The Changing Status of Orthodox Jewish Women

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Festina Lente: Make Haste Slowly
The Changing Status of Orthodox Women in the Twenty-First Century

Festina Lente. This is the ancient Latin term that means "Make haste... slowly." The problem of where to put the emphasis, on "haste" or "slowly," well characterizes the divergence of views regarding the pace of change in women's roles in Orthodox Judaism, and the frequent sense of frustration, conflict, and misunderstanding, with some feeling that the pace is too fast, others too slow.

Let me begin with a disclaimer. I am not a halakhic expert on this or any subject. I have no intention here of offering a halakhic analysis, although halakha will be very much present throughout; one cannot talk about Orthodoxy, whether it pertains to women, men, or children, without referring to halakha, but I make absolutely no claim to authority or expertise in that realm.
My mother, Nathalie Friedman, who passed away seven years ago, was far ahead of her time on the issue of women's empowerment. First, her professional achievements: She earned a Ph.D. in Sociology and had an active and successful academic career at a time when that was not the norm for women. Second, she jumped on the women's tefilla bandwagon as soon as it swung past her door, and she became a fabulous Torah reader. She was also very active in JOFA, the Jewish Orthodox Feminist Alliance, and as a professional sociologist she conducted illuminating studies on women's roles in Judaism. I have prepared this article in her honor, and in her spirit I will offer a sociological perspective on women's roles in Jewish Orthodoxy.

By "Orthodoxy," I mean what is commonly known as Modern, or mainstream Orthodoxy. We all know that labels can be problematic, but I am deliberately avoiding the topic of women within ultra-right-wing Orthodoxy, where the issues are somewhat different, although that stream of course cannot be completely separated from what I call mainstream Orthodoxy, especially in Israel, where all personal status issues fall under the auspices of the Orthodox rabbinate, which in the last ten to twenty years has transformed into a right wing rabbinate. This transformation has had enormous ramifications on marriage, divorce, burial and conversion, all of which must take place within the parameters of Orthodox ritual as defined by the official rabbinate. I will discuss this further below.

Why is the role of women within Orthodoxy in the twenty-first century even worthy of discussion? The answer is clear and simple, and you must forgive me if I state it rather bluntly: Women do not have equal status with men in any significant sphere of Orthodox Jewish practice. In general society, the status of women has changed dramatically from Talmudic times, or the later period of the codification of halakha, to the present day. Consequently there is now an enormous and growing gap between the role of women in the professional, political, and social spheres of modern life and in Orthodox religious life.

I don't think that point is open to dispute. In the words of Susanna Heschel, "Both the most traditional Jew and the most radical feminist would agree that rigid sex-role differentiation is embedded in Judaism. The tension arises from one's response to this reality in the context of modernity" (from the book, On Being a Jewish Feminist).

As a girl growing up in an Orthodox household, I was told that men had their role and women theirs. The women created the Jewish home by raising the children with Jewish values and creating the spiritual home environment that was critical to the life and survival of the Jewish people. When I was in fourth to sixth grades at Ramaz (a New York City Day School), all our classes were co-ed (which at that time was a radical innovation!), except once a week, when the girls had sewing while the boys learned trop, the cherished skill of reading from the Torah. (Although I must state that both prior to and after my time at Ramaz, both boys and girls learned Torah-reading together.) As nice as the traditional role of the Jewish woman sounds, things have changed, especially because of the feminist movement. Often you will hear young women say today, "I'm not a feminist-of course I believe in equal access to education, employment and professional opportunities, equal pay, etc., but I'm not a feminist." Well, sorry, but as much as many may dislike the word, the equality they profess, even take for granted, is the historical achievement of feminism. I understand that what many may object to is post-feminist ideology and radicalism, but this should not negate the basic equal opportunities that are the feminist movement's great achievement.

Sometimes it is difficult to know which traditions are inviolable, etched in stone, and which allow for some flexibility, especially when they were established in circumstances specific to a certain time and place that no longer exist or have become irrelevant. And it is that indefinable area of fluid tradition where much of the discussion takes place regarding the role of women in Orthodoxy. I first heard the concept, "where there is a rabbinic will, there is a halakhic way," close to thirty years ago at a lecture at Kehillath Jeshurun by Blu Greenberg, who is one of the pioneers in the Orthodox women's movement. Her topic was women and the halakha. Her book, On Women and Judaism: A View from Tradition, had just been published, and her observation hit me like a bolt of lightning. It was the first time that I heard about the potentially dynamic nature of halakha. I remember her words then, which were similar to the sentences I quote here from her book: "Halakha was intended to be preserved, and there is a healthy difference between preserving and freezing solid.

