where higher education is driven by the logic of demand, it might be timely to indicate gender studies more clearly in academic profiles, publications and course titles. That this is not widespread at present was brought home to us while searching for potential Sherman participants and for peer reviewers for articles submitted. Let us highlight and expand gender-sensitive provision so that these keen students can become the next generation of scholars and practitioners in the field.

⁷ See Judith Baskin's reminiscence of Jacob Neusner in this volume.

It poses a great challenge to represent the breadth of gender-sensitive studies in Jewish Studies through the cover image of this special issue. Much feminist Jewish artwork focuses on religion, and hence has a narrower remit than the following papers. Many images that show a range of human bodies contain nudity, which makes them unsuitable for this publication. I am delighted to be able to offer Jacqueline Nicholls' image "The Matrona" because it captures a recurring obstacle faced by gender-sensitive researchers in many fields: who is allowed to participate in scholarly conversation and which questions are taken seriously? This textile work is part of the series *Ghosts and Shadows: The Women who Haunt the Talmud*. Nicholls writes:

Wives, sisters, mothers, daughters, prostitutes and maids - these women have no names and yet have an elusive haunting presence in the Talmudic texts. They often subvert the male rabbinic thinking, provide the counter-voice and bring about changes in the narrative. With scant details they cast a shadow and assert their presence. These multi-layered embroideries quote the Talmudic text, and use the formal layout of the Vilna Talmud. But beneath those layers there are glimpses of the female form and hints towards their stories.

The Matrona: the one who was spurned for asking a question. This rich lady asked R. Eliezer a Torah question. He refused to answer her, saying that women's wisdom is in their spinning, and telling his students that Torah should be burnt rather than taught to women. She stopped being his patron. (Talmud Yerushalmi, Sotah 3:4)⁸

The Matrona should take her patronage to The Centre for Jewish Studies where her question is most welcome. I would like to thank all who have contributed to this survey of gender in Jewish Studies. Special thanks are due to my co-editor, Renate Smithuis, and our assistant editor, Lawrence Rabone.

Katja Stuerzenhofecker

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⁸ See: <http://www.jacquelinenicholls.com/ghosts-shadows.html>. Nicholls also contributed to the '50 Jewish Objects' project at the Centre for Jewish Studies, University of Manchester. Further information about this project can be found at: <http://www.manchesterjewishstudies.org/50-jewish-objects-blog/>

THE JOY OF WISDOM. AN INTERVIEW WITH JUDITH R. BASKIN

Judith R. Baskin and Katja Stuerzenhofecker*

Introduction

What follows is a transcript of the interview with Judith R. Baskin that opened the Sherman Conversations 2017 on the theme ‘Gender and Jewish Studies’.¹ Baskin is Philip H. Knight Professor Emerita in Humanities in the Department of Religious Studies at the University of Oregon. Most of her work is in the areas of medieval studies and Rabbinic literature.² Her contribution to gender studies in Jewish Studies spans four decades, beginning at a time when there were virtually no gender-sensitive resources to draw on. It is this general aspect of living through and contributing to the paradigm shift brought about by the emergence of gender studies that is the focus of this interview. The appreciation of Baskin’s output itself is left to those who can do it justice.

The interview highlights significant milestones in the journey of Baskin’s scholarship including her awakening to the twin facts that there is a huge gap in the historiography of the Jewish past, and a limited construction of what it means to be a Jew. We explore factors that have facilitated and hindered Baskin’s career, and the ways in which she herself has built networks of support.

The title of this interview refers to *simchat hokhmah*, the ritual created by Savina Teubal in the 1980s to celebrate a woman’s transition from adult to elder as a vital member of the community with many gifts to share. Judith Baskin had moved on to being emerita only three months previous to the interview. It seems more than fitting that during the interview we watched a video of Debbie Friedman singing for the first time “L’chi Lach” at Teubal’s own *simchat hokhmah*.³ That is to say, Baskin’s publications and interventions in academic institutions continue to be a blessing for Jewish Studies.

KS: Welcome Professor Baskin. We are very pleased to have you with us coming all the way from [the University of] Oregon. But I guess officially you’re now happily [retired], having left institutional life behind you.

JRB: It is true that I retired June 15 of this year (2017), but my university gives retired faculty the option of continuing part-time teaching for up to 5 years, so it’s an easing out rather than an abrupt ending. I will continue teaching one course each term this coming academic year, and then I’ll see how I feel, if I want to go further; but, yes officially, I’m now emerita.

KS: And your CV tells us that you’ve got publications lined up as well which I hope we’ll be talking about.

JRB: Yes, and I expect that will continue into the future.

KS: I want to start in an artificial way by asking you about your student experience, but of course in a way the story doesn’t start there, I’m sure. And as we go through it, we might all want to think about how does that differ or where are the similarities to my own journey. We can think about what difference context makes.

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¹ The Sherman Conversations 2017: Gender and Jewish Studies, hosted by the Centre for Jewish Studies, University of Manchester, 4/09/2017. See: <http://www.manchesterjewishstudies.org/sherman-conversations-2017/>

² For a full list of publications and activities see Baskin’s academic profile at the University of Oregon: <https://casprofile.uoregon.edu/sites/casprofile2.uoregon.edu/files/cv/cv-1818.pdf>

³ <https://youtu.be/Oy1p2elmM8I>

We do have an accidental biographical connection, you and me: the year when you finished your BA in 1971, that was the year I was born, and now that you officially retired from Oregon, that's the year when I'm expecting to get my doctorate. So, different journeys with overlaps.

You went to Antioch College which prides itself to be the first co-educational college in the United States with the same educational opportunities for women and men. Then you went to Yale where I guess the gender set up amongst students was rather different.

JRB: Yes, Antioch College is in Yellow Springs, Ohio. My mother, who grew up in Denver, Colorado, chose to go to Antioch around 1944 because it had a unique work-study plan where one studied for three months and then went and worked somewhere, ideally in one's area of vocational interest. My mother was a pre-med student and this structure gave her many opportunities in pharmaceutical companies and at hospitals. It was not as easy to find appropriate jobs for someone in the Humanities. I began university study 50 years ago in 1967. I was a History Major and spent my junior year at the Hebrew University in Jerusalem. 1969-70 was a euphoric time in Israel; it was two years after the Six-Day War and the unification of Jerusalem, and that year, I think, saw the largest number of international students at Hebrew University.

If I look back over my four years of undergraduate study, I only became aware of the new wave of feminism and the beginnings of feminist studies in the year when I returned from Israel, 1970. But such approaches were still very much on the periphery and were significantly marginalized.

During my Antioch years, I can recall two female professors, only one of whom was a tenured faculty member. That was in a course on Victorian England, and she did do a small amount of research on Jewish working girls in London, but only much later in her career. There was very little about women in any of the academic courses that I took, and certainly not at the Hebrew University, although the professor of a course I took on Islamic Art was female. Although there were, of course, female students, we were not exposed to feminist approaches; there were no courses on women, and no idea of the importance of gender as a category of analysis, even at a place like Antioch College which was extremely liberal and always ahead of its time. This was especially true in terms of racial issues. In addition to its early-adopter co-educational policies, Antioch was one of the first institutions in the United States to admit African-American students. Coretta Scott King, the wife and then widow of Martin Luther King, was a student there during my mother's time. Antioch later went on to become famous, probably 10 or 15 years ago, in establishing a code of sexual contact, establishing a pattern for any kind of sexual relationship which should be consensual from act to act, "may I kiss you" etc., which became a pattern of respect, so it was forward-looking. But again, it's quite amazing to look back and see that even in 1970-71, academic questions about gender were not raised.

I went on to Yale University as a post-graduate student in 1971. Yale College, the undergraduate core of the university, had become co-ed only two years earlier, in 1969. By 1971, there were women undergraduates who were third-year students as well as women in the first and second year, and there were also a fair number of women in the Graduate School (which had been admitting women for many years). In my program, which was Medieval Studies, eight students were admitted the year that I came in, four men and four women. By the end of that year only four of us remained, two men and two women. And ultimately, only two of us, one male and one female, went on to academic careers. Today the program only takes in one student per year, perhaps more realistically, but in the early '70s the same result was achieved by a winnowing process. In those years, there was no Jewish Studies program, either in the Yale Graduate School or in Yale College, although there were relevant courses.

KS: In 'The Scholar as Daughter' (1998) you're reflecting on your family background, and the marginalization as a Jewish female amongst Christians and especially Protestants. You write about your schooling where you had to sing Christian hymns and read New Testament texts -

JRB: - none of which I regret by the way, it was very broadening. I grew up in Hamilton, Ontario, Canada. My parents were in fact American. My father was a Reform rabbi, who was hired at the Temple Anshei Sholom in Hamilton in 1949 and remained there throughout his career. It was an industrial city, with a population then of about 300,000. There was an educational separation between Protestants and Roman Catholics, a by-product of the confederation of Upper Canada (Ontario) and Lower Canada (Québec) in 1867. The provinces equally fund Catholic schools and public schools, as it were, so that's why the public school population was mostly Protestant with a very small sprinkling of Jewish students. In the western part of the city where I and where most Jews lived, there would be perhaps two or three Jewish students in any given class. And there was religious education in the schools, including hymns, recitation of the Lord's Prayer, a daily Bible reading, and even a minister who would come in once a week and give a little *drash*, usually on a New Testament passage.

KS: We come to that aspect when we talk about your thesis in a minute but you already mentioned your exposure, or lack of, to feminist thought. I went through the historiography of early feminist literature, and what I found was 1971, Rachel Adler's "The Jew Who Wasn't There" in *Davka*, also in *Davka* Rita Gross' 1976 "Female God Language in a Jewish Context," and the same year in *Lilith*, Blu Greenberg "Women's Liberation in Jewish Law," and [you] in 1976 presented a paper at Smith College on women and religious vocation in Judaism.

JRB: In 1976, I was hired at the University of Massachusetts in Amherst. By then, issues connected with feminism and Judaism were becoming much more visible. I was not involved in the groups in New York City, Boston, and Philadelphia, where people like the late Paula Hymen, a major matriarchal figure in our field, were involved not only on a scholarly level in using gender as a category of analysis but also in their personal lives in finding ways in which women could find equal roles in Jewish religious practice. Because I had attended college in Ohio, and because of my family's origins in Hamilton, Ontario, I was outside of those circles that originated in large urban centers with significant Jewish communities and educational options.

But certainly when I came to the East coast to Yale, I became much more aware of the growing Jewish feminist movement and by the time I was at UMass at Amherst in 1976 where people like Judith Plaskow and her partner Donna Devine, who was a professor at Smith College, were on the scene, I began to participate. Smith College is just a few miles from the University of Massachusetts. Amherst College, Smith College, Mount Holyoke College, Hampshire College and the University form a consortium, and there are a lot of interdisciplinary and also intercollegiate events, such as that 1976 symposium. Also, it was only in 1976 that I discovered the memoirs of Glikl of Hamelin, when I came across the Schocken paperback at a bookstore.

I have to say that in my Graduate School education there was little consciousness of feminism and its potential impact on academic research. Although one professor, Roberto Lopez, an important medievalist, who founded Medieval Studies at Yale, did give a seminar in which I participated on "Approaches to Medieval Studies" in 1972. He was prescient and he saw that women's studies was going to become a scholarly field. And he encouraged the four or five of us in the seminar to think about focusing dissertation work on women, which was very farsighted. In fact, I did prepare a bibliography on Jewish women in England, a topic in which I was interested. My research would have been somewhat different had I taken that route, but there was no professorial encouragement nor any obvious scholar with whom to work. And, at the same time I was enchanted with my courses on midrash and with comparative exegetical work in patristic studies. The thing about the Medieval Studies Program at Yale was you could move in diverse directions and I ended up doing a dissertation that compared three biblical gentiles, Balaam, Jethro, and Job, in rabbinic and patristic texts of the late antique era.

However, ironically, because of my interdisciplinary training I have written on both medieval topics and on rabbinic themes, which I think is also a function of having started almost 50 years ago. Today, I don't think many young scholars would do that because they tend to be trained intensively in

one specific area. But in Medieval Studies we were trained to be very careful scholars in our textual readings, but also to do comparative work, so I have enjoyed being able to do work in both areas.

KS: I always like reading the acknowledgements in books as a sort of academic gossip column. When your doctoral thesis was published as *Pharaoh's Counsellors* in 1983, you acknowledge Brevard Childs, the giant of Old Testament at Yale who I believe saw his scholarship as Christian discipleship, and Sid Leiman, a Jewish Studies scholar, Jaroslav Pelikan, Judah Goldin, Robert Doran and Susan Niditch at Amherst College, and Jacob Neusner.

JRB: Brevard Childs was a lovely man. I signed up for his course on "Old Testament Law" at the Yale Divinity School. There were only two Jewish students in the course, and he assigned a reading that we found offensive because it was predicated on understanding the Old Testament as a prediction of Christianity. We approached him about that, confronted him as it were, and he was very sympathetic and acknowledged that, yes, this was his approach but he suggested that we should look at other points of view. He then added course readings, including a famous Moshe Greenberg (1960) article on Jewish law, into the course. We each had to make a presentation and I presented Greenberg's work to the class. Professor Childs was helpful to me and he agreed to be one of my dissertation readers.

The Yale Divinity School did have an approach in those days that was very Christocentric, as one would expect. Of course, I had no idea of this when I signed up for the course. This approach has changed over the decades but Judah Goldin, whom I thought of as my mentor and potential dissertation director, did ultimately leave Yale, as I understand it, because he felt the Department of Religious Studies was too closely tied to the Divinity School. Mr. Goldin was there when I came in '71. I took his midrash seminar for two years and I sat in on his undergraduate Biblical Hebrew class. We read the 2 Samuel inheritance narrative and it was a wonderful and revelatory experience. And I took his Rashi seminar and served as one of his teaching assistants in an undergraduate "Introduction to Hebrew Bible" course; also, in the summer of 1972, I joined two other students once a week in reading Kohelet at his home. I adored him, really, and I was very sad when he left for the University of Pennsylvania at the end of the 1972-73 academic year.

But he was kind enough to come to my PhD. orals to be one of the questioners, and he did something very important for me when I turned parts of my dissertation into a book, *Pharaoh's Counsellors*. I had a hard time in the early 1980s finding a publisher. Today, it's different, there is more interest in exegesis, comparative exegesis and the theme of biblical gentiles, as well as in publishing Jewish Studies scholarship in general. I couldn't find a publisher and I was aware of the Brown University Judaic Studies Series, under the supervision of Professor Jacob Neusner. Neusner was a formidable figure. I wrote to him and he said if Mr Goldin (at Yale we called our professors "Mr"; there were virtually no female tenured faculty with the exception of one scholar in the English Department) would vouch for me and my work, he would consider my manuscript. Mr Goldin agreed, even though he and Prof Neusner did not get along, to write a letter on behalf of the book and I think he addressed it "To whom it may concern". Nevertheless he did it and my first book was accepted and published in Brown Judaic Studies. This enabled me to receive tenure and made my further career possible.

My relationship with Jacob Neusner, who passed away recently, was only positive throughout my scholarly career. He was not only supportive of me, but also of his only female graduate student, the late Judith Romney Wegner who was one of my close friends. Over the years, Professor Neusner invited me to write essays for volumes he edited with his students. These include a chapter about his various views of gender and rabbinic literature for his *Festschrift*. He wrote a review (2003) of my book *Midrashic Women*, which he praised, and it was very rare for him to praise anyone, but he also said that in his view feminist studies of Judaism were a dead end but that nevertheless I had done as well as anyone could with this limited subject.

KS: In 1979 in *Method and Meaning in Ancient Judaism*, he *already* used a gender-sensitive lens pointing out the famous passage “women are a separate people” (BT Shabbat 62a), [that] male self-representation is androgynous and feminized, and [that] the impact of rabbinic law on women’s rights was a concern.⁴ So he did that on the one hand, he had that awareness on the one hand, but you say he wasn’t buying into feminist approaches.

JRB: As you say, he was very early in presenting very important insights about the secondary role, the otherness of women, in rabbinic Judaism. He really was the first one to state a lot of these things. Later in his career though, I think partly because of a dislike of what he saw as excesses of the university in the age of political correctness, he reversed himself and became more conservative in some of his later works. For his *Festschrift* (2014), I wrote an article on his approaches to women and gender and I pointed out this evolution.

I should just say a word about men of that generation of scholars. Some were cautiously receptive, but others had a very hard time psychologically in accepting women as equal colleagues and women’s experiences as worthy of study. I can give another anecdote: my father was a Reform rabbi, he is 98 now and still writing and teaching. Throughout his career he has written many pieces for popular audiences. He wrote one about 20 years ago on how Judaism had changed in the past two decades, and he asked me to read it and I did. He noted ten different areas of transformation but not one had to do with women. I said, “Daddy, this is really good but I can’t imagine how you would not have discussed women entering the rabbinate, and the impact of women as cantors and educators, and women taking on equal roles in synagogue leadership.” He admitted that I was correct and made appropriate changes, but this was a blind spot for him. So many of these men of those generations simply could not take women seriously on an intellectual level. Even Mr Goldin said to me once I would make a great dean of women. So yes, they made us angry and condemnatory, but I think we have to realize they were coming from particular places as well. For those who did overcome their prejudices and blind spots, as Professors Goldin and Neusner did in helping me in my career, I’m truly grateful.

KS: Are there any recurring frustrations and changing opportunities over the time of your career? From my generation’s perspective, I am very jealous of an academic progression from PhD. straight into full-time employment, staying with three institutions for such a long career. I don’t think that’s the academic landscape that I’m moving in now. I noticed that one of the events that you put on early on in 1983 at Yale was a lecture series “Young Women Scholars of Religion”.

JRB: Yes, I returned to Yale as a visiting assistant professor from 1981 to 1983, on leave from the University of Massachusetts; I think this hire demonstrated a wish on the part of some members of the Department of Religious Studies to bring a woman in. There certainly were no other women faculty in the department at that time, and it was not a tenure track job. But one of the things I was able to do was play a role in graduate admissions; in one instance, a male member of the committee objected to a female candidate because she was divorced. This happened in 1982, can you believe it?

In any case, I was given the wherewithal to organize the “Young Women Scholars of Religion” lecture series with the support of the department. Among the scholars was Susan Niditch from Amherst College who was later offered a position at Yale in Biblical Studies. She had a joint position at Amherst with her husband who was in New Testament and they wouldn’t offer him anything, so they have happily stayed at Amherst for their entire careers. So that’s another sign of the way things were – spousal hires were not even imagined as a possibility. Ross Kraemer was another of the speakers; she went on to be a professor at Brown University, focusing on women of various faiths in the Hellenistic world. Also, among the speakers was Professor Ann Matter from the University of Pennsylvania, who had written her Yale

⁴ See Judith R. Baskin, “Women and Gender in Jacob Neusner’s Writings,” in Alan J. Avery-Peck, ed., *A Legacy of Learning. Essays in Honor of Jacob Neusner*, 33-47 (Leiden: Brill, 2014).

PhD. on Christian readings of the Song of Songs. All of us then would have been in our early 30s. I think it was a wonderfully successful series. It demonstrated that high-quality women were embarking on important careers and doing important scholarship. As I recall, it was very well attended. Of course, in those days any time you had a topic dealing with women and gender, you accepted that only women would attend, whether at the university or in the larger community. This is a continuing issue. But I believe that the lecture series at Yale was of general interest.

KS: Maybe this is the place for my little story that when I was personally inviting attendees to this conference, one male invitee pointed out that I might have made a mistake because I invited him to an all-female panel.

JRB: I will tell a story, too. The first time I gave a paper at the Association for Jewish Studies was in 1984. The paper was about widows and divorcees as anomalous women in rabbinic Judaism and early on I mentioned Jacob Neusner's work in *Meaning and Method in Ancient Judaism*, to which you referred earlier. The moment I mentioned his name, some of the men in the audience started talking to each other; this was in the midst of my paper and they started talking, and not even in whispers: "Oh, Neusner!" And someone else said, "I am really going to get her in the question period." I did what I would have done in the classroom if students were speaking during a class lecture, which is: I just stopped. I stopped talking and just looked at them until finally they noticed that the room was silent and they looked up. I shook for the remainder of the paper, it was so emotionally overwhelming, but I read it all. One of the men had the good manners to apologize afterwards. But that is the kind of thing that women were facing in the late '70s and '80s in academic settings, especially in the Association for Jewish Studies, which in those days was overwhelmingly male.

KS: [Your publication record begins with] a paper in 1979 on "The Rabbinic Transformations of Rahab the Harlot".⁵ I notice that you picked up the theme of prostitution again in the 2000s in an edited volume *The Passionate Torah* (2009). What's the explicit turn towards women's studies, what happened between the doctoral thesis and Rahab, and what came after that?

JRB: Mr. Goldin was the one who suggested that I might pursue Rahab because she was also a biblical gentile, in that I had written my dissertation on gentiles. I have to say that the initial paper (1979) was not written from a particularly feminist stance. I wrote about her and the rabbinic traditions about her and I sent it out under my full name, Judith R. Baskin, to various journals. It was returned with comments such as, "What is she writing about prostitutes for? Why?," that were very negative and appeared to be responding to a female author and the topic rather than what I actually said. It was ultimately accepted but not in a Jewish Studies-oriented journal. This experience convinced me that from then on I would send out articles only under my initials J. R. Baskin, and not make it clear that it was a woman writing. Using this strategy, I published several articles on patristics in *Vigiliae Christianae*, and I didn't have any problem. This experience showed me that in that moment in time the male gaze on an article written by a woman would likely be hostile. I also had no inkling then that an important aspect of publishing had to do with patronage and scholars doing favors for other scholars and their students. I had no mentor who was actively invested in helping me establish and advance my career.

What happened to bring me to feminist studies was the larger society in which I was living. During the two years I spent at Yale in the early 1980s, I was invited by the New Haven Jewish Women's Federation to be part of a lecture series on "World of our Mothers" (1982). This was shortly after the Irving Howe volume, *World of our Fathers* (1976), about Eastern European Jewish immigration to the United States was published, and these female Jewish community leaders had the idea of "World of our Mothers." I was asked to talk about Jewish women in the Middle Ages. Then, as I began to do research,

⁵ Accessed online at: <https://casprofile.uoregon.edu/sites/casprofile2.uoregon.edu/files/cv/cv-1818.pdf>

I was surprised to realize how little had been written about medieval Jewish women. I give Jacob Marcus enormous credit that in his collection of primary sources, *The Jew in the Medieval World* (1938), he included a fair number of excerpts about women (I am also appreciative of his pioneering work on American Jewish women); Irving A. Agus's books on medieval Franco-German Jewry based on Responsa literature also had some valuable material, but mostly the scholarship did not address women's lives. On the whole, the male experience was understood as the Jewish experience. That awakened me to the fact that if I was going to work on the Middle Ages, the place where I could contribute would be on Jewish women.

Similarly, around the same time I was invited to participate in a conference sponsored in Hartford, Connecticut by Trinity College and the Hartford Seminary, entitled "Women, religion and social change." I wrote a paper (1983) on women in rabbinic Judaism, afterwards published in the conference proceedings, *Women, Religion, and Social Change* (1985). So, in fact both of my subsequent scholarly tracks, Jewish women in the Middle Ages and representations of women in rabbinic literature, were beginning at the same time and in both cases I was shocked by the relative dearth of previous scholarship.

KS: I noticed that two early book reviews (1982, 1984) that you wrote in the early '80s, of Mendes-Flohr and Reinhartz's *The Jew in the modern world* (1980) together with Chazan's *Church, State and Jew in the middle ages* (1982), and of Savina Teubal's *Sara the priestess* (1984), are paradigmatic for types of research and scholarship or agendas at [opposite] ends of the spectrum.

JRB: Yes, certainly that first edition of the Mendes-Flohr and Reinhartz volume, as well as Chazan's anthology, had very little to say about women. I think in my career, partly by training, perhaps by personality, my approach has tended towards the synthetic; I have been very much a generalist, not least because so many areas have been of interest to me. As my vita demonstrates, I have written on topics connected with women from the biblical to the modern period; again this is something that was possible over the years of my career given that, in the early years at least, there were so few of us. I think most of the women in Jewish Studies scholarship of my era, those who earned their doctorates beginning in the 1970s, found themselves writing about themes having to do with women because of the confluence of the women's movement, the enormous changes going on in the general society and in contemporary forms of Judaism, and the fact that the books just weren't out there. Since so few of us had expertise early on, and I, at least, always tended to say yes if someone asked me to write something, we found ourselves covering broad areas of subject matter.

KS: You mention changes in Judaism at that time. I consider the work of Savina Teubal and also *Womanspirit Rising* (1979) displaying quite an overlap between scholarship and a desire to change the Jewish community. In 1999, you wrote a review of Daniel Boyarin's *Unheroic Conduct* (1997) in which you were very dismissive of an effort that dresses up as academic scholarship, but actually pursues a personal agenda for social change of a particular kind.

JRB: Yes, I actually confronted him at an AJS conference about that because he admitted that he had consciously – how shall we put it? – not been factually correct at certain points in *Unheroic Conduct* and that he had used alternate facts, particularly in his discussion of Bertha Pappenheim, because they expressed his own wishes and hopes, rather than realities. I remember I said that books have lives of their own, and that a scholar has a responsibility in a book to represent things in a factual way to the best of the writer's knowledge, and should not present an imagined version of a more attractive past that fits one's present aspirations. I've always taken that line. I've been very unhappy with re-writings of biblical characters and times in ways that are anachronistic and do not fit with what we know of their actual contexts. I'm also somewhat suspicious of scholars, particularly those who write about rabbinic literature, who are looking for little redemptive hints in the texts that tie in with present-day struggles for religious

transformation. I feel there is, in the end, a line between scholarship and between social and religious change, and that while foundational documents can certainly be very useful and supportive, from a scholarly point of view we have to be as true to the text as we can. Boyarin shrugged when I raised these points, but others who were present expressed appreciation at what I said.

KS: Is there research from nowhere? To what extent is it impossible for the researcher not to pursue a particular agenda by simply asking certain questions and not others?

JRB: All scholarship in every era is affected by who we are, where we're coming from, and what is in the back of our minds, consciously and unconsciously, and thank goodness for that, because our changing concerns are what keeps scholarship alive and new in each generation. How many things could be said about any topic if we didn't have new approaches, new ways of reading texts, and if we weren't asking new questions?

KS: As you did in *Jewish Women in Historical Perspective* (1998).

JRB: What I found in my own work when I began investigating Jewish women in the Middle Ages and also analysing their representations in rabbinic texts was that it wasn't that new texts were being discovered. What was important was discovering new ways of reading the texts that had always been there and recognizing that a different set of questions was required. The questions that I was interested in had not been asked. In fact, as I mentioned, many source books, such as the Marcus volumes [mentioned earlier], presented primary documents connected with women, it's just that we didn't see them until we were looking for them. It was a matter of re-reading our sources, re-reading our texts, realizing that the Responsa literature, for example, is such a rich resource on ordinary Jews. Professor Elisheva Baumgarten at the Hebrew University has recently received a mammoth grant from a European scholarly council to write about Jewish everyday life in the Middle Ages. Although much of our historiography until recently has focused on famous and elite Jews, on the court Jews, on the philosophers, pictures of ordinary Jewish lives can be discovered through the use of Responsa literature, chronicles, Jewish and other non-Jewish literary and legal texts, the Genizah documents, and increasingly, evidence of all kinds from material culture.

So, what I'm saying is it's not research from nowhere; it is going back to our sources and asking different kinds of questions. And, tangentially, I gratefully acknowledge that the work of S. D. Goitein on the Genizah writings was significantly shaped by his interest in women's lives and his sympathy for their struggles. His *A Mediterranean Society* (1967) remains a treasure trove of information and insight about Jewish women.

KS: So in *Women of the Word* (1994) you took a similar approach.

JRB: I did not write an essay for that volume, just the introduction, but after I had completed the first edition of *Jewish Women in Historical Perspective* (1991), I realized that it would be useful to look not only at men's representations of women but also at Jewish women who themselves were writers in different eras. We always talk about how difficult it is to find women's voices in the ancient and late ancient literatures. There are little snippets here and there. But by medieval times and certainly by the early modern era there were women who were writing, and so I asked various female scholars and one male scholar, Howard Tzvi Adelman, who works on Italian Jewry, to write about things that women had written, again many of which were known for a long time but had not been studied carefully, and certainly not from feminist perspectives.

KS: This collaborative effort is of interest to me because I'm faced with an academic industry that wants the single author monograph.

JRB: I have written two monographs, as well, and, of course, writing those books was central for my career. However, I think I was interested in a collaboration because Jewish Women's Studies has been such a collaborative effort. What saved Jewish Studies for me was my involvement in Jewish Women's Studies scholarship and the Jewish Women's Caucus of the Association for Jewish Studies (AJS). That's where I found my home at an organization that I had previously found alienating. The Women's Caucus began I think in the early 80s and it began simply with a meeting (now, at every conference there is an early morning breakfast). The goal of the Caucus was two-fold: to provide a place for female Jewish Studies scholars, whatever their area of interest, to meet and network, and to support scholars interested in feminist approaches to Jewish Studies. In the 1980s women would have been perhaps 10-15% of the membership of the AJS; now I believe women are 50% of the members, if not more. I always said, paraphrasing Theodor Herzl who said Zionism was the Sabbath of his life, that the Caucus was the Sabbath of my Jewish Studies career in those years. That's where I found a home, where I found friends, and where we had a collegial approach and still do, I think. Those are my colleagues; it has been a great joy working together with them. Ironically, it was also my involvement with the Women's Caucus that led to my involvement in the Association as a whole, maybe because I was seen - we Canadians are socialized to be nice - as less scary than some of the other women in the Caucus. So the organization leadership invited me to inaugurate an interest area in Gender Studies papers. This involved vetting paper proposals and arranging Gender Studies panels. From there, to my immense surprise in the mid-1990s, I was invited to be Vice President for Program and then ultimately I became President (from 2003-06). I am still involved in the AJS and I feel proud of my roles in making the Association, which is now a constituent member of the American Council of Learned Societies, welcoming to all members regardless of religion, background, sexual orientation, etc. The AJS has gone from being a very narrow little group fifty years ago when it was founded to a broad and diverse organization.

KS: I noticed that the Caucus also did work to not just support scholarship but also teaching efforts. There was a panel "Towards an Inclusive Curriculum: Gender and Jewish Studies" (1989), and then there was *Gender and Jewish Studies: A Curriculum Guide* (1994), which you co-edited. When I look at the *Gender and Jewish Studies Guide*, potentially I would have called it *Women and Jewish Studies* or *Women's Studies and Jewish Studies*. The blurb on the back says "These thirty syllabi and bibliographies about Jewish women by outstanding academics, authors and men and women scholars": that's interesting why mention the men there? It goes on to "emphasize that since women's experiences are different from men's, Jewish history and social science is incomplete", and that is the theme that's running through. Has anybody published inclusive curriculum guides for the exploration of real living men's experiences?

JRB: Not yet, although Jewish constructions of masculinity are now a growing theme in the field. In her essay in *Women of the Word* (1994), Sara Horowitz, who is a scholar of Holocaust literature at York University, Toronto, addressed constructions and deconstructions of male gender in the context of the Holocaust. She was the first scholar that I had read who talked about the unmaking of male identity as one of the byproducts of Nazi oppression of Jews. She opened my eyes to the importance of looking at constructions of male identity. Daniel Boyarin addresses that as well in *Unheroic Conduct* (1997) in his discussions of how men were constructed as effeminate in European literature and thought from medieval times on. But his book came after *Women of the Word*, and Sara was early in expressing those points of view. In more recent years, books have appeared on Judaism and queer studies from a number of different approaches. But certainly, when I first began my career, the emphasis was on women, and we meant gender essentially in terms of constructions of women, the need to include content about women in Jewish Studies scholarship, and the centrality of gender as a category of analysis in our approaches to primary texts. Now, of course, our understanding of gender and its ramifications are far more complex.

KS: What would you recommend now as key scholarly texts?

JRB: If it was an upper-level course on rabbinic Judaism and gender studies I would use the *Cambridge Companion to the Talmud and Rabbinic Literature* (2007) [edited] by Martin Jaffee and Charlotte Fonrobert; it includes an excellent article by Professor Fonrobert on the making of Jewish gender. For an introduction to women in rabbinic literature, I recommend Rachel Biale's *Women and Jewish Law* (1995), the second edition. It takes a thematic approach with chapters on betrothal, on marriage and divorce, on adultery, on rape, and she traces the material from rabbinic writings broadly through the Middle Ages up into the contemporary era. My book *Midrashic Women* (2002), which takes an approach from the aggadic side but is informed by the halakhah, Judith Hauptman's book *Rereading the Rabbis* (1987), and Charlotte Fonrobert's book on *Menstrual Purity* (2000) are all standard in the field. Other scholarship includes, among many others, Devora Weisberg (2009) on levirate marriage in rabbinic Judaism, Miriam Peskowitz's book *Spinning Fantasies* (1997), which takes an unusual and thought-provoking approach, also the work of Elizabeth Shanks Alexander (2013) on purity issues and Gail Labovitz (2009) on marriage. Central works for the medieval and early modern period include, but are certainly not limited to, books by Howard Tzvi Adelman (2018), Elisheva Baumgarten (2004; 2014), Renée Levine Melamed (1999), Chava Weissler (1998), and Rebecca Winer (2006). Pamela S. Nadell (2019) has just completed a comprehensive historical survey of Jewish women in North America. There are so many books and articles now. I would note that we need more work on the midrash; there are many shorter articles but I think there's much more to be done on aggadic representation of gender and differences from one midrashic work to another, including, of course, further attention to contrasting images in the Jerusalem and Babylonian Talmuds. Tal Ilan, who is editing a multi-volumed feminist commentary on the Babylonian Talmud, has been a leader in this area.

KS: The *Curriculum Guide* was published by Biblio Press, by the formidable and pioneering Doris Gold. I thought it's important to think about publishing opportunities. The bibliographies that Biblio Press published just simply made it known what is available. And I guess the publishing landscape has changed dramatically.

JRB: When Doris Gold initiated Biblio Press there were few publishers for books about Jewish women. She published *Written out of History* (1978), one of the very first efforts to write about Jewish women's history. She published the book *Miriam's Well* (1986) by Penina Adelman that is about ritual, and she also published our *Curriculum Guide*. I actually just looked up Biblio Press recently and it's been taken over by another publishing house following her death. She was a formidable woman, a wonderful woman. What happened to Biblio Press and led to its demise was that suddenly at the end of the 1990s, publishing houses, both scholarly and mainstream, started publishing books about Jewish women and Biblio was increasingly eclipsed. I should say that a new edition of *Jewish Women in Historical Perspective* is in the works, edited not by me but by two of my colleagues, Federica Francesconi and Rebecca Winer, in my honour, which is very moving to me. It will have 24 essays, some by the original authors and some by younger scholars, as well, and should appear late in 2020. Wayne State University Press had been after me for about 10 years to do a new edition but I wasn't able to take it on, and, in fact, I think it appropriate that a new generation is now assuming leadership.

KS: We must briefly touch on the relationship between academy, community and wider society in your engagement. Back to the 'Women and Religious Vocation' paper, and also in 1983 you wrote 'Prenatal Testing for Tay-Sachs Disease.' I wonder whether that was prompted by changes in your own family set-up around that time?

JRB: People ask me to do things and I say yes. I always said I should have a “just say no” sign on my desk. This invitation was just by chance from someone whom I met who had been having a hard time finding someone to write on Tay-Sachs for this journal issue. But of course, the minute you get into a topic it becomes extremely interesting. It was fascinating to look at perspectives that remain relevant today. There is widespread testing of young people in the Orthodox community, for example, on the view that it is better to find out if you’re both carrying the gene prior to committing to a marriage.

KS: Going back to your actual beginnings, to Temple Anshei Sholom. You wrote about your own bat mitzvah there, that there were some limitations to girls’ participation and that the service was only always held on Friday nights: “Immersed in the system as we were, however, neither I nor any other female ever thought to question these nonsensical strictures” (1998, 34). So who gets to define oppression?

JRB: It’s very difficult when you’re socialized within a community or society to step outside and see that perhaps something is non-egalitarian, that something is oppressive.

My father was early in liberal Judaism in North America in introducing bat mitzvah; this was around 1961 or ’62, at a time when very few girls participated in Hebrew school. Hebrew school took place during the week and generally only boys attended to prepare for bar mitzvah. Religious school was held on Sunday for boys and girls and culminated in confirmation at age 16. Introducing the bat mitzvah was revolutionary enough, I think, so the Friday night limitation was probably intended to mollify those in the congregation who were uneasy with this innovation. Bat mitzvah girls read Torah on Friday night, as well as an additional biblical reading such as Proverbs 31 (the woman of valour) or Proverbs 8 (wisdom personified as a woman), but unlike the boys on Saturday mornings, girls were not permitted to give speeches. So, it was not full blown egalitarianism but it was an ongoing process. Shortly after Temple Anshei Sholom began to offer the option of bat mitzvah, the Conservative synagogue in our city initiated an annual group bat mitzvah on a Saturday evening. The ceremony began with *havdalah* and each girl read something inspiring in English. As I said, it is very difficult to see oppression when one is within a tradition. For example, it took me quite a while to realize my own discomfort with male-oriented liturgical language. One becomes so inured to using “Lord” and “King” in worship that one must be educated about the value of incorporating gender neutral terminology in speaking both about God and about the community of worshipers. Now I am very sensitive about it. I would like to note one other event in my high school years that had a significant impact on my religious and ultimately scholarly identity, and that was attendance in the summer of 1966 at “Torah Corps,” a living and study program run by the Reform movement’s Union of American Hebrew Congregations. There, with other like-minded young people, I experienced serious text study in biblical, rabbinic, and modern writings, fully egalitarian daily and Sabbath worship using traditional liturgical texts, and lots of Hebrew singing, Israeli dancing, and teenage romance.

KS: We have got two participant questions that relate to that. First, are we any closer to obtaining a prohibition against rape, abuse, and the use of violence upon women from all rabbinic authorities, especially Orthodox *batei din*?

JRB: I am going to defer that one; perhaps Lisa [Fishbayn Joffe] or another of our colleagues might like to address it since I am not an expert on contemporary changes in the Orthodox community vis-à-vis women.

KS: The second question is: In view of the increasing number of women rabbis since the publication of *Midrashic Women* (2002), has your view that ‘females are anomalous bystanders to the covenantal relationship between God and Israel’ (161) changed?

JRB: *Midrashic Women* analyses representations of women in a body of literary writings. Therefore, in terms of what the literature of the rabbinic period says and how it has been understood historically, my view has not changed; the attitudes I discussed in *Midrashic Women* are inherent in the texts. What I found very interesting in reading the three papers that we will be discussing later in the day was that all three of them approach modern confrontations with these attitudes from different points of view. Is it possible, as scholars including Judith Plaskow, Rachel Adler, and Gail Labovitz have advocated, to change liturgy and ritual to be fully inclusive of women while still within the bounds of Jewish tradition; can egalitarian marriage ceremonies be created within a halakhic framework? Are there interpretive ways to overcome the inherent patriarchy embedded and embodied in Jewish tradition? I am not optimistic about significant change within halakhic communities. I believe that the traditional view of the divine image is a central problem in this dilemma. If, as I have argued, the rabbinic system constructs the divine image as essentially male, and men are like God in their virile ability to create new life, how can women be viewed as equals? The fundamental conviction of the separateness and otherness of women in Judaism's foundational writings is what I and many other feminist scholars have demonstrated. This is what contemporary feminist theologians continue to struggle with. Now, with our larger understanding of the varieties of human sexuality, we must also address how Judaism will cope with the range of gender diversity that is now recognized by much of the larger society. The answers for many, including myself, are to be found in progressive, innovative, and thoughtful forms of Judaism and Jewish practice outside the traditional halakhic model.

KS: At the end, let's focus on the future outlook. What is still missing? What is the exciting new thing?

JRB: As a Jewish woman, I'm personally excited about what's happening in contemporary feminist theology, with ongoing egalitarian changes in Jewish practice, liturgy, and ritual, and with our growing communal ease with women rabbis and cantors and female leadership. However, as an historian and a reader of texts, I'm intellectually engaged in the kinds of textual, historical, and archival work that female scholars are undertaking to expand our knowledge of how and why women are represented in specific Jewish writings and of how Jewish women lived in past times and places. The work of Elisheva Baumgarten and her students on everyday Jewish life in medieval Ashkenaz, and particularly their attention to the evidence of material culture, is a major advance; similar work on the evidence of the lives of women in the Cairo Genizah documents is yielding fascinating results. Federica Francesconi, who studies the archives in Modena, is among a number of scholars working on women in early modern Europe. My Oxford Bibliography, "Women and Gender Relations," highlights some of the most important scholarly books. In my career I have been essentially a generalist. I began my work in a relatively untrodden area of study. Now female and male researchers who accept the centrality of gender as a mode of scholarly analysis are being trained to focus on specific texts, places, and time periods, and to read the sources in new ways. In going back and seeing the ways that women have been represented, they will find female voices that have been overlooked. In the coming decades I look forward to their important and insightful scholarship.

As a final word, and in response to another question, I am deeply concerned about the impact on young scholars and their research of decreasing resources in the academic world, especially in the Humanities. One indication of this is the frequent failure of universities to replace senior people who are retiring in these fields, as is, in fact, the case with my own position at the University of Oregon. You also mentioned, Katja, the peripatetic nature of the lives of many young scholars due to a ubiquitous decline in long-term academic positions and the consequent negative effect on their personal lives and their ability to focus on research. This is a disconcerting and upsetting situation with potentially disastrous consequences for scholarship on Jewish women in particular and in Jewish Studies, in general. There are so many wonderful young scholars who are doing excellent work. Will there be appropriate places of employment for them and support for their research?

KS: Thank you. We have barely touched on the richness of your academic journey. Thank you so much for offering us your story.

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DISCUSSION POINTS FOLLOWING THE INTERVIEW WITH JUDITH BASKIN

What are the implications of some scholars working in Jewish Studies and gender linking academia with practice in the Jewish community?

Women scholars and/or scholars in gender studies experiencing unprofessional hostility that seems to be gender-based and/or subject-based: is it good advice to anticipate this hostility and to offer it no room for attack by disseminating only the strongest possible work? Does it depend on the forum?

Backlash in some Jewish communities against a perceived feminist threat; an example of this dynamic is the cancellation of the global conference on the *agunah* in 2006. How can feminist voices influence development of halakhah and practice on the ground in religious communities today?

JEWISH GENDER STUDIES AND CONTEMPORARY LITERARY CRITICISM

Ruth Gilbert*

ABSTRACT: My starting point for this discussion is my work in literary criticism, especially in terms of my ongoing research which focuses on contemporary British Jewish writing. So, drawing from a contemporary cultural context, in the following, I situate gender studies in relation to the ways in which it impacts on readings of recent Jewish literature. Rather than trying to sum up five decades of thinking about gender, I suggest a few moments in the development of gender studies, in terms of some of the achievements, challenges and changes we have seen since the 1970s; and then, in brief, I look forward to future developments.

Theoretical Contexts

Firstly, I want to give a broad overview of some theoretical contexts and then look at the ways in which ideas about Jewishness have intersected with those developments. Literary criticism is of course informed by wider intellectual, social and cultural movements. So, in line with other disciplinary approaches, I begin with an understanding of gender as focused on the construction and representation of categories of masculinity and femininity.

In terms of the evolution of the kinds of gender studies that are applied within literary criticism today, we need to situate developments from the early contexts of Second Wave feminism and its impact in the academy during the 1970s and 1980s. Alongside a new emphasis on women's experience within literature and criticism, which was formative throughout the 1980s and 1990s, feminism has to some extent evolved into what we now think of as gender studies. That is to say that the construction of masculinity, as a social and cultural category, has, alongside the study of femininity, also become a significant focus of enquiry.

In recent years gender studies has further evolved to incorporate a far wider exploration of sexual identification. Within the contemporary social context, as well as within academic discourse, there are now many and various non-binary permutations of gender, sex and sexuality. In terms of literary theory, the inception of queer theory has been pivotal within this development and has shaped much current critical thinking in cultural and literary studies. Most notably, the work of the philosopher and theorist, Judith Butler, in the 1990s, particularly her exploration of gender performativity, was groundbreaking.¹ Alongside other theorists of the time, such as the literary critic Eve Kosofsky Sedgwick, this work transformed the field.² As Sedgwick and her contemporaries argued at the time, queer theory allows for a multiple and diffuse understanding of identities. In a defining statement she explained that:

[Queer] is the open mesh of possibilities, gaps, overlaps, dissonances and resonances, lapses and excesses of meaning when the constituent elements of anyone's gender, of anyone's sexuality aren't made (or can't be made) to signify monolithically'.³

These influential academic considerations arguably prefigured some of the more mainstream social and cultural developments that we see today.

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¹Judith Butler, *Gender Trouble* (London: Routledge, 1990); *Bodies That Matter* (London: Routledge, 1993).

²Eve Kosofsky Sedgwick, *Between Men* (New York: Columbia, 1985); *Epistemology of the Closet* (Berkeley: University of California Press, 1990); *Tendencies* (London: Routledge, 1994).

³Sedgwick, *Tendencies*, 8.

In terms of the particularly Jewish focus of this contribution, it is interesting to explore how a queer potential for destabilisation and multiplicity, with regard to categories of sex, gender and sexual identification, intersects with conceptualisations of Jewishness. Both Butler and Sedgwick originate from Jewish backgrounds and this is perhaps not entirely coincidental. With its interest in “possibilities, gaps, overlaps, dissonances and resonances”, queer theory is a methodology that can be applied within and beyond gender studies and I would suggest that it also underlies many developments in cultural Jewish studies of recent decades. So, what is it that makes it possible to read Jewishness alongside queerness and how does this strategy inform developments within contemporary Jewish literary studies?

An example of the influence of such thinking might be seen in the work of Daniel Boyarin, whose work on Jewish masculinity in the 1990s is significant in developing the connection between the ways in which both gender and Jewishness are constructed within fundamentally unstable cultural categories.⁴ In an important 2003 edited volume, *Queer Theory and the Jewish Question*, Boyarin, along with his co-editors, explains that the aim of the collection is to look at “rhetorical and theoretical connections” in order to explore how “Jewishness and queerness...are bound up with one another in particularly resonant ways.”⁵

The uncertainty that has characterised historical attempts to categorise Jewishness is one particular point of resonance with queer theory. Here the work of Sander Gilman on the Jewish body, focusing often on nineteenth and early twentieth-century European conceptualisations of gender, sex and Jewishness has been central in shaping the field. Similarly, the literary critic Bryan Cheyette has argued, in a persuasive body of work, that Jewishness has historically been constructed within British culture as a profoundly ambiguous signifier of difference. As Cheyette explains, within late nineteenth-century and modernist discourses, the “Jew” was figured as a confusing embodiment of indeterminacy and this effect has, to some extent, lingered.⁶ Cheyette’s work, first published in the 1990s, has been vital in developing the field of Jewish literary studies, especially within the British context. Cheyette’s critical contribution has also encouraged a new generation of literary critics whose work explores relationships between Jewishness, gender and sexuality, alongside intersecting identifications such as nationality, race and ethnicity. These include academics whose work focuses on gender and sexuality, such as Nadia Valman, who has looked particularly at the construction of the “Jewess” within nineteenth-century literature; and David Brauner, who has written extensively about both male and female Jewish authors.

Textual Tendencies

Literature, I would argue, is a particularly dynamic way of exploring attitudes towards gender and sexuality and cultural representations can construct as well as represent trends, tensions and anxieties. Clearly there is much to say on this subject and there have been many interesting studies of the ways in which gender informs the writing and reading of contemporary Jewish literature and cultural representation more generally. A fuller account of the field would need to consider, amongst other matters, the relationships between gender and genre in literary works. But for now, I want to indicate in brief some of the ways that gender has been depicted and interrogated within Jewish writing of recent decades.

Stereotypes of Jewish masculinity, ranging from the “Jew-devil” of early modern literature, to the pathologised Jew of modernity, the “muscle Jew” of Zionist ideology, and the anxious Jew of American comedy, have all been the focus of critical interrogation in recent years. In *Unheroic Conduct* (1997), Daniel Boyarin starts from the premise that Jewish men are routinely viewed in terms of

⁴ Daniel Boyarin, *Unheroic Conduct: The Rise of Heterosexuality and the Invention of the Jewish Man* (Berkeley: University of California Press, 1997).

⁵ Daniel Boyarin, Daniel Itzkovitz and Ann Pellegrini, eds., *Queer Theory and The Jewish Question* (New York: Columbia UP, 2003), 1.

⁶ Bryan Cheyette, *Constructions of ‘The Jew’ in English Literature and Society* (Cambridge: CUP, 1993); *Between ‘Race’ and Culture: Representations of ‘The Jew’* (Stanford: Stanford UP, 1996).

effeminacy. Rather than attempting to dispel this stereotype, Boyarin turns instead to the premodern rabbinical tradition as a way of “revalorizing and reeroticizing” the Jewish male “sissy”.⁷ This argument is suggestive, and forms part of a current interest in rethinking the ways in which Jewish masculinities have been constructed both in the past and in the present.

The depiction of characters as diverse as Shylock, Fagin, Daniel Deronda and Leopold Bloom, demonstrate some of the ways in which English literature has been intrigued and somewhat unsettled by Jewish masculinity. Throughout this history, the Jewish man has been presented as both asexual and hyper-sexual, both weakly passive and dangerously predatory, effeminated and grossly monstrous. The Jewish man is, in these terms, an ambiguous, overdetermined and shifting signifier. Historically, the Jewish body, which could be seen to straddle a boundary between black and white, masculine and feminine, excess and lack, was, as much of Sander Gilman’s work has demonstrated, a signifier that both challenged and assisted differentiation.⁸ As James Shapiro explains, in the context of early modern representation, “when it came to Jews, the boundaries between male and female were often seen as quite slippery.”⁹

So, with this complex background in mind, we see that in recent years, and especially since the 1970s, although the “tough Jew” is a potent image in reconfiguring Jewish masculinity, it is not the only way that Jewish masculinity has been represented within contemporary culture.¹⁰ It coexists alongside other equally pervasive images, such as that of the neurotic Jewish man, popularised by, for example, Woody Allen in film; a trope that is played with by someone like the comedian Simon Amstell or the film maker Josh Appignanesi in Britain. Certainly, contemporary fiction by Philip Roth, Howard Jacobson, Clive Sinclair and younger writers such as Michael Chabon, Shalom Auslander, Jonathan Safran Foer and Adam Thirlwell, amongst many others, takes existing stereotypes of Jewish masculinity as its starting point and, to varying degrees, then subverts and expands ideas about contemporary Jewish masculinities.

The historical representation of Jewish women demonstrates that stereotypes relating to Jewish women are as charged and as contradictory as those relating to Jewish men, and perhaps even more so. The Jewish woman has been both celebrated and vilified. In this respect, one might note that in this way she is no different from women in Western culture in general. However, depictions of Jewish femininity are inflected by some rather specific concerns. From the matriarchs, temptresses and warrior women of the Old Testament to the suffocating Jewish mothers and spoiled Jewish princesses of contemporary representation, Jewish women have been constructed in a variety of compelling yet contrary ways. Historically, and perhaps even currently, the “Jewess”, embodies a series of contradictory signifiers and these cannot be easily contained.

Works written by established novelists in the US, such as Cynthia Ozick, Rebecca Goldstein and Allegra Goodman, and younger authors such as Nicola Krauss, have contributed significantly to developments in Jewish women’s writing. Arguably, the American context has, in general, fostered a more confident Jewish presence. However, within the UK, popular awareness of British-Jewish women writers in recent years has increased as a result of high profile work by writers such as Linda Grant, Naomi Alderman and Charlotte Mendelson. For example, Alderman’s 2006 Orange-prize winning novel *Disobedience* and Mendelson’s *When We Were Bad* (2007) generated a sense of growing visibility in the representation of British-Jewish women.¹¹ More recently, novels by Eve Harris and Francesca Segal have extended this sense of opening up the experience of the British Jewish community

⁷ Boyarin, *Queer Theory*, 19.

⁸ Sander Gilman, *The Jew’s Body* (Abingdon: Routledge, 1992), 39.

⁹ James Shapiro, *Shakespeare and the Jews* (New York: Columbia University Press, 1996), 38.

¹⁰ For work on Jewish masculinity see Todd Presner, *Muscular Judaism: The Jewish Body and the Politics of Regeneration* (London: Routledge, 2007); Harry Brod, ed., *A Mensch Among Men: Explorations in Jewish Masculinity* (Freedom: Crossing Press, 1988); Harry Brod and Rabbi Shaw Israel Zevit, eds., *Brother Keepers: New Perspectives on Jewish Masculinity* (Harriman: Men’s Studies Press, 2010).

¹¹ Naomi Alderman, *Disobedience* (London: Viking, 2006); Charlotte Mendelson, *When We Were Bad* (London: Picador, 2007).

to a wider audience.¹² These literary texts take gender as a starting point, exploring tensions and possibilities as they situate issues of domesticity, religious belief and self-actualisation alongside increasingly postmodern reconfigurations of gender and sexual identifications.

Future Directions

So, looking forward, it seems clear that gender studies, in terms of its impact on Jewish cultural studies, is in a process of ongoing evolution. In literary terms, hybrid forms of cultural representation, such as the work of graphic novelist Sarah Lightman who creates confessional and personal comic book art about gender, faith and Jewish identity, points to the ways in which gender studies intersects with Jewish studies in ways that are continuing to shape the field.¹³

Moreover, in a time in which television box sets intersect with more traditional text-based forms of story-telling, it seems right to end with a few words on the recent television, *Transparent*.¹⁴ Written and directed by Jill Soloway, this study of a contemporary American Jewish family, in which a middle-aged, liberal, academic father comes out as transgender, raises many questions. As Soloway has put it, “the words male and female describe who we used to be”.¹⁵ However, *Transparent*'s deconstruction of gender is perhaps just the starting point for an interrogation of identifications across a range of categories. The programme, first broadcast in 2014 and in the most recent series to date (2017), presents a cumulative and subtle exploration of gender, sexuality, family structures and identity politics. Questions of Jewish memory, transgenerational haunting, epigenetics and contemporary discourses of intersectionality are fundamental to its exploration of the shifting sands of subjectivity. As such, it is part of a new wave of cultural representation that continues to redefine the parameters of both gender and Jewish studies.

Transparent, with its sustained exploration of intersectionality reminds us that the ways in which we conceptualise identities is a matter of ongoing negotiation. As Ann Pellegrini pointed out in 1997, these are still complex and often rather fraught matters:

Attention to the ways in which axes of difference may mutually inform, cross, and contradict one another is among the energizing concerns of much recent feminist, queer, and postcolonial theories. But what does it mean, in critical practice and not simply as a theoretical piety, to attend to and historicize the interarticulations...of sexual and racial difference? Among other things, it means *not* taking gender, race, and sexuality for granted as categories for analysis or even categories of experience.¹⁶

As gender studies continues to evolve, and Jewishness is increasingly part of that field of enquiry, literary and cultural critics, as well as other academics within the humanities and beyond, need to be alert to such interarticulations. This is, I would argue, where both the challenges and the possibilities for the future of gender and Jewish studies reside.

¹² Francesca Segal, *The Innocents* (London: Chatto and Windus, 2012); Eve Harris, *The Marrying of Chani Kaufman* (Dingwall: Sandstone Books, 2013).

¹³ For an overview of the field see, Sarah Lightman, ed., *Graphic Details: Jewish Women's Confessional Comics in Essays and Interviews* (Jefferson: McFarland & Co, 2014).

¹⁴ Jill Soloway, *Transparent*, Amazon Prime 2014-2016.

¹⁵ Hadley Freeman, “Transparent’s Jill Soloway: ‘The words male and female describe who we used to be,’” *Guardian*, 21 May 2017. Accessed online at: <https://www.theguardian.com/tv-and-radio/2017/may/21/transparents-jill-soloway-the-words-male-and-female-describe-who-we-used-to-be>

¹⁶ Ann Pellegrini, “Interarticulations: Gender, Race, and the Jewish Woman Question,” in Miriam Perkowitz and Laura Levitt, eds., *Judaism since Gender* (Abingdon: Routledge, 1997), 49.

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RESPONSE TO RUTH GILBERT, “JEWISH GENDER STUDIES AND CONTEMPORARY LITERARY CRITICISM”

Tamar S. Drukker*

ABSTRACT: This paper offers a brief overview of several key developments in modern Hebrew Israeli literature, moments where the female voice, of authors, poets and literary characters, paves the way to different sensitivities and voices in a seemingly hegemonic and strongly-ideological literary corpus. It aims to show that just like in world literature, in Jewish literature and in literary criticism, the rise of feminist readings opened the way to a variety of alternative voices, identities and otherness.

Ruth Gilbert offers readers a brief, yet detailed and illuminating overview of the main themes and questions in gender studies and their uses for literary criticism in Jewish literature, and the many examples of the characterization of both Jewish men and women in a rich and diverse corpus. It is interesting to note that Gilbert begins and ends with queer studies as a development of feminist readings and theory, a field where masculine and feminine identities of Jewish characters are fluid, constantly-changing and these identities re-examine perceived norms and cultural expectations.

I would like to take these theories and test them out on modern Hebrew literature produced in Israel. For most of the twentieth century this literature offered a voice to a culture obsessed with masculinity. Fearing and rejecting Boyarin's effeminate Jew, modern Hebrew literature gives room to a new man; the anti-diaspora muscular new Hebrew, active, strong and virile.¹ This is the heroic Zionist fighter and lover familiar to English readers in the image of Ari Ben Canaan from Leon Uris' *Exodus* (1958) and numerous male protagonists in Hebrew fiction, perhaps most iconic is Uri Kahana in Moshe Shamir's 1947 novel *He Walked through the Fields*. The story of the nation is told in the fictional biography of these young men, and from the 1930s through to the 1980s, and some would argue still today, modern Hebrew literature was devoted to *history*. Women's writing dealt with the domestic and emotional life of individuals outside or on the fringe of national narrative.

In a literary landscape populated by “Ari”s and “Uri”s, the appearance of N'ima Sassoon in 1963 caused a minor earthquake.² The narrator of this short story is a twelve-year-old Mizrahi girl in a religious Jewish school in a small town in Israel; a new literary type, an Israeli, Hebrew-speaking, Mizrahi female young artist.

N'ima's voice and poetry are a complete new addition to the “soundtrack” of Hebrew literature, and not only because she is a woman. This female voice is also religious, and Mizrahi, and the language, setting, and characters of this story offer an alternative to the seemingly uniform Israeli Hebrew literature. The author, Amalia Kahana-Carmon (1926-2019), is a product and a member of this dominant Zionist new Hebrew culture. Kahana-Carmon was born in a kibbutz, was raised in Tel Aviv, she was a member of the Palmach and she fought in 1948, and yet, when offering a female voice in Hebrew letters, the feminine gives way to the Other, and for many, especially Mizrahi women, N'ima Sassoon paved the way for their own literary creative life.³

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¹ Daniel Boyarin, “Masada or Yavneh? Gender and the arts of Jewish resistance,” in Jonathan Boyarin and Daniel Boyarin, eds., *Jews and Other Differences: The New Jewish Cultural Studies*, (Minneapolis: University of Minnesota Press, 1996). On the Zionist male alternative see David Biale, *Eros and the Jews: From Biblical Israel to Contemporary America* (Berkeley, Los Angeles and London: University of California Press, 1992) and Oz Almog, *The Sabra: The Creation of the New Jew*, trans. Haim Watzman (Berkeley, Los Angeles and London: University of California Press, 2000).

² Amalia Kahana-Carmon, “N'ima Sassoon writes poems,” English translation available in the collection Benjamin Tammuz and Leon I. Yudkin, eds., *Meetings with the Angel: Seven Stories from Israel* (London: Andre Deutch, 1973).

³ Ronit Matalon (1959-2017) in an informal discussion expressed her debt and gratitude to Kahana-Carmon's story as the literary text that suggested to her that she too could become a writer (in conversation with Ronit Matalon, Cambridge, June 2017). On Kahana-Carmon's role as a female author see Lily Rattock, *The Other Voice: Women's Fiction in Hebrew* [Hebrew] (Tel Aviv: Hasifria

N'ima remained alone for a while, and interestingly, the female narrators who joined her in the following decades were often written by male authors. This is not unique to Israeli Hebrew literature, but some of the most memorably and influential first-person female narrators in Hebrew are the creation of male authors, from the grieving orphaned daughter Tirza in S. Y. Agnon's "In the Prime of her Life" (1932) to the hyper-conscious and disturbed Hannah Gonen in Amos Oz's *My Michael* (1966). And while the female voice allows for a more nuanced and sensitive study of character, love, desire and especially family, they still partake in the greater narrative of the history of the Jewish people and in nation building.

