

The London School of Economics and Political Science

Generating Piety:
Agency in the lives of British orthodox Jewish women

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ABSTRACT

GENERATING PIETY: AGENCY in the LIVES of BRITISH ORTHODOX JEWISH WOMEN

This thesis argues that British orthodox Jewish women (BOJW) generate spaces within the British orthodox religious community to practice piety in a non-conformist fashion. The spaces they generate both enable BOJW to perform these interventions, as well as reflect back on the normative practices of the British orthodox community. In this way these pious practices inform, influence and shift what constitutes normative practice going forward. I ask what sort of agency accounts for these practices, and how these particular practices inform wider questions of agency. Some theories of agency have rendered the religious subject as repressed, and religious women as voiceless, sometimes invisible. Many religious subjects reject this traducing of their choices, and, instead celebrate opportunities for personal and communal religious agency and alternative performances.

I consider these pious interventions through the ethnographic examination of three crucial areas of orthodox religious life: education, ritual participation and issues of leadership and authority. These three areas of investigation represent the most significant arenas of religious life within which BOJW negotiate their identities.

During the eight months of fieldwork, I conducted twenty-one qualitative in-depth interviews; additionally, I examined material from local communal websites, synagogue-community mailings and advertising. My findings suggest that intelligibility, as a function of identity, plays a vital role in the ways in which BOJW navigate their way through their religious lives in their homes, communities and workplaces – such that it functions as sacred edifice, restrictive restraint as well as avenue for creativity. Contemporaneously, some of the BOJW interviewed stated that although there has been some shift in normative religious practice in their local synagogue-community, they also experienced backlash from local religious authorities who construed their performances as meta-acts of communal, political and social transgression, rather than acts of religious piety – precisely because they were pious acts performed by women.

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I owe an enormous debt of gratitude to my interviewees, who shared some of the most private, difficult, painful and joyful experiences of their orthodox Jewish lives with me; I hope this work reflects their lives as they live them.

In 2018 the British Jewish community lost an outstanding teacher and mentor, Maureen Kendler ז"ל and I lost a very dear friend; she is continually missed and this thesis is written in her honour.

Lastly, I offer tremendous gratitude to my dear parents, Hedy Simmonds and Brian Simmonds ז"ל. They have given me many gifts: loving life, pursuing kindness, contributing to community and society, and most especially investing in, and enjoying family life. My beloved father died in January 2018, before this project was completed – he was my greatest advocate. This thesis is dedicated to his memory.

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CHAPTER ONE INTRODUCTION

'The problem was that we did not know whom we meant when we said
"we".' (Rich, 1986:217)

1. INTRODUCTION

Atalia Fairfield, medical professional and mother of two, moved to London as a student after attending an ultra-orthodox school in the north of England. She comments, ‘the reason I feel I don’t fit [a particular religious identity] anymore is because I feel that there are some parts of me that have come from *Beis Ya’akov* [ultra-orthodox girls’ high school]¹... that are still with me that I like, and I wouldn’t get rid of... and I’ve got other parts of me which people would consider more open-orthodox’.² Rachel Jakobstein, a mother of five young children and member of a *charedi* [ultra-orthodox] *shul* [synagogue-community] in North-West London suggested that, ‘I think it’s better to label [yourself] with where you live, where you go to *shul*, where you go to school. But having said that: we’re not our *shul*, or our school either – we just take bits and leave other bits aside.’³ And, Dalia Weiss, a lawyer and mother of two, involved in the setting up of her local *Partnership Minyan* [open-orthodox community] stated, ‘if it wasn’t for the *Partnership Minyanim* I’d be very frustrated. But since it’s been happening, I find it all manageable, more palatable; because I’m active then, I can live with limitations at other times.’⁴ Throughout this research, interviewees remarked on their complex religious identities as British orthodox Jewish women (BOJW),⁵ as well as their allegiances to pious practices and how they perform them; and *their* experiences in *their* own words exemplify the questions raised and examined in this PhD. Indeed,

¹ All Hebrew and Yiddish words and phrases, as well as communal institutions, are italicised in the text and translated and/or defined in APPENDIX 1, DEFINITIONS.

² Atalia Fairfield was interviewed on 24/10/14; see APPENDIX 5, INTERVIEWEES [8].

³ Rachel Jakobstein was interviewed on 01/10/14; see APPENDIX 5, INTERVIEWEES [12].

⁴ Dalia Weiss was interviewed on 27/11/14; see APPENDIX 5, INTERVIEWEES [21].

⁵ The acronym BOJW is used throughout this thesis to ease repetitive reading (and writing), and its use is detailed in Chapter Three.

these three women demonstrate the negotiations of claiming identity and the practical reality of how those claims are made. Their comments are illustrative of many of the women interviewed, and capture the complexities of living as a British orthodox Jewish woman: the expectations, the frustrations, and the joys. There are multiple layers of these sometimes precarious identities, emerging from schools as well as home, from local synagogue-communities and places of employment, from religious study and from friendships – and each play a part in producing as well as contesting what that identity looks like and how it functions; as Fishbayn Joffe et al. (2013) suggest,

'[w]hile one may define oneself in opposition to one's social context, one cannot do so independent of any context. One cannot in fact exercise the power of choice without some preexisting evaluations and preferences that one aims to satisfy and develop in so choosing.' (Fishbayn Joffe and Neil, 2013:xix-xx)

The continual work and investment in these identity negotiations are an attempt to create a viable and individuated intelligible British orthodox Jewish woman, as well as create a religiously meaningful orthodox community – both of which, I argue, require personal commitment and some form of agency. Within the British Jewish orthodox communities' and authorities' limits and constraints, traditions and expectations, these women choose *how* to live their religious lives – what communal norms to put up with, what norms to confront, what norms to ignore and what religious spaces exist or can be created within which emerging pious

practices might be generated. It is these negotiations of identity and the generation of pious practices, using the framework of agency and intelligibility, which form the research of this thesis.

This chapter introduces the context within which British orthodox Jewish women perform pious acts, and the feminist theories of agency used to examine them. The first section defines religious life within orthodox communities in the UK, including the mechanisms of Jewish law [*halakha*] and its impact on how BOJW negotiate their religious performances; it describes how pious practices emerge and the work these practices do to challenge the identity of BOJW as well as challenge local orthodox practice. The second section demonstrates why and how feminist theories, especially enquiries of agency and cultural intelligibility, are suitable theoretical frameworks for this research, arguing that theory needs to accommodate and account for religious subjects who at once submit to *halakha* [Jewish law] and have the agentic capacity to generate pious acts. Lastly, I present my research questions and set out the structure of this thesis, chapter by chapter.

2. BRITISH ORTHODOX JEWISH LIFE

2.1 INTRODUCTION

British orthodox Jewish women participate in a patriarchal religion, which places an enormous array of demands on their time and life choices – almost all of which are marked by their gender. The religious system of obligations and prohibitions is rigorous and daily, meaning that almost every choice is bound or implicated by one religious law (or custom) or another. Some activities, from the communal recitation of prayers three times a day and the wearing of *tefillin*⁶ [phylacteries] to the practice of religious study are practiced almost exclusively by boys (over the age of 13) and men, whereas private prayer, the bringing up of a family and acts of communal care/kindness almost always fall upon women – irrespective of whether each or both are active as bread-winners. Although this is not the reality for *all* BOJW, it is a *general* theme. What interests me is the way in which many leaders, rabbis, schools and religious Jews themselves in the UK perpetuate this lifestyle, often discouraging BOJW who desire to participate actively by praying with a community daily, involving themselves in public ritual practice and/or in advanced religious study.⁷ Such etiolation of the spiritual growth of BOJW, I argue, is

⁶ *Tefillin*: leather Phylacteries, traditionally worn by men only for prayer. See: APPENDIX 1, DEFINITIONS.

⁷ There are exceptions to this general rule: rabbis who actively encourage women in leadership roles, who teach women *Talmud* and who encourage their religious participation. For example: Rabbi Chaim Rapoport (former member of the Chief Rabbi's Cabinet and Advisor to the Chief Rabbi on matters of Jewish Medical Ethics) and author of *Judaism and Homosexuality: An Authentic orthodox View* (2004) teaches *Talmud* to a group of women at his home, and has been since 2000. Rabbi Harvey Belovski teaches women at the *Midrasha* programme at LSJS, and promotes the active participation of women in religious rituals at his United Synagogue in Golders Green, London. This includes a *Megillah* reading on *Purim* and dancing with a *Sefer Torah* [Torah Scroll] on *Simchat Torah* [festival celebrating the *Torah* reading cycle]. Rabbi Alan Kimche formerly of Ner Yisrael Synagogue in Hendon, London, has promoted better girls' religious education, especially at primary school level to include *Mishnah* [oral law].

sometimes silently, other times vociferously, commonplace – even amongst those orthodox leaders who consider themselves inclusive or sensitive to the needs of BOJW within their communities. It may, though rarely, precipitate women to leave the orthodox community and find their religious fulfilment elsewhere, or leave religious commitment completely (Reitman, 2005; Sztokman, 2017). But what these restrictions surely do is create a sub-community of women who do not buy into an enforced ‘piety’, some of which is arguably founded upon social norms and social engineering, rather than religious legal imperatives. These are often BOJW who have been very well educated, both secularly and religiously and who are well versed in the religious texts which explore the issues of obligation and exemption; BOJW who are steeped in the philosophical debates of their religious lives and BOJW who will not tolerate terms like ‘tradition’ and ‘authentic’ as a smoke screen for subjugation, or for the power and authority of men over women (Kleinberg, 2012).⁸ They refuse to leave their orthodox religious heritage,⁹ but they refuse too to accept it as it currently functions.¹⁰ They are committed to orthodox Jewish life,

⁸ Kleinberg, D (2012) ‘Orthodox Women (Non-) Rabbis’ in *CCAR Journal: The Reform Jewish Quarterly* (2):80-99.

⁹ For arguments on staying (rather than leaving one’s religious heritage), see: Reitman, O. ‘On Exit’ in Eisenberg, A. and Spinner-Halev, J. (2005) *Minorities Within Minorities: Equality, Rights and Diversity*; CUP;

or see: Williams, Z. (2012) ‘Female Bishops Row: Where Could Feminist Christians Defect to?’ in *The Guardian* [23/11/12], ‘But of course the first decision is whether or not to leave the Church of England at all. Sally Barnes, of Women and the Church, held a demonstration in St Paul’s with Dowell, among others, to bring about the female priest decision in the early 90s (famously, a load of officiates came to wrestle them out of the building, and Dowell said: “Take your hands off me, you gothic flunkies.” They were a sort of proto-Pussy-Riot-meets-Occupy). Barnes has no fear of boldness or controversy, but points out: “*One should never threaten to go. Always threaten to stay. We’ve always had that, no matter how tough the going. You’re not going to change anything by leaving*” (*italics mine*); at: <http://www.guardian.co.uk/world/2012/nov/23/female-bishops-feminist-christians-defect?intcmp=239>.

¹⁰ See: Keneally, K. (2015) ‘I’m a Catholic feminist, and my church needs me more than ever’ in *The Guardian* [28/01/15], ‘Sometimes people ask me why I don’t just leave such an anachronistic institution and join a Christian church where women can have a say, serve as ordained ministers and formally contribute to theological and moral teachings. Sometimes I ask myself the same question. It’s not easy being a Catholic feminist – sometimes it is downright infuriating – but I love the

yet they are also insistent upon generating opportunities for better religious education, for more ritual participation and for religious leadership positions for women within the British orthodox community.

DELINEATIONS WITHIN THE BRITISH ORTHODOX JEWISH COMMUNITY

What does the British orthodox Jewish world look like, and what delineations exist between and within the orthodox communities themselves? This research differentiates between three general groups of orthodox Jews: the *charedim* [the ultra-orthodox], the modern orthodox and the mainstream orthodox, each of which is defined and detailed later in this section. These group categories must be considered with ample scepticism in terms of absolute rigidity of practice and belief – in that the term community as a homogeneous ‘set’ of believers is, of course, an anomaly. And secondly, groups and individuals are not constrained by particular belief or practice sufficiently that we might imagine that any person at any point in history or at any location on the globe will share exactly the same orthodox ‘lived experience’. This point is essential for this research as it emphasises the fluidity and movement of and within people’s religious lives and the capacity for *halakha* [Jewish law] to withstand these shifts. As is remarked upon with regard to modern Islam, ‘...the most important culture wars are taking place not as a clash of

sacraments and the liturgy of the Catholic church, and I love the value it places on scripture and tradition. Why should I abandon my expression of faith to the all-male hierarchy?’ *Why not stay and advocate for a more inclusive church, better theology, and teachings more reflective of the lived experience of women?* I’m no saint, but when I am most exasperated with the church, I recall that among the communion of saints are hundreds of examples of people who openly disagreed with the church hierarchy. Think of Mary MacKillop – excommunicated at one point – now elevated to sainthood by the same institution that threw her out. *Agitators for change are part of the Catholic church’s rich history: Catholic feminists follow in that tradition’* (italics mine); at: <https://www.theguardian.com/commentisfree/2015/jan/29/im-a-catholic-feminist-and-my-church-needs-me-more-than-ever>.

civilizations between Islam and the West, but in the form of internal struggles to redefine and make the tradition relevant for the modern age' (Casanova, 2009:27); so too within orthodox Judaism – much philosophical and *halakhic* [legal] debate emerges within and between the variety of orthodox communities (nationally and globally), rather than as a response to, or reaction against, non-orthodox or non-Jewish culture. These contemporary debates have impact on BOJW's identity as well as their intelligibility within their own local orthodox community, precluding or encouraging them to perform certain acts of piety, emphasising that the cultural (and religious) label orthodox could be 'thoroughly misleading. People are not defined by their cultures; cultural difference is much exaggerated and there can be as much variation in beliefs and behaviours within what are considered cultural groups as between them' (Phillips, 2010:126).

Furthermore, an individual's commitment to a particular lifestyle may fluctuate, effecting one or more changes of affiliation to religious community throughout their lifetime.¹¹ Nevertheless, it is essential to note too, that communal pressure and familial traditions are a real and present cultural constraint to any shifts in religious allegiance – and may often preclude it. What I mean by this is that although an individual's religious philosophy or commitment may change and develop over time, their day to day practice of religious performances may remain the same, in order that they retain their relationships with their family and community; as Oonagh Reitman argues, '[o]ne may fear the loss of moral support

¹¹ For a detailed analysis of this phenomenon, see: Beynor, 2012.

and the sense of belonging and rootedness derived from community. Or one may simply fear change and the unknown. The idea of rupture with one's family and the people with whom one is closest is pretty hard to conceive in any situation. On top of these difficulties one can add obstacles which stem from the fact that cultural membership can be pervasively defining of oneself' (Reitman, 2005:195).

Additionally, there are many practical benefits the orthodox Jewish community may offer.¹² Within all three groupings, there will be family members who choose to observe a different strand of orthodox Judaism or a non-orthodox lifestyle, but in general, the pressure to remain within the *charedi* community is greater than in the modern orthodox or mainstream communities. In the UK, orthodox Jews affiliate with a synagogue-community through membership fees; by attending its prayer services – either regularly or only on festivals; by attending or teaching its religious classes; by volunteering in its welfare commitments, interfaith projects, or charity work; or by serving on one of the several committees that oversee the running of the synagogue. Almost all orthodox communities have a burial plan for their members, and all offer the pastoral and religious services of the rabbinic leadership. This means that most British orthodox Jews live in geographic areas where they find a synagogue-community and members with whom they affiliate, as well as local schools, *kosher* restaurants and other communal services.

¹² Communal benefits include care services, special needs provision, ambulance service, financial loan service, mental health services, and a proliferation of *gemachs* [free loan services] which offer goods from wedding dresses to furniture, baby equipment to wheelchairs; see: <https://frumlondon.co.uk/directorylisting.php?abcd=G&CategoryID=999> for a comprehensive list.

Orthodoxy – loosely defined as adherence to *halakha* [Jewish law], is advocated by the *charedi*, the modern orthodox and the mainstream communities. I define the foundational belief system of each group to highlight the major areas of distinction (and sometimes, conflict), which differentiate one from the other.

Charedut, is the most conservative form of orthodox Judaism, often referred to as ultra-orthodoxy and adhered to by *charedim*, literally ‘tremblers’.¹³ There is a tendency to shy away from secular studies and employment, a tendency to espouse stricter *halakhic* [legal] opinions – as a philosophical ideal, and a tendency for stringent separation between the sexes. A significant number of men of the community spend part or all of the day in religious study, financially supported by the wider Jewish community and/or their wives – who, in addition to this financial burden, are responsible for the care of the typically large families (more than seven children is not unusual) and keep house. The last thirty years has seen a significant rise in ultra-orthodox Jewish men engaged in full time religious study worldwide, and there is a some research on the effects of this trend on family life, women’s work (both inside and outside the home) and especially the rise in poverty in both Israel and the US.¹⁴

¹³ Ideologically, in the permanent state of ‘trembling before God’; see: Isaiah (66, 2 and 5).

¹⁴ For example: Ferzinger, A. (2006) *The Emergence of the Community Kollel: A New Model for Addressing Assimilation*; (no. 13) Research and Position Papers of the Rappaport Center at Bar Ilan University at https://www.researchgate.net/publication/265577831_The_Emergence_of_the_Community_Kollel_A_New_Model_for_Addresssing_Assimilationm; or for an example of families who have left this lifestyle (in Israel), see: <https://www.haaretz.com/jewish/.premium.MAGAZINE-a-family-that-fled-the-ultra-orthodox-fold-1.5393791>.

*Chasidism*¹⁵ is a sub-group of ultra-orthodoxy promoting the popularisation of mysticism within the everyday experience of orthodox Jewish practice and/or ritual. Historically, *chasidism* advocated the holiness of less-intellectualised Judaism to the poor, uneducated masses of Eastern Europe, slighted to a certain extent by the European intellectual elite in the 18th and 19th centuries. In doing so, it has been at the forefront of the *Baal Teshuvah* [Returnees] movement, bringing many secular Jews back to religious Judaism – particularly those eager for mysticism. *Chasidism* emphasises separating oneself and the community as a whole from its secular ‘host’ community. This means that there are a wide-ranging number of internal communal organisations providing essential services including education, care, food, clothing and charity – thus enabling the *chasidic* community to be as self-sufficient as possible, allowing its devotees to avoid significant contact with its non-religious and/or non-Jewish neighbours. However, there are members of this community who do engage in employed work – and although some regard it as a necessary evil, others are more inclined to see the positive nature of their personal contribution to the world – either financially and charitably, or by the nature of the actual work undertaken. The *chasidic* community, in theory opposed to asceticism, often attempts to emphasise the spiritual nature of all physical pursuits. However, in practice, the anti-abstemious approach of *chasidic* life does not necessarily mark the many different sects of *chasidic communities* worldwide¹⁶ (for example, there

¹⁵ *Chasidim*, also part of the *charedi* [ultra-orthodox], but divided into sects, each associated with a particular location and spiritual leader [*Rebbe*]. See: <http://www.jewishencyclopedia.com/articles/7317-hasidim-hasidism>; see also: APPENDIX 1, DEFINITIONS.

¹⁶ Each *chasidic* sect is named after the place of its inception, typically an Eastern European town. Examples include: *Bobov*, *Bratslav*, *Ger*, *Lubavitch*, *Satmar* and from the United States, the *Bostoner Chasidim*. See also: APPENDIX 1, DEFINITIONS.

exists a vast array of theological literature emanating from some *chasidic* Jewish scholars, which promotes extremely austere sentiments regarding sexual behaviour).¹⁷ There are many *chasidic sects*, each led by its own dynastic *Rebbe*¹⁸ figure, most predominantly from a family originating from a village or town of Eastern Europe. Additionally, the different *chasidic* sects vary one from the other in their attachment to their *Rebbe*, their association with the secular world, and their philosophical views on Judaism and especially *halakha* [Jewish law]. I have included a definition of *chasidism* as a subsection of *charedut*, as several of the British orthodox Jewish women (BOJW) participants belong to a synagogue-community headed by a *Lubavitch* rabbi and *rebbetsin* [rabbi's wife],¹⁹ and because mystical *chasidic* thought has permeated considerably into the general *charedi*, modern and mainstream orthodox communities over the last thirty years.²⁰

Modern orthodoxy is, I would argue, a considerably more difficult movement to define in that the many communities who claim this identity live diverse lifestyles.

The cacophony of individual and communal voices within modern orthodoxy serves

¹⁷ For further reading on this topic, see: Browne, B. (2013) 'Kedushah: The Sexual Abstinence of Married Men in Gur, Slonim, and Toledot Aharon' in *Jewish History* 27(Special Issue: Toward A New History of Hasidism):475–522.

¹⁸ Each sect of *chasidism* has a *Rebbe* at its head. He is generally highly revered, an acknowledged religious scholar and approached to answer questions from his followers not only on matters of Jewish law, but regarding any matter. See:

http://www.chabad.org/therebbe/default_cdo/jewish/The-Rebbe.htm for example; see also: APPENDIX 1, DEFINITIONS.

¹⁹ *Lubavitch*, a form of *chasidism* which promotes outreach to non-orthodox Jews (as espoused by the previous Lubavitcher Rebbe, Menachem Mendel Schneerson, 1902-1994). In practice there are thousands of Lubavitch families living at university campuses, cities and villages around the world, frequented by Jewish students, business people or travellers and they often provide a synagogue, kosher food and *Shabbat* [Sabbath] hospitality; see also:

http://www.chabad.org/global/about/article_cdo/aid/36226/jewish/Overview.htm or http://www.chabad.org/global/about/article_cdo/aid/244377/jewish/The-Woman.htm. See also: APPENDIX 1, DEFINITIONS.

²⁰ See: Drob, 2000.

well to indicate the latitude and flexibility of *halakha* [Jewish law] relevant to the 'lived experiences' considered in this research. Examples range from the more progressive liberal communities, 'open-orthodox'²¹ to the more traditional Yeshiva University²² model of modern orthodox Judaism. This form of orthodoxy espouses significant religious importance to Jewish learning *and* secular accomplishments, as well as Jewish participation in movements of social justice and ethics in the workplace. Given its attempt to synthesise *halakha* [Jewish law] and the modern secular world,²³ modern orthodoxy's most significant ideological departure from the *chareidi* orthodox movements is based on its more favourable religious philosophical position towards women's issues, secular learning, the value of paid work and its support of the modern political State of Israel. Philosopher, Rabbi Michael Harris, suggests that, 'Modern Orthodoxy can be defined as the attempt to combine full commitment to Orthodox Judaism with openness of the modern world', emphasising that this 'does not signal an attempt to incorporate all aspects of modern culture or modern social trends into Orthodox life' (Harris, 2016:9). Perhaps a more robust definition is Rabbi Norman Lamm's, who states that modern orthodox Jews, 'refuse to accept modernity uncritically, but equally so refuse to

²¹ Open orthodoxy: Left-leaning orthodoxy, approaching egalitarianism; see also APPENDIX 1, DEFINITIONS.

²² Yeshiva University: Orthodox University/Yeshiva in New York espousing the modern orthodox approach of the value of learning *Torah* as well as studying secular subjects and a professional qualification to enable employment, which includes 'a diverse multitude of scholarly centers and institutes, and several libraries, a museum and a university press, located on campuses both in the United States and Israel... One of the marvelous aspects of a Yeshiva University education is the way the University's multiple disciplines intersect'; see: <http://www.yu.edu/>. See also: APPENDIX 1, DEFINITIONS.

²³ See also Heilman et al., 1989, who state that 'In the center... we find an Orthodoxy that seems to be turning both inward and outward. Here we find people who are both traditionalist and modernist in orientation, parochial and cosmopolitan, orthodox and liberal, dogmatic and tolerant, deeply influenced by the cultural currents of the world around the while often acting to maintain their cultural separateness' (Heilman et al. 1989:6).

reject it unthinkingly' (Lamm, 1986:2). Given that this research examines how BOJW generate pious practices within orthodox life, much, though not all, of the material analysed and experiences studied emerges from the modern orthodox community.

I use the term 'mainstream orthodox' with specific reference to the United Synagogue,²⁴ headed by the Chief Rabbi, Ephraim Mirvis, in order to bring together all its divergent communities which are members of, or affiliated to it.²⁵ Each synagogue-community is headed by a rabbi; a number have modern orthodox sentiments, some have more *charedi* [ultra-orthodox] leanings, whilst others would classify themselves as (exclusively, *Lubavitch*) *chasidim*. Some United Synagogue's have more than one rabbi, for example a Youth rabbi or Community rabbi, in order to share the workload of a larger membership; and some *rebbetsins* [rabbis' wives] are also employed as part of the rabbinic leadership team. This means, in practice, that although all these synagogues are part of the broad orthodox umbrella of the United Synagogue, they retain some individual identity through both their membership body and their particular rabbi. Accordingly, the nature of the community's identity develops to a greater or lesser degree consistent with its

²⁴ United Synagogue: The body of mainstream orthodoxy in the UK headed by the Chief Rabbi, established in 1870 and currently comprising over sixty British communities see: http://www.theus.org.uk/the_united_synagogue/about_the_us/welcome/. Although run on orthodox principles, many members do not practice orthodox dogma. Their mission statement claims: 'The United Synagogue's values stem from the principles of both Torah and Halacha. We wish to welcome every Jew, create a sense of belonging and allow for life-long Jewish learning, spiritual growth and religious practice. We strongly believe in the centrality of Israel in Jewish life, and in the importance of mutual responsibility.' See: http://www.theus.org.uk/the_united_synagogue/about_the_us/vision_and_mission/; and see also: APPENDIX 1, DEFINITIONS.

For further detailed analysis of the United Synagogue, see: Chapter Three.

²⁵ For Members, Affiliates and Associates of United Synagogue see: http://www.theus.org.uk/local_communities/our_shuls/members/.

rabbi's particular religious bent – heralding creativity in religious ritual and practice on the one hand, or threatening to hinder or limit the landscape of possible religious practice on the other. One of the anomalies of *British* orthodox Jewish life is the United Synagogue, which has a membership who wish to retain the status of orthodoxy by belonging to an orthodox Jewish synagogue-community, whilst in practice, many members do not observe an orthodox Jewish lifestyle.²⁶ Another is the eclectic nature of its rabbinic leadership, which differs from community to community, ensuring that the larger body of the United Synagogue remains heterogeneous.

2.2 AUTHENTICITY and FEAR

Notably, what is considered as vital for (and by) any orthodox Jewish woman living within these orthodox communities is the belief that her everyday practice is *authentic*, imbued with religious meaning and significance, not only in the here and now, but as a continuation of religious practice over the centuries. And this continuity of practice (this sentiment suggests) connects her spiritually to the *Sinaitic*²⁷ experience, reminiscent of Hobsbawm's assertion that, '[i]nvented tradition' is taken to mean a set of practices, normally governed by overtly or tacitly accepted rules and of a ritual or symbolic nature, which seek to inculcate certain values and norms of behaviour by repetition, which automatically implies continuity with the past' (Hobsbawm et al., 1983:1). Saba Mahmood suggests, with reference

²⁶ The history and development of the United Synagogue is examined in Chapter Three.

²⁷ The biblical reference to the revelation to Moses of the Decalogue at Mount Sinai; see: Exodus (20, 1-13).

to Islam, that this phenomenon might be a ‘particularly modern mode’ of religious authorities attempting to assert their legitimacy, claiming that:

‘this mode uses the past as a reservoir of symbols, idioms, and languages to authorize political and social projects that are in fact quite recent in origin. Historians Eric Hobsbawm and Terrance Ranger popularized this notion by coining the term “invented tradition” to describe *how the past is used to authenticate a novel set of practices that in fact lack historical antecedents* (Hobsbawm, 1983). Several scholars of the Arab-Muslim world implicitly or explicitly use the idea of “invented tradition” to show how Islamists clothe a range of modern concepts – such as the nation-state, nuclear family, economics, and so on – in a vesture of *authenticity* and traditionalism in order to justify their uniquely modern social project’ (Mahmood, 2005:114, *italics mine*).

Feminist orthodox philosopher, Tamar Ross notes this phenomenon within the orthodox Jewish world, suggesting it is, ‘[t]he distortions of a false nostalgia’ which engenders ‘...overromanticized pictures of bygone eras’ (Ross, 2004:125-126). Although this tendency resonates worldwide throughout the variety of Jewish communities (and clearly within other religious communities also), what is idiosyncratic to British Jewish life is the paucity of an *alternative* religious vision of being in the world, a set of beliefs and practices, which counter those prevalent romantic imaginings. In both the US and Israel, the two largest Jewish communities

worldwide,²⁸ the last fifty years have seen an explosion of synagogues, communities, schools and *Yeshivot*²⁹ which inculcate a more modern approach to orthodox life, incorporating many secular attitudes to women's status within their religious outlook. However, Britain's Jewish communities have been particularly slow to adopt this trend, and although there are pockets of resistance, the sheer lack of significant numbers to fuel any religious transformation means the conservative vision persists – especially in the echelons of rabbinic law and judgment.

The issue of 'authenticity' cannot be underestimated – it underlies both the production of the individual and the community, and constructs so much of the everyday religious experience of BOJW, as well as their desired identity. The theme resonates in social spheres, schools, in synagogues and places of learning – inevitably, its invisible quality lending power to its force. It is reminiscent of a Foucauldian trope; authenticity, *disguised as tradition*, might be termed,

“[a] discursive formation”, a field of statements and practices whose structure of possibility is neither the individual, nor a collective body of overseers, but a form of relation between the past and the present

²⁸ Approximately: USA: 5.8 million; Israel: 6.3 million; Rest of World: 2.3 million. Statistics taken from:

DellaPergola, S. (2016) 'World Jewish Population, 2016' in Dashefsky, A. and Sheskin, I. M. (eds.) (2016) *The American Jewish Year Book (Volume 116)*; Springer:253-332; see: <https://www.jewishdatabank.org/databank/search-results/study/831>.