Preserving does not preclude bringing to the system human responses that will enhance and expand Torah values. Those who counter this claim with labels of Conservative and Reform are simply playing the name game, an easy way to avoid confronting the issues."
Why have things become frozen solid? They weren't always so, at least if we are to accept the main argument of Haym Soloveichik's well-known article in Tradition ("Rupture and Reconstruction: The Transformation of Contemporary Orthodoxy," Summer 1994), namely that Jewish traditions and customs embedded in inherited practice have yielded to practice determined solely by written codes. Soloveitchik points out that the "dual tradition of the intellectual and the mimetic, law as taught and law as practiced, which stretched back for centuries," has broken down over the past 100-150 years as Arukh haShulhan and Mishna Berura have become the arbiters of correct halakhic practice. This helps explain how and why we find ourselves today in a somewhat frozen state.

In preparing this article I spoke with another Jewish woman pioneer, Alice Shalvi, who is an Israel Prize laureate for lifetime achievement and contribution to Israeli society in recognition of her wide-ranging work as principal of the Pelech religious experimental high school for girls, as university professor of English, as President of the Schechter Institute of Jewish Studies, and as one of the founders of Israel's women's movement. Alice Shalvi spoke with me about the exclusion of women within three central Jewish institutions: the Bet Midrash, the Bet Kenesset and the Bet Din. This seems a useful framework, and in this presentation we shall use it to examine some twenty-first-century issues, realities, and challenges. These three batim are not entirely separate; they overlap, integrate with and influence one another in numerous ways. And we will discuss these matters with implicit reference to the question implied in Festina Lente: Make haste... slowly. How quickly or slowly? We will see that the pace at which the exclusionary nature of each of these institutions is being modified is not at all the same, and different individuals feel more comfortable with the haste being slow, slower or as slow as possible, while others cannot abide the slow haste and decide to remove themselves entirely from Orthodoxy.

Of those three batim mentioned by Alice Shalvi, there seems to be consensus that the greatest progress for women has been made in the Bet Midrash, the study hall of Torah. My mother's greatest accomplishments were in her own education and in her educating other women. Alice Shalvi's greatest accomplishments have been in the same area-education. And this is all fitting and proper, for education and training of women is the essential beginning, the sine qua non, for progress in any other area.

The credit for starting women's Torah education in modern times probably goes to Sara Schenirer, who in 1918 founded the Beis Yaakov movement in Poland, with approval of the great rabbis of the time. This was a very important first step, but it was also very much a creation within the men's world. I cannot help but wonder how the rabbis who sanctioned Beis Yaacov nearly a century ago, or Sara Shenirer herself, would feel about the changes that have since come about in Jewish study for women, with the establishment of hundreds of women's learning centers, mainly in North America and Israel, and thousands of incredibly learned women studying in Batei Midrash.

We are inevitably reminded of the famous woman scholar from talmudic times, the daughter of Rav Hisda, who married first Rami bar Hama and then Rava (Ketubot 39b, 85a). Her father and then her husbands consulted her on various issues-and yet, we do not even know her name. By contrast, there are women scholars today who are absolute rock stars-Nehama Leibowitz z"l, Aviva Zorenberg, Bryna Levy, Chana Henkin, Malka Bina, Shani Taragin. I know that many readers of this article could each rattle off the names of women scholars with whom they or their children have studied and who have significantly influenced their lives. Yet it is remarkable to think that when I was at Ramaz, studying Torah and Talmud together with the boys back in the 1970s-and Ramaz started teaching Talmud to the girls and boys together in the 1950s-that was a radical, almost unparalleled phenomenon in the world of Orthodox Jewish education. I can't but feel incredibly proud of how brave my grandfather, Rabbi Joseph Lookstein, was in starting this. Actually, learning Talmud in a co-ed setting is still relatively unusual for an Orthodox school, but girls studying Talmud in any setting has entered the mainstream (although it is still prohibited in certain places). In Israel, education for Orthodox girls is actually a bit behind the times. Pelech was the big innovation in the 1970s, and for many years it stood alone. For the past decade, Dr. Beverly Gribetz's schools in Jerusalem have taught Talmud to girls, first Evelina and now Tehilla; and Pelech itself is now establishing a network of schools outside of Jeruslaem, in Yerucham, Rehovot and Zihron Yaakov. The success of Yeshiva Day Schools-elementary and high school-is what has led to the success and strength of the centers of higher learning at seminaries and other advanced learning centers.