A different use of the feminine voice by a male author is found in Sami Michael's *A Trumpet in the Wadi* first published in 1987. The angry anti-establishment author of *All Men are Equal - But Some are More* (1974), the Iraqi-born communist who dared describe the racism, discrimination and inequality in Jewish Israeli society, takes up, twenty years after the appearance of N'ima Sassoon and Hannah Gonen, the first-person voice of a Christian Arab young woman living in Haifa. Choosing the female voice, in a novel that is almost a mirror opposite of Oz's classic, Sami Michael tells us the story of the ultimate Other, a voice almost absent from, or mute in Hebrew literature.

Ammiel Alcalay was among the first scholars of Hebrew Mizrahi literature to highlight the limits of cultural studies and gender studies when reading non-Western texts.¹ Perhaps the next phase for both male and female writers in Hebrew is the move towards representation of non-binary sexual identities, a look into alternative family structures and relationships. And if we follow the chain of female characters whose love is unanswered, unhappy or tragic, a love which gives them their creative voice and identity, be it in poetry, madness or resignation, N'ima Sassoon, Hannan Gonen and Huda have taught us how to read and write the Other, in the way that gender and queer studies open up new possibilities and new meanings.

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¹ Ammiel Alcalay, *After Jews and Arabs: Remaking Levantine Culture* (Minneapolis and London: University of Minnesota Press, 1993). See also Ella Shohat, "Gendered Cartographies of Knowledge: Area Studies, Ethnic Studies and Postcolonial Studies," in *Taboo Memories, Diasporic Voices* (Durham: Duke University Press, 2006).

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DISCUSSION POINTS FOLLOWING THE PAPER BY RUTH GILBERT AND THE RESPONSE BY TAMAR DRUKKER

To what extent are problematic aspects of gender representations specific to Jewish characters or a universal phenomenon?

The relationship between Jewish feminism and the larger field of women's studies and gender studies is perceived as unconstructive and hostile: is this caused by perceptions of Jewish women as enjoying white privilege, while neglecting Jewish otherness?

Is queerness useful to challenge binary gender categorization in literary criticism?

Does queer theory connect with real queer people and identities?

THE IMPACT OF GENDER ON JEWISH RELIGIOUS THOUGHT. EXEMPLAR: JEWISH FEMINIST THEOLOGY

Melissa Raphael*

ABSTRACT: Jewish feminists have been criticizing and reformulating their tradition's theological language, concepts and ethics since the 1970s. With principal reference to the work of Judith Plaskow, Rachel Adler, Tamar Ross, and Melissa Raphael, this article outlines some key aspects of the Jewish feminist theological project. The article goes on to suggest that while Orthodox Jewish feminism might attend more closely to a revision of the gendered theology that informs its halakhic observance, the prophetic momentum of liberal Jewish feminist theology might be greater were it to profess a more personalist, realist account of the exercise of the divine redemptive will in history.

1. *The initial prophetic critique*

From the early 1970s a small number of Jewish women began to express theological concerns about the kind of language, concepts and values used to evoke the character of God. Judith Plaskow, who had identified as a feminist since 1969, was equipped by both feminist theory and her postgraduate studies in Protestant theology to argue that the Jewish tradition's assumption of women's Otherness to men and to God is theological and determines their socio-cultural roles and status in Judaism before any particular halakhot might do.¹ Judith Ochsorn also pointed out that the masculine God's Oneness relegates anything that is not the same, namely the feminine, to a lesser or deviant order of power and reality.² Where the divine and human masculine will is considered normative and ordains the nature and sphere of female activity as the silent object of its discourse, women are dehumanized. They are the Jews "who are not there" as Rachel Adler had described them in 1973.³ In 1979, the Jewish feminist novelist and critic Cynthia Ozick famously pointed out that while the whole point of the Torah is to countermand the ways of the world, its ethic has not extended to proscription of the dehumanization of women. This glaring omission led Ozick to propose an 11th commandment: "Thou shalt not lessen the humanity of women."⁴

Plaskow's recognition (after de Beauvoir) of the problem of feminine alterity was shared with Christian feminists. So too was her conviction that any theistic tradition should be considered idolatrous if it makes the masculine body the primary bearer of the divine image of a God who can only be imagined in male modes and language.⁵ Other concerns were more particular to Jewish feminist theology. Not least among these was the observation that the biblical record of women having been kept at a distance from the site of revelation on Sinai, where Moses addressed only male Israelites who were physically set apart from women beforehand, was a mandate for the exclusion of women from the whole history and process of halakhah. Thenceforth women, whose actual covenantal inclusion in the narrative had been left in some doubt, would be spoken *on behalf of* by rabbis for whom they all too often constituted mere anomalies or problems to the maintenance of the given order. While Biale, Hauptman, Wegner, Baskin and others' pioneering feminist studies of women in rabbinic literature had demonstrated that rabbinic deliberation on matters concerning women is often paternalistically benign, the ideological construction

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¹ Judith Plaskow, "The Right Question is Theological," in Susannah Heschel, ed., *On Being a Jewish Feminist: A Reader* (New York: Schocken Books, 1983), 223-33.

² Judith Ochsorn, *The Female Experience and the Nature of the Divine* (Bloomington: Indiana University Press, 1981).

³ Rachel Adler, "The Jew Who Wasn't There: *Halakhah* and the Jewish Woman," in Heschel ed., *On Being a Jewish Feminist*, 12-18.

⁴ Cynthia Ozick, "Notes Towards Finding the Right Question," in Heschel, ed., *On Being a Jewish Feminist*, 120-51, 146-50.

⁵ Judith Plaskow, *Standing Again at Sinai: Judaism from a Feminist Perspective* (New York: Harper San Francisco, 1991), 147-8.

of women as an innately separate class of people (BT Shabbat 62a) had nonetheless left them prey to misogynistic distrust or idealization, the one being the obverse of the other.

By the early 1980s, Susannah Heschel had asked, “If the Talmud is the product of a particular time and particular individuals, what religious authority does it hold, and why should we return to it after discovering teachings and rulings within it that limit and oppress us?”⁶ Ten years later, Plaskow was still asking why anyone would want to figure their relationship with God in terms of a hierarchical, controlling model that they would not countenance in any of their other relationships: “why should the experience of God as a dominant hierarch be liberating or holy?”⁷ If God is no less morally accountable than humanity, why should Jews accept the authority of halakhah as divine revelation if such is either mediated or constituted by, or otherwise compromised by, the patriarchal nature of its own model of God?

The dilemma was a stark one. Nonetheless, by definition, a feminist Jew is one who has concluded that the tradition *does* in fact countermand its own patriarchy, and over the course of nearly forty years there were a number of increasingly nuanced attempts to circumvent, if not resolve, some of these critical questions. A postmodern climate encouraged narrativ strategies, most notably in Rachel Adler’s 1998 *Engendering Judaism*, which emphasized how the polyphonic, sometimes playful, dimensions of rabbinic texts were conducive to feminist theological counter-reading.⁸ Or in my feminist theology of the Holocaust, published in 2003, the figure of the Shekhinah was used to suggest counter-patriarchal, but nonetheless quite traditional, notions of divine pathos and presence to suffering.⁹ With the emergence of Queer theology, which shaped Plaskow’s growing interest in sexual theology, the work of Dan Boyarin and, by the early twenty-first century, that of younger scholars such as Emily Silverman, there was an increasing recognition of the need for Jewish theology to be recast not just in the light of (Ashkenazi) women’s histories and experiences, but of all those who, spiritually as well as genitally, do not fit neatly into categories such as male and female, or even gay and straight.

2. *Cross-denominational social engagements with the tradition*

Contemporary Jewish feminist religious thought, including that of Modern Orthodox feminists, continues to be conditioned by its origins in a liberal tradition that attempts to moderate the centres of self-appointed and self-aggrandizing power. All Jewish feminism is the product of a characteristically modern moment in which equal rights and opportunities are secured through a process of social emancipation predicated on the free, rational assent of the whole community to natural or meritorious, rather than essential or caste authority. I think Molly Farneth is right that what Rachel Adler, Judith Plaskow and Tamar Ross have in common is their postliberal theological emphasis on the sociality of reason and revelation.¹⁰ Like other forms of postliberal theology, Jewish feminist theology accepts the binding authority of halakhah only in so far as it is conducive to the flourishing of relationships and social practices in which it is interpreted and applied. I will suggest that its primarily social perspective is Jewish feminist theology’s weakness (or its strength – depending on your point of view).

In 2004 the Modern Orthodox theologian Tamar Ross asserted, with her more liberal sisters, that Jewish women’s liberation consists in the fact that “*no truth has the power simply to bang us over the head*.”¹¹ The boundaries between the human and divine word are fluid and dynamic. God’s will is heard not only through the rabbinic interpretation of scripture, but also through the historical warrant of the people’s consensual acceptance of that interpretation. Despite Ross’s denominational differences

⁶ Heschel, “Introduction,” *On Being a Jewish Feminist*, xxi.

⁷ Judith Plaskow, “What’s Wrong with Hierarchy?” (1992) in *The Coming of Lilith: Essays on Feminism, Judaism, and Sexual Ethics, 1972–2003* (Boston: Beacon Press, 2003), 128–142, particularly 141.

⁸ Rachel Adler, *Engendering Judaism: An Inclusive Theology and Ethics* (Boston: Beacon Press, 1998).

⁹ Melissa Raphael, *The Female Face of God in Auschwitz: A Jewish Feminist Theology of the Holocaust* (London and New York: Routledge, 2003).

¹⁰ Molly Farneth, “Feminist Jewish Thought as Postliberal Theology,” *Modern Theology* 33 (2017): 31–46.

¹¹ Tamar Ross, *Expanding the Palace of Torah: Orthodoxy and Feminism* (Boston: Brandeis University Press, 2004), 218.

with Plaskow and Adler,¹² she shares their view that the validity of a tradition is related to the social context from which it derives its meaning: it is not hermetically sealed from change. Influenced by cumulative elements in Maimonides and Rav Kook's theology of revelation, Ross' notion of an open-ended progressive revelation entails that feminism, too, is a God-given means for revealing God's will and developing human sensibilities. ("These and these are the words of the Living God", as God pronounced to settle an argument between Hillel and Shammai.) Patriarchy is not divinely ordained forever but can be divinely superseded. Women must therefore be included in the process of halakhic deliberation. If they are not, the Jewish people will fail to hear God's ongoing revelation.

Plaskow and Adler share Ross' social account of revelation even if their rejection of non-reciprocal structures of domination and subordination is more pronounced. The authority of halakhah, Adler suggests, perhaps with greater clarity than Plaskow, is located neither in its divine origin nor in any universal and timeless truth of its precepts, but rather in its capacity to imagine a better, more world-creating, less world-maintaining, community.¹³

3. *Weighing the achievements of Jewish feminist religious thought*

As I have observed elsewhere,¹⁴ the (quite properly Jewish) tendency of progressive Jewish feminist religious thought to focus on the social, immanent effects of revelation rather than confessionally on their transcendent cause, has led to a certain paucity of constructive realist claims about God. (It seems not coincidental that while parts of my own feminist theology of the Holocaust, *The Female Face of God in Auschwitz* [2003] predicated on the real, active presence of God in history, have been anthologized, its argument appears to have had far more impact on Christian thought than Jewish.)¹⁵

My point is supported by Norman Solomon who has recently observed that by the second half of the twentieth century modern Jewish religious thinkers were no longer conceiving of God in the classic terms of one who intervenes righteously, lovingly and providentially in a human history whose outcomes are measurable in terms of some form of reward or punishment. Still less, he added, do Jewish feminists adhere to such a model of God, which they find tyrannically masculinist.¹⁶

This theological reticence may owe something to Jewish feminist theology's immediate origins in 1960's countercultural, anti-authoritarian politics, the feminist version of whose ethos aimed to create communities that would validate each woman's life choices and lend them spiritual meaning. The Jewish tributary of the women's liberation movement produced undoubted gains. In liberal Jewish communities, Cynthia Ozick's 11th commandment became more or less redundant. But while the gendered Other was no longer dehumanized, God may have been de-divinized. A liberationist approach - combined with a traditional Jewish distrust of Christian theology's doctrinal approach to attaining knowledge of God - may have left liberal Jewish feminism's theism somewhat adrift. The modern theological trajectory of Plaskow's work exemplifies just such an attenuation of God as Solomon describes. Having long been convinced that God is no more unambiguously good as God is

¹² See further, Judith Plaskow, "The View from Here: Gender Theory and Gendered Realities. An Exchange between Tamar Ross and Judith Plaskow," *Nashim* 13 (Spring, 2007): 207-51.

¹³ Adler, *Engendering Judaism*, 34-6.

¹⁴ Melissa Raphael, "Standing at a Denythologised Sinai?: Reading Jewish Feminist Theology Through the Critical Lens of Radical Orthodoxy" in Rosemary Ruether and Marion Grau, eds., *Interpreting the Postmodern: Responses to 'Radical Orthodoxy'* (New York and London: T.&T. Clark, 2006), 197-214; Melissa Raphael, "Feminist Theology and the Jewish Tradition," in Mary McClintock Fulkerson and Sheila Briggs, ed., *The Oxford Handbook of Feminist Theology* (New York: Oxford University Press, 2012.) 51-72; Melissa Raphael, *Religion, Feminism and Idoloclasm: Being and Becoming in the Women's Liberation Movement* (Abingdon and New York: Routledge, 2019), 184-205.

¹⁵ See e.g. Steven Katz, ed., *Wrestling with God: Jewish Theological Responses During and After the Holocaust* (New York: Oxford University Press, 2007), 649-62; *Holocaust Studies: A Journal of Culture and History* 15 (2011), (an issue of the journal presenting a set of articles on *The Female Face of God in Auschwitz*).

¹⁶ Norman Solomon, "The Attenuation of God in Modern Jewish Thought," *Melilah* 12 (2015): Atheism, Scepticism and Challenges to Monotheism, 97-109.

unambiguously gendered,¹⁷ by 2016, with a tremendous sense of relief at no longer having to struggle to believe in a good and omnipotent God, she has come to regard any personalist theology as no more than wishful thinking. She now argues for a God who has been de-gendered altogether as the creative energy or Ground of Being that, for no extrinsic moral or historical purpose, sustains all life.¹⁸

It is questionable whether the God Plaskow now proposes, towards the close of her career, offers a sufficiently Jewish, warm and purposive model of God to satisfy most people in most congregations, even liberal ones. The biblical God is, after all, personal; the obligatory nature of Jewish life probably makes most sense as a product of divine love, intelligence and intentionality. The postulation of a non-personal God may make it difficult to hang on to the idea that humanity – not least girls and women – are uniquely made in the image of God. Crucially, for me (and I am not Orthodox) Plaskow's theology weakens, if not vanquishes, the Jewish hope of a historically interruptive messianic order of unprecedented peace and the restoration of original goodness or natural harmony.

I'd like to turn briefly now to the ways in which Modern Orthodox feminism's reluctance to do more than implicit theology (the depth of Tamar Ross' engagement with the process of revelation is something of an exception) may also undermine its sustainability. Recent times have proved the truth of Blu Greenberg's famous contention that where there is a rabbinic will there is a halakhic way. Rachel Biale's 1984 characterization of women as "silent recipients, outsiders to the [halakhic] process"¹⁹ no longer rings true in any but the most closed of Haredi communities. Contemporary Modern Orthodox women have unprecedented opportunities for advanced Torah study that qualifies them to take on increasingly extensive roles as, say, halakhic advisors advocating for women in marital matters and as spiritual leaders, if mainly of other women, as the heads of *midrashot*.

Yet the fault-line in Orthodox feminist religious thought remains much as it was when Plaskow first identified it in 1982.²⁰ That is, while Orthodox women increasingly enjoy access to essentially masculine ritual and pedagogic environments it is on condition of their fulfilment of traditional roles within nuclear families in communities whose *poskim* only superficially, if at all, address or remedy the implications of the absence of other gendered perspectives or subjectivities. Orthodox feminists' tendency to at once protest specific exclusions and ignore their broader conceptual source, does little to alter the fundamental scheme in which both women and LGBTQI people are subject to the law but cannot become the authoritative agents of its formulation, interpretation and application because the default mode and character of the commanding God as "He" remains more or less unchallenged.

To conclude, there is now extensive recognition that halakhah is thoroughly embedded in aggadah or theology; that without theology's conceptualisation and narration of God's relationship to the world no one would have any idea why there is a halakhah or why one might be obligated to it in the first place.²¹ Cynthia Ozick's contention that halakhah, not theology, is the engine of reform is outdated. On the one hand, this means that without Orthodox Jewish feminists devoting more explicit attention to the nature of the God in whose will the mitzvot originate, and without the rabbinical academy becoming better-educated in the comprehensive paradigm shift feminism demands,²² the advances they have won will yield not much more than a set of ameliorations, leaving their canon intact. On the other hand, without progressive feminists devoting more attention to the real exercise of the divine will in history

¹⁷ See e.g. Judith Plaskow, "Facing the Ambiguity of God" (1991), in *The Coming of Lilith*, 134-7; *Goddess and God in the World: Conversations in Embodied Theology*, 2017 (Minneapolis: Fortress Press, 2016), 127-30; See also Manchester Centre for Jewish Studies Sherman Lectures 2000: <http://www.manchesterjewishstudies.org/sherman-lectures-2000/>. And Judith Plaskow, "The Challenge of Transgender to Compulsory Heterosexuality," in Marvin E. Ellinson and Judith Plaskow, eds, *Heterosexuality in Contemporary World Religions: Problems and Prospects* (Cleveland: Pilgrim Press, 2007), 34. Also Hava Tirsh Samuelson and Aaron W. Hughes, eds, *Judith Plaskow: Feminism, Theology and Justice* (Leiden: Brill, 2014), 45-68.

¹⁸ Carol Christ and Judith Plaskow, *Goddess and God in the World*, (Minneapolis: Fortress Press, 2016), esp. 184-7, 234-50.

¹⁹ Rachel Biale, *Women and Jewish Law* (New York: Schocken Books, 1984), 8.

²⁰ Judith Plaskow, "The Right Question is Theological," in Heschel, ed., *On Being a Jewish Feminist*, 223-33.

²¹ See e.g. Neil Gilman, *Traces of God: Seeing God in Torah, History and Everyday Life* (Woodstock: Jewish Lights, 2006), 114.

²² See Deidre Butler, "Modern Jewish Thought and Jewish Feminist Thought: An Uncommon Conversation," *Religion Compass* 6 (2012): 51-71.

there will be an ever more diluted prophetic basis for the work of redemption in general and the revalorization of women's lives as subjects and agents of the tradition in particular.

But on a more celebratory summary note, the manifold achievements of the last four or five decades of Jewish feminist religious thought must not be underestimated. The practical advances of Modern Orthodox feminism are considerable and, in some quarters of the movement, its account of tradition as a cumulative revelation has led to female rabbinical ordination and may eventually lead to dayanik certification. With its egalitarian Reform head-start, liberal Jewish feminist theology, and the Queer theology for which it laid the foundations, has sought the liberation of Jewish women, LGBTQI people, and above all, that ultimate Other: God, from the tyranny of their patriarchal idea. As such, together, the varieties of Jewish feminist thought surely constitute the most radically and systemically emancipatory moment of Jewish modernity.

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RESPONSE TO MELISSA RAPHAEL,
“THE IMPACT OF GENDER ON JEWISH RELIGIOUS THOUGHT.
EXEMPLAR: JEWISH FEMINIST THEOLOGY”

Lindsey Taylor-Guthartz *

ABSTRACT: While continuing to investigate the theological and transcendent, feminist theologians cannot afford to ignore practical aspects of Jewish life, since this could risk either a retreat to an essentialist position to justify halakhic discrimination, or to an approach that locates gender equality in the eschatological future. New trends in modern women’s midrashic writing offer opportunities for theological creativity, though much of the work being done in Israel is unknown to non-Hebrew speakers. Professor Raphael’s concern that some progressive Jewish feminist theological strands risk losing relevance may be answered by recent attempts to reclaim ancient and traditional feminine imagery and language.

First, let me express my warm appreciation and admiration for Professor Raphael’s broad and lucid survey of developments in Jewish feminist theology in the last four decades, which has really highlighted the origins, issues, and current critical junctures in both Modern Orthodox and non-Orthodox feminist theology.

I’d like to share a few thoughts about the assessments, and perhaps warnings, that Professor Raphael has given on the current state of Jewish feminist theology. First, she notes that Modern Orthodox feminist theologians are going to have to pay more attention to thinking about the nature of God and the transcendent, if they are to avoid a dominant focus on the social and imminent consequences of revelation that would risk a central failure to address the very grounding of those social aspects. With the exception of Tamar Ross,¹ most work by Modern Orthodox feminist thinkers has focused on the halakhic plane and the amelioration of women’s ritual and halakhic possibilities, but this has something of the air of sticking band-aids on the more apparent injustices, while failing to tackle the source of gender injustice itself in our ideas about God and the nature of revelation.

While I agree with the broad outlines of this assessment, I would still recommend that feminist theologians do not completely take their eyes off the halakhic and practical ball. The consequences of doing so can be seen in two trends in Orthodox women’s theological writings recently examined by Julia Schwartzmann.²

The first depends on a religious gender essentialism derived from difference feminism, and reinforces the existing binary gender discourse by describing spirituality, characterized as essentially feminine, as the heart and ultimate meaning of Judaism, a hidden powerhouse that lies at the centre; this trend can be seen in the works of Rebbetzins Tziporah Heller and Holly Pavlov (and to some extent in that of Tamar Frankiel).³ The second trend, which Schwartzmann describes as “evolutionary equality”, draws on kabbalistic ideas, embodied in a midrash that speaks of the demotion of the moon from equality with the sun at the time of creation, its consequent loss of light, and its eventual return to a perfect equality in a redemptive future.⁴ This is interpreted as an allegory of Jewish women’s status and significance, currently less than equal but ultimately destined to reach a perfect equality with men in a

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¹ Tamar Ross, *Expanding the Palace of Torah: Orthodoxy and Feminism* (Waltham: Brandeis University Press, 2004).

² Julia Schwartzmann, “Religious Writing by Orthodox Jewish Women: Creating a Theology,” *Journal of Contemporary Religion* 27 (2012): 485-501.

³ Examples include: Tziporah Heller, *More Precious than Pearls: Selected Insights into the Qualities of the Ideal Woman* (Spring Valley: Feldheim, 1993); Holly Pavlov, *Water from the Well: Reflections on Being a Jew at the End of History* (Jerusalem: Targum Press, 2007); Tamar Frankiel, *The Voice of Sarah: Feminine Spirituality and Traditional Judaism* (New York: Bloch Publishing Company, 1997).

⁴ See BT Hullin 60b and many kabbalistic and hasidic developments of this midrash.

messianic future; recent writers along these lines include Devorah Heshelis and Sarah Schneider.⁵ But both trends ignore halakhic and social realities, taking refuge in a focus on a somewhat vaguely defined spirituality that is simultaneously disconnected from the exterior (male-dominated) world and presented as superior to it. If Modern Orthodox feminists are to address the source of gender injustice robustly, they must constantly bear in mind the immanent and social consequences of thinking about transcendence, and their motto should be the classically Jewish response of *na'aseh venishma*, which could perhaps be paraphrased as “We will take action and then theorize”. But of course, both elements are essential and, indeed, interlinked.

What of future directions for this theological project? I wonder whether the modern reclamation of midrash and midrashic reinterpretation by women might not prove a fertile ground for new ideas and approaches. After all, theological concepts in Judaism were conveyed by means of aggadic texts in the rabbinic period, and the writing of systematic theology is a relatively modern Jewish enterprise. A survey of modern women’s midrashic writing by Jody Myers came out in 2000,⁶ and much more material has been produced since then, especially in Israel, where the first anthology of modern women’s midrash was published in 2009.⁷ In addition to imaginatively reconstructing stories of near-invisible biblical and rabbinic-period women, which formed the first layer of this midrashic revival, women have gone on to compose increasingly elaborate midrashim with theological content. One problem here, of course, is translation, with little of the rich material known to those who do not read Modern Hebrew.

Lastly, I would like to return to Professor Raphael’s warning that some strands of progressive Jewish feminist theology, in their swing to a non-personal God conceived of in highly abstract terms, may risk losing relevance to the wider Jewish community, by abandoning the basic biblical concepts of *iselem elokim*, the image of God as reflected in humanity (including women), as well as the ideal of gradual progress towards a messianic era of peace and true harmony. Though some progressive thinkers, such as Judith Plaskow,⁸ may have taken this route – reminiscent of the thought of Mordecai Kaplan, the founder of Reconstructionist Judaism – others have held fast to the prophetic and revelatory traditions of Judaism while exploring new avenues leading to the divine. In this context, I’d like to mention the work of Elyse Goldstein, whose 1998 book, *ReVisions: Seeing Torah through a Feminist Lens* made a brave and unprecedented attempt to research and reclaim traces of women’s approaches to the divine that, though recorded in the Bible, are condemned as pagan and polytheistic. While she did not argue for a return to such practices, Goldstein asked whether these female images and ideas could be reappropriated in the modern context to restore a sorely needed female dimension of our understanding of God, both conceptually and in our creation of a “God-language” that is not exclusively, and indeed idolatrously, masculine. Lynn Gottlieb has similarly suggested a “remythologizing” of the classical image of the Shekhinah, God’s indwelling presence,⁹ and as early as 1982, Rita Gross, Arthur Green, and Arthur Waskow all explored the power of using traditional feminine imagery and language about God,¹⁰ a theme developed more recently in Professor Raphael’s use of both the image of the Shekhinah and Lurianic kabbalah in her book *The Female Face of God at Auschwitz*.¹¹ These creative responses surely

⁵ Examples include: Devorah Heshelis, *The Moon’s Lost Light: A Torah Perspective on Women from the Fall of Eve to the Full Redemption* (Southfield: Targum Press, 2006); Sarah Schneider, *Kabbalistic Writings on the Nature of Masculine and Feminine* (Northvale: Jason Aronson, 2001).

⁶ Jody Myers, “The Midrashic Enterprise of Contemporary Jewish Women,” in Jonathan Frankel, ed., *Jews and Gender: The Challenge to Hierarchy*, (Oxford: Oxford University Press, 2000): 119-42.

⁷ Nehama Weingarten-Mintz and Tamar Biala, eds., *Dirshuni: midreshci nashim* (Seek/Interpret Me: Women’s Midrashim) (Tel Aviv: Yediot Ahronoth Books, 2009). Lisa Fishbayn Joffe has informed me that an English translation is in preparation at the Hadassah-Brandeis Institute.

⁸ Judith Plaskow, *Standing Again at Sinai: Judaism from a Feminist Perspective* (San Francisco: Harper San Francisco, 1991), and more recently, Judith Plaskow and Carol P. Christ, *Goddess and God in the World: Conversations in Embodied Theology* (Minneapolis: Fortress Press, 2016).

⁹ Lynn Gottlieb, *She Who Dwells Within: A Feminist Vision of a Renewed Judaism* (San Francisco: HarperOne, 1995).

¹⁰ See their articles in Susannah Heschel, ed., *On Being a Jewish Feminist: A Reader* (New York: Schocken Books, 1982).

¹¹ Melissa Raphael, *The Female Face of God at Auschwitz: A Jewish Feminist Theology of the Holocaust* (Abingdon: Routledge, 2003).

serve at least to balance the “drift away from God” of which Professor Raphael warns, as well as containing the seeds of future theological work.

Though both Orthodox and non-Orthodox feminist theology face real and important challenges, it seems that they contain equally significant resources and promise.

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**DISCUSSION POINTS FOLLOWING THE PAPER
BY MELISSA RAPHAEL AND THE RESPONSE
BY LINDSEY TAYLOR-GUTHARTZ**

What is the source of gender injustice, theology or halakhah? Consequently, how should gender injustice be addressed: primarily theologically by focusing on the gendered aspects of ideas about God, or by focusing on halakhah? Is there a third, holistic approach that recognizes the immanent consequences of ideas about the transcendent?

Does a cumulative account of revelation and pluralization of theology make critique of the masculinity of God redundant?

Does the ethical dimension of feminism necessitate the rejection of impersonal conceptions of the divine and of creation as amoral?

How can Jewish feminist theology be put into action?

GENDER AND JEWISH LAW

Lisa Fishbayn Joffe*

ABSTRACT: This essay analyses the development of feminist critiques of Jewish law, suggesting that slow progress in addressing issues of women's inequality under Jewish law through traditional mechanisms of legal criticism has led to greater focus on the jurisgenerative role of alternative rituals. Contemporary Jewish feminist legal thought identifies creativity and innovation in Jewish marital and divorce practices as a powerful tool of legal change, as important as the production of analyses of legal texts.

This brief paper will focus on the development of feminist critiques of Jewish law through the lens of changing approaches to understanding and responding to women's inequality under Jewish laws of divorce. Although the consent of both parties is required to complete a Jewish divorce, husbands enjoy disproportionate power to initiate or thwart the divorce process. While effective remedies exist to assist a husband whose wife refuses to receive a divorce, women whose husbands refuse to grant one may face a choice between becoming an *agunah* (עגונה), chained to a dead marriage, or acceding to extortionate demands in order to secure their freedom.

I suggest that slow progress in "finding a halakhic way"¹ to address the *agunah* issue through traditional mechanisms of legal criticism has led to greater focus on the jurisgenerative role of alternative rituals. Contemporary Jewish feminist legal thought treats creativity and innovation in Jewish marital and divorce practices as a powerful tool of legal change, as important as the production of analyses of legal texts.

As with secular feminist legal theory, an early focus in this field was on the identification of bodies of Jewish law relating to women and reflection on what they can teach us about the way women are perceived and governed by these texts. For the most part, women appear as objects of study and control; more rarely as subjects explaining, developing or interrogating law.

Writing in 1974, Judith Hauptman described how the biblical model in Deuteronomy 24:1, which gives a man unfettered discretion to dismiss his wife should she fail to please him, was softened by talmudic rules. These allowed a rabbinical court to compel a man to divorce his wife if she declared that she found him repulsive or if she could invoke limited grounds relating to cruel treatment, denial of conjugal rights or affliction with an unpalatable skin disease. Hauptman's focus was on describing the very dramatic inequalities between men and women under Jewish law, but emphasizing ways in which the rabbis demonstrated concern for women's plight by surrounding the biblical law with rules that made divorce on the whim of the husband more difficult (by requiring repayment of the *ketubah* (כתובה), adequate notice and documentary proof of the divorce) and provided greater protections for the abandoned wife by relaxing rules of evidence where the testimony might tend to demonstrate that the husband was deceased.

While the rules remain discriminatory, Hauptman stressed the structural model in classical *halakhah* (הלכה, Jewish religious law) of adjusting norms to suit changing social circumstances:

The implication for contemporary life of the conclusions reached here is that, as a result of the great changes in the technological age and woman's increasing sense of her own value and her potential contribution to society at large, a re-examination of the legal institutions and social structures dictated by rabbinic literature is

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¹ To quote Blu Greenberg, the slow movement towards solutions for *agunot* (עגונות, plural of *agunah*) "bespeaks a lack of rabbinic will to find a halakhic way." Blu Greenberg, *On Women and Judaism: A View from Tradition* (Philadelphia: Jewish Publication Society of America, 1998), 142.

urgently needed. All traces of legal and social discrimination against women – which usually reflect an outdated social structure—should be discarded.²

Hauptman also notes that while the *Talmud* (תלמוד), oral version of the Torah) tells an official story of women's essential nature as meek, mild and servile, it also includes a counter-narrative of powerful women like Bruriah (and Yalta) who reject these roles and offer wise counsel and interpretation of the laws of their community.

Listening to women's voices as a tool for understanding the true nature of *halakhah* was also reflected in programs of consciousness-raising where women could share their stories of *get* (גט) based extortion and *get* refusal through the popular Jewish and secular press and in academic publications.³

Some theorists have sought solutions to the *agunah* problem in creative redeployment of accepted halakhic approaches to dissolve marriages. Aviad Hacoen, in *The Tears of the Oppressed*, recommended remedies based on *kiddushei ta'ut* (קידושי טעות), marriage transactions premised on a fundamental mistake.⁴ Others despair of finding solutions for existing cases of *get* refusal but support the prospective adoption of prenuptial agreements that would allow rabbinical courts to intervene on behalf of women. The Agunah Research Unit led by Professor Bernard Jackson, published a series of studies recommending conditional marriage.⁵ Shlomo Riskin suggested incorporating a commitment to pay a specified amount of maintenance to the wife from the time of separation until the *get* is delivered.⁶ Michael Brody has proposed adoption of a marriage contract that combines various remedies as a belt and suspenders approach.⁷

Jewish feminist legal theorists and activists query whether such remedies can provide widespread relief for this gendered disadvantage. The use of these remedies has not been widely adopted. When they are used, they may be confined to their facts without precedential value or delivered in confidence so that other litigants cannot benefit. Those rabbinical courts that do use these remedies are subject to castigation from other rabbinical authorities and the validity of *gittin* (גיטין, plural of *get*) delivered under these circumstances is called into doubt.⁸ Many versions of the prenuptial agreement have the effect of transferring power over divorce from the husband to the rabbinical courts, rather than equalizing power between husband and wife.⁹

Rachel Adler, in her paradigm shifting work *Engendering Judaism*,¹⁰ also uses the method of identifying egalitarian solutions through redeploying doctrines approved in Jewish legal sources. However, she does not seek to tinker around the edges while leaving the fundamental inequality at the heart of Jewish marriage intact. Rather, she seeks to transform the form of marriage from unilateral acquisition of the wife by the husband, which requires his consent to part with what he has acquired, to a marital form based on legal partnership, *Brit Ahuvim* (ברית אהובים, Lover's Covenant).¹¹ On this model,

² Judith Hauptman, "Images of Women in the Talmud," in Rosemary Radford Ruether, ed., *Religion and Sexism: Images of Woman in the Jewish and Christian Traditions* (New York: Simon and Schuster, 1974), 210.

³ See for example, Jack Nusan Porter, ed., *Women in Chains: A Sourcebook on the Agunah* (Northvale: J. Aronson, 1995). For an account of the history of these campaigns, see Susan Aranoff and Rivka Haut, *The Wed-Locked Agunah: Orthodox Jewish Women Chained to Dead Marriages* (Jefferson: McFarland & Company, Inc., 2015).

⁴ Aviad Hacoen, *The Tears of the Oppressed: An Examination of the Agunah Problem* (Jersey City: Ktav Publishing House Inc., 2004).

⁵ Bernard S. Jackson, *Agunah: The Manchester Analysis*, vol. 1 (Manchester, UK: Deborah Charles Publications, 2011).

⁶ Shlomo Riskin, *The Jewish Woman's Right to Divorce: The Halakhic History and a Solution for the Agunah* (Jersey City: Ktav Publishing House Inc., 2006), 140.

⁷ Michael Brody, "A Proposed Tripartite Agreement to Solve Some Agunah Problems: A Solution without Any Innovations," *Jewish Law Association Studies XX: The Manchester Conference Volume* (2010): 1.

⁸ See for example the unsuccessful attempt by the Israeli Rabbinate to secure standing to retroactively challenge the validity of a divorce issued by private rabbinical court in Sfat granting a *get zikui* גט זיכוי (in his best interests) on behalf of a man in an irreversible coma. Rachel Levmore, "Confusing Developments in Israel's Rabbinical Courts," *Jerusalem Post*, November 21, 2016.

⁹ Susan Weiss, "Prenups Meant to Solve the Problem of the Agunah: Toward Compensation, Not 'Mediation'," *Nashim: A Journal of Jewish Women's Studies and Gender Studies*, Special Issue on New Sociological and Historical Perspectives on Jewish Divorce, Lisa Fishbayn Joffe, guest editor, 31 (Spring - Fall 2017).

¹⁰ Rachel Adler, *Engendering Judaism: An Inclusive Theology and Ethics* (Jerusalem: The Jewish Publication Society, 1998).

¹¹ Other alternative models for relationships which are recognized by Jewish law but do not give rise to the need for delivery of a *get* to affect their dissolution include *Derekh Kiddushin* (דרך קידושין, a purposefully contracted marriage-like relationship) or mutual

the spouses acquire an interest in the marital partnership, not in each other's persons. The partnership can be dissolved at the instance of either party.

Adler's work is of interest not merely because she puts traditional legal materials to innovative use, but also because she propounds a model for halakhic legal change that gives significance to the work that Jewish feminists have been doing both in re-interpreting Jewish law and in creating alternative Jewish rituals. These rituals are not an alternative to legal transformation but one of the important instrumentalities for bringing it about. Adler does this by adapting American critical legal theory to the cause of halakhic law reform.

In Anglo-American secular legal theory, the doctrine of legal positivism differentiates law from non-legal moral claims. Laws do not derive their validity from being an expression of natural law or moral rights. Rather, they are valid if they were posited or enacted by whatever legitimate authority is recognized by the community in which they operate. In America, that is the tri-partite model of the executive, legislative and judiciary set out in the Constitution and refined through case law. In Jewish law, that is the biblical and talmudic texts and the set of procedures and norms deployed by medieval and modern poskim to apply it to new situations.

Both systems of law face the task of distinguishing legitimate from illegitimate interpretations of the law. They start from the experiential premise that it is hard to be certain how to apply a law to new situations simply by analysing the law itself and the cases to which it has been applied. Sometimes there is a clearly preferable answer, but in more challenging cases, these legal materials are open to multiple legitimate interpretations.

Jewish feminist legal theorists have looked to secular legal theory for models of how to legitimate their alternate interpretations of Jewish law. How can a feminist re-interpretation of marriage and divorce possibly be legitimate when it is inconsistent with so many of the details and fundamental premises of Jewish family law?

Rachel Adler, Tamar Ross and Ronit Irshai¹² have all found the work of Robert Cover to be very useful in this regard. In order to explain why, I will contrast Cover's approach with that of Ronald Dworkin, perhaps the best known liberal legal positivist of the twentieth century. Dworkin argued for a model of *law as integrity* in which a legitimate interpretation is one which provides a coherent continuation to the ongoing narrative a legal community tells about itself through its legal materials. It demonstrates integrity by identifying a fit between an account of this history and of the trajectory of moral values prevailing in the society. Thus, Dworkin explains the legitimacy of the landmark 1954 decision in *Brown vs. Board of Education* in which the Supreme Court of the United States struck down race-based school segregation, as shaped by judicial understandings of "ethical attitudes that were widespread in the community...that racial segregation was wrong in principle."¹³

However, Dworkin leaves the determination of what constitutes the relevant ethical beliefs that prevail in the community solely in the hands of judges. Dworkin suggests that: "most judges will be like other people in their community,"¹⁴ a problematic view that does not take into account the contested nature of these values and the unrepresentative demographic pool from which these judges have been drawn.

For Jewish legal feminists, Robert Cover offers a better model of legitimate legal change that treats the law reform projects of less empowered elements within the community as capable of creating nascent legal norms. According to Cover, law is not only made by judges and legislators but also by the actions and commitments of all those who participate in articulating and living the same communal legal

vows. For a detailed discussion, see Gail Labovitz, "'With Righteousness And With Justice': To Create Equitable Jewish Divorce, Create Equitable Jewish Marriage," *Nashim: A Journal of Jewish Women's Studies and Gender Studies*, Special Issue on New Sociological and Historical Perspectives on Jewish Divorce, Lisa Fishbayn Joffe, guest editor, 31 (Spring - Fall 2017).

¹² Ronit Irshai, "Towards Building a Gender Critical Approach to the Philosophy of Jewish Law (Halakhah)," *Journal of Feminist Studies in Religion* 26/2 (October 2010): 55-77.

¹³ Ronald Dworkin, *Law's Empire* (Cambridge: The Belknap Press of Harvard University Press, 1986), 388.

¹⁴ Dworkin, *Law's Empire*, 256. Recent political controversy in the United States over the nomination of a Justice to the Supreme Court to replace the late Justice Scalia makes clear that this is not a widely held belief there.

narrative.¹⁵ This means that the interpretive forays and new rituals created by Jewish feminists can be characterized as effecting a material change in the Jewish normative universe.

By means of feminist jurisgenesis, we can bridge that gap [between the world we inhabit and the one we imagine] and regenerate a *nomos*, a world of legal meaning in which the stories, dreams and revelations of Jewish women and men are fully and complexly integrated.¹⁶

Tamar Ross sums it up like this:

The meaning of the law that is established by such acts of commitment “counts” as a legitimate interpretation not because something in the text makes it so, nor because the community’s authoritative bodies hegemonically declare it so. Public acceptance is “proof” of the truth of the interpretations the community adopts simply because such acceptance is what enables an underlying narrative to hold us in the grip of its perspective in a way that gives substance and body to all the other justifications that are then applied...It enables him to transfer the criteria for the determination of legal meaning from the realm of the legal establishment to the realm of the community of practitioners at large.¹⁷

Using Cover’s model, the work of contemporary Jewish legal feminists can be seen in a new light.¹⁸ They play an immediate role in creating new cultural norms regarding equality in marriage and divorce. The discussion and adoption of alternative marital forms which reject the model of acquisition is creating an alternate legal norm. The creation of new religious rituals to mark significant moments in women’s lives or to mark gender transitions are constructing new legal norms.

The effective modelling of new legal norms is perhaps most clearly demonstrated in the campaign to promote the signing of the Rabbinical Council of America halakhic prenuptial agreement, promoted by the Organization for the Resolution of Agunot. This campaign is conducted online, through lobbying, post-nup signing parties and through educational events on university campuses. The pre-nup is rarely enforced in court,¹⁹ but has had an effect in changing the moral landscape regarding marriage in the Modern Orthodox community. Many rabbis will not perform marriages without it; it is celebrated and read as part of the marriage festivities and young couples have begun to expect that the husband will take this step to surrender his entitlement to withhold divorce without consequence as a matter of course.²⁰ It works without being enforced in court because it shapes the preferences and expectations of the couple, their family and the wider community. It is part of an emergent theme in the ongoing narrative of Jewish legal meaning.

¹⁵ Robert Cover, “Nomos and Narrative,” in Martha Minow, et al., eds., *Narrative, Violence and the Law: The Essays of Robert Cover* (Ann Arbor: University of Michigan Press, 1995), 95-145, 101.

¹⁶ Adler, *Engendering Judaism: An Inclusive Theology and Ethics*, 35.

¹⁷ Tamar Ross, *Expanding the Palace of Torah: Orthodoxy and Feminism* (Waltham: Brandeis University Press, 2004), 153.

¹⁸ David Ellenson, “To Reshape the World: Interpretation, Renewal and Feminist Approaches to Jewish Law and Legal Ruling in America and Israel,” *Journal of Jewish Ethics* 2/2 (2016): 38.

¹⁹ Although it has survived a First Amendment challenge in a case of first impression in Connecticut. See *Light v. Light*, 55 Conn. L. Rptr. 145 (Conn. Super. Ct. 2012).

²⁰ Bernard Jackson also argues that these alternative rituals have a role to play in creating legal change, by creating pressure on rabbinical authorities to adopt the conditional marriage agreement in order to win back couples who may be choosing to avoid *kiddushin* (קידושין, betrothal) in favour of *Derekh kiddushin*. Jackson, “Agunah: The Manchester Analysis,” 286.

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RESPONSE TO LISA FISHBAYN JOFFE, “GENDER AND JEWISH LAW”

Laliv Clenman*

ABSTRACT: This piece is a response to the challenging and inspirational paper presented by Dr. Fishbayn Joffe as part of the University of Manchester’s Sherman Conversations on the last fifty years in Jewish Studies and Gender Studies. I engage with Dr. Fishbayn Joffe’s focus on various attempts to resolve the legal problems related to *kiddushin*, and explore these issues through my academic experiences learning and teaching about *kiddushin* with a wide range of scholars and students over the past 25 years. After examining various avenues for legal change, given the inherent inequity of *kiddushin*, I ultimately argue in favour of its abandonment.

Response:

It is an honour to have the opportunity to respond to Lisa Fishbayn Joffe, a scholar and activist who is at the forefront of activism and scholarship in Jewish Studies and Gender Studies. Joffe has rightly highlighted the practical problems stemming from the unilateral character and gendered imbalance inherent in the marital acquisition known as *kiddushin*. Scholars have noted that these difficulties are not limited to the classical problems of unilateral divorce and the *agunah* (a woman trapped in a marriage and unable to obtain a divorce, as a result of a husband who is unable or unwilling to grant the *get* or bill of divorce). Issues of consent and age at marriage are also central problems for *kiddushin* as a ritual of Jewish marriage. Indeed, Rachel Adler’s seminal book, *Engendering Judaism*, which proposed innovations in Jewish marriage rituals, has been followed by Adler’s recent research into problems related to historical marriages of minor girls.¹ She shared with me her finding that rabbis in the medieval period were aware of the problem of marriages of minor girls, but were reluctant to act. One of her examples that left a lasting impression was that of the family of a child bride writing to the rabbi to request that the husband’s family provide a maid because the bride’s hands were too small to make the marital bed.²

In the absence of a rabbinic will towards finding a halakhic way to deal with these problems, other paths are being forged. Lisa Fishbayn Joffe argues that the jurisgenerative role of alternative rituals, such as the *brit ahuvim* suggested by Rachel Adler, is central to this process of change. In my teaching at the Leo Baeck College (London, UK), I have incorporated Tractate Kiddushin as a key element of training for student rabbis to consider the problematic nature of *kiddushin* and *nisuin*, with the goal of raising awareness amongst future religious leaders of the existence and benefit of alternative rituals.

In terms of problematizing *kiddushin*, perhaps one of the most challenging texts I study with rabbinical students is the teaching in the Yerushalmi (Palestinian Talmud) that a father may betroth (*meqaddesh*) his minor daughter to a man through sexual intercourse (*bi’ah*) and can receive a financial remuneration from the groom for offering him this method of *kiddushin*.³ Experiencing this collision between *nomos* and *nomos* often results in grief on the part of the student.⁴ Through this distress, genuine change can develop as former rabbinical students choose to marry their own spouses through alternative rituals and are able to speak to engaged couples about *kiddushin* in a meaningful way.

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¹ Rachel Adler, *Engendering Judaism: An Inclusive Theology and Ethics* (Boston: Beacon Press 1999).

² Personal conversation with Rachel Adler, Leo Baeck College, London, June 23rd, 2014.

³ Palestinian Talmud *Ket.* 4:4 28d and see also BT *Kidd.* 3b Tosafot *s.v. Ha’av zakai b’vito*. Other methods of enacting *kiddushin* are *keseif* (money) and *shetar* (document), see Mishnah *Kidd.* 1:1.

⁴ Lisa Fishbayn Joffe’s work, as well as my own, is inspired in part by that of Robert Cover, including his essay “Foreword: Nomos and Narrative,” *Harvard Law Review* 97/1 (1983): 4-68.

Another element of this process of alternative jurisgenesis that is worthy of exploration is that of the halakhic prenuptial agreement. Lisa Fishbayn Joffe notes that “Jewish feminist legal theorists and activists query whether such remedies can provide widespread relief for this gendered disadvantage.”⁵ In short, Joffe argues that prenups are perceived as a superficial remedy, as they are limited in scope and vulnerable to punitive responses within the religious court (*beit din*) as well as in the private sphere of the family. Furthermore, such prenuptial agreements have no precedential value, are secret rather than public, and the *beit din* itself may be castigated for the use of prenups and *gittin* (divorces), where such prenups are involved, may be called into doubt, resulting in an instability in the woman’s status (i.e. whether the woman is divorced or not). Any resolution of such problems would lie exclusively within the sphere of the religious court. Ultimately, the prenup results in a transfer of power from the woman’s husband to the rabbinical courts, thus still failing to equalize the imbalance in power and legal agency between wife and husband.⁶

In stark contrast to this critique, however, Joffe also makes a compelling argument for the Rabbinical Council of America’s halakhic prenup as an example of successful jurisgenerative change. She writes that, “The effective modelling of new legal norms is perhaps most clear in the campaign to promote the signing of the Rabbinical Council of America (RCA) halakhic prenuptial agreement...”⁷ With respect to its efficaciousness, she notes the features of easy online access, effective lobbying, its presence in the public sphere (with signings at parties and on university campuses) and its inclusion in the marriage festivities. The prenup is required by RCA and also supported by rabbinic authorities, and becomes normative as rabbis require it and couples expect it, and this, in turn, shapes the preferences and expectations of couples, families, communities and rabbis. All of this, Joffe suggests, is part of an emergent theme in the ongoing narrative of Jewish legal meaning, the creation of a renewed *nomos*.

How can we explain this apparent contradiction? Are prenuptial agreements an ineffective and superficial solution, or do they solve the problem? What is the nature and methodology of changes related to *kiddushin* and *agunot*? I would suggest that perhaps, it is not the prenup itself then that has any real effect. It is rather the campaign in the public sphere, the shared adoption of a common understanding by a range of persons – rabbinic, female and male, couple and community – that affects change.

In a similar vein, the work of activists, beyond the scope of prenups, to enlist the assistance of the state and its Law has also been a significant development in finding ways to tackle the problem of the recalcitrant husband and the *agunah*. In Canada, for example, my first study of the problem of the *agunah* was with Professor Norma Baumel Joseph who was instrumental in working towards a Canadian Get law, which ensures that a man can only receive a civil divorce if there is no outstanding religious divorce. Where the rabbinate refuses to create a means towards that way, this law aims to apply some pressure from outside the halakhic system, through an amendment to the Canadian federal divorce law that seeks to enact complex mechanisms, which allow a spouse to present a case for non-compliance.⁸

⁵ Lisa Fishbayn Joffe, presentation paper, 40.

⁶ I would also note that the prenup gives the *beit din* authority to charge \$150 a day to the recalcitrant spouse (necessarily a man). It is unclear whether this is understood as a fine or support payment and, if so, on what basis. This lack of clarity and complexity is reminiscent of the talmudic discussions of the *ketubah* payment (a payment from the husband, received by the wife upon divorce or widowhood), where it is debated whether the *ketubah* payment is a fine, and, if so, for what, or some other form of payment such as a *taqanah* (a rabbinic improvement upon the wife’s biblical situation) or indeed a biblical ordinance (see for example BT *Ket.* 10a). Answering the question of how we might understand the prenup, or the *ketubah*, within its *nomos* is not a simple task. Regardless of how we might interpret and contextualise the RCA prenup, the public website for the prenup notes not only contemporary authorities but medieval precedent for similar stipulations. Will this small way, with some will, lead to the creation of new laws and new norms that further transform Jewish marriage and woman’s personhood? See <http://theprenup.org>. Accessed online on 31/08/17.

⁷ Lisa Fishbayn Joffe presentation paper, 42.

⁸ See Norma Baumel Joseph, “Civil Jurisdiction and Religious Accord: Bruker v. Marcovitz in the Supreme Court of Canada,” *Studies in Religion/Sciences religieuses* 40/3 (2011): 318-336 and Norma Baumel Joseph, “Women’s Rights and Religion: Jewish Style” [forthcoming in Morny Joy, ed., *Explorations in Women, Rights and Religions* (Sheffield: Equinox Publishing Ltd.: Sheffield, 2020). This theory, however, can manifest quite differently in practice, as where there is no will there may not be a way. Norma Baumel Joseph emphasizes that the amendment must be activated by the woman and relies upon the cooperation of the rabbinical courts, with the *beit din* in Montreal proving more engaged with the amendment than the Toronto *beit din*. While Joseph admits that the amendment can be a useful tool, she argues that genuine change can only come through halakhic reform (personal correspondence of May 9, 2019). See also, Lisa Fishbayn Joffe’s excellent description of the complex power negotiation involved in

A significant development in my own thinking about the role of the state in religious matters was inspired by a legal piece by Madhavi Sunder, entitled *Piercing the Veil* when I studied law, religion and public discourse at the University of Toronto with Professor Jennifer Nedelsky.⁹ Sunder critiques the liberal state’s privileging of Orthodox religious bodies and patriarchal interpretive, legal and ritual traditions, which seek to maintain power, control and influence over the so-called private sphere, i.e. woman and family, and argues compellingly for a state that engages with a full range of religious communities and norms. She further argues for a woman’s right to her religion.¹⁰

In a discussion in Professor Nedelsky’s graduate seminar on religion and public discourse I raised the problem of *kiddushin* and its relationship to the state, in particular with respect to the status of the *agunah* and that of *manzerut*.¹¹ I argued that halakhah should be understood as Law with real effects and that the state, amongst others, should be concerned about the women’s and children’s right to religion, to family, to community, to childhood, to consent, and to personhood in view of finding a “way”. I received the following response from some students of the Law: “she should move to Ohio.” This liberal legal notion that halakhah is not Law, and that its effects on culture, persons and lives is not real, or only so real as one’s immediate communal space, that it may be summarily circumvented through moving outside of this space, is a denial of the impact of religious law and culture on individuals, and an abdication of responsibility for a woman’s fate, towards finding a way, whether in Ohio or otherwise.

If the halakhic theorist Haninah ben Menahem is correct that halakhah is governed by “men” rather than by rules, the “men” or “humans” must be a central element in any problem and its resolution.¹² Indeed, my own anecdotal sense is that talmudic discourse often shows more awareness of the imbalance inherent to rabbinic modes of marriage and more willingness on paper to mitigate this imbalance than contemporary rabbinate. The ways then are possible, but “man” declines to take or make them. *Kiddushin* and its attendant problems are such that my own teacher Professor Tirzah Meacham has argued for the abolition of *kiddushin* entirely. Such an effective move, however, is not always well received by academics, nor across the range of movements of Judaism.¹³ Norma Baumel Joseph states the case for internal halakhic change, while acknowledging the toll taken on women’s lives in the meantime, “Personally, I would like to see a new structure that enables either spouse to initiate simpler divorce proceedings. But that will not come in my lifetime and who can wait. We cannot in good conscience ask a woman to put her life on hold. Compassionate and concerned individuals must use whatever means are practicable and available.”¹⁴

The Babylonian Talmud discusses whether a woman may be acquired (in marriage, to be acquired as a slave is a different transaction) through exchange or *khaliḥin*.¹⁵ The Gemara proposes that

the *beit din*’s responses to the Get Law, which she suggests has been increasingly negative and unresponsive, “Negotiating Divorce at the Intersection of Jewish and Civil Law in North America,” in Sylvia Barack Fishman, ed., *Love, Marriage and Jewish Families: Paradoxes of The Gender Revolution*, 1st ed. vol. 1, (Waltham: Brandeis University Press, 2017), especially 251-52 and n. 44 and Fishbayn Joffe, “Gender Multiculturalism and Dialogue: The Case of Jewish Divorce,” *Canadian Journal of Law and Jurisprudence*, 21/1 (2017): 93. This approach of course has no effect on communities in jurisdictions where couples are permitted to divorce through *kiddushin* in the absence of civil marriage, a situation that some activists have argued amounts to the state’s abrogation of its responsibilities to its female citizens.

⁹ Madhavi Sunder, “Piercing the Veil”, *Yale Law Journal* 112 (2003): 1399-1472.

¹⁰ Sunder also cites Robert Cover in relation to her notion that the law impedes the dynamism and diversity that are characteristic of legal communities, and that judges are “jurispathic” rather than “jurisgenerative”, that is they “kill” law, especially law “offered by dissenters”, rather than create it. It may be that rabbinical courts have a tendency to act in the former way privileging the powerful, while others operate in the latter, “Piercing the Veil”: 1466, n. 337, and citing Robert Cover, “The Supreme Court, 1982 Term - Foreword: Nomos and Narrative,” *Harvard Law Review* 97/1 (1983): 53. The issue of the RCA prenupt thus falls in a liminal space between the jurispathic power of the *beit din*, and activist jurisgenesis.

¹¹ The status of the *manzer*, often translated as a bastard or illegitimate child, normally the child of adultery or incest.

¹² Hanina Ben-Menahem, *Judicial Deviation in Talmudic Law: Governed by Men not by Rules*, Jewish Law in Context: The Institute of Jewish Law, Boston School of Law, vol. 1, (Chur: Harwood Academic Publishers, 1991).

¹³ For her critique and proposed alternative to *kiddushin*, see, Tirzah Meacham (leBeit Yoreh), “Legal-Religious Status of the Married Woman,” *Jewish Women’s Archive*. Accessed online on 15/05/18 at: <https://jwa.org/encyclopedia/article/legal-religious-status-of-married-woman>. Anecdotaly, I would suggest that resistance to eliminating the ritual of *kiddushin* is prevalent also in the progressive movements of Judaism, and even in those that are not bound by halakhah.

¹⁴ Norma Baumel Joseph, “Women’s Rights and Religion: Jewish Style” [forthcoming] in Morny Joy, ed., *Explorations in Women, Rights and Religions*. (Sheffield: Equinox Publishing Ltd.: Sheffield, 2020), 6 (with current unpublished pagination, 1-9).

¹⁵ BT *Kidd.* 3a-b. On the subject of the female slave in Jewish law, see Diane Kriger, *Sex Rewarded, Sex Punished: A Study of the*

a woman might be acquired as a wife through exchange just as a field could be acquired through barter for another object.¹⁶ The Gemara notes that the Mishnah fails to mention exchange/*khalifin* as a method of acquiring a woman as a wife, and so excludes it as an effective mode of marriage.¹⁷ It further dismisses this option on the basis that exchange/*khalifin* is effective with less than the value of a *perutah*, which is to say an insignificant monetary value that is less than the minimum requirement for acquiring a woman through money, according to mKiddushin 1:1. The reason that the Gemara provides for its rejection of exchange/*khalifin* as a method for acquiring a wife is because “a woman does not cause herself (or: allow herself) to be acquired for less than the value of a *perutah*.”¹⁸

Rashi’s commentary to this statement adds an interesting dimension to this question. He writes, “For it is insulting” to her, therefore, the law of *khalifin* is invalidated for *kiddushin*.” Tosafot’s lengthy disagreements with this view highlight that Rashi’s understanding of the Gemara here is a remarkable, even dangerous, moment in rabbinic thought.¹⁹ A form of acquisition of a woman by a man may be invalidated because it is insulting to her.

This notion places, even if only for a fleeting moment, woman’s self-perception, experience and personhood, woman as subject, at the centre of the effectiveness of the transaction which forms the marital bond. Might one reason from here that any mode of marriage that is insulting to woman (in particular) or to Woman (in general) might be deemed ineffective? This would necessarily be a subjective and shifting stance, as all law and ritual live inevitably in their socio-historical context, in their Coverian nomos. One might further speculate that *kiddushin* itself, in any and all of its methods and forms, could be deemed demeaning to women, and so be rendered an ineffective mode of marriage. Even within its very own nomos, might *kiddushin* invalidate itself by its very nature as a unilateral acquisition of a woman (or girl) by a man (or boy?), as Woman finds it demeaning to be exclusively acquired in such a unilateral and unequal fashion, one that insults and even denies her sense of self and personhood?

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Status Female Slave’ in Jewish Law (Brighton: Academic Studies Press, 2011).

¹⁶ Ruth indeed appears to have been symbolically exchanged, along with a field, for a sandal, where she is acquired by Boaz in a sort of Levirate marriage. See Ruth chapter 4, especially 4:7-10, and BT *Kidd.* 3a, Rashi s.v. ‘mah sadeh meqanyah b’chalifin’

¹⁷ As noted above, m*Kidd.* 1:1 enumerates money, a document and sexual intercourse as ways of acquiring a wife.

¹⁸ BT *Kidd.* 3a-b, “v’isha b’phachot mishaveh perutah la meqanyah nafshah.”

¹⁹ Rashi uses the term *ganai*, which can also signify that it is shameful or disgraceful.

²⁰ BT *Kidd.* 3b, Rashi, s.v. “la meqanyah nafshah” and BT *Kidd.* 3a, Tosafot, s.v. “v’isha b’phachot mishaveh perutah la meqanyah nafshah.”

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DISCUSSION POINTS FOLLOWING THE PAPER BY LISA
FISHBAYN JOFFE AND THE RESPONSE BY LALIV CLENMAN

Should a global solution be pursued when the community is already split on the issue?

Does progress in the Modern Orthodox community lead to backlash in the Haredi community with detrimental effect on Haredi women?

Jurisgenerative action has impact on halakhic decision-making and becomes the canon for future decision-making. But what if nobody participates in legal performativity as seen in the Haredi community's reluctance to engage with *agunah* developments?

REFLECTIONS ON FEMINIST JEWISH APPROACHES TO THE BIBLE AND THE MAKING OF A FEMINIST JEW IN ISRAEL

Naomi Graetz*

ABSTRACT: This article incorporates personal insights into the development of feminist Jewish approaches to the Bible. I discuss what it means to be a feminist Jew in Israel and make a clear distinction between feminist Jews and Jewish feminists, by using my personal history as a feminist Jew and how my upbringing in an intense American Jewish environment influenced me. I explain how I became a feminist Jew and reflect on the Jewish feminism that emerged between the 70s and the 90s. My reflections are part of the process through which I became a midrash writer and an independent Bible scholar and in doing so I situate myself within various feminist/Jewish approaches to the Bible. In the third section of this article I describe how I and other feminist Jews have dealt with the problematics of being both Jewishly engaged as well as being ardent feminists. I conclude the article by citing a poem by a well-known Bible scholar who represents to me what it means to be female and Jewish at the same time.