²⁹ *Yeshivot* (plural): Hebrew term for religious higher education (seminary), usually post-high school. In general boys/men learn in *Yeshivot* and girls/women in Seminaries. However, the more contemporary women's institutions which endeavour to teach women to the same standard of religious literacy traditionally taught to men only, call themselves *Yeshivot Nashim* [women's *Yeshivot*]. Literally, *Yeshiva* means 'place of sitting'; see: APPENDIX 1, DEFINITIONS.

predicated upon of system of rules that demarcate both the limits and the possibility of what is sayable, doable, and recognizable as a comprehensible event in all its manifest forms.’ (Mahmood, 2005:115)

According to Mahmood then, one might argue that authenticity performs a significant role in the production of the religious self, and I believe this sheds light on the experience of being a British Jew. Furthermore, the palpable fear³⁰ within the spectrum of British orthodox communities, especially the *charedi* and *chasidic* communities, about what feminism and other philosophical-political movements might do³¹ to traditional Judaism abounds, seeping into *halakhic* [legal] discourse and debate, and into synagogue and family practices. This is intensified if developments are perceived to be associated with feminist discourse, and Ross notes that:

‘*poskim* [legal decisors] today tend toward extreme conservatism. Any *halakhic* [legal] authority contemplating innovation fears that his colleagues

³⁰ The (Rabbi Joseph) Dweck Affair of June/July 2017 is evidence of this issue. See: <https://www.thejc.com/news/uk-news/rabbi-dweck-can-remain-as-sephardi-leader-rabbinic-panel-says-1.441710>, specifically: ‘The controversy was triggered by a lecture given by Rabbi Dweck at the independent Orthodox Ner Israel Synagogue in early May in which he described aspects of the feminist revolution and greater social acceptance of homosexuality as a “fantastic development for humanity”.’

³¹ See Yitzchok Adlerstein’s article ‘*Modern orthodoxy at a Crossroads*’ (Ami Magazine, September, 2011) <http://www.cross-currents.com/archives/2011/09/27/modern-orthodoxy-at-a-crossroads-2/comment-page-1/>, and Michael Broyde’s (2011b) response to it, ‘*Modern orthodoxy is Always at the Crossroads*’ (Ami Magazine, November, 2011) <http://www.cross-currents.com/archives/2011/11/09/modern-orthodoxy-is-always-at-the-crossroads/>.

will term him a rebellious elder (*zaken mamreh*)³² (Ross, 2004:52; *italics mine*).

This fear may be well placed, substantiated by the fact that historically, many Jewish communities have been decimated by philosophical fashion. Examples include the influence of Hellenism (approx. 300 BCE), 18th century Enlightenment and 19th century Marxism³³ each of which generated a massive exile of Jews from Judaism and their respective Jewish communities of Greece and Europe. Moreover, the prolonged effect of the devastating loss of Jewish life during the Holocaust on European Jewish families' second and third generations impacts on fears about both the religious trauma of assimilation as well as the physical reality of 'losing numbers'.³⁴ This anxiety, is often actualised in the trend within *charedi* communities to preclude the development of orthodox women's education, ritual participation and positions of authority, as well as sanctioning the 'othering' of women, to move them out of public display, to render them almost invisible.³⁵

³² Compare with Wyndham's *The Chrysalids*, 'They stamp on change: they close the way and keep the type fixed because they've got the arrogance to think themselves perfect. As they reckon it, they, and only they, are in the true image; very well, then it follows that if the image is true, they themselves must be God: and, being God, they reckon themselves entitled to decree, "thus far, and no farther." That is their great sin: they try to strangle the life out of Life' (1955:154).

³³ Marx himself, of course, a product of his father's and grandfather's Enlightenment views, before which the men in the family had for successive generations since 1723 served their communities as rabbis.

³⁴ For further reading on the *halakhic* and theological responses to the Holocaust, see: Katz, S., Biderman, S. and Greenberg, G. (eds.) (2007) *Wrestling with God: Jewish Theological Responses during and after the Holocaust*; Oxford University Press; or Roskies, D. (1984) *Against the Apocalypse: Response to Catastrophe in Modern Jewish Culture*; Harvard University Press.

³⁵ See, for example: the advertising protests in Jerusalem in which women's faces were erased and the response of the New Israel Fund's 'Women should be seen and heard' campaign: <http://www.guardian.co.uk/world/2011/dec/02/jerusalem-ultra-orthodox-billboard-vandals> and the erasure of Secretary of State's from the Williamsburg, NY based religious newspaper *Der Tzitung*: http://failedmessiah.typepad.com/failed_messiahcom/2011/05/hasidic-paper-removes-hillary-clinton-from-osama-picture-567.html.

See also the (ultra-) orthodox Federation magazine, which excludes women's images from its publication: https://www.federation.org.uk/wp-content/uploads/2018/03/Hamaor_Pesach_5778-

2.3 HALAKHA [JEWISH LAW] and GENERATING PIETY

Orthodox Jewish life requires commitment. Commitment to *halakha* [Jewish law],³⁶ commitment to particular moral and ethical ideals, commitment to family and community, and commitment to a lifelong process of personal spiritual development. However, the way in which these ideals are achieved differs from community to community, location to location and throughout history. In particular, the commitment of orthodox Jews to *halakha* – both specific Jewish laws, and the system of law itself – differentiates them from non-orthodox Jews, as well as the non-Jewish community. *Halakha* makes demands on orthodox Jews as individuals, and as members of communities: to ensure that synagogue services can take place, since these require a minimum of ten men; to ensure the proper burial of the dead; and to ensure the hungry are fed for example. The system of *halakha* and those in positions of *halakhic* authority also deal with personal disputes, marriage and divorce; and deliberate over broader contemporary legal issues, for example, the question of gay marriage, the permissibility of IVF treatment or life-support.

Jewish law, like any other systemised legal framework, incorporates cases into its huge body of ancient and contemporary texts. *Halakha* [Jewish law] is a tripartite

[2018-web.pdf](#), specifically pp.54-55, where an article by Judy Silkoff is NOT accompanied by a photograph of her headshot, as is the norm throughout the magazine of her male colleagues, (see similarly, pp.78-79). In an ironic twist, pp.68-69 of this edition (March 2018) contain an article about raising girls' self-esteem, again accompanied by no photographs of either girls or women, or the women who wrote the article.

³⁶ For further details of *halakha* [Jewish law] see: Cardozo (2018) which focuses on the philosophy of moral protest as an essential part of the Jewish legal system; or see: Elon (1995) four volumes, translated from the original Hebrew, and probably the most comprehensive historical account of Jewish law in print; or see: Saiman (2018), which explores how *halakha* is not simply a legal system, but a religious experience through which a relationship with God is forged.

system, such that when a specific question is asked of a specific rabbinic authority, three essential criteria must be taken into consideration before any ruling is made:

1. A significant investigation of the available legal literature and oral traditions pertaining to the issue at hand, and
2. An acknowledgement of the local custom regarding the matter (i.e. religious practices in this family, this synagogue, this city, this country), and
3. The impact it will have on the person(s) (and their family, or their community) asking the question.

Two factors are particularly relevant here. Firstly, what people *do* matters. Their individual or communal habits and customs are included as a necessary part of any particular *halakhic* [legal] negotiation. And secondly, the specific rabbinic decision [*psak*] made, itself becomes part of the body of legal literature and oral traditions to which later rabbinic authorities will need to refer.

TWO HISTORIC EXAMPLES of SHIFTS in HALAKHIC [legal] NORMATIVE PRACTICE

I examine two examples of *halakhic* dispute which, in their time, brought about a change in normative practice, in order to familiarise the reader with how the *halakhic* system works, and its relevance to the lives of contemporary British orthodox Jewish women who live within orthodox communities, and to this research. Firstly, the rabbinic decree to forbid polygamy³⁷ by Rabbeinu Gershom

³⁷ Polygamy: In approximately 1000CE Rabbeinu Gershom ben Yehudah (960-1028) a German scholar, called a synod at which he instituted several bans including: forbidding polygamy and forbidding divorcing a woman against her will. These bans are understood to be binding upon the *Ashkenazi* Jewish community until today. However, there were many *Sephardi* communities who did not accept this prohibition and continued to practice polygamy, in particular in Yemen. The modern

ben Yehudah in approximately 1000 in Germany. Influenced by both secular legal institutions and philosophies, Rabbeinu Gershom decreed that for the *Ashkenazi* Jewish communities of Europe, this practice must now cease. He argued that marriage to more than one woman was no longer consistent with contemporary ethics, as well as citing the distress it caused many women. This change in rabbinic law had enormous impact on the social structure of family and community life at the time, yet it quickly became normalised within *Ashkenazi* life; and it demonstrates how societal norms from *outside* the orthodox community inform, interact with and impact Jewish law.

Secondly, the decision to allow the carrying of the *shofar*³⁸ [ram's horn] on *Rosh HaShanah* [New Year] to the homes of those unable to attend synagogue – in particular, women with young children. This is a more nuanced *halakhic* [legal] debate. The *shofar* is blown on *Rosh HaShanah* [New Year] to induce repentance, and it is a religious obligation to hear it. Nevertheless, because it occurs on a specific festival, it is deemed a 'time-bound' obligation, from which women are generally exempt.³⁹ However, over many centuries orthodox Jewish women became more insistent on hearing the *shofar* for their spiritual wellbeing, especially

State of Israel does not permit polygamy, but historically, did make allowances for existing polygamous families (from a country where polygamy was permitted) to immigrate. For details of Rabbeinu Gershom's decrees, see: F. Rosenthal's chapter entitled 'Einiges über die Tekanot des Rabbi Gerschom b. Jehuda, der "Leuchte des Exils"' in Hildesheimer, E. and Hoffmann, D. (eds.) (1890) *Jubelschrift zum Siebzigsten Geburtstag des Dr. Israel Hildesheimer, Rabbiner und Rector des Rabbiner-Seminars zu Berlin*; H Engel, (available in Hebrew or German).

³⁸ For a detailed *halakhic* argument, see: *Maharil, Hilchot Shofar; Magen Avraham, OC 489:1; Chaye Adam, 141:7* and *R' Akiva Eiger, Teshuva 1, addendum*. See also: APPENDIX 1, DEFINITIONS.

³⁹ For further information about women's exemption from time-bound commandments [*mitzvot aseh she'ha'zman grama*], see an excellent set of classes by Rabbi Chaim Navon (of Yeshivat Har Etzion) entitled *Women and Mitzvot*, specifically classes 1 and 2, at <https://www.etzion.org.il/en/shiur-01a-exemption-women-time-bound-positive-commandments>.

given that *Rosh HaShanah*, as one of the High Holidays, has substantial religious value. This fervent desire by Jewish women to hear the *shofar* impacted on the *halakhic* authorities of the day, to the extent that it became obligatory for them to hear it.⁴⁰ This had further consequences, reflected in practical *halakha* [Jewish law]. As a general rule, a Jew is *not permitted* to carry objects, on festivals or the Sabbath, outside their own homes for non-immediate or non-necessary use: this meant that because women were not obligated in hearing the *shofar*, it was forbidden to carry it to their homes. The *halakha* [particular law] for the carrying of the *shofar* was ostensibly reversed – such that *it became permissible* to carry the shofar on *Rosh HaShanah* in order for women to hear it; and this example reflects how remonstrations from *within* the orthodox community influence the way in which Jewish law is developed and practiced.

These two examples demonstrate how both the system of *halakha*, and the actual obligations it evokes as practices of the orthodox Jewish community, are influenced by the philosophies, politics and social norms of its time, as well as the religious demands of its membership. These examples bring to the fore the types of negotiations had by those deciding *halakha* (making legal judgments) as well as the import and impact of those who perform religious rituals. They also demonstrate how the *halakhic* system can often be a dialectic conversation between lay members of the community, teachers, philosophers, and legal authorities. In fact, the Talmud itself refers to the need for rabbinic authority to ‘go out and observe

⁴⁰ For an excellent and detailed analysis of this change, see: Pianko, A. (1974) ‘Women and the Shofar’ in *Tradition: A Journal of Orthodox Jewish Thought* 14(4):53-62.

the common practice'⁴¹ in order to make appropriate and timely legal decisions.

Lastly, these examples demonstrate that however nostalgic an orthodox Jew might be for the past, or however fearful of modernity and change, normative *halakhic* practice changes over time.

ONE CONTEMPORARY EXAMPLE of SHIFTS in HALAKHIC [legal] NORMATIVE PRACTICE

The disputed religious obligation of women to chant the Scroll of Esther [*Megillat Esther*],⁴² colloquially called 'the *Megillah*' on the festival of *Purim* [Feast of Lots],⁴³ on both the evening and subsequent morning of the holiday,⁴⁴ has become somewhat of a cause celebre over the past 30 years.

The festival of *Purim* commemorates events, which culminated in the saving of Persian Jewry from slaughter in approximately 400BCE. In celebration, adult Jews have four legal obligations:

1. To chant the *Megillah* aloud,
2. To have a celebratory meal,
3. To give gifts of food to a friend and
4. To donate gifts of charity to the community's poor.

⁴¹ BT Eruvin 14b: '*puk chazi mai ama d'var*'.

⁴² Scroll of Esther: This scroll contains the story of *Purim*, chanted aloud on both the evening and morning of *Purim*. See: APPENDIX 1, DEFINITIONS.

⁴³ See: APPENDIX 1: DEFINITIONS.

⁴⁴ The *halakhic* day begins at sunset, lasting until the following sunset; thus *Shabbat* [the Sabbath] and Jewish festivals begin at night, and are celebrated throughout the following day, until nightfall.

All four of these obligations are incumbent upon both men and women, but historically, women have heard the *Megillah* being chanted by a man, rather than reading it for themselves. How does this work? In terms of *halakhic* [legal] obligation, any Jew who has an equal obligation as another Jew may fulfil that obligation on their behalf; this happens regularly in Jewish religious life. For example, the sanctification of the *Sabbath* is made through a blessing on wine both on Friday night and on Saturday; it is customary for one person to make this blessing out loud at the dinner or lunch table, having in mind that he/she is fulfilling the obligation on behalf of everyone else present.

With regard to the annual reading of the *Megillah* on *Purim*, it is the traditional custom for a male member of each synagogue-community to read for the entire community, and this is common practice in the UK. However, women's *Megillah* readings (women chanting for women) have become increasingly popular over the past 20 years in the UK (as well as in the US and Israel), reflecting the growing desire of BOJW to actively participate in public religious rituals (this is examined in detail in Chapter Five).

Ancient Jewish sources reflect the *halakhic* position that women are indeed obligated in this commandment [*mitzvah*]. Recall, that in general women are exempt from positive time-bound commandments⁴⁵ although there are three notable exceptions (amongst others): the reading of the *Megillah*, the drinking of

⁴⁵ *Mitzvot aseh she'ha'zman grama* [Positive time-bound commandments]. For further analysis of this *halakhic* concept, see: Alexander, 2013; see also: APPENDIX 1, DEFINITIONS.

four cups of wine on *Seder* night (first night of *Pesach* [Passover]) and the lighting of the *Chanukah* [Festival of Lights] candles during the eight day festival.⁴⁶

There are of course dissenting *halakhic* [legal] views.⁴⁷

The way in which these *halakhic* obligations are constructed and discussed within contemporary legal literature, reflects how normative practice, traditional norms and ancient Jewish legal texts interact to inform a rabbinic *psak* [legal decision]. For example, Rabbi David Auerbach suggests that, '[t]here are those [*yesh omrim*] who say that a woman does not fulfil the obligation on behalf of a man through (her) chanting of the *Megillah*'.⁴⁸ Auerbach indeed recognises that women can fulfil this obligation on behalf of men – but he cites this ruling in a roundabout way by suggesting that '*yesh omrim*' [there are those] (legal decisors) who say that women *cannot* fulfil this obligation on behalf of men. The language of *yesh omrim* [there are those] is always used in *halakhic* literature to introduce a minority opinion, but

⁴⁶ The *Talmud* quotes R Yehoshua ben Levi's reasoning for the obligation of women as: 'even they were included in the miracle' (*BT Megillah 4a*). Similar reasoning is used in the *Talmud* for the parallel obligations to drink the four cups of wine on Seder night (*BT Pesachim 108b*) and the lighting of *Chanukah* candles (*BT Shabbat 23a*).

In understanding the reasoning of Levi's statement 'even they were included in the miracle', there have been several explanations: the Palestinian Talmud (the Jerusalem Talmud [JT] or the *Talmud Yerushalmi*) suggests that women were in particular danger, citing the example of the rape of engaged women by Greek soldiers (*JT Megillah 2:5*). The mediaeval French commentator *Rashbam* (ad loc.) states that women were instrumental in these three miraculous events. At *Purim*, Esther is the heroine; at *Pesach*, it was the persistence of the 'righteous women' during Pharaoh's regime; and at *Chanukah* it was Judith, who ensured our military success (*BT Pesachim 108b*).

The *Tosafot* comment, 'It is understood that women relieve others of their obligation... even men' (*BT Megillah 4a*). The *Talmud* and commentators are clear: women not only have the obligation to read the *Megillah*, but because of the equity of the obligation, may fulfil it on behalf of men. Furthermore, *Maimonides* (1135-1204) states: 'Everyone is obligated in the reading of it [the *Megillah*], men and women' and 'both the reader and the person who listens to the reader have fulfilled their obligation; and one needs to hear from someone who is obligated.' (*Maimonides, Mishneh Torah, Zmanim, Laws of Megillah and Chanukah, Chapter 1: Laws 1 and 2*).

⁴⁷ Dissenting views include: *Bar Kafra* (*JT Megillah 2:5*); *Karo, Shulchan Arukh* (O" C 689:2) and *Gumbiner, Magen Avraham* (as quoted in *Kagan, Mishneh Brurah* O" C 689:2, sub-section 8).

⁴⁸ As cited in David Auerbach's legal work *Halichot Beita* (Section 24, *Purim*; Chapter 2: *The Reading of the Megillah, Halakha 12*).

he *only* cites this ruling in his legal work. In other words, he does not bring the majority *halakhic* opinion at all, which is that women *can* fulfil this obligation on behalf of men. It must be inferred from this style of writing that Auerbach is well aware of the majority opinion, but chooses to highlight the minority opinion, as this is current normative practice,⁴⁹ which he believes to be correct. The way in which the *halakhic* opinions are cited by the author not only reflects the legal position of the decisor, but may also demonstrate the social, political and religious context within which he⁵⁰ is operating.⁵¹ This means that BOJW's religious lives can be severely curtailed by the local normative custom or local rabbinic opinion, even if there are alternative normative *halakhic* opinions upon which to rely. Local rabbinic authorities often make claims of normative custom [*mesorah*]⁵² against other *halakhic* possibilities in order to preclude changes in pious practice for, or which may specifically effect, orthodox women; examples (from across the orthodox spectrum in the UK) include the exclusion of mother's names from *ketubot* [marriage documents]; the exclusion of women relative's names from headstones; discouraging women making *Kiddush* [sanctifying the Sabbath] on Friday nights at

⁴⁹ Consequential questions are: does he seek to perpetuate this minority opinion or will his contemporary scholarly peers vilify him were he not to toe this legal line?

⁵⁰ As far as I am aware, in 2019, there are still no orthodox female *poskot* [legal decisors].

⁵¹ It has always been the case that religious communities, scholarly exegesis and rabbinic decision making reflect the wider community, its identity and its social and political ideologies, as well as the philosophical trends of the day (as well as contribute to them). Compare to Islamic decision making in Egypt: 'Scholarly arguments are not simply frozen bodies of texts, but live through the discursive practices of both lettered and unlettered Muslims who familiarity with these arguments is grounded in a variety of sources – not all of which are controlled by scholars. Moreover, scholarly arguments are often transformed by the context in which they are evoked, a process that imparts to the arguments new meanings, usages, and valences not intended by the original authors.' (Mahmood, 2005:96-97).

⁵² See: APPENDIX 1, DEFINITIONS.

home; or forbidding women attending funerals, or saying *Kaddish* [mourner's prayer], or reciting a eulogy for a close relative.

GENERATING PIOUS PRACTICES: REVOLUTION or EVOLUTION?

The way in which *halakha* [Jewish law] functions matters to this research because a. it has so much tangible impact on a BOJW's day to day life in terms of the choices she makes with regard to her performance of pious practices – how intelligible she is within her local orthodox synagogue-community, and b. it demonstrates that how BOJW perform these pious practices not only has impact on their individual experience as an orthodox Jew, but reflects back on the normative practices of their local orthodox community and may influence what pious practices BOJW perform going forward – because 'what people do' is taken into account in *halakhic* decision making. Consequently, BOJW become part of the ongoing process of *halakhic* [legal] decision-making through the pious acts they generate and perform. However, until certain 'ways of being' are considered the norm in a particular culture or society, those who advocate for change often inhabit a precarious⁵³ location. They might be considered free-thinkers, accused as heretics⁵⁴ or simply branded mad.⁵⁵ But inevitably, they inhabit a space which leaves them either temporarily or permanently 'culturally unintelligible'.

⁵³ Precarious, used in the sense of, 'is she a subject at all?' See: Butler, 1990 and Spivak, 1988.

⁵⁴ Hebrew, *Apikores*, derived from the Greek, *Epicurus*.

⁵⁵ Madness: 'Sanity... is about reliability; it could be another word for trustworthiness, for the demeanour of the successfully acculturated person. It is certainly a word for the intelligible and the orderly; a world of shared values, orthodoxy and firm foundations.' Phillips, Adam (2005:52).

Notwithstanding, over the course of researching and writing this thesis, BOJW have mobilised and generated change within their own pious practices, as well as those in their communities; most notably in the three areas of religious life which this thesis explores: education, ritual participation and leadership and authority.⁵⁶ In education, these include: the 'Female Jew' course run jointly by the London School of Jewish Studies and the United Synagogue (between 2012 and 2015); the *Midrasha* women's programme at LSJS; and the Edgware Women's *Mishnah Chabura* [oral law study group]⁵⁷ – examined in detail in Chapter Four. In Ritual Participation, these include: six *Partnership Minyans* [open-orthodox communities] and 13 women's *Megillah* readings [scroll chanted publicly on *Purim*]⁵⁸ as well as their public listing on the United Synagogue website – examined in detail in Chapter Five. In Leadership positions, these include: the Scholar-in-Residence⁵⁹ appointment at Hampstead United Synagogue; the appointment of *Yoetzet Halakha* [Legal Advisor],⁶⁰ Lauren Levin to both South Hampstead United Synagogue in 2009 and to Finchley United Synagogue in 2012, and the establishment of the *Ma'ayan* Course, run by the Office of the Chief Rabbi (OCR)⁶¹ – examined in detail in Chapters Four and Six. Most recently, Dina Brawer⁶² was ordained as an orthodox rabbi, but both her studies and her ordination were accomplished virtually, through the *Maharat* programme in New York.⁶³ Indeed, Brawer moved to the US in the

⁵⁶ These are examined in detail in Chapters Four, Five and Six.

⁵⁷ See: Chapter Four.

⁵⁸ See: Chapter Five; see also: APPENDIX 1: DEFINITIONS.

⁵⁹ See: Chapter Six.

⁶⁰ See: Chapter Six.

⁶¹ See: Chapter Four and Chapter Six.

⁶² See: <http://blogs.lse.ac.uk/religionglobalsociety/2018/04/a-female-ordination-british-orthodox-jewish-women-and-the-global-community/>.

⁶³ *Maharat* Programme, see: <http://www.yeshivatmaharat.org/>.

summer of 2018, perhaps as a consequence of the lack of appetite for, or recognition of, her ordination or any opportunities for leadership positions here in the UK for an orthodox female rabbi.⁶⁴ Additionally, there has been a sizeable mushrooming of religious rulings from the Office of the Chief Rabbi,⁶⁵ as well as an abundance of public debate emanating from national Jewish newspapers,⁶⁶ online fora⁶⁷ and local orthodox communities.⁶⁸

Change in the social fabric of people's lives can be a slow and ongoing process. Indeed, as in many other arenas of social and political change, although some changes are made through revolution, others evolve at a more organic and slower pace. This slow pace of change is a great frustration for some BOJW, and the conservatism of the UK's orthodox community often exacerbates this process, and shifts in pious practices take a lot longer than in the US or Israel; as interviewee Heather Keen points out, '[t]hings are changing slowly, tooth-achingly, it's annoying' (HK, 20/07/15).⁶⁹ In June 2017, Rabbanit Chana Henkin (Dean of *Nishmat*,

⁶⁴ See Chapter Six for further detailed analysis.

⁶⁵ For example: The publication of a booklet encouraging and assisting women wanting to say *Kaddish* [the mourner's prayer] for a deceased relative in an orthodox synagogue; published by the United Synagogue on 20/01/16. See: <https://chiefrabbi.org/in-the-press-chief-rabbi-backs-kaddish-role-for-women/>, or for a pdf: <https://www.cremornesynagogue.com/prodwp/wp-content/uploads/2016/06/Women-Kadish.pdf>.

⁶⁶ For example: Rucker (2015) which reports on the UK's orthodox community's response to the appointment of Dina Brawer as the first Scholar-in-Residence at Hampstead United Synagogue 29/10/15]; or Shaviv (2017) in which she reports on the future of orthodox female rabbis in the UK 30/01/17].

⁶⁷ For example: the Facebook groups, '*I'm also fed up with the way women are treated in Orthodoxy*' and '*MOO – Modern/Open Orthodox*'.

⁶⁸ For example: Golders Green United Synagogue's Rabbi Harvey Belovski caused a religious stir (in 2016) when he allowed the *Sefer Torah* [Torah scroll] to be taken to the women's section of his synagogue during the *Shabbat* [Sabbath] morning prayers. The London *Beth Din* prohibited his actions, and he was asked to stop the practice immediately. See Chapter Five for further discussion.

⁶⁹ For Heather's full biography, see: APPENDIX 5, INTERVIEWEES [14].

the Center for Advanced Torah Study for Women, Jerusalem)⁷⁰ remarked on these processes whilst speaking on a panel entitled, 'Women and *Halacha*', at the Spanish and Portuguese Synagogue, London. She, and her co-panellists Rabbi Daniel Sperber (of the *Maharat* ordination programme, NY)⁷¹ and Rabbi Dr. Michael Rosensweig (*Rosh Yeshiva* of RIETS, NY)⁷² discussed and debated issues of orthodox women's scholarship and authority, when she commented that her *Yoatzot Halakha* [Legal Advisors]⁷³ programme for women was part of the 'organic', evolutionary movement.⁷⁴ The audience expressed astonishment that Henkin considered her programme to be evolutionary, given the speed at which its graduates has been integrated into the orthodox communities of the US and Israel; indeed the *Yoatzot Halakha* [Legal Advisors] programme is perceived by many in the orthodox Jewish world, especially in the UK, to be incontrovertibly revolutionary. How normative orthodox practice shifts over time; how the *halakhic* [legal] system contributes to this process; the disparity between practices in the UK and the US and Israel; the public rabbinic rulings and media debate, all impact on BOJW's experience of orthodox life. Furthermore, it is precisely these current discourses which frame BOJW's intelligibility, and whether or not it serves as sacred edifice, obstructive restraint or avenue for creativity.

⁷⁰ See: <https://www.nishmat.net/default.asp>; see also: Chapter Six.

⁷¹ The *Maharat* programme is examined in detail in Chapter Six; Rabbi Dr. Daniel Sperber is also President of the Institute of Advanced Torah Studies, Bar Ilan University, Israel and rabbinic consultant to *Partnership Minyanim* worldwide, as well as to the *Maharat* ordination Programme, NY.

⁷² RIETS is the rabbinic school for men at Yeshiva University, NY and has no parallel programme for women; see APPENDIX 1, DEFINITIONS for more details.

⁷³ The *Yoetzet Halakha* [Legal Advisors] programme is examined in detail in Chapter Six.

⁷⁴ The panel discussion took place on 14/06/17 at the Spanish and Portuguese Synagogue, London, and was entitled 'Women and Halacha'. See: <https://www.montefioreendowment.org.uk/common/ethos/women-and-halacha/>; see also: Chapter Six.

3. BRITISH ORTHODOX JEWISH WOMEN, FEMINIST THEORY and the QUESTION of AGENCY

3.1 INTRODUCTION to AGENCY

Consequently, the focus of this research is the critical examination of BOJW performing pious acts through their contestation of, or innovative ‘ways of doing’, religious practice, because ‘[m]erely locating our theoretical arguments in different empirical contexts is not enough; we must also aim to speak theoretically from and through these contexts’ (Madhok, 2013a:24).⁷⁵ Orit Avishai (2008) suggests theorising religious practice through ‘a conceptual shift *from* the paradox frame that assumes, a priori, that agency and religious adherence are incongruent *to* the “doing religion” frame that builds on interactionist, performative, and postcolonial theories of agency and locates agency in observance’ (Avishai, 2008:410; *italics mine*); thus, I employ as well as challenge contemporary theorists, in particular Judith Butler (1990⁷⁶ and 1997a)⁷⁷ and Saba Mahmood (2005)⁷⁸ in their framing of agency of the religious subject; and I argue that Butler’s (1990) theory of performativity,⁷⁹ her assertion of ‘cultural intelligibility’⁸⁰ and her theoretical model of ‘sites of contestation’⁸¹ are useful tools in this analysis. I am particularly

⁷⁵ Similarly Avishai (2008) argues: ‘[a]s in the case of gender, one cannot make sense of religious practices without appreciating the behavioural scripts and cultural expectations that shape conduct. Thus, I suggest that we examine how members of conservative religions make sense of religious teachings and practices by bringing into conversation their experiences and communal narratives of compliance.’ (Avishai, 2008:428-429).

⁷⁶ Butler, J. (1990) *Gender Trouble*; Routledge.

⁷⁷ Butler, J. (1997a) *Excitable Speech: A Politics of the Performative*; Routledge.

⁷⁸ Mahmood, S. (2005) *The Politics of Piety*; Princeton University Press.

⁷⁹ ‘Performativity’: Judith Butler’s innovative theory theorised in *Gender Trouble* (1990); examined in detail in Chapter Two.

⁸⁰ ‘Cultural Intelligibility’: Judith Butler’s phrase, (1990); examined in detail in Chapter Two.

⁸¹ ‘Sites of Contestation’: Judith Butler’s phrase, (1990); examined in detail in Chapter Two.

interested in Butler's theory of 'cultural intelligibility' as it relates to the performance of religious life, and to the risks BOJW take in their performance of particular ritual acts. Indeed, each act matters in terms of rendering oneself, even temporarily, culturally unintelligible; yet even as this risk might mean risking one's entire subjecthood, one's identity,⁸² BOJW do take these risks.