But it's all so recent. It was only in 1976 that Rabbi Brovender started Bruria as, so far as I know, the first all-women's Bet Midrash. In 1972, the Pardes Bet Midrash opened and offered a curriculum for women and men studying together. In 1984, the Bruria program (which was initially just for English-speaking women) started its program for girls in their gap year between high school and college. This seminary is now Midreshet Lindenbaum, and offers a post-high school program for Israelis as well. This first Bet Midrash opened by a girls' seminary, with hevruta-style text-based study, had an enormous impact. Now there are dozens of such seminaries. They offer high quality advanced Jewish study for girls, with many including Talmud study. Aside from Midreshet Lindenbaum, there are Migdal Oz, Ein Hanatziv, Stern College, Drisha, Midreshet Moriah, Midreshet Harova, and more.

It is important to note that in Israel, the advances in women's education have taken place predominantly in an Ashkenazi context. That is part of the reason why new schools such as Kama-the Pelech-like school in Yerucham-are so important. Kama is training mainly Sephardi religious girls in a progressive religious education framework based on values of community leadership and educational excellence.

Let me digress for a moment to make a few observations on the issue of Israeli Jews of North African and Asian backgrounds. As I noted, liberal women's efforts in Israel have so far been a largely Ashkenazi phenomenon. The leading organization advancing women's status issues, Kolech, which works on issues ranging from education to tefilla to the agunah issue, has thus far been active mainly in the Ashkenazi community. The NGOs in Israel working to advance this issue are aware of this problem and are now making an effort to outreach to non-Ashkenazi women. Kolech, for example, is opening an office in Ashdod specifically for this purpose. Given space limitations, I cannot detail here all of the exciting outreach efforts now in place relating to women's education and status issues, but they include Rosh Hodesh groups, inter-generational study groups, Batai Midrash, and study forums established for example by the Herzog Center, Kolech, Mimizrach Shemesh-and many of these new grassroots efforts are led now by non-Ashkenazi women.

Returning to the Bet Midrash, the flourishing of women's learning at these marvelous institutions as well as Torah classes in many synagogues, have produced extraordinarily knowledgeable women. With this burgeoning scholarship, are the women hitting a glass ceiling? Perhaps in some settings; but the ceiling is getting higher and women are finding their way into the male-dominated system. A good example are the yoatsot halakha, women halakhic consultants, who graduate from Nishmat. The yoatsot halakha are women certified by a panel of Orthodox rabbis to be a resource for women with questions regarding taharat haMishpahah (the area of Jewish law relating to marriage, sexuality, and women's health). This role was devised to assist women who are more comfortable discussing very personal issues with another woman and where the woman

consultant might have more knowledge, sympathy, and understanding of the particular questions at hand. The yoatsot devote two years (over 1,000 hours) to intensive study with rabbinic authorities in taharat haMishpahah. In addition, they receive training from experts in modern medicine and psychology, as well as in gynecology, infertility, women's health, family dynamics, and sexuality. Many rabbis now rely on the yoatsot to help them with the queries they receive, and a hotline for women has been opened.

This is an amazing advance. There are, however, Orthodox women (and men) activists who feel that the yoatsot halakha serve too much as "brokers" for the rabbis and lack adequate authority; still others feel that the yoatsot interpret halakhic issues too rigidly instead of trying to find flexibility within halakha. For example, women who have trouble getting pregnant because their natural monthly cycle does not match the strictures of the family purity laws are advised to take hormones in order to adapt their cycles to the strictures of the purity ritual, rather than, for instance, allowing these women exceptionally to go to the mikvah a few days earlier so that the mikvah night aligns with their ovulation, in fulfillment of a different mitzvah.