In 1992, I made a list of “How I became a feminist Jew.” This is what I wrote then:

- 1. I enjoyed Junior Congregation until I turned twelve when I moved upstairs in the main synagogue (in the women's section) and became an usherette. The 5th grade cantillation class, where we learned how to read the Torah tropes, was wasted on me because they were irrelevant—who ever heard of a female Torah reader. I did not enjoy prayers in camp and I always tried to escape. I flunked Judaic subjects in high school despite my fluent Hebrew.*
- 2. I read Betty Friedan when my first born daughter Ariella was five months old and thought my life was wasted and over and wished I could begin it again, unencumbered by marriage and children. I wrote an impassioned, single-spaced two pages bemoaning my fate and then forgot all about it.*
- 3. My active synagogue participation began in Omer when Ariella was 10 years old with the realization that if I did not serve as a role model for the community, my daughter would not consider it natural either to participate in and/or lead services for her Bat Mitzvah.*
- 4. I began to learn all the issues—reading the quarterly Conservative Judaism and everything else I could get my hands on; convincing my husband the rabbi of the correctness of this (as well as myself). First I learned how to chant a haltarah and then decided I could do Torah reading as well if not better than my husband and began doing it for more than forty years.*
- 5. I began to write midrash when I returned from my “wasted” sabbatical in 1985.*
 - a. This resulted in the investigation of rabbinic midrash to see what its attitudes towards women were, and*
 - b. conscious writing of midrashim which reflected the feminist approaches of Judith Plaskow etc.*
- 6. My participating in the first (and only) Jerusalem International Conference on Women and Judaism: Halacha and the Jewish Woman (1986) and in a feminist conference in Ireland, where I gave papers on the topic of the rape of Dinah which led me to a more radical approach which I then tempered (do not throw out the baby with the bath water).*
- 7. My need for a support group and desire to set up a resource library led to starting a branch of the Israel Women's Network in the Negev.*
- 8. My trip to Russia (in May 1987) led to a feeling of sisterhood vs. identity and loyalty to my religious group.*
- 9. My dialogue with Arabs made me think, am I a feminist first or a Jew? Israeli? Is there a contradiction? I thought so then - if we were being honest with ourselves.*
- 10. I then began to think “What does it mean to be a feminist Jew?” To whom is the ultimate loyalty? This was in the wake of the First International Jewish Feminist Conference in 1988, which was also when the Women of the Wall first met.*

Being a Feminist Jew in Israel

I have been a feminist Jew in Israel for more than forty of the fifty years I've lived in Israel. What does it mean to be a feminist Jew in Israel? In describing myself as a feminist Jew I am making a statement. Obviously there is no one party line for what it is to be a feminist and that is true more so of being a Jew. It gets even more complicated when we connect the two. Just as Judaism is not monolithic, so there are many feminisms. I think that it is safe to say that all feminists agree on three things. 1) There is such a thing as patriarchy. 2) It is necessary to be critical of this patriarchal society and finally, after critically examining society it is necessary 3) to take action, protest and attempt to change this society that we criticize. Both the Jewish feminist and feminist Jew recognize all of the above. The difference perhaps is in the degree to which one is critical. Namely, what is one willing to overlook? Where are the red lines? How deeply do we wish to go? Do we want to undermine the entire enterprise to make a point? Often the latter seems true of the committed Jewish feminist. The feminist Jew might be critical but she will press the brakes when the protest, action and attempt to change seems to be veering out of control and/or if it means being written out of her home community.

Feminist Judaism vs. Jewish Feminism

When I try to distinguish between the concepts of Jewish feminism and feminist Judaism, I often get confused. Yet I think it is important to make a distinction. It is a matter of priorities. In today's parlance, it is connected with identity politics. It is true that by making this distinction I am falling into the trap of ignoring and/or conflating other important issues. To clarify, I find it helpful to think of myself as an American Jew who has chosen to live in Israel, whereas the Jewish American still lives in the U.S. Yet, if I ask my close friends and relatives who have a similar trajectory to mine—namely Hebrew Day Schools, Hebrew speaking, Zionist Camps and Higher Education in a Jewish Institution—what they call themselves, they will all describe themselves as American Jews. The majority of Jews who live in America—who have no connection to Israel, do not attend synagogue and do not know how to read Hebrew—and are very loosely connected (if at all) with the Jewish community should be more accurately described as Jewish Americans. It is not so easy to differentiate between the Jewish feminist or the feminist Jew. There are many Jewish feminists whose main allegiance in the past was to feminism, who became interested and totally involved with the Jewish part of their identity and thus became feminist Jews.¹

When I am confronted with a conflict between my feminism and Judaism I will push the envelope as far as I can but will ultimately remain steadfast to my sense of being a Jew. I follow this principle in my academic writings. Thus in challenging the tradition to change, I have not left the camp, despite the fact that much needs to be done. Although it is more common and natural to refer to myself and others like me as Jewish feminists, it is probably more accurate to see ourselves as feminist Jews. Those many women who are activists in liberal causes and/or are in academia would probably describe themselves as Jewish feminists. Presumably they would follow their conscience in deciding their loyalties to the “cause” and/or scientific rigor. However, there are many like myself, who while engaged critically

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¹ I think that Letty Cottin Pogrebin and Phyllis Chesler are excellent examples of this. Pogrebin, a well-known feminist journalist, was one of the founders of Ms. Magazine, but then later wrote a book called *Deborah, Golda, and Me: Being Female and Jewish in America* (1991). Today she sends out a weekly digest of articles which reflect her very liberal political and religious views. See the article where she talks about this in 2014, when she received an award from Hadassah: <http://nijewishnews.com/article/19024/author-describes-return-to-judaism#.U2zipVfDX8M>. Chesler, a prominent academic psychologist, started out by writing about *Women and Madness* (1972) and later got involved in the Women of the Wall. She co-edited a book with Rivka Haut (a well-known publicly identified Orthodox feminist Jew) *Women of the Wall: Claiming Sacred Ground at Judaism's Holy Site* (2002). Both Chesler and Pogrebin (whose politics today are diametrically opposed) were participants and leaders in the famous women's Passover Seders that started in 1976 in Esther M. Broner's living room. Both also initially rebelled against the religious strictures of the Jewish homes they came from.

with our texts, also tweak our approach and try to find some saving grace, if possible in the same text. This is actually easier than one thinks, since Judaism is not and has never been a monolith. The approach to text is traditionally one of dialogue and thus one can always find an opposite opinion.

Being a feminist (religious) Jew in Israel used to be more of a problem than it is today—although Orthodox women are reviled for being feminists (especially in their own community where it is still very much an “F” word). To feminists in Israel being a religious Jew (or identifying as a Jew rather than as an Israeli) is equated with sleeping with the enemy. I have experienced the sense of being welcome in neither group because of my affiliations—on the one hand as a Conservative Jew (not accepted by the Orthodox) and as a religious Jew (not accepted by the secular). This is of course changing as more and more women with strong Jewish backgrounds awaken and re-discover the inequities in our tradition. The ferment in Modern Orthodox communities often seems like a re-invention of the wheel as they discuss women’s place in the synagogue, the wearing of *tallit* and *tefillin*, but I find it exciting to view and comment on and try to be part of this revolution as often as I am allowed in.²

Personal Background and Personal Growth as a Feminist

A word about who I am. I am a woman who will be seventy-five by the time this article will be in print. I am, first, the product of Modern Orthodoxy: thirteen years of Ramaz Day School (Manhattan), and thirteen years of Massad Hebrew-speaking summer camps in the Poconos (Tannersville and Dingman’s Ferry). This was followed by six years at the Jewish Theological Seminary (B.H.L. 1966 in Jewish History) and five years at Cejwin camps, while doing my B.A. and M.A. at City College of the City University of New York in English Literature. I married young (before turning 20) in 1963 to a rabbinical student. In 1967, we moved to Israel after the fervour of the Six Day War—for a year or two—and never returned to the States. We lived in Jerusalem for five years where I had several teaching jobs, two children, and many economic difficulties.

My life began again when in 1974 (also after a war) we moved to Omer, a very small town north of Beersheba in the Negev. We blossomed as a family (and had a third child). Small town life agreed with us all. Congregational life was a challenge, but since Israel did not really know what to expect from pulpit rabbis and their wives, we made the rules as we went along. Professionally I grew and got very involved in my teaching and research career in English. I also rediscovered feminism.

It is clear to me that my sense of being a feminist Jew began in our synagogue in Omer in 1975—the year my youngest daughter Avigail was born. I was in a new community that was feeling its way and in order to escape the responsibilities of mothering I went to the synagogue on Shabbat, leaving her care to my older daughter, Ariella (who was then a very responsible seven-year-old) for two blessed hours. In our synagogue, women were counted in the minyan out of necessity (we did not have enough men at the beginning). Ironically, given my past history in Day School, I decided to learn how to *Jeyz*, i.e. to read the Torah with the trope, the musical notes or cantillations, in our congregation. Fortunately, I have a good voice—and an alto one, so it was not very disruptive to our male congregants. I took it very seriously and prepared diligently—studying the text as well as learning how to chant correctly.

For me, Torah reading was formative because I really got to know the text and in preparation for this reading often argued with Scripture as I prepared. Our *kehillah* was on the cutting edge of women’s participation and involvement, and I was very influential both locally and nationally. It took me almost ten years to articulate what I was feeling. As I began to write midrash in the mid 80s, I began to incorporate my work in my teaching in the Department of English as a Foreign Language at Ben-Gurion University of the Negev. To justify doing this professionally, I gave two workshops on “The Use of Culturally Familiar Material in EFL: The Case of Sarah” at a Conference at UCLA (1987) and “Using

² See Naomi Graetz, “Women and Religion in Israel,” in Kalpana Misra and Melanie Rich, eds., *Jewish Feminism in Israel: Some Contemporary Perspectives* (Hanover: University Press of New England: 2003), 17-56. Of course the development in the Modern Orthodox world has improved by leaps and bounds since I wrote this article and today there are Orthodox women called *Maharat*, who are essentially rabbis in all but name.

Biblical Tales in the EFL Classroom” at the Second International Conference on Teaching English to Speakers of Other Languages in Jerusalem (1988). I did not realize at this time that I would eventually become a serious independent feminist Jewish Bible scholar.

From the late 60s (after reading Betty Friedan’s *The Feminine Mystique* written in 1963, the year I got married) to the mid 70s I found feminist ideas to be too threatening to me when I was busy working at supporting a family and raising three children. I had no time to think about my ascribed roles. I was afraid to explore the conflicts between who I was becoming, my place in the family and my place in the community. I opted out when friends in Beersheba and Omer asked me to be part of their consciousness raising groups. I limited myself to the smaller issues of my relationship to Judaism—it was safer for me than to explore the larger issues.

I grew into feminism through Judaism. I subscribed to magazines (*Ms.*, *Lilith*, and *Conservative Judaism*). I regularly roamed the university and local library and read whatever was available (this was before I began reading online). My sister sent me books (fortunately, there were not too many in the early days). I was on top of whatever was being written. But until the mid-seventies, I was not a participant. I enviously followed from the distance of Israel the writings and doings of many of my feminist Jewish friends and former acquaintances. I also read much of what was being written by Jewish feminists such as Susan Brownmiller, Robin Morgan, Marge Piercy, Shulamit Firestone, Gloria Steinem, among others, who were not at all engaged with their Judaism (although I believe their social consciousness was certainly influenced by it).

Writing as a Feminist Jew

My turning point was 1985 when I went on my first sabbatical and discovered alternative ways of looking at Jewish texts. I discovered modern midrash in my sister’s library by reading copies of manuscripts lent to her by Marc Gellman. Later I encountered other exemplars of midrash in some of the alternative journals that were being published then. I felt the need to write that summer when I turned forty-two. I was on my first sabbatical in Ramah, New England. I was away from home, family, and friends—alone at camp as a middle-aged woman. It was a strange experience. I began a long letter home describing what I saw around me. I brought to this letter my sense of being an outsider. I had never been to Ramah, but I had mythologized it in my mind and I saw that it had clay feet. I had serious issues to address which were worthwhile sharing with more than just my family and friends.

I was an outsider because I came from Israel and was the oldest person in camp. My critique of the prayer in the camp became a topic of discussion and launched my writing career.³ When I returned to Israel, I had an intense need to express myself and poured out these feelings by writing midrash. These tales, which followed the order of the Book of Genesis, were subsequently revised. Seven more gushed out of me during an extremely fertile writing period of three months. When the first one about Sarah was accepted for publication,⁴ I was thrilled. There had been rejections before this one and there would be rejections after.

I began to look at midrash from an academic perspective by chance. I wanted to share my midrashim at an international conference being organized by Penina Peli (1986). She suggested instead that I write about what rabbinic midrash had to say about women in the Bible. Since I had just finished writing about Dinah’s rape, I chose to write about “Rabbinic Attitudes towards Women: The Case of Dinah.” Although the paper was first presented in Jerusalem and later in Ireland (July, 1987) at the Third Interdisciplinary Congress on Women, it was only published in 1993, in a completely different version. That too was by chance, when Athalya Brenner called me and asked if she could republish my articles on Miriam and Hosea in a collection that she was editing for Sheffield Press. Over the phone I told her

³ See “Prayer is a Foreign Language: An Open Letter to the Ramah Community,” *The Melton Journal* (Spring 1987): 24.

⁴ “Sarah’s Three Lives,” *The Journal of Reform Judaism* (Summer, 1986): 43-8. This appears in *my S/He Created Them: Feminist Retellings of Biblical Tales* (1993, 2003).

that I had an unpublished article about Dinah. The book was going to press soon, but since she did not need to get permission to print it, she asked me to send it to her as soon as possible and thus it appeared in one of her first volumes.⁷

I and my Omer friends became active in the politics of the *Masorti* (Conservative) movement in Israel on the issue of the right of women to be ordained in Israel as rabbis. We studied the texts, interviewed congregations all over the country. My Omer friends (not only in the congregation) became actively involved in feminist interests, forming study groups and getting involved in local political and health issues concerning women. This activism led to my serving on the national board of the Israel Women's Network for two years. By then I was writing my book about wifebeating, *Silence is Deadly: Judaism Confronts Wifebeating* (1998). I was staking out a position as an independent feminist Jewish Bible scholar.

The Essence of Feminist Judaism

Before discussing what a feminist Jewish approach to the Bible is, it is necessary to attempt to draw a portrait of elements that constitute or typify a Jewish approach to the Bible. Hanna Stenström⁸ wrote that "The limits of interpretation are not related to the past, they are formulated by living communities in an ongoing process of negotiations and struggles."⁹ This is precisely the Jewish approach to text. The Torah is "a living tree to those who uphold her and whoever holds on to her [instructions] are happy" (Proverbs 3:18). The Torah includes the story of the birth of the Jewish people and the origins of the Jewish legal system.

For those following a literalist approach, the five books of the Torah were revealed by God to Moses and Israel at Mount Sinai. The words of the Torah are not merely a record of the past, but the expression of God's will, and therefore Torah is the ultimate source of authority in this Jewish view.⁸ For those who follow this approach, one may protest or question God's will, but it remains the final source of authority *as it is written in the Torah*. Thus, little effort can be made to eliminate abuses against women that exist in the Torah by radically overhauling the entire received system. Indeed, this view may lead to denying that any such abuses exist in the Torah altogether. The view is that *God's will* would not do anything to harm women. If we perceive abuse, the fault must be in the way we understand Torah. This view, thus, is capable of generating explanations of Torah law which "explain away" what appear to be abuses against women in the Torah. Using Hanna Stenström's terminology, one can argue that this approach is also that of the fundamentalists, for she writes that fundamentalist movements also make claims that support an understanding of religious traditions as static, unchangeable and unified.

Those who take a more anthropological approach view the Torah as a human creation, which, like any human creation, must be studied and understood in its social context. From the perspective of this view, there is no inherent authority in the biblical text. Thus, abuse and women's disabilities in biblical law derive from the social status of women at the time. If, in our time, biblical law translates into disabilities for women, then we need to effect a radical transformation and rethinking of Judaism.⁹

⁷ These three articles are still widely quoted because of the popularity of Brenner's collections. "Dinah the Daughter," in Athalya Brenner, ed., *A Feminist Companion to Genesis* (Sheffield: Sheffield Academic Press, 1993), 306-17; "Did Miriam Talk Too Much?" in Athalya Brenner, ed., *A Feminist Companion to Exodus to Deuteronomy* (Sheffield: Sheffield Academic Press, 1994), 231-42; and "God is to Israel as Husband is to Wife," in Athalya Brenner, ed., *A Feminist Companion to the Latter Prophets*, (Sheffield: Sheffield Academic Press, 1995), 126-45.

⁸ The following is excerpted from a talk I gave at a research seminar in Uppsala University, October 15-16, 2007 and was relating to what the Christian feminist Hanna Stenström wrote. This talk was translated into a Swedish textbook: "Judisk feministisk bibelölkning - en introduktion" [Introducing Jewish Feminist Approaches to the Hebrew Bible] in Hanna Stenström, ed., *Att tolka Bibeln och Koranen: Konflikt och förhandling* (Lund, Sweden: Studentlitteratur, 2009), 67-77 [Swedish].

⁹ "When Holy Texts become battlegrounds. Feminist interpretations of the Bible and the Qur'an, with special emphasis on the New Testament" (paper preceding nine at conference in Uppsala).

⁸ One can consider Blu Greenberg to be representative of the first approach. See Blu Greenberg, *On Women and Judaism* (Philadelphia: Jewish Publication Society, 1982).

⁹ Judith Plaskow can be considered a representative of the second approach. Judith Plaskow, *Standing Again at Sinai: Judaism from a Feminist Perspective* (San Francisco: Harper & Row, 1990).

A third view takes a more middle ground. These are those, like myself, who, because of our religious orientation, respect the authority inherent in the traditional text. However, since our feminism is inseparable from our religious orientation and is viewed as part of our concepts of spirituality and holiness, its teachings must be integrated. We bring to the texts questions from our time and seek to uncover meanings that we believe are dormant in the text, that relate to these questions. We anchor our creativity within the text. Authority evolves out of the dialectic process of closely studying the text, because of its importance and religious weight, while interpreting its meaning in terms of our own feminist and religious consciousness.¹⁰

Whatever the approach to the Torah, Jews consider the Torah to be our primary book, it is our heritage. Our association of the Torah with the synagogue is further re-enforced because of the extensive use of biblical phrases and allusions to events, places, and people from the Bible in the prayers and blessings found in the *siddur*, the Jewish prayer book.

Jewish people are expected to be literate, so that we can read and understand our sacred texts. Text study is the meaning of religious experience, even the experience of “revelation”. The ideal is that the text represents a continuous medium on which Jews base their relationship with and their supplication to God.

The feminist Jew is influenced by general feminism—but tries to remain loyal to her sense of being Jewish. She¹¹ may define herself as a feminist Jew or a Jewish feminist. She may feel that Judaism and feminism are two competing “ism”s, but she persists in seeing value in both. As a feminist she might be tempted to reject Judaism in its entirety—when the stakes get very high—but she too, like the non-Jewish feminist, considers this throwing out the baby with the bath water. Rabbi Rebecca Alpert recognizes that “Exile from one’s Jewishness is not necessarily the answer to the feminist dilemma...[on the other hand] all of Judaism is called into question by feminism...”¹²

The Bible is not just another book to the feminist Jew and she will criticize those who treat it as such. For instance, Ilana Pardes (1992) who wrote about “Counter traditions” in the Bible, acknowledges her debt to Mieke Bal (1987), the influential feminist scholar. Yet Pardes unsympathetically criticizes Bal’s statement that the Bible’s message is only an issue for those who attribute religious authority to these texts “which is precisely the opposite of what I am interested in.”¹³ The baby referred to above, the canon, has to be treated with care, if it is not to be abandoned.

According to Alan Levenson, writing about us: “Jewish feminists are in the awkward position of having to revision a Biblical legacy while at the same time debunking tendencies to place the blame for the patriarchy, the West’s oppression of women, and even the Holocaust on the ‘Biblical’ (read) Judaic heritage.”¹⁴ In the words of Tikva Frymer-Kensky, we are aware on the one hand, that “Israel was neither the creator of patriarchy nor the worst perpetrator in the ancient world,...[and that] the patriarchy

¹⁰ Although Phyllis Trible was Protestant, she warranted an entry in the Jewish Woman’s Encyclopaedia. See: <https://jwa.org/encyclopedia/author/trible-phyllis>. Her article “Depatriarchalizing in Biblical Interpretation,” which originally appeared in *JAAR* XLI (1) in March 1973, was reprinted in Elizabeth Koltun, ed., *The Jewish Woman: New Perspectives* (New York: Schocken, 1976), 217-40. I believe that it is a key to understanding the third or “middle” approach that feminist Jews take. Her later work *Texts of Terror: Literary-Feminist Readings of Biblical Narratives* (Minneapolis: Fortress Press, 1984) did not attempt to “depatriarchalize” the Bible.

¹¹ Although I use the female gender to describe a feminist, I recognize that there are many Jewish male feminist Bible scholars out there, today more than in the past, since gender studies, feminism, masculinity, and even feminist masculinity have become popular and respectable areas of inquiry in academia.

¹² Rebecca Trachtenberg Alpert, “Sisterhood is Ecumenical: Bridging the Gap between Jewish and Christian Feminists,” *Response: A Contemporary Jewish Review* XIV: 2 (Spring 1984): 12.

¹³ Ilana Pardes, *Countertraditions in the Bible: A Feminist Approach* (Cambridge: Harvard University Press, 1992), 26-33. Mieke Bal, *Lethal Love: Feminist Literary Readings of Biblical Love Stories* (Bloomington: Indiana University Press, 1987). Cited by Alan Levenson, “Jewish Responses to Modern Biblical Criticism,” *Shofar* 12/3 (Spring 1994): 107.

¹⁴ Levenson, “Jewish Responses,” 109. This was a very real issue in the early days of Jewish feminism and unfortunately still is. See Susannah Heschel, “Anti-Judaism in Christian Feminist Theology,” *Tikkun* 5: 3 (1990): 25-8, 95-7 and Judith Plaskow, “Blaming the Jews for the Birth of Patriarchy,” in Evelyn Beck, ed., *Nice Jewish Girls: A Lesbian Anthology* (Watertown: Persephone Press, 1982), 250-4.

of Israel was part of an inherited social structure....nevertheless, we make a profound statement when we acknowledge that the Bible is patriarchal.”¹⁵

Feminism makes us suspect the authority of our texts, since we have been written out of the texts and we suspect that God was not necessarily speaking through those men who are responsible for a sexist type of Judaism. Yet the feminist Jew is very much in a relationship with Judaism—even if the relationship is acrimonious. She may be angry; she may be apologetic; but she strongly identifies with her Jewishness and wants to either change it or live with it (or both)—either in a state of conformity or rebellion. In other words, she has not written off her tradition. She may threaten the status quo; the establishment might view her as heretical—but she considers herself a member of the fold, even if there are attempts by the establishment to marginalize or silence her voice. She believes that by her efforts, and those of others, Judaism can (and should) be transformed. Our view of patriarchal Judaism is that if we look at it with fresh eyes (read feminist) we can change it. Most important of all, the feminist Jew “owns” her tradition and feels that she has a right to stretch its limits and will even point to those (males) in the tradition who did the same.

The relationship between feminism and Judaism can be described as one in which two different world views conflict. The feminist values relatedness, connection, togetherness, sisterhood whereas Judaism posits separation and holiness. The Jew is commanded to set himself apart from other nations in order to be holy. The rationale behind it is stated explicitly in Leviticus 19:2 “You shall be holy, for I, the Lord your God, am holy.” Holiness consists of both ritual purity and separation. To retain the chosen status, the nation is commanded, among other things, to separate itself from other gods (and goddesses), from idol worship, from foreigners (the gentiles), from forbidden foods, from women after childbirth and from menstruating women.

The Sabbath is a day which separates itself from the rest of the week and the Jew is commanded to observe this day, to set it apart and to engage in a totally different relationship to all of creation. Part of this change of mind-set includes restrictions on “weekday” behaviour. The *havdalah* ceremony which marks the end of the Sabbath, sanctions hierarchy and separation—it creates an “other-them” relationship. The priestly laws assume a patriarchy: God on top, the High Priest as intermediary (only he can go into the Holy of Holies to sacrifice), the lesser priests below, and still downwards, the Levites. Further down are the normal Israelites and below them are their wives and children.

To retain the chosen state, men are required to be circumcised, which separates them from the gentiles and of course from women, who are often seen as being ritually polluted or impure, i.e. the other. Part of the separation involves making boundaries, definitions—one group is inside, the patriarchy, the chosen, and then there is the other, the non-patriarchal. Those who are on the inside are in a hierarchical relationship; those on the outside have a more level relationship.

Thus, when a feminist approaches a Jewish text, and rejects the separation inherent in patriarchy, she threatens the traditional Jewish reading of the text. She comes to it bearing anti-hierarchical and anti-patriarchal biases. She notices gaps in the texts—those that leave women out; those that do not name women; those that misrepresent women or those that punish uppity women. She will challenge those who want to minimize the possibility of multiple meanings of text, of those who ignore the findings of source and form criticism, archaeology and linguistics.

She will want to read women back into the text, which misses a woman’s presence, when the traditional reading has not noticed her absence. She will uncover the texts of terror that have served as warnings to women to stay in their place: the acrimonious relationship of Abraham’s wives, Hagar and Sarah; the sibling rivalry between Sister Leah and Sister Rachel; the non-participation of Dinah in her rape; Jephthah’s nameless daughter; the sex sirens and temptresses: Delilah, Potiphar’s (nameless) wife; the story of the suspected adulteress (Sotah) and the most frightening story of what can happen to an unprotected woman in a lawless society (the concubine at Gibeah).¹⁶

¹⁵ Tikva Frymer-Kensky, “The Bible and Women’s Studies,” in Lynn Davidman and Shelly Tenenbaum, eds., *Feminist Perspectives on Jewish Studies* (New Haven: Yale University Press, 1994), 18.

¹⁶ Phyllis Trible, *Texts of Terror: Literary-Feminist Readings of Biblical Narratives* (Philadelphia: Fortress, 1984).

She will have noted that the people (and land and cities) of Israel are depicted with feminine metaphors—often uncomplimentary ones—and that they are all at the mercy of the ruling god who is sometimes depicted as an angry husband. She, or rather, in the case of my feminist colleague Mayer I. Gruber, he, will acknowledge that the message which prophets transmitted from on high in order to make this world a better place in which to live “can be hazardous for men and women” and that with the help of the ever-expanding discipline of Biblical Studies we can “see further beyond what the prophet/ess saw and thereby supply the antidote to some of the poison that the prophet may have mistaken for medicine.”¹⁷

We have seen that the relationship between feminism and Judaism has many points which can be described as points of conflict. It might seem that within these parameters, the relationship of the feminist to the Bible is hopeless. Is it possible to treat feminism and Judaism as capable of harbouring similar systems of value? If we look at the writings of feminist Jews, we find that they are unwilling to give up on Judaism; they try and point to similarities rather than emphasize differences. How do they (we) do it?

Perhaps the most obvious way is to take an apologetic, whitewashing approach. Rather than admit that there is something wrong with our tradition, we engage in comparison with other religions, seeing ours as less sexist than others, or look at historical context—contending that gender was not an issue for our forefathers.¹⁸ The danger of doing this is that it can lead to the acceptance of what is and encourage a lack of effort to make change. Hanna Stenström pointed this out early in her paper when she writes:

Work for change inside faith communities often relies on the conviction that the Bible and the Qur'an - or at least central parts of them - support the cause of women, if properly interpreted. Gender equality...is often understood by believing women to be anchored in the centre of the tradition, or in the work of the founder of the tradition. At the same time, the patriarchal traits are understood as secondary, for example as something brought in during the tradition of interpretation and use of the texts.

This is very clearly the case in the Christian tradition. In early forms, and even today in more popular forms of feminist interpretations of the New Testament and feminist Christian theologies, Jesus is understood as the friend of women, who treated women as equal with men and lived according to an ideal that was distorted by the Church during the centuries - in fact, the problems already begin after only a few decades, with Paul.¹⁹

But the problem with this approach is that it allows us to relax and not criticize our own tradition, something which is antithetical to the feminist.

Another approach is to ask “who owns the tradition?” What is authentic? What is inauthentic? Who decides? In this approach we take an anti-monolithic approach to text. Levenson calls this “pluriformity.”²⁰ There are majority and minority opinions. Both are preserved, not only in the Talmud, but in the Bible as well. There are more ways of reading the text than can be imagined and there is no one right way to relate to the sacred traditions. In fact, one can argue that the rabbinic tradition of interpretation was just continuing to make this point in its multiple reading of the Bible. The rabbis encourage us to read and reread the Bible: “Turn it and turn it again, for everything is in it.”²¹ This is the basis of a midrashic approach to text. Although midrash was mostly created by male rabbis, there is nothing to stop the modern writer and reader of the Bible from creating new midrash which re-examines

¹⁷ Mayer I. Gruber, “A Re-Evaluation of Hosea 1-2: Philology Informed by Life Experience,” in Ingrid Rosa Kitzberger, ed., *The Personal Voice in Biblical Interpretation* (London: Routledge, 1999), 173-4.

¹⁸ In my book *Silence is Deadly: Judaism Confronts Wifebeating* (Northvale: Jason Aronson, 1998), 157-70, I devote an entire section to Apologetics in Jewish sources. See Saul Berman, “The Status of Women in Halakhic Judaism,” in Elizabeth Koltun, ed., *The Jewish Woman* (New York: Schocken Books, 1976); Blu Greenberg, “Marriage in the Jewish Tradition,” *Journal of Ecumenical Studies* 22:1 (1985).

¹⁹ See her introduction to Hanna Stenström, ed., *Att tolka Bibeln och Koranen: Konflikt och förhandling* (Lund, Sweden: Studentlitteratur, 2009), 67-77 [Swedish]. The reference here is from the original paper which I was sent prior to the conference.

²⁰ Levenson, “Jewish Responses.”

²¹ Mishnah Avot 5:22. “*hafokh bah vahapekhi bah d'kholah bah*”

texts which may be unfavourable and unsafe for women and refashions, reinterprets and revises them. One can also uncover and recover women's stories and refocus the stories so that women take their proper and rightful places. This approach can harmonize the Bible and feminism because it views the Bible not in its fixed text but as "work in progress."

For example, we can look at similarities between Jewish experience and female experience and point to both groups being identified as an oppressed people. Just as the Jew was endangered by anti-Semitism and assimilation; so women are threatened by sexism and the need to conform to male values.²² In Rebecca Alpert's opinion, the "feminist priority has deep roots in Jewish tradition. The Torah, the prophets, and the authors of rabbinic Judaism all expressed concern about the conduct of human relationships and the need to incorporate people who were considered marginal, often referred to as 'the stranger, the widow, and the orphan.'" She sees as priorities the end to war, poverty, and reallocation of scarce resources and sees these goals as "rooted in Jewish values and Jewish sources."²³

Or we can model ourselves on the rabbinic approach to text which often presented the very biblical texts that dictate the hierarchy of priests and kings as texts which mandate learning and knowledge as keys to power. Although there may be some debate as to whether women should partake of the democratic pursuit of learning—the opening has always been there and it is up to women to grab the opportunity.²⁴ Part of the democratic preaching of the rabbis is the relationship to others which is often sympathetic—we should not do to others as we would despise being done to ourselves, a powerful message which can be translated to include women. The Jewish world claims that its purpose of being a chosen people is not to conquer but to engage in *Tikkun olam* (perfecting the world). This is totally compatible with feminism. One might also argue that we all share the same God and come from the same place. Finally, it is possible to look at certain constructs which on the surface seem to be inimical to equality and see them as being grounded in feminist concerns. We see examples of this in the work of two feminist theologians, Marcia Falk and Rachel Adler.

Marcia Falk has suggested the potential of Shabbat, which has separate categories of work and rest; and Kashrut, which separates milk from meat, to be originally anchored in a concern for humanity and the environment. She writes that "as feminist theory applies itself to Jewish culture, it need not argue against the maintenance of all ideas and practices that separate Jews from other peoples." She argues that not all "dualistic separations built into Jewish rituals" are necessarily harmful. She feels that we can choose what to keep, what to let fall by the wayside, what to re-create so that they "reflect our experiences as women and our values as feminist Jews."²⁵

Rachel Adler, in her watershed book, *Engendering Judaism*, refuses to be bogged down by the image of an abusive god. She says that if we pathologize God's violence, our options for response are narrowed. She feels that if we accept the metaphor of an abusing God then we are perpetuating distrust and the only thing to do is to reject such a God. This she finds intolerable since if we discredit the prophetic message we are also discrediting the ethics of social justice to be found in these texts. Instead she writes of a *bat kol*, a feminine voice that shapes the masculine voice of God and the prophets, revealing the interdependency of God and humanity. This interdependency leads the way to a better world which women and men build together.²⁶

Are there limits to new interpretations? At what point does interpretation become dangerous and no longer God's word? Is interpretation free of all restraints? It is interesting that in Mishnah Avot (3:11) the rabbis deny a place in the world to come to anyone who "interprets the Torah in a

²² This was argued by Aviva Cantor, an early feminist and one of the founders of *Lilith* the independent Jewish Feminist quarterly magazine in her book *Jewish Women/Jewish Men: The Legacy of Patriarchy in Jewish Life* (San Francisco: Harper San Francisco, 1995). See my "Review of Aviva Cantor's Jewish Women/Jewish Men," in *Bridges: A Journal for Jewish Feminists and Our Friends* 6/1 (November, 1996): 107-10.

²³ Rebecca Trachtenberg Alpert, "Sisterhood is Ecumenical: Bridging the Gap between Jewish and Christian Feminists," *Response: A Contemporary Jewish Review* 14/2 (Spring 1984): 12-3.

²⁴ R. Eliezer vs. Ben Azai on *tiltul* (see BT Sotah 20a).

²⁵ Marcia Falk, T. Drorah Setel, et al., "Roundtable: Feminist Reflections on Separation and Unity in Jewish Theology," *Journal of Feminist Studies* 2/1 (1986): 122-3.

²⁶ Rachel Adler, *Engendering Judaism: An Inclusive Theology and Ethics* (Philadelphia: Jewish Publication Society, 1998).

contemptuous way". I would argue that this exclusionary attitude stems from fear. Feminist Judaism is "dangerous". It is challenging, but it also opens doors. The feminist Jew is interested in being inclusive, not exclusive, and as such offers us new readings filled with hope, glimpses of God, and the opening up of interpretation to all.

To illustrate this, I have chosen to end this article by quoting part of a poem by my contemporary, the late Jewish feminist²⁷ Bible scholar, Tikva Frymer-Kensky:

*Not all women are mothers:
Some women cannot,
some will not,
and some never get the chance.
Biology is not destiny,
women are not nature,
women who do not mother are still women.
A woman who does not mother is not less than a man.*

*But—I am afraid to say this aloud:
A woman who gives birth is more.
Maybe only for that period from conception to birth,
a woman who gives birth is more.
Touched by sacred mission,
containing magic action,
channelling the destiny of all,
redoing creation,
and, maybe, even altering it.*

*I am afraid to say this aloud:
Perhaps I should shout it from rooftops.*

**WOMAN CAN BE MOTHER
MOTHER CAN BE CREATOR**

*But maybe it is enough to whisper it.
Powerful whisper,
secret sigh of a sacred society.
Soon I will be an ordinary person again,
with all the cares and joys of men and women,
working and loving and seeking God.
Now is my chance to feel myself touched by divinity,
tapped for a sacred role.
Now is my hour to add to the kingdom,
share in the power,
rejoice in the glory.
To partake for a moment in foreverness,
and spend a little eon in the One.²⁸*

²⁷ Both Tikva and I were born in 1943. We both attended the City College of New York and the Jewish Theological Seminary of America. I was in many Bible classes with her where she blossomed and learned ancient Sumerian languages. After becoming a well-known biblical scholar (Assyriologist), she became a feminist Jew when she had a "click moment" after being passed over for an academic position for which she was more qualified. This was told to me by her husband, Rabbi Allan Kensky when I visited him in Wilmette, Chicago, after her untimely death in 2006.

²⁸ Tikva Frymer-Kensky, *Motherprayer: The Pregnant Woman's Spiritual Companion* (New York: Riverhead Books, 1995), 84-5.

This excerpt is the end of a long poem in a chapter entitled “Midpassage”. It begins by tracing the lines of Tikva’s immediate family and goes back millennia to both biblical women and those from the ancient near east with whom she was so familiar. To me her book *Motherprayer: The Pregnant Woman’s Spiritual Companion* represents the completion of the full circle. Tikva began her career as a biblical scholar and was exposed to feminism. She became a Jewish feminist in her later writings.²⁹ I believe that from the 90s she realized that the personal is indeed political and that at this juncture she became a committed feminist Jewish Bible scholar.

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²⁹ From the 90s through to her untimely death, Tikva Frymer-Kensky published several books: In 1992, *In the Wake of the Goddesses: Women, Culture, and the Biblical Transformation of Pagan Myth* (New York: Macmillan Free Press). In 1995, *Motherprayer*. In 2002, *Reading the Women of the Bible: A New Interpretation of Their Stories* (New York: Schocken Books). In 2006 *Studies in Bible and Feminist Criticism* (Philadelphia: Jewish Publication Society). Her commentary on the book of Ruth came out after she died. She wrote it together with Tamara Cohn Eskenazi in 2011. *Ruth: The Traditional Hebrew Text with the New JPS Translation. JPS Bible Commentary* (Philadelphia: Jewish Publication Society).

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LAUGHING IN THE FACE OF PATRIARCHY: *GENESIS RABBAH* 17

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ABSTRACT: This paper argues that parashah 17 of *Genesis Rabbah* 17, which interprets the biblical story of the creation of woman from the rib, is a carefully edited text, which tackles not only the origins of humankind but also of misogyny. It shows that its structure develops from praise of women, to parodies on women haters and hatred, using what Bakhtin referred to as carnivalesque forms of humour. It also reflects on the reasons humour has not been pointed at by previous scholars.

To Ran

In the past two decades, after the Bible and even the Zohar started showing us their laughing faces, the realization that 'our rabbis, may their memory be blessed' might have had a rather creative sense of humour, has begun to spread.¹ Jokes, anecdotes, and even parodies of both the Hebrew Bible and the New Testament were identified. Suddenly the Babylonian rabbis could mock the Palestinian rabbis, Jews could mock Christians, the old Israelites the men of Sodom, and in moments of special divine grace some rabbis were even willing to enjoy a good laugh at the expense of their own learning and meaning-making mechanisms.² But even those who saw the laughing face of the rabbis (mostly Babylonian rabbis) did not find it in their hearts to include misogyny or patriarchy as objects of mockery, or even self-reflection in rabbinic literature.³ But what if this is a mistake? Where would such a text appear? What would it look like? Would we be able to see it?

The attempt that I wish to make here is to take a text that has been interpreted as the rabbinic 'heart of darkness' when it comes to women,⁴ the last part of parashah 17 of *Genesis Rabbah*, and suggest that it could be our own 'horizon of expectations' that blinds us from seeing the complex forms of cultural production that appear in it, and its comic, ironic, even satirical aspects.

To achieve this, I will first address the nature of the editing of *Genesis Rabbah*, then theoretical issues, and only then will I turn to a (very) close reading of *Genesis Rabbah* 17.⁵

As Boyarin has already invested some 400 pages in showing the relevance of the serio-comic to talmudic culture, I have no need to repeat his argument.⁶ However, to read an ancient text as comic,

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¹ Ruth Kara-Ivanov Kaniel, "Seed That Comes From Another Place: The Metamorphosis of the Story of Lot's Daughters," *Jerusalem Studies in Jewish Thought* 22 (2011): 91-119.

² Arkadi Kovelman, "Farce in the Talmud," *Review of Rabbinical Judaism* 5:1 (2002): 86-92; Don Waisanen, Hershey Friedman, and Linda Friedman, "What's So Funny about Arguing with God? A Case for Playful Argumentation from Jewish Literature," *Argumentation* 29/1 (2015): 57-80; Chaim W. Reines, "Laughter in Biblical and Rabbinic Literature," *Judaism* 21 (1972): 176-83; Leonard J. Greenspoon, *Jews and Humor* (West Lafayette: Purdue University Press, 2011); Holger Michael Zellentin, *Rabbinic Parodies of Jewish and Christian Literature* (Tübingen: Mohr Siebeck, 2011); Jakob Jönsson, *Humour and Irony in the New Testament: Illuminated by Parallels in Talmud and Midrash, with a Foreword by Krister Stenlund, and an Epilogue* (Leiden: Brill, 1985); Dina Stein, "Let the 'people' Go?" *Prooftexts* 29/2 (2009): 206-41; Rella Kushelevsky, "The Function of Humor in Three Versions of the Theme Rabbi Joshua Ben Levi and the Angel of Death," *Jerusalem Studies in Jewish Folklore* 19-20 (1998): 329-44 [Hebrew]; Erich S. Gruen, *Heritage and Hellenism: The Rejuvenation of Jewish Tradition* (Berkeley; London: University of California Press, 1998); Daniel Boyarin, *Socrates and the Fat Rabbis* (Chicago: University of Chicago Press, 2009).

³ Atalia Brener, *Are We Amused? Humour about Women in the Biblical Worlds* (London; New York: T&T Clark/Continuum, 2003); Conrad Hyers, *And God Created Laughter: The Bible as Divine Comedy* (Atlanta: Westminster John Knox Press, 1987); Melissa A. Jackson, *Comedy and Feminist Interpretation of the Hebrew Bible: A Subversive Collaboration* (Oxford: Oxford University Press, 2012). Levinson did it in order to show how a story in *Leviticus Rabbah* undermines both biblical and rabbinic norms, and even the patriarchal structure itself - but only when its subjects are all men: Joshua Levinson, "Upside Down World: The Story of the Drunk and His Sons," *Jerusalem Studies in Hebrew Literature* 14 (1993): 7-29 [Hebrew].

⁴ Daniel Boyarin, *Carnal Israel: Reading Sex in Talmudic Culture* (Berkeley; Oxford: University of California Press, 1995), 88-90; Judith Baskin, *Midrashic Women: Formations of the Feminine in Rabbinic Literature* (Hanover; London: University of New England for Brandeis University Press, 2002), 66-9.

⁵ Mostly based on MS London (but while keeping an eye on other manuscripts), and on comparisons to other rabbinic and non-rabbinic texts.

⁶ Boyarin, *Socrates*.

or even to be able to spot what is funny in it, is a very complicated and dangerous endeavour, as Goldhill and others have noticed. We sometimes lose the exact meaning of some ancient slang word, a cultural context, a bodily gesture. We are not sure when a joke is really made, or that we are not laughing in all the wrong places.⁷ On top of this, as Tal Ilan notices, the Palestinian sources are often regarded (perhaps unjustly) as humourless.⁸ How can we still make suggestions, then, that something is indeed funny, or that someone intended something to be strange, absurd, comic?

The answers may be found in the ancient texts themselves. Some humour does travel and translates well. This is the kind of humour that is based on exaggerations, word games, repetitions and other forms of attracting attention to the gap between ‘the text’ and ‘the world’.

But in order to spot such textual features, we must assume that they were the work of someone; that an author (implied or real, anonymous or named, one or many) toiled to create them. In our case we must read a parashah in *Genesis Rabbah* as a unit, and assume that a very involved and creative editor takes the place of the ‘author’.

Before I examine the nature of authorship and the comic in *Genesis Rabbah*, I would like to explain how this is a feminist study of Midrash. Reading this parashah of *Genesis Rabbah* as comic or rather serio-comic, risks running into one of the biggest aporiae in the field of feminist studies in rabbinic literature. Put very briefly, to argue that rabbinic literature and culture is androcentric and, at times, misogynistic/chauvinistic wins women scholars the crown of being outdated and trivial.⁹ To argue that this view is not monolithic and, by comparison, not so bad is deemed to be apologetic.¹⁰ To speak of ‘the body’ and ‘identity’¹¹ is to forget that the female body was the one subdued by the male body, and that questions of identity were a male privilege in antiquity. How, then, can one still write from a feminist perspective? I suggest laughing our way out of this dead end. Assuming that the editor of parashah 17 had a sense of humour does not make him a feminist, or a chauvinist. It does make him, regardless of his ‘sins’, the first to cast a stone out of the rabbinic glass house. Parashah 17 of *Genesis Rabbah* uses the comic, or rather the serio-comic for a moment of self-reflection, in which the discourse about women is offered for reappraisal.

Editorial issues: the death of the author and the revival of the editor

For most of the twentieth century, the consensus was that the editor of *Genesis Rabbah* was mainly a collector. The exegetical nature of *Genesis Rabbah*, following closely the biblical verses in sequence, and the fact that at times different drashot on the same verse appeared one after the other, supported this. *Genesis Rabbah* was envisioned a little bit like ‘Torah Shlema’,¹² an encyclopaedia for rabbinic interpretation of Genesis until the fifth century. However, scholars of midrash noticed quite early the importance of the anonymous editor of aggadic material. Heinemann set the tone for thinking of the editor of the slightly later hermeneutical Midrash, *Leviticus Rabbah*, as sophisticated and masterful, while

⁷ Simon Goldhill, “Good, Dirty Fun,” *Times Literary Supplement* August 31, 2016; Mary Beard, *Laughter in Ancient Rome: On Joking, Tickling, and Cracking Up* (Berkeley: University of California Press, 2014).

⁸ Tal Ilan, “The Joke in Rabbinic Literature: Home-born or Diaspora Humor?,” in Georges Tamer, ed., *Humor in Arabic Culture* (Berlin: De Gruyter 2009), 57-75. Boyarin also seems to focus his discussions of humor mainly on the Babylonian Talmud in his *Socrates and the Fat Rabbis*.

⁹ Ishay Rosen-Zvi’s attempt to teach Baskin feminism is a good example: Ishay Rosen Zvi, “Misogyny and its Discontent,” review of Judith Baskin, *Midrashic Women: Formations of the Feminine in Rabbinic Literature*, *Prooftexts* 20 (2005): 221.

¹⁰ See Boyarin’s discussion in Boyarin, *Carnal Israel*, 20.

¹¹ On this trend and of this trend, see Ishay Rosen-Zvi “The Rise and Fall of Rabbinic Masculinity,” *Jewish Studies, an Internet Journal [JSIJ]* 12 (2013): 1-22; Charlotte Fonrobert, “Regulating the Human Body: Rabbinic Legal Discourse and the Making of Jewish Gender,” in Charlotte Fonrobert and Martin Jaffee, eds., *The Cambridge Companion to the Talmud and Rabbinic Literature* (Cambridge: Cambridge University Press, 2007), 270-73 and many others.

¹² Menachem Mendel Kasher, *Humash Torah shelema: ve-hu ha-Torah shebi-khetav ‘im be’ur “Torah shebe-‘al peh”* (Jerusalem: Noam Aharon, 1994) [Hebrew].

assuming that the editor(s) of *Genesis Rabbah* were not quite as involved and in control of their texts.¹³ However, in the late 1980s a different voice was heard: that of *Genesis Rabbah* scholar Ofra Meir.¹⁴ In her many readings of *Genesis Rabbah* she often noticed the skilful hand of an editor, and described some of his (or their) techniques. Slowly, a recognition that at least some of *Genesis Rabbah*'s parashot were carefully edited and structured, and that its editors were far more than collectors, started to spread. In the early 1990s Philip Alexander remarked, while reading a whole parashah as a close unit: "The fact that the text is built up from small, essentially self-contained units, does not mean that it can only be read atomistically. The units, wherever their origin, have been marshalled in a highly skilful way in order to create a sustainable discourse on a limited repertory of theological themes."¹⁵ The final nails in the coffin of the no/low editing theory at least for some of the parashot of *Genesis Rabbah*, were driven in by Melikovsky and Kahana. Melikovsky argued fiercely that the first and the last parashot in *Genesis Rabbah* are by no means open-ended or half-edited, and made the case against comparing its editing to that of the Yerushalmi.¹⁶ Kahana called the editor of parashat 'Bereshit Bara' no less than a master-pedagogue as he showed how the whole of the parashah is structured around the number six, and clearly sided with Meir.¹⁷

To link their works to my argument, I believe that the editor of *Genesis Rabbah* 17 may have collected his materials from multiple sources, and that each drasha in it may still stand alone. But the parashah, the work of the editor, holds a different meaning, crafted carefully to create a whole, which is bigger than the sum of its parts. The editor, in other words, is its author. In *Socrates and the Fat Rabbis*, Boyarin labours to show the structural parallels between Plato as the redactor of Socratic dialogues and the editors of the Babylonian Talmud Suggiyot. I wish to stress that some of his insights about the redactors of the Bavli hold true to other rabbinic texts, and in particular to this parashah in *Genesis Rabbah*. To mimic Boyarin's claims about the Bavli, we can argue that the parashah in *Genesis Rabbah* is also based on the existence of what Goldhill calls 'a clamping principle'¹⁸ – an anonymous voice that makes a text into a discourse. This 'transparent', anonymous being holds immense power, as it is his consciousness that shapes the text that we read. The text, as Barthes argues, '... is a tissue of quotations drawn from the innumerable centres of culture' and 'the writer can only imitate a gesture that is always anterior, never original. His only power is to mix writings, to counter the ones with others, in such a way as never to rest on any one of them.'¹⁹ The editor is a dead author, in a Barthesian sense. Nothing or almost nothing of what this author has to say is his own original thought. Nevertheless, the structure he builds is his unique work of art. Boyarin sees this as 'precisely the stance of the subject-position of the *stamma*' – the anonymous author of the Talmud.²⁰ He defines this *stamma* as a token or a type animating all narrative discourse, a type of 'implied author'.²¹ I believe the editor of the midrashic parashah functions in the same way. Indeed, one of the criticisms brought against Boyarin's book was that the same type of

¹³ Joseph Heinemann, "The Structure and Division of Genesis Rabba," in H. Z. Hirschberg et al., eds., *Jubilee Volume for Hayyim Moshe Shapira* (Ramat Gan: Bar-Ilan University Press, 1972), 279-89 [Hebrew]; Joseph Heinemann, "Profile of a Midrash: The Art of Composition in Leviticus Rabba," *Journal of the American Academy of Religion* 39 (1971): 141-50.

¹⁴ Ofra Meir, "A Garden in Eden: On the Redaction of "Genesis Rabba,"" *Dappim: Research in Literature* 6/5 (1989): 309-30 [Hebrew]; Ofra Meir, "Ekron ha'haluka leparashot b'bereshit Rabba," *Proceedings of the Tenth World Congress of Jewish Studies* 3/1 (2000): 101-8; Meir, 'Ma'ase ha'arikha bebereshit rabba ub'vayikra rabba,' *Teuda* 11 (1996): 61-90.

¹⁵ Philip Alexander, "Pre-Emptive Exegesis: Genesis Rabba's Reading of the Story of Creation," *Journal of Jewish Studies* 43/3 (1992): 233-4.

¹⁶ Chaim Milikovsky, "On the Formation and Transmission of Bereshit Rabba and the Yerushalmi: Questions of Redaction, Text-Criticism and Literary Relationships," *The Jewish Quarterly Review* 92/3-4 (2002): 521-67.

¹⁷ Menachem Kahana, "Shes mishzar: Le'Sidura shel parashat 'Bereshit Bara' be'midrash Bereshit Rabbah," in Joshua Levinson, Jacob Elbaum, Galit Hasn-Rokem, eds., *Higayon L'Yona: New Aspects in the Study of Midrash, Aggadah and Piyyut In Honor of Professor Yona Fraenkel* (Jerusalem: Magnes, 2007), 370-1.

¹⁸ Simon Goldhill, "Becoming Greek, with Lucian," in *Who Needs Greek? Contests in Cultural History of Hellenism* (New York: Cambridge University Press, 2002), 60-107.

¹⁹ Roland Barthes, "The Death of the Author," in William Irwin, ed., *The Death and Resurrection of the Author? Contributions in Philosophy* 83 (Westport, Conn.: Greenwood Press, 2002), 6. As quoted by Boyarin, *Socrates*, 203.

²⁰ Boyarin, *Socrates*, 203.

²¹ *Ibid.*, 204.

implied authorship, which brings into dialogue elements that seemingly do not belong together, exists throughout rabbinic literature, not only in the Babylonian Talmud.²²

Laughter, a serious matter

Now that we have established the editor of parashah 17 as an author, we must turn to his literary devices; those techniques that I argue enable us to discern what is serious, what is comic, and what is serio-comic. My theory of laughter here is always based on Bakhtin's concept of double-voiced speech. Double-voiced speech is the term Bakhtin uses to define a discourse that holds two sometimes conflicting voices together. The fact that one utterance can say a thing and its opposite at the same time is the heart of parody²³ as much as it is the heart of the serio-comic, and the satiric mode.²⁴ The laughter that belongs to the realm of the carnival may be less refined, but is still part of this type of discourse. While the laughter in the carnival is a violent form of destruction (i.e. monological in nature) its goal is regeneration, not death. Put differently, in the very act of (verbal) destruction, a second, reviving and renewing voice is heard.²⁵ The carnival itself, therefore, is a double-voiced speech, a parody.

But whose voices are these? The midrashic text displays two levels of what Bakhtin called passive double-voiced speech:²⁶ one in the words of the 'smaller units' collected, and another in the expression through the act of editing of the midrashic editor/redactor of the parashah. At each point, both the utterance and the sequence may be double-voiced. It is our task to discern whose consciousness is leading the discussion: the unit's or the editor's. It may sound complicated, but thankfully Classics scholarship has already solved some of the problems, by separating Socratic and Platonic irony. Charles L. Griswold writes: 'Socratic [irony] is communicated within the context of the dialogue, a context which is (fictionally) oral rather than written,' a statement which easily transfers to midrash. He continues: 'On both the Socratic and Platonic levels of irony a doubling of meaning occurs Irony may be a way of speaking (or writing) which is meant to point to what is not spoken (or written)'.²⁷ He goes on: 'In the context of the Platonic dialogues, irony does not necessarily come to meaning the *opposite* of what one is saying. Nor should we infer that irony is, at least in Plato, the expression of something that is false...What makes Socratic irony in particular so complicated is that the statements in question are in different ways both false and true.'²⁸ This special feature, the statement that may be regarded as both false and true, is key to my reading of *Genesis Rabbah*.²⁹ But before we continue to the reading of the parashah, Platonic irony should be defined. Griswold defines it by those signs in the text that imply that, even if Plato is not represented in the dialogue as a character, he still functions in it. This could be done through the description of gestures, non-verbal acts of the characters, the title of the dialogue and so forth. The three strongest and most helpful markers, however, are Plato's putting of the same arguments into the mouths of different characters (repetition), his very choice of characters, and the presentation of the dialogue as being either narrated or performed.³⁰ As we shall see, those last three markers of Platonic irony are scattered across *Genesis Rabbah* 17.

²² Reuven Kiperwasser, review of Daniel Boyarin, *Socrates and the Fat Rabbis*, *Jewish History* 25/3/4 (2011): 382.

²³ Mikhail Bakhtin, *Problems of Dostoevsky's Poetics*, trans. Caryl Emerson (Minneapolis and London: University of Minnesota Press, 1984), 192-4.

²⁴ Boyarin, *Socrates*, 235-6.

²⁵ Mikhail Bakhtin, *Rabelais and his World*, trans. Helene Iswolsky (Bloomington: Indiana University Press, 1984), 11.

²⁶ Bakhtin, *Problems*, 192-4.

²⁷ Charles L. Griswold, "Irony in the Platonic Dialogues," *Philosophy and Literature* 26 (2002): 88.

²⁸ Griswold, 'Irony,' 88-9.

²⁹ This can be taken as an equivalent to Boyarin's definition of the serio-comic: the ability to be serious and comic at the same time without pretending that there is harmony between the two.

³⁰ Griswold, "Irony", 96-8.

The past of an illusion:

Parashah 17 of *Bereshit Rabbah* comments only on Genesis 2:18-21,³¹ from God's decision that it is not good for man to be alone, until God's taking of Adam's rib.³² It wanders, however, quite freely in the trails of the first three chapters of Genesis, and is as much about the creation of men as it is about the creation of women, as we shall soon see.

The second creation story in Genesis 2-3, which begins with God's observation that it is not good for man to be alone, has served many patriarchal and misogynist religious theories of women. Some of the most venomous appeared quite early (Philo, *Questiones in Genesis* 1:25-58; *De Opificio Mundi* 151-179; *Sirach*, 25:21-25). 1 Timothy 2:11-15 was not far from Jewish Hellenistic thought when it interpreted Genesis 2 like this: "Let a woman (wife) learn in silence with full submission. I permit no woman (wife) to teach or to have authority over a man (her husband); she is to keep silent. For Adam was formed first, then Eve; and Adam was not deceived, but the woman was deceived and became a transgressor. Yet she will be saved through childbearing, provided they continue in faith and love and holiness, with modesty."³³ This interpretation of Genesis still has some strongholds in both modern Jewish and Christian communities, and is perhaps an epitome of the twisted logic of misogyny. After all, if those who were created first should rule those created last, it is the insects and vermin that should have inherited the earth. And let us not forget that Adam might have still peacefully roamed Eden, had he not also been deceived.

As decades of feminist interpretations of Genesis have shown, there is nothing in the second chapter of Genesis to stop someone who wants to interpret it along different lines.³⁴ While there is no doubt that the Bible reflects patriarchy and patriarchal values, it is still a rather serious leap to see it as misogynistic. The many, many interpreters that read it as a text that testifies to women's inferiority have imposed their own ideology onto the text. Some men of old, who heard and read these texts never failed to see in their self-serving interpretations a manifestation of divine inspiration, and some modern men, a manifestation of superior interpretative skills.³⁵ But let us read without their ghosts, before we fall under their spell again.

Setting the tone: was woman an afterthought? Are women good or evil?

Genesis Rabbah 17, the parashah that deals with the creation of woman, opens with a straightforward attack on Paul and all those who believe that the second creation narrative, in which God made woman out of the rib of man, was a sign of the inferiority not only of the first woman, but of womankind:

We have learned in the Mishnah, by ten acts of speech was the world made [Mishnah Avot 5:1]. And those are: 'In the beginning God Created' (Gen. 1:1). 'And the spirit of God hovered' (Gen. 1:2). 'And God said, let there be light' (Gen. 1:3). 'And God said, let there be a firmament' (Gen. 1:6). 'And God said, let the water

³¹ Thus making the principle of dividing into parashot in Genesis Rabba according to opened and closed ones in the Bible, or according to the Palestinian tri-annual cycle of reading the Torah irrelevant. See Kahana, "Shesh," 368-9, and the literature mentioned there.

³² It is interesting to note that despite the alleged 'encyclopedic nature' of the midrash and its offering of exegesis on all the verses of Genesis in sequence, verse 17 of Chapter 2, the one which warns Adam not to eat from the tree of knowledge is not commented upon at all. It is also worth mentioning that the parashah indeed begins by commenting on Genesis 1, hardly keeping in sequence. This parashah indeed has a theme, much like those of *Leviticus Rabbah*.

³³ All English translations of the New Testament in this article are in agreement with NRSV.

³⁴ The women and men who wrote about the second creation story from different feminist perspectives are too many to be able to mention them all - from Elizabeth Cady Stanton, Simon de Beauvoir, Kate Millet, Esther Fuchs, Mieke Bal (all mentioned and survived by Ilana Pardes, *Countertraditions in the Bible* (Cambridge and London: Harvard University Press, 1993), 13-38), to Phyllis Tribel, Carol Mayers, Susan Lanser, David Clines, Phyllis Bird, David Jobling and others referred to in Danna Nolan Fewell, "Reading the Bible Ideologically: Feminist Criticism," in Steven L. McKenzie and Stephen R. Haynes, eds., *To Each Its Own Meaning: An Introduction to Biblical Criticisms and Their Application* (Louisville: Westminster John Knox Press, 1999), 268-82.

³⁵ Phyllis Tribel, *God and the Rhetoric of Sexuality* (London: SCM, 1978).

gather together' (Gen. 1:9). 'And God said, let the earth bring forth grass' (Gen. 1:11). 'And God said, let there be lights' (Gen. 1:14). 'And God said, Let the water swarm' (Gen. 1:20). 'And God said, Let the earth bring forth' (Gen. 1:24). 'And God said, Let us make man' (Gen. 1:26). Menahem ben Rabbi Yose removes the verse 'and the spirit of God hovered over the face of the water' (Gen. 1:12) and replaces it with 'and God said it is not good for man to be alone' (Gen. 2:18). Said Rabbi Jacob bar Qirshai, a separate speech act was assigned to the spirit by itself.