Butler states that,

'if gender is something that one becomes – but can never fully be – then gender is itself a kind of becoming or activity, and that gender ought not to be conceived as a noun or a substantial thing or a static marker, but rather as an incessant and repeated action of some sort.' (Butler, 1990:152)

She then proposes that there is a negotiation of agency which presents itself through the possible variations of acts, whereby the repetition might be thwarted, called into question. If the subject does indeed perform to task, then all well and good; but what if the subject does not, what if she acts out, if she performs a variation on that repetition? Butler therefore considers performativity a perilous enterprise since:

'The subject is compelled to repeat the norms by which it is produced, but that repetition establishes a domain of risk, for if one fails to reinstate the

⁸² See also: Reitman, 2005.

norm “in the right way,” one becomes subject to further sanction, one feels the prevailing conditions of existence threatened...how might we begin to imagine the contingency of that organization, and performatively reconfigure the contours of the conditions of life?’ (Butler, 1997a:29)

Butler terms these ongoing moments at which subjects might act out as ‘sites of contestation’ and these sites allow for the performance of subjecthood to take an alternative trajectory. In other words, within every given act, there lies the possibility of a mis-act (Butler, 1990:21). I want to move beyond her approach which demands that at every moment of contestation a subject occupies a binary space, whereby (only) the mis-act is considered agentic and suggest that BOJW generate performative acts which *do not* conform to normative (local) religious behaviour, but *do* conform to religious law [*halakha*]. Saba Mahmood (2005) stresses that not only might agency work in ways that render the subject submissive, but also that the subject’s religious engagement with a particular standard of conduct is itself an agentic capacity to promote personal spiritual development, proposing that if,

‘we think of “agency” not simply as a synonym for resistance to social norms but as a modality of action, then this conversation raises some interesting questions about the kind of relationship established between the subject and the norm, between performative behaviours and inward disposition...the sequence of practices and actions one is engaged in that determines one’s desires and emotions. In other words, action does not

issue forth from natural feelings but creates them...through repeated bodily acts that one trains one's memory, desire, and intellect to behave according to established standards of conduct.' (Mahmood, 2005:157)

The central issue here is that agency as a concept is not absolute, and is rather more fluid than a binary choice; it does not necessitate the discourse of oppression or freedom, subjugation or liberty.⁸³ Rather, it is a state of being within which all humans are sometimes more free, sometimes more restricted – such that *it is a process* as well as a static condition. And, most relevant to the religious subject, it may be an *ongoing negotiation* between the two states – or more exactly, a shift from the concept of two states at all – illustrative of the 'shift away from simple oppositions of agent or victim, and towards the complex ways in which agency and coercion are intertwined, often in a non-antithetical relationship' (Madhok et al., 2013:3).

3.2 AGENCY and the RELIGIOUS SUBJECT

When Susan Moller Okin (1999), in her essay, 'Is Multiculturalism Bad for Women?', suggests that women and girls 'might be much better off if the culture into which they were born were either to become extinct... or, preferably to alter itself so as to

⁸³ Issues of agency are examined in detail in Chapter Two. For more on theories of agency, on questions of agency and gender, and on issues of agency and the religious subject, see: Abu-Lughod, 1990; Al Hibri, 1999; Armour & St.Ville (eds.), 2006; Avishai, 2008; Benhabib, 1992; Ben-Yosef, 2011; Bracke & Fadil, 2012; Casanova & Phillips, 2009; Evans, 2013; Fishbayn Joffe & Neil, 2013; Honig, 1999; Kymlicka, 1995; Mack, 2003; Mackenzie & Stoljar (eds.), 2000; Madhok, 2013a & b; Madhok, McNay, 1999 & 2000; Moi, 1999; Meyers, 2002; Nussbaum, 1999; Phillips, 2001, 2008, 2010, 2013 & 2015; Phillips & Saharso, 2008; Phillips & Wilson, 2013; Shachar, 2001; Wolosky, 2009 and Woodhead, 2008.

reinforce the equality of women – at least to the degree to which this value is upheld in the majority culture’ (Okin, 1999:23), she was met with a barrage of critical response. In assuming that all women who claim to be part of a religious community or cultural group would be ‘better off’ without it, her essay homogenises both the women who live within these communities and the culture or religion to which they are committed. She adopts a theory that imagines that these women have no personal agency, nor make any choices with regard to their individual lives. Of course, there may well be many women who fall into this category; however, there are a significant number of women whose adherence to a religious lifestyle is a personal, individual and autonomous choice. Her failure to account for these women is further compounded by Martha Nussbaum’s suggestion that, ‘too many women think they are free when in fact they are not; they take for granted a particular ordering of society or family, and fail to see that the order is unjust.’ (Phillips, 2010:108). Nussbaum’s claim presumes that even the women who think they are making choices are actually under an illusion. In other words, women who claim to be aware of the choices they make – if, and only if, they choose to adhere to a religious doctrine – are actually prone to some kind of ‘false agency’, perpetuating Dawkins (2008) belief that ‘thinking is anathema to religion’.⁸⁴

In exploring these complexities, gender theorists question what exactly agency is and how it works, and there is much crossover between the exploration of agency

⁸⁴ Butt, 2008.

and the meaning of autonomy;⁸⁵ as Evans suggests, ‘...the meaning of agency is everywhere complex and often contradictory’ (Evans, 2013:50). Some gender theorists are particularly interested in the religious subject as she poses an ambivalence to the feminist assumptions about agency; in fact the nature of agency arguably implies that a subject chooses the way in which she lives through her capacity to consider that her needs, desires, talents and flourishing are a worthy pursuit, and that her life choices reflect these considerations. What is complicated by the religious subject is the concept of ignoring, denying, or forgoing her own ‘will’ to submit to the demands of religious law, a god, or the relevant religious authorities – self transcendence as well as self-expression (Mack, 2003:153). This has caused feminist scholars in particular to question the religious subject as agentic, such that some presume she relinquishes her agency when participating in religious life (de Beauvoir,⁸⁶ Nussbaum,⁸⁷ Plaskow,⁸⁸ Stoljar);⁸⁹ others suggest that she has lost the capacity to reason and is somehow forced into religious behaviour because of doxic pressure of the group – manifest in the extreme circumstance as

⁸⁵ See also: Madhok, Phillips and Wilson, 2013.

⁸⁶ Of course, de Beauvoir’s point is that this relates to women of all walks of life – religious or otherwise: ‘A free individual blames only himself for his failures, he assumes responsibility for them; but everything happens to women through the agency of others, and therefore these others are responsible for her woes. Her mad despair spurns all remedies; it does not help to propose solutions to a woman bent on complaining; she finds none acceptable. She insists on living her situation precisely as she does – that is, in a state of impotent rage’ (de Beauvoir, S., 1969; New English Library:338. Published in France in 1949, first English translation 1953); quoted by Phillips, A. (2010) *Gender and Culture*; Polity:108.

⁸⁷ ‘For Nussbaum... too many women think they are free when in fact they are not; they take for granted a particular ordering of society or family, and fail to see that the order is unjust’ (Phillips, 2010:108).

⁸⁸ ‘Women in Judaism – like women in any patriarchal culture – are rendered invisible as a class; we are seen as Other as a class; we are deprived of agency as a class’ (Plaskow, 1990:89).

⁸⁹ In Mackenzie, C. and Stoljar, N. (eds.) (2000) *Relational Autonomy: Feminist Perspectives on Autonomy, Agency, and the Social Self*; Oxford University Press.

oppression (Ben-Yosef,⁹⁰ Kymlicka,⁹¹ Adam Phillips).⁹² However, others (Honig,⁹³ Mack,⁹⁴ Mahmood,⁹⁵ Anne Phillips⁹⁶ and Woodhead)⁹⁷ attempt to think about the very definition of agency, questioning whether religious subjects might possibly be performing a different kind of agency. In fact, Mahmood suggests early on in *The Politics of Piety* that, ‘the meaning of agency cannot be fixed in advance, but must emerge through an analysis of the particular concepts that enable specific modes of being, responsibility, and effectivity’ (Mahmood, 2005:14-15). Indeed, I consider that this research originates with this premise in mind and it is a crucial platform upon which this analysis is founded.

Azizah Al Hibri’s (1999) response to Okin, appositely entitled ‘Patriarchal Western Feminism’, argues that when women with established careers have adopted an

⁹⁰ ‘Thus the authority of the texts and their expression of male hegemony are accepted not by subordination but through knowledge acquisition, and cooperation... top social rewards are gender specific and the shiyour gives access to rewards to which women are allowed to aspire. Status markers such as “Woman of Valor” or tseydykes (righteous woman) may be conferred on women who behave “well”. This is a dynamic where the gatekeepers of the community (the learned males) “invoke the prestige of the oppressed in order to dominate them more efficiently and ever more gently” (Betensky ,2000:213)’. (Ben-Yosef, 2011:72). See also: Chapter Six.

⁹¹ See: Kymlicka, 1995.

⁹² ‘Sanity, in 1984, is another word for consenting to one’s own oppression.’ (Phillips, Adam. 2005:74)

⁹³ See: Honig, B. ‘My Culture Made Me Do It’ in Okin, S. M. (1999) *Is Multiculturalism Bad for Women?*; Princeton.

⁹⁴ ‘renouncing agency does not necessarily compromise or diminish self-expression: the pianist, the actor, the lover exceed their own physical and emotional capacities – their own sense of who they are and what is possible for them – through submitting to and identifying with a teacher, a tradition, or an object of passion’ (Mack, 2003:159).

⁹⁵ ‘it is only by exploring these traditions in relation to the practical engagements and forms of life in which they are embedded that we can come to understand the significance of that subordination to the women who embody it’ (Mahmood, 2005:188).

⁹⁶ ‘We should recognize that what looks to an outsider like submission is sometimes better understood as empowerment, and acknowledge that everyone has agency, even though some clearly have more options than others’ (Phillips, Anne 2010:11).

⁹⁷ ‘(This is especially the case when) western liberalism presents itself as a ‘neutral’ stance, which is somehow detached from ‘culture’, and which has no sacred commitments of its own. Then ‘religion’ becomes a marker of the subjugated other, whilst the privileged become the possessors of pure truth, transparent rationality, and the engines of progress’ (Woodhead, 2008:57).

orthodox or *chasidic* lifestyle, it 'is hard for Okin to argue that these accomplished women have been so misled as to choose an oppressive lifestyle. There is something condescending, even patriarchal, about such a claim' (Okin, 1999:44). Al Hibri's point not only questions what constitutes oppression, but also reflects the difficulty in establishing what constitutes agency (and who determines what that agentic body looks like). Addressing this specific issue, Anne Phillips (2009) proposes that theorists 'need to respect the choices women make, not dismiss those of religious women as evidence of victim status or illustrating their false consciousness'. She then suggests that there be a 'recognition that resistance takes many and subtle forms and that what looks to an outsider like submission can sometimes be better understood as empowerment or subversion' (Casanova and Phillips, 2009:42). In other words, what pious acts 'look like' and what they might mean is both relative and subjective; religious acts do not necessarily reinforce submission per se, but might be part of a web of performances which produce (and are produced by) a very different sort of subject. Theories of agency, therefore, range from assertions of religious women's 'false agency'⁹⁸ to the proposition that ritual acts, which might have been assumed to both reiterate and promote certain behaviours or ways of being in the world, actually turn out to be the performance of a subtler generative agentic capacity,⁹⁹ of which the subject is most undeniably aware. In other words, making assumptions about religious women's agency is problematic: theorists cannot fail to see the hypocrisy in presuming autonomy and agency in one group of women, and yet none or very little in another.

⁹⁸ Nussbaum, 1999.

⁹⁹ Examples include: Avishai, 2008, 2015; Feldman, 2011; Mahmood, 2005 and Phillips, 2009.

Additionally, Phyllis Mack's work 'Religion, Feminism, and the Problem of Agency; Reflections on Eighteenth-Century Quakerism' (2003) explores whether theories of agency can explain the behaviour of this particular group of women. Her interest lies at the intersection between self-sacrifice/self-abnegation/surrender and subjugation/the diminishing of self-expression, concluding that for these Quaker women, 'since doing what is right inevitably means subduing at least some of one's own habits, desires, and impulses, *agency implied self-negation* as well as self-expression' (Mack, 2003:156, *italics mine*).

What motivates *this* research is Mack's particular insight that the religious person has both 'the desire for passivity and self-annihilation, on the one hand, and the urge toward self-transformation on the other' (Mack, 2003:163), implying that theories which conceive agency as (only) a form of self-expression cannot account for the religious body who also desires 'self-transcendence' (Mack, 2003:153).¹⁰⁰ Indeed, Mack goes on to expand this agentic capacity to include the very acts, which have provided theorists with fodder to proclaim *submission* on behalf of religious women, as the very acts that ironically, *determine* their agency.

As has already been noted, throughout the *Politics of Piety*, Mahmood (2005) shifts the discussion away from the simple two-sided agentic/non-agentic question, to a construal of Butler's 'performativity', which proposes that subjects perform their

¹⁰⁰ In fact, it troubles Mack enough for her to reason that '[c]urrent theories of agency, however broadly conceived, cannot do justice to the reality of these women's behaviour, and if theory cannot explain behaviour, then the theory needs to be revised.' (Mack, 2003:156)

way into subjecthood as an ongoing achievement.¹⁰¹ Mahmood stresses that not only might agency work in ways that render the subject submissive, but also that the subject's religious engagement with a particular standard of conduct is itself an agentic capacity to promote personal spiritual development. She suggests that contemporary Muslim women's choice to wear the veil, for example, 'encourages us to understand agency not simply as a synonym for resistance to relations of domination, but as a capacity for action that specific relations of subordination create and enable' (Mahmood, 2001:210). This 'capacity for action' is a theme to which I return in the next Chapter, but it suggests that ritual acts are the 'sites of contestation' to which Butler referred, as the moments (spaces) at which BOJW might assert their agency and shift the *halakhic* landscape, the norms of British orthodox Jewish life. 'Capacity for action'¹⁰² infers an agentic potential, perhaps a skill, which enables a subject to negotiate her intelligibility through (un)recognisable acts.¹⁰³

So, what looks like conformity may in fact be personal expression (but may indeed be conformity) and what looks like rebellion may turn out to be a further expression of religious commitment. But what Mahmood significantly adds to the

¹⁰¹ See: Chapter Two for an in-depth discussion of Butler's performativity.

¹⁰² For a critique of the theoretical claims of 'capacity for action' that informs feminist and mainstream accounts of agency and autonomy; see: Madhok, 2013a, specifically her discussion on 'action bias' pp.37-38.

¹⁰³ Indeed, this kind of agency is reflected in secular capacities also, and although Mack (2003) disagrees with Mahmood's (2001) analysis of what agency might look like as a form of discipline – she nevertheless supports the possibility that discipline itself (in Mack's opinion, as a renouncement of agency) leads a person to an 'idealised self' to which they aspire: '...renouncing agency does not necessarily compromise or diminish self-expression: the pianist, the actor, the lover exceed their own physical and emotional capacities – their own sense of who they are and what is possible for them – through submitting to and identifying with a teacher, a tradition, or an object of passion.' (Mack, 2003:159).

debate is the recognition that religious practice is by definition an ongoing negotiation between the self, the leading authority of the day, religious text and cultural norms – and that the concept of what agency looks like within these competing frameworks, may get lost. She insists that we think of agency as more comparable to a framework *within which* people act, that whatever they do – it happens within the context of so many different variables and expectations. And this is why I am persuaded that performativity is a useful tool of analysis, because it reflects upon and disturbs *real life* experiences of religious women, the actual *lived practices* as they happen on the ground.

By comparison, Linda Woodhead (2008) contests not the nature of the religious person as agent, but rather as ‘unrepressed’ in contradistinction to her ‘secular’ sisters. She is interested in how the religious woman is ‘seen’ by secular society and how she *negotiates* her religious life alongside ‘Western-feminist’ ways of thinking and being in the world. She examines whether these two ‘ways of being’ are so obviously mutually exclusive, arguing that religious life has much to offer women in enhancing their feminist-selves, enabling them to flourish and become agential beings.¹⁰⁴ She is highly critical of what she terms the ‘Western feminist’ approach towards religion, reminding us that ‘the West’ is not an unadulterated ‘neutral’ way of being, but an all too culturally-saturated way of being. In particular, she expresses her concern when,

¹⁰⁴ Later, in Chapter Four, I critique Woodhead for her romanticisation of this position; suffice to mention here that the term ‘flourishing’ requires a more thorough examination.

‘western liberalism presents itself as a ‘neutral’ stance, which is somehow detached from ‘culture’, and which has no sacred commitments of its own. Then ‘religion’ becomes a marker of the subjugated other, whilst the privileged become the possessors of pure truth, transparent rationality, and the engines of progress.’ (Woodhead, 2008:57)

Of particular relevance to my research is her demand to reassess the presupposed cultural linear extremes of ‘religion’ and ‘feminism’ as far more negotiable terrain.

Finally, Feminist Theory has brought to the fore questions of intersectionality, and this is, of course, relevant to any examination of religious subjects. Although British orthodox Jewish women’s identity might be separated into its constituent parts – British and also orthodox and also Jewish and also women – I find the intersection of all four more meaningful than the mere adding up of these (arguably distinct) identities.¹⁰⁵ One might ask why these women are not simply compared to orthodox Jewish women in the US and Israel who ostensibly share some significant features of their ‘identity’ – but are not British. Couldn’t one glean the relevant information and research about their lives and ignore the Britishness; what is so significant about their particular citizenship and geographic location?¹⁰⁶ Similarly, one might argue that British orthodox Jewish men’s lives might parallel British

¹⁰⁵ See: Davis (2008), ‘[o]riginally coined by Kimberlé Crenshaw (1989), intersectionality was intended to address the fact that the experiences and struggles of women of colour fell between the cracks of both feminist and anti-racist discourse’. See also: McCall (2005) in which she describes intersectionality as the ‘most important contribution that women’s studies has made so far’ (p.1771).

¹⁰⁶ For a detailed discussion on location, see: Chapter Three. See also: Alcoff, 1995; Avishai et al., 2013; Downes et al., 2013; Fraser & Puwar, 2008; Hartsock, 1983; Kilomba, 2010; Mani, 1990; Rich, 1986 and Stoezler & Yuval-Davis, 2002.

orthodox Jewish women's experiences, the gendered difference rendered irrelevant. But, I will argue, this is simply not the case. There is something very specific about the intersectionality¹⁰⁷ of these four identities coming together and forming a subject – and something very specific about what this subject looks like, who she can be, how she can act, and to what she should aspire within her British orthodox Jewish community.

¹⁰⁷ This idea is explored in detail by Kimberlé Crenshaw: 'Because the intersectional experience is greater than the sum of racism and sexism, any analysis that does not take intersectionality into account cannot sufficiently address the particular manner in which Black women are subordinated.' (Crenshaw, 1989:140).

4. CONCLUSION

4.1 RESEARCH AIMS and QUESTIONS

To date, there has been very little research into the lives of BOJW, and in particular no academic research into why their lived experience is so markedly different from that of their American or Israeli sisters. In contrast, there is some excellent literature on both Israeli and American orthodox Jewish women's lives (Avishai, 2015 and 2016; Ferziger, 2009 and 2018; Heschel 1995, 2004; Fishbayn Joffe, 2012, 2013 and 2017; Levmore, 2010, 2016; Millen, 2009; Sered, 1997 and 2001; Sztokman, 2017 and Zolty, 1993). Tamar Ross's book *Expanding the Palace of Torah* (2004)¹⁰⁸ is a ground-breaking philosophical exploration of the debates between orthodox Jewish and feminist thought, which also particularises developments in the US and Israel. In addition, Jan Feldman's (2011)¹⁰⁹ *Citizenship, Faith and Feminism* examines the forces of secular rights, feminist agendas and the religious lives of orthodox Jewish women – but also with reference only to the US and Israel.¹¹⁰ There are numerous journals and online fora dedicated to the research of orthodox Jewish life in US and Israel, much of it concerned with orthodox Jewish women's lives in particular.¹¹¹ Most notably, there is continual debate within and between these fora exploring orthodox Jewish women's education – especially their access to and learning of sacred texts, their access to and involvement in ritual

¹⁰⁸ Ross, T. (2004) *Expanding the Palace of Torah*; Brandeis University Press.

¹⁰⁹ Feldman, J. (2011) *Citizenship, Faith and Feminism: Jewish and Muslim Women Reclaim their Rights*; (Hadassah Brandeis Series on Gender, Culture, Religion & Law) Brandeis University Press.

¹¹⁰ Feldman's (2011) study compares orthodox Jewish women's rights to those of religious Muslim women in Kuwait.

¹¹¹ For example, see: *Nashim*: <http://muse.jhu.edu/journals/nashim/toc/nsh6.1.html>, or *Tradition*: <http://www.traditiononline.org/>, or *The Jewish Virtual Library*: <http://www.jewishvirtuallibrary.org/jsource/Judaism/orthostate.html>.

participation, and their engagement with or appointments to positions of religious leadership and authority.

In contradistinction, the UK has produced almost no literature about orthodox Jewish women's religious identity and practice, and there is scarce academic research on this topic.¹¹² In 1992, in his position as Chief Rabbi, Lord Jonathan Sacks initiated the 'Women in the Jewish Community' project, headed by Rosalind Preston, the first female Vice-President of the Board of Deputies of British Jews.¹¹³ The findings were published in 1994 in two parts: a. *Women in the Jewish Community: Survey Report*¹¹⁴ and b. *Women in the Jewish Community: Review and Recommendations*¹¹⁵. Subsequently, Preston led the 2009 *Women's Review: Connection, Continuity and Community: British Jewish Women Speak Out*,¹¹⁶ with 'a view to re-visiting the work' she 'had carried out a decade and a half earlier' (Aleksander, 2009:3). In particular, the review asked how changes in the secular world had 'impacted on women's lives, on their approaches to their Judaism and on their sense of Jewish heritage. How had they influenced women's perception of community?' (Aleksander, 2009:3)

¹¹² Even in Woodhead's own ten-page section on Judaism in Woodhead, L. & Catto, R. (eds.) (2012) *Religion and Change in Modern Britain*, the words 'gender' or 'feminism' do not appear once (see pp.89-99).

¹¹³ The Board of Deputies of British Jews, established in 1760, is the largest representative body of the Jewish Community of Great Britain. See: <https://www.bod.org.uk>.

¹¹⁴ Miller, S. & Schmool, M. (1994) *Women in the Jewish Community: Survey Report*; Office of the Chief Rabbi, UK.

¹¹⁵ Citron, J. & Goodkin, J. (1994) *Women in the Jewish Community: Review and Recommendations*; Office of the Chief Rabbi, UK. However, there were concerns raised at the time that the authors were pressured to modify their recommendations in order to make them more palatable to the United Synagogue religious authorities; see: Alderman, G. (1998:404-5). My thanks to Dr Lindsey Taylor-Guthartz for this observation.

¹¹⁶ <http://www.boardofdeputies.org.uk/file/ConnectionContinuityCommunity.pdf>.

To date these studies are the most comprehensive data of Jewish women's lives in Britain. Although highly informative, Preston's research does not endeavour to provide a way of thinking about not only how BOJW live but why they choose to do so – and what this might mean in terms of their religious identity, or with regard to any question of their agency in religious life. More recently, Lindsey Taylor-Guthartz (2016) conducted an ethnographic study of the religious lives of orthodox Jewish women in contemporary London; including examining both communal and domestic rituals and practices.¹¹⁷ Her research examines formal and informal ritual practices, and places far less emphasis on theories of agency (than this thesis), focusing on the anthropological dimensions of these pious acts. Additionally, Taylor-Guthartz examines what she terms, the *folk practices* of British orthodox Jewish women, which orthodox men do not (and would not) practice (including *bracha* [blessing] parties¹¹⁸ and *tehillim* [psalm recitation] groups), whereas this research focuses exclusively on the pious practices generated by BOJW which are, ordinarily, normative practice for British orthodox Jewish men; neither does she include questions of education or positions of leadership as part of her research. Sally Berkovic's (1999) *Under My Hat*, is being re-published this summer (2019) and 'chronicles the challenges of raising daughters while straddling the tensions between an Orthodox religious life and the forces of modernity.'¹¹⁹ Berkovic has written a new introduction noting the many significant changes in the lives of

¹¹⁷ Dr Lindsey Taylor-Guthartz completed her PhD researched orthodox Jewish Women's Rituals in London, UK at UCL in 2016, entitled: *Overlapping Worlds: The Religious Lives of Orthodox Jewish Women in Contemporary London*; see: <http://discovery.ucl.ac.uk/1481812/>. Taylor-Guthartz's PhD is soon to be published by The Littman Library of Jewish Civilization, with the provisional title, *Challenge and Conflict: The Religious Lives of Orthodox Jewish Women*.

¹¹⁸ Taylor-Guthartz, 2016:162.

¹¹⁹ As yet, unpublished back cover blurb for upcoming Berkovic, S. (2019) *Under My Hat*.

orthodox Jewish women over the last twenty years, especially with regard to religious scholarship, the emergence of orthodox female rabbis and women's ritual participation. But, as she herself notes, very little of this change has taken place in the UK.¹²⁰

This research, rather than an ethnographic reflection on *what* BOJW do, addresses the question of *how*¹²¹ they perform pious acts and what sort of agency accounts for, and emerges from, this generation of pious practices. Through the examination of the real-life experiences of BOJW, in which they navigate submission to religious norms whilst simultaneously contesting their exclusionary practices, I propose that BOJW generate pious performances in the three most significant areas of orthodox life: education, ritual participation and religious leadership and authority. I argue that women's performance of certain ritual acts actually changes the meaning of those religious acts and that, crucially, this is a natural part of the evolution of any living religion – arguably inherent to Judaism. In other words, ritual acts and who performs them both produces, as well as demonstrates, the religious meaning attributed to them.¹²² Thus, these BOJW, through their performance of pious acts contribute to what constitutes normative intelligible religious practice – not only in their own lives, but also in their local orthodox community.

¹²⁰ Personal telephone conversation, 19/04/19.

¹²¹ '[w]omen's participation in conservative religions is paradoxical only from the perspective of the observer, who is unwilling to register forms of agency that embrace religiosity for the sake of religiosity. To see agency, one does not need to identify empowerment, subversion, or rational strategizing. It suffices to note how members of conservative religions "do" – observe, perform – religion, wherever that might lead' (Avishai, O. 2008:429).

¹²² Simmonds, 2018.

Furthermore, I argue that BOJW take risks in performing these pious acts, and I reflect on the precariousness of their identities, and how these risks impact on their intelligibility. I ask if and how these acts render BOJW culturally unintelligible, and if they do, are they a risk worth taking? I claim that BOJW do believe these pious acts are a risk worth taking, even if it leaves them (temporarily or permanently) culturally unintelligible, and that they serve to destabilise the hierarchies of religious authority, demonstrated, 'by letting their practices teach us about the complex interworkings of historically changing structures of power' (Abu-Lughod, 1990:53).

I also claim that living in the UK has a huge impact on the pious practices of orthodox Jewish women, marked by their intersectional identity: British and orthodox and Jewish and woman, as academic orthodox feminist and interviewee Nathalie Jacobson remarked, '[t]he truth is, in a British context, the scope to break out of the boxes in which you're imposed or positioned is very limited. The influence of... institutionalisation in Britain as a whole and in British orthodoxy is such that in terms of ritual change and the flexibility, the scope to alter education... and leadership roles for women... are incredibly limited.'¹²³ Yet, despite this limited location, BOJW do generate for themselves pious practices, which at once infuse their religious lives and subvert local religious norms.¹²⁴

¹²³ Nathalie Jacobson was interviewed on 16/09/14; see APPENDIX 5, INTERVIEWEES [11] for a detailed biography.

¹²⁴ 'People who view themselves as fully human, as subjects, become activists, no matter how limited the sphere of their activism may be' (Hill Collins, 1986:524).

Evidence is collated through a qualitative analysis of twenty-one personal interviews,¹²⁵ which took place over a period of eight months, between 2014 and 2015, from BOJW across the orthodox spectrum all of whom lived in the Greater London area during that time. I also trawled local synagogue-community announcements, educational institutions' class advertisements and relevant media articles throughout the period of research.¹²⁶ As I discuss in detail in Chapter Three, I am a British orthodox Jewish woman, a lecturer and an orthodox feminist-activist within my local British orthodox Jewish community, and because of my proximity to (and membership within) the British orthodox Jewish community, my research became known to lay-members, religious scholars and leaders of local synagogue-communities; they, too, kindly sent me relevant community announcements, some of which have been incorporated into this PhD.

4.2 THESIS OUTLINE

The remaining six chapters are organised as follows: Chapter Two sits at the heart of the research question, disentangling various notions of subjecthood, subjectivation, submission, habituation, identity, intelligibility and agentic capacity. The first half of this chapter examines the formation of the subject and the performance of acts, before exploring the multiple meanings of agency; I conclude by proposing a shift towards a concept of agency which encompasses the ways in which BOJW generate pious acts. The second half of the chapter is an in-depth

¹²⁵ 'Any theory of subjectivity that fails when confronted with a concrete case is not going to be able to tell us much about what it means to be a man or a woman today.... I spend much time thinking about why concrete cases matter so much to theory' (Moi, 1999:xiii-ix).

¹²⁶ Research methods and analysis are detailed in full in Chapter Three.

analysis of the performance of religious acts, in which I highlight the system of *halakha* [Jewish law] in relation to contemporary normative orthodox practice and shifts in religious norms. I then examine the risk taking in generating pious acts within a specific cultural location and within existing structures of power, both of which implicate intelligibility. I conclude by proposing the concept of a generative piety performed by BOJW, which continuously disrupts the status quo of religious practice, and has material impact on which pious acts are considered normative or permissible within the British orthodox Jewish community.

Chapter Three examines the challenges of the research process in light of my proximity to the British orthodox Jewish community, all the time careful to adhere to feminist epistemological concerns about the situatedness, partiality and location of knowledge. It then locates BOJW within the worldwide orthodox Jewish community, making relevant comparisons to the orthodox communities in the US and Israel. The chapter goes on to detail the methodology of this research, examining the various methods of data collection, its ethics, benefits and challenges, and specifically how I located the interviewees, conducted the interviews, as well as the how the material collated was then analysed. Lastly, I consider the complications of translation and the hyper-referencing in the body of the text of the thesis, given the normalisation of colloquial phrases used by BOJW and within orthodox Jewish communities.