However that may be, the study of Talmud by women is an example of a halakhic way established via rabbinic will, despite the fact that there was not full consensus when it started-or even now. I was fascinated to learn that relatively recently, a two-year post-college kollel was established at Stern College for Women of Yeshiva University in New York. What was radical and peripheral is now mainstream. Yet despite the exquisite quality of Jewish women's scholarship, it is still women and men who teach women at these seminaries, but usually only men who teach men, other than in the most liberal or secular institutions, and certainly not at the "serious" yeshivas (with a few isolated exceptions).

We look to these accomplished women both as models for ourselves and for our children in the area of Jewish learning, once the exclusive reserve of men, and also to help us bring about much-needed change in the other two areas, the Bet Kenesset and the Bet Din.

Bet Kenesset
In my discussion with Alice Shalvi, she explained her move from Orthodox to Conservative Judaism 15 years ago, saying that she no longer felt a part of Orthodox Judaism:

I could not pray in an Orthodox synagogue, where I had the feeling that I was being pushed into some obscure corner, particularly on Simhat Torah, which became one of the saddest holidays in the Jewish calendar for me. Nor could I any longer countenance the Orthodox attitude toward agunot (deserted wives) and women whose husbands refuse to give them a get (Jewish divorce decree). Even today, despite all the welcome changes that have occurred in the Orthodox world, egalitarianism does not exist, not even in the most open-minded synagogues. There are too many prohibitions on women.

Alice Shalvi clearly recalls the moment that made her change her viewpoint. It was when, for the first time in her life, she was given an aliya to the Torah. That was in 1979, in a Conservative synagogue in the United States:

Suddenly, I was asked whether I would like to be given an aliya to the Torah. I was very excited. This was the first time I had ever seen an open Torah scroll close up, and, alongside the joy I was privileged to have bestowed upon me when I was given the aliya, I experienced an immense sadness over the fact that I had been forced to wait until age 53 before participating in an experience that is shared by every male Jew from age 13.

I remember when my grandmother, Gertrude Lookstein, had her first aliya at a women's tefila service-and I remember her tears. I could write a separate article just on her and Alice's experience. Things have definitely been moving forward. Simhat Torah is no longer a "sad" holiday for many women at many synagogues where they themselves can dance with the Torah and not just sit on the side as spectators. Women's tefila groups, which were so controversial just 30 years ago, are now common. Things that were once on the fringe are now generally accepted in many Orthodox synagogues.

Very few committed Orthodox women will want to follow Alice Shalvi's lead out of the Orthodox synagogue. And once she has left, her activist voice loses legitimacy within Orthodox circles. But we are finding alternatives to the rigid exclusion of women that led Professor Shalvi to leave.
Last year, one of my sons, Micha, celebrated his bar mitzvah. I had the incredible experience of leading the Kabbalat Shabbat service for the first time in my life, in a format known as a partnership minyan (also known as "Shira Hadasha" praying, named after a synagogue in Jerusalem, among the innovators of this style of service). This alternative preserves the mehitsa but allows women to lead Kabbalat Shabbat and other parts of the service not defined as davar sheBikdusha, and to be called up to bless and read from the Torah in public.

The conceptual and halakhic foundation of Shira Hadasha is an article published in 2001 on the Edah website by Rabbi Mendel Shapiro, "Kriyat haTora by women: a halachic analysis." Rabbi Shapiro argues that the only tenable halakhic objection to women's aliyot is the reference in the Talmud that the practice violates kevod haTsibbur (dignity of the congregation), and there are thus certain circumstances in which it should be permitted. Significantly, Rabbi Shapiro stresses in his article that although it may be halakhically permitted, there is no live Orthodox tradition of women reading from the Torah, and that further it would be wrong to create dissension in communities and synagogues by challenging hallowed practices that are seen as the hallmark of Orthodox Judaism. Other articles on the subject have pointed out that involved, educated and knowledgeable women would not deliberately cause offense to kevod haTsibbur, especially the tsibbur of this day and age.