Opening the parashah on the creation of the two sexes with the inclusion of womankind in the original divine ten sayings by which God created the world, i.e., in His original plan, is highly significant. The creation of woman and womankind was not an afterthought, nor a desideratum of the creation of the human male. Women were created equal. Even the words of bar Qirshai do not negate this, as he may as well have included the creation of womankind in the saying 'let us make man'.³⁶

The parashah continues with an identification of women with blessing, joy, life, help, atonement, and while it does acknowledge the fact that some women may be bad and some marriages unhappy, this is not generalized in any way. The parashah also provides a unique explanation for the posteriority of the creation of Eve in Genesis 2. 'And why didn't He create her for him to begin with? The Holy One, Blessed be He, foresaw that he (man) would complain about her,³⁷ hence He did not create her until he specifically asked for it with his own mouth' (17:4). To paraphrase, God foresaw misogyny, and hoped He could nip it in the bud. The scenario dreaded by the divine mind soon unfolds in the biblical text, when Adam rushes to blame both the woman and God for his own eating of the forbidden fruit: 'The woman whom **you** gave to be with me, **she** gave me fruit from the tree, and I ate' (Gen 3,12). Unfortunately, the divine counterargument: 'you asked for it' does not silence Adam, or other like-minded men, for all eternity. Nevertheless, the midrash saw fit to note or rather invent this divine attempt to stop men from blaming women for their actions, and defining them as equals.³⁸

Thus, the tone of the parashah is set: first, we witness that women were created equal, as part of the original plan. Second, a link between the creation of Eve and all womankind is formed. Third, the words 'ezer kenegdo' are interpreted in line with Biblical Hebrew to mean 'with him', and thus all the blessings of man are portrayed as whole only with 'her'. Fourth, we learn that the blessing is meant to be universal, for those less fortunate whose blessing turned into a curse, a way to undo the curse and find blessing is offered - in the form of a divorce bill.³⁹ There is no hint here of a misogynist reading of the verses, or of women's inferiority. It is important to bear this in mind, if we assume that the parashah is carefully edited. While tones may change, first impressions are important.

The Carnival of the Creation of the Second Man

The next sign of the *parashah*, which follows almost immediately, starts with a series of interpretations of the verse which launched a thousand poisoned pens: 'and he took one of his ribs and closed up the flesh instead thereof' (Gen. 2:21).⁴⁰

³⁶ Which is made possible as in Gen. 1-3 the same word, 'man', '*Adam*', denotes both the male human and the human race.

³⁷ The Hebrew here, 'likro tigar' is hard to translate. It may as well be translated as to cry out that God is not treating him fairly because of her; to defy her; to blame her/play her prosecutor.

³⁸ This understanding of men as people who, instead of looking inwards and looking for their own bad behaviour, blame women for everything, is repeated in another interpretation of this verse both in *Pesiqta de Rab Kahana* Vatomer Zion 17:3 and in *Lam. Rabbah* 3:39 (Buber).

³⁹ The fact the rabbi Yose of Galilee supports his former wife even after their divorce might testify not only to his goodness of heart, but also to the fact that she was his niece to begin with. Hence, that her being "his flesh" in the verse quoted, "and that you do not hide yourself from your own flesh" (Isaiah 58:7) is due to her being his relative, not his (ex-) wife.

⁴⁰ Since NRSV here chooses a translation which does not reflect the ambivalence of the Hebrew, I followed in this case King James (KJV). On this verse's role in defining marriage in Christianity see: Elizabeth A. Clark, "Dissuading from Marriage: Jerome and the Asceticization of Satire," in Warren S. Smith, ed., *Satiric Advice on Women and Marriage: From Plautus to Chaucer* (Ann Arbor: University of Michigan Press, 2005), 170-2.

The very bodily aspect of this verse, which stands in opposition to the swift, tidy creation by speech acts, marks the beginning of the parashah's movement from the serious to the comic and back. How exactly is a whole woman made out of one rib? And what are the consequences? Those two questions have been asked time and again from this point onwards.

At first sight there's nothing comic about the interpretation of the verses to come. It is only when their structure becomes evident, that we can see the tension between form and content, between the serious and the comic. This is manifested in the dialogue not only of the interlocutors, but also in the voice of the text, or rather its double voice. As we have learned from Griswold, the hand of the editor (Plato in his case), and Platonic irony materialize, among other means, by repetitions and choice of character. The next longer textual unit in our parashah is an editorial tour de force, as it offers us multiple mini-structures of doubling, repetitions, and odd choices of rabbinic interlocutors.

Rabbi **Shmuel** bar Nachmani said: one of his sides, in line with the verse: "And for the second side of the tabernacle on the north side" (Exodus 26:20).

And Shmuel said: He took one rib from each pair, as it does not say 'and closed up the flesh instead of it', but 'instead of them'. (Gen. 2:21)

Rabbi Haninah son of R. Adda said: from the beginning of the book to this passage the letter S (Samech) is not written. But as the woman was created, Satan was created with her. And if someone should say to you: 'that *is* it which compasseth' (Gen. 2:11), tell him that this verse speaks of rivers.

And closed up the flesh instead thereof (Gen. 2:21)

R. Haninah bar Yitshak said: He made an adornment to his bottom, so he should not be disgraced as a beast is.

Rabin said: there was a dispute between **Rabbi Yanai** and **Rabbi Yanai**. One said: He made him a lock and a footstool protecting it, so he would not suffer when he sits down.

And the other said: He made him cushions.

Rabbi Illa and **Rabbi Immi** [had a dispute about the same verse]:

One said: He provided burial for him.

The other said: He provided him with shrouds.

The first unit starts with a representation of a dialogue between two interlocutors, oddly carrying the same name, Shmuel. The two are rather easily identified. The first is a second/third-generation Palestinian *amora*, Shmuel bar Nahmani, and the second may be one of three other possible Shmuels.⁴¹ They argue not only over the meaning of the word *zela*, rib, but on the nature of the operation God performs on the primordial human. According to the first Shmuel, who interprets rib to mean side (on the basis of a proof-text from Exodus, and the midrashic technique of *Gezera Shava*), we are witnessing something in the realm of the separation of the first human created in Genesis 1 and attested in *Genesis Rabbah* 8 as double faced: διπρόσωπος,⁴² i.e. as the Platonic androgynous.⁴³ According to the other Shmuel, God took ribs from both sides of Adam's body, or from between each pair of his ribs, i.e. indeed creates Eve from the bones and flesh of a normal human being, who was created man and male.⁴⁴

⁴¹ Shmuel, known from the Bavli, left Palestine in the early third century, but may still have been quoted. Shmuel bar Natan is contemporary and R. Shmuel bar Immi is a bit younger (fourth generation). The name of both Shmuels, in any case, is stable in all the manuscripts of *Genesis Rabbah* (apart from MS Munich, which has "bar Nahman" instead of "bar Nahmani").

⁴² Plato, *Symposium*, 189d-189e. This is a repetition of a tradition quoted in *Gen. Rab.* 8: 'R. Shmuel bar Nachman said: when God created the first human, he created it double faced, and he sawed it [in half], one back here and one back there. They argued against him: 'and he took one of his ribs (Gen 2:21), and he said: from his side, as it is said: "And for the second side of the tabernacle צלע המשכן (Ex. 26:20)."

⁴³ I use here the term androgynous as in Plato's *Symposium* and not as the norm in rabbinic literature (i.e. a real person born with both male and female genitalia, hermaphrodite), because this is precisely the creature that Plato describes.

⁴⁴ A similar argument as to the understanding of the mechanics of creation appears in BT Berakhot 61a, and discussed by Rachel Salmon and Gerda Elata-Alster, "Retracting a Writerly Text: In the Footsteps of a Midrashic Sequence on the Creation of Male and Female," in Ann Loades and Michael McLain, eds., *Hermeneutics, the Bible and Literary Criticism* (London: Macmillan, 1992), 190-3.

While this argument may still have grave implications, and look serious enough, the next midrash, that of Rabbi Haninah, plays a variation on the same theme, this time more explicit, wicked, and funny. Rabbi Haninah argues that the letter *samekh*, 'ס 'appears for the first time in the Bible in this verse (in the word ויסגר, 'and He closed'), which signifies the creation of Satan alongside woman, as his name begins with the sound 's'. This highly misogynist *midrash of letters* is revealed as a bit dubious even before it is directly contested in the text. In Rabbinic Hebrew the letters 'sin' and 'samekh' are homophones but not homographs. Satan indeed starts with the sound S, but not with the letter *samekh*, making Haninah's little pun into no more than just that.⁴⁵ In a culture that learns a mountain of laws from every dot in the Bible, this play with kri and ktiv is extraordinary. While there are many cases in which the rabbis suggest reading aloud (kri) which is different from the letter, this is a unique case when we are called both to notice the difference and to make nothing of it. The objection which the text itself brings against this drasha completely ridicules it. It shows that both the letter samekh, and the sound S, indeed appear before the creation from the rib, in a verse which refers to one of the rivers of paradise. The answer that one must give to such a 'doubting Thomas' is quite lame. It argues that the verse speaks about rivers, not humans or animated beings, and is therefore irrelevant. The refutation is weakened by *Genesis Rabbah* itself, in a passage quoting the same R. Shmuel Bar Nahmani and Hanina, which ascribes the creation of hell, dispute, and all things bad to the second day of creation, ironically, the day in which water was created (*Gen. Rab. 4:7*). Traces of Socratic irony, at once stating a thing and its opposite, at once false and true, are starting to emerge, alongside markers of Platonic irony, like drawing attention to the gap between the oral and written elements of the text.⁴⁶

The next unit focuses our attention on the process of interpretation, and the place of ideology within it. Arguments, such as those which appear in *Leviticus Rabbah* 14:1,⁴⁷ that the last to be created is the least important, or that woman was not part of 'the original plan of creation', are based on the secondary creation of woman from man's already divinely created body. But those arguments seem to forget that Adam's final form was not actually determined until the creation of woman – his very own body changed.⁴⁸ This little fact, however, does not escape R. Haninah, who seems to be in dispute with the other Rabbi Haninah (just mentioned) over the nature of women.

Haninah number two⁴⁹ finds no difficulty in assuming that not only the shape of the female but also of the male body was not determined before the rib was taken from it. The creation of the human body as we know it was handcrafted by God, not only spoken by Him. God sculpts this new body into its perfect two forms. But what was this fundamental, even revolutionary change to the human body, the alteration that made us all who we are today? Excuse me if I bring up the serio-comic again, when I remind you that according to Haninah, it was no more and no less than the creation of the arse, our behinds, or 'the adornment of the bottom', in the language of Midrash. But this is no joke. If we accept the assumption of the first Shmuel, that God separated the two parts of the androgynous, which was attached at the back, as we learn from Plato's symposium, the creation of the arse is indeed necessary. If we accept the second Shmuel as the spiritual father of the second Haninah, then the completion not of the human body, but of the male body follows that of the creation of Eve, i.e. man and not woman was the last to be created, as an afterthought of an afterthought, if you will.

A ridiculing of both midrashic and misogynistic logic is starting to crystalize/take shape, when a third pair in a row of rabbis carrying the same name appears, disputing the exact nature and form of

⁴⁵ It is nice to see how this Midrash gives itself away, whether it is orally performed or silently read. In case of its oral performance, one would have to choose between naming the letter Samekh or Sin, and in case of a read text – whether to write one or the other. In both cases the audience feels the inconsistency.

⁴⁶ Griswold, "Irony," 95.

⁴⁷ This idea may also be found in Tanhuma Aharei Mot 9 (Joshua's dispute with the Sun) and *Ex. Rab.* 21:6 (Moses and the Sea).

⁴⁸ On the first man as a completely different being, whose form does not resemble that of Adam and Eve in *Gen. Rab.* See: Virginia Burrus, "Carnal Excess: Flesh at the Limits of Imagination," *Journal of Early Christian Studies* 17/2 (2009): 257-60.

⁴⁹ In the case of the Haninahs, the name game is a bit more difficult. The name itself appears in rabbinic literature as Haninah, Hananah, Hinanah and in other spellings. The good manuscripts have, instead of Haninah bar Ada, Haninah bar Eha, a second-generation amora (Vatican 30, Oxford 147, Paris 149). Haninah Bar Yizhak appears only in *Genesis Rabba*, once in the Yerushalmi and once in *Leviticus Rabba*, and is thought to be a third-generation amora.

the novel human's behind. Divine grace, expressed in separating not man and woman, but man and beast, by virtue of hiding the anus at the time it passes stools, is what separated by R. Yanai and his fierce opponent, marked as such by *Vav Hanigud*, his mysterious doppelganger, Rabbi Yanai.⁵⁰

Rabbi Yanai the first insists on the creation of the anus, which is like a lock, and on top of it a little seat, or footstool,⁵¹ both of which were installed on the occasion of the creation of Eve. Rabbi Yannai the second,⁵² however, insists that the last act of creation was not wasted on the anus, but on the buttocks, the rear pillows of humanity which were created on that day. I fail to see the difference between the footstool of R. Yannai and the cushions of R. Yannai which justified quoting their dispute.⁵³ By now, it is difficult to escape the playful tone of the midrash. The doubling, the hatred, the word games, the bottom, the adornment of the bottom, control, lack of control, mercy are all at play here. Man's nothingness in comparison to God, the fear of the vulnerability of the male body, of men's bodies, are all suddenly present, and the horror is met with laughter. As Mikhail Bakhtin taught us, in the logic of carnival, the eternal, the metaphysical, *de profundis* are mediated through the flesh.⁵⁴ The mythical, awe-inspiring moment of the creation of man, and of the patriarchal and androcentric social order is mediated here through word and name games, norm breaking, and bringing our backside to the front. To turn the second creation narrative of humanity into a discussion of our defecating apparatus is well within the logic that Bakhtin identified as the 'logic of the upside down'. Bakhtin taught us that the carnival entails constant movement, and interchange of the holy and the profane, the sacred and the defiled, the spiritual and the carnal. Ambivalence is the carnival's weapon of choice: at once humiliating and destructive, almost deadly, and reviving, resurrecting, and rebirthing. Its imagery is made of the lower strands of the body: the belly, the sex organs, the anus, and the creation of the link between sex, food and birth.⁵⁵ Special attention is given to the organs that are opened to the world and to what goes into and out of them: the mouth, the anus, the breasts, the sex. The human body of the carnival is open, not finite. It is always still being created, stretched between birth and death.⁵⁶ The carnival is strongly tied to the earth and to the body, as they are one, as Genesis 1 taught us. The earth swallows like a hungry mouth or a grave or a womb, but also revives, and gives birth, and nurses. No wonder our next pair of Rabbis creates the link between the first man and earth not only in the time of birth but in the time of death.

Rabbi Illah and R. Aimi, whose names sound in Aramaic like Rabbi Rib (Il'ah) and Rabbi My Mummy (Immi, as he is often called in the Yerushalmi), wish to interpret 'and he closed up the flesh thereof' as referring not to the creation of life, but of death. According to Rabbi Illa, also known as 'the Rib', God installs burial on this occasion (for dust thou *art*, and unto dust shalt thou return (Gen. 3:19)), which makes death part of the divine plan prior to the fall. Burial reverses the creation in returning any human flesh to the primordial body of the first man: the earth. Humans are free of the earth, as long as they live. But just so we do not lose ourselves in a cyclical mythical logic, R. Aimi/Immi suggests that, at

⁵⁰ Thinking about the Platonic myth as it already appeared in the parashah, and again in *Genesis Rabbah*, it is hard not to see the three couples of rabbis carrying the same names as split creatures themselves, who function more as alter-egos than those Aristophanes saw as a primeval man cut into two men.

⁵¹ Jastrow offers to read here the Greek *hupopodion*, i.e. saddlecloth, and not *elippion*, footstool, but the text which refers to preventing humankind from suffering by sitting on an exposed anus makes the creation of a 'built-in' seat more reasonable. Marcus Jastrow, *Dictionary of the Targumim, the Talmud Babli and Yerushalmi, and the Midrashic Literature* (Peabody, Mass.: Hendrickson Publishers, 2005), 101. Daniel Sperber, *Material Culture in Eretz Israel During the Talmudic Period*, vol. 2 (Jerusalem: Yad Izhak Ben Zvi Press, 2005), 74-6 [Hebrew], suggests a portable leather seat/box one could sit on, which would be logical in our case.

⁵² We know only of one R. Yannai, a first-generation amora, who would make sense in this context. The second Yannai is a complete mystery. Vatican MS 30 offers no help, as the word there is corrupt, Oxford MS 147 has R. Yomi but this rabbi is nowhere else to be found. The parallels of this drasha in other compilations have many different variants, as Albeck has already noticed: R. Yohanan, R. Yuden, R. Illa and R. Ami. He concludes that it is not likely to be R. Yannai Zeira and R. Yannai the son of R. Yishmael, but cannot explain Rabin here (*Genesis Rabbah* (Theodor-Albeck), 157). My suggestion, that this is a 'special feature' inserted by the editor of the parashah, solves the mystery.

⁵³ But let us not underestimate the task of giving form to the human body. From talmudic times, Jews blessed God daily for the sophistication of the human body, for creating it in such wisdom so what needs to be opened is opened and what needs to be closed is closed, a blessing said for centuries every time a human uses the toilet (Birkat Asher Yatzar; BT Berakot 70b).

⁵⁴ Bakhtin, *Rabelais*, 19.

⁵⁵ *Ibid.*, 21-5.

⁵⁶ *Ibid.*, 26-7.

this moment, God also created the shrouds, a tiny wedge which separates the dead body from the earth that gave birth to it, between the first creation of the earth and human procreation – flesh to flesh, flesh from flesh. A thin cloth to remind us of God’s place in the process. In both cases, burial is the supplement of the rib, in all of its Derridian sense: both an addition and a substitution.⁵⁷ It is with the creation of the final form of the human body that it becomes mortal, and indeed fully human, as noted by both ‘parent Rabbis’ Rabbi Illa and Rabbi Immi. If death is created before the Fall, and is the very last act of creation, then the rib, the human body, now supplements the earth as creator. At death not only man and earth become one, but also man and woman. The rib, taken from the body which was created of earth, is finally returned to the primal mother. Her burial makes Adam and Eve one body once more, within the greater body of the earth. The dichotomy of male/female finally collapses. The earth, as Bakhtin shows, is the great equalizer, and as such it is celebrated in the carnival. Within the carnival’s logic, this brings joy, rather than pain.

This dramatic moment in the parashah marks the end of the mythical narrative of creation. From this point forth, the doppelganger rabbis cease to appear, and the narrative shifts from the creation of the first man and woman to ordinary human beings. The focus moves to the relationships which are created in the triad that occupies the earth: man, woman, and God. This is also the point at which woman comes to represent all women, and man all men.

But the doubling game is not abandoned quite yet. Next, the parashah offers us a new kind of dyad, two stories of the same genre (*Ma’ase Hakhamin*). The first is far more interesting than the second, as it serves two masters: it is both an exegesis of scripture (homily) and a story (i.e. classified as *Sippur Darshan*),⁵⁸ which has the interpretation of the Bible as its theme.

For the first and last time in this parashah we hear a different voice: the actual voice of a woman. Matrona asks Rabbi Yose, ‘why by means of theft [was woman created]?’ referring to the fact that Adam did not know what was about to happen, or consented to the operation about to be performed on him. Why did it all have to happen when he was asleep? Could the first theft in the world be blamed on God instead of on womankind? Rabbi Yose answers Matrona with a parable, one which is very well known in contemporary Palestinian rabbinic literature. In other contexts, it serves to laud God’s intervention in the creation of each and every human being, not only the first couple. In *Leviticus Rabbah* 14, this parable celebrates the wonders of conception and birth, the miracle of the transformation of a drop of semen into a whole human being, with perfect body and soul.⁵⁹ Derrida’s supplementary logic returns: Eve here, like any other human being, is created as a supplement which replaces that which was deposited with something else: bigger and better, but not similar. But Matrona is no fool; she keeps her eyes on the facts: Adam did not deposit anything out of his own free will, and giving a person something different from that which was unwillingly taken from him, even if more valuable, is hardly doing right. The second answer of R. Yose enters a deeper, darker realm. God had to put Adam to sleep because the first woman and her creation process were disgusting, or rather, because Adam could not be trusted with seeing beyond the flesh. When Adam saw the first woman created out of his body, he was not able to do what every woman who ever gave birth to a baby does: ignore the blood, the vernix, and the other bodily fluids with which the new-born is covered immediately after birth, and see the lovable, cuddly and nice-smelling being it will become after the miracle of the wiping of the baby with a cloth will occur. God is indeed a merciful God, and treats Adam like a child. In order to enable him to repress his anxieties, he uses general anaesthesia instead of epidural for his rib-section. In a way Rabbi Yose wins the

⁵⁷ Jacques Derrida, *Of Grammatology*, trans. Gayatri Chakravorty Spivak (Baltimore; London: Johns Hopkins University Press, 1997), 144-5.

⁵⁸ Ofra Meir, *The Exegetical Story in Genesis Rabbah* (Tel Aviv: Hakibbutz Hameuchad, 1987) [Hebrew]; Joshua Levinson, *The Twice-Told Tale: A Poetics of the Exegetical Narrative in Rabbinic Midrash* (Jerusalem: Magnes Press, 2005) [Hebrew].

⁵⁹ Galit Hasan-Rokem, “Conception, Pregnancy and Birth in the Rabbinic Imagination of Leviticus Rabbah 14: Preliminary Remarks,” in Israel Bartal, Galit Hasan-Rokem, Ada Rapoport-Albert, Claudia Rosenzweig, Vicky Shifris and Erika Timm, eds., *A Touch of Grace: Presented to Chava Tumiansky* (Jerusalem: The Zalman Shazar Center, 2013), 393-422 [Hebrew]; Tali Artman, *Dialog, Mitos ve-Yitzug Demui Historia: Keria be-Shiv’a Milgashim Bein Matrona le-R. Yossi be-Bereishit Rabba*, MA Research Paper, Hebrew University, Jerusalem (2002), 58-71 [Hebrew].

argument. He succeeds in conveying to Matrona the necessity of Adam's sleep and God's actions. She now agrees that indeed God had to act in secret. But unlike Rabbi Yose, who blames this on the repulsiveness of the first woman, Matrona blames it on the short-sightedness not only of Adam, but of all of his male decedents. Her uncle had made a worse choice of wife because, just like Adam, he refused to acknowledge similarity and familiarity between men and women as a positive thing and see the beauty of his niece, herself. Matrona understands this as a refusal on his part to accept his own human nature, his history as a filthy new-born. And so it is Matrona, a woman, who creates the link between everyman and Adam, everywoman and Eve.

The second *Ma'ase hakhamim* again exposes the shortcomings of men, this time as ethical beings. While men are portrayed as ethically spineless, women are ascribed superpowers. They have the power to transform men's lives, to bring about salvation.⁶⁰ But if you sense a snake in this grass of praise, you are not mistaken. This praise of women is a double-edged sword. If women control men, then Adam was right in his complaint about the woman.

Is there an irony in this text? Or learning to smile

I believe, just like Boyarin, that the use of double-voiced speech expresses 'intellectual dissatisfaction with the world and with the philosophers contradictory views of it lead to a desire to get to the truth directly.'⁶¹ The next (and last) unit is perhaps the most paradoxical and most interesting of them all. I see in it the crown of the literary and moral achievement which is parashah 17, much as opposed to Boyarin and Baskin,⁶² who saw it as the most misogynistic text in rabbinic literature. I suggest, that in line with the carnivalesque tone of the entire second half of the parashah, and its tendency to expose the stupidities which serve as the foundation stones of misogyny, this last part may be read as ironic and comic at least as much as it can be read as serious, if not more. Its elaborate stylistic design and editing, its playful and twisted intertextuality, its immediate context and its uniqueness in the corpus, mark it as the climax of the parashah.

The eleven question sequence, which ends the parashah, has no full parallel. Parts of it, however, are dispersed across the body of rabbinic literature. The last three questions appear as a single unit, though not as questions and always with a slightly different meaning in YT Shabbat (2:6) 20a, BT Shabbat 31b-32a and more.⁶³ A version of questions 1, 3, 4, and 5 asked of R. Dusati son of Yanai, appear in a Baraita quoted only in BT Niddah 31a, and the exegesis of Genesis 3:16 is paralleled in the list of the ten curses of Eve found in BT Erubin 100b, and the practically identical *Avot de Rabbi Nathan* (ADRN) A, 1:7 which resemble our questions 5, 6, and 8. To this we might add ADRN B, 9, the closest parallel to our unit.

The eleven question sequence, then, is the work of the editor of *Genesis Rabbah*, whether he is quoting or being quoted by the others. Since Rabbi Yehoshua is also not mentioned anywhere in the context of this specific content, we must ask what the editor gains by using his character. The Platonic mode re-enters our discussion, when we ask why Rabbi Yehoshua was chosen here. R. Yehoshua offers the text a unique combination of traits: he is one of the only sages whose mother is praised as responsible for his wisdom (YT Yevamot (1:6) 8b); he is the regular *bar plugta* - discursive rival of R. Eliezer, the man who preferred Torah to be burned rather than given to women;⁶⁴ but mostly, and especially in *Genesis Rabbah* itself, he is known for arguing or rather answering a collection of rabbinic Others and their representatives: From Hadrian (*Gen. Rab.* 10:3; 28:2, 78:12) to a philosopher (20:4), a non-Jew

⁶⁰ The exact opposite is argued by John Chrysostom who thinks that men are responsible for how 'good' women are, and therefore should dominate them (John Chrysostom, *Adversus Iudaeos* 2.3.4-2.3.5 PG 48, 860-1). See: Susanna Drake, *Slandering the Jew: Sexuality and Difference in Early Christian Texts* (Philadelphia: University of Pennsylvania Press, 2013), 90.

⁶¹ Boyarin, *Socrates*, 26, 132, 202.

⁶² Boyarin, *Carnal Israel*, 88-90; Baskin, *Midrashic Women*, 66-9.

⁶³ *Tanhuma Noah* 1; *Kohelet Rabbah* 3:3; ADRN B, 9.

⁶⁴ YT Sotah (3:4) 16a.

(13:6), and a group of heretical Jews (YT Sanhedrin (7:13) 4b). Unfortunately, it is only in the Bavli that an account of R. Yehoshua's physical ugliness is given. If a story about an ugly man who engages in dialogue and somehow always wins sounds a bit familiar to you, it is not my fault. *Genesis Rabbah* chooses, then, a persona with high authority, with a reputation of being a biblical scholar (*Gen. Rab.* 64:29),⁶⁵ and who marks the boundaries of faith. It also chooses a person who is long dead, and therefore a *dramatis persona* easier to manipulate.⁶⁶ But who asks the questions? In *Genesis Rabbah*, the formula that starts our story (X asked of rabbi Y) always specifies who X is/are. In the Tosefta, when someone is being posed questions by persons unspecified, we are to assume that it is the rabbi's students who are asking. But given the reputation of R. Yehoshua as a man who answers the questions of those who do not know or reject rabbinic 'truth', and refutes their arguments as stupid, we may assume that he is more a literary character than an historical figure here. We would expect, then, R. Yehoshua to refute the arguments or negate the validity of the questions of the mysterious askers. This isn't the case. Instead, what we have in this highly stylized unit is a repeating structure and logic: (a) a concrete question about a piece of 'trivia' about women is posed to Rabbi Yehoshua, presented as a fact, (b), which is not always (or at all) trivial. (c) He answers in the form of a parable, (d), which blames everything and anything on Eve. (e) His answers are never contested, and the Bible is never quoted.

Is it possible that R. Yehoshua is being ironic? That he, or rather, the editor of *Genesis Rabbah*, plays a little game that goes over the heads of the people who ask the questions?

The first question is already an example of this problem:

1. **Why** does a man come forth with his face down and a woman with her face up?
He told them: the man looks to the place from which he was created, and the woman to the place from which she was created.

To the best of my knowledge, and also to the best of ancient medical knowledge, female and male babies are not indeed born facing up or down respectively. While this is completely ridiculous, it is accepted as a fact by Rabbi Yehoshua, and later rabbinic sources even see it as a piece of wisdom revealed in Egypt to the Jewish midwives Shifra and Puah (BT Sotah 11b and *Ex. Rab.* 1:14).⁶⁷ The closest parallels to our text, however, are found in ADRN B, 9, and in BT Niddah 31b, and tell a slightly different story, which makes much more sense. There, women face up and men face down during sexual intercourse, not at the time of being born. Re-enacting creation in the time of creating a new life operates with perfect logic. This is but the first of many examples in this list of dictums that are presented as serioconic in *Genesis Rabbah* become crystal clear and as grave as death in the parallel sources. The process of trying to do away with ambiguity and tension, of trying to decide whether a text should be taken seriously or not, seems to lean, over time, to the serious side. So much so that a late midrash (*Midrash Aggadah*, Buber on Vayikra Shmini-Tzria 12:6) provides us with the explicit explanation of the missing link between our fake fact and the normative sexual positions of its time: boys and girls are born looking up and down because of the position of men and women during intercourse. What was meant to be a pun, or a slightly dirty joke, or a fake fact⁶⁸ in *Genesis Rabbah* turned into something completely different in all the other sources.

⁶⁵ Theodore-Albeck, II, 712.

⁶⁶ On folklorizing tannaitic rabbis in amoraic literature (albeit Babylonian) see Galit Hasan-Rokem, "Did Rabbinic Culture Conceive of the Category of Folk Narrative?" *European Journal of Jewish Studies* 3/1 (2009): 19-55.

⁶⁷ And thus save the baby, as Pharaoh had only ordered them to kill boys. If they knew the sex of the baby before it was completely out, they could leave the room and not witness the birth of a boy - and be obliged to kill him.

⁶⁸ Or perhaps, an alternative fact, as some may put it. In the most women-fearing texts of the ascetic movements, anyway, we find a reverse trope: women must look down in shame at all times. See Susan Ashbrook Harvey, "Women in the Early Syrian Christianity," in Averil Cameron and Amélie Kuhrt, eds., *Images of Women in Antiquity* (London: Croom Helm, 1983), 295-6.

2. And **why** must a woman wear perfume and a man must not?

He told them: Man was created from the earth, and the earth never stinks, but Eve was created from a bone. Here is a **parable:** if you leave meat for three days without salt, it immediately stinks.

The second question is again a fake fact. It transforms a habit, a choice made by both men and women in late antiquity to perfume themselves, into a mandatory action and obligation for all womankind.⁶⁹ I have searched both oral and written Torah for the commandment of wearing perfume, or the punishment of the Lemnian women,⁷⁰ but alas, did not find it. Rabbi Yehoshua's answer is even funnier than the question he was asked. It plays with the Greek Pandora myth and with some Christian adornment fearers,⁷¹ as it turns an adornment into camouflage, and reality (both experienced and textual) on its head. Men, as opposed to what some of them may think, do stink. I am not basing this only on my personal impressions, collected over many Israeli summers; rather, rabbinic literature itself holds knowledge of this. Indeed, the bad smell of sweat is one of the curses by which Adam (but not Eve!) is cursed after the fall.⁷² The smelliness of women is explained by a rather fishy parable. Unless we truly believe that all mankind's flesh is made of earth, and that women have no flesh at all since they are all bones, it is rather difficult to accept the analogy. If that is not enough, the very assumption that women are odorous because they are made of flesh is turned on its head in question number four in the sequence. There, we learn that bones do not absorb water/rot, i.e. do not smell. I believe that what we have here is more of a parody of misogynistic biblical interpretation and of misogyny itself than a real argument about the smelliness of women.

In later versions of this story, and in ADRN B, 42, women must adorn themselves in order to remain attractive to their husbands,⁷³ following the logic already manifested earlier in the dialogue between Matrona and Rabbi Yose. Men can be forgiven for not adorning themselves both because women are not so influenced by first sight (or rather smell), and because they have no other choice of sexual partner but their husband.⁷⁴ There may be many bones to choose from, but only one earth.

ADRN shows again the turning of the seriocomic, the grotesque, or the absurd into logical, rational, and un-ambivalent expressions.

3. And **why** does a woman's voice travel far, and a man's does not?

He told them: here's a **parable:** if you fill a pot with meat, the sound of the pot does not travel, but if you put a bone in it, instantly its sound will travel.

The third question places women in the kitchen, the place where patriarchy has long argued they belong. However, they are not the cooks, but the cooked. The fake fact, or un-trivial trivia here is that women are louder than men, or in the Hebrew 'their voice goes forth/travels'. Reality teaches us that the only true argument to be made about women's voices is that they are generally more high-pitched than men's.⁷⁵ The parable turns again to the imagery of flesh and bone. The bone from which women were made

⁶⁹ Men's habit of wearing perfume is well attested. See Constance Classen, David Howes and Anthony Synott, *Aroma: The Cultural History of Smell* (London and New York: Routledge, 1994), 17, 35-36; Susan Ashbrook Harvey, *Scenting Salvation: Ancient Christianity and Olfactory Imagination* (Berkeley: University of California Press, 2006), 41. Both Clement and Tertullian refer to men wearing perfume (Clement, *Christ the Educator* 2.8.66 trans. Wood, 151-152; Tertullian, *The Apparel of Women*, 1.2), while male *cultus* separates the noble Roman citizen from the 'wild man', women get bashed for perfuming by Juvenal: Maria Wyke, "Woman in the Mirror: The Rhetoric of Adornment in the Roman World," in Léonie J. Archer, Susan Fischler, and Maria Wyke, eds., *Women in Ancient Societies: An Illusion of the Night* (Basingstoke: Macmillan, 1994), 135-7.

⁷⁰ See Eva Cantarella, *Pandora's Daughters: The Role and Status of Women in Greek and Roman Antiquity*, trans. Maureen B. Fant (Baltimore: Johns Hopkins University Press, 1987), 35. But even the foul odour of the Lemnian women was only a temporary punishment, for defying Aphrodite, i.e., taking seduction too lightly.

⁷¹ The adornment of women is a well-known comic trope by the time of *Genesis Rabbah* see, Clark, *Dissuading*, 160-1; Jerome, *Adversus Helvidium*, 20. However, it comes from a tradition which negates marriage, hardly something the Rabbis wish to do.

⁷² ADRN B 42

⁷³ Michael L. Satlow, *Jewish Marriage in Antiquity* (Princeton: Princeton University Press, 2001), 236.

⁷⁴ Men may take a second wife.

⁷⁵ Aristotle didn't miss a chance to make this into a marker of female evil disposition. Brave creatures, unlike them, have large deep voices. See: Anne Carson, "The Gender of Sound," *Thamyris* 1: 10-31, 1994 (esp. 10).

rattles in the pot, unlike the boneless Mollusca, the man, who makes no sound. In addition, the mashal does not correspond to the nimshal: If the woman is a bone and the man flesh, what is the pot? The bone seems to turn into a comic leitmotif much like the little oil flask,⁷⁶ which Aeschylus argues he can add to any line of Euripides, and indeed does, in Aristophanes' *The Frogs*.⁷⁷ Reading with the phallic oil flask in mind, we can think of a situation in which a 'bone' enters 'flesh' and makes it noisy. So can the rabbis: According to Mishnah Ketubbot 7:6 and its interpretations in Y^T Ketubbot (7:6) 31a-b and BT Ketubbot 72b, a man can divorce a woman without paying her Ketubbah if she is very loud (Kolaniit), presumably while having sex.⁷⁸ The voices that women make are marked as 'bad' in rabbinic literature as and when the upper and the lower labia are connected.⁷⁹

The experiment of cooking men steak and women bones turns into an even dirtier joke.⁸⁰ But even with this obvious quip, when there is a will to make it serious, there is a way.⁸¹ In a parallel to four of the eight questions asked here in BT Niddah 31b, the question asked is why are women's voices more pleasant than those of men, a question answered by a quote praising Shulamit's voice from Song of Songs 2. This is another example of the way in which the ambiguity preserved in *Genesis Rabbah* is solved: either by making it 'better', more favourable for women, or worse as we have seen before.

4. And **why** is a man easily tempted and a woman is not?

He told them: man was created from the earth, and as soon as you pour a drop of water on it, it absorbs it.

But Eve was created from a bone, and even if you soak it for days in water, the bone does not absorb it.

By now, we ourselves have come to take for granted the difference of nature between men and women, based on the two different 'natures' of their creation. Any memory of this narrative as being but one option of reading the genesis of mankind among many has been wiped out of our minds. Perhaps this is what makes the next question so full of irony and playfulness. The discussion of temptation in the context of the creation story could have been the opening call for women-hunting season.⁸² But instead of what Satlow and Rosen-Zvi point to, that women in rabbinic literature are often on the side of temptation and not on the side which fights temptation, we get here an argument which makes women almost temptation-proof.⁸³ We witness here, therefore, no less than an interpretative miracle. Eve, mother of all womankind, in whose footsteps it follows, was immune to temptation by her very nature. Put bluntly, Eve is the ideal rabbinic man, at least according to Satlow.⁸⁴ The gap between the Bible, the seduction of Eve by the serpent, and the commentary here can swallow up some pulpits whole. And on top of this textual irony, the logic of the fake fact comes back. As plain logic has it, when a man commits adultery, a woman is involved in about 90 percent of the cases, which make women as likely to be tempted as men. The whole logic of the 'all women are (as bad as) Eve' trope, common in Jewish-

⁷⁶ This was considered by many as euphemism for penis. See for example, Cedric H. Whitman, "Ἀηκυθιον Απωλεσεν," *Harvard Studies in Classical Philology* 73 (1969): 109-12. He makes the point that losing the oil flask is a nice way to say losing virility and becoming effeminate.

⁷⁷ Aristophanes, *The Frogs*, lines 1198-1250.

⁷⁸ The same complaint about women being loud during sexual intercourse is made by Juvenal, *Satire 6*, lines 64-65.

⁷⁹ See for example Y^T *Hal.* (2:1) 12b; BT *Ber.* 24a-b; BT *Kidd.* 60a.

⁸⁰ There is another option, preserved in Y^T *Ketub.* 7:6 (44b) as well, where a woman is blamed for being 'voicey' (*kolaniit*), in a different way, speaking about matters of the house so loudly that her neighbours can hear, thus making the private public.

⁸¹ An astounding parallel to this question is found in the thirteenth century: Jehan le Fevre, *Lamentations de Mathoelus*, book 2, lines 241-246: 'why are women more noisy, full of foolish words and more garrulous than men? Because they are made of bones and our persons are made of clay. Bones rattle louder than earth'. The translation is taken from: R. Howard Bloch, *Misogyny, Misandry and Misanthropy* (Berkeley: University of California Press, 1989), 18.

⁸² See, for example Bernard P. Prusak, "Women: Seductive Sirens and Source of Sin? Pseudoepigraphical Myth and Christian Origins," in Rosemary Radford Ruether, ed., *Religion and Sexism: Images of Woman in the Jewish and Christian Traditions* (New York: Simon and Schuster, 1974), 97.

⁸³ Satlow, *Jewish Marriage*, 158-159; Ishay Rosen-Zvi, "Do Women Have a *Yetzer*? Anthropology, Ethics and Gender in Rabbinic Literature," in H. Kreisel, B. Huss, and U. Ehrlich, eds., *Spiritual Authority: Struggles over Cultural Power in Jewish Thought* (Be'er Sheva: Ben Gurion University Press, 2010), 21-34 [Hebrew].

⁸⁴ Michael Satlow, "Male or Female Did They Create It? Gender and the Judaism of the Sage," in Lee I. Levine, ed., *Continuity and Renewal: Jews and Judaism in Byzantine-Christian Palestine* (Jerusalem: Yad Ben-Zvi Press, 2004), 486-504 [Hebrew].

Hellenistic and Christian writings, is mocked here.⁸⁵ Since women are harder to tempt, the temptation must have been very, very powerful. In addition, even the fake fact itself is doubted, as we have learned in the parable in answer to question 2, that bones do absorb water – since they rot. But there is still something to gain for patriarchy: if women are indeed like bones that do not absorb water, men can sleep more quietly at night, and they can also continue sleeping well if they themselves are tempted. After all, it is in their nature. Later rabbinic sources, as well as scholars of rabbinic literature, found this passage to be a pretty big frog to swallow. They have offered two main strategies to widen the throat, which are, in essence, one. ADRN B, 9 and BT Niddah change the Hebrew *l'hitpatot*, to be tempted to *l'hitpayes*, to be appeased. Men, unlike women, are easily appeased, and our stubborn woman is safely hated again.⁸⁶ This generates a contradiction even within the ADRN text itself in which Matrona is appeased in an earlier part of the segment. Others may argue that *Genesis Rabbah* might have used the Hebrew *l'hitpatot*, but actually intended the Greek (almost) homophone *peitheo*,⁸⁷ to persuade. This explanation is indeed tempting, but not very persuasive, as all of *Genesis Rabbah* manuscripts have *l'hitpatot*, and the very clear distinction exists between these two words in it.⁸⁸

5. And **Why** does a man demand [sex] from a woman, and a woman does not demand from a man?

He told them: Here's a **parable:** it is like a man who lost an object that belonged to him. He goes in search of his lost object, but his lost object does not search for him.

Now that we have learned that men are more easily tempted, and Eve cannot be blamed for introducing the sex-sin combination, we are not surprised by the next question, which asserts that only men ask/demand sex from women, and not the other way around. Let us not forget that by the fourth-fifth century, the time of the editing of *Genesis Rabbah*, the comic topos of the married woman as a sexual predator, who lusts over (young) men was already well developed.⁸⁹ Jewish marital norms which are mainly reflected in later and Babylonian sources are that men may explicitly ask for sex, while women only hint/secretly wish for it (unless they had three cups of wine).⁹⁰ This is overturned in BT Eruvin 100b where it is argued that if a woman asks her husband for sex, their children born of that act will be greater than the men of the generation of Moses. In other words, even the rabbis know women do ask for sex. The ambivalence, or the plain irony in *Genesis Rabbah*, is nevertheless played through objectifying women: just as objects do not seek their owners, so the rib (woman) does not seek her owner (the body of man from which she was taken).

6. And **why** does a man deposit seed in a woman, and a woman not deposit [seed] in a man?

He told them: Here's a **parable:** A person looks for someone loyal to deposit with.

The next question is even stranger, as it has nothing to do with Eve, the second creation story or even misogyny. If at all, it is a crack in the wall of patriarchy through which it is able to look at itself. Why do men deposit their sperm with women and not the other way around? Ancient medical knowledge has it

⁸⁵ See, for example, the testament of Reuben, 5:1-4; John Chrysostom, *Adversus Judaeos*, 2. See also Drake, *Slandering the Jew*, 90. But on the way that the Babylonian Talmud constantly sexualizes and radicalizes the verses in Sirach that deal with women and temptation see also Tal Ilan, *Integrating Women into Second Temple History* (Tübingen: Mohr Siebeck, 1999), 155-74 (especially 165ff). She also notes that Palestinian sources that quote Sirach do not quote it with regards to women. For more on the subject see: John Levison, "Is Eve to Blame? A Contextual Analysis of Sirach 25:24," *Catholic Biblical Quarterly* 47/4 (1985): 617-23.

⁸⁶ And re-integrated into general Roman misogynistic trends, see Cassius Dio, *Roman History*, 7, 29, 2. Cassius Dio, *Roman History; with an English Translation by Earnest Cary and Herbert B. Foster* (Cambridge: Harvard University Press, 1914).

⁸⁷ Halevi sees this use in Mishnah *Ketub*, 9:4. E. E. Halevi, *Olamah shel ha-agadah: Ha-agadah le-or mekorot Yevaneyim* (Tel Aviv: Dvir, 1972), 251.

⁸⁸ The closest we get in rabbinic literature to the Greek and the Hebrew functioning as almost synonyms is in BT *Eruv*, 100b, where the rooster is a model for *derekh erev*, as he appeases the hen before he penetrates her.

⁸⁹ Joshua Levinson, "An-Other woman: Joseph and Potiphar's wife – Staging Body Politics," *Jewish Quarterly Review* 87/3-4 (1997): 269-301.

⁹⁰ *Kallah Rab*, 2:8; ADRN A, 1:1; ADRN B, 9, BT *Ketub*, 65a, BT *Eruv*, 100b.

that women, just like men, produce semen which is ejaculated during intercourse.⁹¹ So why do women safe-keep the male sperm (i.e. get pregnant) and not the other way around? The answer is that unlike men, who we have already learned have stronger sexual urges, and are more easily tempted, women are loyal human beings.⁹² Let us notice that the rib has completely disappeared from the discussion, and that the leitmotif of depositing has already appeared before: in the parable of Rabbi Yosi to Matrona. In the only instance in history in which a woman was born of a man's body, God, and not man, held the deposit, the rib. God and women stand therefore on the same side, as they now fill the role that God assumed in creation. While it is true, just like Bloch and Boyarin argue, that prediction of the form 'women are' or 'woman is' is already misogynistic,⁹³ it is hardly a slander of women.

This again may be (and indeed is) reclaimed by patriarchy, when in BT Eruvin 100b all of the above are considered curses by which God cursed Eve after the fall: a woman's lust towards her husband, being prohibited from asking for sex, and only being allowed one husband at a time, which is what ultimately makes her more loyal than the polygamist man.

7. And **why** does a man come forth/goes out with his head uncovered and a woman with her head covered?

He told them: here's a **parable:** it is like a person who committed a transgression and is now ashamed before people. That is why she comes out covered.

The seventh question about women's hair is even more perplexing. First we must find out if women indeed covered their hair, second, if so, why, and third, who would connect veiling only with the 'sins' of Eve, which were no different, after all, from the sins of Adam. The practice of covering married women's hair as part of the marriage ritual was widespread in ancient Mediterranean societies. But it is not always clear if women continued to cover their heads afterwards to any degree.⁹⁴

From Rabbinic literature we learn that the rabbis wished for women not to appear in public with *Rosh Parua*, literally, untidy hair. The interpretation of *Rosh Parua* in Mishnah Ketubbot 7:4 is important. While the Mishnah suggests that a married woman's appearance in public with *Rosh Parua* is a sufficient cause for divorce, it is unclear what the expression actually means. The Yerushalmi tries to resolve this by specifying different kinds of hairstyles or coverings that may or may not be used in different spaces. BT Ketubbot 72b is already far clearer: if men were to divorce their wives for not wearing head coverings in the way that the Rabbis wanted them to, no daughter of Jacob would remain married. What we mainly learn from this is that head covering was an issue, and one that had to do with sexual availability, as the verse that is normally quoted in the context of veils/special hair styles for married women is that referring to the Cohen manipulating the hair of the Sotah (*Num.* 5:18). Even when some sort of covering is discussed in the list of the curses of Eve (and her daughters), on two occasions hair is not mentioned (ADRN A, 1, BT Eruvin 100b), in one (*Pirqa Rabbi Eliezer* 14) no covering of any sort is mentioned, and only in ADNRN B, 42, do we find a parallel to *Genesis Rabbah*.

Regardless of whether women of fifth-century Palestine covered their hair or not, the practice is described in our text as a form of punishment for the sin of Eve,⁹⁵ not a social reality which is shared with the rest of the eastern, pagan, Roman provinces, as some argued,⁹⁶ or as biblical precept which has nothing to do with Eve (as in BT Ketubbot 72a).

⁹¹ See Aline Rouselle, *Proncia*, trans. Felicia Pheasant (Oxford and New York: Blackwell, 1998), 27-8; Rebecca Flemming, *Medicine and the Making of Roman Women: Gender, Nature and Authority from Celsus to Galen* (Oxford: Oxford University Press, 2000), 307.

⁹² Again the Babylonian Talmud thinks otherwise, and even information cannot be given to women for their safekeeping (BT Shabbat 32b).

⁹³ Boyarin, *Carnal Israel*, 94; Bloch, *Misogyny*, 4-5.

⁹⁴ Molly Levine, "The Gendered Grammar of Ancient Mediterranean Hair," in Howard Eilberg-Schwartz and Wendy Doniger, eds., *Off with Her Head! The Denial of Women's Identity in Myth, Religion, and Culture* (Berkeley: University of California Press, 1995), 76-130, and in particular pages 96, 100-5.

⁹⁵ In a similar way to what happens in the church. See Peter Brown, *The Body and Society* (New York: Columbia University Press, 1988), 80-1.

⁹⁶ Levine, "Gendered Grammar," 104. For more on veiling, both in Jewish and Christian settings see Mary Rose D'Angelo, "Veils, Virgins and the tongues of Men," in *Off with Her Head! The Denial of Women's Identity*, 131-65; William Walker, "1 Corinthians

I am almost tempted to read this question and answer as a parody on 1 Corinthians 11, as Paul is the only other known Jew of late antiquity to tie together the veiling of women, shame, and Eve. But even he does not create a link between The Fall and veiling. The only Church Father radical enough for that, is the very radical Tertullian.

Paul's testimony is, however, interesting, as his praise of women's hair as glory in 1 Cor. 11:15 suggests that women's hair was seen in public. Paul also insists on covering women's hair only when they pray or prophesize (1 Cor. 11:5), suggesting they are unveiled most of the time.⁹⁷ He also ties veiling to shame, but in exactly the opposite way to *Genesis Rabbah* – it is shameful for a man to cover and for a woman not to cover 'For the man is not of the woman; but the woman of the man' (1 Cor. 11:8),⁹⁸ i.e., women should not look like men.⁹⁹ Paul's explanation for men praying uncovered and women covered is the second creation story aright, but sin is nowhere to be seen.

The only way to redeem *Genesis Rabbah* from a too-radical-to-be-true position is to argue that even in it covering is restricted to public appearances in funerals. Which connects us to the next question:

8. And **why** do they [women] walk first in front of the deceased [in a funeral]?

He told them: because they caused death to come into the world, that is why they walk first 'and all men drawn after him' (Job 21:33).

As always, both question and answer are doubtful. A very intriguing passage in YT Sanhedrin (2.4) 20b says: 'some say that it is a baraita that women walk first and then men, and some say it is a baraita that men walk first and women after them. He who said that women walk first – it is because they brought death to the world in the first place. He who says men first, it is for the sake of the honour of the daughters of Israel, so that they (men) would not stare at women.'

There is no interpretation of this dictum that is not problematic for women. Nevertheless, it destabilizes the 'fact' that women always walk first. And even if women indeed do walk first, then the explanation given might be different. First, because women throughout the ancient Mediterranean were responsible for public mourning,¹⁰⁰ and funeral processions were almost the only opportunity for Jewish women's voices to be heard and for women to stand at the centre of attention as they chanted.¹⁰¹ They were also a locus for female subversion of inscribed male norms.¹⁰² The women's appearance and voice in funeral processions often made quite an impression on the male audience, binding together Eros and Thanatos, as Judith Baskin has argued.¹⁰³ It may be worth mentioning, in light of the last question asked of R. Yehoshua, that men also covered their heads in funerals.¹⁰⁴ But, more to the point, and a beautiful manifestation of irony, is the strange choice of proof-text here. This is the first time a biblical proof-text

11:2-16 and Paul's view Concerning Women," *Journal of Biblical Literature [JBL]* 94 (1975):94-100; Cynthia Thompson, "Hairstyles, Head covering and St. Paul: Portraits from Roman Corinth," *Biblical Archaeologist* 51 (1988): 99-115. Most interesting in our context is L. Ann Travis, "But I Want You to Know...: Paul's Midrashic Intertextual Response to the Corinthian Worshipers (1 Cor 11:2-16)," *JBL* 112 (1992): 231-46.

⁹⁷ The word Paul uses is the Greek 'akataklyptos' - which is consistent with that found in the LXX and in Philo for 'unbound or loosened hair'. This suggests that Paul required women to wear no more than a headband or a special hairdo, not a full veil (see A. Padgett, "Paul On Women in the Church: The Contradictions of Coiffure in 1 Corinthians 11.2-16," *Journal for the Study of the New Testament [JSNT]* 20 (1984): 70).

⁹⁸ Reading Paul may also reveal the origin of the strange word "kefaletin" which appears in YT *Ketub.* (7:6) 44b as the Greek 'kefaletion' - of the head.

⁹⁹ See again Travis, "But I Want You to Know," 240-2.

¹⁰⁰ Galit Hasan-Rokem, *Web of Life: Folklore and Midrash in Rabbinic Literature* (Stanford: Stanford University Press, 2000), 111. Corbeill develops the theory that Roman funeral rituals invert birth rituals, and thus explains the dominance of women in them: Anthony Corbeill, *Nature Embodied. Gestures in Ancient Rome* (Princeton: Princeton University Press, 2004), 70.

¹⁰¹ Meir Bar-Ilan, *Some Jewish Women in Antiquity* (Atlanta: Scholars Press, 1998), 73-6.

¹⁰² The battle over the public lamenting of women started in Greece, continued in Rome, and was a big issue for the church fathers. Chrysostom was outraged that people were using them instead of clergy in funerals (Hom. In John 62:4), and moreover, pagan women. A synod in Syria in 576 banned girls from learning music and mourning practices. In short - women's public mourning was conceptualized as giving them too much power. See: Sharon Lorraine Murphy Mogen, "Women and Death Rituals in Late Antiquity: Forming the Christian Identity" (MA Thesis, University of Calgary, 2011), 117-18.

¹⁰³ Baskin, *Midrashic Women*, 69.

¹⁰⁴ Corbeill, *Nature Embodied*, 80. He refers to Roman funerals but as I learn more about funerals in late antiquity it looks more and more as though the processions looked quite identical, regardless of religion.

appears in this unit. Alas, it is hardly the best one the Bible has to offer. In the verse quoted from Job, it is a man who draws other men after him to the grave, not a woman. The joke, so it seems, is on us.

9. And **why** is the precept of *Niddah* given to her? Because she spilled the blood of the first man, that's why she is given it.

10. And **why** is the precept of *Hallah* given to her?

He told them: because she ruined the first man who was the *Hallah* of the world, that's why it was given to her.

11. And **why** was the precept of lighting the Shabbat candle given to her?

He told them because she put out the [light of the] soul of the first man, that is why it was given to her.

In the final three questions the logic is made very clear, which makes all women carry the burden of Eve's sin. It is either the carnival's peak, the uncrowning of the king, or the most misogynist point of the text.

A tradition that binds together *ner*, *niddah*, and *hallah*, the three 'feminine precepts',¹⁰⁵ to sin appears already in Mishnah Shabbat 2:6 that states: 'Women die in childbirth as a consequence of three sins: because they are not observant of *niddah*, *hallah*, and the kindling of the [Sabbath] lights.' Eve is nowhere to be found and the 'sins' are not ones of which she was guilty.

Seven rabbinic interpretations of the Mishnah exist: in two of them (*Kohelet Rabbah* 3:3, BT Shabbat 31b-32a) Eve is not mentioned. In another three (ADRN B 9, *Tanhuma Noah* a; *Tanhuma Mezora* 9), these commandments are given to women to atone for Eve's sin, but they have no part in her sin. Only in our text and in the anonymous YT Shabbat (2:6) 20a is all womankind to blame for Eve's sins. In the Yerushalmi, however, the context is judgment at childbirth for not following the three precepts, not an inherent female guilt.¹⁰⁶ In short, only once, here, does anyone dare to suggest that there are commandments which are indeed not an expression of God's covenant with His people, but punishments and curses. This, I believe is nothing less than a theological bomb, a monstrous and grotesque depiction of the relationship between God, Israel, and Torah. I do not know of any other rabbinic source that claims that any commandment was given to Israel as a punishment, and the idea itself is absurd, as both ADRN B, *Kohelet Rabbah* and the Bavli notice, when they reject this concept, implicitly or explicitly, as Boyarin has demonstrated.¹⁰⁷

The grotesque, and the inverted logic here is so monstrous that it falls into the realm of the serio-comic. I fail to see in it anything other than an ironic stance of R. Yehoshua, or rather of the editor of *Genesis Rabbah*. Placing this segment at the end of the parashah, and shaping it in the form of a sequence of questions and answers – a form in which it does not appear anywhere else, not even in the Yerushalmi – might suggest we are actually facing a satirical use rather than a naïve one of the women-sin-*ner/niddah/hallah* theme. The quadruple chant 'because of Eve', which has nothing to do with creation from the rib anymore is plain evil, or darn funny, and I refer you again to Aeschylus's little oil flask.

The list of eleven questions that were asked of Rabbi Yehoshua is quite clearly not a description of an actual event. It has no full parallel in rabbinic literature, and its closest variant is a list of eight questions found in ADRN B, 9, which does not mention R. Yehoshua. The list there is followed by a discussion of sins for which women die at childbirth. Kister brings ADRN B, 8-9 as an example of the complicated relationship between *Genesis Rabbah* and ADRN. Since he cannot conclude that

¹⁰⁵ Both Kraemer and Baskin argue that there is no evidence that women actually practiced *ner*, *niddah* and *hallah* the way the rabbis wanted them to, which might account for the discursive violence which is manifested around them, they also remind us that men are also obliged by the same precepts. See Ross Shepard Kraemer, *Her Share of the Blessings: Women's Religions among Pagans, Jews, and Christians in the Greco-Roman World* (New York and Oxford: Oxford University Press, 1993), 99-101; Baskin, *Midrashic Women*, 71-3.

¹⁰⁶ In the Yerushalmi the unit appears also in the context of child-bearing and times of danger, suggesting that our midrash is one of a kind.

¹⁰⁷ Daniel Boyarin, *Carnal Israel*, 92-4. More on the three 'feminine' precepts: Leila Leah Bronner, *From Eve to Esther: Rabbinic Reconstructions of Biblical Women* (Louisville: Westminster/John Knox, 1994), 30-1.

ADRN copied *Genesis Rabbah*, as it takes Genesis 2:23 and not 2:21 as its point of departure, he assumes that it copied a third text, resembling *Genesis Rabbah* but not identical to it, now lost.¹⁰⁸ True or not, it is clear that *Genesis Rabbah* takes a very different approach to the shared tradition. As we have seen, whenever ADRN could, it chose a more ‘rational’ and acceptable version of the ‘fake facts’ and their explanation, taking the sting out of the absurd, and creating, in fact, a rather misogynist text. It chooses *l’hitpayes* over *l’hitpatot*, switches perfume as a necessity for a habit of adornment, turns the new-born female facing up to a grown woman looking at a man,¹⁰⁹ and finally presents the commandments for women as means of atonement, not punishment, and as a part of a different sequence. The radicalization and the technique of *reductio ad absurdum* of *Genesis Rabbah* become clearer now.

I began this article by arguing that an editor’s hand can easily be felt in this parashah. Most of what we read is attested in one version or another in the sea of rabbinic literature, but it is the careful craft of the editor that shows the funny face of what might be horrifyingly grotesque moments and comments, and doubts the undoubtable: that rabbis cannot laugh at the ideology that they themselves inscribe. The suspicion that this text may not be the epitome of misogyny, which arose as the parashah started with the inclusion women in the creation by *logoi*, continued with the doubling effects, mimicking the double creation story, which peaked in the choice to bring traditions on the names of three pairs of rabbis carrying identical names, and the final pair of Rabbi Rib and Rabbi Mummy gave the suspicion more depth. The fake facts logic, and the ever more creative and sometimes contradictory explanation of those, as well as the obsession with the lower parts of the body points again in the same direction. Add to this the choice of Rabbi Yehoshua, the piling up of eleven questions which is never repeated in rabbinic literature, and the use of only one (inadequate) biblical verse but always of parables. To top, sprinkle the absurdity of presenting commandments as divine punishments, and you get one of the most satiric, reflective, and perhaps funny texts in rabbinic literature. It is, if you will, the carnival of misogyny. The carnival makes its final appearance here, as its power structure, as well as its use of the body is relevant to our parashah. This parashah is unusual, I suggest, not for its misogyny, but rather for its choice not to surrender to it, at least not without a fight. Its deep engagement with the creation of the human body and its aftermath may serve not only to interpret the Bible, but much like the carnival, to fortify the identity of the (Jewish) collective through laughter and through the changing collective body: that which was created of the earth and since then gives birth, copulates, conceives, eats, defecates, dies, and is born. The carnivalesque humour embodies a profound honour of and respect for this body. This is a humour that acknowledges the powerful divine mysteries as well as the transcendence of the human spirit through an ongoing creation of the body, through and by all of its openings. But just like the carnival, and in the case of many serio-comic texts, this euphoric state is short lived. The carnival ends, and the old ways prevail. The ridiculed king still reigns and history remembers that the fool was mocked, not that he is a reflection of the king. And so, in the case of our parashah, what was once a live, playful, hopeful text is violently ripped to pieces, by ancient and by moderns, and lives on to serve the same ideology it subverts. Let us change that.

¹⁰⁸ Menahem Kister, *Studies in Avot de-Rabbi Natan: Text, Reduction and Interpretation* (Jerusalem: Yad Izhak Ben Zvi, 1998), 205-206.

¹⁰⁹ A parallel to this can be found in a piece of Hagiography about Ephraim of Syria: “When Ephraim went into Edessa for the first time, he prayed that as he entered the town he would meet someone who would discuss with him the problem in Holy Scripture. The first person he met, coming straight towards him, was a woman who was a prostitute. Ephraim was sad because he thought God had not heard his prayers, for what did she know of the Bible? How could she help resolve his questions? But the woman came on, her eyes fixed upon him. He was astonished and said to her, but without impatience or anger, “why are you looking at me so intensely?” The woman replied with a reference to the story in Genesis of the creation of man and woman, “It is natural that I should look at you, for I was formed out of you; but as for you, you have no reason to look at me for it was the earth from which you were formed and it is on that that your eyes should be fixed.” Vita St. Ephraem, PL 73, col. 2321-22, *Harlots of the Desert*, trans. Benedicta Ward (Kalamazoo: Cistercian, 1987), 61.