Chapters Four, Five and Six examine the pious practices of BOJW, with specific reference to education (Chapter Four), ritual participation (Chapter Five), and

leadership and authority (Chapter Six). BOJW are often denied access to these three central tenets of orthodox Jewish life, and these chapters detail how BOJW generate pious practices in order to accord a religious subjectivity to themselves. I consider the precariousness of their religious identities in so doing, and how (and sometimes why) they choose non-normative, or subversive religious performances. These chapters compare the educational, ritual and leadership opportunities for orthodox women in the States and Israel, firmly locating the experiences of BOJW in the UK.

Specifically, Chapter Four considers why education is so fundamental within the orthodox Jewish community, and how it is particularly marked by the politics of location. It examines the experiences of the interviewees, with regard to their own, or their children's primary and secondary religious schooling experience, as well as the adult education offered to them by their local synagogue-communities or other religious educational bodies. Lastly, this chapter describes and analyses the generative educational pious practices performed by BOJW in educating their children, and through their experience of the *Mishnah Chabura* [women's oral law study group], and how these disrupt both their intelligibility and identity.

Chapter Five examines how BOJW perform ritual, and how they generate pious acts both at home and in their wider Jewish communities. It is divided into three main sections; the first explains the meaning of ritual as part of everyday orthodox Jewish practice, as well as who defines and delineates the way in which it observed; it also considers how ritual exclusion impacts on feelings of belonging. The second

section examines three case studies of public ritual: *Simchat Torah*,¹²⁷ Women's *Megillah* Readings¹²⁸ and *Partnership Minyanim* [open-orthodox communities];¹²⁹ and the final section examines both the choice of BOJW not to participate in public ritual, as well as considering emerging domestic ritual practices including *HaMotzi* [blessing for eating bread]. I conclude by reflecting on the ways in which the performance of ritual pious acts implicates the identity of BOJW through their experiences of exclusion and belonging.

Lastly, Chapter Six examines the experiences of BOJW with regard to religious authority and power, highlighting both the lack of leadership programmes and leadership positions within the British orthodox Jewish community for orthodox women, as well as the few exceptional opportunities. It is divided into three main sections; the first locates orthodox Jewish women's leadership and authority by detailing programmes in Israel and the US at *Nishmat*,¹³⁰ *Midreshet Lindenbaum*,¹³¹ *Matan*¹³² and *Yeshivat Maharat*,¹³³ and by examining the limiting structures of orthodoxy in the UK; the second section explores circulating tropes¹³⁴ of authority and control within the British orthodox community, drawing attention to how

¹²⁷ *Simchat Torah*: autumn festival celebrating the concluding and re-starting of the yearly reading cycle of the *Torah*; celebrated on the day after *Shmini Atzeret* (outside Israel); see: APPRBDIX 1, DEFINITIONS.

¹²⁸ *Megillah*: refers to the scroll chanted publicly on *Purim* [Feast of Lots], a spring festival celebrating the redemption of the Jews in Persia in approximately 400BCE.

¹²⁹ *Partnership Minyan*: refers to the newly established open orthodox / semi-egalitarian orthodox communities; see: APPRBDIX 1, DEFINITIONS.

¹³⁰ See: <http://www.yoatzot.org/yoatzot-halacha-intro/>.

¹³¹ See: <https://ots.org.il/program/susi-bradfield-wihl/>.

¹³² See: <https://www.matan.org.il/en/beit-midrash/hilkhata/> and <https://www.matan.org.il/en/beit-midrash/morot-lhalakha/>.

¹³³ See: <https://www.yeshivatmaharat.org/ordinationprograms>.

¹³⁴ In general, I use the term trope to refer to the circulation of negative or prescribed stereotypes of British orthodox Jewish women.

women in authority are constructed as dangerous, inaccurate and untrustworthy.

The final section describes the hopes and aspirations of the BOJW interviewed with regard to BOJW's religious leadership and authority, the way in which BOJW have generated modest shifts and changes within the orthodox community, and how that community responds to these changes. I conclude by reflecting on the current situation in the UK with regards to women's religious leadership, and how this particular arena of practicing piety is, arguably, the most difficult to achieve.

In conclusion, Chapter Seven reviews the main findings of this research, asking how it has contributed to gender studies, and to religious and Jewish studies – most specifically to philosophical debates about agency. I conclude by proposing that BOJW mobilise agency through their performance of the pious practices they generate within the UK's orthodox Jewish community. I then suggest further research trajectories.

CHAPTER TWO
THE RELIGIOUS SUBJECT:
AGENCY and CULTURAL INTELLIGIBILITY

'Recognizing women's agency... entails recognizing the ways in which
women deploy tradition strategically.'
(Fishbayn Joffe and Neil, 2013:xxiv)

1. INTRODUCTION

This chapter sits at the heart of the research question, disentangling and exploring various notions of subjecthood, subjectivation, submission, habituation, identity, practice, performance and agentic capacity. These ideas are framed in the everyday experiences of BOJW, especially in terms of the ‘recognisable subject’ as intelligible. I will argue that given that theories of agency concerned with the religious subject must be grounded in real women’s lives, those BOJW who challenge and shift their identities through their day to day performances of pious practices as religious subjects need further examination.¹³⁵ How they practice their pious practices and what these religious acts do, how they function in the local and wider religious communities is what interests me here. Thus, I challenge as well as employ contemporary theorists, in particular Judith Butler and Saba Mahmood in their framing of agency of the religious subject. In this chapter, I move the meaning of agency from a binary sense of (only) the mis-act as agentic (Butler, 1990); through the ‘inhabiting norms...as a modality of action’ (Mahmood, 2005) and suggest a shift towards a concept of generative agency. What I mean by generative agency is that orthodox Judaism is a practice-based religion, as well as (or as opposed to) a belief- or dogma-based religion, and as such what people do, the practices they perform, produce an agency that is grounded in deed. As I explain in detail within this chapter (and, as is demonstrated in Chapters Four, Five and Six), those who practice orthodox Judaism both reflect normative local practice as well as generate it, and this creates tension within the *halakhic* [Jewish legal] landscape. But what it

¹³⁵ As a methodological pursuit, like Toril Moi, ‘I spend much time thinking about why concrete cases matter so much to theory.’ (Moi, 1999:ix)

also does is make it difficult to describe the sort of agency it reflects without taking into account the religious normative performances of which it is a part. Orit Avishai (2008) notes that women's participation, 'in conservative religions is paradoxical only from the perspective of the observer, who is unwilling to register forms of agency that embrace religiosity for the sake of religiosity. To see agency, one does not need to identify empowerment, subversion, or rational strategizing. It suffices to note how members of conservative religions "do"—observe, perform—religion, wherever that might lead.' (Avishai, 2008:429) I want to ensure that the 'doing' is the key measure (as it were) of the agency described, all the time aware that this kind of practising of deeds, as well as demonstrative of (some kind of) agency, may also generate individual and or communal normative orthodox practice.

Additionally, if religious subjectivity of orthodox Jews is recognisable through the normative practice of pious acts – primarily within education, ritual participation and positions of leadership and authority – the fact that BOJW are denied what constitutes normative religious subjectivity means they may seek to generate pious practices which then accord them this.

This chapter is divided into three main sections. Firstly, I examine theoretical concepts of the formation of the subject, exploring questions of disciplining the body, examining the performance of acts, and specifying issues of agency within the religious subject. The second section considers how BOJW and the British orthodox Jewish community navigate shifts in normative orthodox practices, how this process functions within the system of *halakha* [Jewish law] and what generating pious acts means within this framework – especially in terms of intelligibility. Lastly, this

chapter questions what it means for religious subjects to train their desire, and what this phenomenon looks like in terms of agentic capacity. In conclusion, I advocate for the concept of a generative agency, summarising the way in which pious acts are performed by BOJW.

2. AGENCY and the FORMATION of the SUBJECT

2.1 WHAT is a SUBJECT?

Judith Butler is propelled into theoretical agitation on her reading of De Beauvoir's seminal feminist masterpiece, *The Second Sex* (1949), stating that,

'Simone de Beauvoir suggests in *The Second Sex* that "one is not born a woman, but, rather, becomes one." For Beauvoir, gender is "constructed", but implied in her formulation is an agent, a cogito, who somehow takes on or appropriates that gender and could, in principle take on some other gender... Beauvoir is clear that one becomes a woman, but always under a cultural compulsion to become one.' (Butler, 1990:11)

Butler questions the notion of becoming a woman, by asking – if there is no woman *before* this becoming, *who* occupied this space? And had there been a woman *before* this becoming, what kind of subject was she? She deduces from de Beauvoir's work that, 'woman itself is a term in process, a becoming, a constructing that cannot rightfully be said to originate or to end'. It is therefore 'an ongoing

discursive practice, it is open to intervention and resignification' (Butler, 1990:45). In other words, the self is an ongoing negotiation, a construction which, by definition, is continuously in process. What this assertion suggests then, is that a subject is in continuous flux, not stable in its identity, but nevertheless somehow *recognisable* as a subject at all.¹³⁶ Butler's particular interest lies with the construction of gender and it is within this context she proposes that 'if gender is something that one becomes – but can never fully be – then gender is itself a kind of becoming or activity, and that gender ought not to be conceived as a noun or a substantial thing or a static marker, but rather as an incessant and repeated action of some sort' (Butler, 1990:152). Thus, Butler conceives her landmark theory of *performativity*, proposing that a subject *performs* its way into being through the repetition of particular acts. Given her assertion that the subject performs itself into being through the ongoing series of deeds it does, she troubles the notion of identity as a *static* condition. Instead, she prefers this alternative reading of identity, stating that 'gender is always a doing, though not a doing by a subject who might be said to pre-exist the deed' (Butler, 1990:34) For Butler then, the deed (the act, the performance) itself is subjectivity in the making.

However, Toril Moi has concerns with this lack of 'being' and argues that, '[t]he body as a situation is a concrete body experienced as meaningful, and socially and historically situated. It is this concept of the body that disappears entirely from Butler's account of sex and gender' (Moi, 1999:74).¹³⁷ And this 'situation' is

¹³⁶ For further reading on this, especially in terms of the subaltern, see Spivak, 1988.

¹³⁷ For similar critiques of Butler, which highlight concerns about the extent to which post-modernism questions the meaning of the body, see also: Benhabib, 1995 and Bordo, 1992, 1994.

impossible to avoid when speaking of the BOJW, for it is this concrete embodiment that defines so much of what *halakha* [Jewish law] demands of her, and the framework within which the 'available' choices she might have are mobilised; and yet her deeds are so much a part of what defines who she is, what makes her recognisable. According to Butler, as a necessary function of this process of *becoming* a subject (but never actually arriving) is de Beauvoir's assertion that in becoming a woman, a subject may be 'an agent, a *cogito*' but nevertheless is 'always under a cultural compulsion to become one' (Butler, 1990:11). Herein lies another instability, at the very moment a subject requires some kind of agency to perform an act, the very act itself is curbed by whatever particular cultural constraints determine what that subject *ought* to look like, which acts it is *allowed* to perform; what I termed above, her framework of 'available' choices. What is interesting in Butler's arguments is that she considers the 'cultural constraints' on certain subjects whilst nevertheless proposing the body is *not quite there*, following in the footsteps of the French existentialists who preceded her. Moi (1999) differentiates carefully here between Butler's reading of de Beauvoir and her own. She suggests that, 'Butler and Beauvoir are both anti-essentialist. But whereas de Beauvoir works with a non-normative understanding of what a woman is, Butler thinks of a woman as the ongoing production of a congealed ideological construct... *Butler's concept of gender does not encompass the concrete, historical and experiencing body*' (Moi, 1999:75; *italics mine*). And this concrete, historical and experiencing body as the embodied subject is important for this this research because embodiment is one of the essential (-ised) frameworks through which

orthodox Judaism makes demands and has expectations of a BOJW, indeed without (as it were) her body, how would she frame the *religious* decisions she makes.

Take for example the laws of the menstruant woman [*Hilkhot Niddah*]¹³⁸ which describe and define the legal consequences of cervical opening, menstruant blood, uterine pain, bleeding after childbirth, vaginal discharges and so on. Each of these experiences, with their practical *halakhic* [legal] ramifications are grounded in the physical experience of being in a woman's body,¹³⁹ and being in that particular body has ramifications for her *halakhic* [legal] status (as a wife who is permitted or prohibited from having any kind of physical relationship with her husband for example).¹⁴⁰ Thus, the orthodox Jewish woman becomes a religious subject through the material fact of her body, and necessarily it makes sense to find Butler wanting here – as Moi concludes, '[w]hen Butler conceives of gender as a category that does *not include* the body... she loses touch with Beauvoir's category of 'lived experience'" (Moi, 1999:74) and it is precisely this lived experience, this embodied lived experience which I want to emphasise.

Furthermore, in questioning what constitutes subjecthood, Butler examines Michel Foucault's (1976) work on regulative power structures. She proposes that Althusser's system of 'linguistic interpellation' and 'coming into being' is the

¹³⁸ See: Karo, *Shulchan Arukh (Y"D 183-202)*.

¹³⁹ See: Avishai, 2008; and Kabeer, 'Wherever we look, some aspect or some notion of gender helps to organise the division of labour, roles, responsibilities, groupings and so on. Clearly gender doesn't exist on its own, it exists interacting with other kinds of organisational principles like race, class and so on, but it is one of the most pervasive forms of organisation' at <http://www.lse.ac.uk/gender/about-us/minutes/27.00-27.27>.

¹⁴⁰ For more information on this topic, see: Zimmerman, 2006.

foundation for Foucault's 'discursive production of the subject' (Butler, 1997a:3).¹⁴¹ This coming into being, she explains, produces a subjection which 'consists precisely in this fundamental dependency on a discourse we never chose but that, paradoxically, initiates and sustains our agency' (Butler, 1997a:2). In other words, the discursive power constructs that produce subjecthood are those very regulatory discourses which may subordinate or limit that personhood and, most particularly the conditions of agency. Nevertheless, an agentic subject could not exist were those conditions of subject production not in place. So, that even as 'power [is] exerted on a subject, subjection is nevertheless a *power assumed by the subject*, an assumption that constitutes the instrument of that subject's becoming' (Butler, 1997a:11; *italics* in the original). She continues: 'Let us consider that a subject is not only formed in subordination, but that this subordination provides the subject's continuing condition of possibility' (Butler, 1997a:4). Foucault calls this precarious instability, the 'paradox of subjectivation', a formulation encapsulating the reality that, 'the very processes and conditions that secure a subject's subordination are also the means by which she becomes a self-conscious identity and agent' (Mahmood, 2005:17). What is so significant about this assertion is that it is precisely this ambivalent power structure which enables and produces the formation of the subject; as Butler herself concludes: '[t]he power imposed upon one is the power that animates one's emergence, and there appears to be no escaping this ambivalence' (Butler, 1997a:198). Arguably, it is this very ambivalence of power and agency that complicates the notion of subjecthood, and this forms a

¹⁴¹ Althusser, L. (2001) *Lenin and Philosophy and Other Essays*; Monthly Review Press, (orig. published in 1971).

very useful lens for analysing what it might mean to become a *religious subject* – *performing* mandated acts (or refraining from forbidden acts) which simultaneously discipline the subject *and* maintain her contingent subjecthood. This idea in particular seems so pertinent to *halakha* [Jewish law] – that the acts one is required (or forbidden) to do purposely impact on the production of the self: in terms of enabling a spiritual, moral, social and individual flourishing at the very moment there are restrictions made on the permitted performances within which that flourishing can come about.

Furthermore, when Butler asks, ‘[w]hat does it mean to embrace the very form of power – regulation, prohibition, suppression – that threatens one with dissolution in an effort, precisely, to persist in one’s own existence?’ (Butler, 1997:9), she asks in reference to all subjects, addressing the absurdity that ‘[s]ubjection consists precisely in this fundamental dependency on a discourse we never chose but that, paradoxically, initiates and sustains our agency’ (Butler, 1997a:2). This paradox seems startlingly pertinent to the religious subject who actively, openly, and with intention embraces (and submits to) the very law which, it seems, restricts her as it brings her to life. It would be remiss not to mention Foucault’s notion of the panoptic system of ‘surveillance’ here. Amidst contesting agentic theories, the structure of life as permeated by self, peer and communal¹⁴² surveillance – the

¹⁴² See: an interesting article entitled ‘Frum Signalling’ in which Sally Berkovic describes the pressures put on religious individuals and families to conform to pious acts, creating a kind of virtue signalling, which she has contextually named ‘Frum Signalling’. This general phenomena has recently been reported in the USA with reference to a number of high profile celebrities who make public statements about their ‘virtuous deeds’, arguably in a bid to outdo their peers. Berkovic (2017) comments on the pressure, irony and hypocrisy of this phenomenon within the British orthodox Jewish community (‘Frum Signalling’ in *timesofisrael* (blog) [21/03/17]; at: <http://blogs.timesofisrael.com/frum-signalling/>).

visible and most tellingly, the invisible – instructs the agency of all subjects, especially those who live within religious communities whose normative practices and performative identities, I would argue, are saturated in the concept of visibility.

As Foucault states:

‘The panoptic mechanism arranges spatial unities that make it possible to see constantly and to recognise immediately... Visibility is a trap...

Unverifiable: the inmate must never know whether he is being looked at at any one moment; but he must be sure that he may always be so.’ (Foucault, 1991:200-201)

This manner of surveillance,¹⁴³ its continuous presence as well as its paradoxical invisibility, promotes (if not demands) a modus of docility. Within the orthodox Jewish community, this docility permeates schools, synagogues and the community’s geographic neighbourhood, and obliquely intrudes into homes. Thus, the ethical formation of a moral character, although bound up with habitus through individual performative acts, is also a process in which the individual’s ability to act with agency might be thwarted by the anxiety generated by the mechanism of perpetual visibility. In particular, the relationship between surveillance and discipline is keenly read through this analysis – and discipline, especially discipline of the body, is an essential motif of the religious life, and in particular of orthodox Jewish *women’s* lives.

¹⁴³ See: Nadia Jacobs’ comments in Chapter Six, ‘and you might think I’m quite obsessing here about my self-image as an orthodox educator and that’s because I am. And that’s because I’m under such scrutiny’ [30/09/14].

2.2 THE PERFORMING of ACTS

By definition then, the ongoing performance of acts implicates agency, and it is within this system of the repetition (or not) of acts that Butler asserts her framing of the agentic act,

‘The rules that govern intelligible identity... operate through *repetition*.

Indeed, when the subject is said to be constituted, that means simply that

the subject is a consequence of certain rule-governed discourses that

govern the intelligible invocation of identity. The subject is not determined

by the rules through which it is generated because signification *is not a*

founding act, but rather a regulated process of repetition that both conceals

itself and enforces its rules precisely through the production of

substantializing effects...”agency”, then, is to be located within the

possibility of a variation on that repetition.’ (Butler, 1990:185; *italics in the*

original)

Thus, Butler proposes that there is a negotiation of agency which presents itself through the possible *variations* of acts, whereby the repetition might be thwarted, called into question. If the subject does indeed perform to task, then all well and good. But what if the subject does not, what if she *acts out*, if she performs a variation on that repetition? Butler therefore considers performativity a perilous enterprise since:

‘The subject is compelled to repeat the norms by which it is produced, but that repetition establishes a domain of risk, for if one fails to reinstate the norm “in the right way,” one becomes subject to further sanction, one feels the prevailing conditions of existence threatened... how might we begin to imagine the contingency of that organization, and performatively reconfigure the contours of the conditions of life?’ (Butler, 1997a:29)

Butler terms these ongoing moments at which subjects might *act out*, ‘sites of contestation’ and these sites allow for the performance of subjecthood to take an alternative trajectory. In other words, within every given act, there lies the possibility of a *mis*-act. Butler considers what the category ‘woman’ means in this context (and how performativity accounts for it) by suggesting that, ‘[t]he assumption of its essential incompleteness permits that category to serve as a permanently available site of contested meaning’ (Butler, 1990:21). Thus, what proves to be so significant within her theory of performativity is either the re-signification of the self through the ongoing acts one performs, or the *undoing* of the self through a mis-act.

Consequently, if the subject’s identity is a series of performances – how easily is she recognised? That is to say, that with every performance of the self, her cultural intelligibility may be called into question, and as a consequence, she may become *unrecognisable*. Thus, if the cultural compulsion to perform particular acts is subverted, this may render the subject *culturally unintelligible*. I cannot emphasise enough how pertinent I believe the issue of recognisability (or cultural intelligibility)

plays a part in the day to day life of the BOJW. Her pious acts, her subversion of those acts, her delight or resentment of those acts, are defining features of her identity within the orthodox Jewish community as well as defining her complex identity to herself, or calling it into question. Butler, in questioning what sorts of (gender) identities are considered unintelligible, suggests that:

‘Inasmuch as “identity” is assured through the stabilizing concepts of sex, gender, and sexuality, the very notion of “the person” is called into question by the cultural emergence of those “incoherent” or “discontinuous” gendered beings who appear to be persons but who fail to conform to the gendered norms of cultural intelligibility by which persons are defined.’
(Butler, 1990:23)

Butler is radical in her reading of cultural intelligibility here, implying that personhood itself is called into question if a subject resignifies herself by failing to conform to the recognisable social and cultural norms which produce her.¹⁴⁴ This point is crucial – according to Butler, a subject is called into being by the acts she performs and is recognised as a person through those acts – *only as long as they conform to the rules and regulations of who might perform them, what those acts mean and to whom* – and the power of this regulation is so substantial as to render a subject a non-person, no subject at all. Arguably, it follows that the BOJW, who is

¹⁴⁴ ‘And how do the regulatory practices that govern gender also govern culturally intelligible notions of identity? In other words, the “coherence” and “continuity” of “the person” are not logical or analytic features of personhood, but, rather, socially instituted and maintained norms of intelligibility’ (Butler, 1990:23).

ostensibly bound by many rules and regulations, has an ongoing precariousness of identity which ultimately impacts her sense of personhood, so intimately bound up with the pious acts she chooses to perform, those she chooses not to perform and the way in which she performs them.

But Moi differs with Butler's reading of de Beauvoir here, and argues that what is so liberating about *The Second Sex* is the fact that, 'Beauvoir refuses to hand the concept of 'woman' over to the opposition', suggesting that women, therefore do not have 'to prove that they are 'real' women... prove that they can conform to someone else's criteria for what a woman should be like'; because, continues Moi, de Beauvoir believes that a 'woman is someone with a female body from beginning to end... but that body is her situation, not her destiny' (Moi, 1999:76). In other words, *not* conforming to social and cultural norms does not make a woman unrecognisable as a woman, '[h]owever bizarrely a woman may behave' (Moi, 1999:77). This is a very useful distinction as it highlights why Butler's work captures something experienced by BOJW, even as they remain a woman. As an orthodox Jew, it is precisely the acts one performs which generate the identity of orthodox, and thus whatever a subject's body, and however recognisable they may be as a woman, the performance of non-conformative religious acts may well render them unrecognisable as an orthodox religious subject. What I mean to say here, is not that if you don't perform religiously mandated acts (or refrain from those that are forbidden) then you are not an orthodox Jew. Plainly that is the case. But, even as Moi insists we read de Beauvoir in knowing that a woman is a woman is a woman regardless of her pious (or otherwise) performances – there is something to be said

in her account for the association of the body with certain acts – even if they do not render a BOJW *not a woman*, they do render her identity as a BOJW compromised – precisely *because she is a woman*.

Also, relevant here is the concern about which pious acts are performed by women. By this I mean that some acts, although mandated by *halakha* [Jewish law] or not forbidden by it, nevertheless remain outside normative practice. These ‘non-conformist’ acts are those which may render a subject unrecognisable irrespective of their status in Jewish law. In many instances, *minhag* [local custom] trumps *halakha* [Jewish law] in terms of cultural intelligibility – and this is a subject to which I will return in detail (Chapters Four, Five and Six). I want to emphasise here the seemingly small decisions which implicate orthodox Jewish women in this way.¹⁴⁵ For example, in some *chasidic* communities, non-conformity might be associated merely with the thickness of the tights a girl or woman wears to exemplify modesty; in some *charedi* communities, a married woman who wears a hat, rather than a scarf or *sheitl* [wig] to cover her hair may be scrutinised for this ‘unacceptable’ hair covering. These examples are brought to make clear to the reader the problematic nature of the seemingly ‘small’ act in rendering an orthodox Jewish woman unrecognisable, or, in Butler’s words, culturally unintelligible. To an onlooker, these nuanced details may not even be noticeable, never mind recognisable as meaningful as specific acts of defiance or subversion, submission or

¹⁴⁵ Compare this idea of detail to my discussion of Furness (2012) in Chapter Three.

compliance. Yet, these ostensibly insignificant small acts may have great significance and material consequence for the religious subject who performs them.

It is because religious acts matter *so much* to those for whom orthodox Judaism is a way of life, that Butler's supposition is an important way of thinking about the formation of the religious subject. Acts are regulated and often public, they are framed by the discourse of *halakha* [Jewish law], and they determine what sort of life a subject has chosen to lead. Acts are forbidden, and acts are mandated, they are permitted or they are tolerated – but to all intents and purposes acts make British orthodox Jewish women *recognisable* as religious subjects – to themselves, to their communities and in contradistinction to their UK secular counterparts. They work, therefore, to self-identify *and* to differentiate – and in so doing, form an identity.

Identity itself, religious or otherwise, is a slippery concept. It holds subjects together as whole, knowable human beings, it categorises and stabilises – you know where you stand, with whom you identify. But, identity as a categorical device also prescribes and determines – fixes and limits, controls. I am interested specifically in what makes the idea of an identity so powerful such that subjects are determined to claim it, own it, hold on to it, even as they re-invent and subvert it.

What I mean by this is that some British orthodox Jewish women resist the urge to abandon¹⁴⁶ their identity as orthodox Jews and prefer (it seems) to wrestle with

¹⁴⁶ For a further discussion on leaving one's religious or cultural heritage, see Oonagh Reitman's chapter, 'On Exit' in Eisenberg, A. and Spinner-Halev, J. (eds.) (2005) *Minorities within Minorities: Equality, Rights and Diversity*; CUP; and for a contemporary analysis, see:

themselves, with their Jewish community and with Jewish law (*halakha*) in order to maintain their identity – simultaneously shifting what constitutes that identity. This idea is expressed very clearly by Butler when she asks, ‘how do the regulatory practices that govern gender also govern culturally intelligible notions of identity? In other words, *the “coherence” and “continuity” of “the person” are not logical or analytic features of personhood, but rather socially instituted and maintained norms of intelligibility*’ (Butler, 1990:23; *italics mine*).

Accordingly, the subject must question to what degree she is willing to ‘act out’ given the significant social and cultural repercussions may well be enormous. The self is so precariously situated within its cultural normative framework that, as Butler puts it: ‘[w]here social categories guarantee a recognizable and enduring social existence, the embrace of such categories, even as they work in the service of subjection, is often preferred to no social existence at all’ (Butler, 1997a:20; *italics mine*). Arguably then, the sheer pressure of regulation which compels a subject to remain culturally intelligible may far outweigh the ability to be truthful to oneself. If, as feminist Jewish orthodox philosopher Tamar Ross states, ‘[c]ulture, not biology, is destiny’ (Ross, 2004:6), how then do BOJW become agentic religious subjects, and how do they negotiate the gendered cultural and religious contestations which mark their particular construction? How does this process emerge within the British orthodox Jewish community? And, specifically, how is this negotiation navigated through the generative performance of pious acts?

<https://www.haaretz.com/us-news/.premium-the-harsh-reality-awaiting-hasidic-jews-who-leave-the-fold-1.5459985> or <https://www.footstepsorg.org/about-us/>.

2.3 The RELIGIOUS SUBJECT

Notably, Butler claims that given that the process of becoming is 'an ongoing discursive practice', it is therefore, '...open to intervention and resignification' (Butler, 1990:45); thus, there is a negotiation of agency which presents itself through the possible variations of acts, whereby the (anticipated) repetition might be thwarted, called into question which allow (for) the subject to take an alternative trajectory. Butler considers what the category 'woman' means in this context (and how performativity accounts for it) by suggesting that, '[t]he assumption of its essential incompleteness permits that category to serve as a *permanently available site of contested meaning*' (Butler, 1990:21; *italics mine*). It is these openings which prove so significant in the forming of the agentic self. This variation on *a regulated process of repetition* is what Butler maintains is *the* moment of agency which emerges through the site of contested meanings, such that, 'agency exceeds the power by which it is enabled' (Butler, 1997:15). Thus, Butler's supposition is that this agency requires that the subject *act-out*, perform in some kind of subversive way – thereby implying that the ongoing reiteration of the self as prescribed by her past is in no way innovative or remarkable. What is clear from her contention is that this performance is of a binary nature – a subject either repeats a particular way of being in the world, or through some agentic capacity thwarts that expectation and *acts-out*. What Butler does not consider here is that *acting-in* has any sense of agency, or that it is possible to create a different kind of agency *within* the regulatory norms.

Saba Mahmood's examination of the women of the piety movement in Egypt emphasises this weakness in Butler and encourages us to think beyond a 'human agency [which] primarily consists of acts that challenge social norms and not those that uphold them' (Mahmood, 2005:5). As Shira Wolosky notes:

'Perhaps, as Mahmood herself suggests, 'complicated evaluations and decisions were aimed toward goals whose sense is not captured by terms such as obedience versus rebellion, compliance versus resistance, or submission versus subversion' (Mahmood, 2005:178-180); but rather, the focus of analysis should consider that 'participation opens a way of relating to tradition *other than resistance or complicity...*' (Wolosky, 2009:25; *italics mine*)

So, Mahmood suggests we think of (religious) subjects as 'inhabiting norms' with agentic capacity.¹⁴⁷ Her work essentially creates fractures which transform the meaning of agency, '...not simply as a synonym for resistance to social norms but as a modality of action' (Mahmood, 2005:157). She quotes Abu Lughod's observation in which she 'criticizes herself and others for being too preoccupied with "explaining resistance and finding resisters" at the expense of understanding the workings of power' (Mahmood, 2005:8).¹⁴⁸

¹⁴⁷ '...how do we analyze operations of power that construct different kinds of bodies, knowledges and subjectivities whose trajectories do not follow the entelechy of liberatory politics?' (Mahmood, 2005:14)

¹⁴⁸ Abu-Lughod (1990) 'The Romance of Resistance: Tracing Transformations of Power Through Bedouin Women' in *American Ethnologist* 17(1):41-55.