The partnership minyan is not an isolated phenomenon, but it is not quite yet a general trend; it is still a very grassroots kind of movement at this stage, but less and less an oddity, as it is embraced by more communities. On the JOFA website, I counted nineteen such synagogues world-wide. There are probably more by now, and I'm sure there are some that are not officially part of a network and didn't make it on to the website. While visiting a cousin in Binghamton, New York, in November 2008, I saw in her home the Broome County Federation newspaper and read of the opening of a new partnership minyan in Toronto. The article pointed out that the kehilla is new, and many of the participants maintain membership in their Orthodox shuls. In the spirit of Mendel Shapiro's thoughts, they did not try to implement the "partnership minyan" changes at their own synagogues. The idea was to start something new and not have to alter the traditions of an existing kehilla.
This point was brought home to me recently when I approached two leading North American rabbis and asked their opinions on the partnership minyan. One said that he recognizes the halakhic validity of such a minyan, but, he said, "I am not willing to be a trailblazer on this issue. We have a tradition and continuity at our synagogue, and I cannot upset it." The other rabbi had just attended a bar mitzvah at Darchei Noam, an Upper West Side group that has adopted the partnership minyan format. When I asked him how he felt about this minyan he said that he had not been inside for the praying since he is not yet persuaded of its halakhic validity, although he acknowledges that more than one opinion is possible. These are both prominent Orthodox rabbis who have divergent views on how the halakha can be understood, but recognize that there is room for debate and even, possibly, change. The end result for both of them is the same, which is to maintain the status quo in their own synagogues.

And that is fine, since continuity in customs and traditions is a legitimate value, quite important for any society. But even cohesive traditions are not above scrutiny, and ones that really don't seem in harmony with other emerging values should be reexamined. There are things that we continue in an unquestioning way (and for each of us these vary) while there are others that do require some scrutiny or reevaluation. One must try to balance respect for heritage and tradition with one's commitment to a sense of right. In the end, we want to pray where we feel comfortable, where our heart is-and sometimes people may compromise on ideology in order to feel a part of the tradition that was handed down to them.

Beyond the partnership minyan, the repercussions of women's vigorous study and scholarly achievement are being felt in Orthodox synagogues. In Shearith Israel on the Upper West Side, a synagogue that is immersed in the traditions of the Sephardi community in North America dating back to the seventeenth century, Lynne Kaye was recently engaged to head their religious school, do pastoral work, give classes and shiurim, and generally to be involved in everything outside the specific ritual areas to which access is barred by halakha. Her official title is Assistant Congregational Leader. Other Orthodox congregations are hiring women in official roles, such as madrikha ruhanit (spiritual counselor), congregational interns, the yoatsot halakha, and so forth. Precedents are rapidly being set. Dina Neiman is now the Rosh Kehilla, or congregational leader, at Kehillat Orech Eliezer on the Upper West Side. Sara Hurwitz, who studied for years with Rabbi Avi Weiss, has recently completed the rabbinical exams of Yeshivat Chovevei Torah; Mimi Feigelson, Haviva Ner David, and Evelyn Goodman-Thau have all received Orthodox ordination (but not in a formal recognized framework) and are all active, practicing teachers and spiritual guides. These women are trailblazers. The entire process of developing women's spiritual leadership in Modern Orthodox congregations is still in its early stages, but enlightened rabbis are recognizing the tremendous added value that the women bring to their professional roles in the congregation.

As I revise this article, in May 2009, there comes the announcement of a new four-year school to train Orthodox women clergy, Yeshivat Maharat (acronym for Leader in Jewish Law, Spiritual Matters, and Torah), established by Rabbi Avi Weiss. The graduates of this new program, according to its founders, will function as full members of the rabbinic clergy, fully capable of carrying out all educational and pastoral functions. This has been a controversial "giant step," and it is yet too early to ascertain how it will play out, with the many questions it evokes. The graduates will not be called "rabbi" but "Maharat." Rabbi Weiss stresses that these new women leaders will strictly observe halakhic limitations on women, with

some issues still to be fully worked out. As David Silber, the dean of the Drisha Institute, was quoted in the Forward as saying, "What if she should be a rabbi in a big synagogue and she sat in the balcony. What would she do, slide down a fireman's pole to give the sermon?"