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WOMEN AND PRIESTS IN TRACTATE HALLAH GENDER READINGS IN RABBINIC LITERATURE

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ABSTRACT: This paper examines new possibilities of gendered readings on the relationship between images of priesthood and women in rabbinic texts. It is argued that the ritual of *hallah* separation, transformed in rabbinic literature from the biblical genderless task into a female domain, emerges as an important element in the substitution of the priests' work. In the absence of a Temple, the newly established rabbinic model of worship sees the act of *hallah* separation assume a strong imaginative significance, and the figure of the woman who performs it becomes a distinct ritual actor. A gender-sensitive analysis of the sources further exposes the rabbinically instituted rituals as competing with the priestly cult, as well as the ideologies embedded in the text. Moreover, working with such textual material requires the constant reconsideration of scales of values and ideas of hierarchy, in particular those concerning female work and women's rituals, and it underlines the necessity to repeatedly rethinking our gendered methodologies.

This article relates to a commentary I am writing on Tractate Hallah in the Mishnah, Tosefta and Yerushalmi, as part of the project "A Feminist Commentary on the Babylonian Talmud" (*FCBT*). Within this project, different methodological and content-related questions about the ways of applying gender theory and source-criticism to rabbinic texts have been addressed in the last decade. On the one hand, such a work contributes toward the reconstruction of the redactional strategies which formed the rabbinic documents, whereby the application of gender-sensitive analysis opens new avenues for further understanding the composition of the text, and the ideologies underlying its construction. On the other hand, the encounter with this specific material challenges and redefines the methods of feminist and gender analyses themselves, requiring us to reconsider over and over again scales of values and hierarchy (see the analysis below). The intersection in the commentary of textual surfaces as texts using the "marker" women, texts using gender and texts not overtly concerned with gender – whereby gender is at work in their background or the feminine was erased leaving breaches and incoherencies – allows for the discovery of intertextual links, bringing together passages and connections which otherwise would remain undetected.

In the specific case of Tractate Hallah – built on the biblical law stipulated in *Num.* 15:17-21 about the offering from dough – the content of the treatise requires the consideration of the value attributed to bread-work as ritual work in gender-relevant terms.

In tannaitic sources, as in biblical ones and in the general culture, bread-making is constructed as women's work. However, the biblical text makes of the separation of *hallah* a genderless task. The ritual, as a solemn ceremony, and the actual domestic preparation of bread with its main actors are ideally separated from one another. The latter is not included in the definition of the law as its primary characterization and staging. The domestic space of everyday bread preparation in this case is left outside religious purpose and ritual significance. However, in the tannaitic text, the opposite takes place: women are constantly referred to as those in charge of carrying out this ritual. We find, for example, female subjects separating *hallah* within Mishnah Hallah – a short tractate – in 6 mishnayot: Mishnah *Hall.* 2:3, 2:7, 3:1-3, 4:1. Other (non-neutral) subjects who separate *hallah* are the baker (*nahtom* – twice) and a 'man' (*'ish* – once), whereby all the male subjects are mentioned in mishnayot with women. The central actors of the separation of *hallah* are thus clearly women. A space 'without sacral meaning' is invested with it. The primarily enfolding-place for the *hallah*-precept is shifted to, or recognized as, the space of female work.

This can be read as part of a general rabbinic attitude, reflected in the multiplication of ritual "profane" actors. Such a conception stays in ideological tension with the contemporary/preceding world of the Temple and the priests. Within the strategy of constructing the house and the table as substitutes

for the Sanctuary and the altar (BT *Ber.* 55a), I argue that female bread-making becomes a key-element for substituting and erasing the priests' work, as well as for recasting the imaginative significance of the "priesthood" in the rabbinic model of worship service.

In this paper, I suggest that bread-making is religiously important for rabbinic Judaism in its forming itself as an alternative for the priesthood's model. The connection between women and the ritual act of *hallah*-separation established in Jewish practice is thereby significant as well and has a relevant impact on Jewish imagery and self-understanding.

In order to exemplify the reading possibilities sketched thus far I bring different, interacting sources, starting from a textual unit from the Tosefta:

ת' הלה א ז

[...] בהו ששייר קמה בעסק' עסתו. וכו' אשה ששיירה קמה בעיסתה, הקרין והשאור מצטרפין לחמשת רבעים לאסר את הנעיסה
[...].²

Tosefta *Hall.* 1:7

[...] **A priest** who left over some flour in the process of **[making] his dough, and likewise a woman** who left over some flour in [the process of **making] her dough**, the crumbs [of dough] and the sourdough combine [with the leftover flour and the batch of dough to comprise] five-fourths [of a *qav*, the requisite volume imposing liability to *hallah*], making the dough forbidden [for consumption until one separates *hallah* from it] [...].³

Here the Tosefta reports a ruling according to which unkneced flour and dough crumbs that were left over and not yet incorporated into the batch during the process of dough-making, as well as sourdough, concur to the minimum measure obligating the dough to the *hallah* separation.

The ruling, rather than "generically" and inclusively stated (as it would be in a neutral "one who left over some flour..." שיייר קמה - *shiyer qemah*, or "one who leaves over some flour..." נשתייר קמה - *ha-meshayer qemah*, or in the passive "[if] some flour was left over..." נשתייר קמה - *nishtayer qemah*), is conveyed by means of two very specific agents: a priest and a woman - the rabbinic men/authors are excluding themselves from this domain.

The staging of particular ritual actors in the ruling, rather than the use of a more common generic formulation, expresses a metaphorical and ideological undercurrent animating these rabbinic laws. In this passage, the priest and the woman are both described as doing the same activity - making dough - and the same ruling applies to both of them. This doubling of subject is redundant and thus conveys an additional layer of meaning.

We should begin, however, with the question of why the priest should separate *hallah*? *Hallah* is one of the gifts that are given to the priests (מתנות הכהונה - *matnot ha-kehunah*) and could only be eaten by them and by their households (cf. Mishnah *Hall.* 1:9). Once dough becomes subject to *hallah*, it is forbidden to eat from it until *hallah* is separated (cf. Mishnah *Hall.* 3:1). The halakhic term for such dough, or for produce subject to tithes or *terumah* prior to their removal, is *tevel* (טבל). According to *Sifre Numbers* 121 just as an Israelite is forbidden to eat *tevel*, a priest may not eat it either. Even though priests eat the *terumah*, *ma'aser* and *hallah* that will eventually be separated from the *tevel*, they are not permitted to eat the produce while it is still unseparated. Therefore, if priests purchased untithed produce from a farmer, they must separate the appropriate tithes from it. However the tithes remain in their possession and they eat them, as well as the rest of the produce (cf. Mishnah Peah 1:6). The entire operation seems quite artificial and a rabbinic move to, at least ideally, subjugate the priests to their rulings. They are forcing the priests into a rabbinic frame, trying to "rabbinize" them. The

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¹ For the language see Mishnah *Pes.* 3:4 (שלוש נשים עוסקות בבצק) - "Three women work with the dough") and *T. Pes.* 3:8. Saul Lieberman, (ed.), *The Tosefta: Order of Zeraim I* (New York: Jewish Theological Seminary, 1955), 276.

² Vienna MS. The variants in the Erfurt MS are irrelevant for the present discussion.

³ Gender related parts of rabbinic quotations are underlined in Hebrew and emboldened in the accompanying English translation.

prescribed separation and the prohibition to eat unseparated produce for the priests has a ritual significance in emphasizing that the offering actually belongs to G-d and not to the priestly cast. It is thus permitted to them only when it is separated from the rest of the produce, meaning when it is marked as being directed at the outset toward the Divine. The underlying meaning of these acts is that the offering is granted to the priests for consumption only because of their function in the service of, and subordination to G-d's altar (cf. the concept in BT *Men.* 6b: קא זכו - "the priests receive [the offerings to eat] from the Table of the Most High").

Looking closer at a text in *Sifre Numbers* 121 another factor emerges:

ספרי במדבר קכא

"כן תרימו גם אתם תרומת ה'" (במדבר יח כח). למה נאמר? [...] שומע אני: יהיו אוכלים אותו בטיבולו. ת"ל: "כן תרימו גם אתם תרומת ה'." ר' שמעון אומר: אין צריך. מה חלה. שאינה נוהגת בכל הפירות. נוהגת בפירות כהנים. מעשר ראשון, שנוהג בכל הפירות, אינו דין שינהוג בפירות כהנים?

Sifre Numbers 121

Thus shall you, too, separate the terumah of 'ה. (*Num.* 18:28) Why is this written? [...] I might think that **they [the priests] could eat it [the produce] [when it is] *tevel* [untithed]**. It is therefore written: *Thus shall you [the priests], too, separate the terumah of 'ה.* (*Num.* 18:28). R. Shime'on says: This [derivation] is not needed, **for if *hallah*, which is not the custom [to separate] from all the produce** [cf. Mishnah *Hall.* 1:1], **is the custom [to separate] from the produce of the priests, *ma'aser rishon*, which is the custom [to separate] from all the produce, should it not be separated from the produce of the priests?**

R. Shime'on derives the obligation for the priests "to separate *terumah* and *ma'aser* from *tevel* before eating the produce" in analogy (היקש - *heqesh*) to "what is *practiced*"/"what is the custom" (נהג - *nahag*) in the case of *hallah*. The laws of *terumah* and *ma'aser* are derived here from those of *hallah* and not vice versa, as is typically the case. The analogy from the latter to the former in the present case is therefore unexpected. This is because the difference between separating *terumah* and *hallah* is a gendered one, whereby tithes, separated in the field, are epitomized as a male domain whereas dough, produced at home, as a female one. Moreover, the origin of the idea that obligates the priests to separate *hallah* is grounded in a "custom"; neither a rabbinic nor a priestly interpretation or exegesis of this "custom" is available.⁴

The text declares that this practice was not initiated in the study house. Had it been, such origins would not have been negated, since making others depend on rabbinic knowledge represents an important control tool. The first opinion looks for a discursive and interpretative proof for the law in the biblical text. R. Shime'on, however, rejects the need for a scriptural justification of the ruling, because the custom at its origin is considered valid enough.

If so, by whom was the custom of separating *hallah* from the priests' produce, used by R. Shime'on as halakhic foundation, initiated? There are some examples of מנהג כהנים - *minhag kohanim* in tannaitic literature, as in Tosefta *Kel. B. B.* 3:7: "But the priests were accustomed [*nahagu kohanim*] not to keep bottoms [of baskets] impure" (אלא שנהגו כהנים שלא יהו מקיימין את הגפיין) (טמאין). As pointed out by Furstenberg, in this Tosefta, a conflict between two ways of practice is presented: one is ascribed to the rabbis and one is ascribed to the priests.⁵ The custom of the priests represents an act of resistance against a rabbinic ruling and a competing view on this topic. The text implies that the rabbis offer an alternative solution to the stricter custom of the priests in a problem of impurity. In Tosefta *Kel. B. B.* 3:4 R. Yehudah reports another priestly use which collides with a rabbinic one "I state a law from the days of the priests" (אני אומר הלכה מימיהם של) (כהנים). In Tosefta *Yom.* 1:9 it is said that those who after the destruction of the Temple observe the priestly custom [*nohagin*] of not sleeping the eve of Yom Kippur are sinful (כך היו נוהגין בגבולין)

⁴ An example of priestly exegesis contrasting a rabbinic one can be found in Mishnah *Shek.* 1:4: "the priests expounded this verse for their own benefit."

⁵ Yair Furstenberg, "Eating in the State of Purity during the Tannaitic Period" (PhD diss., The Hebrew University of Jerusalem, 2010), 200 [Hebrew].

אחר חורבן הבית זכר למקדש אבל חוטאין). These cases show that the *minhagin* of the priests were not usually assimilated in rabbinic halakhah, but rejected by it. A *minhag kohanim* reflects indeed either some benefit for the priests and their authority or their interpretation and understanding of Scripture's commandments; all elements the rabbis undermine in a certain measure, in their own interest.

Note, however, that in the case of separating *hallah* from the produce of the priests, this "anonymous" *minhag* is not disapproved, but rather used as a source for rabbinic halakhah. Moreover, the character of this law does not in itself seem to be to the advantage of priests. As already pointed out, this custom also does not insist on the act of the priests eating the offerings; rather, the very act of separating an offering and giving it away is emphasized.

In this ruling, one can already see a shift from priestly prestige, prerogative and gain to other concerns, such as the consecration of everyday activities. This development is clear in slightly later sources. The household of R. Yannai [*de-vei R. Yannai*] "had the custom [*nahagin*] of offering produce to each other in the field and eating it and not tithing it" (דבי רבי ינאי ואמרין נהגין הוינן) (YT *Maas.* 2:3, 49c).⁶ The act of offering and giving remains, but the priests do not exist as recipients anymore: "Others adopted an innovative way to pay tithing per biblical injunction without actually giving it to the priests – set it apart and destroy it" (YT *Shek.* 8:4, 51b).⁷ This practice is already attested in tannaitic literature for the *hallah* separated outside the Land of Israel. The rabbis also enforced the separation of *hallah* outside the Land against the plain meaning of the biblical text, while *terumah* and tithes were not enforced in the Diaspora. This makes *hallah* exceptional and, justified on the basis of impurity concerns outside Israel, it was decreed that one *hallah*-portion be separated and then destroyed, and one given to the priest as remembrance⁸ (Mishnah *Hal.* 4:7-8), whereby later only the portion to be burned remained in force. Mishnah Hallah seems to crystallize an intermediate moment in the fading away of the priest as recipient of the offering. In general, as Grey notes, "[r]abbinic literature from [the amoraic] period does not emphasize the reception of tithes by priests (it focuses more on the obligation to give tithes)."⁹

Thus, it seems counterintuitive that the priests triggered the law of separating *hallah* from their produce and that this was a *minhag kohanim* in its origin, because it underlines the primary importance of the act of separating the offering, regardless of the fact that the priests were those who were entitled to it. It undermines, in a certain measure, their authority and the ranking of their position, levelling their prominence as those who have the prerogative to receive *hallah* from the other Israelites. The offering is in this view first a ritual act of worship and dedication to G-d, a donation responding to the deep human need to give back and offer something to the Divine.

It seems, therefore, that the rabbis are either imagining priests influenced by a rabbinic practice – namely the infiltration of everyday life into the Temple or in the priestly understanding – or that some sort of impact of accepted beliefs and traditions actually happened, whereby what people do was followed by the priests and then by the study house.

Either way, it can be argued that the anonymous "*minhag*," the "practice of the people" (to separate *hallah* from the produce of the priests as well) is likely the practice of women. Women are those primarily involved in bread-preparation and *hallah* separation, as well as those primarily imagined by the rabbis in this context. Having excluded a priestly or rabbinic exegesis and having

⁶ With the term "house of Yannai" also the women of the household are most probably implied and in many rules it can be shown that primarily or only the women of the household are intended. See Tamara Or, *Masseket Betsah (FCBT II/7)* (Tübingen: Mohr Siebeck, 2010), 41f. and Stuart S. Miller, *Sages and Commoners in Late Antique Israel: A Philological Inquiry into Local Traditions in Talmud Yerushalmi* (Tübingen: Mohr Siebeck, 2006), 378ff.

⁷ Matthew J. Grey, "Jewish Priests and the Social History of Post-70 Palestine" (PhD diss., University of North Carolina, 2011), 251.

⁸ Yerushalmi, YT *Hall.* 4:4, 60a, states that the portion for the priest was required to be separated as a pedagogic measure, so that the people would not think that a pure, sacred offering was being destroyed and burned (שלא יהו אומרין: ראינו תרומה טהורה נשרפת). The concern is not for the priest's role as recipient of the offering being neglected.

⁹ Grey, *Jewish Priests*, 251.

excluded a priestly *minhag* based on a priestly understanding, it remains the practice of “those who made bread”: principally women. Women mostly prepared bread together in shared spaces, such as courtyards. In everyday life priestly women working together with rabbinic women interacted probably on a daily basis (see the Yerushalmi below on the rabbis imagining this situation). We can consider how the latter *hallah*-separating while working in common influenced the former, which then brought this rite into the priestly world. The fact that this *minhag* is not named explicitly as one of women *may* depend on an erasure strategy, which would not be surprising at all in the mouth of R. Shime’on, a scholar of R. Aqiva, leader of a school of thought generally less inclusive of women.¹⁰ He would accept the *minhag* as legally valid, but not recognize its initiators. In the case of bread-making we have various examples of מנהג נשים – *minhag nashim* (women’s custom) influencing the halakhah and being reported in rabbinic literature: “women have the habit [*nohago*] of not kneading at the end of a festival day in water which was heated up on the festival day” (Tosefta Pes. 3:7). Another case reads:

ב' פסחים מה ע"ב
אמר רב יוסף: הני נשי דידך נוהג למיטא קפיזא קפיזא לפיסחא.

BT Pes. 48b

Rav Yosef said: **Our women used to bake a *kapiza*** [a measure] at a time during Pesah [since it is easier to prevent small quantities of dough from becoming leavened].

In the case of bread making and the rituals and rulings surrounding it, halakhic decisions are thus often recognized as deriving from women’s practice and habits; women being those primarily engaged in these activities.¹¹ In the case of the *minhag* in *Sifre Numbers* it seems that women’s involvement in the separation of *hallah* does not only influence the formation of the halakhah (about *hallah* and about other tithes as well), but their practices/the imaginings surrounding them are also useful to disenfranchise the priestly authority.

The passage in *Sifre Numbers* states that *hallah* is separated from the “produce of the priests.” Our Tosefta prescribes to a priest preparing dough what contributes to the amount necessary to separate *hallah* and makes the dough forbidden for eating without separation. However, even if the Tosefta relies as its background on the ruling in the midrash halakhah, it leaves unexplained why it needs to use the figure of the priest in this context and what it wants to convey by it.

If the Tosefta alludes to the case of priests preparing for themselves bread to consume at home, like any other Israelite, it is peculiar that it mentions specifically a *male* priest. Maybe it does so in order to underline that priests must separate *hallah* in profane settings, but this is not convincing in this context because of the structure of the text (see below). The same can be said about the gifts that the priests are entitled to receive and whose consumption is not restricted to the Temple, but to anywhere within the boundaries of the Land of Israel (בגבולין – *ba-gvulin*). Of these, the following are related to bread: a) the *hallah*-dough and b) grain or flour of the *terumah* and *terumat ma’aser* offerings, with which the priests could prepare bread in ordinary settings (Tosefta *Hall. 2:9*). These gifts are given to both women and men, and may be eaten by priests and their entire household (both adults and minors, both males and females, and their slaves, and their animals).

In this context, it seems unnecessary to use the figure of the male priest *vs* everyday female bread-making, since also women of the priestly household received these gifts (with which, most

¹⁰ See Tal Ilan, *Silencing the Queen* (Tübingen: Mohr Siebeck, 2006), 125-52.

¹¹ Cf. the formulation of Rabbenu Tam (twelfth century) (*Sefer ha-Yashar le-Rabbenu Tam, Hiddushim* 48:7, 100): שגשגים שלנו – “For our women have the practice to extinguish lights [on Friday afternoon] and then to rekindle them. I saw this myself and asked them and they answered: Yes [this is our practice]. If they themselves are not prophetesses then they are children of prophetesses.”

probably, they, and not their men, prepared bread) and ate them. Moreover, both settings (that of the priest and that of the woman) would be ordinary, which creates no contrast between the two figures and a necessity to derive one from the other in the formulation of the Tosefta. By this contrast, the Tosefta seems to refer only to the specific case of a male priest operating where only male priests operate, in specific Temple settings. The priest is described as occupied in making bread and in shaping *his* dough. No further explanation is given about which sort of dough is intended. However, his title indicates that he is fulfilling a priestly task, or he is representing the priestly caste in particular in regard to this injunction. Likewise, the “woman” prepares *her* dough: the two figures are staged in the ruling most probably as paradigms for the activity of making bread respectively in the *sacra par excellence* – the Temple – and in everyday life, which rabbinically must also be sacralised.

There are two additional groups of priestly gifts – beside those that can be eaten everywhere in the Land of Israel – and to which the priestly activities in our toseftan passage might refer. One can only be consumed in Jerusalem (Tosefta *Hall.* 2:8). The recipient is whatever *mishmar*, priestly watch, that is on duty in the Temple at that time (Mishnah *Bikk.* 3:12). These are *qodashim qalim*: both males and females of a priestly family may eat them. Of these, the ones related to bread are the wheat grain of the *bikkurim*, out of which the priests, together with their families, could prepare bread for their use, inside Jerusalem. Again the familiar character of this situation seems not to be the case illustrated in our tosefta, which uses the symbolical figure of a male priest.

A last group of gifts – the *qodshei qodashim* – constitutes the exclusive domain of male priests (as established by *Lev.* 6:11, 22; 7:6). They can only be eaten by the male priests and only within the walls of the Temple courtyard. Of these, those connected to bread are: the two loaves of bread offered on Shavuot (שתי הלהם – *shei ha-lehem*), the showbread (להם הפנים – *lehem ha-panim*), the remainder of the meal-offering (שירי מנחות – *shire menahot*) and the remainder of barley flour of the ‘omer (מותר – *motar ha-omer*) (Tosefta *Hall.* 2:7). These are portions that the priests receive from consecrated sacrifices that are offered on the altar.¹²

The activities involved in bread-making are mentioned several times within tannaitic literature in the context of the Temple: a) for the preparation of the voluntary baked meal-offerings (whereby in this case it is not specified who prepares the *menahot* of bread and cakes, see e.g., Mishnah *Men.* 5:2, 8); b) for the remainders of the flour *minhah* (מנחת סולת – *minhat solet*) with which the priests prepared bread and other baked goods for themselves inside the Temple courtyard, since they could not bring the gifts from such most-holy offerings outside the precincts of the Sanctuary (BT *Sot.* 14b); c) in the context of the priests producing bread for the Temple (i.e., the showbread and the two Shavuot loaves: Mishnah *Men.* 11:1-2; Tosefta *Men.* 11:1), which then they ate inside the Temple’s inner court.¹³

The male priest mentioned in our Tosefta could therefore be preparing bread in the Temple from the remainders of the flour *minhah* or the ‘omer; or perhaps the dough he prepares is for the Temple work (for the showbread or the two loaves of breads). However, can it be that the intention here is that *hallah* be separated from these already sacred products (*qodshei qodashim*) who belong first and foremost to the altar of G-d? I am not aware of any ruling that states this, even indirectly. It could be that *Sifre Numbers* refers, with the expression “produce of the priests,” not only to the produce a priest acquires unseparated, in ordinary settings, but also to all the priestly gifts, even the most sacred offerings dependent on the altar’s sacrifices. However this is not mentioned and it would seem to contradict other halakhic statements.¹⁴

¹² In rabbinic halakhah, the auxiliary *menahot* (מנחת נסכים – *minhat nesakhim*) are burnt on the altar in their entirety (Mishnah *Men.* 6:2).

¹³ The *lehem ha-panim* was prepared by the Levite family of Kehati (*I Chron.* 9:32). In tannaitic literature, a family of Kohanim, Beit Garmo, is said to have made the showbread in the Temple (e.g., Mishnah *Shek.* 5:1, Tosefta *Shek.* 2:6, Mishnah *Yom.* 3:11, Tosefta *Yom.* 2:5). Mishnah *Tam.* 3:3 mentions a להם הפנים עושים ביה, a Temple’s chamber in which the *panim* bread was made.

¹⁴ Holy offerings are not liable to *hallah* according to Mishnah *Men.* 10:4, Mishnah *Hall.* 1:3 and Mishnah *Hall.* 3:3.

Because of the uncertainty of the priest's activity depicted here, one could get the impression that the toseftan text models the priest on the woman: the priest is acting like a rabbinic woman. In this case, the woman is the known source and model for the sacred, as experienced in the rabbinic world, whereby, when thinking of a priest making bread in the Temple, the rabbis imagine him separating *hallah*. It seems that the underlying concept structuring this halakhah is 'the priest as a woman.' This is a metaphorical construction of drawing from the familiar in order to map the less-known.

However, the utilization of וְכֵן ('and likewise') for the figure of the woman implies the contrary, namely, that the ruling for women preparing bread is derived from a ruling established for priests preparing bread in the Temple. This construction intends to convey that a rabbinic ritual has its origin in the Temple. In order to show that the sanctity of the Temple has moved into the rabbinic world, and that the new system of rituals has replaced the Temple rituals, the text uses here the female ritual of separating *hallah*. In this parallel, the woman represents the rabbis, that is, the Torah world and its continuation with the religious rule of the priests. From the point of view of the authors and redactors, women's bread rituals legitimize the rabbinic system. This creates a "sacred space", which has gained the sacral authority of the Temple.

The fact that this sacra is established in a female workplace, which until now had no specific significance for official, ceremonial religion, does not bother the rabbinic imagination. Here we have the figure at the very top of a different Jewish hierarchy ladder – the priest – and the figure, who is, if not at the very bottom, often pushed much lower on such a ladder – the woman. In this passage, however, the woman outweighs the priest in ritual significance, since she fulfils the ritualization of bread and food preparation in the present, which he, in the absence of the Temple can no longer fulfil. The text seems to suggest that in profane settings women replace the priests, leaving the impression of a strong parallelism between priests and women in the portrayal of bread-making and the cultic rituals associated with it.

The *FCBT* has raised the issue of the direction of the construction priest/woman. Hannah Tzuberi has advanced the idea that in rabbinic depiction women take over the role of the priests after the destruction of the Temple – whereby in the shift of ritual meaning from the priestly Temple-home to the rabbinic house, supervision is placed in female hands.¹⁵ Dalia Marx and Natan Margalit have introduced several arguments for the notion that the priests in rabbinic literature are feminized, described as behaving as women in their upkeep of the sanctuary-household, in order to disempower or subsume their task. Dalia Marx speaks of depictions of a "non-masculine" priesthood and has pointed out, for example, the parallel between the Temple (labelled *Ha-Bayit* – the House) as a domestic, confined space and the home, which is constructed as a feminine sphere.¹⁶ Marjorie Lehman has further shown how patterns of rabbinic authority and differentiating strategies similarly progress towards women and male priests – using representations of women, as well as representations of contrasting masculinities for the priests and for the rabbis themselves (Mishnah *Yom. 2:1-2*).¹⁷

As for the historical question, hinted at above, of whether priestly women separated *hallah* in place of the priests, creating together with rabbinic women a transmission's bridge between the priestly and rabbinic worlds, there is insufficient textual and external material at our disposal to attempt an answer. However, one can take a "next step" in the analysis: the text of Tosefta *Hallah* analysed here contains a certain measure of tension, incoherence and breaches.

¹⁵ See Christiane Tzuberi, "And the Woman is a High-Priest: From the Temple to the Kitchen, From the Laws of Ritual Im/Purity to the Laws of Kashrut (Toharot)," in Tal Ilan et al., eds., *Introduction to Seder Qodashim (FCBT V)* (Tübingen: Mohr Siebeck, 2012), 174ff.

¹⁶ Dalia Marx, *Tractates Tamid, Middot and Qinnim (FCBT V/9)* (Tübingen: Mohr Siebeck, 2013), 11-15; Natan Margalit, "Priestly Men and Invisible Women: Male Appropriation of the Feminine and the Exemption of Women from Positive Time-Bound Commandments," *AJS Review* 28 (2004): 303-4

¹⁷ See Marjorie Lehman, "Rabbinic Masculinities: Reading the *Ba'al Kerit* in Tractate Yoma," *Jewish Studies Quarterly* 22 (2015): 109-36.

These are splinters of something being constructed and reworked. A priest separating *hallah* is not a typical cultic activity: this activity is clearly identified with rabbinic women. Through the image of priest and woman separating *hallah*, we gain an insight on how the rabbinic *hallah*-ritual acquires its particular contours, and indirect indications of the influence of women's practice in this context. Thus, do "the rabbis draw on feminine images in creating their depiction of the priesthood,"¹⁸ as Dalia Marx has suggested, or vice-versa, is women's representation moulded and acted on the High Priest, as Hannah Tzuberi has proposed?¹⁹ The question of whether the figure "woman" is derived from the "priests" or whether the "priests" imagined by the rabbis are constructed on the "woman" model and category, should in my opinion be answered as follows: the rabbinic world recreates the figures "woman" (in the present) and "priests" (in the past) using one category to redefine and rewrite the other. The absence of women in the Temple's priestly upkeep depends on the male priests appropriating any role related to the sacred. The rabbis break down the roles ascribed to the priests, splitting the all-gender-encompassing priest-figure into different functions, which are gendered as female and male. The priestly all-male appropriation is disassembled, creating a larger ritual space for women. At the same time, a space already occupied by women and their practice permits the re-imagination of the priests in the Temple of the past (i.e., it is used as a source for recreating that world) and contributes to re-shaping *the entire idea of sacred*.

To illustrate this point I present the different variations of a narrative mapping rabbinic values, in which gender plays a key-role:

¹⁸ Lehman, "Imagining the Priesthood," 100, n.8.

¹⁹ "[T]he woman in the kitchen is the post-Temple equivalent of the priest in the Temple." Tzuberi, "And the Woman is a High-Priest," 169.

בראשית רבה ס טז	ת' סוטה יג ז	ת' סוטה יא א	ת' סוטה ד ב
ג. כל ימים שהיתה שרה קיימת, היה נר דולק מלילי שבת ועד לילי שבת, וכיון שמתה פסק אותו הנר, וכיון שבאת <u>רבקה</u> חזר.	כל זמן שהיה שמעון הצדיק קיים, היה נר מערבי תדיר. [...] משמת, הלכו ומצאוהו שכבה. מיכן ואילך, מוצאין אותו פעמים כבה פעמים דולק.	כל זמן שהיתה מרים קיימת, היתה באר מספקת את ישראל. משמתה מרים מהו או? "ותמת שם מרים ולא היה מים לעדה" שנסתלקה הבאר.	באברהם הוא אומ': "יקח נא מעט מים". אף המקום ברוך הוא בישר ונתן לבניו באר במדבר. [...]
א. כל ימים שהיתה שרה קיימת, היה ענן קשור על פתח אהלה, כיון שמתה פסק אותו ענן, וכיון שבאת רבקה חזר אותו ענן.	כל זמן שהיה שמעון קיים, היתה מערכה תדירה. [...] משמת שמעון הצדיק, תשש כחה של מערכה. [...]	כל זמן שהיה אהרן קיים עמוד ענן מנהיג את ישראל. משמת אהרן מהו או? "וישמע הכנעני מלך ערד וישב הנגב וגו'".	באברהם הוא אומ': "והשענו תחת העץ". אף המקום נתן לבניו שבעה ענני כבוד במדבר [...] ועמוד ענן שהיה מקדים לפניהם.
כל ימים שהיתה שרה קיימת, היו דלתות פתוחות לרוחה, וכיון שמתה שרה פסקה אותה הרוחה, וכיון שבאת רבקה חזרה אותה הרוחה.			
ב. וכל ימים שהיתה שרה קיימת, היה ברכה משולחת בעיסה, וכיון שמתה שרה פסקה אותה הברכה, כיון שבאת רבקה חזרה.	כל זמן שהיה שמעון קיים, ברכה נכנסת בשתי הלחם ובלחם הפנים. [...] משמת שמעון הצדיק, לא היתה ברכה נכנסת לא בשתי הלחם ולא בלחם הפנים.	כל זמן שהיה משה קיים היה מן יורד להן לישראל. משמת משה מהו אומ'? "וישבות המן ממחרת".	ת' סוטה ד ג
ד. וכיון שראה אותה שהיא עושה כמעשה אמו: קוצה חלתה בטהרה וקוצה עיסתה בטהרה, מיד "ויביאה יצחק האהלה".			ת' סוטה ד ג

ת' סוטה יא ח			
ר' יוסה בר' יהודה אומ': כיון שיצאו ישראל ממצרים נתמנו להן שלשה פרנסיו טובין. אילו הן: משה אהרן ומרים, בזכותן נתנו להן שלש מתנות: עמוד הענן ומן ובאר. באר בזכות מרים. ענן בזכות אהרן. מן בזכות משה.			

²⁸ I have inverted the order of the text to better show the parallelism. I have also underlined the parallel people and emboldened the parallel points.

	מתה מרים, בטלה הבאר, וחזרה בזכות משה ואהרן. מת אהרן, בטל עמוד הענן, וחזרו שניהם בזכות משה. מת משה, בטלו שלשתן ולא חזרו. שני: "ואכחיד את שלשת הרעים בירח אחד."		
Tosefta <i>Sot.</i> 4:2	Tosefta <i>Sot.</i> 11:1	Tosefta <i>Sot.</i> 13:7	<i>Genesis Rabbah</i> 60:16
Of <u>Abraham</u> it is said: <i>Let a little water be brought</i> (<i>Gen.</i> 18:4). So did the Omnipresent, blessed be He, respond graciously and give to his children a well in the wilderness. [...]	So long as <u>Miriam</u> was alive, the well provided ample water for all Israel. Once Miriam has died, what does it say? <i>And Miriam died there, and there was not enough water for the congregation</i> (<i>Num.</i> 20:1-2) – for the well dried up.	So long as <u>Simeon the Righteous</u> was alive the Western Lamp remained permanently lit. [...] When he died, they went and found it has gone out. From that time, sometimes they found it extinguished and sometimes lit.	c.) As long as <u>Sarah</u> was alive, a lamp burned continuously from one Shabbat eve to the next; when she died, this ceased, but when <u>Rebecca</u> arrived, it returned.
Of Abraham it is said: <i>And rest yourselves under the tree</i> (<i>Gen.</i> 18:4). So the Omnipresent gave his children seven glorious clouds in the wilderness, and the pillar of cloud went before them.	So long as <u>Aaron</u> was alive, a pillar of cloud led Israel. Once Aaron had died, what does it say? <i>When the Canaanite, the king of Arad, who dwelt in the Negev, heard that Israel was coming</i> (<i>Num.</i> 21:1).	So long as Simeon the Righteous was alive, the altar fire was perpetual. [...] After Simeon the Righteous died, the power of the altar fire grew weak. [...]	a.) As long as Sarah was alive, a cloud was visible over her tent; when she died, the cloud departed but returned with the arrival of Rebecca.
			As long as Sarah was alive, the doors of her tent were wide open; but once she died, that opening ceased; but with Rebecca that opening returned.

<p>Tosefta <i>Sot.</i> 4:3</p> <p>Of Abraham it is said: <i>I will fetch a morsel of bread that you may nourish your heart</i> (<i>Gen.</i> 18:5). So did the Omnipresent, blessed be He, give them manna in the wilderness.</p>	<p>Tosefta <i>Sot.</i> 11:2</p> <p>So long as <u>Moses</u> was alive, the manna came down to Israel. When Moses died, what does it say? <i>And the manna ceased on the morrow</i> (<i>Josh.</i> 5:12).</p>	<p>So long as Simeon the Righteous was alive, the two loaves and the showbread were blessed. [...] But when Simeon the Righteous died, the two loaves and the showbread were no longer blessed.</p>	<p>b.) As long as Sarah was alive, there was a blessing on her dough, but when she died, such blessing ceased. But, when Rebecca came, the blessing returned.</p>
<p>[...] Just as in the case of the breast, if a suckling sucks from it all day long, it does not harm [the baby], so the manna was made that even if the Israelites ate it all day long, it did them no harm.</p>			<p>d.) Isaac saw that Rebecca acted in the same manner as his mother had: she set aside her hallah in purity and kneaded dough in purity. Immediately (<i>Gen.</i> 24:67) <i>Isaac brought her into his mother Sarah's tent</i>.</p>
	<p><i>T. Sot.</i> 11:8</p> <p>R. Yose ben Yehudah says: When the Israelites went forth from Egypt, <u>three good providers</u> were appointed to them. These are they: <u>Moses, Aaron, and Miriam</u>. On their account were three gifts given to them: the pillar of cloud, manna, and the well - the well through the merit of Miriam. The pillar of cloud through the merit of Aaron. And the manna through the merit of Moses. When Miriam died, the well ceased, but it came back through the merit of Moses and Aaron. When Aaron died, the pillar of cloud ceased, but both of them came back through the merit of Moses. When Moses died, all three of them came to an end and never came back, as it is</p>		

	said, <i>In one month I destroyed the three shepherds (Zech. 11:8).</i>		
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In the text about Abraham (Tosefta *Sot.* 4:2-3) the topic is the greatness of the measure of retribution, exemplified by the reward assigned to the legendarily-righteous patriarch for his deeds. The actions considered worthy and deserving in the rabbinic Torah ethos are unfolded in this passage, and they are strongly domestic and nurturing. The hospitality and care Abraham offers to his guests are then given back much more bountifully by G-d to Israel. Abraham supplies the visitors with water, protection, a place of rest under his roof, and bread. These acts have religious significance and are reproduced by G-d with the miraculous well (באר) – source of life –, which He lets spring in the wilderness within the camp of Israel; the glorious pillar of cloud (עמוד ענן) of the Divine presence sheltering, covering and guiding the Israelites; and the wonder of the manna (מן) which descends from Heaven to feed them. The maternal, nourishing significance of these Divine acts is expressed by the metaphor describing the manna of G-d as breasts for suckling.

In *T. Sot.* 11:1-2 the protagonists are other biblical characters: Miriam, Aaron, Moses.²¹ They were “good providers” (פרנסין טובין) (Tosefta *Sot.* 11:8), meaning that, because of their merits Israel received the same three gifts mentioned in the previous tosefta: the well through the merit of Miriam, the pillar of cloud through that of Aaron, and the manna through that of Moses. Note that the well symbolically represents the Torah²² (Miriam); the pillar of cloud represents bodily integrity and purity (Aaron, the priests) and the manna represents sustainment, food, bread, blessing (Moses, the leader and sustainer of the people of Israel). Moreover, these three elements are fundamental for sustaining life. In Tosefta *Sot.* 11:1-2,8 another component and literal formula is present: “as long as x was alive, ... / when x died, y ceased ...” When the righteous uphold the sacred in Israel, G-d stokes the blessing on Israel; when they died, both are extinguished.

The third text (Tosefta *Sot.* 13:7) introduces one of the two figures of our Tosefta in *hallah*: a priest, and specifically, the High Priest Simeon the Righteous. The well of the preceding stories is replaced by the western lamp (נר מערבי) permanently illuminating the Temple, as a parallel metaphor representing the inextinguishable source of Torah (BT *Sot.* 21a). The pillar of cloud is replaced by the altar fire and the smoke issuing from it. The manna – the bread of Heaven – by the sacred Two Loaves and the showbread. All the elements of the biblical, mythical past are reproduced in the Temple at the hands of the righteous High Priest. As in the stories on the biblical figures, only when he was alive, the bread was blessed (a hint to the blessing over the domestic bread and the separation of *hallah*), while the light and the smoke were vivid. However, when he died, all these ceased. The Temple here is modelled on the rabbinic house; the triplet of blessed activities of the High Priest has indeed a certain affinity to the three female commandments. The priest lights the western lamp in the Temple (הדלקת נר התמיד – *hadlaqat ner ha-tamid*, cf. Mishnah *Tam.* 6:1), like the woman lights the Shabbat lamp in the house (הדלקת הנר – *hadlaqat ha-ner*, Mishnah *Shab.* 6:1).²³ The cloud and the smoke on the altar, signaling the Divine presence among Israel, the purity of the priests and a pleasing moment for G-d, reflect the rabbinic sexual and purity laws, which are the second commandment to which a woman is commanded (*niddah*). The blessing

²¹ On the role of Miriam in the traditions where she is listed together with her brothers see Tal Ilan, *Massekhet Hullin (FCBT V/3)* (Tübingen: Mohr Siebeck, 2017), 418ff., esp. 423 and ‘Miriam the prophetess’ and ‘Miriam’s well’ in Tal Ilan, *Massekhet Ta’anit (FCBT II/9)* (Tübingen: Mohr Siebeck, 2008), 135-40.

²² E.g. see BT *Ber.* 56b: “One who sees a well in a dream [...] has found Torah, [as the well symbolizes] Torah]. As it is stated with regard to the Torah [...]: *A well of living waters (Song. 4:15)*” (“באר מים חיים”) [...] מוצא תורה, שנאמר: [...] “הרוואה באר בחלום [...]” (הירואה באר בחלום [...]).

²³ The western lamp was never allowed to go out and BT *Shab.* 22a states that its burning perpetually was a testimony that the Shekhinah dwells in Israel (כבודות לכך שהשכינה שורה בישראל). This sense of continuity and of the Divine presence dwelling in Jewish abodes is part of the Shabbat-lights metaphorical equipment as well (see, e.g., BT *Shab.* 23b where Rav Yose compares the kindling of the Shabbat lights by his wife while it is still day with G-d’s pillar of fire appearing before the end of the day and the removal of the pillar of cloud; it is an overlapping staying for the uninterrupted presence and protection of G-d. The kindling of the light by his wife ensures such sense of continuation and protection between day and night on the eve of the Shabbat).

on the bread is parallel to the laws of *hallah*. All three allow the continuation, survival, perpetuation and reproduction of Israel.

Indeed, the fourth text, this time a midrash, *Genesis Rabbah* 60:16, has Sarah and Rebecca as subjects, who also represent rabbinic women/wives. Here the hospitality attributed in the Tosefta to Abraham is attributed to Sarah (“the doors of her tent were wide open”). Abraham invites the hosts to rest under the tree and so G-d shields Israel with the pillar of cloud: also in the case of Sarah, the cloud which rests on her tent is connected to the openness and reception of her tent. Her lamp of Shabbat (נר שבת) parallels the lamp of the High Priest (her “lamp burned continuously from one Shabbat eve to the next”), and on her dough blessing rests like on the priestly showbread. The fitness of the Jewish wife is then defined by her attending to the laws of the separation of *hallah* and of making bread in purity, whereby *hallah* separation is singled out as particularly significant at the end of the text. In this last example, the chain of transmission is not interrupted, as in the preceding ones. Righteousness is newly achieved through everyday ritual exercise; and the work of the priests, their performance of the sacred rites, is achieved through new channels and augmented with new characteristics. As long as rabbinic women keep practicing the “sacred,” sustaining the ritualization of the ordinary and performing Torah, the blessing and sustainment of the rabbinic new sanctuary will not cease – as it has in case of the Temple after the death of the righteous High Priest or after the death of the righteous in the biblical past – and continuation is assured. This rhetoric about rabbinic women resembles the idea, according to which the priests’ service in the Temple keeps the foundational relationship with the Divine alive and ensures benevolence to the rest of the world.

Tosefta <i>Sot.</i> 4:3	Tosefta <i>Sot.</i> 11:1 (and 11:8)	Tosefta <i>Sot.</i> 13:7	<i>Genesis Rabbah</i> 60:16
Abraham	Miriam, Aaron, Moses	High Priest Simeon the Righteous	Sarah, Rebecca, rabbinic women/wives
water / well	well	western lamp	c.) lamp Shabbat
rest under the three / pillar of cloud	pillar of cloud	altar fire / wood / smoke	a.) cloud doors of her tent open
bread / manna	manna	two loaves and the showbread <u>were</u> <u>blessed</u>	b.) <u>blessing</u> on her dough
breastfeeding			d.) she set aside her <i>hallah</i> in purity and kneaded dough in purity
retribution	as long as x was alive when x died ceased came back never came back	as long as x was alive when x died ceased	as long as x was alive when x died ceased came back

The penetration of the rabbinic paradigm into the priestly system constructed around the Temple of the past, imposing women as active executors in the sphere of the sacred, is exemplified even better by the evolution of the idea proposed by Tosefta *Hallah* in the Yerushalmi. In the amoraic text it is not the priest, but the *Kohenet* (a rabbinic neologism indicating mostly the daughter of a *Kohen*,

a priest,²⁴ who separates the *hallah* and carries out the role of an intermediary figure between Israel and G-d, between the world of the priests and the world of rabbinic women:

י' חלה ג א, נט ע"א

אמר רבי יוחנן: ממה שלימדו את הכהנות, הלא אמרה אין הלכה כר' לעזר בן ערך. מה למדו את הכהנות? הרי זה חלה על העיסה הזאת, ועל שאו' המתערב בה, ועל הקמח שנשתייר בה ועל הקרץ שניתן תחתיה, לכשתעלה כולה גוש אחד, הוקדש זה שבידי לשם חלה, חוץ מן הטמא שבה.

YT *Hall.* 3:1, 59a

Rabbi Yohanan said: Based on that which they instructed the *kohanot* [to declare when separating *hallah* from others' dough], that tells us that the halakhah does not follow Rabbi Lazar ben Arakh. What was it that they instructed the *kohanot* [to declare when separating *hallah*]? "This is hereby designated *hallah* for this dough [*harei zo hallah 'al ha-'issah ha-zot*], and for the sourdough mixed into it, and for the flour that remains [unmixed] in it, and for the detached [pieces of dough] that are situated underneath it, when all of it is formed into a single mass, this portion in my hand shall be sanctified as *hallah* [*le-shem hallah*], excluding any impure [dough] that might be within it."

This text details how an *'am ha-'arets* woman who is unsure about purity laws would have a *kohenet* to begin the kneading process and to separate *hallah* for her. Then the *kohenet* would keep the separate portion of *hallah* for herself and her priestly household. Indeed, the last sentence, which reads "any impure [dough] that might be within it," demonstrates that purity concerns are at work here.

According to this text, the *kohanot* prepare dough in a state of purity and separate *hallah* at the very beginning of the kneading process. At this stage many parts of the flour are still not mixed with water and therefore a specific designation and formulation are required in order to include all the components in the minimum volume necessary for the obligation. The same principle of the Tosefta is here in force (the minimum amount comprises all the parts, sourdough, bits of dough, flour still not completely blended in) and also the same terminology (ועל הקרץ), but the actors are different.

In the Tosefta a male priest is situated in the sacred sphere preparing dough and a woman is in the profane one, while in the Yerushalmi, a priestly *woman* is depicted carrying out for laywomen the necessary tasks for the sacred. The priestly woman in this role – instead of a priest who biblically carries out every possible task in the Temple and for the sacred activities surrounding it – is invented by the rabbis: we learn about this ritual figure for the first time here. The rabbis project rabbinic women separating *hallah* onto the Temple's system, bring women in the priestly service and create a female-only sphere of interaction. The imagery of female practice is co-opted to design the cult.

The priestly women are instructed in the halakhah by a rabbinic voice, following the general pattern according to which the priestly actors are made dependent on rabbinic knowledge.²⁵ She is thus instructed not because she is a woman, but because she is a priest. We never find a similar formulation ('they were instructed') in cases where *hallah* is separated by rabbinic women. The verb used to describe the attribution of *hallah* and other commandments to, or their appropriation by, women is מסר / *masar* which means "to give, to transmit, to hand down (a tradition, custom)" (Tosefta *Shab.* 2:10, YT *Shab.* 2:6, 5b). In Tosefta *Shab.* 2:10 the verb is used to indicate what bodies of law the *'amei ha-'arets* have taken upon themselves, which they have accepted and to which they have contributed. It is worth noting that the *kohanot* are made experts in a task and incorporated into the rabbinic enterprise by way of learning and ritualization – the rabbinic permutative keys of class and natural order.

In the Yerushalmi, non-rabbinic women are also implied, that is women who do not apply the rules of purity in ordinary settings, but who go to the *kohenet* to let her perform the ritual in purity for them. As pointed out above, *hallah* is one of the priestly gifts that the priests and their households may

²⁴ See the excursus on the *Kohenet* in Ilan, *Hullin* (FCBT^V/3), 565ff.

²⁵ Cf. the analysis of Yoma by Marjorie Lehman, "Rabbinic Masculinities: Reading the *Ba'al Keri* in Tractate Yoma," *Jewish Studies Quarterly* 22 (2015): 112.

consume everywhere and this is probably the setting imagined in this passage. The *kohenet* separates these offerings in a profane framework, whereby other women bring her their produce to make into dough and/or to be separated very often, or even on an everyday basis. Non-rabbinic women let the *kohanot* do the rituals for them in the proper way, whereby they recognize the priestly caste as the only group fit to work in purity and in ritual settings in which the sacred is accomplished and executed. This “proper way,” however, is rabbinically determined, meaning that the rabbinic customs and laws regulate also the priestly household handling offerings as *hallah*. Namely, the law of *hallah* has to be carried out by female actors also in the priestly house or in a sacred priestly space, and women who belong to the rabbinic movements and families – and their daily praxis of separating *hallah* in purity in lay settings – are the model on which the conceptualization of sacred and the priestly functions are regulated.

The rabbis push themselves into the Temple’s logic and into the priestly household managing offerings – both of which did not belong to them. Their everyday-sacred model, which shaped rabbinic identity, is made to pervade and invade every sphere, overturning the dependency between the Temple and the street. Other strategies could have been adopted, like the one described by Josephus about the Essenes: priests [ἱερείς – *iereis*] who are elected “for the preparation of their bread and their food” (*Ant.* 18:22). Here we have a community that acts as priests outside the Temple, bringing the Temple and its logic of exclusivity to permeate everyday life: ordinary meals are treated as holy food consumed by the priests at the Temple; they must therefore be handled in purity and male priests must prepare them. In contrast, in the Yerushalmi, the bread, which must be prepared in purity, is prepared inside the priestly household – as an extension of the Temple’s system – by women.

In a text from Qumran³⁶ it also seems that – as with Josephus’ Essenes and in the case of the women who bring dough to the Temple to be separated there by the priests in purity – the ordinary house is made dependent on the Temple and the priestly caste, to which the sacred is curtailed. According to Joseph Baumgarten, this Qumran passage “identifies [...] הלה with the two loaves (לחם) (תנופה שתיים) to be offered on the Festival of Weeks in accordance with Lev 23:17[...]. The text interprets this to refer to **an annual *terumah***, presumably on the basis of the term ראשית (*Num.* 15:20), which is elsewhere applied to first fruits.”³⁷ *Hallah* is, according to the Qumran halakhah, offered only once a year, in the Temple. This is strikingly different from the rabbinic halakhah. An offering made once a year – and not from *any dough* as in the rabbinic legislation – marks the separation of *hallah* as an exclusive moment – in which the exceptionality of the Temple overrides and trumps the profane – rather than a routine one, which requires a daily or constant interaction, and a different degree of acquaintance, closeness and intimacy with the sacred or the priestly world. In the habitual encounter, distance is replaced with familiarity. This prosaic character is expressed by the Yerushalmi in the following passage:

י' הלה ג, א, נט ע"א

אמר רבי יוסי: גראין דברים בערבי שבתות. שזו³⁸ מביאה וזו מביאה. כמפריש מחיוב על חיוב. אבל בחול, תיקנו בחלה שתהא ניטלת מן הטהור על הטמא.

YT *Hall.* 3:1, 59a

R. Yose said: It appears that the matter [taught above applies] **on the eves of the Shabbat [i.e., on Fridays]** when this (f.) [woman] brings [her flour to the *kohenet*] and that (f.) [woman] brings [her flour to the *kohenet*, in order to have her begin the kneading process and separate *hallah* from her dough]. [For since there is a large quantity of flour being processed then, the *kohenet* is] comparable to someone who separates [*hallah*] from [dough that is] subject [to the obligation].

But during [regular] weekdays [when the total quantity of dough that is brought to the *kohenet* is generally insufficient to yield a *hallah*-obligated measure at the time the *hallah* is separated, the instructions given to the *kohanot* are not applicable], they instituted regarding the *hallah* [separated by the *kohanot*] that it should be taken from pure [dough] on behalf of impure [dough].

³⁶ 4Q270 (4QD) 3 ii, 19-21.

³⁷ Joseph M. Baumgarten, “A Qumran Text with Agrarian Halakhah,” *The Jewish Quarterly Review* 86 (1995): 6.

³⁸ MS Moscow, Gunzberg Collection, Nr. 1135; MS Vatican Ebreo 133; ed. Constantinople, year 1662; ed. Amsterdam; MS London, British Library Or. 2822-24.

Here it is imagined that on Fridays the work of the *kohanot* is different. Friday is indeed the moment when women prepare dough – or more of it than usual – because of the Shabbat, i.e., in order to honour the holy day with fresh bread in abundance and because on the Shabbat itself they cannot bake. This logic has nothing to do with the Temple’s inner-working, but rather with the construction of the ordinary week of a rabbinic household.²⁹ This gives the impression that between the common house and the House of G-d there is a less hierarchical relationship, indeed almost a mutual reliance is envisioned, where these two poles condition one another; and where the Sanctuary (or the priestly household as a branch stretching out from it) is made contingent upon the pace of rabbinic women. There is also another text in the same section of the Yerushalmi that formulates how the *kohenet* figure and her sacred work are shaped by the activities of women in rabbinic households:

י' חלה ג א, בט ע"א
 כמפרשת מחיוב על חיוב.

YT *Hall.* 3:1, 59a

[The *kohenet*] is comparable to [a rabbinic woman] (f.) who separates [hallah from dough that is] subject [to the obligation] on behalf of [dough that is] subject [to the obligation].

In conclusion, the ultimate model for the separation of *hallah* is the rabbinic woman. Particularly interesting points include the metaphorical significance and imaginative force of such a structure and how gender and dependency are situated on the spectrum of the association: when women inhabit the source, other people and certain lines of thinking depend on them. This position is part of a broader net of interdependency and this is never unilateral; it has an impact and a voice for the sake of, and because of, this woven fabric. In BT *Pes.* 50b the biblical תורת אִמְךָ – “your mother’s Torah” (*Prov.* 1:8) is understood as signifying custom and practice forming the halakhah. The rabbinic world here shifts ritual and practice significance from the (male) Temple rhetoric to the domestic everyday bread-making. This imaginative non-sacred space, inhabited by women by virtue of an already existing gendered labour-division, is transformed into a new “sacra.” A new ritual actor, absent in the Bible, is created – the woman.

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²⁹ Note, however, that a symbolic connection exists, whereby the rabbis state that: “[the showbread] is baked on the eve of the Shabbat” (מִשְׁנָה *Men.* 11:9). Josephus, *Ant.* 3:10, also reports that: “they [the loaves] were baked on the evening before the Shabbat.”

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WOMEN IN ANTIQUITY: FROM MARGINALIZATION TO PROMINENCE

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ABSTRACT: Despite the fact that royal women in Antiquity played a major dynastic role, historical accounts either ignored them or mentioned them merely as appendages to kings. Beginning in the 1970s, a major change transpired due to the impact of women's and gender studies. Numerous studies on the role of royal women in Antiquity were published, shedding light upon previously unknown women. This new understanding of royal women in Antiquity has implications for historical scholarship and its methodologies as well as for attitudes towards contemporary female leaders, who can be viewed as a continuation of an ancient tradition.

The escalating interest in royal women in Antiquity from the 1970s onwards has launched a plethora of studies bringing to light the varied roles and actions of royal women that were previously obscured.¹ This new knowledge has not only contributed to a better understanding of the role of women in Antiquity but also of the events and processes in which these women played a major role. June Hannam points out another effect of these historical studies:

The writing of women's history has always been closely linked with contemporary feminist politics as well as with changes in the discipline of history itself. When women sought to question inequalities in their own lives they turned to history to understand the roots of their oppression and to see what they could learn from challenges that had been made in the past.²

Looking back upon the past two centuries of scholarship, this article will examine the impact of women's and gender studies upon the scholarly evaluation of the role of royal women in Antiquity in general, and of Jewish aristocratic women in the Second Temple Period in particular.³ Such an investigation has implications for historical scholarship and its methodologies as well as for attitudes towards contemporary female leaders. Although one may claim that aristocratic women do not represent the majority of women, one must remember that the ordinary woman (and even man) was seldom mentioned in ancient texts. Therefore royal women lend themselves well to such an analysis due to their presence, even if minor, in ancient writings.

I would like to preface this analysis with an examination of the difference between women's and gender studies as they relate to the field of history. Women's studies commenced in force in the 1970s, focusing upon women as active agents in the historical narrative.⁴ This new field involved reading

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¹ For example, the Macedonian queen Arsinoë II (ca. 316-270/268 BCE), who played a major role in *affaires d'État* and was even viewed as a deity (see Elizabeth Carney, *Arsinoë of Egypt and Macedon* [Oxford: Oxford University Press, 2013]); the Seleucid queen Laodike II (240-190) who obtained political authority through euergetism (see Gillian Ramsey, "The Queen and the City: Royal Female Intervention and Patronage in Hellenistic Civic Communities," *Gender and History* 23 [November 2011]: 510-27); Cleopatra I who ruled Egypt as a regent for her minor son, Ptolemy VI, for four years (from 180 BCE) until her death in 176 BCE (see Grace Macurdy, *Hellenistic Queens: A Study of Woman-Power in Macedonia, Seleucid Syria, and Ptolemaic Egypt* [Baltimore: John Hopkins Press, 1932], 145-7, and the later study by Sarah Pomeroy, *Women in Hellenistic Egypt from Alexander to Cleopatra* [New York: Schocken, 1984], 23); Cleopatra II who ruled jointly with her siblings and then her daughter (see John Whitehorne, *Cleopatras* [London: Routledge, 1994], 89-102; 103-20); Cleopatra III who reigned from 116-101 BCE and even obtained the position of priest in the royal cult in 105 BCE, which was usually only held by a king (see Macurdy, *Hellenistic Queens*, 161-70; Pomeroy, *Women in Hellenistic Egypt*, 24; Whitehorne, *Cleopatras*, 121-31; 132-48); Cleopatra Berenice III who inherited the Ptolemaic throne in 80 BCE (Whitehorne, *Cleopatras*, 176-7); and Cleopatra VII who succeeded her father in 51 BCE, initially reigned alone, then jointly with her siblings (Macurdy, *Hellenistic Queens*, 184-223, Pomeroy, *Women in Hellenistic Egypt*, 24-8, Jane Rowlandson, ed., *Women and Society in Greek and Roman Egypt: A Sourcebook* (Cambridge: Cambridge University Press, 1998), 37).

² See June Hannam, "Women's History, Feminist History" in http://www.history.ac.uk/makinghistory/resources/articles/womens_history.html

³ This article will only discuss Jewish women in the Second Temple Period, from 586 BCE - 70 CE, and not later rabbinic sources, which is a separate topic in and of itself.

⁴ For a discussion of this topic see Joan Wallach Scott, *Gender and the Politics of History* (New York: Columbia University Press, 1988), 17-20; Gerda Lerner, *The Majority Finds its Path: Placing Women in History* (Oxford: Oxford University Press, 1979), 145-80; Gisela Bock, "Women's History and Gender History: Aspects of an International Debate," *Gender and History* 1/1 (Spring 1989).

between the lines, against the grain, and looking for what is not written since ancient texts were edited and copied throughout the centuries, and women often were “lost” in this process.⁵

Gender studies started in the 1970s and became established by the 1990s. Using the concept of gender as a tool of historical analysis, it investigates representations of women in male-authored texts as well as gender identities and the difference between the categories of male and female in history.⁶

Both women’s and gender studies involve feminist research which “...has brought new perspectives, discovered new data, opened up valuable new areas for enquiry, generated new debates, and simultaneously established itself as an essential component of all forms of holistic analysis.”⁷ I posit that the fact that such studies in the discipline of Antiquity were undertaken by serious scholars (the majority women), who studied sources in-depth in their original language and drew conclusions based on tested scholarly methods, facilitated the acceptance of these studies by the broader scholarly community.

To return to the specific topic of this article, the issue involved in the study of women in Antiquity is that in the past women were, for the most part, largely invisible in historical texts. Indeed, “[o]nce upon a time the history of the ancient classical world was primarily the story of great men and their battles.”⁸ Nevertheless, royal women and queens such as Arsinoë II, Laodike II, the dynasty of Cleopatra (from Cleopatra I-VII), the Empress Livia and others, represent one of the few categories of women who were mentioned in classical Greco-Roman sources (e.g., Justin’s *Epitome of the Philippic History of Pompeius Trogus*; Cassius Dio’s *Roman History*), inscriptions (e.g., Arsinoë in The Decree of Chremonides⁹), and art (e.g., busts of Cleopatra II in the Louvre, Paris and other museums). Royal women, however, were the exception. Women in general were usually relegated to second class status by ancient Hellenistic writers. Thus Aristotle declares: “The male is by nature superior, and the female inferior; and the one rules and the other is ruled; this principle of necessity extends to all mankind.”¹⁰

Classical Jewish historical works (mainly Josephus) described queens such as Shelamzion Alexandra,¹¹ Mariamme,¹² Helene of Adiabene.¹³ Yet, the few times that royal women were mentioned as powerful rulers, they often were criticized for taking over what were deemed traditional male roles. This attitude was influenced by a patriarchal outlook based upon the Bible.¹⁴ For example, Josephus asserts: “It [the Law/Torah] says: a woman is in all things inferior to a man. Accordingly, let her yield/listen, not in order to be maltreated, but so that she be ruled over; for God gave the authority to man.”¹⁵

The fact that ancient texts marginalized women undoubtedly affected the approach of nineteenth- and twentieth-century historians.¹⁶ Their historical outlook usually manifested a patriarchal

⁵ See Gillian Clark, “Introduction,” in Ian McAuslan, and Peter Walcot, eds., *Women in Antiquity* (Oxford: Oxford University Press, 1996), 1-16.