What might these workings of power look like, how do they function? In 1997 a group of women in the US formed the JOFA¹⁴⁹ (Jewish Orthodox Feminist Alliance) organisation. These women identified as orthodox Jews, but were disappointed with the way in which mainstream orthodoxy resisted orthodox women's demands to become religiously literate, participate in religious rituals and play leadership roles within their communities. Over the last twenty years JOFA has operated in providing literature on these issues; organised international conferences to explore them; and provides resources for orthodox Jewish women in communities worldwide to access information. It networks with communities worldwide to share ideas for projects which enable and promote women's religious flourishing. In June 2013, JOFA UK was founded by Dina Brawer,¹⁵⁰ and by way of inauguration had its first conference that year. Although there are those in the orthodox community who argue that JOFA is a resistance movement, its mission statement indicates otherwise:

'JOFA seeks to expand the spiritual, ritual, intellectual and political opportunities for women within the framework of halakha. We serve as a resource for those seeking advice, support or information regarding the role of women in Orthodoxy. JOFA advocates meaningful participation and equality for women in family life, synagogues, houses of learning and Jewish

¹⁴⁹ JOFA: <http://www.iofa.org/>.

¹⁵⁰ Brawer became the first BOJW to attain rabbinic ordination, and has subsequently moved to the States (July 2018). See Chapter Six, and see, Simmonds, 2018 at: <https://blogs.lse.ac.uk/religionglobalsociety/2018/04/a-female-ordination-british-orthodox-jewish-women-and-the-global-community/>.

communal organizations to the full extent possible within the framework of halakha.¹⁵¹

I believe this kind of discourse mimics Mahmood's 'modality of action' which neither perpetuates a passivity nor submission to religious norms; the women involved call to action other orthodox Jewish women, and they wish to remain within the framework of orthodox Judaism. Arguably, this is eloquently suggested in JOFA's explanation of its logo: '[t]he waves emerging from the logo remind us of our dedication to Torah, often compared to water, and illustrate our commitment to continually moving forward while remaining connected to our past'.¹⁵² In other words, there is no separation, no fracturing of the relationship with orthodox Judaism, its history or discipline, but nevertheless, there is a sense of movement, of flow; one might describe it as an attachment to, and a reverence of, the significant and knowable past.

Mahmood's critique of Butler stimulates this research: how to imagine and incorporate women's agential capacity *within* an arguably patriarchal religious cultural context, where it may seem that the subject perpetuates patriarchal norms and their own subordination, even when they are generating new and varied ways of performing pious acts. What Mahmood suggests (and what the JOFA UK conferences demonstrate) is that we 'keep the meaning of agency open' (Mahmood, 2005:35) proposing an alternative model where 'agency is not simply a

¹⁵¹ See: http://www.jofa.org/Who_We_Are/Mission.

¹⁵² See: <http://www.ukjofa.org/>.

synonym for resistance to relations of domination, but ...a *capacity for action* that the specific relations of subordination create and enable' (Mahmood, 2005:18; *italics mine*). One might argue that this is semantics: 'capacity for action' just another term for 'agency'; but Mahmood significantly expands Butler's notion of agency by proposing that, 'agential capacity is entailed not only in those acts that resist norms, but also in the multiple ways in which one inhabits those norms' (Mahmood, 2005:15). This proposal suggests then that agency is at play even when subjects act-in, when they adhere to norms which might seem to subjugate them – even on an ongoing basis. In other words, inhabiting norms is an iteration of the self, not necessarily as a form of non-agentic submission, but of willing (purposeful) agentic compliance.

In a slightly more nuanced approach, Ben-Yosef (2011) in her study of a group of *chasidic*¹⁵³ women who attend a religious class, argues that some of these women 'manage to tweak these... texts to access what they consider to be personal status and power' (Ben-Yosef, 2011:60-61). In other words, in a space where 'students assume agency through their studies mostly to reproduce power hierarchies' (*ibid*), there is nevertheless the possibility of inhabiting the norm whilst creating innovative ways of inhabiting that norm; in this case, *how* one learns religious text (passively as listener, or actively reading and analysing the text oneself) or *what* religious text one learns (biblical text or oral law – some orthodox communities forbidding the latter).¹⁵⁴ This example opens up the possibility for secular scholars,

¹⁵³ See: APPENDIX 1, DEFINITIONS.

¹⁵⁴ See: Chapter Four.

and in particular feminist scholars ‘to respect the meanings people themselves give to their practices and beliefs... and query that presumed opposition between submission and agency’ (Phillips, in Casanova and Phillips, 2009:42). Phillips, in suggesting the possibility of multiple meanings for (cultural, social, religious) practices, touches upon the exaggerated weight attributed to action (and its definitive meanings) in debates about agency. This reliance on action, or ‘action bias’ is problematised by Madhok (2013a)¹⁵⁵ who argues that, ‘free action... within a vacant social and moral space, bereft of not only the desires of other individuals but also from one’s own conflicting desires, cannot be the whole story of autonomy and of some accounts of agency’ (Madhok, 2013b:6). This critique of action bias highlights ‘the fact of sociality of persons – the idea that agents exercise agency within particular social context’ (Madhok, 2013a:7) (and this, of course, resonates within the ways in which BOJW choose which pious acts to perform or not within the specific context of the British orthodox Jewish community). Instead, Madhok suggests, we ought to ‘shift our theoretical gaze away from those *overt actions* to an analysis of critical reflections, motivations, desires and aspects of our ethical activity’ (Madhok, 2013b:106 *italics mine*). In trying to reconcile Madhok’s critique of *action bias*, with my focus on the *pious acts* of BOJW, I believe one of the problems lies in the definition of ‘overt actions’. Do the pious practices which BOJW generate constitute an ‘overt action’, such that my analysis relies on action bias to assume their agency? Or, is it that these pious acts are part of the web of orthodox Jewish practices where action (bias) is the normative state of religious affiliation,

¹⁵⁵ Amongst others; see also: Hemmings and Treacher Kabesh, 2013.

that the 'deed is everything' and therefore inescapable? This research analyses the pious actions of BOJW as *a* way of examining their agentic subjectivity (but does not presume it is *the only way*) whilst taking into account the bearing on self, family, community and (counter) re-action to the performance of pious acts, so that BOJW's performance of pious acts is always contemplated as being situated within the complex and often-times conflicting web of these negotiations.¹⁵⁶ Nevertheless, BOJW who perform acts of piety, to assume a religious subjectivity, are expressing their desires through particular pious acts.

Over the last 30 years especially, the study of sacred texts has proved to be one of the main avenues which has enabled orthodox Jewish women to reconsider their Jewish lived experience, subjectivity and religious status. It has not only enabled them to address legal argumentation around their own ritual participation, but this access to and study of sacred texts has also impacted their religious identity and their religious commitment. It is also *the* most significant area of differentiation between the UK and the United States or Israel, whose advances in women's Jewish literacy, education and scholarship far surpass it. In fact, Mahmood refers directly to education as an opportune 'site of contestation', as Armour (2006) states – Mahmood traces the development of 'schools of interpretation within the mosque movement in which women actively offer models of interpretation that at once conform to Quranic law and innovate precisely on the question of what it means to conform, how best to conform, and how to reconcile such conformity with secular

¹⁵⁶ See, in particular: Madhok, 2013a:38-39, in which she describes the complex case of *sathin* Mohini of Nayla and her decision to withdraw from contesting the 'reserved seat' for women at her local election; or see: Phillip's description of the pressure of social relationships in Phillips, 2013:143.

demands that emerge from the workplace and wider market realities' (Armour et al, 2006:286). Religious education then, perhaps unsurprisingly, works to offer many religious women a more in depth understanding of their own religion, often resulting in a deeper connection to it and a stronger desire to participate in it; but it simultaneously produces religious subjects who have the tools to question certain beliefs or practices, to be a part of ongoing religious legal wrangling, and to become empowered to make decisions based on this knowledge of sacred text. Within this context then, Ben-Yosef's *chasidic* women might be understood to claim 'the enunciative position of interpreting the law' which 'can be at once an act of conformity and something new' (Armour et al, 2006:286).¹⁵⁷ Education is an act of conformity because it has always been an pious act of the normative Jewish orthodox subject (men) in their aspiration to a recognisable religious subjectivity; but, in the historical exclusion of women from rigorous religious education, this practice might be considered 'something new' because it is an attempt by BOJW to accord for themselves a recognisable religious subjectivity previously denied to them.

Thus, the emergence of an agentic subject through *inhabiting norms*, by both perpetuating and subverting them, is a way in which we can begin to consider the lives of British orthodox Jewish women. I want to clarify an emerging tension here – that there are within this 'agency-of-inhabitation' two obvious permutations.

¹⁵⁷ As noted in Chapter Three.

1: that in the repetition of the act as it has been done in the past, the subject nevertheless acts with agency, because she wants to / desires / chooses to submit to her religious beliefs and practices; and

2: that within the inhabitation of norms there is movement and flexibility, either accidental or intended – a space to generate pious practice. These (new, subversive, evolutionary, revolutionary) practices are sometimes almost undetectable, so slight that they are not really perceived as shifts or changes in normative practice, yet over time women’s performance of them does indeed alter the normative landscape of pious practices (for example: women’s access to primary religious texts).¹⁵⁸ And secondly, of the more obvious generative shifts or changes in pious practice, which may initially be considered outside normative orthodoxy, some do eventually become part of that normative orthodox practice (for example: women’s *Megillah* readings at United Synagogues or within other orthodox communities) – and possibly, for some individual BOJW and communities, aspirations and ideals.¹⁵⁹

Mahmood also states that, ‘[i]nstead of limiting agency to those acts that disrupt existing power relations, Foucault’s work encourages us to think of agency: (a) in terms of the capacities and skills required to undertake particular kinds of moral actions; and (b) as ineluctably bound up with the historically and culturally specific disciplines through which a subject is formed’ (Mahmood, 2005:29), and in bringing

¹⁵⁸ See: Chapter Four for a further discussion of this phenomenon.

¹⁵⁹ See: Chapter Five, where this is explored in detail. See also: <http://www.goldersgreenshul.org.uk/wp-content/uploads/2019/02/purim.5779.pdf>.

the two examples above (*Megillah* readings and *Torah* study),¹⁶⁰ I challenge her presumption that even acts which fall arguably into the category of ‘inhabiting norms’ within religious law, may nevertheless disrupt the ‘existing power relations.’ How so? Firstly, with regard to orthodox Jewish women’s education, there has been a resultant shift from ‘asking the rabbi for *an answer*’ to ‘asking the rabbi for *religious textual sources* for his point of view’, and this phenomenon has been of notable concern to those in positions of religious power and authority (more on this in Chapter Six). When hierarchical structures of authority are questioned in this manner, it not only lays bare the highly emotive contemporary debates about *tradition* and *authenticity*¹⁶¹ within orthodox Jewish life, but critically, brings to the fore the theoretical complications of orthodox women’s subversion of power structures through their ‘inhabiting’ the norm of the study of religious texts [*Talmud Torah*]. Furthermore, the JOFA conferences and charity dinner in the UK (2013, 2015 and 2018) sparked serious criticism from several UK orthodox rabbis, a telling sign that the project itself – neither resisting nor complying with contemporary and localised norms – disrupted the machinations of power, such that those in religious authority acutely feel this kind of action of British orthodox Jewish women as problematic. In fact, both JOFA UK conferences, provoked particularly illuminating media coverage in terms of the orthodox rabbinic responses to them. For example, Rabbi Yitzchak Schochet of Mill Hill United Synagogue commented in the national Jewish weekly, *The Jewish Chronicle*, ‘those who look to satisfy a soul craving, *will adhere to what rabbis tell them is permissible*

¹⁶⁰ See: Chapters Four and Six.

¹⁶¹ See: Chapter One.

in Jewish law and act on it graciously' (Schochet, 2013]; *italics mine*).¹⁶² Schochet takes for granted, then, that women who perform pious acts, ought always to uphold the power structures and regulatory discourses which may subordinate or limit that personhood (Butler, 1997a).

Thus it could be argued, that this 'modality of action' was indeed perceived as a 'problematic agency' even as it complied with the letter of (Jewish) law. The JOFA UK conferences included lectures on religious practice, as well as classes on biblical narrative – the emphasis consistent with JOFA's mission statement – that women's participation be highlighted, as well as their historical and legal relevance in biblical and/or historical and legal narrative. This complex negotiation of working inside the orthodox framework of *halakha* [Jewish law], yet espousing more ritual participation of women, more robust women's religious education, or recognising their specific voice in a much-loved sacred narrative, clearly does not sit comfortably with Butler's binary agentic assertion, but neither does it sit comfortably with Mahmood's assertion that religious subjects' moral actions do not disrupt existing power relations. In other words, these are not acts comparable to Mahmood's Muslim women who perform their agentic subjectivity through 'self-care' and through 'perfecting their inhabitation of religious norms' (Mahmood, 2005); rather it is a generative agency through which BOJW negotiate their subjectivity through pious acts which do indeed subvert the normative practice of British orthodox Jewish communities.

¹⁶² For a response to Schochet's article see: <https://en-gb.facebook.com/JOFAorg/posts/another-excellent-response-to-anti-feminist-uk-rabbi-by-lindsay-simmonds-httpsww/10151555696206848/>.

3. SHIFTS IN RELIGIOUS NORMS

3.1 RESPONSIVE EVOLUTION – connecting to the past, generating the future

‘The rejection of all outside influences and of all halakhic development was actually a departure from Jewish tradition, which had previously embraced aspects of the non-Jewish world perceived as valuable, from Greek philosophy to Arabic poetry, and which had always developed organically, both in terms of halakha and philosophy. As Heilman (2005)¹⁶³ notes, while fundamentalisms claim that ‘tradition’ is pristine and unchanging, and must be defended against any deviation, but in fact this approach is itself a modern development which seeks to alter the tradition as it has been received, though its proponents deny it... *It is an irony that this insistence on no change was, itself, a change*’ (Elton, 2009:41-42; *italics mine*).

There are those Jewish scholars who would argue that shifts in religious norms, through the inhabitation of those norms, is the natural ongoing process of orthodox Jewish life – not something to be merely tolerated, but in fact an ideal.¹⁶⁴ Thus, *halakha* [Jewish law] is a living legal body which exists in, and responds to, an abundance of geographic and historic locations as well as changes in social, cultural,

¹⁶³ Heilman, S.C. (2005) ‘How did fundamentalism manage to infiltrate contemporary orthodoxy?’ in *Contemporary Jewry* (25):258.

¹⁶⁴ See, for example: Cardozo, L. (2018) *Jewish Law as Rebellion*; Harris, M. (2016) *Faith without Fear: Unresolved Issues in Modern Orthodoxy*; Ross, T. (2004) *Expanding the Palace of Torah*; and Shapiro, M. (2015) *Changing the Immutable: How Orthodox Judaism Rewrites Its History*.

medical and political norms and innovations. This concept, the shifts in communal norms, has weight in my theoretical argumentation. It matters because how people perform their religious life matters – as a part of the present landscape of orthodox practice and as a part of the possible future of those particular practices. I’m fascinated by the way in which these shifts take place as a matter of course over the lifetime of any person or community, as a consequence of the practices of those people and of the religious community itself; although there are those in the orthodox community, especially the *charedi* [ultra-orthodox] community who dispute those changes. Rabbi Yehudah Henkin¹⁶⁵ commented on this phenomenon, asserting, that, ‘[t]he role and place of women in both Jewish and everyday life have undergone changes in all sectors of Orthodoxy in the last century, including those that ostensibly reject any change’ (Henkin, 2003:x) reinforcing the observation that, ‘[t]he variety across time and region suggests that many things designated as essential components of the religion may be historical, contextual and cultural’ (Casanova and Phillips, 2009:52). This is examined in detail in the three analytical Chapters (Four, Five and Six) with regard to education, ritual participation and leadership within orthodox Jewish communities – but I want to bring together the issue of *shifts in communities* with what Eric Hobsbawm calls, *invented tradition*. He posits that this framework, religious or otherwise, ‘is taken to mean a set of practices, normally governed by overtly or tacitly accepted rules and of a ritual or symbolic nature, which seek to inculcate certain values and norms of

¹⁶⁵ Yehudah Henkin is a foremost *halakhic* [legal] expert, especially renowned for his work on orthodox women’s education, ritual participation and especially *halakhic* [legal] authority. Additionally, he is married to Rabbanit Chana Henkin, Dean of *Nishmat*, Centre for Advanced Torah Study for Women, Jerusalem; see: <https://www.nishmat.net/default.asp>; see also: Chapters Four and Six.

behaviour by repetition, which automatically implies continuity with the past' (Hobsbawm et al, 1983:1). He intends to highlight the phenomenon of, (and arguably, the need for) subjects, and I would add here, especially religious subjects, to associate as unmistakably as possible with the lifestyle, rituals, and practices of the past – in order to *preserve, demonstrate and perpetuate* their identity as a member of the particular group to which they belong; as Idit Koren observes in her research of orthodox brides in Israel, '[t]hey do not feel estranged from the system; rather they wish to change the system specifically because they identify with it' (Koren, 2013:220). This connection becomes, according to this reading, an essential part of these religious subjects' identity, such that there is an enormous social pressure to exhibit this association publicly.

Women's *Megillah*¹⁶⁶ readings are case in point. The reading of this sacred scroll on the festival of *Purim* [Feast of Lots] is a rabbinic obligation, and central to the festival's celebration; yet women in over thirteen United Synagogue communities (amongst others) in greater London in 2019 have chosen to purposely separate themselves from their wider local communities and create a women's-only space to read the scroll for themselves. There is no letting go of traditional obligation, no rendering the past as meaningless – rather, the practices of the past are given new life through a more direct relationship with them. Meaning and spiritual wellbeing is (arguably) invigorated through a *more active participation with the law, not a*

¹⁶⁶ *Megillat Esther*: 'The Scroll of Esther' contains the story of the Jews' escape from genocide in Persia (circa 357 BCE). It is a rabbinic obligation to read the scroll in public on the festival of *Purim* [Feast of Lots], one of four obligations of the day. According to almost all *halakhic* [legal] sources, women and men are equally obligated in all four of these religious requirements. See: Chapter Five for a fuller discussion, and APPENDIX 1, DEFINITIONS.

rejection of it. Thus, in terms of the perpetuation of religious norms, there is no brushing off the spiritual or ritual heritage, but a strong movement to preserve and maintain it – such that the act of chanting the scroll itself remains religiously significant and submission to the law remains absolute; yet the performance of the law, the ‘habitation of norms’ has been altered, with intent. I mean to express this idea as visibly as possible, as well as theoretically meaningful. This particular image is an impression of the *affect* of Mahmood’s ‘multiple ways of inhabiting norms’, a picture of religious women participating in a religious ceremony steeped in orthodox dogma; an aberration of proximity to religious practice, at the moment of submission to the law. This is what I am trying to convey by the phrase ‘generation of pious practices’; these practices are deemed *pious* because they are of *halakhic* necessity, but they are a *generated* practices through BOJW’s performance of them – as historically, this had not been the case.

The *halakhic* [Jewish legal] system demands both submission to God’s law (of biblical origin) and to those in religious authority, who interpret that law (rabbinic law). It demands that when questions arise which need particular and specific attention, an orthodox Jew explains the situation to her local orthodox rabbi, and he discusses the matter further with her, consults previous rulings on similar matters, contacts his colleagues etc. until he feels he can provide a suitable response (as described in Chapter One). This is not a rare occurrence, rather it is an ongoing daily feature of orthodox Jewish life and, to a great extent is an essential motif of a ‘living religion’. The process of *halakha* [Jewish law] and the relentless wrangling of *psak* [legal decision making] is a tripartite system which: venerates

past texts and oral traditions; looks out on to the contemporary landscape of Jewish life and observes what orthodox Jews actually do / what they practice; and which takes into account the specific issue at hand – and is the essential backbone to the continued meaning, relevance and contemporariness of orthodox life. Questions respond to all manner of issues – from the seemingly trivial to the obviously sacred – including family issues, *kashrut*,¹⁶⁷ festival participation or workplace negotiations. The manner and frequency of these of the encounters sheds light on the congregant-rabbi power dynamic differential, historically constructed as: subject-authority, questioner-knower, powerless-powerful. Arguably, this relationship inculcates and perpetuates the *rabbi* as both knowledgeable and powerful, but what it also does is perpetuate *man* (male) as knowledgeable and powerful. In Chapter Six, the innovative Israeli and American programmes, some of which educate women in sacred texts and some of which offer them ordination, will be discussed in detail – suffice to say here, that the UK orthodox community does not offer any comparable rigorous textual programme, nor any programmes of female ordination¹⁶⁸; thus this power-dynamic persists.

Through this research, I have discovered that several of my interviewees who educate themselves¹⁶⁹ such that they are conversant with *halakhic* [legal] texts, do not then refrain from asking rabbinical expertise, rather it is the nature of the

¹⁶⁷ *Kashrut*: The laws pertaining to foods fit for consumption; see: APPENDIX 1, DEFINITIONS.

¹⁶⁸ The Chief Rabbi's *Ma'ayan* Course is discussed further in Chapter Six.

¹⁶⁹ Batya Epstein [29/10/14], Miriam Engel [27/04/15], Atalia Fairfield [24/10/14], Nathalie Jacobson [16/09/14], Naomi Kory [29/10/14], Avivah Vecht [10/07/15] and Dalia Weiss [27/11/14] either learn *halakha* [Jewish law] with a study partner at home, with their husbands or through online research; see: <https://www.webyeshiva.org>, or <https://www.etzion.org.il/en>.

relationship which changes. Firstly, there is a tendency amongst some sectors of the British orthodox Jewish community for women to ask female scholars *halakhic* [legal] questions, especially those which relate to women's bodies, menstruation, sex, birth control and childbirth.¹⁷⁰ Secondly, those questions which continue to be directed towards community rabbis or *dayanim*¹⁷¹ [judges] become an opportunity for a more collegiate approach to tackling an *halakhic* [legal] problem, rather than a necessarily experience of submission. And thirdly, there are those who feel that the congregational rabbis and *dayanim* [judges] who occupy positions of authority in the UK are distanced from *halakhic* [legal] or philosophical predispositions of their congregants such that a proportion of British orthodox Jewish women do not approach them at all. Some make their own decision,¹⁷² whilst others seek the opinion of, or collaborate with religious female scholars.¹⁷³

3.2 ADAPTING THE LAW

‘...many studies demonstrate that religious women do not adhere to religious prescriptions blindly; as they adapt their religion to the realities of their lives, women subvert and resist official dogma through partial

¹⁷⁰ See: *Nishmat* Hotline: <http://www.yoatzot.org/ask.php>; or the graduates of the newly launched *Ma'ayanot* programme.

¹⁷¹ *Dayan* (singular) / *Dayanim* (plural): Judge of Jewish Law. He has undergone further study of and examination in Jewish legal texts and contemporary issues (usually at least ten years, often under personal direction). At present, only open to men in the British orthodox Jewish community.

¹⁷² Miriam Engel, [27/04/15].

¹⁷³ See, for example: <https://jewishweek.timesofisrael.com/a-milestone-women-advisors-in-jewish-law/> in which Rabbanit Chana Henkin states, ‘What made us take the path-breaking step of creating a new religious leadership role for Orthodox women? It was the understanding that, in the absence of a properly trained, rabbinically-sanctioned female address, many women's halachic and halachic-medical questions were not being asked. Many women simply felt uncomfortable discussing intimate details of their lives with rabbis, no matter how sensitive and empathetic our rabbis are. The cost was improper observance and, often, personal suffering.’

compliance (Pevey et al. 1996) and individual interpretations (Chen 2005; Gallagher 2003, 2004; Griffith 1997; Hartman 2003).’ (Avishai, 2008:411)

In 2009, two British orthodox Jewish women launched a women’s *Megillah* reading in their local community,¹⁷⁴ Katrina Altshul and Hannah Vale. Between them, they have studied in religious seminaries in Israel for over twelve years; notably, each is married to an orthodox rabbi. Having studied the *halakhot* [Jewish laws] pertaining to the *Megillah* reading, and having participated in women’s *Megillah* readings in both Israel and the US, they did not ask for any rabbinic approval to go ahead. Katrina informed her community rabbi of the event, in order to, ‘enable him to be prepared in case any members of our community came to ask him whether or not they could participate – either chanting or listening. I wanted to be transparent and straightforward. But I also made it clear that I was not asking his permission, I was letting him know what we were going to do’ (November, 2014). On hearing of their pursuit, her communal rabbi asked to meet with both women. He had gathered together a group of three rabbis (without informing the two women beforehand), and Hannah described the meeting as ‘being taken to task’ – both with regard to the rabbis concern and anger about having a women’s *Megillah* reading on their (the rabbis’) communal ‘turf’, and with regard to the two women not asking for rabbinic approval. In the event, the women went ahead with the *Megillah* reading;

¹⁷⁴ These two women have asked to remain anonymous; I spoke with them in November 2014, and again in October 2018. I have given them pseudonyms, Katrina Altshul and Hannah Vale (also mentioned in Chapters Four, Five and Six). Both these women teach in the Greater London orthodox Jewish community, both are married to orthodox rabbis, and both label themselves as orthodox feminist-activists within their local synagogue-community. Recently, Hannah Vale moved to the States.

stating that ‘a rabbinic friend intervened and put in a good word on their behalf and they were eventually ‘left alone’’; additionally, Hannah was not willing to submit to the rabbi’s request regardless. She said she felt ‘no compunction to take their perspective’, stating that she knew, ‘it was totally permissible in *halakha*, and I wasn’t asking their opinion’.

The response of the rabbinic leadership is indicative of the power struggle which emerges when BOJW who have become literate in legal texts, (or, as in this case, have also performed in a pious practice in a different geographic location) and want to make legal decisions for themselves and generate new pious practices within the British orthodox Jewish community. This shift of power also demonstrates the complexity of ‘inhabiting norms’ such that *submission* to Jewish law is not the question at stake, but *who* are the decision makers of *how* that law might be practiced. One could argue (based on this scenario) that both Hannah and Katrina are agentic subjects, yet it is clear that their agentic will is directed towards the submission to the will of a god, to something other than themselves. Echoing Mack’s (2003) proposition of submission as agentic, this example is demonstrative of the production of the subject through the religious discourse of her habitat, concurrent with her ability to imagine and generate subtle shifts in the practising of its discourse. Interestingly, in this example, it was Katrina who persuaded Hannah that speaking to the local rabbis was a good idea, that it would foster mutual respect and promote what she termed, ‘the healthy spectrum of viable *halakhic* options’. But, in the event, this is not what happened; and not only did Hannah feel vindicated in her initial resistance to ‘having a respectful conversation’, but Katrina

stated that this experience had distanced her 'from the relationship I want to have with rabbinic leadership; we were infantilised; worse, we were ridiculed for being so presumptuous' (November, 2014).

In her description of the negotiations of religious practice with those in power, Mahmood argues that, 'any discussion of transformation must begin with an analysis of the specific practices of subjection that make the subjects of a particular social imaginary possible... the scaffolding of practices... that secured the mosque participants attachment to patriarchal forms of life that in turn, provided the necessary conditions for both their subordination and their agency' (Mahmood, 2005:154). With this in mind, the submission to *halakha* [in this case, the legal process], and for Katrina, to the process of negotiating with local rabbis, might be considered their 'attachments to patriarchal forms of life'; but ultimately, these attachments were severely impaired by the very people who encourage allegiance to religious law. But given that Hannah and Katrina were generating a pious practice that had already been performed for many years in the US and Israel, in orthodox seminaries, synagogue-communities and schools; and given that they knew there was significant *halakhic* support for women chanting the *Megillah* for women, it is testament to the strength of the patriarchal systems in place within the British orthodox Jewish community that Katrina felt obligated to visit her local rabbi in the first place. The rabbi-congregant relationship, steeped in tropes of authenticity and tradition, pulled Katrina to it, even at the moment she was pushing away from its normative practices; as feminist philosopher, Tamar Ross notes, 'with respect to the past we are never capable of repeating it intact', yet '[n]either can

we totally release ourselves from its hold upon us in order to invent something entirely new' (Ross, 2004:199).

Furthermore, in June and November 2013, two groups of orthodox Jews launched several religious services outside of synagogue premises, both in North-West London.¹⁷⁵ Each of these groups called itself a '*Partnership Minyan*'.¹⁷⁶ *Minyan* is the Hebrew term for quorum, the minimum number of people required to constitute a community able to enact religious services including reading from a *Torah* scroll¹⁷⁷ and reciting *Kaddish*.¹⁷⁸ An orthodox *minyan* requires ten men. The *Partnership Minyan* asks that minimally ten men and ten women attend, and that both men and women participate in the service as much as is possible according to a modern liberal orthodox interpretation of *halakha* [Jewish law].¹⁷⁹ In practice this means that some parts of the service are restricted to men only, but that much of the service is opened up for women to lead. These have been extremely well attended, the services in June and November 2013 attracting over 160 participants between them, and currently, in 2019, there are six *Partnership Minyanim* across greater London.¹⁸⁰

¹⁷⁵ See: <http://www.kehillatnashira.org> (Borehamwood), and <https://finchleypartnershipminyan.com> (Finchley).

¹⁷⁶ See: <http://borehamwoodpartnershipminyan.weebly.com/what-is-a-partnership-minyan.html>. See also: APPENDIX 1, DEFINITIONS.

¹⁷⁷ *Sefer Torah*: The Sacred Scroll of the Five Books of Moses, kept in the synagogue ark and brought out for public readings on Mondays, Thursdays and *Shabbat* [the Sabbath], as well as *Rosh Chodesh* [the New Moon] and festivals. See also: APPENDIX 1, DEFINITIONS.

¹⁷⁸ *Kaddish*: Mourner's prayer recited several times during daily prayer services, requiring a quorum of men. See also: APPENDIX 1, DEFINITIONS.

¹⁷⁹ See article and *psak* [religious ruling] of Rabbi Daniel Sperber: http://www.edah.org/backend/JournalArticle/3_2_Sperber.pdf and in APPENDIX 10.1; this is discussed in more detail in Chapters Five and Six.