Although some people and communities are seeking ways to loosen halakhic strictures regarding women's leadership roles (both congregationally and ritually), there are strong forces reacting against it as well. This is the inevitable accompaniment to real change. The question is how conflicting forces will eventually resolve. On a recent trip to Syracuse to visit some friends, we went to the Orthodox synagogue that they belong to, which was until recently part of the Young Israel network of synagogues. The synagogue elected a woman president and then elected a second woman president. The Young Israel organization notified the congregation that Young Israel policy does not allow a woman to serve as president of a Young Israel congregation. The congregation, by a large majority vote, then chose to leave the Young Israel network. Mind you, this is a synagogue which is in every respect quite Orthodox, and is not contemplating giving women aliyot or anything as radical as that.

I was shocked when they told me this story-but shortly after (during the Israeli pre-election period) I saw an article in the Jeruslaem Post about a debate among the rabbis in Israel regarding the halakhic validity of a woman prime minister, in anticipation of Tzipi Livni being elected in February. Rabbis have also discussed whether it is appropriate to have pictures of women candidates in public places. Interestingly, at least in the article, the rabbis did not mention the precedent of Golda Meir. This put the Syracuse Young Israel story somewhat into perspective, since it seemed to represent the same kind of emergent extremism that is zealously guarding what it sees as inviolable boundaries.

It is not surprising that women are beginning to take leadership roles in Orthodox congregations. This development is the direct result of the historically unprecedented number of so many well-educated, knowledgeable, spiritual, and committed women coming out of the new educational programs. The impact of these educated women is being felt in the last bayit remaining to be discussed, the traditionally exclusionary Bet Din, which is where we shall now turn our attention.

BET DIN

Within the Bet Din, rabbinical court, I would like to focus on what is perhaps in a sense the simplest and at the same time the most challenging issue today pertaining to Orthodox women, namely, problems relating to divorce and the difficulties in obtaining a get, the religious divorce decree. There are thousands of agunot (more accurately, mesuravot get), or "anchored women," in Israel and I suspect many hundreds if not thousands in North America and Europe. According to the official Rabbinic Bet Din in Israel, there are only 200 agunot in Israel. But that well illustrates the problem: The rabbis will only categorize a woman as an agunah if the woman has been handed a verdict from the Bet Din that states that there is an obligation for the husband to give the get. It is very rare to get such a written verdict.

The plight of the agunot is not going to be solved just by helping each individual agunah, as critical as emotional and practical support and guidance may be to each distressed woman. The only way the problem will be solved is by challenging and changing the Orthodox rabbinical orientation to the issue, that is, finding flexibility within halakha to eradicate the problem. I believe that, of Orthodox women's issues, this is the one that is the least controversial, there being a near consensus that change is needed. However, when I spoke to Blu Greenberg about this, she said that although the advances in the status of women, especially with regard to the agunah problem, make her feel optimistic, she still sees the glass as half-empty. The recent death of Rabbi Emmanuel Rackman highlighted this for many agunah activists.

In 1996, Rabbi Emanuel Rackman z"l established a rabbinic court in New York that freed women from being agunot by annulling their marriages on the basis of a mistaken transaction. Drawing on Rambam and other sources, Rabbi Rackman suggested marriage annulment to bypass the need for a get in many cases. I will not detail the full rationale behind his halakhic reasoning, but suffice it to say that most Orthodox rabbis in the United States have had a hard time accepting it, and do not regard such women as unmarried. They claim that even if such a woman considers herself single, she is still married, and if she has children from another man, they will be considered mamzerim (illegitimate) according to Jewish law. Nor do rabbinic courts in Israel consider these women single. Other rabbis have also tried to find innovative halakhic solutions, but thus far none has been adopted in any widespread fashion.

What other efforts are being made? There are preventive solutions, and solutions after the fact. So far as preventive solutions are concerned, there is extensive educational work around prenuptial agreements, which is indeed helping the problem. But there are anchored women who were married without a prenuptial agreement, before the practice became more widespread. And, there are others who, although informed of the practice, in the throes of romantic love and "happily ever after" fantasies

cannot imagine that this is of any relevance to them. Organizations such as JOFA in North America and ICAR (the International Coalition for Agunah Rights) in Israel offer sample prenuptials and guidance for anyone who wants it. And many rabbis advise the couples in their pre-marriage guidance sessions, encouraging and sometimes even insisting on the prenuptial agreements-although not all rabbis are so responsible and enlightened as to do this as a matter of course.