⁶ For a contemporary discussion of the rise of gender studies and Greco-Roman Antiquity, see Brooke Holmes, *Gender, Antiquity and its Legacy* (Oxford: Oxford University Press, 2012), 1-13. On approaches to gender in Classical Antiquity, see Lin Foxhall, *Studying Gender in Classical Antiquity* (Cambridge: Cambridge University Press, 2013), 1-23. On gender, history and religion, see Ross Shepard Kraemer, *Unreliable Witness: Religion, Gender and History in the Greco-Roman Mediterranean* (Oxford: Oxford University Press, 2011).

⁷ Penelope Corfield, “History and the Challenge of Gender History,” *Rethinking History* 1/3 (Winter 1997): 241.

⁸ Foxhall, *Studying Gender*, 1.

⁹ See Jane Rowlandson, ed., *Women and Society in Greek and Roman Egypt: A Sourcebook* (Cambridge: Cambridge University Press, 1998), 26-7.

¹⁰ See Aristotle, *Politica*, with commentary by Benjamin Jowett, in William D. Ross, ed., *The Works of Aristotle* (Oxford: Clarendon Press, 1921), 10, 1254a.

¹¹ See Josephus, *The Jewish War, Volume I: Books 1-2* (Cambridge: Harvard University Press, 1927), § 1:107-19 and see Ralph Marcus, trans., *Flavius Josephus. Jewish Antiquities, Books XII- XIII* (Cambridge: Harvard University Press, 1943), § 13:399-432.

¹² See Ralph Marcus, Allen Wikgren, trans., *Josephus, Jewish Antiquities, Volume VI: Books 14-15* (Cambridge: Harvard University Press, 1943), § 15:237-9.

¹³ See Louis Feldman, trans., *Flavius Josephus Jewish Antiquities, Book XX* (Cambridge: Harvard University Press, 1965), § 17-96.

¹⁴ On this topic, see Tal Ilan, “Post-Biblical and Rabbinic Women,” in *Jewish Women: A Comprehensive Historical Encyclopedia*. 1 March 2009. Jewish Women’s Archive. Accessed online at: <https://jwa.org/encyclopedia/article/post-biblical-and-rabbinic-women>

¹⁵ See *Against Apion* 2:201 in Henry St. J. Thackeray, trans., *Josephus, The Life, Against Apion* (Cambridge: Harvard University Press, 1926), with my emendations to the translation.

¹⁶ Corfield, “History and the Challenge,” 4-6, Foxhall, *Studying Gender*, 6.

double standard, assuming the superiority of men over women in all realms. Elizabeth Carney points out how ancient attitudes affected modern ones:

These ancient prejudices may be further magnified by modern ones. Scholars often assume that Hecatomnid women played no role other than a formal one in rule until their brother-husbands died, and that, even then, they functioned merely as placeholders when they ruled alone...Nothing in our ancient sources suggests that these Hecatomnid women were merely ciphers during their periods of shared rule or that they were considered incompetent when they ruled alone. It continues to be reasonable to believe that the men were the dominant partners in rule, but it is not reasonable to believe that their wives did nothing significant before their husbands' deaths.¹⁷

Consequently, despite the fact that royal women in Antiquity, especially in Hellenistic society, played a major dynastic role, up until some fifty years ago modern historical accounts either ignored or mentioned them merely as appendages to kings (their wives, mothers, daughters, etc.) due to a legacy of prejudice.

Yet, towards the end of the twentieth and beginning of the twenty-first century, a major change transpired. Inspired by feminist thinkers such as Simone de Beauvoir, a plethora of interdisciplinary studies focusing upon the role of royal and other significant women in Antiquity appeared from the 1970s up until the present time.¹⁸ This new research has not only affected the content of scholarly studies by adding many newly discovered female figures but has also affected the attitude towards women as historical figures on the one hand, and towards female scholars of Antiquity on the other.

Thus, if almost one hundred years ago Edwyn R. Bevan employed a double standard and criticized a Macedonian queen, Arsinoë II, for behaving cruelly (“a Macedonian princess, with not a little of the tigress”¹⁹) while not criticizing the same behaviour in her male counterparts, today this would not be possible.²⁰ In fact, recently there has been a great scholarly interest in Arsinoë II and other queens.²¹ Over 50 years ago William Tarn totally skipped the reign of Queen Alexandra when describing the Hasmonean dynasty.²² Yet today this queen has been the topic of dozens of articles and several books.²³ If women were viewed as non-entitles in Qumran, Sidnie White Crawford, Tal Ilan and Eileen

¹⁷ Elizabeth Carney, “Women and Dunasteia in Caria,” *American Journal of Philology* 126 (2005): 77-8.

¹⁸ A chronological list of just some of these studies in the field of Antiquity in general includes Sarah Pomeroy, *Goddesses, Whores, Wives and Slaves: Women in Classical Antiquity* (New York: Schocken Books, 1975); eadem and Helene Foley, eds., *Reflections of Women in Antiquity* (New York: Gordon and Breach, 1981); Sarah Pomeroy, *Women in Hellenistic Egypt from Alexander to Cleopatra* (New York: Schocken, 1984); Eva Cantarella, *Pandora's Daughters: The Role and Status of Women in Greek and Roman Antiquity* (Baltimore and London: John Hopkins Press, 1987); Sarah Pomeroy, ed., *Women's History and Ancient History* (Chapel Hill: University of North Carolina Press, 1991); Mary DeForest, ed., *Woman's Power, Man's Game: Essays on Classical Antiquity in Honor of Joy K. King* (Wauconda: Bolchazy-Carducci Publishers, 1993); Elaine Fantham, et al., *Women in the Classical World: Image and Text* (New York and Oxford: Oxford University Press, 1994); Richard Hawley and Barbara Levick, eds., *Women in Antiquity: New Assessments* (London and New York: Routledge, 1995); Susan Wood, *Imperial Women: A Study in Public Images, 40 B.C. - A.D. 68* (Leiden: Brill, 1999); Shelly Mathews, *First Converts* (Stanford: Stanford University Press, 2001); Kristina Milnor, *Gender, Domesticity, and the Age of Augustus: Inventing Private Life* (Oxford: Oxford University Press, 2005); Ross Kraemer, *Unreliable Witnesses: Religion, Gender and History in the Greco-Roman Mediterranean* (Oxford: Oxford University Press, 2011); Elizabeth Carney, *Arsinoë of Egypt*, Altay Coşkun and Alex McAuley, eds., *Seleukid Royal Women: Creation, Representation and Distortion of Hellenistic Queenship in the Seleukid Empire* (Stuttgart: Franz Steiner Verlag, 2016). In the field of Jewish studies the list includes Bernadette Broten, *Women Leaders in the Ancient Synagogue* (Chico: Scholars Press, 1982); Amy-Jill Levine, *Women Like This: New Perspectives on Jewish Women in the Greco-Roman World* (Atlanta: Scholars Press, 1991); Cheryl Brown, *No Longer Be Silent: First Century Jewish Portraits of Biblical Women: Studies in Pseudo-Philo's Antiquities and Josephus' Jewish Antiquities* (Louisville: Westminster John Knox Press, 1992); Ross Kraemer, *Her Share of the Blessings: Women's Religions Among Pagans, Jews and Christians in the Greco-Roman World* (New York and Oxford: Oxford University Press, 1992); Athalya Brenner, *A Feminist Companion to Esther, Judith and Susanna* (Sheffield: Sheffield Academic Press, 1995); Betsy Halpern-Amaru, *The Empowerment of Women in the Book of Jubilees* (Leiden: Brill, 1999); Tal Ilan, *Jewish Women in Greco-Roman Palestine: An Inquiry into Image and Status* (Tübingen: Mohr Siebeck, 1993); eadem, *Mine and Yours Are Hers: Women's History from Rabbinic Literature* (Leiden, New York and Cologne, 1997); eadem, *Integrating Women into Second Temple History*, (Peabody: Hendrickson, 1999); eadem, *Silencing the Queen: The Literary Histories of Shelamzion and other Jewish Women* (Leiden: Brill, 2006).

¹⁹ Edwyn R. Bevan, *The House of Ptolemy* (London: Methuen, 1927), 57.

²⁰ Grace Macurdy first pointed out this double standard. See Macurdy, *Hellenistic Queens*, x.

²¹ Carney, *Arsinoë*; eadem, *Women and Monarchy in Macedonia* (Oklahoma, 2000); eadem, “Women and Basileia: Legitimacy and Political Action in Macedonia,” *Classical Journal* 90/4 (1995): 367-91.

²² Tarn's outline of the Hasmonean dynasty does not mention Queen Alexandra at all; it goes from Alexander Jannaeus directly to his two sons, see William Tarn, *Hellenistic Civilisation* (3rd edition, revised by the author and G.T. Griffith) (Cleveland and New York: Meridian Books, 1968), 236-7.

²³ See below, n. 61, for recent studies of Queen Alexandra.

Schuller have shown that women were present at Qumran, both in its literature and in real life.²⁴ Drawing upon the character of Aseneth in the novella *Joseph and Aseneth* as a prototype, Ross Shepard Kraemer, Angela Standhartinger and Patricia Ahearne-Kroll have shown how gender stereotypes are reflected in Hellenistic literature.²⁵ Finally, the pronouncement in a university class in the 1960s by Elias Bickerman, one of the most prominent scholars of the history of Jews in Antiquity, that “he would never support female students for fellowships, since he believed their scholarly careers would always be aborted by biology – the demands of motherhood,” would probably cause his dismissal, or at the very least censure, today.²⁶

Let us now survey those scholars who did focus on women in Antiquity. Starting with Grace Macurdy in the 1930s, scholars “discovered” women in general, and queens in particular, who played a major political, religious and economic role.²⁷ After a hiatus of forty years, Sarah Pomeroy continued Macurdy’s pioneering research on women in classical sources.²⁸ Soon sourcebooks and studies appeared, redeeming other important women from oblivion.²⁹ By the beginning of the second millennium there was a flood of books on royal women in Antiquity as well as collections of articles.³⁰ There have also been evaluations of the changing perspectives relating to the influence of gender in the ancient Greek and Roman worlds.³¹ As Coşkun and McAuley have recently noted, “[o]ver the past two and a half decades, the study of royal women has been one of the most dynamic fields of inquiry into the Hellenistic era, and one that has profoundly shifted our perceptions of gender, status, influence, and ability within the broader ancient world.”³² The Oxford University Press is publishing a series of books aimed at filling the lacuna on prominent women in Antiquity. One work in this series, which has already appeared, is Elizabeth Carney’s biography of Arsinoë II, a Macedonian queen who reigned together with her husband-brother Ptolemy II from 275-270 BCE. Carney describes in detail Arsinoë II’s key political role.³³ Other works include biographies of Berenice II, Cleopatra, Clodia Metelli, Faustina I and II, Galla Placidia, Hypatia, Monica, Theodora, Turia, and more biographies are in preparation.³⁴

²⁴ Sidnie White Crawford, “Jewish and Early Christian Communities,” in James R. Davila, ed., *The Dead Sea Scrolls as Background to Postbiblical Judaism and Early Christianity: Papers from an International Conference at St. Andrews in 2001* (Brill: Leiden and Boston, 2003), 177-191; Tal Ilan, “Women in the Qumran and Dead Sea Scrolls,” in Timothy H. Lim and John J. Collins, eds., *Oxford Handbook of the Dead Sea Scrolls* (Oxford: Oxford University Press, 2010), 123-50; Eileen M. Schuller, “What Have We Learned about Women?” in eadem, *The Dead Sea Scrolls: What Have We Learned?* (Louisville: Westminster John Knox Press, 2006), 80-104.

²⁵ Ross Shepard Kraemer, *When Aseneth Met Joseph: A Late Antique Tale of the Biblical Patriarch and his Egyptian Wife. Reconsidered* (Oxford: Oxford University Press, 1998); Angela Standhartinger, “Joseph und Aseneth: Vollkommene Braut und himmlische Prophetin,” in Luise Schottruff and Marie-Theres Wacker, eds., *Kompendium feministische Bibelauslegung* (Gütersloh: Kaiser, 1998), 459-64; Patricia Ahearne-Kroll, “The Portrayal of Aseneth in Joseph and Aseneth: Women’s Religious Experience in Antiquity and the Limitations of Ancient Narratives,” in Stephen Ahearne-Kroll et al., eds., *Women and Gender in Ancient Religions* (Tübingen: Mohr Siebeck, 2010), 39-58.

²⁶ Albert Baumgarten, *Elias Bickerman as a Historian of the Jews: A Twentieth Century Tale* (Mohr Siebeck, Tübingen, 2010), 160. In response to a question as to when this statement was made, Baumgarten related in an email to me: “I was Bickerman’s student from about 1963 until he retired in 1966. I saw him frequently after his retirement but to the best of my recollection he made this remark about female students in class during the years between 1963 and 1966.”

²⁷ Macurdy, *Hellenistic Queens*; eadem, *Vassal-Queens and Some Contemporary Women in the Roman Empire* (Baltimore: John Hopkins Press, 1937).

²⁸ Pomeroy, *Goddesses*; eadem, *Women in Hellenistic Egypt from Alexander to Cleopatra* (New York: Schocken, 1984).

²⁹ Mary Lefkowitz and Maureen Fant, *Women’s Life in Greece and Rome: A Source Book in Translation* (Baltimore: John Hopkins Press, 1982); Rowlandson, *Women and Society*; John Whitehorne, *Cleopatras* (London: Routledge, 1994).

³⁰ Carney, *Women and Monarchy*; eadem, *Arsinoë*; Eva D’ Ambra, *Roman Women* (Cambridge: Cambridge University Press, 2006); A. Coşkun and A. McAuley, *Seleucid Royal Women: Creation, Representation and Distortion of Hellenistic Queenship in the Seleucid Empire* (Stuttgart: Franz Steiner Verlag, 2016); Stephen Ahearne-Kroll et al., eds., *Women and Gender in Ancient Religions* (Tübingen: Mohr Siebeck, 2010).

³¹ For example, Foxhall, *Studying Gender*; Holmes, *Gender*; Rosie Wyles and Edith Hall, eds., *Women Classical Scholars: Unsealing the Fountain from the Renaissance to Jacqueline de Romilly* (Oxford: Oxford University Press, 2016).

³² See A. Coşkun and A. McAuley, *Seleucid Royal Women: Creation, Representation and Distortion of Hellenistic Queenship in the Seleucid Empire* (Stuttgart: Franz Steiner Verlag, 2016), 17.

³³ Carney, *Arsinoë*. See also eadem, *Women and Monarchy*; eadem, “Women and Basileia.”

³⁴ Dee Clayman, *Berenice II and the Golden Age of Ptolemaic Egypt* (Oxford: Oxford University Press, 2014); Duane W. Roller, *Cleopatra: A Biography* (Oxford: Oxford University Press, 2012); Marilyn B. Skinner, *Clodia Metelli: The Tribune’s Sister* (Oxford: Oxford University Press, 2011); Barbara M. Levick, *Faustina I and II: Imperial Women of the Golden Age* (Oxford: Oxford University Press, 2014); Hagith Sivan, *Galla Placidia: The Last Roman Empress* (Oxford: Oxford University Press, 2011); Edward Watts, *Hypatia: The Life and Legend of an Ancient Philosopher* (Oxford: Oxford University Press, 2017); Gillian Clark, *Monica: An Ordinary Saint* (Oxford: Oxford University Press, 2016); David Potter, *Theodora: Actress, Empress, Saint* (Oxford: Oxford University Press, 2016).

In the Jewish world, only a handful of books and articles on women in Antiquity were published from 1890 to 1960.³⁵ In a similar way to general historical studies on royal women in Antiquity, historical studies from the 19th and 20th centuries on royal Jewish women usually contained only a few pages (if any) relating to women. Renewed interest in this topic commenced in the 1970s, including many general works on women in ancient Jewish history.³⁶ Rising interest continued in the 1980s with books written by prominent scholars (mostly women), such as Bernadette Brooten, Tal Ilan, Ross Shepard Kraemer, Amy-Jill Levine, and others.³⁷ As with the general topic of women in Antiquity, after the year 2000 numerous works were published on Jewish women in Antiquity.³⁸ The results of a search of the RAMBI catalogue in January 2018 for articles on Jewish women in antiquity reveals some fifty articles but only a handful of articles, many of them by Tal Ilan, deal directly with royal Jewish women.³⁹

The theme of Women and Christianity has also been a hot topic, with numerous articles and books being published.⁴⁰ In this connection, Judith Plaskow described one of the problematic issues regarding research on Jewish women in the Greco-Roman period. Inasmuch as many studies were undertaken by Christians who had a particular agenda – a desire to show that Christianity was advantageous for women or even feminist – these scholars claimed that Judaism invented patriarchy thereby turning feminism into one of the means to attack Judaism.⁴¹

Several journals are devoted to the general topic of women/gender and history such as *Arethusa*, *Gender and History*, *Women and Gender in Ancient Religions*, and *Journal of Women's History*, along with Jewish-oriented journals that also include historical studies such as *Nashim: A Journal of Jewish Women's Studies and Gender Issues*, *Women in Judaism: A Multidisciplinary e-Journal*, etc.

Following this historiographic survey, let us now examine how modern scholarship has contributed to a better understanding of the status, power and realms of influence of individual royal women in Antiquity.

Grace Macurdy was the first to point out that “especially among the Lagids in Egypt the queens remained vigorous and capable at a time when the kings were degenerate and worthless.”⁴² Gillian Ramsey describes how the Seleucid queen Laodike II (240-190) exercised euergetism and thereby augmented her queenly authority.⁴³ In assessing the posthumous mention of Queen Arsinoë’s political influence upon the king in the Decree of Chremonides, Elizabeth Carney postulates that it assumes “that

Press, 2017); Josiah Osgood, *Turia: A Roman Woman's Civil War* (Oxford: Oxford University Press, 2014). See also Oxford University website for a continuously updated list: <https://global.oup.com/academic/content/series/w/women-in-antiquity-via/?cc-il&lang-en&>

³⁵ Starting with Meyer Kayserling, *Die jüdischen Frauen in der Geschichte, Literatur und Kunst* (Leipzig: Brockhaus, 1879); Shai Hurvitz, *Ha-ivriyyalve-ha-Yehudiyah* [The Hebrew Woman and Jewess] (Berdichev: Bet Eged and Yaakov Sheftel, 1891) [Hebrew]; Henry Zimdorff, *Some Jewish Women* (Philadelphia: Jewish Publication Society, 1892), etc. For a complete survey of the early research on Jewish women, see Ilan, *Jewish Women*, 2-21.

³⁶ This includes works such as Leonard Swidler, *Women in Judaism: The Status of Women in Formative Judaism* (Metuchen, New Jersey: Scarecrow Press, 1976) and Evelyn and Frank Stagg, *Women in the World of Jesus* (Philadelphia: Westminster Press, 1978).

³⁷ A chronological list includes Bernadette Brooten, *Women Leaders*; Léone Archer, *Her Price is Beyond Rubies: The Jewish Woman in Greco-Roman Palestine* (Sheffield: JSOT Press, 1990); Levine, “Women Like This”; Kraemer, *Her Share of Blessings*; Brown, *No Longer Silent*; Ilan *Jewish Women*, Meir Bar-Ilan, *Some Jewish Women in Antiquity* (Atlanta: Scholars Press, 1998); Halpern-Amaru, *Empowerment of Women*, Ilan, *Integrating Women*.

³⁸ To name just a few, Athalya Brenner, *Are We Amused?: Humour About Women in the Biblical Worlds* (London; New York: T & T Clark International, 2003); Tal Ilan, *Silencing the Queen*, Ross Shepard Kraemer, *Unreliable Witnesses: Religion, Gender, and History in the Greco-Roman Mediterranean* (Oxford: Oxford University Press, 2011).

³⁹ Such as Tal Ilan, “The Attraction of Aristocratic Women to Pharisaism during the Second Temple Period,” *Harvard Theological Review* 88/1 (1995): 1-33; eadem, “Queen Salanzion.” Other articles include van Henten, “Blaming the Women,” Knauf, “Salome Alexandra;” Lambers-Petry, “Shelomzion.”

⁴⁰ For example, Mary Rose D’Angelo, “Women Partners in the New Testament,” *Journal of Feminist Studies in Religion* 6/1 (Spring, 1990): 65-86; Ross Shepard Kraemer and Mary Rose D’Angelo, *Women and Christian Origins* (Oxford: Oxford University Press, 1999); Elizabeth Clark, “Holy Women, Holy Words: Early Christian Women, Social History, and the ‘Linguistic Turn,’” *Journal of Early Christian Studies* 6/3 (1999): 413-430; Lisa Bellan-Boyer, “Conspicuous in their Absence: Women in Early Christianity,” *CrossCurrents* 53/1 (Spring 2003): 48-63; Bonnie Thurston, *Women in the New Testament: Questions and Commentary* (Eugene: Wipf and Stock Publishers, 2004); Patricia Cox Miller, ed., *Women in Early Christianity: Translations from Greek Texts* (Washington, D.C.: Catholic University of America Press, 2005); and others.

⁴¹ Judith Plaskow, “Christian Feminism and Anti-Judaism,” *CrossCurrents* 28/3 (1978).

⁴² Macurdy, *Hellenistic Queens*, 2.

⁴³ Ramsey, “Queen and City.”

royal women played a part in family action, success and renown.”⁴⁴ John Whitehorne’s comprehensive work on the Cleopatra dynasty has focused attention upon queens other than the (in)famous Cleopatra VII, such as, Cleopatra III, who reigned from 116-101 BCE and obtained the position of priest in the royal cult in 105 BCE, an office which was usually only held by a king.⁴⁵ The Roman Empress Livia, who was suspected of murdering Augustus and other members of the royal family in order to facilitate her son Tiberius’ succession to the throne, has also attracted scholarly inquiry.⁴⁶ An article by Frederick Strickert, which discusses a coin discovered in Israel dated to 30 CE upon which there is an image of the Roman empress Livia, counters the hostile attitude of many scholars towards Livia. Strickert asserts that this coin emphasizes Livia’s benevolence, fame and importance.⁴⁷ Beth Severy points out another positive aspect of Livia’s reign – she was prominent in restoring shrines and founding cults, which helped redefine the gender role of royal imperial women.⁴⁸ Interestingly, the one biography on Livia is a popular book and not an academic work.⁴⁹

Up until some thirty years ago, scholars of Antiquity often ignored or discounted the only sovereign Jewish queen, Shelamzion Alexandra.⁵⁰ Nevertheless, in the few pages written about Queen Alexandra, the majority of scholars in the nineteenth and most of the twentieth century, such as Joseph Derenbourg,⁵¹ Heinrich Graetz,⁵² Simon Dubnov,⁵³ and Joseph Klausner,⁵⁴ view her in a positive light as a pious and good queen. This favourable evaluation is due to rabbinic praise of Queen Alexandra. In particular, *Sifra B’ Hukotai* 1:1, implies that the Jewish people were rewarded for observing the commandments with an unusually bountiful and large crop during Queen Alexandra’s reign (“grains of wheat became as [large as] kidneys, and grains of barley as [large as] pits of olives, and lentils as [large as] gold denarii”),⁵⁵ and most nineteenth-century historians accepted this as historically reliable.⁵⁶ Henry Zimndorf’s biography also paints a dramatic and enthusiastic picture of Queen Alexandra.⁵⁷ Published in 1892, this is one of the first modern works to put Queen Alexandra, along with other women from the Apocrypha, Greco-Roman Period and Talmud, in the limelight. The explanation offered for rabbinic literature’s enthusiastic portrait of Queen Alexandra is that such praise is due to the fact that she empowered the Pharisees, who were the forerunner to the sages.⁵⁸

⁴⁴ Carney, *Arsinoë*, 93.

⁴⁵ Whitehorne, *Cleopatras*, 121-31; 132-48.

⁴⁶ On this matter, see Liebowitz, “Josephus’s Ambivalent Attitude towards Women and Power: The Case of Queen Alexandra,” *Journal of Ancient Judaism* 6 (12/2015): 186-7.

⁴⁷ Frederick Strickert, “The First Woman to be Portrayed on a Jewish coin: Julia Sebaste,” *Journal for the Study of Judaism in the Persian, Hellenistic and Roman Period* 33/1 (2002): 63-91. See also Rami Arav and Richard A. Freund, eds., *Bethsaida: A City by the North Shore of the Sea of Galilee*, 3 (Kirkville: Truman State University Press, 2004), 93-114.

⁴⁸ See Beth Severy, *Augustus and the Family at the Birth of the Roman Empire* (New York and London: Routledge, 2003), 232-6.

⁴⁹ Matthew Dennison, *Empress of Rome: the Life of Livia* (London: Quercus, 2010).

⁵⁰ For example, Queen Alexandra merits less than one page in the forty-two page chapter on Simon ben Shetah and King Yannai in Joshua Ephron’s study (“Shimon ben Shetach and Alexander Jannaeus,” in Menahem Dorman et al., eds., *In Memory of Gedaliahu Alon: Essays in Jewish History and Philology* [Tel Aviv: HaKibbutz HaMeuchad 1970] [Hebrew]), 147. As previously mentioned, studies on Greek history have also minimized her importance or even skipped her reign when describing the Hasmonean dynasty, see above n. 20.

⁵¹ Joseph Derenbourg, *Essai sur l’histoire et la géographie de la Palestine* (Paris: Imprimerie impériale, 1867), 111.

⁵² Heinrich Graetz, *A History of the Jewish People in the Time of Jesus Christ*, II (Philadelphia: Jewish Publication Society, 1967); 308-12; originally published as *History of the Jews* (London: David Nutt, 1891), 47-56.

⁵³ Semon Dubnov, *Vsemirnaya istoriia evreiskogo naroda: ot drevneishikh vremen do nastoyashchego* (*History of the Jews: From Ancient Times to the Present*), II (Berlin, 1925), 145-9.

⁵⁴ Joseph Klausner, “Hasmonean Dynasty,” in Ben Zion Netanyahu et al., eds., *World History of the Jewish People*, 6 (New Brunswick: Rutgers, 1972), 165-78.

⁵⁵ Inasmuch as the midrash is located within discussions of the biblical promise of rainfall as a reward for observing the commandments.

⁵⁶ Derenbourg, *l’histoire et la géographie*, 111; Dubnov, *Vsemirnaya istoriia*, 147; Klausner, “Hasmonean Dynasty,” 171; Graetz, *History of the Jewish People*, 48; Schürer relies upon this tradition to assert that Queen Alexandra’s era was “a time of prosperity” and a “golden age.” Emil Schürer, *A History of the Jewish People in the Age of Jesus Christ*, I, new English ed. revised by Geza Vermes et al. (Edinburgh: T & T Clark, 1973), 231. On the other hand, Jacob Neusner believes that “the story comes long after the ‘event’ and is pure fantasy.” (Jacob Neusner, *The Rabbinic Traditions about the Pharisees before 70*, Part I [Leiden: Brill, 1971], 89; see also 89-141 for a discussion of the historical veracity of rabbinic traditions about Queen Alexandra and Shimeon ben Shetah.)

⁵⁷ Henry Zimndorf, *Some Jewish Women* (Philadelphia: Jewish Publication Society, 1892), 27-54.

⁵⁸ For example, Schürer, *History of the Jewish People*, I, 231, Graetz, *History of the Jewish People*, 47-48.

In opposition to the above descriptions, Solomon Zeitlin and Ben Zion Lurie severely criticize Queen Alexandra.⁵⁹ Based upon Josephus' summation of Alexandra's reign (*Ant.* 13:431-432) and her (mis)identification as the widow of Aristobulus I, Salina Alexandra, they accuse the queen of responsibility for the disintegration of the Hasmonean kingdom.⁶⁰ Yet this criticism also implies that Queen Alexandra possessed significant political authority even before she became a sovereign queen, albeit she is criticized for using it wrongly. Thus, depending upon whether they relied upon rabbinic literature or Josephus's writings, historians in the nineteenth and most of the twentieth century either praised or criticized Queen Alexandra.

From 1989 onwards Queen Alexandra finally received fitting attention and became the focus of numerous scholarly articles, books, M.A. theses and Ph.D. dissertations. Tal Ilan is the groundbreaking pioneer in offering a feminist analysis of the historical figure of Queen Alexandra and she has been followed by many others.⁶¹ Ilan believes that Queen Alexandra's gender played a significant role in her decision to allocate power to the Pharisees.⁶² Ilan's foremost conclusion is that rabbinic literature underwent a process of reworking, editing and silencing thereby minimizing Alexandra's contribution to Jewish history.⁶³ Ilan also asserts that Queen Shelmazon Alexandra preserved an era of peace for the Jewish people.⁶⁴ The discoveries of quasi-historical works at Qumran as well as *nishmarot* texts provide one trigger for new insights into Queen Alexandra's reign.⁶⁵ Michael Owen Wise hypothesizes that

⁵⁹ Solomon Zeitlin, *The Rise and Fall of the Judaean State: A Political, Social and Religious History of the Second Commonwealth*, I (Philadelphia: Jewish Publication Society, 1962), 333-42; Ben Zion Lurie, "From Jannaeus to Herod," in *Studies in the Second Temple Period* (Jerusalem: Kiryat Sefer, 1974), 159-75 [Hebrew].

⁶⁰ For example, Zeitlin asserts: "Janmaeus Alexander had a tragic life. Yet much of the tragedy, which led the country through a long trail of suffering, was actually due to the vicious character of Queen Salome Alexandra. Her mind was occupied with self-preservation, not the interests of the state of Judaea. She devised the plot to assassinate her brother-in-law Antigonus because she feared she would share the fate of her mother-in-law. She made Janmaeus Alexander king although at that time, if she had wished it, she could have re-established the Commonwealth. She was thus largely responsible for bringing the country to civil war." See Zeitlin, *Rise and Fall*, 334-5.

⁶¹ Recent studies on Queen Alexandra, feminist and others, include Liebowitz, "Josephus's Ambivalent Attitude;" eadem, "Esther and Alexandra: Paradigms of Queenship in the Septuagint and in Josephus' Writings," *Lectio Difficilior* 1 (2012); eadem, "The Anomaly of a Sovereign Jewish Queen in the Second Temple Period" (Ph.D. diss., Hebrew University of Jerusalem, 2011); Kenneth Atkinson, *Queen Salome: Jerusalem's Warrior Monarch of the First Century B.C.E.* (Jefferson: McFarland, 2012); Ilan, *Silencing the Queen*. Previous studies include Kenneth Atkinson, "Women in the Dead Sea Scrolls: Evidence for a Qumran Renaissance during the Reign of Queen Salome Alexandra," *The Qumran Chronicle* 11 (September 2003): 37-56; Tal Ilan, "Shelamzion in Qumran: New Insights" in David Goodblatt, Avital Pinnick and Daniel Schwartz, eds., *Historical Perspectives: From the Hasmoneans to Bar Kokhba in Light of the Dead Sea Scrolls* (Leiden: Brill, 2001); eadem, *Integrating Women*, eadem, "Josephus and Nicolaus on Women," in Hubert Cancik, Hermann Lichtenberger, Peter Schäfer, eds., *Geschichte - Tradition - Reflexion, Festschrift für Martin Hengel zum 70. Geburtstag* (Tübingen: Mohr Siebeck, 1996), 221-62; eadem, "Queen Salomzion Alexandra and Judas Aristobulus I's Widow: Did Janmaeus Alexander Contract a Levirate Marriage?," *Journal for the Study of Judaism*, 24 (1993): 181-90; Ernst Axel Knauf, "Salome Alexandra and the Final Redaction of Psalms," *Lectio difficilior* 2 (2009); idem, "Königin Salome Alexandra (76-67 V. Chr.) und die Verfassung des Hasmonäischen Staates," in *Historia (Journal of Ancient History)* 50 (2001): 163-79; Hanan Eshel, *The Dead Sea Scrolls and the Hasmonean State* (Jerusalem: Yad Ben Zvi 2004), 122-5 [Hebrew]; Joseph Geiger, "The Hasmoneans and Hellenistic Succession," *Journal of Jewish Studies* 52 (2002): 1-17; <http://www.lectio.unibe.ch>; Doris Lambers-Petry, "Shelomzion ha-malka: The Hasmonean Queen and her Enigmatic Portrayal by Josephus," in *Internationales Josephus - Kolloquium* (Dortmund, 2002), 65-77; Steve Mason, "War 1:107-14: The Pharisees and Alexandra Salome, I," in idem, *Flavius Josephus on the Pharisees: A Composition-Critical Study* (Leiden: Brill, 1991), 82-115; Eyal Regev, *The Sadducees and their Halakhah: Religion and Society in the Second Temple Period* (Jerusalem: Yad Ben Zvi, 2005), 274-86 [Hebrew]; Samuel Rocca, "'The Book of Judith', Queen Sholomzion and King Tigranes of Armenia: A Sadducee Appraisal," *Materia Giudaica* 10 (2005): 85-98; James VanderKam, "Peshar Nahum and Josephus," in Alan Avery-Peck et al., eds., *When Judaism and Christianity Began: Essays in Memory of Anthony J. Saldarini* (Leiden: Brill, 2004), 299-311; Michael Owen Wise, *Thunder in Gemini and Other Essays on the History, Language and Literature of Second Temple Palestine* (Sheffield: Sheffield Academic Press, 1994), 186-221. See also the following academic studies: Ellen Case, "Salome Alexandra: A Study in Achievement, Power and Survival" (M.A. Thesis, York University, Canada, 1997); Dilys Naomi, Patterson, "Honoured in her Time": Queen Shelamzion and the Book of Judith" (Ph.D. diss., University of Ottawa, 2002); Penina Stern, "Queen Shelomzion, her Status among Women Rulers of her Period" (M.A. Thesis, University of Haifa, 1999) [Hebrew]; Isaiah Gafni; "The Hasmoneans in Rabbinic Literature," in David Amit and Hanan Eshel, eds., *The Days of the Hasmonean Dynasty* (Jerusalem: Yad Ben Zvi, 1995), 261-76 [Hebrew]; Joseph Sievers, "The Role of Women in the Hasmonean Dynasty," in Louis Feldman and Gohai Hata, eds., *Josephus, the Bible and History* (Detroit: Wayne State University Press, 1989), 132-46.

⁶² Ilan, *Integrating Women*, 21-3.

⁶³ Ilan, *Silencing the Queen*, 276-80. On Queen Alexandra's portrayal in rabbinic literature, see also Gafni, "Hasmoneans in Rabbinic Literature."

⁶⁴ See Tal Ilan, "Josephus and Nicolaus on Women," in H. Cancik et al., eds., *Geschichte - Tradition - Reflexion: Festschrift für Martin Hengel zum 70. Geburtstag* (Tübingen: Mohr Siebeck, 1996), 241. It is interesting that both Jewish and non-Jewish queens are credited with maintaining peace.

⁶⁵ Such as Wise, *Thunder in Gemini*; Ilan, "Shelamzion in Qumran;" Eshel, *Dead Sea Scrolls*; Atkinson, "Women in the Dead Sea Scrolls."

fragments of calendrical documents formed a “Hasmonean Chronicle” referring to events involving Alexandra in 72 BCE and Hyrcanus’ struggle against Aristobulus in late 66 BCE.⁶⁶ European scholars Ernst Baltrusch and Doris Lambers-Petty offer interesting and new perspectives upon Queen Alexandra’s role in internal affairs and foreign policy.⁶⁷ According to Baltrusch, the Sadducees’ conflict with Alexandra’s monarchy was due to their opposition to a political, as opposed to a religious, leader as well as their hostility to a woman fulfilling the functions of a man in religious matters.⁶⁸ Lambers-Petty asserts that two factors helped Alexandra consolidate her power: the Pharisees’ support and a strong army. Joseph Sievers, Steve Mason, James VanderKam and Eyal Regev also consider the role of the Pharisees during Queen Alexandra’s rule.⁶⁹ Sievers concludes that Queen Alexandra played an “active role in matters of government.”⁷⁰ Mason deduces that Queen Alexandra was genuinely pious while the Pharisees only pretended to be so. VanderKam explores the Pharisees’ switch of allegiance from opposition to Alexander Jannaeus to support of Queen Alexandra. Regev asserts that *Pesher Nahum* (4Q169) supports Josephus’ description of the Pharisees’ control of internal affairs (*War* 1:11-112; *Ant.* 13: 408-409) during Queen Alexandra’s reign, in particular the legal realm. Etka Liebowitz maintains that “Alexander Jannaeus apparently realized that his wife [Queen Shelmazion Alexandra] would be a better ruler than either of their sons, and therefore he bequeathed the throne to her.”⁷¹

The above research reveals Queen Alexandra’s enormous contribution. It shows that she was a prominent historical figure, a talented and wise ruler with a keen understanding of foreign affairs. She possessed the ability to resolve internal animosities with the Pharisees through the delegation of authority and also to neutralize external threats (a threatened attack upon Judaea by Tigranes) by wise military manoeuvres. These tactics, along with the support of the people, ensured a successful and peaceful reign. Thus, uncovering the role of Queen Alexandra has not only helped us to discover her leadership qualities but has also facilitated a better understanding of other aspects of her era – the role of the Pharisees, the interplay between the religious and secular authority, the attitude of the Qumran sect towards Hasmonean leaders, and more. Indeed, our knowledge of this period would be much poorer without these studies on Queen Alexandra.

Turning to another Jewish queen, research on Queen Helene has focused more on the royal Adiabene household and their conversion to Judaism than on Queen Helene herself. In fact, the focus on Helene’s conversion and that of the royal house of Adiabene has obscured any evaluation of her political role.⁷² Nevertheless, Queen Helene’s conversion is significant – she was the first of the royal family to convert to Judaism and this could affect our understanding of the conversion of non-Jews to Judaism in general. Helene’s piety and journey to Jerusalem to worship at the Temple is praised by both

⁶⁶ Wise, *Thunder in Gemini*, 218.

⁶⁷ Ernst Baltrusch, “Königin Salome Alexandra (76-67 V. Chr.) und die Verfassung des Hasmonäischen Staates,” *Historia (Journal of Ancient History)* 50 (2001): 163-79; Lambers-Petty, “Shelomzion ha-malka.”

⁶⁸ Ernst Baltrusch, “Königin Salome Alexandra,” 176-178.

⁶⁹ Sievers, “Role of Women,” Mason, “Pharisees and Alexandra,” VanderKam, “Pesher Nahum,” Regev, *Sadducees*.

⁷⁰ Sievers, “Role of Women,” 136.

⁷¹ Etka Liebowitz, “Josephus’s Ambivalent Attitude,” 205.

⁷² On the royal Adiabene household and their conversion to Judaism, see the following studies: Isaiah Gafni, “The Conversion of the Adiabene Kings in Light of Talmudic Literature,” *Niv Hamidrasha* (1971): 204-12 [Hebrew]; Ilan, “Queen Helene of Adiabene,” in *Integrating Women*, 66-71; Richard Kalmin, “The Adiabenean Royal family in Rabbinic Literature of Late Antiquity,” *Tiferet le Yisrael* (2010): 61-77; Jacob Neusner, “The Conversion of Adiabene to Judaism: A New Perspective,” *Journal of Biblical Literature* 83/1 (March 1964): 60-6; Lawrence Schiffman, “The Conversion of the Royal House of Adiabene in Josephus and Rabbinic Sources,” in L. H. Feldman and G. Hata, eds., *Josephus, Judaism, and Christianity* (Detroit: Wayne State University Press, 1987), 293-312; Daniel Schwartz, “God, Gentiles, and Jewish Law: On Acts 15 and Josephus’ Adiabene Narrative,” in Hubert Cancik et al. eds., *Geschichte - Tradition - Reflexion*, 263-82; one article discusses *Quellenkritik*: Abraham Schalit, “Evidence of an Aramaic Source in Josephus’s Antiquities of the Jews,” *Annual of the Swedish Theological Institute* 4 (1975): 163-18; likewise a dissertation was written on this topic: David Barish, “Adiabene: Royal Converts to Judaism in the First Century C.E.: A Study of the Sources” (PhD. Diss., Hebrew Union College - Jewish Institute of Religion, 1983); on Helene’s tomb, see Maximilian Kon, *The Tomb of the Kings* (Tel Aviv: Dvir, 1947) [Hebrew]. A short article was written on Helene, see Tal Ilan, “Helene, Queen of Adiabene” in *Jewish Women: A Comprehensive Historical Encyclopedia* (Jewish Women’s Archive <http://jwa.org/encyclopedia/article/helene-q2ueen-of-adiabene>, 2009). The most recent comprehensive study on the royal Adiabene household is that of Michal Marciaik, “Izates and Helena of Adiabene: A Study on Literary Traditions and History” (PhD. diss., Leiden University, 2012). Marciaik’s dissertation was subsequently published as a monograph (Wiesbaden: Harrassowitz Verlag, 2014).

Josephus and rabbinic literature.⁷³ This also has implications: it was most probably considered one of the attributes of a good Jewish queen and can help scholars better understand the relationship between monarchy and religion.

Interestingly, Queen Helene's death seems to be of more interest than her life, with much significance assigned to her tomb and her palace.⁷⁴ It has been argued that the wrong sarcophagus was identified as that of Queen Helene in the tomb.⁷⁵ Archaeologists have speculated that an impressive large structure discovered in the lower city of Jerusalem might possibly belong to the royal family of Adiabene in general, and in particular one of them may perhaps be the palace of Queen Helene.⁷⁶ Although recently an in-depth study of the royal Adiabene household was published,⁷⁷ no comprehensive scholarly work has focused exclusively on Queen Helene and her actions during her lifetime. A newly published article reveals that Queen Helene had significant political power.⁷⁸ Although she did not become the sovereign queen of Adiabene, she decided who would reign after the death of her husband. Furthermore, her political authority was augmented by the practice of euergetism: she provided food, at a great cost, for the inhabitants of Jerusalem during a famine which won her the admiration of the Jewish people. As with the case of Queen Alexandra, scholarly research on Queen Helene can help us better understand the political situation and religious atmosphere during her era, thereby contributing to a better understanding of Antiquity in general.

Other royal women seldom merit a book in their own right; they are usually part of a larger study or a short article. For example, Tal Ilan describes various Jewish aristocratic women within her magnum opus on women in the Second Temple period as well as in her book on Queen Alexandra; she also discusses Herod's second wife, the Hasmonean Queen Mariamme (along with other royal women) in an article.⁷⁹ Ilan affirms that this is an attempt to "move Jewish women's history out of its prescribed territories [of the home, family or bed] and place it in the public, political, literary and social centres where the nation's consciousness and identity are formed...to integrate Jewish women into Jewish history."⁸⁰

Bezalel Bar Kochva points out that although Doris, Herod's first wife, was involved in major episodes in his life nevertheless she has not been the topic of any real study, and he undertakes to fill this void.⁸¹ Based on the fact that Josephus uses a Greek name for her, most scholars have identified Doris as a (non-Jewish) Idumean. Thackeray argues that this identification is not clear-cut since many Jewish women had Greek names.⁸² Bar Kochva points out that Josephus refers to Doris as a Jerusalemite

⁷³ For Josephus's description of this, see *Ant.* 20:35; 20:49. For rabbinic literature, see Mishnah Yoma 3:10; Mishnah Nazir 3:6.

⁷⁴ On the discovery of Queen Helene's tomb in 1863, see F. de Saulcy, *Tombeau de Hélène: reine d'Adiabene* (Paris: Claye, 1869); idem, *Voyage en terre sainte*, II (Paris, 1865). F. De Saulcy is the first explorer to give the tomb this name. On Queen Helene's tomb, see Conrad Schick, "The (So-Called) Tombs of the Kings at Jerusalem," *PEFQS* 29 (1897): 182-88; Maximilian Kon, *Kivrei Ha-Melakhim* (Tel Aviv: Dvir, 1947); Amos Kloner, "The 'Third Wall' in Jerusalem and the 'Cave of the Kings,'" *Levant* 18 (1986), 126-9; "Pausanias" in Stern, *Greek and Latin Authors*, 196-7. The heightened interest in Helene's tomb is not surprising for as Stern notes the fact that "Pausanias puts the tomb of Queen Helene at Jerusalem on the same level [as that of the Mausoleum of Halicarnassus which was considered one of the seven wonders of the world] indicates the tremendous impression it made upon him" (*ibid.*, 197).

⁷⁵ See R. Steven Notley and Jeffrey P. García, "Queen Helena's Jerusalem Palace—In a Parking Lot?" *Biblical Archaeology Review* 40/3 (May/June 2014).

⁷⁶ See Doron Ben-Ami and Yana Tchekhanovets, "The Lower City of Jerusalem on the Eve of its Destruction, 70 C.E.: A View from Hanyon Givati," *Bulletin of the American Schools of Oriental Research* 364 (November 2011): 61-85, esp. 81-2.

⁷⁷ See Michal Marciak, "Izates and Helena."

⁷⁸ Eika Liebowitz, "A New Perspective upon Two Jewish Queens in the Second Temple Period: Alexandra and Helene of Adiabene," in Meron Piotrkowski, Geoffrey Herman and Saskia Doenitz, eds., *Sources and Interpretation in Ancient Judaism: Studies for Tal Ilan at Sixty* (Leiden: Brill, 2018), 41-65.

⁷⁹ Tal Ilan, *Integrating Women*, eadem, *Silencing the Queen*, eadem, "King David, King Herod and Nicolaus of Damascus," *Jewish Studies Quarterly* 5 (1998): 195-240.

⁸⁰ Ilan, *Integrating Women*, 2.

⁸¹ See Bezalel Bar Kochva, "Doris, Herod's First Wife," *Cathedra* 110 (2003): 5-18 [Hebrew]. For further investigation of Doris within other studies, see Nikos Kokkinos, *The Herodian Dynasty, Origins, Role in Society and Eclipse* (Sheffield: Sheffield Academic Press, 1998), 208-11; Aryeh Kasher, "On the Character and Origin of the Herodian Dynasty," *Cathedra* 103 (2001): 5-18 [Hebrew].

⁸² On Greek names for Jewish women in this period, see Tal Ilan, *Lexicon of Jewish Names in Late Antiquity*, I (Tübingen: Mohr Siebeck, 2002), 313-24.

(War 1:432), and based on this, Thackeray's translation of *War* identifies Doris as Jewish.⁸³ Hence, following Bar Kokhba, I believe that we can include her in the list of Jewish royal women. Grounded in an analysis of Josephus' writings, Bar Kokhba deduces that Doris had great authority in royal matters – Herod sought her counsel and she was described as “all powerful.”⁸⁴ Bar Kokhba's analysis sheds more light upon the political role of Jewish queens in Antiquity.

In his study of the Herodian family, Nikos Kokkinos points out that previous research has not given any in-depth attention to the social and family history of the Herodian dynasty. Hence “[s]econdary members of the family [which would include women - E.L.], and their contribution to society have simply been left out.”⁸⁵ Kokkinos attempts to fill this lacuna. In regards to women connected with the Herodian dynasty, Kokkinos offers a new chronology for Herod's marriages to his ten wives, he attempts to uncover the origin and genealogy of his lesser known wives and he also attempts to determine when their offspring were born; he also examines Herod's sister and granddaughters.⁸⁶ In another study, Kokkinos focuses upon Salome II.⁸⁷ He undertakes to identify which Salome married Aristobulus the king of lesser Armenia and concludes that it was Herodias Salome daughter of Antipas. Kokkinos' conclusion has significant historical implications not only for a correct identification of a female historical figure but also for dating the death of John the Baptist and the crucifixion of Jesus.⁸⁸

In his study of Agrippa I, Daniel Schwartz briefly mentions events connected to Agrippa's wife, Cypros as well as to his sister Herodias.⁸⁹ Yet, more interestingly for our discussion, Schwartz analyses whom Agrippa I's daughters married and maintains that the choice of a marriage partner for his daughters indicates Agrippa's concern (or lack of it) for the Jewish religion.⁹⁰

The studies of Kokkinos and Schwartz demonstrate, once again, that the focus upon aristocratic women affects our understanding of history.

Jan van Henten investigates the leading roles played by the women of Herod's court, in particular Alexandra II, and postulates that through her acts she hoped to reinstate the Hasmonean dynasty.⁹¹ Furthermore, van Henten asserts that Josephus magnified the wickedness of Alexandra II (and Salome II) in order to elevate King Herod's status.⁹² Once again, new research has shown that acts of royal women have had a direct influence upon historical events.

Conclusions

Through the study of ancient texts, inscriptions and archaeological remains, scholars have shed light upon both recognized and lesser-known royal women, highlighting their contribution to society and history. Often there is a paucity of sources and an interdisciplinary approach is adopted. At other times, scholars have exposed the double standards used by previous historians in their evaluation of royal women or that of the ancient text itself, which often blamed women for actions when their male counterparts were praised for the very same acts. This is true both for Jewish and non-Jewish aristocratic women.

⁸³ H. St. J. Thackeray, trans., *Josephus, The Jewish War* (Cambridge: Harvard University Press, 1927), 113. For further discussion of this issue, see Bar Kochva, “Doris,” 5-10.

⁸⁴ *Ibid.*, 14-16.

⁸⁵ Nikos Kokkinos, *Herodian Dynasty*, 29.

⁸⁶ *Ibid.*, 206-45; 264-71.

⁸⁷ Nikos Kokkinos, “Which Salome did Aristobulus Marry?” *Palestine Exploration Quarterly* 118 (1986): 33-50.

⁸⁸ Kokkinos, “Which Salome.”

⁸⁹ Daniel R. Schwartz, *Agrippa I: The Last King of Judaea* (Tübingen: Mohr Siebeck, 1990), 4, 7-8, 11, 46-48, 50-52, 56-58, 60, 69, 120, 170, 219.

⁹⁰ *Ibid.*, 134.

⁹¹ Jan Willem van Henten, “Blaming the Women: Women at Herod's Court in Josephus's *Jewish Antiquities* 15.23-231,” in Ahearne-Kroll, ed., *Women and Gender*, 153-75.

⁹² In a similar vein, Josephus attacks Queen Alexandra I for ruling instead of a male heir, see Liebowitz, “Josephus's Ambivalent Attitude,” 194-5.

What is the importance of the annals of women's and gender studies for scholars today and what can we learn from it?

First of all, a new reading of the lives and actions of royal women can contribute to a better understanding of various political, economic, military and religious developments in Antiquity. If royal women fulfilled the roles of sovereign monarchs, political leaders and policymakers, military commanders and priestesses, then this understanding consequently changes our understanding of ancient monarchies, political alliances, succession to the throne, foreign affairs, religious traditions, and more. Indeed, an accurate understanding of the role on women in Antiquity is vital for a proper understanding of Antiquity in general.

Secondly, as has been shown, there has been a transformation in the study of historical sources relating to aristocratic women. In the past, both ancient and more modern historians have denounced queens for trying to act and rule in the same way as kings. This attitude, however, has changed and now most historians are careful to exclude gender bias from their evaluations of women in Antiquity.

Finally, these understandings can be applied to society today since the present is based upon the past. The legacy of Antiquity is embedded in our present-day thought processes.⁹³ Accordingly, the massive change in the attitude towards women in Antiquity in general and towards royal women in particular, including the change in the attitude towards royal Jewish women, impacts upon our current perceptions of women leaders. In her ground-breaking work from the fifteenth century, Christine de Pizan refutes misogynist stereotypes of powerful women and shows that women played important roles throughout history.⁹⁴ Pizan's assertion that the focus upon women leaders in Antiquity can inspire contemporary women is just as relevant now as it was 600 years ago. Thus, the fact that today women fulfil leadership roles such as that of a prime minister (albeit a small minority) can be seen not only as a modern innovation but rather as a continuation of an ancient tradition. If the paradigm of an authoritative monarch in Antiquity also includes queens, then this can change the "cultural template for a powerful person" to include women.⁹⁵ This has the potential to assist women in breaking the glass ceiling and achieving many more significant leadership roles.

There are still numerous unexplored topics on women in Antiquity awaiting future generations of scholars. Yet, the foremost educational challenge, which has not yet been fully achieved, is incorporating the topic of women in Antiquity into the general discipline of Antiquity in general and Jewish history in particular, both in scholarly works and in academic textbooks.

⁹³ Holmes, *Gender*, 1-13.

⁹⁴ Christine de Pizan, *The Book of the City of Ladies*, trans. Earl Richards (New York: Persea, 1982), 256. This is one of the earliest, if not the earliest feminist works analysing misogynist attitudes towards women throughout history, and it includes several Jewish women from Antiquity such as Queen Esther and Mariamme, Herod's wife.

⁹⁵ On this and women's exclusion from power, see Mary Beard, "Women in Power," *London Review of Books* 39/6 (2017): 9-14, <https://www.lrb.co.uk/v39/n06/mary-beard/women-in-power>.

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JEWISH “BAD GIRLS”: TRANSGRESSIVE NARRATIVES AND REBELLIOUS DAUGHTERS IN CONTEMPORARY BRITISH JEWISH WOMEN’S WRITING

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ABSTRACT: This contribution to a special issue on gender looks at contemporary Jewish women fiction writers in the UK who, following the sexual revolution, depict the rebellion against the restrictive gender roles and behavioural rules of the Jewish home. I will argue that the subversive representation of transgressive behavior demonstrates tensions between, on the one hand, loyalty to the Jewish home and the imperative of communal or tribal continuity and, on the other, the pull of ideologies and agendas which encourage women to be independent in a society that affords them freedom to do what they want.

Introduction: Rebellious Bodies

Alix is a tough woman, tough because her father Saul Rebick fought back when the fascists re-emerged after the war in England; tough because she is a graduate of second-wave feminism in the seventies; tough because, after centuries of persecution and deportation, it is time for Jews to stand up for themselves, and especially a Jewish woman who has no patience for the patriarchal rules of the Bible or the Jewish family. Her answer to Hitler is “We’re still here,” the title of the 2002 novel by Linda Grant of which Alix is the female protagonist and one of the narrators.¹ Alix is looking for a male partner who would be an equal in toughness. But as she nears the fifty-mark, Alix is becoming frustrated at waiting for the ideal solution to power relations in sex. Her body is betraying her; she relies on a woman’s cosmetic tricks to mask the unattractiveness of her age. It is in fact a face cream that her mother brought with her from Germany on the Kindertransport that stands at the centre of a dispute over inheritance. Her family’s claims to rights to the factory in Dresden, which used to produce the cream, raise questions of continuity after destruction similar to those faced by Alix in her job recovering and restoring synagogues in Eastern Europe. Her Jewish family is “still here” in Liverpool, not having made the Atlantic crossing, like so many Russian Jews at the turn of the twentieth century who intended to reach America and landed in England. But she is “still here” in a more regressive sense of being left on her own, unmarried and without children. Despite all the promises of the feminist revolution, she has found neither fulfilment nor satisfaction, yet she is trapped by her desire:

The phallic right, the phallic entitlement to which everyone else must submit—brutal, simple, magnificent—this is what thirty years of feminism had battled to overthrow, and where had it got us, the generation that took to the streets? What did we wind up with? Empty cunts. What’s the resolution? The resolution is that there is no resolution, no catharsis, no release. Submission and acceptance, or refusal to submit and accept. Both ways are intolerable.²

In the end, she finds her match in Joseph Shields, an American Jewish architect, whose Jewish phallus (quite literally) silences her Jewish mouth.³

Here we have in a nutshell the dilemma of the Jewish feminist in Britain at the end of the twentieth century as seen by the author of *Sexing the Millennium: A Political History of the Sexual Revolution* (1993), Grant’s seminal study of the sexual revolution of the seventies, which concluded that, while women had been liberated and could enjoy their sexuality more openly, they had not been released

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¹ Linda Grant, *Still Here* (London: Virago, 2010), 312.

² *Ibid.*, 342.

³ *Ibid.*, 372.

from male control and in fact their new freedom played to male fantasies. What was needed was a new language to replace phallocentrism and a new ethics of human relationships that would help women retain control of their sexuality and enjoy it beyond menopause.⁴ There is, nevertheless, no denying the changes that women’s liberation has made to women around the world, particularly in the choice of freedom and a career over marriage and family. However, Jewish feminists have sometimes felt challenged in applying these achievements in a traditional Jewish home. As the British Jewish feminist dramatist and musician Michelene Wandor puts it, there is a “mythic duality” in “the dichotomy of the patriarchal Jewish father figure, on the one hand, and the dominant Jewish mother figure, on the other,”⁵ which creates “a peculiar love-hate ambivalence and fear in each sex for the strength of the other.”⁶ Aside from the stereotypes invoked here, this view of the power relations in the Jewish home suggests one reason why it is not so easy for Jewish daughters to leave home without conflicted emotions and even harder to finally slam the door.

While Judaism emphasizes the importance of intimacy in marriage and of mutual harmony, especially the need for sexual pleasure, it insists on purposeful procreation and warns of the dangers of the mainstream permissive society. A traditional Jewish position would respond that the dominant discourse, which says do what you feel like, weakens faith and offers behavioural models that are inappropriate for a traditional Jewish life-style and the rules of *tsniut* (modesty) that regulate clothing and make talking about sexuality taboo.⁷ Some disaffected Jewish women are indeed pulled by the outside world where they do not have to worry about religious and social restrictions, yet all too often abandonment of the Jewish community leads to assimilation into the materialist values of a superficial consumer culture offering false happiness that lacks true spirituality. Freedom may be tempting, but can trap women into being evaluated for their sexual performance in a power game dominated by men, without necessarily attaining lasting relationships or family love. From a feminist viewpoint, from Virginia Woolf’s *Room of One’s Own* to coming out gay and gender switching, women have demanded the right to make their own choices, to be free of the strait-jacket of marriage and maternity. Unfortunately, many secular Jewish women who were brought up in the seventies were taught that Jewish marital laws practiced misogyny and that Judaism was the root of patriarchy; they mistakenly thought Orthodox feminism was some kind of contradiction and that they had to abhor religion if they valued their freedom.⁸

In the following discussion of contemporary Jewish women’s writing in the UK, I will argue that the subversive representation of transgressive behavior demonstrates tensions between, on the one hand, loyalty to the Jewish home and the imperative of communal or tribal continuity and, on the other,

⁴ Linda Grant, *Sexing the Millennium: Women and the Sexual Revolution* (New York: Grove Press, 1994), 254-56.

⁵ Michelene Wandor, “The Sex Divide in Jewish Culture: A Meditation on Jewishness and Gender,” *Jewish Quarterly* (Spring 1997): 12-13.

⁶ Ibid. See Jenny Bourne, “Homelands of the Mind: Jewish Feminism and Identity Politics,” *Race & Class* 29 (1987): 1-24. For the experiences of Jewish feminists in the United States *vis-à-vis* the feminist movement and the Jewish community see Dina Pinsky, *Jewish Feminists: Complex Identities and Activist Lives* (Urbana and Chicago: University of Illinois Press, 2010). On the difficulties of defining Jewish women who are feminists in multicultural America see Naomi Seidman, “Fag-Hags and Bu-Jews: Toward a (Jewish) Politics of Vicarious Identity,” in David Biale, Michael Galchinsky, and Susannah Heschel, eds., *Insider/Outsider: American Jews and Multiculturalism* (Berkeley: University of California Press, 1998), 254-68. For the relationship between feminism and Jewish religious practice see T. M. Rudavsky, ed., *Gender and Judaism: The Transformation of Tradition* (New York: New York University Press, 1995); Susannah Heschel, ed., *On Being a Jewish Feminist: A Reader* (New York: Schocken, 1983); Moshe Avital, *The Role and Status of Women in Jewish Tradition* (Jacksonville: Mazo Publishers, 2014).

⁷ See Rachel S. Harris, “Sex, Violence, Motherhood and Modesty: Controlling the Jewish Woman and Her Body,” *Nashim: A Journal of Jewish Women’s Studies and Gender Issues* 23 (Spring-Fall 5772-3/2012): 5-10; *The Passionate Torah: Sex and Judaism*, ed. Danya Ruttenberg (New York: New York University Press, 2009). For a Modern Orthodox perspective, see Maurice Lamm, *The Jewish Way in Love and Marriage* (Middle Village: Jonathan David Publishers, 1980); Raphael Aron, *Spirituality & Intimacy: Where Heaven and Love Meet* (White Plains: Mosaica Press, 2016). On the issue of modesty see Ayala Fader, *Mitzvah Girls: Bringing Up the Next Generation of Hasidic Jews in Brooklyn* (Princeton: Princeton University Press, 2009); Yehuda Henkin, *Understanding Tzniut: Modern Controversies in the Jewish Community* (Jerusalem: Urim Publications, 2008); Jonathan S. Marion, “Seeing and Being in Contemporary Orthodox Dress,” in Laurence Roth and Nadia Valman, eds., *The Routledge Handbook of Contemporary Jewish Cultures* (London and New York: Routledge, 2015), 297-307.