¹⁸⁰ *Kehillat Nashira*, Borehamwood, see: <http://www.kehillatnashira.org>; the Finchley *Partnership Minyan*, see: <https://finchleypartnershipminyan.com>; *Kol Rina*, Golders Green, see: <http://www.kolrinaminyan.com>; the Hendon *Partnership Minyan*, see:

Kehillat Nashira (the *Partnership Minyan* in Borehamwood) preceded their inaugural November 2013 service by a series of communal lectures which analysed the relevant *halakhic* [legal] material of the pertinent issues regarding this type of worship, but additionally gave the group a sense of ownership over their own religious experiences: *self directed* towards a relationship with others and God, not *formally mandated* by a particular community or rabbi. In so doing, they created a religious framework consistent with the orthodox practice of serious study and debate, but in order to practice innovative worship regarded by the majority of orthodox Jewish leadership in the UK as either very marginal indeed, or outside the orthodox camp altogether.¹⁸¹ Interestingly, both groups were organised by lay women, each of whom played a significant role in their own (previous) orthodox communities and the wider Jewish community. The local orthodox rabbinic community did not allow these services to take place on their orthodox synagogue premises, nor did they attend them. They did not advertise them or the preceding classes in the synagogue literature.

It is generally agreed, even by those who create and attend the *Partnership Minyanim* that given their religious location (here in the UK, in 2019) these services are a radical shift from the traditional orthodox service. They provide space – both physically and spiritually – for a different kind of religious flourishing, for the creation of an alternative religious subject. At a *Partnership Minyan*, both men and

<https://www.facebook.com/HendonPM/>; the London *Partnership Minyan*, see: <https://londonpartnershipminyan.wordpress.com/>; and the most recently set up, the North-West London *Partnership Minyan*.

¹⁸¹ See: Dysch, M. (2013) 'Chief warns against women leading prayers' in *The Jewish Chronicle* [27/12/13].

women lead prayer, although women are restricted to prayers which do not require the presence of a quorum of men; women are called-up¹⁸² to make a blessing over or read from the *Sefer Torah* [Torah Scroll]; and both men and women give religious sermons during the service. *Partnership Minyanim* are evidence of a submission to *halakha* [Jewish law] but not to normative orthodox practice, nor to majority orthodox rabbinic opinion. This kind of submission to the letter and spirit of the law according to those interviewees that attend them,¹⁸³ firmly aligns the group within the orthodox camp and is indicative of their desire to maintain their ties and allegiance to the orthodox Jewish world and the *halakhic* [legal] system (even if it is a minority reading of the law) – the sort of agency to which Mack (2003) referred. However, these services are considered beyond normative orthodox practice by almost all traditional orthodox rabbis worldwide,¹⁸⁴ and in the UK, by the Office of the Chief Rabbi.¹⁸⁵

On reflection, participants¹⁸⁶ remarked that *Partnership Minyanim* functioned to:

- a. provide suitable space for flourishing of orthodox women in particular,

¹⁸² Call-up [*aliya*]: to be given the honour of standing by the *Sefer Torah* on the platform from which it is being read, and reciting the blessing before and after its recitation. See: APPENDIX 1, DEFINITIONS.

¹⁸³ Atalia Fairfield [24/10/14], Nadia Jacobs [30/09/14], Nathalie Jacobson [16/09/14], Naomi Kory [29/10/14], Avivah Vecht [10/07/15], Dalia Weiss [27/11/14].

¹⁸⁴ For example, Rabbi Yehudah Henkin (Israel) see:

http://www.edah.org/backend/JournalArticle/1_2_henkin.pdf or Rabbi Alan Kimche (UK)

<http://rabbikimche.com/partnership-minyanim/> or Rabbis Aryeh A. Frimer and Dov. I Frimer (USA)

<https://www.torahmusings.com/wp-content/uploads/2017/01/Partnership-Minyanim-Revisited.pdf?x55937>.

¹⁸⁵ See: <https://www.thejc.com/news/uk-news/chief-rabbi-ephraim-mirvis-deals-blow-to-women-over-partnership-services-1.51624>.

¹⁸⁶ See: <http://borehamwoodpartnershipminyan.weebly.com/what-is-a-partnership-minyan.html>.

- b. are indicative of the way in which the fracture of submission to a god but not to male authority might be achieved,
- c. enable an 'open' orthodox religious standpoint which trains desire away from normative British orthodox practice and hence away from British rabbinic authority,

The latter issue of independence from mainstream British orthodox authority has, consequently, caused considerable distress amongst those in orthodox leadership positions in the UK.

The reaction and response in 2013, from the then newly appointed Chief Rabbi Ephraim Mirvis was measured,

'Whilst I welcome innovation where this is *halachically* [sic] sound, particularly encouraging both men and women to participate more actively and meaningfully in prayer, there is virtually complete consensus within the Orthodox Rabbinate, including within the Modern Orthodox Rabbinate, on this matter'. (Rocker, 2013b; *italics mine*).

In response, the *Partnership Minyan* spokesperson expressed delight that, 'the Chief Rabbi shares our goal of encouraging both men and women to participate more actively and meaningfully in prayer.' (Rocker, 2013b) What is intriguing and of import to this research is the fact that these religious services took place at all given the climate of the UK orthodox rabbinate's conservatism. The participants are self-declared 'orthodox', 'modern orthodox' or 'modern/open orthodox' – but all

consider themselves 'orthodox' of one sort or another – thus adhering and submitting to the strictures and framework of *halakha* [Jewish law] and the *halakhic* [legal] system; yet they have created synagogue-communities that exist outside the already existing mainstream orthodox communities in the UK, distinguishing themselves through: praying outside of any synagogue premises, the content of the service and the very visible participation of women. The *Partnership Minyanim* communities have, it seems, contested habitual norms by encompassing their own feelings of religious devotion and performing religious ritual at the 'outskirts' or beyond the more obviously repetitious practices of UK orthodox Jewry. Interestingly, the *Partnership Minyanim* participants reflect a growing body of orthodox Jewry who are concerned not only with the preservation of orthodoxy as the practice of religious ritual or personal spiritual development, but as a mode of behaviour which includes within it social justice, moral sensitivity – and, most poignantly, inclusivity.

This matters because it reflects Mack's (2003) theoretical assertion that religious subjects are bound by their desire to do what is 'good' or 'right'. She states that Quaker women described their own agency as 'not as the freedom to do what one wants but the freedom to do what is right. Since "what is right" was determined by absolute truth or God *as well as by individual conscience*, agency implied obedience *as well as the freedom to make choices and act on them*' (Mack, 2003:156; *italics mine*). Here is a moment to pause and consider who determines what is 'right' for whom and who is able to choose for themselves. I will not endeavour to complicate the religiously loaded meaning of the word 'right', suffice to say that in *halakhic*

[legal] terms there are variations on what is and is not the 'correct' way of performing certain rituals or commandments, which vary from geographic community to community and over time. 'Right', even within the orthodox Jewish communities, does not by definition mean the way it has been done in the past (*mesorah*/tradition) but – and this remains the essential point – it is not (of course) a rejection of it either. It may be an analysis of what religious scholars might consider appropriate behaviour in this contemporary situation, in accordance with religious doctrine which is marked by the past. It may be a matter of personal choice, not sanctioned by *halakha* [Jewish law] – but essentially, the possibility for a British orthodox Jewish woman to choose for herself what is right, is the issue at hand.

Mack (2003) implies then, that there is a conundrum of sorts – that agency must have the capacity to contain both of these states of being in the world: the submissive and the expressive. This is an interesting facet of what agency might mean, as it contests an arguably Western liberal take on the liberatory aspect of agency, implying that religious agency demands some kind of negation of the self, a 'desire for passivity and self-annihilation, on the one hand, and the urge toward self-transformation on the other' (Mack, 2003:163). She concludes that 'since doing what is right inevitably means subduing at least some of one's own habits, desires, and impulses, agency implied self-negation as well as self-expression' (Mack, 2003:156). So here we have a more expanded definition of agency which moves

beyond the liberatory self-expression and includes a world of self-denial and/or self-discipline.¹⁸⁷

3.3. STRUCTURES of POWER

So, a subject, any subject, forms their own identity through cultural discourse – but this discourse is the very same power structure which limits the subject and prescribes certain forms of behaviour. Butler’s interest of course lies in the construct of gender, but this research questions her foundational theory and explores how (and if) it applies to religious identity within religious subjects – consonant with her question: ‘To what extent do regulatory practices of gender formation and division constitute identity, the internal coherence of the subject, indeed the self-identical status of the person. *To what extent is “identity” a normative ideal rather than a descriptive feature of experience?*’ (Butler, 1990:23; *italics mine*). I claim here then that like gender, religion is an identity, rather than a fixed location – towards which a subject works, but nevertheless, which is profoundly essential. Thus, I would argue, religion is tightly associated with identity in a manner akin to race,¹⁸⁸ but different from other looser attributes one might

¹⁸⁷ However, submission to a god as religious practice in Mack’s argument of submission may better withstand contestations of agency, but only if that god is genderless. Once protestations of god-as-male or rabbi-as-male become mantras of religious belief, there is a subtle slippage of male as all powerful by divine decree, a powerful theme which renders Mack’s religious agentic submission argument less palatable. See: https://www.cairn-int.info/article-E_RHR_2273_0283--the-body-of-god-in-ancient-rabbinic.htm; or Mary Daly’s (1973) *Beyond God the Father, Toward a Philosophy of Women’s Liberation*; Beacon Press); see also Chapter Six.

¹⁸⁸ This is arguably particularly true of Judaism wherein religious identity is established in two ways – either one is born from a Jewish mother or one converts to Judaism. However, and this point is vital – once a subject is a Jew, she cannot un-Jew herself, it is a lasting achievement.

associate with identity, such as political leanings. Arguably then, negotiations of subjecthood of BOJW are navigated within two coinciding locations:

1. Religious doctrine, law and communal expectation both enable a British orthodox Jewish woman to flourish as a spiritual human being, but simultaneously limit, constrain and hold authority over her actions and decision-making; and
2. at the very same time, the British orthodox Jewish woman as religious subject is negotiating the secular demands of living in the UK replete with its own liberal and secular discourse (making demands as well as encouraging and enabling her to thrive).

Both discourses it seems, according to Woodhead (2008), would simultaneously give the subject the tools for flourishing, yet set limits on what that flourishing might look like. In arguing that all cultural discourse produces, sustains and *subjects* a subject to prescribed forms of behaviour, we might add that seemingly contradictory *ways* of living in the world nevertheless each *function* in a similar sort of way for the subjects who inhabit their domain. Foucault's 'paradox of subjectivation' is echoed by Ayelet Shachar in her critique of Susan Moller Okin's essay 'Is Multiculturalism Bad for Women?' (1991), when she states that:

'Okin fails to recognize that women within non-dominant communities may find their cultural membership a source of value and not only a source of oppression – a site for power, meaning, and resistance (*vis-à-vis* the larger

society or internally) – which nevertheless remains beset by such harsh realities as heightened vulnerability and strict intra-group controls. Okin consequently draws too oversimplified a picture, where cultural membership and its accommodation is either “good” or “bad” for women. She refuses to consider what it most often is: possibly *both good and bad*, simultaneously.’ (Shachar, 2001:67)

What Shachar recognises here (and Okin does not) is the ambivalence of the religious subject in her ongoing relationship with her cultural habitat. Shachar makes clear that the religious subject may be very well aware of those ongoing negotiations, but nevertheless chooses to inhabit a particular cultural or religious domain *despite* the difficulty in doing so or because of the benefits and/or pleasure associated with that religious community and its complex demands. What I want to make clear here is that according to Foucault *any* discourse renders *any* subject exposed to this complex wrangling, yet it is often marked as problematic only in the *religious* subject. Okin states that, ‘Discrimination against and control of the freedom of females are practiced, to a greater or lesser extent, by virtually all cultures, past and present, *but especially by religious ones* and those that look to the past – to ancient texts or revered traditions – for guidelines or rules about how to live in the contemporary world’ (Okin, 1999:21; *italics* mine). In emphasising this disparity, Okin claims that religious cultures are more entrenched in perpetuating patriarchy. She may be right, but what she fails to take into account is the fact that many women nevertheless choose to associate themselves with their religious heritage. In recognising this propensity, Anne Phillips suggests that, ‘the capacity

for holding contradictory ideas is often greater than the fear of inconsistency, and humans have developed many innovative ways of dealing with what would otherwise be cognitive dissonance' (Phillips, 2015:51). This possible etiolation of British orthodox Jewish women's religious development is noted by feminist scholar Diana Meyers, who suggests that although patriarchal religious systems 'illegitimately interfere[s] with women's agentic skills', nevertheless, this 'does not divest women of agency within patriarchal cultures, for it is undeniable that women exercise some agentic skills despite this hostile environment' (Meyers, 2002:5). I think the notion of 'limited' agency might be useful here, and Phillips assists us by suggesting that we, 'should recognize that what looks to an outsider like submission is sometimes better understood as empowerment, and acknowledge that everyone has agency, even though some clearly have more options than others' (Phillips, 2010:11). What emerges through these analyses is that adopting a position that every human has some kind of agency *ab initio*, even if it is severely limited or difficult to recognise, means that what is at stake is not the capacity of agency itself, rather the real, material options that are available to any specific individual, in her specific circumstances; indeed, '[r]egardless of gender, the actual choices we make may not reflect our deepest preferences, for a range of reasons. Everyone's choices are constrained by their circumstances, their entitlements, and their conflicting obligations' (Fishbayn Joffe and Neil, 2013:xxiii).

British orthodox Jewish women who generate and involve themselves in religious ritual participation and religious education programmes are engaging in religious ways of being in the world – as subjects who both flourish in their habitat and are

limited by it. But to all intents and purposes, those British orthodox Jewish women who choose to engage with the leaders of their orthodox communities or shift their own religious participation, or generate their own pious practices without the approval of their community leader, produce a self which at once is 'within and without' the bounds of its own production – exhibiting an agency which recognises its own habitat yet negotiates within and beyond it, attempting to access a religious subjectivity which has previously been denied to them, because they are women.

As Wolosky suggests:

'In both religious and feminist frameworks, the self is imagined not as bounded within itself, but rather as embedded in culture and history, responsible to others even as each individual commands respect and dignity. In both, selves are seen as formed through tradition and communities and as enlarged by their connection to values beyond themselves, to a past and a future they are a part of. Self and community are mutually constitutive, in a positive reciprocity in which the integrity of the individual is respected by and realized through a community, which both shapes selves and is shaped by them.' (Wolosky, 2009:26)

And, it is inevitable that we should function entangled in our personal (and communal) webs. To be an agentic subject then, demands the recognition of this relative positioning, that 'we are all immersed in a culture as a historical moment. How do we know that some of us have attained adequate selfhood and thus have the epistemic perspective needed to grasp what full flourishing is like?' (Meyers,

2002:15). Indeed, the supposition suggests that it is impossible for a human being, any subject, to be dislocated from their gender, sexuality, race, religious upbringing or beliefs, their geographic or historical situation (amongst other markers of their identity) – and subsequently any definition of agency is informed by, limited by and produced by this location. As Phillips stresses, ‘I am uncomfortably conscious of the difficulties of saying what does then count as authentic choice... and who would ever be in a position to know’ (Phillips, 2001:262-263). What the researcher’s work entails then is, ‘how to account for these voices in ways that don’t disavow the narratives of ‘subjection’ as merely an authorizing discourse masking the presence of ‘real agency’, or that take them as evidence for an absence of agency. We are confronted, in other words, with the question of how to render those voices intelligible according to their specific terms’ (Bracke and Fadil, 2012:52).

Being a member of the orthodox Jewish community may then work in my favour – so that I am able to frame the question of agency ‘according to their specific terms’ from an insider’s perspective; however, ‘specific terms’ may also refer to the hierarchies of power within particular groups, such that the concept of agency becomes a minimal mobilisation for some members of that group. The complications of a group identity and who decides what that identity looks like, the complexities of cultural intelligibility within that group (who does and who does not conform) and the power exerted on individual subjects from those in authority within that group – all impact on what it means to be a recognisable member of the group. In other words, orthodox religious groups’ cultural pressure and impact on the individual subject is more marked and perceptible, arguably, than the day to

day impact of other cultural, political or social pressures. As Phillips points out, '[g]roups are also capable of coercion', which is the case in point. 'They pretend to or construct a unity where none such exists; they claim to speak in the name of all when they only represent some; they set up constraints on those they deem their members and require them to conform to what are said to be group norms' (Phillips, 2010:9).¹⁸⁹ This is of particular interest to this study, given there are many leaders within the British orthodox Jewish community who claim to speak for that community: the modern orthodox, the ultra-orthodox or any other – and the self-affiliation towards, the personal allegiance to or the dislocation from any of these orthodox communities is often complicated by the sometimes obvious, other times subtle, power struggles within these communities – as Carol Pateman noted, 'even contracts freely and fairly entered into' can be 'contracts of inequality and subordination...' and always, 'the contract they have entered into involves one human being subordinated to the power and authority of another' (Pateman, 1988:99). Generating pious acts within the power dynamics which exist within religious communities can be a perilous exercise, in terms of intelligibility, and in terms of religious subjectivity. Questions of agency are aggravated by the limitations of communal expectations and pressures – yet, even within this religiously hierarchical structure, BOJW make claims to a religious subjectivity which is produced through the performance of pious acts of education, ritual participation and leadership, which had previously been denied to them.

¹⁸⁹ Compare with Jakobovits, I. (1997) p.23, in Chapter Three.

4. HABITUATION and TRAINING DESIRE

I want now to return to Butler's performative approach to agency, in which she presumes that agency emerges from the subject to influence her actions, in other words: a subject's performance in some way reflects her innermost agentic skills. Contrary to this (internal → external) approach, a fundamental tenet of Judaism espouses that the religious subject performs certain behaviours (ritual, bodily or otherwise) expressly in order to impact on their inner selves (external → internal) and through habit, persistence and repetition train their desire. As Mahmood suggests, '...action does not issue forth from natural feelings but creates them...through repeated bodily acts that one trains one's memory, desire, and intellect to behave according to established standards of conduct.' (Mahmood, 2005:157) She stresses that this form of agency is disconcerting for 'liberal' thinkers, who rely on the 'belief that all human beings have an innate desire for freedom, that we all somehow seek to assert our autonomy when allowed to do so, that human agency primarily consists of acts that challenge social norms and not those that uphold them...' (Mahmood, 2005:5; *italics mine*). Thus, Mahmood asks us not to assume a distinction between 'the subject's real desires and obligatory social conventions, precisely because socially prescribed forms of behavior constitute the conditions for the emergence of the self as such and are integral to its realization' (Mahmood, 2005:149).¹⁹⁰ This argument lends a fascinating

¹⁹⁰ 'How does one rethink the question of individual freedom in a context where the distinction between the subject's own desires and socially prescribes performances cannot be so easily presumes and where submissions to certain forms of (external) authority is a condition for the self to achieve its potentiality? What kind of politics would be deemed desirable and viable in a discursive tradition that regards conventions (socially prescribed performances) as necessary to the self's realization?' (Mahmood, 2005:149).

perspective on the process of agency, such that the habits one forms, rather than being the expression of our agentic will, might be the way in which we generate (produce) our personalities and desires.¹⁹¹ Orthodox Judaism emphasises habituation, stressing that through repeated and consistent ritual and ‘good’ behaviours, we become righteous individuals.¹⁹² In their desire to accord themselves religious subjectivity, BOJW perform pious acts. In pursuing the pious activities historically denied to them, they emphasise the theological perspective that engaging in these activities impacts on the spiritual self – for its betterment. Thus, the habituation of religious education, ritual participation and responsible religious authority, is not simply the desire to *express* one’s religious devotion, rather it is the desire to perform activities *through which* one becomes a more pious orthodox Jew. Just as orthodox men claim that these pious acts are necessary components of *becoming* the normative religious Jew, so too, some BOJW assert that these pious acts are axiomatic to their own spiritual development; as Mahmood emphasises ‘...ritualized behaviour is one among a continuum of practices that serve as the necessary means to the realization of a pious self, and that are regarded as the critical instruments of a teleological program of self-formation’ (Mahmood, 2005:131).

¹⁹¹ Or, as Mahmood describes in the case of Hajja Faiza, ‘choice is understood not to be an expression of one’s will but something one exercises in following the prescribed path to becoming a better Muslim.’ (Mahmood, 2005:85).

¹⁹² This philosophy is a major underpinning of the *Mussar* [Ethical] Movement, which began in 19th Century Lithuania as a response to the Enlightenment by Rabbi Yisrael Salanter (1810-1883). See, for example: Rabbi Moshe Chaim Luzzatto (1707-1746) *Mesillat Yesharim* [Path of the Just].

Take for example the religious principle of daily prayer, itself questionable as either or both necessary ritual or spontaneous expression. Some Jewish scholars argue it emanates from the self in the pursuit of a relationship with God, at moments of joy, awe, despair or loneliness; whilst others argue that the act of prayer itself enables one to become mindful, deliberate, appreciative and sensitive. Each of these (and others) might be associated with either or both spontaneous or ritualised prayer. This second approach, specifically in the context of ritualised prayer, is emphasised by Mahmood, who claims that this type of ritual behaviour follows ‘... the Aristotelian model of ethical pedagogy... in which external performative acts (like prayer) are understood to create corresponding inward dispositions.’ Mahmood brings the following concrete example:

‘...Mona links the ability to pray to the vigilance with which one conducts the practical chores of daily living, all mundane activities – such as getting angry with one’s sister, the things one hears and looks at, the way one speaks – become a place for securing and honing particular moral capacities... punctuality clearly entails more than the simple use of an alarm clock; it encompasses an entire attitude one cultivates in order to create the desire to pray. Of significance is the fact that Mona does not assume that the desire to pray is natural, but that is *must be created* through a set of disciplinary acts. That is to say, desire in this model is not the *antecedent* to, or cause of, moral action, but its *product*.’ (Mahmood, 2005:126)

This concept of agency, the creation of an inward disposition is relatively simple to describe, understand and appreciate within orthodox Jewish life in the UK. Take for example, charitable giving. *Halakha* [Jewish law] recommends (rather than demands) that Jews give ten per cent of their net income to charity. This can be to schools, charitable trusts, synagogues and the needy in the local or wider community. Many families organise their monthly income so that ten per cent is always siphoned off to a charitable account. This, in turn, becomes normative behaviour and thus makes being charitable a pursuit which is built through the consistent act of giving. Of course, the normalisation of giving increases the acts of giving such that those who have become desirous to give charity, give charity. But it also means, that the act of giving, to those for whom it is difficult, unpleasurable, and works against their natural feelings, nevertheless becomes the way to demonstrate their religious participation, religious commitment, their ties with the community and in so doing, *they become habituated to being* charitable. This agentic possibility, which Mahmood describes as the, ‘...Aristotelian formulation of *habitus*’ is thus the creation of religious desires through an intentional process, ‘which is concerned with ethical formation and presupposes a specific pedagogic process by which a moral character is secured’ (Mahmood, 2005:135).¹⁹³

I use the example of charity (above) purposely, as it is less associated with issues of gender in terms of *halakha* [Jewish law]. However, the performance of other more

¹⁹³ ‘An age-old Talmudic doctrine asserts, “A man should always perform the mitzvas even if he does not believe in them, since by doing them he will come to believe.” Because ritual observance was considered capable of generating belief and not vice versa, the former was considered primary’ (Heilman et al., 1989:41).

contested religious acts is not as straightforward. Perhaps the issue of agency-as-training-one's-desire might be constructed as a formidable barrier *against encouraging the disciplining of the body* toward certain performances, by very virtue of the fact that one becomes a different person (the normative Jew?) through that process – and there are those in powerful religious positions in the UK, who do not want religious desire to shift, at least not to shift in particular directions. For example, the pursuit and discipline of rigorous study may well transform a person from ignorant to learned; in pursuit of serving the community as a religious teacher or communal organiser, a subject may be transformed from a follower to a leader; or the process of engaging further in religious ritual and practice a subject's status might shift from a passive participant to an active one. All three of these shifts in desire arguably have material impact and affect on the religious landscape of the moment, since any change of desire in the individual religious subject also generates community desire (they *are* the community).

Problems arise if the local religious authorities wish to inculcate and perpetuate ignorance (of some), passivity and infantilisation (of some) and subservience (of some) within their communities. The prospect, then, of women (in this case) of the community performing religious acts which might *train their desire* to be knowledgeable and active and leaders could undermine the desires and consequently, the very fabric of religious life that these authorities wish to encourage, or in some cases insist upon. In other words, even as I support Mahmood's expansion of the subject as agent in the intended disciplining of habit, what I want to also point out is that this disciplining itself, which initially seems a

veritable marker of what religious leaders would require from their community members, might well be problematic to those in authority who want women (in this case) to practice religion according to the terms laid down by the communities' leaders – which, as I have previously stated, in the UK's orthodox Jewish community, means men. Women as knowledgeable, women as religious leaders and women as ritual performers is an ostensibly obvious consequence of women training their desires – something, which in general, the religious community encourages in its normative subjects. Yet what also emerges as a trajectory from this form of agentic performance by British orthodox Jewish women (the non-normative subject) are the 'unwelcome' changes in desire which have material impact on the wider religious community's practice and its leaders, changes that orthodox Jewish leaders contest.

A weekly *chabura* [study group] in North-West London for women studying *Mishnah* [oral law] is not permitted to advertise in its synagogues' mailings, nor on its local communal website between 2012 and 2019. I asked the proprietors of the *EverywhereK* noticeboard for the reason given by the rabbi. They responded, 'I think the decision was made by our *EverywhereK* Rav [rabbi] at the time... I think it was at the same time as women's *minyanim* and women's *megillah* readings were on the rise and the rabbis were nervous of what it could lead to...' ¹⁹⁴ This is a spectacular example of how the prospect of intense study of religious texts for women becomes a site of contestation: what are the BOJW who engage in this

¹⁹⁴ Personal email, 13th September 2018.

study really doing; what does the pious practice of *Torah* study become when it is studied by these women and what is the effect of their studying on the power we have to pronounce *halakhic* [legal] decisions, to be the knowers of religious texts? In discussions with the community rabbi who regulates the site, he expressed to representatives of this group of women, his commitment to the conservative *halakhic* [legal] position of not allowing (nor encouraging) women to study oral law [Mishnah].¹⁹⁵ There has been much debate about this type of religious study over the last forty years – from those who forbid this study, through those who allow it, those who encourage it and those who feel it is obligatory as part of a modern Jewish religious education.¹⁹⁶ But, in the UK, the trend for girls and women to engage in this more rigorous style of religious study has been sluggish, at best.¹⁹⁷ This example is indicative of a more ultra-orthodox stance on this brand of religious learning, but emphasises the insistence of these women in this particular community to go ahead and have the class despite the various community rabbis' negative response. It is this form of religious engagement which emphasises the complications of using the word 'agency'. The women of the *Mishnah* [oral law] group belong to a variety of local orthodox synagogues and wish to remain members of those particular communities, even as the rabbis' refuse to permit or encourage their personal religious growth through this study. Oddly, what these scenarios expose then is that to 'recognize that submitting oneself to the requirements of one's religion can be a practice of agency rather than its denial'

¹⁹⁵ See: Chapter Four.

¹⁹⁶ See: Lichtenstein, A. (publ. 2017; originally given as a speech to the students at *Ma'ayanot* High School for Girls, New Jersey, in 1996) *Women, Talmud Study, and Avodat Hashem*; <https://www.thelehrhaus.com/commentary/women-talmud-study-and-avodat-hashem/>.

¹⁹⁷ See Chapter Four for further discussion.

(Phillips, 2010:66) is complicated not only by feminist theorists who might question a religious subject's agency as compared to her secular counterparts, but also (and in terms of being a religious subject within a religious community, most disquietingly), by those communal religious leaders who perceive her agency as working *against* the community's or their own best religious interests. Thus, when discipline is motivated by *halakhic* [legal] requirements – and is framed as agentic through Mahmood's theoretical analysis – the agentic training of desire through the performance of particular ritual acts is compromised by the very community who ostensibly seek to support the religious development of its members.

This argument does not presume, however, that agency therefore must have a particular content or specific meaning, but rather that the meaning of a particular act enables a form of agency to emerge, to become detectible – this example explicating that there are those in religious authority in UK communities who seek to resist and deter the flourishing of some women members through the very mechanisms which orthodox Judaism ostensibly considers an objective of religious development – *training one's desires*.

Thus, *this* particular form of agentic performance, as it perpetuates *this* religious objective, undermines the authority of *these* rabbinic communal leaders who are hostile to *this* example of religious participation – thus, the microcosmic British orthodox Jewish women desirous of learning sacred texts (in this example) reinforces the macrocosmic picture of any woman who choose to *train their desires* towards religious literacy as both a veritable form of agentic performance, as much

as it is troubling to the male ownership of those texts (and consequently the power system of those communities).

5. CONCLUSION

Lois McNay in her analysis of Butler's work (*Excitable Speech* and *The Psychic Life of Power*) notes that, '[t]he idea of the performative provides a compelling account of the open temporality of structure that permits the emergence of autonomous action, but it does not really consider how this indeterminacy relates to other social structures and how it may catalyse or hinder change' (McNay, 1999:176).

Throughout the empirical Chapters Four, Five and Six, I consider how the idea of the performative and the generative plays out in the religious lives of not only British orthodox Jewish women as individuals, but the impact on their friends and family, their communities, and *halakhic* [legal] normative expectations and synagogue-community customs going forward.¹⁹⁸ The performance of religious selves, at home, in the local Jewish community and worldwide, continually and continuously disrupts and shifts the status quo of religious practice. *Halakha* [Jewish law] regards these disruptions as part and parcel of the ongoing lived experience of orthodox Jewish life, at times welcoming them, and at other times rejecting them. But what people do, the religious acts they perform can never be ignored, and they are always part of the *halakhic* system of debate and decision-making; as Ross contends (2004), '... no matter how much the *halakhic* establishment seeks to

¹⁹⁸ See also: <http://blogs.lse.ac.uk/religionglobalsociety/2018/04/a-female-ordination-british-orthodox-jewish-women-and-the-global-community/>.

privilege its authority, in reality the lived experience of the community of the committed cannot be ignored, and the final outcome is always some form of dialectic and negotiation between the two' (Ross, 2004:178).