Advocacy for agunot has been an integral part of JOFA's mission since the organization's founding. They address the issue through education of the Jewish community, grass-roots activism and advocacy efforts on behalf of agunot. Yet as difficult as the problem is in the North American Jewish community, it is that much more acute in Israel. This is where ICAR comes in. ICAR is a coalition of twenty-seven social welfare, women's rights, human rights, and social justice organizations, as well as academic centers, serving as an umbrella organization for groups with differing and varied religious approaches to the problem.

Moreover, thanks to various programs such as that developed by Midreshet Lindenbaum in Israel, under the auspices of Rabbi Riskin's Ohr Torah Stone, there are now toanot, women who serve as rabbinic court advocates. These women provide critical assistance to the agunot, helping them navigate through the intricacies of rabbinic law and the courts. The toanot are a wonderful example of how the newly educated generation of women are infiltrating the Bet Din. Yet the toanot, as critical a role as they often play, with many of them activists in the NGOs that are working to advocate for systemic change, are not in themselves enough to solve the underlying problem, which is the exclusive iron-fisted control which the extreme right-wing Orthodox rabbis have over the entire system.

In Israel, there is no option to get a divorce other than through the rabbinic courts. In the United States, by contrast, if the actual religious get is not as important to a woman or a couple, they can get a civil divorce. Clearly, this does not solve the problem for the Orthodox community, since a woman needs the get to move on; otherwise any children she would have would be mamzerim according to Jewish law. In Israel, even if a couple gets married in a civil ceremony abroad, they cannot divorce without the religious get issued through the state-recognized Orthodox rabbinate. Many couples do get married abroad-specifically because they do not want a traditional Orthodox ceremony (which is the only option there); others get married there simply because they have no other option. There is no civil marriage in Israel. Thus, for example, 350,000 new immigrants from the Former Soviet Union who were encouraged to come to Israel under the Law of Return but are of questionable Jewish identity, have to marry abroad. The destination of choice is Cyprus, and there are currently more Israelis than Cypriots who marry in Cyprus.

Divorce, marriage, and another hotly contested issue, conversion, have shaken people's willingness to tolerate quietly the Orthodox rabbinic hegemony over such vital aspects of their lives in Israel. There are now quite substantial steps being taken to establish an alternative rabbinic authority. NGOs such as Kolech, Mavoi Satum, Ne'emanei Torah vaAvodah and others are working together with rabbis in an effort to establish these alternative authorities and courts. It is expected that these alternative rabbinic authorities will be more responsive to the needs of individuals in Israel, and will allow for a more humane interpretation and enforcement of the halakha for all those who are committed to living their lives according to its precepts. This is the kind of structural change that can have profound consequences in many areas of the life of an individual. The structural solution has to involve rabbinic authorities, but thus far they have shown themselves to be unable or unwilling to make the changes needed.

ICAR lobbied to have a Modern Orthodox woman lawyer appointed to the committee that selects the dayanim (judges) for the religious courts responsible for the get process. This was a major accomplishment, since the selection of the dayanim is well known to be an extreme example of an old-boys' network, with appointments made on the basis of family relationships and favors instead of professional integrity and excellence. Sharon Shinhav, the lawyer to whom I am referring, has in fact been able to influence appointments, especially when the potential dayan has a "bad" agunah track record. Through her, activists have been able to gain a slight entry into the Bet Din world. Sharon Shinhav is backed up by the broad coalition of organizations who demonstrate at the courts and at the Rabbinate, and bring the issue to the attention of the public at large. They employ innovative public-relations strategies. Last year they held a fashion show in Tel Aviv, with Israel's leading designers creating special wedding dresses that symbolized the plight of the anchored woman, the highlight being a ten-foot tall chained wedding gown. This made the headlines. They created a postage stamp with artwork showing a chained wedding ring and arranged for screenings of the powerful film, Mekudeshet, directed by Anat Tzuria, that follows the heartbreaking stories of a number of agunot.