⁸ Helene Meyers, *Identity Papers: Contemporary Narratives of American Jewishness* (Albany: State University of New York Press, 2011), 19-20. See also Andrea Dworkin, *Scapgoat: The Jews, Israel, and Women’s Liberation* (London: Virago, 2000). For a critique of feminists’ use of Christian anti-Semitism in their attack on “Jewish” patriarchy see Judith Plaskow, “Blaming the Jews for the Birth of Patriarchy,” in Evelyn Torton Beck, ed., *Nice Jewish Girls: A Lesbian Anthology*, revised edition (Boston: Beacon Press, 1989), 298-302.

the pull of ideologies and agendas which encourage women to be independent in a society that affords them freedom to do what they want. I will focus on the rebellious daughter in particular as a way of exemplifying the self-liberation of some (but not all) Jewish women who break away from the Jewish family but do not always find resolution of their yearning for fulfilment (though this is surely never an either/or situation). I will select examples from prose fiction and film by women from North West London (one of the densest concentrations of Britain's small Jewish population), both from within and on the margins of the Jewish community, who portray a Jewish daughter's rebellion against the expectations and values of the Jewish family, as well as the restrictions of a religious or secular bourgeois home. After a brief look at Jewish "Bad Girls," I will present three novels and a movie by Jewish women who portray rebellion against the Jewish "marriage plot": a controversial novel, *Disobedience*, by Naomi Alderman, which gives a dual perspective on breaking from tradition; the fiction of Charlotte Mendelson that shows what happens when a Jewish family member breaks the sexual or gender rules; and Sandra Goldbacher's movie, *The Governess*, which I read as a parable of the Jewess who moves out of a comfortable Jewish home into Gentile society. It is not my intention to survey Jewish women's writing in Britain and for lack of space I will not deal with a number of contemporary Jewish women novelists for whom Jewishness and feminism are important.⁹

What concerns me is the recurrent transgressiveness represented in the work of several British Jewish women writers, which, as I will show, challenges traditional boundaries of Jewish identities and acceptable behavior, whether among strictly religious Hasidic and ultra-Orthodox or modern Orthodox congregations, Jews affiliated with Reform and Liberal synagogues, or middle-class assimilated secular Jews. We will see that the Jewish family can be as dysfunctional as any other. I do not claim these examples are representative, nor would I generalize about writers who address feminist issues from their experiences as Jews, yet whether they think of Jewish identities as primarily religious or ethnic, these writers engage with the tensions between the role of the obedient Jewish daughter and female liberation in a permissive society. In so doing, they raise issues of faith, gender, and sexuality in the dilemma of women seeking alternatives to marriage and a traditional life-style.

The Jewish female writers to be discussed in this essay describe provocatively transgressive behavior that resists the rigid rules of the Jewish family and critiques its social or sexual hypocrisy. Transgression, etymologically, is a crossing-over of boundaries, for example from the permitted to the forbidden, or beyond a community with strict rules of endogamy and clear demarcation of tolerated behavior, but it is also a crossing of social, gender, and sexual boundaries, as well as a breaching of taboo subjects, such as the exposure of same-sex relations or forbidden desire, that undermines the community's behavioural norms. More loosely, the term can apply to a range of subversive acts, from the debunking of sacred myths to provocative self-exposure. Performance of transgressive acts can also have libidinal charge, as well as enabling visibility, but can destabilize subjecthood when there is deviancy from the norms or a breaking of laws, creating space for reformation of identities.¹⁰

The transgressive has lost some of its power to shock as the envelope of permissibility is pushed further in popular culture as in much transgressive fiction that emerged from the counter-culture of the sixties and seventies in America which is no longer ruled obscene (William Burroughs's *Naked Lunch*, Allen Ginsberg's *Howl*, and so on). Feminist body performance art (for example, Carolee Schneemann, Hannah Wilkes, Yoko Ono, Marina Abramović, Ana Mendieta, or Milo Moire) acts out objectification, abuse, and misogyny, while stretching sexual taboos and protesting women's rights. A different example is the adoption of anti-social behavior as a way of freeing sexuality from male control

⁹ See Ulrike Behlau and Bernhard Reitz, eds., *Jewish Women's Writing of the 1990s and Beyond in Great Britain and the United States* (Trier: Wissenschaftlicher Verlag Trier, 2004); Claire Tylee, ed., *"In the Open": Jewish Women Writers and British Culture*. (Newark: University of Delaware Press, 2006); Ruth Gilbert, *Writing Jewish: Contemporary British-Jewish Literature* (Houndmills and New York: Palgrave Macmillan, 2014), 122-43.

¹⁰ For the cultural history of transgression, see Chris Jenks, *Transgression* (London and New York: Routledge, 2003); on transgression as a literary convention, see Julian Wolfreys, *Transgression: Identity, Space, Time* (Houndmills and New York: Palgrave Macmillan, 2008). See also Diane Prosser MacDonald, *Transgressive Corporeality: The Body, Poststructuralism and the Theological Imagination* (Albany: State University of New York Press, 1995).

and enacting erotic fantasies (as did the 1994 "Bad Girls" Exhibition and, from 2002 until its dissolution, the all-female Rockbitch band).¹¹ The transgressive foregrounds the performativity of gender in the construction of identity, rather than some essential determinant interior to the body and draws our attention to the contingency of sexuality with social practices and discourses.¹² Radical Jewish feminists resist those determinants in their search for a female self, outside the communal frame of a safe track of obedience and maternity that dictates normative gender roles. In their performance of "Jewishness" they reposition themselves, in Lacanian terms, against the Law of the Father which determines the woman's paradoxical rejection of part of her femininity in order to be the signifier of the Other's desire, her lack of a phallus.¹³

As art historian Griselda Pollock reminds us in her contribution to the exhibition catalogue *Rubies & Rebels* (1996), the upsurge of Jewish women's consciousness in Britain echoed both the feminist revolution and the Jewish women's movement in America from the early seventies onwards. In fact, Jewish feminists addressed issues of the gender hierarchy and power relations in both society at large and the Jewish community.¹⁴ Yet while gender was socially and culturally constructed, being Jewish was something one was usually born with, but it could be questioned in the hybrid and shifting categories of the postmodern culture of the early twenty-first century.

As social and sexual attitudes changed in the permissive age following the sexual revolution of the sixties and seventies, Jewish women asserted their own sexuality, and, in Foucauldian terms, reclaimed their bodies from the power relations of discipline.¹⁵ The New Jewess shakes off family and religion and asserts the liberated female body as no longer dependent on reproduction, which is so often a condition of communal and familial continuity. Turning from a perceived docility to active individualism affirms the pleasures of the body, an embrace of the body's sexuality rather than (as in Judaism) its sanctity. And yet there may be much ambivalence in the transgressive act of crossing ethnic, gender, and sexual boundaries and engaging with more fluid or multiple identities. The transgression of the boundaries of the Jewish home, moreover, undermines the stability of the assimilated Jewish family which has shed religious practice but clings to endogamy and ethnic exclusivity and which pressures its daughters to live up to their parents' expectations.

¹¹ On transgressive feminist art see Susan A. Owen, Leah R. Vande Berg, and Sarah R. Stein, *Bad Girls: Cultural Politics and Media Representations of Transgressive Women* (Bern: Peter Lang, 2007); Rosemary Betterton, *An Intimate Distance: Women, Artists, and the Body* (London and New York: Routledge, 1997); Rebecca Schneider, *The Explicit Body in Performance* (London and New York: Routledge, 1997); Erin Striff, "Bodies of Evidence: Feminist Performance Art," *Critical Survey* 9/1 (1997): 1-18; Mary Simonson, *Body Knowledge Performance, Intermediality, and American Entertainment at the Turn of the Twentieth Century* (Oxford: Oxford University Press, 2013); Marta Zarzycka and Bettina Papenburg, eds., *Carnal Aesthetics: Transgressive Imagery and Feminist Politics* (London: I. B. Tauris, 2013); Christine Tamblin, "No More Nice Girls: Recent Transgressive Feminist Art," *Art Journal* 50/2, (2014): 53-7. On heavy metal bands see Keith Kahn-Harris, *Extreme Metal: Music and Culture on the Edge* (Oxford: Berg, 2007).

¹² See Judith Butler, *Gender Trouble: Feminism and the Subversion of Identity* (London and New York: Routledge, 1999), 177-80.

¹³ Jacques Lacan, "The Signification of the Phallus," *Écrits: The First Complete Edition in English*, trans. Bruce Fink (New York: W. W. Norton, 2006), 582-83. The rebellious daughter is a stereotype in popular culture, and well before Jessica ran off with Shylock's ducats it has been a staple of conversion narratives; in their definition by gender and sexuality, moreover, women have been portrayed as transgressive in Antiquity and in misogynist readings of the Bible from Dinah to Judith; see Efraim Sicher, *The Jew's Daughter: A Cultural History of a Conversion Narrative* (Lanham: Lexington Books, 2017).

¹⁴ Griselda Pollock, "Is Feminism to Judaism as Modernity is to Tradition: Critical Questions on Jewishness, Femininity and Art," in Monica Bohm-Duchen and Vera Grodzinski, eds., *Rubies & Rebels* (London: Lund Humphries, 1996), 15-27.

¹⁵ As Lois McNay shows, feminist readings of Foucault freed the female body from essentialism and unhitched heterosexuality from the concept of the natural by describing sexual desire as a social construct produced for the purpose of regulation of unruly sexuality in power relations between the genders: power and sexuality are not ontologically distinct but make it impossible to know the materiality of the body outside its cultural significations. See Lois McNay, *Foucault and Feminism: Power, Gender, and the Self* (Lebanon: Northeastern University Press, 1992), 29-30. See also Jana Sawicki, *Disciplining the Body: Feminism, Power and the Body* (London and New York: Routledge, 1991). Foucault does not address female sexuality directly, and his work has been much criticized by feminists; for a feminist critique of Foucault's work on sexuality see Jane Gallop, *The Daughter's Seduction: Feminism and Psychoanalysis* (Ithaca: Cornell University Press, 1982).

Bad (Jewish) Girls

Before looking at contemporary British Jewish women writers, it is worth remembering that Anglo-Jewish literature was founded by women such as Grace Aguilar who responded to evangelical missionary novels which critiqued the patriarchal Jewish home and which urged the Jewess to adopt a model of domesticity based on Christian virtues. From the mid-nineteenth century, Anglo-Jewish women novelists vindicated the despised Jewish people, advanced the cause of emancipation, and advocated the ideal middle-class domesticity of the Jewish woman of valour (*eshet khayil*).¹⁶ Yet these early pioneers of Jewish fiction in England also critiqued the Anglo-Jewish establishment and pressed for religious and social reform. Later in the century, scientific scepticism and the women's rights movement affected the way women's roles were seen in society and in Judaism; one thinks here of the poet and novelist Amy Levy.¹⁷ However, the literary conventions of the marriage plot were also changing. The conventional marriage plot was subverted, Naomi Seidman has argued, when Jews encountered romance as they assimilated and read secular literature.¹⁸ In modern Jewish fiction, marriage based on a firm economic basis and social approval triggered the daughter's revolt against the institution of the Jewish family which did not recognize her sexual desires.

The "new wave" of Jewish writers after World War Two produced novels about generational rebellion against the assimilated Jewish homes of North West London, such as Brian Glanville's *The Bankrupts* (1958), in which Rosemary Frieman revolts against the mindless, moneyed bourgeois Jewish family and has a baby with a student who gets killed in a terror attack in Israel, exceptionally opting for a Zionist solution to assimilation.¹⁹ The critique of parental objections to intermarriage and assimilation in the movie *Suzie Gold* (UK, 2004) similarly draws on the familiar scenario of the Jewish daughter running away from the wealth and comfort of a North West London Jewish home, this time in pursuit of love with a Gentile, but ends with Suzie choosing a socially and financially suitable Jewish suitor over love and sex. The daughter's rebellion nevertheless questions the construction of British Jewish identity within an insular, xenophobic community that fears anti-Semitism and intermarriage, which threaten the community's survival and the sacred covenant with those who died in the Holocaust. The film suggests that such an identity does not allow full independence and growth of self.²⁰ There is here the usual ambivalence of disaffected Jews towards the community which is rejected yet which can provide a safety net after the fall-out following disastrous relationships, as we see in Francesca Segal's debut novel *The Innocents* (2012), a transformation of Edith Wharton to North West London, which pits the Nice Jewish Girl against the rebellious cousin who gets thrown out of Columbia University for her unruly behaviour. This is a story by the daughter of the author of *Love Story* (familiar from Herman Wouk's *Marjorie Morningstar*) where suburban affluence offers more happiness than the uncertainties and disappointments of a wild sex life.

Contemporary British Jewish women writers Michelene Wandor, Helen Zahavi, Elena Lappin, and Charlotte Mendelson have been labelled British Jewry's "bad Jewish girls" for having rejected the role of the Jewish Princess who is expected to obey her father and marry a wealthy Jewish

¹⁶ Michael Galchinsky, *The Origin of the Modern Jewish Woman Writer: Romance and Reform in Victorian England* (Detroit: Wayne State University Press, 1996); Nadia Valman, *The Jewess in Nineteenth-Century British Literary Culture* (Cambridge: Cambridge University Press, 2007), 51–84. See also Michael Galchinsky, "Jewish Women in Victorian England," in Judith R. Baskin, ed., *Jewish Women in Historical Perspective* (Detroit: Wayne State University Press, 1998), 211–12.

¹⁷ Nadia Valman, "From Domestic Paragon to Rebellious Daughter: Victorian Jewish Novelists," in Nadia Valman, ed., *Jewish Women Writers in Britain* (Detroit: Wayne State University Press, 2014), 10–34.

¹⁸ Naomi Seidman, *The Marriage Plot: Or, How Jews Fell In Love With Love, and With Literature* (Stanford: Stanford University Press, 2016).

¹⁹ See Efraim Sicher, *Beyond Marginality: Anglo-Jewish Writing after the Holocaust* (Albany: State University of New York Press, 1985), 117–37.

²⁰ Michele Byers, "On the Threshold: British Jewish Femininity in *Suzie Gold* (2004)," in Nathan Abrams, ed., *Hidden in Plain Sight: Jews and Jewishness in British Film, Television, and Popular Culture* (Evanston: Northwestern University Press, 2016), 205–25. For a comparison of this movie with Sandra Goldbacher's *Me without You* (2001) and Tom Vaughn's *Starter for 10* (2006) see Michele Byers, "Jewish Girls in British Cinema," *Journal of European Popular Culture* 3/2 (2012): 169–80.

businessman or doctor.²¹ They blast the stability and security of the Jewish family as illusionary or as causing the Jewish daughter pain. Feminist dramatist and musician Michelene Wandor explores a defiant Jewishness that is both promiscuous and clandestine. In her “Song of a Jewish Princess” (in her short-story collection, *False Relations*, 2004) a young woman flees the Inquisition and joins her lover to defy both Jewish and Gentile society’s rules of segregation and female behavior. Like other stories in this collection, this is a transhistorical parable of the woman who seeks true love but does not want to play second fiddle to the man she desires. She wants to be herself and to love without social pressure, to be the music and not the mere instrument, yet her destiny as a hidden Jew marks her for the same fate as her mother, burnt at the stake, which she can avoid only by suicide. In these dream-like scenes “Isabella” imagines herself in love with non-Jewish men in various historical situations (including Esther’s marriage to Ahasuerus). Freedom and independence, however, can exist only in fantasy: who one is and who one wants to be are “false relations” (a contradiction between two notes of the same chord).²² In her short story collection *Foreign Brides* (1999), Elena Lappin resists those historical givens and tries out various erotic fantasies of foreign women or female outsiders who take control of their situation. In one story in the collection, “Noa and Noah,” an Israeli wife of a football-crazy British Jew seduces the pork butcher, finding sex with a stranger so much more enjoyable than with her husband once she knows all about him and is bored by life in North West London. She does it to be one up on her husband and his hypocritical Jewish friends and family; infidelity, it seems, empowers, though it is not clear in the story’s ending who wins the competition of power relations.²³

The Jewish daughter’s rebellion critiques marriage, which lies at the heart of the Jewish family tradition, with its match-making (*shidukh*), ostentatious weddings, and expectations of reproduction, but it also opens up the personal anguish of being expected to conform to rules that repress desire for self-fulfilment. Sarah Lightman, for example, has challenged the silencing of the female voice in the traditional Jewish home in her graphic novel *The Book of Sarah* (2019), offering an alternative “Hampstead Bible” in her confessional diary of growing up in North West London, feeling guilty for leaving religion behind and not marrying according to form: she asks, “how can I be a feminist in a traditional Jewish wedding?”²⁴ The pitfalls of a traditional Jewish marriage have in fact attracted polemical attention in much fiction and non-fiction that centres on Jewish women’s struggle between faith and desire. In Reva Mann’s autobiographical *The Rabbi’s Daughter* (2007), a confessional memoir in the “off-the-derekl” genre,²⁵ the daughter of a prominent London rabbi and the grand-daughter of the second Ashkenazi chief rabbi of Israel, relates her journey from a difficult childhood with a manic depressive mother and a handicapped sister into the drug scene, before trying to get high on religion. Expelled from her Jewish boarding school, she played the “bad girl” and lost her virginity at the age of

²¹ “Bad Jewish Girls” is the title of a brief newspaper item about contemporary Jewish women writers, *Jewish Chronicle*, June 12, 1998, referring to the cult of female self-representation as assertive and bitchy. On the stereotype of the Jewish American Princess see Riv-Ellen Prell, “Why Jewish Princesses Don’t Sweat: Desire and Consumption in Postwar American Jewish Culture,” in Norman L. Kleeblatt, ed., *Too Jewish?: Challenging Traditional Identities* (New York: The Jewish Museum and Brunswick: Rutgers University Press, 1996), 74-92; Rhonda Lieberman, “Jewish Barbie,” in *Too Jewish?*, 108-13.

²² Michelene Wandor, “False Relations,” *False Relations* (Nottingham: Five Leaves, 2004), 67.

²³ Ellena Lappin, *Foreign Brides* (London: Picador, 1999), 1-17.

²⁴ Sarah Lightman, *The Book of Sarah* (Brighton: Myriad Editions, 2019), 162. See also her video *The Reluctant Bride* (2012), accessed online at: <https://vimeo.com/65467054>. On her own work and on the Jewish female autobiographical genre of life-writing comics see Sarah Lightman, “Life Drawing: Autobiography, Comics, Jewish Women,” in *The Routledge Handbook of Contemporary Jewish Cultures*, 308-19; see Phina Rosenberg, “The Book of Sarah: Life or Reconstruction?: Situating Sarah Lightman’s Illustrated Diary,” in Sarah Lightman, ed., *Graphic Details: Jewish Women’s Confessional Comics in Essays and Interviews* (Jefferson: McFarland, 2014), 51-60. See also Efraim Sicher, “Bodies Beyond Boundaries: Gender and Judaism in Contemporary British Jewish Women’s Confessional Graphic Art,” in Andrea Greenbaum, Sarah Lightman, and Heike Bauer, eds., *Bodies and Borders in Jewish Women’s Comics* (Syracuse: Syracuse University Press, at press).

²⁵ On “off-the-derekl” novels see Karen Skinazi, *Women of Valor: Orthodox Jewish Women Troll Fighters, Crime Writers, and Rock Stars in Contemporary Literature and Culture* (New Brunswick: Rutgers University Press, 2018), 30-74. Examples of this genre include Deborah Feldman’s memoir *Unorthodox: The Scandalous Rejection of my Hasidic Roots* (London: Bravo Ltd, 2012), Anouk Markovits’s novel *I am Forbidden* (London: Hogarth, 2012), and Leah Vincent’s memoir *Cut Me Loose: Sin and Salvation After My Ultra-Orthodox Girlhood* (New York: Nan A. Talese, 2014). In Australia Lee Kofman’s novel *The Dangerous Bride* (Melbourne: Melbourne University Press, 2014) is a fictional memoir of breaking from her family in Crown Heights and rebelling against monogamy; she has co-edited *Rebellious Daughters: True Stories from Australia’s Finest Female Writers* (New York: Simon and Schuster, 2016).

sixteen. After an ultra-orthodox arranged marriage left her with three children and a thirst for sexual adventure, she reversed (as she puts it) the notion of “*tikkun*” (cosmic repair) by going on a self-destructive spree of sex and drugs. Mann describes in salacious detail her passage from the holy to the profane, from meticulous performance of the *mitzvot* (religious commandments) to sexual freedom.²⁶ Sinful promiscuity nevertheless leaves her empty (happiness, she says, lasts as long as a hard-on or a fix), and she searches for spirituality in the sacred waters of the Ganges, instead of those of the *mikvah*, before returning to Judaism.²⁷

Naomi Alderman's Disobedience

Naomi Alderman gives us an insider's view of what brings a woman to rebel against her Jewish home in her prize-winning first novel, *Disobedience* (2006), made into a movie starring Rachel Weisz and Rachel McAdams (USA/UK/Ireland, 2018). When Ronit Krushka returns to her Orthodox Jewish home in North West London after the death of her father, the community's rabbi, she shocks everyone with her immodest behavior and by renewing her lesbian relationship with her childhood friend, Esti. Esti is now married to her cousin, the favoured contender for the rabbi's position. The Jewish daughter has abandoned her father and his Orthodox ways in the North West London suburb of Hendon to lead a hedonistic lifestyle in New York, where she can do whatever she wants and be whatever she wants. As Martin Kindermann has argued in his reading of the novel, Hendon is one Jewish space among others but it excludes alternate Jewish groups and the diverse spaces of London. New York, by contrast contains any number of spaces that are ethnically marked or unmarked, and anyone can identify loudly and visibly as ethnically or religiously Jewish in a city with more Jews than Tel Aviv.²⁸ In New York, Ronit can perform the “slut” strutting along the street smoking a cigarette without anyone protesting or noticing her. In Hendon, however, Ronit feels hemmed in by a closed, Jewish middle-class religious world of rules and regulations, living in what Alderman describes as a portable *shetl* on the endless path of the Jews' exilic wandering, where Jews feel secure only within its boundaries. In New York her disobedience is barely visible; only when her transgressive behavior is an “in your face” desecration of communal values in North West London does her rebellion give her the illusion of empowerment. The symbolic revolt of eating a prawn sandwich is not enough; Ronit has to demonstrate that she defies the divine commandments under the nose of the community, so she walks into a local non-kosher café and orders a cake which she eats even though it is dry and tasteless.

Ronit's initial act of disobedience (eating an egg sandwich from a bakery of which her father did not approve) sparks off a rift from her silent father, as well as the heavenly Father, both of whom (as she sees it) want to control her and tell her what to do. Disobedience is a claim for her freedom, but it is freedom *from*, not freedom *to*; it has no orientation, and Ronit soon gets entangled in role-playing. When her father dies, for example, she asks Scott, a married male colleague, to come over to have sex with her for comfort, all the time over-conscious of trying not to be bound or committed in any of her actions, even in making coffee the way Scott likes. She becomes trapped in her compulsive behavioural patterns. Ronit is herself inconsistent in her rebellion, as when she chastises Scott, with whom she is having an adulterous affair, for marrying a *shiksa* (a non-Jewish woman).

This is a revolt against the whole set-up of marriage, the mainstay of Jewish family life, but also an institution deserted by many feminists and eroded in the postmodern era. Ronit wants to avoid what Betty Friedan in *The Feminine Mystique* once called the problem that has no name in the empty lives of suburban housewives, that nameless something which they cannot find in their conditioned lives of

²⁶ Reva, *The Rabbi's Daughter: A True Story of Sex, Drugs and Orthodoxy* (London: Hodder & Stoughton, 2007), 244.

²⁷ Eve Harris's novel *The Marrying of Chani Kaufman* (Dingwall, Scotland: Sandstone Press Ltd., 2013) likewise breaches modesty and propriety to demystify the strange rites of the ultra-orthodox Jewish community in an intimate account of a Haredi woman's marriage, revealing the embarrassment and emotional difficulties of an arranged match (a subject treated humorously in a short film by Sam Leifer, *The Honeymoon Suite*, UK, 2010).

²⁸ Martin Kindermann, “Locating Jewish Identities in Naomi Alderman's *Disobedience*,” in Alina Gromova, Felix Heinert, and Sebastian Voigt, eds., *Jewish and Non-Jewish Spaces in the Urban Context* (Berlin: Neofelis Verlag, 2015), 273-89.

middle-class unsatisfied marriages.²⁹ In Jewish North West London, there is no outlet from such frustration for a rabbi's daughter because of close surveillance by local women who gossip about her every movement and demeanour. A little part of Ronit wants what she is running away from—the rigid track of teaching school, marriage, and children, in a middle-class comfortable home, safely within the walls of the community, her path marked out for her, like her school friends who are happy with their lot.

The novel is narrated in two voices, presenting alternate perspectives on the Jewish daughter's rebellion. The first is Ronit's, the rebellious daughter of a well-known and much revered rabbi, the pillar of the community. She loathes the moneyed, comfortable Hendon Jews with their middle-class homes and closed minds, but, when her father dies, she does not know what to feel, apart from contempt for the world she left behind. She goes back to Hendon to tidy up the house and reclaim her mother's silver candlesticks, which still mean something to her despite her rejection of the Sabbath rules, for after all she respects family memory and does wish to belong. She cannot decide whether to lie that she has a fiancé in Brooklyn and is still within the communal fold, or to shock everyone by appearing in immodest dress. In the end, she spoils an otherwise quiet Sabbath eve meal by telling the *dayan* (an important member of the Jewish religious court), who has been invited to help support her cousin Dovid's candidacy for the post of rabbi, that she is a lesbian and intends to have a commitment ceremony with her female partner. Her compulsive behavior has again trapped her in not being able to act otherwise, and she can only react angrily to anyone who tries to relate to her in conventional ways.

The second voice in Alderman's novel is that of Esti, with whom Ronit had a sexual affair and who is now married to Ronit's cousin, Dovid, with whom Ronit used to play as a child, taking on the dominant roles of Jewish heroes but also that of the brawny arch-enemy Goliath. Esti, who has tried to forget her lesbian past, believes in Torah ideas such as separation of the sacred and profane, the pure and the impure, which she teaches to girls at the local religious Jewish school. It is surely not insignificant that Esti accidentally tears the orderly chart of the constellation of the stars which symbolizes the ordered and regulated world of Jewish Hendon, where girls do what God and Daddy say. From her point of view, Ronit's rebellion goes against the dominion, ordained at creation, of the sun over the moon, of the male over the female. When Ronit comes to visit, Esti cannot easily control her emotions. For all her outward conformity to Torah law and her scrupulous observance of family purity, she unconsciously puts butter in the pot of meat, in contravention of the kosher dietary restrictions—breaking the principle of separation between permitted and forbidden, holy and profane.

After she has caused her pain by rejecting her, Ronit seduces Esti, a revenge for Esti's marriage to Dovid, which she felt to be a betrayal and a displacement of their re-enactment of the biblical David and Jonathan story. The novel ends with new beginnings when Esti gives birth to Dovid's child and they name the boy after the deceased rabbi. Dovid stuns the congregation by backing up his wife when she publicly acknowledges her lesbianism, speaking out where Rabbi Krushka called for silence. Nevertheless, the couple is accepted and the community can carry on drinking their tea undisturbed.

When her father Rabbi Krushka dies, Ronit returns, after some hesitation, to Hendon and scandalizes the leader of the community Hartog, who bribes her not to attend the *hesped* (memorial ceremony) for her father, the community's respected leader. Ronit has her revenge on Hartog and all that he represents by defying Hartog and turning up at the public memorial for her father disguised as an ultra-orthodox woman in a wig; Ronit then goes back to New York with her mother's candlesticks, sometimes lighting them and saying prayers, dreaming of somehow bringing together her sexual identity and her Jewish upbringing. Yet there seems to be no place for her within Hendon's Jewish religious community. In their different ways, Esti and Ronit remain caught between fear and desire in coming out. Ronit may well be Electra, the counterpart to Oedipus in Freud's theory of child development, and the archetypal rebellious daughter. The Father in heaven has killed her mother, while her earthly father kills her with silence. This is rebellion (*mordanut*, the title of the novel in its Hebrew translation) more than

²⁹ Betty Friedan, *The Feminine Mystique* (New York: Norton, 1963), 15-32.

disobedience, but in the end her playing the “bad girl” results only in an escape to New York, where sexual and religious identities can be fluid, though Ronit can never shrug off entirely her filial attachments to ritual and ethnicity.

Extending the critique of North West London’s Jewish community, Alderman takes a step further from disobedience to full-scale rebellion in *The Power* (2016), a fantasy novel purportedly written by a man, about a feminist alternate reality in which women wield occult power to release electric charges of energy. In a global apocalypse, women have broken out of the prohibitions of repressive regimes at home and at large and use their bodies to inflict vicious pain in graphic scenes of women brutally raping men. If this is an inversion of how women feel to be abused and raped, it does not suggest that it would be a gentler place if women were in charge (the acknowledged inspiration of Margaret Atwood is obvious throughout the novel). In fact, women seem to have reverted to a natural state of cruel predators, while men are exposed when their pants are down as weak and vulnerable.

The projection of male violence shows what it feels like to be a woman in a phallogocentric society. Helen Zahavi, another Jewish “bad girl” who left the safe haven of a Jewish home in North West London, has written *female noir* novels which present a particularly vicious and vengeful female persona, as in *Donna’s Revenge* (UK title, *Donna and the Fatman*, 1998), who breaks the rules of female conduct. Zehavi’s notorious successful novel and later movie *Dirty Weekend* (1991) reverses gender relations when Bella, whom Margarita Stocker has identified with the feminist appropriation in art and fiction of the figures of Yael and Judith, wreaks bloody vengeance on men.³⁰ Reminding us of Brett Easton Ellis’s *American Psycho* (1991), the gratuitous violence in this novel goes beyond what is permitted in a public discourse which applies different rules to what women can or cannot do and say. In *True Romance* (1994) an illegal female immigrant is raped by the truck driver who smuggles her into Britain and is later exploited in a *ménage à trois*, a story narrated in a language which estranges body from self. Not only does this point out the injustice done to women by unscrupulous men and by society’s making their behavior (rather than that of the males) seem transgressive, but, on a more symbolic level, the woman is, not unlike the figural “Jew,” an alien who can be abused and (literally) burnt to death with impunity. In the work of Alderman and Zehavi we thus see a subversion of male-dictated norms both within the Jewish community and outside it.

Charlotte Mendelson, When We Were Bad and Daughters of Jerusalem

Scandal and rebellion come from within the Jewish community in Charlotte Mendelson’s *When We Were Bad* (2007), where a Reform woman rabbi’s family spins out of control. The opening scene scripts the scenario for the most public exposure of shame: the thirty-four year-old bridegroom Leo Rubin steps down from the wedding canopy in a synagogue to avow his devoted love to a married woman, Helen Baum, wife of the bride’s rabbi, Rabbi Nicholas Baum of West Finchley Liberal Synagogue. If, in the Prologue, we are introduced to a family that everyone thinks is “doomed to happiness,”³¹ it turns out that the Rubins are the model of a dysfunctional family. As the crisis spirals, instead of a coherent linear plot, a series of alternating comic scenes plays out melodramatic crises, while everyone pretends that nothing is happening: although intimidated by his volatile brother, the failed novelist Simeon, Leo is unable to forget his love for Helen and stay loyal to his family’s standing in the community; Frances’s marriage is falling apart; Emily covers up her emotional and professional failures. Emily and Simeon look quite hopeless in supportive roles. Claudia cannot confide her secret illness to her family, while Norman can never find the opportunity to confide in Claudia. He can only find a female admirer with whom to communicate and seems to be starting a furtive and guilty affair with her. The fall-out culminates in the multicultural Passover *seder* which does little to bring the family together. Only at the close of the novel

³⁰ Margarita Stocker, *Judith, Sexual Warrior: Women and Power in Western Culture* (New Haven: Yale University Press, 1998), 245-51.

³¹ Charlotte Mendelson, *When We Were Bad* (New York: Houghton Mifflin, 2007), 1.

does Claudia write her family the love letters they deserved, giving expression to what was missing in this Jewish family.

The members of the Rubin family each harbour secrets, but the women stake out their own gender and sexual choices, while the men cower in fear of reprobation or approbation—the runaway bridegroom in the end shows that he cannot easily leave his Jewish mother, Claudia. Claudia, who has a voluptuous body “which makes men weak,”³² is a celebrity rabbi about to bring out a new book and she is fêted by her synagogue, New Belsize Park Liberal (presumably based on Belsize Square Synagogue, formerly the New Liberal Jewish Congregation). Her husband Norman, eclipsed and emasculated by her fame, is therefore fearful of competing with his own new book, a biography that exposes the hidden past of an English writer, Cedric Vickers. When the secret is out, he shrinks under Claudia’s withering accusation of betrayal. Frances seeks rescue from her wreck of a marriage in Emily’s lover, Jay, whom she at first takes to be a man but then realizes is a cross-dressed lesbian. It seems that desire cannot be contained within the Jewish family, and only the female protagonists have any willpower to transgress traditional gender roles.

Mendelson wants us to come to a similar conclusion in her novel *Daughters of Jerusalem* (2008), which takes up the trope of the Daughters of Jerusalem in Song of Songs in a story of rebellious daughters and, as in *When We Were Bad*, reveals the secrets undermining family and marital relationships. Jean, a Lancashire lass, marries Victor, a Jewish refugee’s son, who grows up knowing Jews cannot be too lucky. Victor is conscious of his outsider status and aware of the memory of persecution that dogs his drive to rise to the top of the academic ladder. He brings up his two daughters Eve and Phoebe in the academic seclusion of an Oxford college, trying not to give in to a Jew’s aspirations to be a country gentleman: “He owes it to the memory of his parents, *olam le-shalom* [sic!], to the small hopes of his ancestors and the honest poverty of the English working class, who saved him, not to succumb to the fantasy of the country gentleman.”³³ Victor’s lapsed faith is discernible in his penchant for ham at college; nevertheless, Jean’s mother gives her a teapot because she believes Jews should be taught to respect English customs. Eve breaks that symbol of the Jew’s conversion to Englishness when Jean is in Paris with Eve’s spoilt sister Phoebe.

Although the novel is not set in North West London’s Jewish community, the Jewish “bad girl” pattern is repeated as each of the women in the household pursues secret plans to assert their independence, to break free from the family narrative. Eve self-abuses and loses her virginity to the same man her mother did, Raymond Snow, Victor’s rival for a coveted lectureship. Phoebe then steals him and also has sex with him before Victor publicly exposes him as a fraud and seducer of an under-age girl. Jean is seduced into an affair with the lesbian Helena, a lecturer at one of the Oxford colleges. In this satire of Oxford college life among dons who have difficulty tying up their laces but get caught in compromising positions in the bushes, Mendelson dishes out black comedy in parallel scandalous scenes that expose sexual secrets. The novel closes with Jean leaving home as the family falls apart to live on her own; presumably she will continue a sexual relationship with Helena and explore her discovery of freedom as an independent woman. The open ending suggests that leaving home and transgressing gender rules are the only hope to recover repressed sexuality and construct selfhood, a criticism not only of the Jewish community but of society at large, which reminds us, as in other tales of a Jewish daughter’s sexual maturation such as Mendelson’s *Almost English* (2013) and Linda Grant’s *The Clothes on Their Backs* (2009), that the delusion of discarding one’s origins cannot solve internal conflicts or defer discovery of family secrets.

³² Ibid.

³³ Charlotte Mendelson, *Daughters of Jerusalem* (London: Picador, 2008), 134.

Jane Eyre Walks Out of Shul: The Governess

The process of becoming an independent woman in these examples has entailed a transgressive crossing of gender, sexual, and ethnic boundaries. Sandra Goldbacher's movie *The Governess* (1998), set in the 1840s, could be read as a similar parable of the Jewish girl who grows up amid affluence and who runs away to remake her identity, but in the context (largely unnoticed by critics) of the situation of a young woman in an Anglo-Jewish middle-class home. Dreaming of becoming an actress like the famous Rachel, Rosina da Silva escapes from an arranged marriage with a fish-merchant after her father dies suddenly, to work as a governess in an isolated mansion on the Isle of Skye (the only alternative Rosina sees to earning money on the stage or on the street). She passes as an Englishwoman, Mary Blackchurch, who has a Protestant Italian mother (the association with Mary Magdalene is made early on in the movie). This is an anti-conversion narrative in which Mary/Rosina returns to Jewishness in the end after a love affair with the master of the house, Charles Cavendish, a natural scientist whom she has helped to develop a new solution that enables prints to be made from photographic plates (a salt solution was invented by Daguerre at the end of the 1830s, but development of a more efficient photographic process by Henry Fox Talbot came only in the 1840s).³⁴

The film pits female intuition and expression of feelings against male rationality and control, a contest in which Mary/Rosina attempts to direct the course of her love affair toward setting up a photographic studio in Edinburgh or Paris. Mary/Rosina wishes to fix the image in order to capture beauty in the female gaze. From the beginning of the film it is the female gaze that dominates, from the elevated women's gallery in the opening scene in the synagogue where Rosina and her sister measure up the men. Later, in the Cavendish household, she seduces Charles Cavendish and voyeuristically photographs him as he sleeps naked. Then she steals the process of mimesis itself when she flees with the chemical solutions he has prepared with her invention. She also orders his son Henry to strip for her and caresses his body from her superior position, in a reversal of the cinematic "male gaze."³⁵ This is (besides much else) *Jane Eyre* all over again, only this time the governess reaching across the social divide in her passion for the master of the house is a Jewess who is trying out some late twentieth-century ideas of gender and sexuality.

In her fantasy of her dead father coming to her at night and mesmerizing her, Mary/Rosina identifies Charles Cavendish as the father surrogate in her incestuous desire, uncannily aware of her father's secret sexuality (he apparently knew more of street life than her mother realized, yet another example of the Jewish community's dirty secrets). Mary/Rosina is literally the woman in the attic, though not this time a crazy alien Bertha,³⁶ but the hidden Marrano, wrapped in her father's prayer shawl, carrying out secret rituals of candle lighting and eating a salted egg (commonly thought to be a mourning rite, practiced at the *seder* on Passover). She is working through bereavement, but is also trying to separate herself from her former Jewish home, a process of individuation that gives birth to her sexual awakening. Her veiling and unveiling of identity is acted out when she loses her virginity to Charles. She tells him veiling is an ancient Hebrew deflowering custom, though in fact she is re-enacting (against the background of a sound track by Ofra Haza) Salomé's dance of the veils, which created a scandal at the end of the nineteenth century in Oscar Wilde's banned play and unleashed a trend of erotic performances of Strauss's operative version and adaptations. This indicates the proximity of Eros and death and draws attention to Rosina's difficulty in separating herself from her dead father, but it also acts

³⁴ In Grant's *Still Here*, Alix has a sexual fantasy in which she is similarly attracted to a powerful male figure from the Victorian past, the pioneering engineer Isambard Kingdom Brunel.

³⁵ The seminal essay on the "male gaze" is Laura Mulvey, "Visual Pleasure and Narrative Cinema," in Leo Braudy and Marshall Cohen, eds., *Film Theory and Criticism: Introductory Readings* (New York: Oxford University Press, 1999), 833-44.

³⁶ In *Jane Eyre* Rochester secretly kept his wife Bertha locked up in a third-storey room, often referred to in feminist criticism as the "woman in the attic."

out fantasies of Oedipal castration, again putting us in mind of the archetypal modern Jewish daughter's rebellion.³⁷

This is the stereotypical voluptuous *Belle Juive*, seen from the late twentieth century when women have taken control of their bodies and the New Jewess can assert her sexuality.³⁸ Prostitutes taunt Rosina with their Christian bodies, and sexual promiscuity beckons outside the Jewish home (the Gentile dish of semolina reminds her of her sister teasing her about drinking semen). But the story ends with Rosina rejecting the isolated world of Jane Eyre on a Scottish island, where a Jewess can only feel lost and lonely. In a closing voice-over (after she has returned to her dying mother in London), Rosina dismisses the episode as done with and, when Charles tracks her down, she shows him her independent studio, which she runs with her sister in a matriarchal household, fixing images of her people, proud of her ethnic identity (she wears a Star of David necklace and makes the bewildered Charles sit for his portrait in front of a seven-branched menorah, an emblem of lost Jewish sovereignty). She says, "They say I have captured the beauty of my people and I am glad." As if addressing postmodern concerns, the film concludes that bringing together Italian-Jewish and Scottish/English heritages does not result in a hybrid identity, but that reversing the anti-Semitic male gaze can allow the Jewess to come out as a sexually empowered woman and return to who she is, though only after she has left the Jewish home.³⁹

Conclusion

The act of writing can be cathartic, especially if it is confessional (as in the case of Reva Mann or Sarah Lightman). It is a way of working through pain but also an act of rebellion that brings into the open the hidden truth about the Jewish family. Naomi Alderman relates that though she herself did not rebel against her home in Hendon, writing the book was her act of rebellion.⁴⁰ As Naomi Wallace once commented, the best writing is transgressive,⁴¹ speaking back to the unspeakable and saying what one is expected not to say about one's closest family or friends, in order to release traumatic pain and establish subjecthood.⁴² Biting satire of the Jewish community used to shock, and Philip Roth has Zuckerman in *The Ghost Writer* face the ire of his community and family for obscene defamation, for not respecting what can or cannot be said. Nowadays desecration or blasphemy has to have more bite, more venom, to achieve an impact, especially if it is going to reach beyond the tiny Jewish readership in Britain and speak to similar concerns about gender, sexuality, and religion among other minorities and a wider public. Indeed, subversion and transgression have become conventional in the fascination in postmodernist women's fiction with excess or the breaking of taboos (one thinks of Angela Carter or Fay Weldon).⁴³ However, the transgressive act in contemporary fiction by Jewish women addresses the *constructedness* of ethnic and gender identities.

³⁷ For a Freudian analysis of the mind-body opposition here in the context of 1990s cinema, see Peter Lehman and Susan Hunt, "Passion and a Passion for Learning in *The Governess*," *Jump Cut: A Review of Contemporary Cinema* 45 (2002). Accessed online at: <http://www.cjumpcut.org/archive/jc45.2002/lehman/governesstext.html>

³⁸ On the transformation of the Jewess into the *femme fatale* and Salomé figure on the stage see Roberta Mock, *Jewish Women on Stage, Film, and Television* (Houndmills and New York: Palgrave Macmillan, 2007); on the *Belle Juive* see Nadia Valman, *The Jewess in Nineteenth-Century British Literary Culture*.

³⁹ On the ambivalence of the portrayal of the Jewess in this film, see Judith Lewin, "Semen, Semolina and Salt Water: The Erotic Jewess in Sandra Goldbacher's *The Governess*," in Nathan Abrams, ed., *Jews & Sex* (Nottingham, UK: Five Leaves Press, 2008), 88-100; Helene Meyers, "Educating for a Jewish Gaze: The Close Doubling of Philosemitism and Antisemitism in Sandra Goldbacher's *The Governess*," in Phyllis Lassner and Lara Trubowitz, eds., *Antisemitism and Philosemitism in the Twentieth and Twenty-First Centuries* (Newark: University of Delaware Press, 2008), 103-18.

⁴⁰ Ader Edemariam, "There's really good stuff in the way I was brought up. But rubbish stuff too." *Guardian* February 20, 2006. Accessed online at: <https://www.theguardian.com/world/2006/feb/20/religion.books>

⁴¹ Naomi Wallace, "On Writing as Transgression," *American Theatre* (January 2008): 98-102.

⁴² Deirdre Lashgari, "Introduction: To Speak the Unspeakable—Implications of Gender, "Race," Class, and Culture," in Deirdre Lashgari, ed., *Violence, Silence, and Anger: Women's Writing as Transgression* (Charlottesville: University of Virginia Press, 1995), 1-24.

⁴³ See Julie A. Chappell and Mallory Young, eds., *Bad Girls and Transgressive Women in Popular Television, Fiction, and Film*, (Houndmills and New York: Palgrave Macmillan, 2017).

Commenting on the British Jewish poet and artist Sue Hubbard, Lucy Wright points out the complex ways in which contemporary Jewish women writers are caught between feminist attempts to recover female subjectivity and postmodern scepticism about the subject, between a reshuffling of the relationship of society and the individual, between memory and history; the resulting diasporic sense of identity in space and time is paradoxically exilic and dislocated.⁴⁴ Meanwhile, multiple options for Jewish (or “Jew-ish”) identities have opened up varying combinations of secularism and tradition. Reaffirmation of Jewish identity in the face of anti-Semitism, larger visibility and self-confidence for self-identifying Jews, and a move away from affiliation based on a synagogue in a network of cultural and educational institutions in Britain from Chabad to Linmud, from Jewdas to JW3, have (as elsewhere in Europe) opened up a multitude of choices in the face of rampant assimilation and intermarriage. As Keith Kahn-Harris and Ben Gidley have noted, this was part of a Jewish renaissance that introduced dialogue and sometimes confrontation into Anglo-Jewish politics just when a discourse of continuity was giving way to a discourse of security, as British Jews faced a resurgence of anti-Semitism as well as anti-Israel boycotts and terrorist threats. But although the community (in its widest definition) has become more diverse and spans a broad spectrum of beliefs, non-belief, and practices, its institutions have not changed greatly, especially when it comes to gender balance in representation and participation.⁴⁵

The Jewish community’s small size and demographic concentration in London and Manchester, as well as the close proximity of family and friends, also contribute to guilt feelings for leaving, not to mention the difficult relations between daughters and mothers (above all—the Jewish mother).⁴⁶ However, breaking away does not necessarily mean disavowal or condemnation. Alderman, for example, presents central ideas in Judaism through Esti’s viewpoint in *Disobedience* without being apologetic, yet she can also be cynical about any future of a middle-of-the-road modern Orthodox Judaism in North West London: for example, in a satirical short story ironically called “United” (2009), Alderman forecasts that the members of Britain’s United Synagogue might in the near future be museum pieces, displaying their antiquated Friday night rituals as a by-gone way of life.⁴⁷

In the end, unlike America, where the values of the founding fathers blended with Jewish ideals and Jews were (on the whole) tolerated, maintaining a Jewish identity outside the geographical confines of the British Jewish community in North West London and Manchester can be challenging. While religion can be a topic for comedy or general derision, alienated or disaffiliated Jews may find themselves on the defensive, under attack for their association with Israel and with the “bad” religious Jews, or may simply face indifference and lack of understanding. In such a “*goyish*” country as England, quips Michelene Wandor, where keeping kosher does not matter to anyone, not keeping kosher matters even less.⁴⁸ In none of the texts discussed in this essay (with the exception of *Suzie Gold*) is there any resolution of the Jewish “bad girls” revolt. The story ends with new beginnings, as well as uncertainty about the possibilities that have opened up outside the home and the Jewish family. Wherever they are situated, whether within the community, outside it, or on the edge, these female protagonists cannot easily detach themselves from who they are both as women and as Jews, nor can they easily extricate

⁴⁴ Lucy Wright, “Opening Spaces: Sue Hubbard’s Poetry of Place,” in *Jewish Women Writers in Britain*, 218-19.

⁴⁵ Keith Kahn-Harris and Ben Gidley, *Turbulent Times: The British Jewish Community Today* (London: Continuum, 2010), 117-35. See also Dani Kranz, “Living Local: Some Remarks on the Creation of Social Groups of Young Jews in Present-Day London,” *European Review of History* 18/1 (2011): 79-88; Diana Pinto, “Negotiating Jewish Identity in an Asemitic Age,” *Jewish Culture and History* 14/2-3 (2013): 68-77. See also Nick Lambert, *Jews and Europe in the 21st Century: “Thinking Jewish”* (London: Vallentine Mitchell, 2008). This is not the place to discuss the heated culture wars in Israel, which have spilled into the diaspora, over Jewish identities in a pluralist and post-secularist society; see the bibliographical essays in *The Routledge Handbook of Contemporary Jewish Cultures*. On split, half, and “Jew-ish” identities see Ruth Gilbert, “Jewish, Half-Jewish, Jew-ish: Negotiating Identities in Contemporary British Jewish Literature,” in *The Edinburgh Companion to Modern Jewish Fiction*, 210-20.

⁴⁶ See Mandy Ross and Ronne Randall, eds., *For Generations: Jewish Motherhood* (Nottingham: Five Leaves, 2006); Brauner, “Jewish Mothers and Jewish Memory in Contemporary Memoirs,” in *Jewish Women Writers in Britain*, 192-215.

⁴⁷ Naomi Alderman, “United,” *Jewish Quarterly* 56/2 (2009): 3-5.

⁴⁸ *False Relations*, 145-46. See Sue Vice, “‘Becoming English’: Assimilation and its Discontents in Contemporary British-Jewish Literature,” *Jewish Culture and History* 14/2-3 (2013): 100-11.

themselves from the marriage plot without transgressing gender and sexual roles as they await Linda Grant’s sexual utopia.⁴⁹

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⁴⁹ For a sociological analysis of why religious Jews leave the community, see Roni Berger, “The Journey of Leaving an Insular Community: The Case of Ultra Orthodox Jews,” *Jewish Journal of Sociology* 56/1-2 (2014): 75-98. On the experience of rebelling against a strictly religious Jewish community see Hella Winston, *Unchosen: The Lives of Hasidic Rebels* (Boston: Beacon Press, 2005); Lynn Davidman, *Becoming Un-Orthodox: Stories of Ex-Hasidic Jews* (New York: Oxford University Press, 2015). See also Faranak Margolese, *Off the Derech: Why Observant Jews Leave Judaism* (Jerusalem: Devora, 2005).

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LIQUID LOVE, TRANS-HUMANISM & EUGENICS: ON PARADOXES IN POST-GENDER JEWISH FEMINIST THOUGHT

Einat Ramon *

ABSTRACT: My essay critiques concepts of “family fluidity” in the works of three leading American Jewish feminist thinkers: Judith Plaskow, Rachel Adler and Martha Ackelsberg. Based on “queer theory,” they question the very distinction between “man” and “woman” and the legitimacy of educating for a covenant between them. The term “fluidity” is borrowed from the works Zygmunt Bauman. In his book *Liquid Love* (2003), he criticizes the fluidity of boundaries in the sexual behavior of post-modern Western inhabitants. I address the serious bio-ethical challenges that follow the disintegration of these identities, ignored by feminist Jewish American thinkers.

1. Introduction

This paper, emerging from the field of modern Jewish thought, describes a turnabout that has taken place in the understanding of the family in liberal Jewish theology with the ascent of post-gender feminist ideology at the end of the twentieth century. Post-gender theory, which is often referred to as queer theory, originated with Michel Foucault and was further developed by Judith Butler and other thinkers.¹ This school of thought promotes the idea that there is nothing “essential” about any sex or gender. The very distinction between “two binary sexes” is a “fabrication,”² or “compulsive heterosexuality,”³ and therefore irrelevant and harmful to the well-being of humans and society and, as a result, to the well-being of the Jewish People. In her book *Gender Trouble* (1990), Butler dismantles any cultural significance attributed to one’s biological sex, and regards the cultural division between “male” and “female” as an injustice derived from taking the biological differences between men and women seriously. Post-gender theory relies on the basic assumption that “the body is not an entity,” but rather a “changing boundary.”⁴

Philosophically, I distinguish between postmodernism and its link to feminism and post-gender philosophy. Postmodern perspectives have contributed a more nuanced view of truth and morality to Western and Jewish thought and therefore have bequeathed a reading of the Bible and of Jewish rabbinic sources that is both more suspicious of previous readings and more creative at the same time. The fruitful interaction of postmodernism and feminism has also added a greater pluralism to the Jewish feminist worldview(s); it has allowed for the legitimacy of Orthodox and Sephardic Jewish feminist standpoints alongside liberal and radical Jewish feminisms and therefore resulted in a more pluralistic feminist Jewish world. The post-gender feminist thought that has emerged from the postmodernist perspective within Jewish feminism has questioned the very concept of “man” or “woman.” Although this is an interesting question to ask in the context of feminist philosophy, this paper will address another issue – the serious bio-ethical challenges that follow the disintegration of these identities and the detachment of their link to human biology. In this essay I will introduce and discuss a concept of the family embedded in the works of three of the central American Jewish feminist post-gender thinkers: Judith Plaskow, Rachel Adler and Martha Ackelsberg. The first two are among the most prominent theologians in contemporary American Judaism and their writings are part and parcel of the syllabus of

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¹ See Paul Rabinow, *Michel Foucault: Ethics, Subjectivity and Truth: Volume One*, trans. R. Hurley et al. (New York: The New York Press, 1994), 120-73.

² See Rabinow, *Michel Foucault*, 120-73. Thinking about gender in binary terms of male and female is, according to Butler, necessarily repressive, and from a political viewpoint one should attempt to deconstruct it (as in a drag performance). See Judith Butler, *Gender Trouble: Feminism and the Subversion of Identity* (New York and London: Routledge, 1990), 136, 141; Judith Plaskow, *The Coming of Lilith*, ed. Donna Berman (Boston: Beacon Press, 2005), 196-201.

³ Butler, *Gender Trouble*, 109-10; 138-41; 148.

⁴ *Ibid.*, 139.

any basic anthology of contemporary Jewish thought in American universities.⁵ Ackelsberg is a sociologist and thus less well known as a Jewish thinker. However, her essay on the future of the American Jewish family is relevant to our conversation on the new “post-gendered” agenda of the Jewish family. Ackelsberg’s essay predates Plaskow’s and Adler’s discussions of the Jewish family and has most probably influenced their thought. Ackelsberg and Plaskow were both founders of B’not Esh, the American Jewish spirituality collective and Adler writes Jewish feminist thought.⁶ Plaskow and Adler are widely read and quoted by most female rabbis and feminist Jewish and non-Jewish thinkers both in the United States and Israel, and they influence both the non-Orthodox and the Orthodox Jewish feminist movements.⁷ I will demonstrate that their “fluid” perception of sexuality and the family is a new theme within the context of modern, non-Orthodox, Jewish thought which, despite its rebellious attitude towards Jewish Law and transcendental notions of God, remained quite traditional in its perceptions of the Jewish family throughout the nineteenth and twentieth centuries. It is important to emphasize that the sexual and spiritual union of the Jewish man and the Jewish woman in marriage is key both within the context of Jewish Law as well as within Kabbalistic literature, which was the main language of Jewish theology beginning in the Middle Ages and continues to be the central theological language of ultra-Orthodox communities until today.

Within non-Orthodox Jewish thought in the Early Modern period, we encounter, already at the beginning of the Enlightenment, a certain concern as to the ability of enlightened society to respect the framework of sexuality found in the traditional Jewish family, based on the union of Adam and Eve in the Bible. This concern was already expressed by Moses Mendelssohn, the father of modern Jewish thought, in his work *Jerusalem*, and by his Christian contemporaries.⁸ This pattern of thought continues like a crimson thread throughout the central stream of non-Orthodox Jewish thought during the modern period.⁹ This motif can be found in the works of Abraham Geiger in the nineteenth century and Mordechai Kaplan in the United States in the twentieth century; moreover it is supported by those of a more conservative tendency within liberal Judaism such as Zechariah Frankel, Heinrich Graetz, Hermann Cohen, Franz Rosenzweig and Abraham Joshua Heschel. Likewise, such Labor Zionist thinkers as A. D. Gordon and his Second Aliyah feminist followers such as Rahel Katznelson-Shazar, a literary critic and editor of the newspaper *Devar ha-Po'elet*, and Ada Maimon, an educator, leader and historian of the women’s workers movement in the Land of Israel — all upheld the centrality of the

⁵ See, for example, Jill Cozen Harel and Dr Eugene Borowitz, “A Practical Bibliography of Contemporary Jewish Thought,” Hebrew Union College-Jewish Institute of Religion (2008). Accessed online at: <http://huc.edu/faculty/faculty/borowitz/practbibl.shtml>; Elliot N. Dorff and Lewis E. Newman, eds., *Contemporary Jewish Theology: A Reader* (New York and Oxford: Oxford University Press, 1999), 255-62; 319-44.

⁶ On the connection between the three thinkers and their pivotal role in American-Jewish feminist spirituality and theology and within American contemporary Jewish thought in general (especially Plaskow and Adler’s works), see Martha A. Ackelsberg, “Spirituality, Community, and Politics: B’not Esh and the Feminist Reconstruction of Judaism,” *Journal of Feminist Studies in Religion* 2/2 (Fall 1986): 109-20; Hava Tirosh-Samuelson and Aaron Hughs, eds., *Judith Plaskow: Feminism, Theology and Justice* (Boston: Brill, Library of Contemporary Jewish Philosophers, 6, 2014); Ann. R. Shapiro, “The Flight of Lilith: Modern Jewish American Feminist Literature,” *Studies in American Jewish Literature* 29 (2010): 68-79.

⁷ On the clash between liberal and traditional perceptions as a result of different conceptions of sexuality see: “Freedom of Religion and Non Discrimination: Collision of Identities,” CEU-Central European University, Budapest, Hungary: Legal Studies Department, Conference June 7, 2013-June 8 2013. Accessed online at: <http://legal.ceu.edu/events/2013-06-07/freedom-religion-and-non-discrimination-collision-identities>; “Religion and the Public School: A Summary of the Law,” American Jewish Congress, 2009, 31. Accessed online at: http://www.ajcongress.org/site/DocServer/2009_RPS_-_August_09_Revision.pdf?docID=3621

⁸ Moses Mendelssohn, *Jerusalem*. Trans. Allan Arkush; introduction and commentary by Alexander Altmann (Hanover: University Press of New England and Brandeis University, 1983).

⁹ For studies on this subject see David Biale, *Eros and the Jews: From Biblical Israel to Contemporary America* (New York: Basic Books, 1992; paperback ed., 1993; Berkeley and Los Angeles: University of California Press, 1997). Benjamin Gross, “The Family in the Thought of Hermann Cohen and Franz Rosenzweig” [Hebrew]. Accessed online at: <http://www.daat.ac.il/daat/mahshevt/maamarim/hamishpaha-2.htm>; Susannah Heschel, “Family Celebrations as the Site of Transmissions of Jewish Identity: A Feminist View of Gender and Jewish Identity,” *Jahrbuch für Biblische Theologie* 18 (2003): 341-51; Max Weiner, *Abraham Geiger and Liberal Judaism: The Challenge of the Nineteenth Century* (New York: Jewish Publication Society of America, 1982), 184; Kenneth Koltun-Fronm, *Abraham Geiger’s Liberal Judaism: Personal Meaning and Religious Authority* (Bloomington: Indiana University Press, 2006), 64-83; Einat Ramon, *New Life, Religion, Motherhood and Transcendent Love in the Thought of Aharon David Gordon* (Jerusalem: Carmel, 2007) [Hebrew].

traditional concept of Jewish marriage, with certain adjustments regarding the entrance of women into the workplace.¹⁰

Thus, the concepts “male and female” and “man and woman” are central to the Hebrew Bible, rabbinic tradition and Kabbalistic and philosophical Jewish thought. Yet a post-gendered perspective finds the binary gendered paradigm of male and female problematic, even coerced and oppressive. The gap between post-gender feminism/queer theory, first promulgated by such thinkers as Michel Foucault, Judith Butler and others, as well as new medical findings concerning the biological and thus also sexual and psychological differences between men and women, is intellectually disturbing. In addition, the lack of awareness of the economic interests involved in the spreading of reproductive biotechnology that harms women and children, leads queer theorists, and in their wake contemporary Jewish feminist thinkers in North America, to unresolved internal contradictions, as I shall demonstrate.

To be more specific: the new medical reproductive technologies alter heretofore fundamental assumptions about life, allowing, on the one hand, for sexual relations without reproduction (thanks to the use of effective means of contraception and artificial abortions) and, on the other hand, reproduction without sexual relations (test-tube fertilization).

Following my analysis and critique of Plaskow and Adler’s readings of the first chapters of Genesis, I review the Jewish marriage, sexual and family structures which they and Ackelsberg advocate. In the third part of my paper I focus on three ethical problems overlooked by post-gender Jewish theologians and post-gender theorists in general who advocate family structures that propose an alternative to the family structures promoted by historical mainstream Judaism. I highlight the fact that the thinkers overlook the post-gendered Jewish (and non-Jewish) family reliance on two central advanced fertility technologies and the central ethical dilemmas arising from these technologies. These three overlooked ethical problems are: 1) The moral problem of anonymity of parents (in the post-gendered family, many of the children are born from an anonymous sperm donation); 2) Surrogacy that is not owing to a medical condition is a technological method through which one man or two male partners form a family without a mother. I review the co-modification of women in the surrogacy industry especially in cases where men order the baby; and lastly, 3) I highlight the un-pluralistic attitude of post-gender Jewish feminists towards traditional Jews. I point out that the three ethical problems contradict many of the axioms upon which the three thinkers build their argument. I argue that ignoring these ethical concerns creates inner contradictions within their thought.

My critique of post-gendered theory in the context of modern Jewish thought heavily relies on the works of the British-Jewish sociologist Zygmunt Bauman who, in his book *Liquid Love* (2003), criticizes the very idea of fluidity, that is the lacking of boundaries, in the sexual behavior of post-modern Western societies. The term “liquid” (or “fluid”) “love,” which repeats itself here and which spills over into the understanding of the fluidity of other socio-intellectual phenomena (e.g., family, sexuality, etc.), was coined by the thinker and sociologist Zygmunt Bauman, who called his book by that title.¹¹ In his work, Bauman relates this phenomenon to contemporary consumer ethics, which perceives the entire world as a gigantic supermarket within which products are bought, exchanged, and discarded. Bauman analyses the characteristics of post-modern Western global society of our generation in light of its widespread consumer thinking. He observes that within this context humans have lost their will for restraint and postponement of satisfaction, which are essential to the preservation of long-term social frameworks which, in the final analysis, also strengthen the individuals who live in those societies. But the post-modern man or woman is not prepared to pay the personal price for this.