When Broyde et al. suggest that, '[o]ne must distinguish between the unchanged and the unchangeable' (Broyde et al, 2011a:55) with regard to orthodox Jewish women's ordination, they presumed that it was possible to both a. ascertain what normative practices or *halakhot* [Jewish laws] belonged in which group and b. that somehow these were timeless distinctions. It is clear from the cacophony of contemporary Jewish *halakhic* voices that this is not the case and that there are a variety of opinions as to what is and isn't subject to change, and who should decide – but what I want to emphasise here is that what orthodox Jewish women do matters, that '... religious women are not merely passive observers, and have demonstrated that they are perhaps the best agents of change from within' (Feldman, 2011:120). Similarly, Bracke et al. (2012) argue with regard to the 'strong emancipated' Moslem women who choose to veil, 'their agency is complex the women were often the source of new forms of feminism in which Islam and feminist commitments converge and account for *new forms of subjectivity*' (Bracke and Fadil, 2012:45; *italics mine*). This thesis examines how BOJW attempt to achieve full participatory subjecthood within orthodox religious life. But, I do not want to simply delineate BOJW's exclusion from religious subjectivity, I want to explore and examine the ways in which they generate religious activities (in the three areas of religious life integral to a normative Jewish subject: education, ritual participation and religious authority, all of which, at some level, are denied to

BOJW), in order to make sense of their own religious lives and practices and accord a religious subjectivity to themselves. Generative agency within a religious subject is thus distinct from Mahmood's work on performative agency (and care of the self) which Muslim women perform through perfecting their inhabitation of religious norms, because I am focussing on the non-recognition of BOJW's subjectivity (as the non-normative Jew). Therefore, for some BOJW this non-recognition is not enough and cannot be negotiated through private acts of the self (Mahmood, 2005) but requires an assertion of religious pious acts previously denied to them.

This chapter has worked through theoretical concepts of the formation of the subject, specifying issues of agency within the religious subject. I have detailed the system of *halakha* [Jewish law] and what generating pious acts means within this framework – especially in terms of intelligibility, and I have advocated for the concept of a generative agency, which will be examined in Chapters Four, Five and Six through the pious acts performed by BOJW.

CHAPTER THREE

METHODOLOGY and CHALLENGES of the RESEARCH PROCESS

'[t]he split and contradictory self is the one who can interrogate positionings and be accountable, the one who can construct and join rational conversations and fantastic imaginings that change history.'
(Haraway, 1991:193)

1. INTRODUCTION

This chapter describes and analyses the PhD research process and its complications, and, following this introduction, it is divided into three main sections. I begin by locating myself within this research, in light of my proximity to the British orthodox Jewish community, all the time careful to adhere to feminist epistemological concerns about the situatedness, partiality and location of knowledge (Alcoff, 1995; Abu Lughod, 1990, 2002; Avishai, Gerber and Randles, 2013; Crenshaw, 1989; Davidson, 2008; Downes et al., 2013; Fraser and Puwar, 2008; Furness, 2012; Hartsock, 1983, 1988; Hill Collins, 2000; hooks, 1989; Mahmood, 2005; Stoetzler and Yuval-Davis, 2002). I then give a brief history of Anglo-Jewry in order to locate BOJW, making relevant comparisons to the orthodox communities in the US and Israel (Alderman, 2011; Freud-Kandel, 2010, 2011; Persoff, 2002, 2008, 2010). I want to cultivate an appreciation of the BOJW's 'situatedness' as well as their intersectional identities and note the interstices between BOJW and orthodox Jewish women living in the US or Israel, which will be detailed in Chapters Four, Five and Six. Next, I examine the various methods of data collection, its ethics, benefits and challenges; and specifically the process of finding the interviewees, conducting the interviews, as well as how the material was recorded, coded and analysed (Bryman, 2008; Oakley, 1981, 2000). Lastly, I consider the complications of translation and the hyper-referencing in the body of the text of the thesis, given the normalisation of colloquial phrases (Hebrew and *Yiddish*) used by BOJW within orthodox Jewish communities (Apter, 2013; Madhok, 2009). I conclude by defending my choice of research methodology as a fitting way to tell the stories of BOJW, as much as possible, in their own voices.

2. THE POLITICS OF LOCATION

2.1 The LOCATION of the RESEARCHER

‘A standpoint is not simply an interested position (interpreted as bias) but is interested in the sense of being engaged.’ (Hartsock, 1983:285)

Letherby (1994) suggests that, ‘...methods should be chosen with reference to their relevance to the questions, the issue, the research goals and not the other way round’ (1994:179). Thus, the design of this research reflects three major methodological objectives: to ensure a comprehensive literary review; to employ appropriate ethnographic data collection and analysis; and to argue that this project has political, social and religious implications – what might or ought to be done with the findings? Letherby’s tenet is the starting point for any researcher, but, additionally, the feminist researcher is tasked to ensure that marginal voices are heard, and that those who are challenging the status quo have a voice.¹⁹⁹ The non-dominant voice emanating from those considered as non-representative of, or non-normative within the orthodox Jewish community in the UK are most often women, and as a feminist researcher I attempt to enable that knowledge perspective to be heard. Consequently, I consider the work of standpoint theorists, ‘who argue that we should privilege marginal knowledge not only for political reasons, but also because it is ‘more objective’ than knowledge produced from dominant positions’ (Henry, M. (2014) LSE GI402 Seminar). Haraway (1990),

¹⁹⁹ In addition to the theorists cited above, Nell Dunn’s *Talking to Women* (1965), which records local women’s thoughts and experiences about their lives, was a revolutionary act of troubling the status quo of ‘the silencers’ (1965:VII).

Hartsock (1988) and Hill Collins (2000) argue that the knowledge produced from marginal locations about existing power hierarchies emerges from those best suited to analyse the problem – the marginalised; crucially then, '*where one is* as equally key to knowledge as *who one is*' (Henry, M. (2014) LSE GI402 Seminar). BOJW are orthodox Jews, they are also women and they are also British – all of these (intersectional) locations have a significant impact on their production of knowledge; therefore, I not only take into account the specifics of their location, (as both a group and as individuals) but argue that this research is informed by and embedded in that location. Nevertheless, *who* these women are (as well as *where* they are) has impact on their knowledge production, making it always biased, always partial and always situated (Haraway, 1990; Madhok and Evans, 2014). As a researcher, these biases are acknowledged and are transparent throughout this thesis; but they are also mobilised in order that BOJW's standpoint is not simply endorsed as a marginal (static) identity, but is understood as the result of (ongoing) struggle.

I want to briefly mention here how (and why) this PhD research project emerged, especially given my own proximity to it. I want to be clear from the start that this research straddles worlds (all of which I consider fields of critical analysis): the world of academia, the world of contemporary orthodox Jewish debate and the world of living a life as a British orthodox woman. I touch on all three fields of sometimes collaborative, sometimes combative critical frameworks, in order to situate the interdisciplinary space that this PhD occupies. It is not a comprehensive analysis of all these fields of analysis, but an attempt to give the reader some

familiarity with each – because this is the space within which this research, and this researcher, create conversational pathways encouraging different disciplines to talk to one another, and the space within which BOJW speak for themselves.

As noted in Chapter One, over the last three to four decades there has been growing academic interest in *women* as religious subjects (Abu-Lughod, 1990, 2002; Al-Hibri, 1999; Avishai, 2016; Bracke, 2008; Casanova and Phillips, 2009; Daly, 1973; Feldman, 2011; Hampson, 1990; Mack, 2003; Mahmood, 2001 and 2005; Okin (ed.), 1999; Scott, 2007); including literature on *Jewish* women (Adler, 1998; Heschel (ed.), 1995; Fishbayne Joffe, 2017; Golinkin, 2011; Plaskow, 1990); and more specifically *orthodox* Jewish women (Avishai, 2008; Ben-Yosef, 2011; Berman, 1973; Ferziger, 2018; Hartman, 2007; Israel-Cohen, 2012; Koren, 2013; Levmore, 2016; Meiselman, 1978; Ross, 2004; Sacks, 1978; Schacter, 2009; Sztokman, 2011; Wolosky, 2003, 2009; Zolty, 1993). However, this research has emerged, almost exclusively, from the United States (US) or Israel and is related to the lives of orthodox women located there. Furthermore, although the history of Anglo-Jewry, its philosophies and practices, especially the institution of the Chief Rabbinate, have been examined and scrutinised, (Alderman, 1998; Cesarani (ed.), 1990; Endelman, 2002; Freud-Kandel, 2006, 2010 and 2011; Gidley and Kahn-Harris, 2010; Persoff, 2002, 2008 and 2010; and Wagner, 2016) these works do not include any historical, social, political or religious research that particularises women.

The notable exceptions are the three reports published under the '*Women in the Jewish Community*' project (Miller and Schmool, 1994; Citron and Goodkin, 1994;

and Aleksander, 2009) headed by Chief Rabbi Jonathan Sacks (1991- 2013) which, alongside Lindsey Taylor-Guthartz's PhD (2016), are the most comprehensive data of Jewish women's lives in Britain, (as noted in Chapter One). However, although these inquiries focus on the pious acts of British orthodox Jewish women, they do not then analyse the material in light of current academic research on the agency of the religious subject, nor suggest what kind of agency is invoked by the BOJW who perform these practices.²⁰⁰

Furthermore, the last thirty years has seen an upsurge of debate around the issues of education, ritual participation and leadership and authority roles for orthodox Jewish women worldwide, in an array of Jewish periodicals,²⁰¹ journals²⁰² and orthodox Jewish journals.²⁰³ There has likewise, over the last ten years, been a burgeoning of orthodox organisation's websites offering religious classes online,²⁰⁴ from the more left-leaning open-orthodox institutions including *Yeshivat Chovevei*

²⁰⁰ In 2010, Jennifer Cousineau researched the effects of the North-West London *eruv* [boundary marker], which allows the carrying of objects outside the environs of home on the Sabbath. This includes the pushing of children in buggies, and as such, the erection of the *eruv* had a profound effect on the quality of life of orthodox women. As Taylor-Guthartz (2016) points out, '[t]hough dealing with both sexes, her paper focuses on women because the changes they record are far more striking than those experienced by men. She notes that many women with small children had felt imprisoned on the sabbath, but now experienced a sense of release and joy, enabling them to match religious expectations of the sabbath as holy and pleasurable. Although the paper only covers one facet of women's religious lives, it provides a very valuable example of women's opinions and understandings, and *highlights how their perception of religious issues often differs fundamentally from that of Jewish men*' (2016:79; *italics mine*).

²⁰¹ For example, *Lilith*: 'independent, Jewish & frankly feminist'; see: <https://www.lilith.org/>

²⁰² *Modern Judaism: A Journal of Jewish Ideas and Experience*; see: https://academic.oup.com/mj/search-results?page=1&q=orthodox%2C%20women%2C%20england&fl_SiteID=5490&SearchSourceType=1&allJournals=1/; and *Nashim: A Journal of Jewish Women's Studies and Gender Issues* (since 1998); see: <https://www.jstor.org/journal/nashim/>.

²⁰³ *Tradition: A Journal of Orthodox Jewish Thought* (since 1958); see: <https://www.jstor.org/journal/trad/>.

²⁰⁴ Which include many relevant topics: women's obligation in *Torah* study, women and the study of oral law, women's obligation in time-bound commandments, women and public ritual participation etc.

Torah (YCT),²⁰⁵ *Yeshivat Maharat*,²⁰⁶ and the Jewish Orthodox Feminist Alliance (JOFA) – all based in New York;²⁰⁷ to institutions with a modern orthodox philosophy, including the London School of Jewish Studies (LSJS),²⁰⁸ the Orthodox Union (OU) – based in New York,²⁰⁹ the *Virtual Beit Midrash* (VBM) – based in Israel,²¹⁰ and a number of UK-based United Synagogues;²¹¹ and from the more right-wing traditionalist institutions including the Rabbinical Council of America

²⁰⁵ YCT: ‘Our mission is to recruit, professionally train, and place rabbis throughout the world who will lead the Jewish people and shape their communities’ spiritual and intellectual character in consonance with Modern Orthodox values and commitments’; see: <https://www.yctorah.org/> and https://library.yctorah.org/?s=women&post_type%5B%5D=post&post_type%5B%5D=dafyomi&post_type%5B%5D=journal&post_type%5B%5D=page&post_type%5B%5D=audio&post_type%5B%5D=listenbaum/.

²⁰⁶ *Yeshivat Maharat*: ‘Founded in 2009, Yeshivat Maharat is the first institution to ordain Orthodox women as members of the clergy. Maharat’s vision is a world in which Jewish communities are educated, dynamic and relevant, where diverse and impactful leaders inspire Jews to live spiritually engaged lives. Our mission is to educate, ordain and invest in trailblazing Orthodox women who model a dynamic and meaningful Judaism to inspire individuals and transform communities’; see: <https://www.yeshivatmaharat.org/>.

²⁰⁷ JOFA: ‘the Jewish Orthodox Feminist Alliance, expands the spiritual, ritual, intellectual and political opportunities for women within the framework of halakha (Jewish law), by advocating meaningful participation and equality for women in family life, synagogues, houses of learning and Jewish communal organizations to the full extent possible within halakha’; see: <https://www.jofa.org/>.

²⁰⁸ LSJS, see: <https://www.lsj.ac.uk/learn-now.php/>. The LSJS is ‘a world-class centre of Jewish scholarship and teaching that inspires our community with a lifelong love of Jewish learning and practice. Formerly Jews College, established in 1855, it is a bastion of modern orthodox education in the UK.

²⁰⁹ OU: ‘The mission of the Orthodox Union is to engage, strengthen and lead the Orthodox Jewish Community, and inspire the greater Jewish community’; see: <https://www.ou.org/>; which publishes its magazine, <https://jewishaction.com/>.

²¹⁰ VBM is an online resource produced by *Yeshivat Har Etzion* (the ‘Gush’ *Yeshiva*), a world-renowned bastion of modern orthodox scholarship. ‘What distinguishes VBM is its sophistication. Every controversial topic of the day, as well as many noncontroversial subjects, has been explored from multiple angles, utilizing the greatest Torah tools and contemporary thought. This web site is a treasure trove of Modern Orthodox halakhah and hashkafah (thought)’; see: https://www.etzion.org.il/en/advanced-search-api-filter/all?author=&field_parent_cat_1=All&fulltext=women/.

²¹¹ For example, see: <http://www.kinloss.org.uk/rabbi-lawrence-essays/> (Finchley United Synagogue); or see: <http://www.rabbibelovski.com/women-and-kaddish/> (Golders Green United Synagogue).

(RCA)²¹² and *Aish haTorah*²¹³ – all of which include lectures, debates and source material on either orthodox women’s education, or ritual performance or *halakhic* [legal] authority. Furthermore, there has been a rise in grassroots women’s organisations, blogs, and web-based news platforms which publish articles online about contemporary orthodox Jewish women’s lives, including *Chochmat Nashim*²¹⁴ – an Israeli grassroots activist group calling for religious women to be seen and heard in their communities; Cross-Currents²¹⁵ – an American orthodox online journal; Jewfem²¹⁶ – an online forum for discussing gender and Jewish life; the Jewish Women’s Archive (JWA)²¹⁷ – an American organisation which collects (and

²¹² The RCA is an American organisation promoting orthodox Judaism, ensuring appropriate economic welfare and security of its member rabbis and unifying the American rabbinate and Yeshiva heads. It has a long association with RIETS, the rabbinical school of Yeshiva University, NY. It also espouses to, ‘be ever on guard against any distortion or misinterpretation of Torah-true Judaism’; see: <https://rabbis.org/>; and see also the RCA’s constitution at: <https://www.rabbis.org/pdfs/constitution.pdf/>.

²¹³ *Aish haTorah* is a worldwide educational body, which includes a women’s seminary and men’s *Yeshiva* (both located in Israel), as well as online Torah study. ‘Aish’s educational philosophy is that Judaism is not all or nothing; it is a journey where every step counts, to be pursued according to one’s own pace and interest. Mitzvot (commandments) are not rituals, but opportunities for personal growth, to be studied and understood. We learn the Torah’s wisdom to enrich our own lives, and to share these ideas with all humanity’; see: <https://www.aish.com/ci/w/>.

²¹⁴ *Chochmat Nashim*, ‘works towards a healthier Orthodox society by raising awareness of damaging trends and policies and providing positive alternatives. Because Judaism is better when women are heard’; see: <https://www.chochmatnashim.org/>.

²¹⁵ *Cross Currents* ‘is a journal of thought and reflections, from an array of Orthodox Jewish writers. We post about issues of the day and issues of our days, representing our individual perspectives. Like most journals in blog format, editorial control is extremely loose, and writers are free to disagree and debate. Through reading Cross-Currents, we hope that you will become aware of diverse views representing a traditional Jewish perspective. Any impressions you may have had of the Orthodox as being monolithic or humorless should rapidly be dispelled; we’ll see about the other stereotypes as we go. By hearing about Orthodoxy from the Orthodox, it is our hope that you will — if not a member of our community — develop a more balanced and nuanced perspective than that which you find in the general and Jewish media; see:

²¹⁶ *Jewfem* is an online forum set up by (ex-orthodox) American feminist scholar Elana Sztokman; ‘Your source for news and insights about gender in Jewish life’; see: <http://www.jewfem.com/>.

²¹⁷ The JWA is ‘a national organization dedicated to collecting and promoting the extraordinary stories of Jewish women. JWA explores the past as a framework for understanding the issues important to women today; inspires young people with remarkable role models; and uses Jewish women’s stories to excite people to see themselves as agents of change... This website is the world’s largest collection of information on Jewish women, and draws more than 1.5 million visitors a year’; see: <https://jwa.org/>, and see especially: https://jwa.org/search?search_api_fulltext=orthodox/.

distributes online) Jewish women's stories; *Kolech* Religious Women's Forum²¹⁸ – an Israeli grassroots activist group promoting orthodox women's rights; *Lehrhaus*²¹⁹ – an online forum to discuss diverse Jewish ideas,²²⁰ and lastly, *The Tablet*²²¹ – an online daily Jewish magazine based in New York. Other than the lectures emanating from the LSJS and the United Synagogue – these conversations and the experiences they record and debate are almost exclusively based on the lives of orthodox Jewish women located in the United States or Israel,²²² and as such, I believe, there is a real need for *British* orthodox Jewish women's experiences to be researched and their voices to be heard.

Additionally, Saba Mahmood (2005), a crucial theorist within the field of religious women's agency, whose work explores the agentic capacities of Muslim women in Egypt's piety movement,²²³ does not take into account the impact of women's pious practices on the *future* of Islam itself (as a religious body of knowledge and law) – whereas the way in which BOJW generate pious practices which reflect back onto the normative practices of local orthodox Jewish communities is a crucial

²¹⁸ *Kolech* 'is the leading Orthodox, feminist movement in Israel. Its mission is to further the status and rights of women in the realms of Halacha, religious leadership, the religious establishment and community life', see: <https://www.kolech.org.il/en/> (English), (or for Hebrew, see: <https://www.kolech.org.il/he/>).

²¹⁹ *Lehrhaus* 'is a forum to generate thoughtful and dynamic discourse exploring the depth and diversity of Jewish ideas'; see: <https://www.thelehrhaus.com/>, and see especially: <https://www.thelehrhaus.com/?s=orthodox%2C+jewish%2C+women/>.

²²⁰ Edited exclusively by Americans and American-Israelis.

²²¹ *The Tablet* is 'a daily online magazine of Jewish news, ideas, and culture... Launched in June 2009'; see: <https://www.tabletmag.com/>, and see especially: <https://www.tabletmag.com/tag/orthodox-jews/>.

²²² One notable exception is Sztokman, E. M. (2017) 'Why are Women Dropping Out of Synagogue Life?' in *Lilith Magazine* [10/10/17]; retrieved from: <https://www.lilith.org/blog/2017/10/why-are-women-dropping-out-of-synagogue-life/>.

²²³ Mahmood (2005), whose *Politics of Piety* motivated my field of research, both inspiring me to write my MSc dissertation on the agency of Biblical women, as well as want to develop her ideas further within this PhD.

element of my research. Moreover, the Muslim women in Mahmood's research live and practice Islam as part of the majority religion and culture in Egypt, whereas BOJW are located as a minority group here in the UK, undoubtedly marking their commitment and loyalty to their local orthodox communities.²²⁴ Consequently, this PhD examines the pious acts of BOJW and locates the findings within current research on agency and the religious subject, precisely because of the gap in theoretical, ethnographic and historical literature about the pious performances of British orthodox Jewish women (specifically).

However, this is not the whole picture. I live as a British orthodox Jewish woman, and as a feminist-activist within the British orthodox community; the issues at hand are not merely academic (pun intended), but have a profound, immediate and persistent effect on my life as I live it everyday. I tell my story as part of the research methodology – because although it is my story, it is also my location.

After studying for six years in three seminaries in Jerusalem, two of which (*Nishmat* and *Midreshet Lindenbaum*)²²⁵ are the pioneers of orthodox Jewish women's religious scholarship and religious leadership, I returned to the UK in 1998 to take on the position of *rebbetsin* [rabbi's wife]²²⁶ and educator within the Greater

²²⁴ Additionally, Taylor-Guthartz argues that Mahmood's religious subjects practice piety in a somewhat partner-less, family-less, community-less environment – such that their agentic achievements are, to some extent, realised within a 'vacuum'. I am not entirely convinced by her argument, although I do want to emphasise that this research firmly situates BOJW's pious practices within their families and local orthodox communities, such that they are recognisable (or not) and intelligible (or not) precisely because of the location within which they negotiate their precarious identities, (Personal conversation; 8th May, 2019).

²²⁵ For further information on *Nishmat*, see: <http://www.nishmat.net/>; for further information on *Midreshet Lindenbaum*, see: <https://www.midreshet-lindenbaum.org.il/>.

²²⁶ At Watford United Synagogue; see: <http://www.watfordsynagogue.org.uk/index.html/>.

London orthodox Jewish community. During this time, I was invited to participate in the Susi Bradfield Educational Leadership Programme,²²⁷ a yearlong initiative, which promotes British orthodox Jewish women taking on roles of educational leadership within their own orthodox communities (2000-2001). Additionally, I began lecturing at the London School of Jewish Studies (LSJS),²²⁸ a bastion of modern orthodox education in the UK located in North-West London, as well as in a variety of orthodox Jewish communities and Jewish institutions nationally.²²⁹ Throughout this period, my children attended orthodox Jewish primary schools in the Greater London area and our family were members of an independent orthodox synagogue-community in North-West London.

When I began my teaching career, my lectures focussed on Biblical narrative and *halakha* [Jewish law]; but this quickly led me to research questions of women in Biblical narrative, women and Jewish law and to further investigate the way in which the *Talmud* [oral law] describes and prescribes women's lives within a religious framework. My students asked demanding and difficult questions both about sacred texts and current orthodox practice in the UK: why were girls and women given a less rigorous religious education in local orthodox schools, and why

²²⁷ See: <https://www.lsj.ac.uk/susi-bradfield-educational-leadership-programme.php/>; '[d]esigned for women who want to develop their skills as adult educators or educational leaders in the orthodox community. You will be given the opportunity to study *Torah* with some of the world's leading Jewish educators, develop your public speaking skills, and learn to prepare and deliver a *dvar Torah* [sermon]'; the programme is based at LSJS.

²²⁸ For further information on LSJS, see: <https://www.lsj.ac.uk/>.

²²⁹ These include, but are not limited to: United Synagogue communities; independent orthodox synagogue-communities; London firms who offer lunch-and-learn classes for Jewish staff; JW3 (the first Jewish community centre in London 'helping to create a vibrant, diverse and proud community, inspired by and engaged in Jewish arts, culture and community'); orthodox Jewish high schools (Hasmonean High School for Girls and Immanuel College); and as scholar-in-residence over *Shabbat* [the Sabbath] in a variety of orthodox communities across the UK.

were they given less access to sacred texts; why were they discouraged or prohibited from domestic and public ritual participation, especially if *halakha* [Jewish law] seemed to allow it; and why were there no positions of religious leadership within the orthodox community for or held by women in the UK? Indeed, these questions did not only arise in the classroom, but have circulated in my own local orthodox synagogue-community, in my children's school playgrounds and across our lively *Shabbat* [Sabbath] table. Given my experience of an alternative, less constrained orthodox religious practice in Jerusalem (1993-1998), I was compelled to address these issues not only in my lectures, but also within my local orthodox synagogue-community.

In 2000, I became involved in the first United Synagogue women's *Megillah*²³⁰ reading (Radlett): I chanted one of the (ten) chapters; I served as *gabbait* [warden] to ensure that the women read accurately; and I gave preparatory lectures on the *halakhot* [Jewish laws] of *Megillah* reading and the other legal obligations incumbent upon women on the festival of *Purim*, as well as a class on the narrative text of *Megillat Esther* [the Scroll of Esther]. Consequently, I was able to assist BOJW of several other United Synagogue communities who wanted to establish their own women's *Megillah* reading; and currently, as well as participating yearly in Radlett's women's *Megillah* reading, I also chant and serve as *gabbait* for the Edgware women's *Megillah* reading. Additionally, I began promoting girls' religious education both at primary and secondary school – by meeting with teachers and

²³⁰ *Megillat Esther* [the Book of Esther], colloquially called the *Megillah*, is read on *Purim* [the Feast of Lots], a spring festival celebrating the overturning of the decree to annihilate the Persian Jewish community, circa 400BCE; see: APPENDIX 1, DEFINITIONS.

heads of *kodesh* [religious study]; and women’s religious education – by teaching classes, writing new programmes²³¹ and writing to, or meeting with local rabbis to request a more robust educational programme for women in their communities – some conversations more successful than others. I am also a founder member of the Edgware women’s *Mishnah Chabura* [oral law study group], in which orthodox Jewish women study *Mishnah* [oral law] weekly, at each other’s homes on *Shabbat* [the Sabbath] afternoons.²³² I have taught the *halakhot* [Jewish laws] pertaining to ritual participation (both at home and in the synagogue) and encouraged it within my own synagogue-community and family. I have promoted women’s leadership within orthodox communities across the UK by advocating for it, lecturing on the subject, and taking on leadership roles – as guest lecturer or as scholar-in-residence in orthodox synagogue-communities²³³ and university campuses²³⁴ across the UK, and as the scholar-in-residence yearlong position at Hampstead United Synagogue (2015-2016).²³⁵

During my teaching career, it became obvious to me, that although I had some grounding in Jewish sacred texts, I was much less conversant with feminist and gender theory – much of which addresses some of the questions raised in my classes, by my orthodox friends and from academic colleagues; I thus applied for

²³¹ For example, ‘The Female Jew’ yearlong programme, piloted at LSJS in 2010, then subsequently modified and taught at United Synagogues across Greater London in four weekly sessions.

²³² See Chapter Four, where the *Mishnah Chabura* is examined in detail.

²³³ For example: Alei Zion, Hendon (2014), Belmont (2013-2019), Brondesbury Park (2014, 2017, 2019), Edinburgh (2018), Hampstead Garden Suburb (2015, 2016, 2017, 2019), Hendon (2018), Kenton (2019), Muswell Hill (2014, 2015, 2017), Radlett (2018), St. John’s Wood (2015) United Synagogues; other locations include: Ner Yisrael Community, Hendon (2015), Stanmore Women’s *Tefillah* (2015)

²³⁴ For example: Cambridge University (2018), Oxford University (2013, 2018).

²³⁵ See: <https://www.hampsteadshul.org.uk/event/scholar-in-residence/>.

the MSc Gender at the LSE's Gender Institute in 2009 and once completed, stayed on to pursue this doctorate.

Consequently, I have been invited to speak at conferences or take part in panels debating these issues, including the Cheltenham Literary Festival (2014); the annual JOFA conference (2016, 2017, 2018);²³⁶ the Limmud Conference (2013, 2014, 2015); the annual United Synagogue Women's Conference (2012, 2013); the Jewish Leadership Council (JLC) Commission on Women in Jewish Leadership Open Meeting (2012) and the UK Association of Jewish Lawyers and Judges (UKAJLJ) (2019).²³⁷ More recently, I was asked to respond to Adam Ferziger's paper, 'Female Clergy in Male Space: The Sacralization of the American Orthodox Rabbinate' (2018) at the Oxford Summer Institute in Modern and Contemporary Judaism,²³⁸ to write a piece for the LSE's Religion and Global Society blog,²³⁹ and to participate in the LSE's newly launched Religion Scholars Network.

As is apparent, I am steeped in my research location; accordingly, together with my earlier claim of the gap in research on British orthodox Jewish women, it is the lived

²³⁶ For further information, see: <http://www.ukjofa.org/>.

²³⁷ As well as being located within my local Jewish orthodox community as orthodox lecturer and feminist-activist, more recently, I have become involved in interfaith work, as guest lecturer or panel participant, focussing on matters pertaining to women and faith. These include co-chairing my local Nisa-Nashim group (see: <https://www.nisanashim.org/>) and serving as Jewish Scholar-in-Residence for the Council of Christians and Jews (CCJ; see: <http://www.ccj.org.uk/>).

²³⁸ The conference was titled, 'Gender and Judaism: Perspectives from the Study of Comparative Religion and Transnationalism.' My response was titled, 'Queering Ordination'.

²³⁹ Entitled, 'A female ordination: British orthodox Jewish women and the global community'; see: <https://blogs.lse.ac.uk/religionglobalsociety/2018/04/a-female-ordination-british-orthodox-jewish-women-and-the-global-community/>.

experience of being a feminist-activist British orthodox Jewish woman which has been equally central in compelling me to take on this research.

Yet, having a personal stake in one's research might well be considered a risky business. Indeed, the ambivalence is overly-highlighted in a project where one is both the researcher and the (non-participatory) object of research, what Hill-Collins (2000) terms, the 'critical-insider',²⁴⁰ conceivably putting the researcher in a precarious location within her own self-proclaimed religious community. Even as Hartsock (1983) argues, the crucial epistemological act is to speak in one's own voice, there remains a niggling doubt as to one's own authority in speaking (out) and one's questionable status as traitor to or within one's own religious community and the cost of that vulnerability,²⁴¹ 'yet how, except through ourselves, do we discover what moves other people to change?' (Rich, 1986:223)²⁴²

Although I am attentive to my thorny location, I am concurrently persuaded by Stoetzler's (2002) observation that '[i]magination is situated; our imaginary horizons are affected by the positioning of our gaze. But, at the same time, it is our imagination that gives our experiences their particular meanings, their categories of

²⁴⁰ Collins, P. H. (2000) in James, J. and Sharpley-Whiting, T. (eds) *The Black Feminist Reader*; Blackwell.