Mekudeshet, aside from telling the moving individual stories, powerfully brings to light the lack of sympathy of the dayanim within the courts, who sometimes don't show up to scheduled hearings for which women have been anxiously waiting,

sometimes many months (or years), or who speak harshly to the women in order to compel them to cave in and give up all sorts of rights in exchange for the get. The message is: You are anchoring yourselves if you don't cooperate. Yet the ability of the husband to use extortionist methods for material gains has been restricted most recently in Israel, where on November 5, 2008 a new law was passed. This law was actually a revision of the Marital Property Law from 1974, which linked the division of marital property to the get and thus facilitated extortion in exchange for the get. The new law allows for a civil separation of property prior to a get, so that the property issue cannot be a factor in the get process. This law took years of work on the part of ICAR and its member NGOs as they employed a strategic advocacy campaign that used the legislative system in Israel to advance this bill, with the help of a number of key Knesset members, such as Menachem Ben Sasson, Rabbi Michael Melchior and Zevulun Orlev. This synergy among NGOs, government representatives, and the court system brought about needed change to the system and helped ease the process for many women.

Festina Lente. Are we making haste too hastily or too slowly?

There are numerous studies on the changing nature of the family in the twenty-first century-with later marriages, later child-rearing. Singlehood is a more socially accepted norm. How should this impact on the Jewish mitzvah of marriage? Mishnah Kiddushin delves into women's exemption from time-triggered positive commandments, mitzvot ‘aseh shehaZeman gerama. There are various theories about why women are not obligated to perform these positive commandments. Some of the theories center on the potential conflict to a crying baby, other household obligations and even a conflict with the husband's needs. But what if a woman's life does not have those potential conflicts? The Talmud reflects the norms of its time, as does later halakhic literature. The many limitations regarding the status of women in Orthodoxy directly relate to their lack of obligation for some of the mitzvot. Current social realities are so different from the norms of talmudic and medieval times, and this fact should be taken into account when exploring Orthodox women's status.

On the other hand, why do women even want all this added responsibility? Many women are very pleased with the status quo. It's comfortable. It's nice to sleep later on Shabbat and to not have the added burden of rushing to synagogue to make the minyan. It is no wonder that many women are quite satisfied with the status quo-why make life harder?

Many Orthodox men stay out of the limelight and avoid extensive public participation. If the rules of the game were different from the beginning, and women were more on a par with men, I have a hunch that in a natural way some would immerse themselves in ritual and others would take a more minimalist route, in the same way that men's ritual involvement varies from individual to individual. As much as I do believe in some real "hard wiring" differences between men and women, I doubt anyone in the twenty-first century, raised in a reasonably modern environment, would say that there is different genetic wiring for men and women's ability to participate in Jewish ritual, study, and congregational leadership.

In the United States, women did not vote until the 1920s. The suffragettes, whose origins were in the United Kingdom, were radicals in their day. Their demand for equal public participation was considered a break with tradition, condemned as representing unseemly values. Total rigidity and lack of deviation from traditions would stifle our society. There is a long list of things that we take for granted today that are the result of a small group of people's inability to accept the unjust status quo-minimum wage, civil rights, the freedom of Russian Jewry, and so forth. Of course I recognize that women's voting rights and women's rights in Judaism are not fully analogous: modifying public policies through legislation is not entirely comparable to working within halakha; but sometimes the underlying social mechanism is or can be the same.

I do not believe in anarchy, whether it be in politics or in religion. But this world would look very different if we did not sometimes examine things and say that it is time to make a change. I guess it is relatively clear where I stand on the Festina Lente continuum, I'm more on the side of Festina (making haste). I recognize that not everyone wants a fast pace, but I do think that it is important for each of us-men and women-to reflect on these issues. In the end, we believe that Judaism is a just and humane religion, and although it does not need to accommodate all the "isms" of the twenty-first century, some of the values purveyed by such "isms" are fundamentally important.
And I believe that my mother would be finding her balance. I have a feeling that she would continue to pray at Kehilath Jeshurun (which was the synagogue where she grew up and felt most at home-as I said earlier, we like to pray where our heart is). But I am also certain that she would be an active member in a partnership minyan. She would appreciate this step forward in the participation of women within an Orthodox setting, where some of the exclusionary walls are lifted, although she would recognize that it is not fully egalitarian. That would work for her-but she might look at her great granddaughters and hope that the twenty-first century would continue to open new doors to them for full participation in Jewish life.