¹⁰ See: Einat Ramon, “A Woman-Human’: A. D. Gordon’s Approach to Women’s Equality and His Influence on Second Aliya Feminists,” in Ruth Kark, Margalit Shilo and Galit Hasan-Rokem, eds., *Jewish Women in Pre-State Israel: Life History, Politics, and Culture* (Waltham: Brandeis University Press, 2008), 111-21; idem, “Ada Fishman-Maimon: Jewish Feminism and Israeli Parliamentary Legislation,” in Margalit Shilo and Gideon Katz, eds., *Iyunim Bitkumat Yisrael* (Gender in Israel: New Studies in The Yishuv and the State) (Beer Sheva: Ben Gurion University of the Negev—The Ben-Gurion Research Institute for the Study of Israel and Zionism, 2011), vol. 2, 731-70 [Hebrew].

¹¹ Zygmunt Bauman, *Liquid Love: On the Frailty of Human Bonds* (Hoboken: John Wiley & Sons, 2003).

On the basis of Bauman's analysis of patterns of love and sexuality in our generation, I wish to argue that, due to the widespread availability of possibilities for reproduction or the cessation of reproduction and their marketing by the medical industry, a certain fluidity has been created in post-modern concepts and patterns of the family in the West in general, and in the Jewish world in particular. The emphasis within post-gender Jewish feminist thought upon the fluidity of sexuality and family, widespread among liberal Jews in our time, is related to Jewish feminist theologians' policy of "the sky is the limit" with regard to the use of reproductive technology.

In addition, I find the works of the Canadian medical ethicist, Margaret Sommerville, especially her book *The Ethical Canary* (2006), extremely helpful in understanding the bio-ethical problems facing humanity (and in that context also the Jewish People) if we redefine marriage. Lastly, Andrea Dworkin's critique of the fertility industry in her book *The Coming Gynocide* is helpful in understanding the ethical dangers of the spread of surrogacy as a procreative method in a global economy. Employing these three theories has led me to the conclusion that post-gender feminism subconsciously serves the trans-human/post-human agenda. Trans-humanism is a school of thought that strives to remove the biological limits of humankind through means of bio-technology.¹² While trans-humanism or post-humanism also wishes to eliminate old age and death, I focus in this article on how post-gender feminism ultimately leads to eliminating natural procreation. It is important to point out that the theologians studied in this paper are not aware that their theologies lead to human cloning and ultimately involves eugenics.¹³ However, I highlight the fact that when treating biological complementary differences between men and women as a problem,¹⁴ then procreation without sex is the solution to the "problem," and this ultimately leads to cloning and eugenics.

2. On the Fluidity of Sexuality, Love and Family Structures in Post-Gender Jewish Feminist Thought

As mentioned in the introduction, the attack on the traditional Jewish family paradigm founded upon the marriage of a man and a woman was led by three central intellectual figures in Jewish feminist thought: Rachel Adler, Judith Plaskow, and Martha Ackelsberg.

2.1. Rachel Adler

Rachel Adler's main work on this subject is embodied in her proposal for an alternative marriage ceremony for establishing a relationship, the *brit ahuvim*, "the covenant of lovers," which is a ceremony for the uniting of two adults without regard to their biological sex.¹⁵ Adler bases her understanding of marriage on Genesis 1, which she reads as a text that breaks down and blurs the boundaries between male and female, recognizing the woman as a human being (as opposed to Genesis 2 and 3). She bases

¹² On the philosophical characteristics of trans-humanism as a world view with bio-ethical implications, aspiring to overcome all of the biological limitations of humankind, see Nick Bostrom, "A History of Transhumanist Thought." Originally published in *Journal of Revolution and Technology* 14/1 (April 2005); reprinted (in its present slightly edited form) in Michael Rectenwald and Lisa Carl, eds., *Academic Writing Across the Disciplines* (New York: Pearson Longman, 2011). Accessed online at: <http://www.nickbostrom.com/papers/history.pdf>; C. Christopher Hook, "Transhumanism and Post Humanism," in *Encyclopedia of Bioethics*, 3rd edition, 2517-2520. Accessed online at: <http://www.gale.cengage.com/pdf/samples/sp657748.pdf>. For a discussion of trans-humanism from a Jewish theological viewpoint see: Hava Tirosh-Samuelson, "The Transhumanist Project: Assessment and Critique," *Metanexus Institute*, July 19, 2009. Accessed online at: <http://vimeo.com/9836666>

¹³ It is interesting to study the analysis of the French Jewish philosopher Shmuel Trigano regarding the roots of trans-humanism in modern philosophy. Even though Trigano does not deal with the technological-evolutionary project, but with the Holocaust and the Jewish situation in Europe following the beginning of modernity, he presents an analysis that explains the philosophical underpinnings of the trans-humanism project: See Shmuel Trigano, *The Democratic Ideal and the Shoah: The Unthought in Political Modernity*, trans. G. Walker (Albany: SUNY Press, 2009).

¹⁴ *Ibid.*, 138.

¹⁵ Rachel Adler, *Engendering Judaism: An Inclusive Theology and Ethics* (Philadelphia: Jewish Publication Society, 1998), 169-207.

this insight upon a “deconstructing” post-modern reading of the text based upon the research of the Christian feminist Bible scholar, Phyllis Trible, who reads this text in its literal sense — as a text of unification and equality between male and female.¹⁶ Trible reads this text with sensitivity and caution, seeing Genesis 1 as the source of the separation of the human being from God and the separation of the human male from the human female, as well as implying the mutually complementary nature of the two sexes, as embodied in the word *tzelem*, image. Adler wishes to:

...turn Trible’s argument upside down and argue that in Genesis 1 human sexuality is itself a metaphor for some element of the divine nature. Something in God seeks to restate itself in flesh and blood. Perhaps it is God’s creativity, or delight, or the ingrained yearning for communion with the other that serves impetus for creation and for covenant. But something in God, in seeking its human mirror, reveals itself as both infinitely varied and utterly whole. That something is, as it were, God’s sexuality, which our own sexuality was created to reflect.

Genesis 1 refers to God both in the singular and in plural and, like Genesis 5, attributes both singularity and plurality to Adam. Adam’s plurality is its sexual diversity. We are incalculably various, and the most basic of our variations are sexual...¹⁷

Adler’s “upside down reading” seems to ignore the language and syntax of the Bible, as human sexuality according to Genesis is not “infinitely varied” but clearly divided into two binary and distinct sexes: male and female. Adler is correct in pointing out that the biblical text does not carry its egalitarian potential to its logical conclusion.¹⁸ Yet, perhaps because her reading is the opposite of what the texts say into Genesis 1, Adler names her reading of the Bible, and of Phyllis Trible’s very careful feminist interpretation, an “upside down” reading. Her subtle reading of “plurality” into the clearly complementary duality of human sexuality which is embedded in the text clearly marks a radical, albeit subtle, shift from the mainstream feminist reading of Genesis 1, as set already in the beginning of the nineteenth century by the first Protestant feminist readers of the Bible and compiled by Elizabeth Cady Stanton.¹⁹ Adler’s “upside down” hermeneutics ultimately moves Jewish (and Christian) feminist reading of Genesis from its original concern with women and its vision of equal companionship with men to a new focus: on sexuality and its different expressions and orientations. Adler’s subtle move in *Engendering Judaism* paves the way for more explicit feminist post-modern readings of Genesis 1 within Reform Judaism, all of which reject the centrality of the coming together of a man and a woman to form a family. In that spirit, another Reform rabbi and theologian, Maggie Wenig, has recently written:

How then should we read the biblical verse: “Male and Female, [God] created them”? I propose that we read it not: God (or nature) created every single human being as *either* male or female. Read instead: God created some human males, some female, others who appear to be female but know themselves to be male, and others still who bear a mix of both male and female characteristics. “*Zachar un’keva*” is, I believe, a merism, a common biblical figure of speech in which a whole is alluded to by some of its parts...in the case of this verse, the whole diverse panoply of gender and gender identities is encompassed by two words, “male” and “female.” Therefore, read not [that] God created every human being as either male or female, but rather, God created humankind *zachar un’keval*: male and female and every combination in between.²⁰

All of these readings reject the norm of the coming together of a man and a woman to form a family, (most often) through the act of procreation. Human sexuality is directed in Genesis towards sociological strengthening of the pattern of shared biological parenthood of father and mother, both in the individual couple and in the general message for human society, the offspring being the fruit and purpose of the

¹⁶ *Ibid.*, 118-19; cf. Phyllis Trible, *God and the Rhetoric of Sexuality* (Philadelphia: Fortress Press, 1978), 17, 21-2.

¹⁷ Adler, *Engendering Judaism*, 118.

¹⁸ *Ibid.*, 120-121.

¹⁹ Ellen B. Dietrick, “The Book of Genesis, Chapter 1,” in Elizabeth C. Stanton, ed., *The Original Feminist Attack on the Bible (The Women’s Bible)* (New York: Arno Press, 1974), 14-18.

²⁰ Margaret M. Wenig, “Male and Female, God Created Them? The Intersex, Transgender and Transsexual in Jewish Tradition and in Our Lives,” *CCAR Journal*/LIX/IV (Fall 2012): 138.

binary nature of human sexuality. The evidence for this unique message of the Bible is extensive. Phyllis Trible noted the first of these through her careful readings, in which she points out that the creation of male and female in the image of God in Genesis 1 involves a blessing for their shared fruitfulness: “male and female He created them; and he blessed them, and God said to them: Be fruitful and multiply.”

A second point I wish to add is the relation, according to biblical criticism, between the verses “male and female He created them” (*Gen.* 1:27) and “Each person shall fear his mother and father” (*Lev.* 19:3), both of which, according to biblical scholars, belong to the Priestly source of the Book of Holiness.²¹ One may infer from this that those sexual acts prohibited in Leviticus 18 and 20, according to which every departure from the union of male and female as parents of offspring *in potentia* or in actuality—whether through male homosexual sexuality or by turning a relationship of first degree consanguinity (parents, siblings, etc.) into a sexual relationship, i.e., incest—are seen as a corruption of the perfect path of creation sketched in Genesis 1: i.e., creation in the image of God. This, as against Adler’s claim that this list of prohibited sexual acts does not enhance sexual ethics, and that contemporary sexual ethics are superior to those of the Bible as, in her approach, the list of incestual prohibitions in Leviticus represents the institutionalization of patriarchal dominance.²² The purpose of sexuality in Genesis 1 is the realization of the divine blessing of fruitfulness by male and female together; hence it is “binary” but also egalitarian sexuality, one that creates parenthood flowing from the bodily union of male and female. In contrast, the sexuality described by Adler is barren. It does not entail any desire for fruitfulness, and thus differs from the literal sense of Genesis 1. There is no connection between sexual desire, as she describes it, and sexuality, childbearing and the joint raising of children. It is not for naught that Adler ignores feminist readings of Genesis 2 and 3—the second story of creation—which she understands *a priori* as a patriarchal text of creation. Adler is aware of the fact that Trible, and following her the literary critic Mike Bal, have demonstrated that we tend to read Genesis 2 and 3 with repressive patriarchal eyes, yet here too there are to be found kernels of cooperation and egalitarian mutuality between man and woman—but she prefers not to deal with these questions.²³

As against that, Adler interprets our sexuality as non-procreative:

Our sexuality marks us both as boundried and boundary-transcending. It is at once personal and transpersonal, private and public. Within ourselves, all by ourselves, is the capacity for eroticism. It is in our skin, our muscles, forested with twinning nerves, our blood gusting through us like rising and falling winds, our genitals raining their fluids, our senses all live to joy. Yet, sexuality also turns us towards the other. Overriding the physical and emotional boundaries that keep human beings distinct from one another, it urges us to open our portals, to extend ourselves, to create places of co/habitation where...we play, rapt in our desire, ever aware of the desire and the presence of the other. These places of communion we establish with our bodies, dissolving the boundaries of inside-outside, yours-mine, giver-getter, haver-holder, bespeak our likeness to the God the rabbis called *Ha-Makom*.²⁴

It is surprising that, in this context, Adler does not relate to the fact that (a) sexual encounters may often produce offspring, thereby entirely changing and expanding the union between a man and a woman, as it did in Genesis;²⁵ or (b) that while Adler admits that sexual boundaries are necessary, she argues that “the sexual integrity of the less powerful party must be guarded,” without specifying how this ought to be

²¹ Richard E. Friedman, *Who Wrote the Bible?* (San Francisco: Harper, 1987), 214-16, 246, 252; Baruch J. Schwartz, “The Strata of Priestly Writings and the Revised Relative Dating of P and H: Introduction,” in Sarah Schechtman and Joel B. Baiden, eds., *The Strata of the Priestly Writings* (Zurich: TVZ Theologischer Verlag, 2009), 1-12.

²² Adler, *Engendering Judaism*, 125-33.

²³ Phyllis Trible, “Depatriarchalizing Biblical Interpretation,” in *The Jewish Woman: New Perspectives* (New York: Schocken Books, 1976), 217-40. Adler’s article appears in the same anthology: Mieke Bal, ed., *Lethal Love: Feminist Literary Readings of Biblical Love Stories* (Bloomington and Indianapolis: Indiana University Press, 1987), 104-30. On the “Holiness School” in the Bible, according to the approach of Biblical criticism, see Baruch J. Schwartz, *The Doctrine of Holiness, Studies in the Priestly Code of the Torah*, (Jerusalem: Magnes, 1999) [Hebrew].

²⁴ Adler, *Engendering Judaism*, 118-9.

²⁵ See Rabbi Joseph B. Soloveitchik, *Family Redeemed: Essays on Family Relationships* (Hoboken: Ktav, 2002).

done.²⁶ She ignores the fact that sexuality may be focused entirely upon the self, even if the other is present. This latter option may often express contempt and thus covert or overt exploitation of the other, even if the sexual act is performed “consensually.” One should also note that the “upside-down” reading of the place of sexuality in Genesis 1 does not allow for any common discourse with a careful reading of the straightforward meaning. Those who read literally or homiletically (*peshat* or *derash*) cannot argue with Adler, as she belongs to a different, post-modern exegetical universe, lacking any common denominator with earlier methods, both traditional and academic.²⁷

2.2 Judith Plaskow

The approach to sexuality and family taken by Judith Plaskow, the most prolific among the Jewish feminist thinkers, both in terms of the quantity of her writing and in terms of her pioneering work in the field,²⁸ is not significantly different. Plaskow, like Adler, strongly emphasizes the value of eroticism in both the inner-personal context and in the inter-personal, holding that this is suppressed by Jewish halakhah.²⁹ Even more so than Adler, Plaskow thinks that man-woman relationships in Judaism are fundamentally patriarchal and heterosexist and that Genesis 3:16, “and your longing shall be towards your man/husband and he shall rule over you” encapsulates the Torah’s attitude towards the relationship between men and women; according to her, the *Tanakh* is lacking in any norm of egalitarian heterosexuality which is not repressive of the woman.³⁰ She thus sees the public reading of Leviticus 18 on the Afternoon Prayer on Yom Kippur as an expression of patriarchy and compulsive heterosexuality, characteristic of the approach of all of traditional Judaism.³¹

Moreover, as she testifies, the publication of her book *Standing Again at Sinai* (1989) brought to the fore the question of whether there may not be a certain value in reading the list of prohibited incestuous liaisons on Yom Kippur, specifically from the viewpoint of women who have been sexually molested, and thus perhaps find in this reading a certain protection. That challenge led Plaskow to more clearly explicate her own “halakhah” regarding the issue of rules and prohibitions governing sexuality. In response to this question, in her article, “Sexuality and Teshuvah: Leviticus 18,” Plaskow in fact formulates a set of alternative rules to those of the Torah.³² At its heart is the celebration of a “fluid” sexuality, including permission for sexual relationships with more than one partner, even within the framework of marriage, provided only that it is not hidden or done in a secretive way. Plaskow is deliberately silent regarding the question as to whether it is proper or improper, permitted or forbidden, to engage in sexual relations between mature adults of the first degree of consanguinity (incest), as well as to whether sexual relations and marriage between a Jew/ess and non-Jew/ess ought to be permitted.³³ In this article she expresses harsh criticism against what she considers the antiquated and restrictive “tribal” approach to sexuality, but alongside that statement Plaskow articulates a new limitation, perhaps even more severe than that of the biblical prohibitions (albeit one which is likewise not necessarily enforced by the liberal Jewish community in the United States): namely, an absolute ban against sexual relations between a person above the age of 21 and one below the age of 16. It is important to note that

²⁶ Adler, *Engendering Judaism*, 132.

²⁷ Adler’s hermeneutics represents a larger hermeneutical transition within liberal religious Jewish theology and scholarship. On this recent post-modern shift, see my article: Einat Ramon, “Two are Better than One: Historical Research and Religious Faith in the Thought of Zacharias Frankel, Heinrich Graetz and Solomon Schechter,” in Daniel J. Lasker, ed., *Jewish Thought and Jewish Belief* (Beer Sheva: Ben-Gurion University of the Negev Press, 2012), 163-90 [Hebrew].

²⁸ On this matter, see my article: Einat Ramon, “*Re’eh*-Behold, I Set before You This Day: Women in Ritual and Feminine Divinity: The Distinction between Paganism and Idolatry in the Thought of Judith Plaskow,” in N. Rothenberg, ed., *Wisdom By the Week: The Weekly Torah Portion as an Inspiration for Thought and Creativity*, trans. Shmuel Sermoneta (New York and Jerusalem: Yeshiva University Press and the Van Leer Jerusalem Institute, 2011), 577-84.

²⁹ Judith Plaskow, *Standing Again at Sinai: Judaism from a Feminist Perspective* (San Francisco: Harper and Row, 1990), 170-210.

³⁰ Plaskow, *Coming of Liliith*, 198.

³¹ *Ibid.*, 193-205.

³² *Ibid.*, 165-77.

³³ *Ibid.*, 165-77, esp. 176-7.

Plaskow recognizes that the contours she sketches for ethical sexuality break through the boundaries of the tribe/people. Hence, it is worth asking in the context of her proposals whether the existence of the Jewish people as such is desirable in her eyes, in what sense this is so, and, according to her approach, what limitations are ethically “allowed” for the purposes of its preservation.

From a talk given by Judith Plaskow at Bar-Ilan University a number of years ago, one can see that she is aware of the paradoxical potential of post-gender thought.³⁴ But in the final analysis she prefers to define the goal of Jewish feminism in terms of changing gender roles rather than in terms of empowering women or strengthening cooperation between Jewish men and Jewish women.³⁵

2.3. Martha Ackelsberg

Martha Ackelsberg, a lecturer in political science at Smith College and also a member of the Jewish-feminist prayer group in the United States, *B'not Eish*, “Daughters of Fire,” wrote similar things, albeit with different emphases, a number of years earlier. In Ackelsberg’s 1989 article, “Redefining Family,” she negates the value of the heterosexual Jewish family, which she sees as a paradigm for inequality and patriarchy—that is, to a large extent as the source of *all* evil in Jewish societies throughout the generations. In practice, Ackelsberg’s argument is that the inclusion of men and women with a same-sex orientation within the Jewish community requires a new definition of the family, and that only by means of a renewed definition of the institution of marriage and the family and by ridding ourselves of the normative nature of the traditional institution of marriage will it be possible to overcome and defeat homophobia. She sees homophobia and heterosexism as inherent in every division of roles between men and women and as harming heterosexual couples as well.³⁶

The absence of monogamy in the male homosexual community, according to Ackelsberg, does not necessarily signify a lack of faithfulness, even if in the era of AIDS it does entail certain dangers. Ackelsberg notes that male homosexual couples testify that their commitment to a long-term relationship does not necessarily exclude short-term sexual relationships with other partners. Even though she personally holds monogamy and faithfulness to be positive values, the discourse within the LGBTQ community regarding adherence to the value of monogamy is one which she finds challenging and creative and also likely to enrich the heterosexual community.³⁷ Ackelsberg praises the equality usually found in the relations of same-sex couples, which does not exist in heterosexual couples. Even though she takes care not to idealize same-sex couples, she does tend to see them as a model for couple relationship in general.³⁸ The absence of childbirth, which is often the case among single-sex couples, is likewise in her opinion not necessarily a negative phenomenon, but strengthens an ethos of Jewish continuity without genetic continuity. These models, which in her opinion strengthen the community at the expense of the family, ought to be learned by heterosexual Jews as well.³⁹ Ackelsberg maps new models for creating families among homosexuals and lesbians, with or without marriage, noting in this connection the possibility of adopting children, of fostering, or using “alternative” means such as, in the case of lesbians, the use of artificial insemination and/or the creation of an agreement between “homosexual men with a woman who will bear a child for them.”⁴⁰ These words were written in 1989, before the technology and technique of implanting the fertilized eggs of an anonymous woman into the womb of a surrogate mother had been developed and had become widespread within the LGBTQ movement and elsewhere. One is nevertheless surprised as to why Ackelsberg, as a staunch feminist,

³⁴ See “The View from Here: Gender Theory and Gendered Realities—An Exchange between Tamar Ross and Judith Plaskow,” in *Nashim* 13 (Spring 5767/2007): 207-16.

³⁵ *Ibid.*, 216.

³⁶ Martha A. Ackelsberg, “Redefining Family,” in Christie Balka and Andy Rose, eds., *Twice Blessed: On Being Lesbian or Gay and Jewish* (Boston: Beacon Press, 1989), 109-10.

³⁷ Ackelsberg, “Redefining Family,” 179-80.

³⁸ *Ibid.*, 114.

³⁹ *Ibid.*, 115.

⁴⁰ *Ibid.*

albeit a lesbian, defends social and even homosexual structures in which women function as a “womb for rent.” It may be that, within the context in which Ackelsberg wrote in the 1980s, such agreements, between two men who wished to raise their own biological child and the mother of the child, were of a less commercial and more egalitarian nature. Nevertheless, one is surprised that, at the time of writing this revolutionary article, it did not even occur to Ackelsberg that the use of these alternative technologies would lead human civilization upon a new path of “commodifying” women’s bodies so that they would become pregnant for someone who is not interested in cooperation with the woman as the mother of his/her child or children. Can it be that new forms of patriarchy have developed within the LGBTQ and liberal-religious community?

It is interesting that, notwithstanding the complex ethical questions already raised by this article from the end of the 1980s, Ackelsberg and Plaskow, in their more recent article, “Beyond Same-Sex Marriage,” reiterate the same arguments that were raised in earlier decades. They again wish to break through the framework of traditional Jewish family-life and sexuality (which reflects what has already happened within American Jewry), without turning their attention to the costs (as well as the benefits, from their viewpoint: the acceptance and recognition of same-sex couple relations) incurred and borne by the American Jewish community for these changes.⁴¹ Relying upon the statistics of American Jewry (which have become exacerbated today, some twenty years after Ackelsberg originally published her article), Ackelsberg noted, as she did with Plaskow in the more recent paper, that the Jews of the United States are marrying less and at a later age, that they have more sexual partners before marriage and fewer children, if at all, than any other religious minority in the United States. They do not see any of this as problematic.⁴² In response to the argument that such a situation is suicidal for the Jewish people in North America, Plaskow already responded in her 1998 article that an absolute expansion of the concept of the family also requires a new definition of continuity not connected with giving birth to a new generation.⁴³

3. *Post-Gender Jewish Feminism at a Dead End: Four Unconscious Contradictions*

There are several serious contradictions that emerge from the union between post-gender theory and the new reproductive technologies. In this section I wish to address those contradictions as open questions for further discussion following post-gender feminist Jewish theologians’ view of the Jewish family.

3.1 *On Feminist Contradictions: Between Post-Gender Feminist Theology and Gender-Specific Medicine*

Significant differences between men and women’s bodies that have medical implications are constantly being discovered but are ignored by post-gender Jewish theologians. On the one hand, there are studies investigating the symbiosis between culture and biological information. Those studies introduce the complexity of gender differences and the rare cases in nature where gender differences are not as stark as we assume. The biologist Anne Fausto-Sterling is an important scholar and researcher in that regard. Her studies reflect her commitment to “gay and women’s liberation” and a belief that to “shift the politics of the body one must change the politics of science.”⁴⁴ At the same time, discovery of the biological

⁴¹ Martha A. Ackelsberg and Judith Plaskow, “Beyond Same-Sex Marriage,” in Or Rose, Jo Ellen Green Kaiser and Margie Klein, eds., *Righteous Indignation: A Jewish Call for Justice* (Woodstock: Jewish Lights, 2008), 195-205.

⁴² Sylvia Barack Fishman, “Transformations in the Composition of American Jewish Households,” in Jerusalem Center for Public Affairs, <http://www.jcpa.org/cjc/cjc-fishman-f05.htm> and Mandell L. Berman Institute, North American Jewish Data, http://www.jewishdatabank.org/Reports/RecentTrends_Sheskin_2011.pdf, 46-47.

⁴³ Plaskow, *The Coming of Lilith*, 191.

⁴⁴ Anne Fausto-Sterling, *Sexing the Body: Biology and the Construction of Sexuality* (New York: Basic Books, 2000), 8; eadem, *Sex/Gender: Biology in a Social World* (New York: Routledge, 2012).

differences between men and women has also led to gender-specific medicine. Differing medical practices exist today for women and men in almost every branch of medicine.⁴⁵ And while women must make sure that “gender-specific medicine” will not harm their health due to medical paradigms that serve the interests of the medical industry,⁴⁶ responsible theology should take these findings seriously and question whether some of the findings upon which gender-specific medicine is based challenge the philosophical post-gender assumption not only in the fields of medicine and biology but also in the field of Jewish theology.

Consider the following information: Miriam Grossman, a psychiatrist from Los Angeles, who worked on the staff of UCLA recently highlighted in two consecutive detailed studies the gap between the new scientific-biological findings and contemporary post-gender assumptions.⁴⁷ She argues that these erroneous philosophical assumptions, originating in the viewpoint of those who adhere to queer theory, are translated in sexual education and in medicine into norms of sexual permissiveness and even promiscuity. These behaviours cause medical injury in terms of both the psychological and gynaecological guidance and care needed by youth and students, particularly by young women and female students.⁴⁸ Could it be that post-gender theology and thought, which regards the biological difference between men and women as “hetero-patriarchal” and contradictory to equality, ignores situations where consciousness of this difference might be medically and psychologically protective of women?

3.2 *On Feminist Contradictions: Preference for the Identity Issues of Parents over the Identity Issues of Offspring*

Another inner contradiction connected to issues of sexuality, family structures and reproduction relates to the field of bio-ethics.⁴⁹ In recent decades, such ethical thinkers in the Western world as Jürgen Habermas, Leon R. Kass and Margaret Somerville have been calling upon humankind to hold back/curb the rush towards a world in which these new reproductive technologies are used without restraint, as if “the sky is the limit.” They believe that a significant departure from the reproductive patterns existing in nature, which unite male and female, endangers the future of the human race.

One ethical problem particularly highlighted by the Canadian bio-ethicist Margaret Somerville is the violation of the human right of children of spermatozoa or ovum banks, born as a result of the “new family” and “identity politics” ethos, to know both of their biological parents. Thus, the second paradox of post-gender feminist thought involves the contradiction between advocating free expression of diverse erotic connections among adults as a human right, as against the restriction or limitation of the rights of those children born as result of this expansion to have a biological father or mother, or at the very least to know their identity and that of their genetic relatives. There needs to be an in-depth discussion of human rights within the context of religious thought that looks not only at the rights of parents to live in the family structure of their choice but also at the rights of children, at the very least, to meet their biological families, just as adopted children are entitled to do. Over and beyond moral warnings regarding the general human danger involved in the norm of selecting the qualities of a foetus,

⁴⁵ Esti Aharonovitch, “Soon: Separate Medicine for Men and Women,” *Ha-Aretz*, March 3, 2001 [Hebrew]. Accessed online at: <http://www.haaretz.co.il/misc/1.1165097>; Dan Even, “The Difference Between Psychiatric Problems of Women and of Men,” *Ha’aretz*, March 18, 2012 [Hebrew]; Karin Schenk Gustafson, Paula R. Decola, Donald W. Pfaff and David S. Pisetsky, eds., *Handbook of Clinical Gender Medicine* (Basel and Freiburg: Karger, 2012); Marianne J. Legato, *Principles of Gender-Specific Medicine Second Edition* (Burlington: Academic Press, 2009).

⁴⁶ Omi Leissner, “Gender Medicine: Is It Good for Women?” *Hamishpat* 15 (2011), 481-523.

⁴⁷ Miriam Grossman, *Unprotected: A Campus Psychiatrist Reveals How Political Correctness in Her Profession Endangers Every Student* (New York: Sentinel, 2006), 8-9, 27-30, 153-62; eadem, *You’re Teaching My Child What? A Physician Exposes the Lies of Sex Education and How They Harm Your Child* (New York: Regnery Publishing, Inc., 2009), 35-82.

⁴⁸ Grossman, *Unprotected* (2006); Miriam Grossman, *You Are Teaching My Child What?* (2009).

⁴⁹ On the need for a shared ethics for people from different cultures in the world, see the lectures of Margaret Somerville, *The Ethical Imagination*, 2006 Massey Lectures, CBC Audio.

today it is statistically known that a majority (two-thirds) of the children born from anonymous sperm or ovum donations are interested in meeting their biological/genetic parents and family.⁵⁰

Thus, in her anthropological study of advanced reproductive technologies in Israel, researcher Susan Kahn expresses astonishment at the fact that the need of children, who are the offspring of sperm or ova banks, to know their biological-genetic families is denied. Rather surprisingly, even the Orthodox rabbinate grants permission (in the case of married couples and unmarried women), to engage in this method of reproduction—a consent deriving from the flexibility of the halakhah regarding the post-facto definition of parenthood.⁵¹ By contrast, Sommerville thinks that human society ought to assist (that is, to permit the use of sperm and ovum donations) only for purposes of reproduction in which a father and mother—preferably married to one another, although not necessarily—are involved, and even then only on the basis of a clearly defined medical problem.⁵² According to this approach, one ought not to assist people to bring into the world children who will not know the identity of their fathers or mothers. Sommerville emphasizes that one is not speaking here of interference of the state in the private life of its citizens. A woman is allowed, on a private basis, to become pregnant from a man and to conceal the identity of the father from her children. This may be improper or even reprehensible behavior, but it cannot be prohibited, nor can such a prohibition be enforced by law. The question Sommerville raises is: What kind of reproduction should the state assist? Ought our society (in this context: the state) assist in expanding the phenomenon in which children have no knowledge of their biological father or mother, and do not even have, at the very least, the opportunity of knowing who they are?⁵³

It is clear that Sommerville, who sees these technologies as “paving the way to cloning,” is completely opposed to the cloning of human beings, as is the German philosopher Jürgen Habermas. Both see cloning as an act of violent interference by humans upon nature, a severe limitation of human freedom, denying the next generation the freedom, like every other person upon the face of the earth until now, to be created by the past generation in the light of unexpected, unregulated biological data. Unlike that genetic data with which each person has been born throughout the length of human history, *intentionally imposing genetic data upon any person by the choice of the genetic makeup of the offspring’s “educational parents,” or by the state, is an unprecedented corruption without a future for human society—a point made by Habermas.*⁵⁴ Moreover, by making these technologies possible, it follows that the promotion of fluid sexuality leading to “fluid” family structures goes hand in hand with eugenics—genetic engineering in human beings. Eugenics was a popular idea among intellectuals, both Marxist and proto-fascist, during the early decades of the twentieth century. The roots of these ideas are found in Greek philosophy, which the Book of Genesis opposed and against which it posed the vision of the union between a man and a woman as an alternative (in the case of female infertility the union between one man and more than one woman).⁵⁵ Plaskow is presumably unaware of the third side of this triangle

⁵⁰ See testimonies at the “Anonymous Us” website:

<https://anonymousus.org/> and Liza Mundy, *Everything Conceivable: How Assisted Reproduction is Changing Men, Women, and the World* (New York: Alfred A. Knopf, 2007), 177-204.

⁵¹ Susan M. Kahn, *Reproducing Jews: Cultural Account of Assisted Conception in Israel* (Durham and London: Duke University Press, 2000), 166-71. In this connection see also Ronit Irshai, “Fertility, Gender and Halakhah: Gender Aspects of Contemporary Halakhic Rulings Concerning Issues of Reproduction (Contraception, Abortion, Artificial Insemination, and Surrogacy)” (PhD. diss., Bar-Ilan University, Ramat Gan, 2006) [Hebrew].

⁵² Margaret Sommerville, *The Ethical Canary: Science, Society and the Human Spirit* (Montreal and Kingston: McGill-Queen’s University Press, 2004), 48ff.

⁵³ See Einat Ramon, “Family on the Verge of Breakdown” [Hebrew], *Mekor Rishon: Shabbat*, 19 Av 5771, 19 August 2011. Accessed online at: <http://musaf-shabbat.com/2011/08/18/%D7%9E%D7%A9%D7%A4%D7%97%D7%94-%D7%A2%D7%9C-%D7%A1%D7%A3-%D7%A4%D7%99%D7%A8%D7%95%D7%A7-%D7%A2%D7%99%D7%A0%D7%AA-%D7%A8%D7%9E%D7%95%D7%9F>

⁵⁴ Jürgen Habermas, *The Future of Human Nature: On the Way to Liberal Eugenics?* (Cambridge, UK: Polity Press, 2003).

⁵⁵ A careful reading of Plato’s cluster of ideas concerning love, sexuality and the family clearly shows that neglecting the natural family pattern of man, woman and their children leads Plato to an ideology similar to that advocated by many revolutionary movements, including post-gender feminists in our day and age. Plato regards homosexual and lesbian union as a higher level of love, perceives heterosexual (i.e., procreative) unions as inferior, he advocates equality in the form of total resemblance in the education and social function of men and women. As a result of the neglect of natural motherhood, Plato calls for the dissolution of the natural family and the raising of children by the state. The state’s total responsibility for education eventually leads to eugenics (state

of ideas—eugenics. However, enthusiasm for the concepts of sexuality and family described in Plato's *Symposium* and *Politics* is not new to the world of feminist ideas and expresses a further aspect of the continuous thread tying Western society to ancient pagan ethics.⁵⁶

Lastly we must remember that already now, as a result of the elimination of the necessity for the sexual union of man and woman for the purpose of human procreation (thanks to the possibility of concealing the identity of the father or the mother through anonymous egg and/or sperm donations), even without cloning, advanced reproductive technologies involve an excessive interference in the determination of the genetic qualities of the foetus as opposed to that which takes place by means of natural reproduction.⁵⁷

3.3 *Feminist Contradiction: Family Fluidity and Women Trafficking in the Surrogacy Industry*

A third contradiction within Jewish post-gender feminist theology concerns the practice of surrogacy, which is necessary for the creation of families without mothers. Surrogacy and ovum donation are arguably problematic phenomena from an ethical viewpoint *ab initio*, and not only in the context of the new family. The selling of organs is very similar to slavery, thereby endangering egg donors and surrogates and their health.⁵⁸ Women who are not from a lower socio-economic background do not choose to support themselves in this manner; all the more so that they do not desire and are not guided to choose surrogacy as a “profession.” The Israeli experience of attempting to limit surrogacy for payment only to those cases in which the would-be surrogate assists a woman who is unable to become pregnant due to health or medical reasons, suggests that in certain very specific cases the surrogates may see themselves as performing an act of kindness to other women, and thus perceive their carrying a baby for barren women as a contribution to society. So long as surrogacy does not become a “profession” and only occurs once or twice in the life of a given woman, there are those who think that it constitutes an intermediate path, one which does not negate the legitimacy of surrogacy completely, but obviates it becoming an industry that accumulates wealth, while objectifying and enslaving women—all this, thanks to the strict limitations that Israeli law places upon the use of surrogates.⁵⁹ However, the fact that there

interference in procreation) and to a totalitarian regime that hides information concerning its family planning from the citizens of the state. On the idea of the inferiority of heterosexual love, Plato writes in *Symposium*:

“Each of us when separated, having one side only, like a flat fish, is but the indenture of a man, and he is looking for his other half. Men who are a section of that double nature which was once called androgynous are lovers of women: adulterers are generally of this breed, and also adulterous women who lust after men: the women who are a section of a woman do not care for men, but have female attachments; the female components are of this sort. But they who are a section of the male they hang about men and embrace them, and they are themselves the best boys and youths, because they have the most manly nature...and these when they grow up become our statesmen...when they reach manhood they are lovers of youth, and are not naturally inclined to marry or beget children...but they are satisfied if they are allowed to live with another unwedded; and such a nature is prone to love and ready to love that which is akin to him.” See *The Works of Plato: Volume One* (Pennsylvania: The Franklin Center, 1979), 280.

Once marriage between a man and a woman is no longer conceived as the highest ideal, it follows that a different framework for raising children emerges. Thus Plato introduces the following cluster of ideas:

“The wives of our guardians are to be common, and their children are to be common; and no parent is to know his own child, nor any child his parent...—And do you breed from them all indifferently, or do you take care to breed from the best only? —From the best...of either sex should be united with the best as often, and the inferior, as seldom as possible; Now these goings on must be a secret which only the rulers know, or there will be further danger of our herd, as the guardians may be termed, breaking out into rebellion...the number of weddings is a matter which must be left to the discretion of the rulers, whose aim will be to preserve the average of population?... — Certainly, he replied. We will have to invent some ingenious kind of lots which the less worthy may draw on each occasion of our bringing them together, and then they will accuse their own ill-luck and not the rulers...” See *The Republic*, Book V, in *The Works of Plato, Volume Two* (1981), 123-26.

⁵⁶ Susan M. Okin, *Women in Western Political Thought* (Princeton: Princeton University Press, 1992), 15-70.

⁵⁷ On the wish of elements within the LGBTQ community to achieve cloning between two men and two women, see Will Doig, “Born Again: Is Cloning the Key to Gay Reproduction?” in *Metroweekly*, January 16 2003. Accessed online at: <https://www.metroweekly.com/2003/01/born-again/>

⁵⁸ On the harm done to health and the exploitation involved in the industry of ovum donation, see: <http://www.eggsploitation.com/story-rd.htm>.

⁵⁹ Kelly D. Weissberg, *The Birth of Surrogacy in Israel* (Gainesville: University Press of Florida, 2005).

are no women from a higher socio-economic class who wish to work as surrogates suggests that there is also justification for prohibiting it completely, save in cases of “altruistic surrogacy.”⁶⁰

Moreover, a phenomenon of which we were not hitherto conscious is exposed by filmmaker Tzippi Brand Frank in a film released recently in Israel that received a prize in the 2009 Docu-Aviv festival, entitled *Google Baby*. This film demonstrates beyond all doubt that the normalization of male single-sex relationships substantially increases the size of the surrogacy industry, and with it the health dangers to which it exposes poor women and their enslavement within the framework of surrogacy. To this fact one must add the disturbing insight that in this context the use of surrogacy is intended entirely for the creation of families which exclude the mother and deny children the right to have or to know their biological mother, at least *ab initio*.⁶¹ This film suggests that the thought of Judith Butler, which ridicules biological differences between men and women and the reproductive pattern of man and woman in nature, goes hand in hand with the growth of the global trade in human beings—women and children—made possible thanks to the development of advanced bio-technology in the realm of reproduction and sophisticated means of international transportation. These phenomena show that there are cases in which the drag show, which serves as the basic metaphor for queer theory, cannot explain the reality in which women alone have ova and women alone are able to become pregnant. Reproduction within the context of the realization of the erotic-ideal of men who wish to establish families with other men alone implies the exploitation of women and the exclusion of women from the family.

The trade in poor women for purposes of reproduction was anticipated by the radical feminist philosopher Andrea Dworkin, who was a Jew and surprisingly also a Zionist, in her article “The Coming Gynocide,” published in her book *Right Wing Women*.⁶² Dworkin argued that, in the new prostitution of fertility developed in our own generation, doctors and scientists would serve as the pimps, and hospitals, in which women would be sold to men who buy their wombs in exchange for payment, would become the new brothels.⁶³ Dworkin, who died at an early age, anticipated that Christian religious women opposed to abortions would initially serve as opposition to this scientific dictatorship, until they, too, would be defeated by the male establishment.⁶⁴ But she could not have imagined in her wildest dreams that homosexuals, feminists and lesbians would encourage it directly or indirectly and would cooperate with this cruel oppression, under the cover of the medical industries and “advanced” science. The possibility of “breaking down” the woman’s body into individual organs of human reproduction (a medical deconstruction that is perhaps parallel to the “deconstruction” of texts and their reading in a manner opposite to their original significance), and apathy to the extent with which these practices are encouraged in post-modern society is, according to Dworkin, the first stage towards rendering women completely superfluous, thanks to the possibility of cloning and of the artificial womb, which are already just around the corner.

Another researcher, Janice Raymond (1993), completes the picture described by Dworkin of the age of the fluid family, by bringing another chilling testimony as to the manner in which the Global South serves as a reservoir of organs and children for the fluid and unrestrained cultural needs of the inhabitants of the Western world. Among other things, she brings testimonies of how young girls in South America are forced to become pregnant in order to give their children for adoption in the Global

⁶⁰ See: Jyotsna Agnihotri Gupta, “Reproductive Biocrossings: Indian Egg Donors and Surrogates in the Globalized Fertility Market,” *The International Journal of Feminist Approaches to Bioethics* 5:1 (Spring 2012): 25-51. Cf. Nofar Lipkin and Etty Semama, “Surrogacy in Israel: Its State as of 2005 and Suggestions for Changing Legislation,” at *Isha le-Isha*: a feminist site, Haifa [Hebrew]. Accessed online at: http://www.isha.org.il/upload/file/%D7%90%D7%99%D7%A0%D7%93%D7%A7%D7%A1/surrogacy_web.pdf

⁶¹ For the film “Google Baby,” see: <http://yes.walla.co.il/?w=2/8630>

⁶² Andrea Dworkin, *Right Wing Women* (New York: G. P. Putnam’s Sons, 1982), 147-194, esp. 183. (I wish to thank Dr. Ronit Ir-Shay for bringing this source to my attention).

⁶³ *Ibid.*, 182-188.

⁶⁴ *Ibid.*, 192-193. For an additional critique of the connection among the post-modern world view, the relativism that follows in its heels, and the “industry of deconstructing women into their organs,” see: Janice G. Raymond, *Women as Wombs: Reproductive Technologies and the Battle Over Women’s Freedom* (San Francisco: Harper San Francisco, 1993).

North,⁶⁵ a factor which also leads to the institutionalization of trade in the organs of children in the global world.⁶⁶

Beyond all else the question that must be asked is why there are no Jewish women thinkers who relate to the proposal of the feminist thinker, Donna Haraway, in relation to the cloning and creation of a new creature in place of humans, a cyborg. The cyborg is neither man nor woman, and is seen as an effort to contribute to socialist-feminist culture and theory in a postmodernist, non-naturalist mode and in the utopian tradition of imagining a world without gender, which is perhaps a life without genesis, but perhaps also a life without end.⁶⁷ Since this suggestion has been made, the question Jewish feminist theologians must ask is: “Are these uses of anonymous sperm and egg donations, surrogacy, cloning and artificial womb desirable from a feminist-female Jewish point of view? Where is the Jewish feminist voice suspicious of (most) new reproductive technologies, a voice that appeared clearly in *The New Our Bodies Ourselves: A Book By and For Women*, written as a health guide by members of The Boston Women’s Health Collective? In 1992 Ruth Hubbard with Wendy Sanford wrote the following:

From in vitro fertilization and sex pre-selection to embryo transfer, scientists and physicians are working hard on new technologies that could drastically change women’s relationship to childbearing...We want to support woman’s right to choose to have children by the means she sees best...Yet we have serious questions. The technologies involve a degree of invasiveness and medical manipulation of women’s bodies...We have questions, too, about the long-range goals of this research. One source lists as the final goal of reproductive engineering “the ultimate manufacture of a human being to the exact specification.” Who will decide these specifications?⁶⁸

When recommending sperm donor insemination the writers mention that “there are also arguments against anonymity,”⁶⁹ and when mentioning surrogate motherhood they write: “All surrogacy contracts or agreements should be unenforceable because no woman should be forced to give up a child based on a surrender signed prior to conception or birth.”⁷⁰ They conclude the chapter with a paragraph that states that “these techniques involve so much social and medical manipulation of women and of our reproductive systems that we think the risks and the costs are too high.”⁷¹ However, it would seem that once these technologies became available to all, the feminist voice so suspicious of modern reproductive technology, the ethical questions concerning anonymity, the exploitation of egg donors and surrogate mothers, and the agenda of engineering the human race—a nice term for eugenics—have all evaporated. When Plaskow published her 1998 essay on “Sexual Orientation and Human Rights,” highlighting the fact that “many lesbian or gay men do have or seek to have children,” she completely ignored the fact that the way in which the Jewish liberal community abandoned its “compulsory heterosexuality” in family and parenting structures was made possible due to the liberal access we have today to all those invasive reproductive technologies that socially and medically manipulate women’s bodies and deny children the identity of their biological family.

⁶⁵ Ibid., 134–55.

⁶⁶ Ibid., 154–87.

⁶⁷ Donna J. Haraway, “A Cyborg Manifesto: Science, Technology, and Socialist-Feminism in the Late Twentieth Century,” in *ibid*; *Simians, Cyborgs and Women: The Reinvention of Nature* (New York: Routledge, 1991), 149–81 (originally published in *Socialist Review*, 1985).

⁶⁸ Ruth Hubbard with Wendy Sanford, “New Reproductive Technologies,” in The Boston Women’s Health Collective, *The New Our Bodies Ourselves* (New York: Touchstone, 1992), 386.

⁶⁹ Ibid., 388.

⁷⁰ Ibid., 389.

⁷¹ Ibid., 392.

3.4 *Feminist Contradiction: Pluralism vs. Post-Gender Theology - a Zero-Sum Game?*

The final contradiction between two feminist positions that I wish to discuss emerges with regard to the problem of pluralism and the legitimate authority of a particular Jewish community to determine its ethos and values. In *Standing Again at Sinai* (1989), Plaskow clearly places the authority of Jewish interpretation of halakhah, Jewish traditional laws, norms and customs, in the hands of the various different communities. In this book, despite her stereotypical hierarchical image of halakhah, she seems relatively comfortable with the image of a pluralistic Jewish world consisting of a variety of Jewish authorities and positions towards halakhah. She contrasts halakhah with the “fluid structure” of feminist ritual.⁷² She argues that “women are not socialized to make law,”⁷³ and that a feminist interpretation of halakhah is evident if “it points to non-nomian directions.”⁷⁴ But despite these narrow definitions of feminist approaches to Jewish law and norms (feminists obviously cannot defend Jewish law according to these statements), Plaskow, in *Standing Again At Sinai*, recognizes “the beauty of halakhic spirituality.”⁷⁵ She continues by writing that “the recognition of diverse constituencies as parts of larger communities involves an obligation to redefine communal life as the sum of all its pieces...If difference is threatening, it also holds power.”⁷⁶ Thus, she initially regarded the feminist Jewish community as pluralistic, accepting and even celebrating difference:

Some feminists might choose to commit themselves to halakhic Judaism...others might take halakhah seriously or articulate and codify the guiding norms of a new feminist practice but without making either set of norms the heart of their religious system. Others may make a sharp distinction between feminist principles and halakhah...⁷⁷

But in her later writings about sexuality and Judaism, Plaskow seems to retreat from her initial pluralism in *Standing Again at Sinai*. On the one hand, one must applaud her honesty and courage when she dares to admit that there is a grain of truth in her traditional opponents’ claim: “As I can indicate briefly, claims about the ‘givenness’ of gay identity are often based on faulty research and misrepresent or ignore evidence that undermines their premises...Not only are [sexual] identity labels not terribly reliable predictors of actual sexual practices, but they are also fluid over time.”⁷⁸

However, in light of her above statement one may conclude that if sexuality is indeed fluid, it is also legitimate for individuals, men and women, even in the face of same-sex attractions, to choose to live according to the traditional halakhic rules that channel the sexual behavior of Jews to expression within heterosexual marriage alone; or channel their sexuality at least towards the raising of children in the context of a (non-married) father and mother together. But that is not the case. She continues her statement by arguing that “Having said early on that I agree with conservatives that the weight of tradition is against homosexual expression, I am now suggesting that the tradition’s boundaries and categories require justification.”⁷⁹ That is a fair request. But Plaskow then argues that traditional concepts of marriage and sexuality are by definition unjust to women and to those with same-sex attractions. “Religious appeals to traditional prohibitions” she writes, “validate and contribute to negative and discriminatory attitudes and behaviours in the larger society.”⁸⁰ She thus seems to assume that there is no real justification for traditional halakhic sexual norms. According to these statements, any defence of

⁷² Plaskow, *Standing Again at Sinai*, 67.

⁷³ *Ibid.*, 66.

⁷⁴ *Ibid.*, 67.

⁷⁵ *Ibid.*, 69.

⁷⁶ *Ibid.*, 120.

⁷⁷ *Ibid.*, 73-74.

⁷⁸ Plaskow, *Coming of Lillith*, 183.

⁷⁹ *Ibid.*, 186.

⁸⁰ *Ibid.*, 188, 189-92

traditional Judaism from a feminist point of view is doomed to be wrong because it is not “anti-nomian.” Therefore one must ask if it is at all conceivable or even open for debate to claim that halakhah often protects women and children, as well as those people with same-sex attractions who wish to live in a society that promotes joint parenting by man and woman within the context of marriage? Is it legitimate, in feminist post-gender eyes for certain Jewish communities and individuals to educate their offspring and students to follow all, or at least some, traditional guidelines of sexuality, marriage and family, because they seem to them more protective of vulnerable individuals? Does the initial feminist belief in pluralism, in hermeneutic fluidity, and in the authority of communities, etc., stop when pluralism vis-à-vis different traditional communities is at stake? If this is the case, what is so fluid about the feminist method of *halakhic* interpretation? These questions ought to be answered if, as Plaskow correctly suggests, there should be a conversation “on the fruits of sexual relationships for self and community.”⁸¹

4. The “Liquid Family” and Modern Jewish Theology

It is interesting to note that, notwithstanding the widespread influence of post-gender Jewish feminist thinkers on the liberal Jewish world, there are very few thinkers in the non-Orthodox Jewish world who respond to post-gender feminist Jewish thought and dare to critique its ethos. One might note that the North American Reform Jewish thinker, Eugene Borowitz, even if he did not relate to questions involving changes in patterns of reproduction, already anticipated at the end of the 1960s that the sexual revolution would push many members of the Jewish people in North America away from what had until now been its traditional patterns of marriage, and from the understanding of sexuality as linked to the idea of a covenant with God. His book, *Choosing a Sex Ethic* (1969), concludes with melancholy reflections upon the unwillingness of the average American liberal Jew to adhere to the concept of the covenant between God and the Jewish people in general, and in relation to matters involving sexual ethics, in particular. Already then he anticipated that this commitment would be confined to a minority within the liberal Jewish population.⁸² Thus, the thought of Adler, Plaskow and Ackelsberg exemplifies the process anticipated by Borowitz, giving it the intellectual language that reflects the distancing of the liberal Jewish world from the world of halakhah and even from the post-halakhic modern tradition of the Jewish family that was predominant in the Jewish world throughout most of the twentieth century. Eliezer Schweid is perhaps the only non-Orthodox thinker who, in a speech given on the occasion of receiving an honorary doctoral degree from the Hebrew Union College in Jerusalem in 2007, dared to address the issue of reproduction:

Man [*sic*] can grow and exist in his human uniqueness only in a *polis*—that is, in a communal entity united by cultural communication...Only after children internalize the linguistic, behavioral and intellectual heritage which they received from their family, community and people are they able to become autonomous individuals (without sovereignty!). Only then are they able to realize their personal identity within their private, unique potential given them by their inborn nature...These are normative statements, confirmed by the experience of our personal-social life every day and every hour...The determinism implicit therein will be valid so long as human beings are born to parents in the natural way, as a result of their “primitive” union. This union is a norm of nature, which we continue to enjoy even in our sophisticated, post-modern age, notwithstanding its primitive nature—or rather, precisely because of it. But it seems that today people only wish to enjoy it in a sensual way, without bearing responsibility for its natural consequences. The difference regarding this issue between traditional social thinking, including modern thought, and post-modern thought, is rooted entirely in the issue of the readiness to willingly obey the existential norm rooted in human nature. In the thinking of the traditional community, this norm was understood as a duty, whose fulfillment is for man’s good. By contrast, in corporative post-modern social thought, it is related to as a constraint that restricts our sovereignty.⁸³

⁸¹ Ibid., 189-92

⁸² Eugene B. Borowitz, *Choosing a Sex Ethic: A Jewish Inquiry* (New York: Schocken Books for B’nai B’rith Hillel Foundations, 1969), 119-20.

⁸³ Eliezer Schweid, “In Face of the Processes of Pagan Privatization: Reviving the Norm of the Traditional Community,” an address at the Rabbinical Ordination and Academic Assembly (21 Heshvan 5768/2 November 2007), 30 [Hebrew].

This voice is an isolated one among contemporary Jewish thinkers.

5. Conclusion—Where Do We Go From Here?

Reproductive technology offers various options which did not exist in the past: choice of the foetus's gender (most often male); artificial abortion of foetuses whose birth was not planned or who carry even minor disabilities or diseases; hiding or nullifying the identity of the genetic father (through anonymous sperm donation) or mother (anonymous ovum donation); and trade in the bodies of women (surrogate wombs for purposes of carrying the foetus). The forecast for the near future includes, in addition, the invention of an artificial womb;⁸⁴ cloning of an infant from the genes of one individual or from those of several individuals; and genetic engineering with the aim of cloning a human with characteristics selected on the basis of the desires and worldview of his parents or of the society into which he is born.⁸⁵ In addition, there are those contemplating the cloning of a human being without any sexual characteristics or organs whatsoever.⁸⁶ Each of these possibilities, involving the creation of new kinds of reproduction unknown to previous generations of humankind, or the avoidance of reproduction and/or the avoidance/prevention of childbirth, have been discussed in depth from the ethical viewpoint and, among the Jewish people, from the halakhic viewpoint. Within the scope of the present paper we cannot deal with the detailed, specific ethical and halakhic implications of each of these bio-technological phenomena; rather, our concern here is to address their relation to the fluid concept of the family in contemporary Jewish feminist thought in the United States, and the unconscious connection between these new conceptions of sexuality and family and the “post-human” or “trans-human” agenda.

One voice, emanating from outside the Jewish community, is more specific regarding what we have learned about the culture of sexual and family fluidity of contemporary society, in which “performance” is the primary overarching pattern of thought. In his book on *Our Post Human Future*, Francis Fukuyama articulates his analysis of the post-human state of infinite freedom of Western society, which he sees as becoming subconsciously a kind of renewed and sophisticated slavery.

Since Plato's time, it has been widely understood among philosophers that the family stands as the major obstacle to the achievement of social justice. As kin selection theory suggests, people tend to love their families and relatives out of proportion to their objective worth. When there is a conflict between fulfilling an obligation to a family member and fulfilling an obligation to an impersonal public authority, family comes first. That is why Socrates argues, in Book V of *The Republic*, that a perfectly just city requires the communism of women and children, so that parents will not know who their biological offspring are and therefore will not favour them. Precisely because of the irrationality of family life, all real-world communist regimes targeted the family as a potential enemy of the state; the deepest fear that people express about technology is not a utilitarian one at all. It is the fear that, in the end, biotechnology will cause us in some way to lose our humanity—that is, some essential quality that has always underpinned our sense of who we are and where we are going, despite all the evident changes that have taken place in the human condition through the course of history. Worse yet, we might make this change without recognizing that we had lost something of great value.⁸⁷

Like Margaret Somerville, Jürgen Habermas, and Leon R. Kass, Fukuyama warns humanity that “unlimited reproductive rights” and “unfettered scientific inquiry” may very well produce a new

⁸⁴ See Irene Diamond, *Fertile Ground: Women, Earth and the Limits of Control* (Boston: Beacon Press, 1994), 61-112. On the aspiration to develop an artificial womb see: <http://www.artificialwomb.net>

⁸⁵ Andrea Dworkin, *Right-Wing Women* (New York: A Wideview Perigee Book, 1983), 147-94; see also: Janice G. Raymond, *Women As Wombs*.

⁸⁶ On the aspiration to develop an a-sexual human being see: <http://ieet.org/index.php/IEET/more/2347>

⁸⁷ Francis Fukuyama, *Our Posthuman Future: Consequences of the Biotechnology Revolution* (New York: Picador, 2002), 98-101. I would like to thank my colleague Dr. Paul Shrel-Fox for bringing this source to my attention.

tyranny that will not protect the values we hold most dear.⁸⁸ It follows, therefore, that feminist post-gender Jewish theologies and the theories upon which they rely blur awareness of the gamut of serious ethical problems raised by trans- or post-human technology. It would appear that significant sectors of Western liberal society see the spread of modern technologies of reproduction as providing an opportunity for liberation from the cultural-social framework that channels private and public sexuality into a family unit based upon the pattern of reproduction in nature—a man and woman bringing offspring into the world and raising them together. These changes, although now occurring only at the margins of Western society, are encouraged by powerful economic and political global interests that benefit from the collapse of the old norms and from the new ethos of “fluid-liquid love.” Hence a comprehensive public discussion of the social and ethical price thereof, over both the long and short term, is being prevented.⁸⁹

We must also ask: if we assume that communities are the ultimate authorities of *halakhah*, traditional Jewish norms and Law, is it legitimate and rational, from the point of view of the pluralistic perspective, for individuals and communities to live according to traditional perceptions of family and sexuality? One might hope that the answer would be in the affirmative.⁹⁰ If we take Plaskow’s advice and conduct a discussion “on the fruits of sexual relationships for self and communities,” such a dialogue might help us find a common ethic regarding reproduction that would limit our choices regarding the uses of reproduction technologies. In a generation that wishes to transcend all human limitations this might not be easy. However, it is about time that the Jewish people address the avoidance of anonymity of biological parents of Jewish children, and prevent the commodification of women (Jewish and non-Jewish) in the surrogacy industry.

I argue that the ethical issues involved in the fluidity of the concept of family in our generation are extremely complex, entailing as they do an unconscious integration of the agenda(s) of “fluid” or “liquid love” and “the new family” alongside the economic-philosophical agenda of trans-humanism or “post-humanism.” The space of the present article does not allow me to include a comprehensive discussion of trans-humanism, its arguments, and the challenges that stem from this philosophy. However, I have attempted to map the crossroads or meeting-place between the post-gender agenda and that of trans-humanism and the contradictions which this meeting brings about in relation to the original, historical vision of feminism: namely, the empowering of women and a better, closer relationship with men.⁹¹

Human culture generally, and Jewish culture in particular, saw the existential bodily situation of the human being and its vulnerability as “fertile ground” to be overcome by the human being, spiritually or emotionally, from which there developed ethics and culture. Technological intervention in order to completely remove the physical limitations which characterize humanity and the human condition is not merely a “gender” issue, seen by many as “marginal.” The philosophical-gender discussion today pertains not only to questions relating to the inclusion or exclusion of “marginal” populations such as women, unmarried people, individuals with a variety of sexual preferences, and children, but to a more fundamental question: What is a human being? Ought humans to confront their frustrations, loneliness and fears, which in the past served as a catalyst for spiritual growth, by means of far-reaching technological solutions which change their very nature and whose long-term results are unknown? In the wake of secular and Christian discussions concerning these issues, the time has come for the Jewish world to “roll up its sleeves.” Jewish theologians, feminists included, must relate to the complex, over-arching ethical challenges stemming from the new reproductive technologies. These are

⁸⁸ Francis Fukuyama, *Post-Human Future*, 218. See also Leon R. Kass, “Science, Religion and the Human Future,” *Commentary Magazine* (April 5 2007). Accessed online at: <http://www.aei.org/article/society-and-culture/religion/science-religion-and-the-human-future/>.

⁸⁹ On the moral cost of the agenda of removal from the traditional institution of marriage see: David Blankenhorn, *The Future of Marriage* (New York: Encounter Books, 2007); Douglas Farrow, *A Nation of Bastards* (Toronto: Bastian Publishing Services, 2007); Eugene Borowitz, *Choosing a Sex Ethic*, 118-20.

⁹⁰ On patriarchy in a permissive world and the traps involved therein, see Zippi Sa’ar, “What Hides Underneath the Zohar Wagner’s Nudity?” *Ha-Aretz, Galleria*, 3 May 2012 [Hebrew].

⁹¹ Mary Wollstonecraft, *A Vindication of the Rights of Woman, 1792* (London: Penguin, 1992).

of great significance to the future of human existence in general, not only as viewed through the halakhic-behavioural or legal lens but as these meta-questions relate to the future of the Jewish people and to that of humanity as a whole.⁹²

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