²⁴¹ Note Ayelet Shachar's insight into the complexity of wanting to speak out or bring about change within a religious community, itself within a multicultural location. She states that, 'understanding of religious communities' and the 'state-sanctioned delegation of jurisdiction to authorities within an identity group, when accompanied by a "non-interventionist" policy, plays right into the hands of power-holders in the group. It allows these leaders to define any potential change in the group's (now state-sanctioned) practices as corruptions of the nomons. Members who attempt to bring about in-group changes, by suggesting a less gender-biased reading of its family practices, for example, are consequently open to accusations of cultural betrayal' (Shachar, 2001:39).

²⁴² Rich, A. (1986) *Notes toward a Politics of Location in Blood, Bread and Poetry: Selected Prose 1979-1985*.

reference' (Stoetzler et al, 2002:327).²⁴³ Perhaps then, it is precisely this location that might mean I am the ideal candidate for the job. Furness (2012) argues that this level of intimate engagement might be preferable; in describing his work on punk culture, he 'criticises the way that punk has become another 'object' or 'text' of study analysed by scholars who "seem to have a limited knowledge of punk music and DIY culture, and a level of engagement with punk scenes that is more akin to *casual tourism* than *active participation*" (Furness 2012:12)' (Downes et al. 2013:103, *italics* mine). I found reading Furness' work incredibly fascinating and insightful (and very enjoyable), perhaps because the context was so very different from my own. And yet, he managed to capture precisely so much of what I was feeling as researcher within my own community: hearing the nuances, recognising both the moments of compliance to community norms and the small subtle subversive shifts away from them; knowing the meanings of things. His work gave me cause to believe that I had some reasonable chance of giving BOJW an authentic voice, precisely because of my 'active participation' in the community I research; that it may turn out to be an indispensable benefit.

Furthermore, he argues that,

'when the complexities and nuances of punk music, aesthetics and identities are ignored in lieu of sweeping claims and a reliance on problematic assumptions, this has a significant bearing on the ways in which people

²⁴³ Stoetzler, M. and Yuval-Davis, N. (2002) 'Standpoint Theory Situated Knowledge and the Situated Imagination' in *Feminist Theory* 3(3):327.

conceptualize, interpret and draw conclusions about the ‘politics of punk’, youth subcultures, and perhaps the social functions of art and music, as well. The concern here is thus not only the fidelity of the narratives – as in whether the accounts (of bands, scenes, events, etc.) are accurate and truthful – it is also a matter of *who gets to speak for whom*: whose stories are told and whose are silenced, and perhaps most importantly, who gets to shape public knowledge(s) that inform the ways in which we collectively remember people, events, institutions, ideas, cultural practices and cultural history’ (Furness, 2012:17).

I am therefore responsible for ensuring that the voices and experiences of BOJW are not only recorded and shared ‘accurately and truthfully’, but that I am aware that I am the storyteller, that I speak on another’s behalf, that I am responsible for ‘shaping public knowledge.’ With this in mind, my own position on religious ritual participation, on the structures of power within the British orthodox Jewish community, on the educational opportunities for orthodox girls and women and perhaps most significantly in this context, my feminist proclivities need to be both laid bare and restrained – allowing me to inhabit my location and reflect from it.

Avishai et al.’s (2013) paper on the ‘Feminist Ethnographer’s Dilemma’ specifically relates to the nature and content of the research to the researcher’s possible (or probable) feminist agenda. In it, the authors entertain three research projects in which ethnographic data provoke the researcher to rethink a priori ideas about religious women and gendered rituals, recognising that, ‘feminism can operate as a

blinder, limiting our ability to see and interpret empirical realities that do not conform with feminist expectations' (Avishai et al, 2013:394). Even as an orthodox Jewish woman, this has resonance, because I will struggle during this research to both include and disassociate myself from my actual active participation within local synagogue-communities. With this in mind, I work hard not to presume or assume any specific research findings, nor show preference to or dismiss those with which I might personally agree or disagree; all the time reminding myself of Alcoff's assertion that, '[t]o say that location *bears* meaning and truth is not the same as saying that location *determines* meaning and truth' (Alcoff, 1995:106; *italics mine*).

2.2 The LOCATION of ANGLO-JEWRY

'We talk instinctively of 'the Anglo-Jewish community'. There is today no such thing, but rather a series of communities some of which overlap to a greater or lesser extent.' (Alderman, 1998:378)

According to Freud-Kandel, '[t]he story of Anglo-Jewish Orthodoxy's theological development is a tale of two theologies; the shift from a theology of synthesis to a theology of compartmentalization. At its heart, the theological position of the community is predicated on the presence of confidence or fear.' (Freud-Kandel, 2006:159) Using her assertion, I frame this section – both with regard to Anglo-Jewry's theological development and contribution to Jewish thought worldwide, as well as the lived experience of the British orthodox Jew.

A BRIEF HISTORY

In the latest UK census (2011),²⁴⁴ the number of Jews was down to 266,240 (~2% world Jewish population) – but this has been thought to be an undercount (Jewishness, because of its cross between race and religion, may be problematic to ascertain according to the census questions). Compare this to the estimated 5.8 million Jews in the United States (~40% world Jewish population)²⁴⁵ and 6.3 million in Israel (~43% world Jewish population).²⁴⁶

In the 2016 Board of Deputies' (BOD)²⁴⁷ findings just over half (56%) of self-identified British Jews belonged to a Jewish community and of those, about 53% affiliated to (centrist or mainstream) Orthodox communities. In addition, 13% per cent of synagogue membership was associated with the *charedi* [ultra-orthodox] community. This has marked a significant change over the last 30 years, and the BOD's findings suggest that, '[t]he most significant changes in synagogue membership since 1990 can be seen in Central Orthodoxy, which has experienced a 37% decline over the period, and in Strict Orthodoxy, which has experienced a 139% increase. These trends have continued since the previous synagogue membership report was published in 2010. The Central Orthodox share has

²⁴⁴ See:

<https://www.ons.gov.uk/peoplepopulationandcommunity/culturalidentity/religion/articles/fullstory-whatdoesthecensustellusaboutreligionin2011/2013-05-16>.

²⁴⁵ Statistics taken from: DellaPergola, S. (2016) 'World Jewish Population, 2016' in Dashefsky, A. and Sheskin, I. M. (eds.) (2016) *The American Jewish Year Book* (Volume 116); Springer:253-332; see: <https://www.jewishdatabank.org/databank/search-results/study/831>.

²⁴⁶ For alternative figures, see: The Steinhardt Social Research Institute at the Cohen Center for Modern Jewish Studies Jewish Agency, Brandeis University, 2015, at: <http://ajpp.brandeis.edu/aboutestimates.php> or <http://www.pewresearch.org/fact-tank/2013/10/02/how-many-jews-are-there-in-the-united-states/>.

²⁴⁷ See: <https://www.bod.org.uk/wp-content/uploads/2017/07/Synagogue-membership-in-the-United-Kingdom-in-2016.pdf>.

declined by 8% over the past six years, whilst the Strictly Orthodox share has grown by 18%.’ (Boyd and Mashiah, 2017:2) Jewish communities are spread across the U.K. but the majority of Jews live in Greater London (approximately 65%), the highest concentration in the London boroughs of Barnet, Westminster and Hertfordshire. There are several other thriving communities, the largest are in Gateshead, Glasgow, Leeds, Liverpool and Manchester.²⁴⁸ In addition, in 2018, over sixty percent of Jewish school-age children attend Jewish schools and of those, most go on to higher education – both to religious institutions in Israel and/or the U.S. and/or to university.²⁴⁹

Modern UK Jewish communities were founded subsequent to the immigration of Jews into Britain in 1655, with the permission of Oliver Cromwell. Yet, by 1800, ‘the Jews of England were probably the most acculturated, secular and ignorant in Europe’ (Elton, 2009:24). In order to assert their interest and determination not only to contribute to British society, but also to in-distinguish themselves from it, there appears to have been a systematic rejection of formal Jewish education. As Alderman pointedly remarks, “[p]upils enter school Russians and Poles”, a Board of Trade report noted with evident satisfaction in 1894, “and emerge from it almost indistinguishable from English children” (Alderman, 1998:139). This approach to assimilation of ideas filtered through into assimilation of practice, such that the illiterate Jew became, unsurprisingly, the non-practicing Jew. Indeed, Todd

²⁴⁸ See: <https://www.bod.org.uk/wp-content/uploads/2017/07/Synagogue-membership-in-the-United-Kingdom-in-2016.pdf> p.20.

²⁴⁹ See: <https://www.bod.org.uk/wp-content/uploads/2017/07/Synagogue-membership-in-the-United-Kingdom-in-2016.pdf>.

Endelman coined the phrase *Radical Assimilation*²⁵⁰ and suggests that the wealthier Jews of the 1800s 'were indifferent to or ignorant of philosophical and theological distinctions and quite content to observe traditions that did not overly inconvenience them' (Endelman, 1990:81).

It was at this time also (circa 1800), that a later influx of European Jewry from Eastern Europe not only, 'increased the size of the Jewish population from 60,000 to 300,000 by 1914', but also, 'were much more traditional, on the whole, than the Jews already settled in England' (Elton, 2009:31). To the already established Jewish community in Britain, these new immigrants were often seen as an embarrassment – traditional Jews who had *not yet assimilated* and brought with them the 'old ways', an affront to those Jews already living in Britain who had deliberately and effectively shed their perspicuous 'Jewishness'. In contradistinction, this new wave of immigrants felt the urge to commit to their traditional Jewish orthodox lifestyle, almost as an act of defiance against the Jewish community they found on their arrival in Britain. Throughout the early 1800s '[o]rthodox factions on the religious right wing of the community' began their agitation... urging Anglo-Jewry to be more stringent in its observance of religious laws.' (Freud-Kandel, 2006:79)

In response to these divergent communities, several religious bodies were set up to both accommodate and perpetuate their differing communal needs. For the 'expanding middle class... the United Synagogue catered, erecting in north, west,

²⁵⁰ Endelman gives the idea prominence by entitling his 1990 book on the subject *Radical Assimilation in English Jewish History: 1656-1945*.

and north-west London imposing ecclesiastical edifices in which the alumni of Jews' College could ply a uniquely English brand of Judaism, within a liturgical and organizational framework that had come to resemble the class distinctions then to be found in the Anglican Church' (Alderman, 1998:103).²⁵¹ When, in 1870, Nathan Marcus Adler²⁵² established the United Synagogue, it was recognised and mandated by an act of Parliament, publicly confirming it as part of the British establishment – a considerable achievement of the middle-class Jewish community. It generated a union of three London synagogues, the position of The Chief Rabbi of Britain and the Commonwealth and became the dominant representation for Jewish life in the UK. However, given the lack of religious educational or ritual interest of the former, highly assimilated immigrants, 'the act of synagogue attendance itself was felt to be much more of a social than a religious obligation. Belonging to a synagogue was in any case more important than attending it' (Alderman, 1998:106). This, arguably, is a lot less true for United Synagogue members now than it was then – but it is important to recognise that there remains a sizable group of British Jews for whom this sentiment endures.

²⁵¹ Jews' College, now The London School of Jewish Studies; see: <https://www.lsj.ac.uk/>.

²⁵² Marcus Adler: 'Nathan Marcus Adler... was the first Chief Rabbi to undertake regular pastoral tours within the United Kingdom. During his Chief Rabbinate, the emancipation of Jews within the United Kingdom was completed... In 1866, Adler urged the lay leaders of the three City Synagogues - the Great, the New, and the Hambro', and their branch synagogues at Great Portland Street and Bayswater, to form the United Synagogue, established by Act of Parliament in 1870. This union, still the largest religious grouping within the British Jewish community, and taking its religious authority from the Chief Rabbi, would not have come into being without the prestige and encouragement that Adler lent to the proposal; from: <https://chiefrabbi.org/history-chief-rabbinate/>. Or see: <http://www.jewishencyclopedia.com/articles/829-adler-nathan-marcus>.

In 2019, there are 64 United Synagogues.²⁵³ Within it, the, ‘...institution of the British Chief Rabbinate is, indeed, peculiar to England’ (Freud-Kandel, M. 2006:44) and this model of an umbrella organisation headed by a representative for both its constituent Jewish communities and the general (secular) UK community is a British anomaly, bringing with it both benefits and challenges.²⁵⁴ Currently, the United Synagogue has an eclectic variety of rabbis and leaders,²⁵⁵ ranging from modern orthodox through to *charedi* [ultra-orthodox], several of whom are *Lubavitch*.²⁵⁶ Although they are all headed by the Chief Rabbi and his *Beth Din*,²⁵⁷ they have some personal leeway as to how their own synagogue-community is run, the *halakhic* [legal] decision making and philosophical trends to which they aspire. This means that despite the overarching United Synagogue philosophy, there is room for local flexibility – which may result in stringency and rigidity or leniency, creativity and debate. At present, women may hold any position of lay-leadership; they hold no positions of ritual leadership; and in 2015, Hampstead United Synagogue²⁵⁸ established the post of Scholar-in-Residence specifically for women – thus creating the first educational position of leadership within a United Synagogue community.²⁵⁹ In 2009, Lauren Levin was hired as a *Yoetzet Halakha* [legal

²⁵³ See: <https://www.theus.org.uk/communities>.

²⁵⁴ The position of Chief Rabbi is discussed and analysed in Freud-Kandel’s (2011) *The British Chief Rabbinate: A Viable Institution?*

²⁵⁵ You can meet them here: <https://www.theus.org.uk/category/find-rabbi>.

²⁵⁶ *Lubavitch* are a group of *chasidic* Jews who ascribe to the teachings of the late Rabbi Mendel Mendel Schneerson. In general, they are much less polarised than other *chasidic* communities, and believe strongly in sending Jewish emissaries around the world to create Jewish communities. See also: APPENDIX 1, DEFINITIONS.

²⁵⁷ *Beth Din*, see: <https://www.theus.org.uk/article/about-london-beth-din>, see also: APPENDIX 1, DEFINITIONS.

²⁵⁸ Hampstead United Synagogue’s Rabbi Michael Harris has been the first and, thus far, the only rabbi in the UK to install a female Scholar-in-Residence in his community. See: <https://www.hampsteadshul.org.uk/who-we-are/danielle-gedalla/>; see also: Chapter Six.

²⁵⁹ See United Synagogue Bye-Laws:

https://www.theus.org.uk/sites/default/files/New%20Byelaws%2012July2010_1.pdf.

advisor]²⁶⁰ at South Hampstead United Synagogue, where she also still serves as a *rebbetsin* [rabbi's wife]; in addition, Levin served as a part-time *Yoetzet Halakha* [legal advisor] at Finchley United Synagogue from 2012-2016. There have been no other positions of leadership established for women within the United Synagogue communities and to date, there have been no further appointments of any *Yoatzot Halakha* [legal advisors].²⁶¹ Moreover, in addition to the United Synagogue's website listing information about local Rabbis (69 listed), it also holds information about local *rebbetsins* [rabbi's wives] – although at present only 10 are listed.²⁶²

In 1887, concurrent to the creation of the United Synagogue, Samuel Montagu²⁶³ a wealthy, more traditional Jew, amalgamated several small Russian and eastern European synagogues to create the Federation of Synagogues, located in and around the slums of East London. It 'accepted the authority of the Chief Rabbi, but had its own Chief Minister, which had potential to create tension with the Chief Rabbinate, based as it was on centralised authority' (Elton, 2009:31) and, in 2019, there are 26 Federation Synagogues in the UK.²⁶⁴ Slightly more religiously to the right of the Federation was the establishment in 1926 of the Union of Orthodox Hebrew Congregations (UOHC), another umbrella organisation of *charedi* [ultra-orthodox] synagogue-communities and educational facilities based in London, which now boasts a membership of over 6000 members in approximately 100

²⁶⁰ *Yoetzet Halakha*: A position which will be explored in Chapters Four and Six.

²⁶¹ Although to date, 110 have qualified at Nishmat's Jeanie Schottenstein Center for Advanced Torah Study for Women in Jerusalem and have been appointed in the States, Canada and Israel. See: <http://www.yoatzot.org/contact/default.asp?id=615>.

²⁶² See: <https://www.theus.org.uk/category/find-rebbetzen>.

²⁶³ See: <https://www.federation.org.uk/wp-content/uploads/2016/09/tribune-5feb2015.pdf>.

²⁶⁴ See: <https://www.federation.org.uk/communities/>.

institutions.²⁶⁵ It was founded upon the self-proclaimed mission statement, ‘to protect traditional Judaism’ (UOHC *Luach* 5767). However, ‘[m]uch more militant were the founders of *Machzike Hadath*²⁶⁶ which from 1891 until 1904 waged a war against the (United Synagogue’s) Chief Rabbi over the issue of his standards of shehitah, the ritual slaughter of meat, which *Machzike Hadath* claimed were unacceptable’ (Elton, B. 2009:31; *italics* mine). Indeed, this institution was completely independent of both the United Synagogue and the Federation (until 1999), maintaining its more austere eastern European religious lifestyle and religious philosophy. It had its own authorisation of marriage and divorce, its own ritual slaughter and most significantly, it set up their own religious schooling system. Remarking on the legacy and institutions of the British *charedi* [ultra-orthodox] communal bodies, Freud-Kandel notes, ‘[a] symptom of right-wing Orthodoxy’s policy of religious separation was religious triumphalism... nurtured by the belief that one’s own methods for defending Orthodox Judaism represented the only suitable and viable formula for sustaining a faithful remnant’ (Freud-Kandel, 2006:118). Notably, this fracture has been exacerbated by contemporary debates about orthodox women’s traditional roles and expectations within these varying British orthodox institutions, as well as worldwide, and continues to be an arena of complex deliberation.

Since their inception, the Federation of Synagogues, those within the UOHC family and *Machzike Adath* have espoused a more traditional, pietistic Judaism than the

²⁶⁵ Massil, S. (2002) *The Jewish Year Book 2002*; Vallentine Mitchell Publishers:11.

²⁶⁶ See: <http://machzikehadath.com/>.

United Synagogue. Currently, all of their rabbis consider themselves *charedi* [ultra-orthodox] and, in general, they adopt a stricter *halakhic* [legal] outlook than their United Synagogue colleagues.²⁶⁷ Although the *Machzike Hadath* synagogue-community located in Golders Green, North-West London, is now under the umbrella of the Federation of Synagogues – it continues to be an influential leader of *charedi* [ultra-orthodox] Judaism.

Freud-Kandel suggests that as the later, more right-wing immigrants held more and more sway over the make-up of the religious institutions and practice in Britain, they ‘succeeded in establishing themselves as the ‘conscience of the nation’ through whose activities ‘the larger mass of Jewry is reminded of the higher religious standards at which all Jews should aim. This created a tendency in the mainstream of Anglo-Jewish Orthodoxy to look over its right shoulder to seek the approval of the right wing’ (Freud-Kandel, 2006:158); and I would argue that this is especially true today.

This ‘fear’ has seeped into many British orthodox Jewish communities, despite the early origins of those communities, and, ‘[b]y the early 1990’s, right-wing orthodoxy had come to exert a powerful influence on Anglo Jewish mainstream orthodoxy’ (Gidley and Kahn-Harris, 2010:67).²⁶⁸ Consequently, several United Synagogue

²⁶⁷ For example, none of the Federation publications feature photographs of women: https://www.federation.org.uk/wp-content/uploads/2018/03/Hamaor_Pesach_5778-2018-web.pdf.

²⁶⁸ A subject which Mahmood notes with regard to the stricter authorities in Egypt, and with specific reference to women: ‘Maryam’s arguments resonate with a number of scholars active in the Islamic Revival who have written against the kind of views espoused by the Nafisa dā’ayāt in order to correct what they perceive as a... tendency toward overly stringent and narrow interpretations of the Quran and the hadīth, particularly in those aspects that pertain to the conduct of women.’ (Mahmood, 2005:104).

communities and the United Synagogue Institution itself are also predisposed to the shift-to-the-right phenomenon, as is its leadership; this is articulated in several ways. Firstly, the United Synagogue's *Beth Din* [Judicial Court] is currently headed by four *charedi* [ultra-orthodox] *dayanim* [judges]²⁶⁹ – three of whom studied at the Gateshead Yeshiva,²⁷⁰ world-renowned champion of the *charedi* [ultra-orthodox] community and philosophy.²⁷¹ Secondly, there are a significant number of *charedi* [ultra-orthodox] rabbis heading United Synagogue communities – over half the current cohort. And thirdly, the lack of female religious leadership positions (I am *not* including *rebbetsins* [rabbi's wives] as an adjunct to their husbands' positions) has become both a meta- and counter- narrative to the establishment of these expanding leadership roles in both the non-orthodox Jewish synagogue-communities in the UK, and more left-leaning orthodox synagogue-communities in the US and Israel. As such, it has been, I would argue, the most significant location of contemporary dispute within British orthodox communities (See Chapter Six for further detailed analysis).²⁷²

²⁶⁹ In 2019, they are: Dayan Yonason Abraham, Dayan Ivan Binstock, Dayan Menachem Gelley (Head of the London Beth Din) and Dayan Shmuel Simons; see: <https://www.theus.org.uk/category/our-dayanim> for further information. In the last month of writing up this PhD, Dayan Abraham resigned and the London Beth Din has not yet appointed a replacement; see: <https://jewishnews.timesofisrael.com/chief-rabbi-laments-shameful-episode-following-dayans-resignation/>. See also: Persoff (2010) 'It is an established fact that the Beth Din has always been to the right of the community. Again, the members of the Beth Din are employees of the United Synagogue. The United Synagogue is extremely jealous of its control over its officials and allows virtually no discretion of initiative' (Persoff, 2010:2).

²⁷⁰ See: <http://www.gyalumni.org/> or <http://gatesheadkolel.weebly.com/history.html>.

²⁷¹ The philosophy of the late Dayan Yehezkel Abramsky is maintained to a large degree at the London *Beth Din*. He was appointed Rabbi of *Machzike Hadath* in 1931, and Av (Head) of the London *Beth Din* in 1934 - and it was his outlook and *halakhic* [legal] mastery which assured that the London Beth Din became world-renowned, as well as its appointed judges notably more right-wing than its constituent membership.

²⁷² See: Yeshayahu Leibowitz (1980) in *The Status of Women: Halakhah and Meta-Halakhah*, who opined in 1980 that, '[t]he question of Women and Judaism is more crucial today than all the political problems of the people and its state'; see: <http://www.leibowitz.co.il/leibarticles.asp?id=86>.

The MYTH of 'UNITY' of ANGLO-JEWRY

What is noteworthy with regard to the UK and its orthodox communities is the paucity of literature and religious influence it has had on the rest of the world's orthodox communities, schools and other educational institutions. As recently as 2017, it was argued that, '[n]ot a single scholar, as far as I know, has tried to assess the place of Anglo-Jewry in the development of Judaism itself' (Brown, 2017:49). Indeed, this status quo seems to have a history. As far back as 1956, Rabbi Dr Immanuel Jakobovits (later, Chief Rabbi, 1967-1991) noted that,

'Anglo-Jewry is probably more monolithic in character than any other Jewish community, past or present. It has an authorized (Chief) Rabbinat, and authorized (united) Synagogue, and authorized Jews' College, and an authorized (Jewish) "Chronicle" as well as an Authorized (Singer's) "Prayer Book", and whoever and whatever is not thus "authorized" enjoys at best some unofficial de facto recognition of a partly naturalised alien that will never attain to completely equal rights... *It is obvious that such conditions do no conduce to spiritual productivity.*' (Jakobovits, 1956; *italics mine*).

Jakobovitz went on to ask, why Anglo-Jewish history had been so 'singularly unproductive in the field of religion?' and answered:

'Only in a society which promotes, or at least sympathetically tolerates, *variety and institutional diversity* can the seeds of independent inquiry, the quest for fresh values really bear fruit. *Rigid conformity, on the other hand,*

is bound to stifle the ambition in search of new paths.' (Jakobovits, 1956;
italics mine)

Forty years later, Jakobovitz remarked again that the, 'obsession with communal unity is a peculiarly Anglo-Jewish trait. It does not feature in such form among American or European Jews – and certainly not in Israel. It is time we shifted our concern from form to substance: how to live as fuller and better Jews, rather than how to gloss over differences and proclaim unity which turns out to be a mirage.'
(Jakobovits, 1997:23)

The unrelenting issue with unity is recognised by Catto and Woodhead (2012) when they comment on the features which characterise Anglo-Jewry, yet they associate it not only with orthodox synagogue-communities but wider bodies of British Jewish life. They allege that, '[t]he main bodies that claim to speak on behalf of Jews in Britain are the Board of Deputies of British Jews, Office of the Chief Rabbi and the Jewish Leadership Council; they are as much a reaction to the state as a desire by the community to *speak with a unified voice*' (Woodhead and Catto (eds.), 2012:89; *italics mine*). This observation is of particular interest to my research as it marks out something specific about being a *British Jew*, regardless of religious affiliation – highlighting Britishness as an especially relevant marker of Jewish identity with regard to issues of diversity. To some extent, the lack of development, creativity and response to the changing secular environment has become a hallmark of Anglo-Jewry, and thus, in contradistinction to the orthodox Jewish communities in the United States and Israel, 'the UK Jewish community whose institutions were

developed in the nineteenth century' has 'remained largely unreformed for much of the twentieth' (Gidley and Kahn-Harris, 2010:59).

Presently, there are many communities that still feel very strongly about their apparent unity with one another and do not encourage local diversity. Indeed, in 2017, a modern orthodox community was established in a North-West London area.²⁷³ Although the founders of the new synagogue-community had met with the local rabbis to discuss the project, due to the fact they were not running their community in the same religious style as the already established local communities, they have been excluded from the joint inter-synagogical round-table discussions about local communal matters, although they have been the subject of debate at them. This then, is a very recent example of the will to homogeneity and the current leadership's inability to embrace and include synagogue-communities 'other' than those which perpetuate their own specific beliefs and religious philosophy.

Many decades later, there remains a persistence of the tendency toward the monolithic within the British orthodox community and the persistence of conditions that may not be conducive to everyone's spiritual productivity. Nevertheless, within *some* United Synagogue communities, some *kiruv* [outreach] organisations, some modern orthodox and within open-orthodox communities there have been

²⁷³ Synagogue-community, left anonymous, as requested by community founders.

examples of creative, inclusive and specifically women-friendly educational and ritual programmes.²⁷⁴

The CONTRAST: ANGLO-JEWRY, the US and ISRAEL

The orthodox experience in the UK is conspicuously different from the US and Israel, most significantly within mainstream and modern orthodoxy. Freud-Kandel argues that this was (and is) precipitated by poor Jewish education, stating that,

‘British Jews may often have been aware of the events that were occurring in Jewish communities outside Britain... this is different to being intellectually influenced by such knowledge. The generally poor levels of Jewish and particularly Hebrew literacy in Anglo-Jewry tended to prevent the widespread influence of ideas that were developed beyond British shores.’ (Freud-Kandel, 2006:xiv)

Indeed, the abundance and variety of *charedi* [ultra-orthodox] and modern orthodox educational institutions in the USA²⁷⁵ and Israel reflect the way in which both critical mass as well as critical thinking facilitate diversity within orthodox

²⁷⁴ For more detail, see Chapters Four, Five and Six; suffice to note here that some synagogue-communities and other organisations, often *charedi* [ultra-orthodox] or with *charedi* leadership choose to perpetuate the status quo of women’s participation and educational aspirations. Consequently, although there are programmes specifically aimed at women, they nevertheless perpetuate the minimisation of orthodox women’s educational aspirations, ritual participation and any opportunity for religious leadership (albeit within an educational framework).

²⁷⁵ There is some literature exploring women’s participation in orthodox life which refers to educational institutions – high schools and *yeshivot*/seminaries, in both the States and Israel; conspicuous within them is the absence of any mention whatsoever of similar institutions in the UK. See, for example: Berkovic (2011); Brawer (2013); Brody and Brod (2011a); Ferziger (2009, 2018) Golinkin (2011); Israel-Cohen (2012) and Levmore (2016).

communities, and enable them to flourish. In contradistinction to this trend, is a thought shared by Rabbi Jeffrey Cohen in 2009. He reflected on how during a recent trip to the States he had experienced women's *tefillah* [prayer] groups and other forms of experimental services – and he discussed the rituals with his synagogue-community congregants. He also spoke to Chief Rabbi Jakobovits, a close, personal friend – who he quotes as responding:

'Jeffrey, I am going to advise you as a friend. Don't try to found a Modern Orthodox movement in Britain because you will fail. Why? Because the *charedim* [sic] are in ascendancy. They are getting numerically stronger they have passion, and they are going to take over. I can only hope that, once they are in a seat of power, they will moderate their position. He was right – but we have yet to see any evidence of them moderating their position.' (JC, 2009: New Year Supplement)' (Persoff, 2010:278)

And, given that this is, arguably, still the general state of the British orthodox community, many of the phenomena described in Chapters Four, Five and Six should come as no surprise; re-iterating Gidley and Kahn-Harris' comment that the 'American Jewish community has always been much more receptive to innovation in Jewish thought and practice than its counterpart in the UK' (Gidley and Kahn-Harris, 2010:58).

2.3 THE LOCATION OF BRITISH ORTHODOX JEWISH WOMEN

As these religious movements developed and flourished, through their synagogue-communities, through rabbinic training, through *kashrut* [food regulations] authorities and within community schools; so too the expectations of how BOJW ought to live their lives developed. The influential 'secular trend affecting middle-class women in late Victorian and Edwardian England... which culminated in the suffragette movement' (Alderman, 1998:199) also had its defining effects on British orthodox Jewish women. Finding little fulfilment within (especially) the United Synagogue's conspicuously male and hierarchical structure, the lack of religious education and the marginalisation from religious ritual, those well-educated women who had been 'excluded from taking anything more than a peripheral part in communal and religious affairs... looked elsewhere for self-fulfilment' (Alderman, 1998:200). Much progress was made over the next one hundred years with regard to women's and girls' education, and in 1936 Hasmonean Secondary School²⁷⁶ opened to offer Jewish education to girls.²⁷⁷ But it was not until the late 1980's that any marked change in ritual activity took place; indeed, '[t]he first British *Rosh Chodesh*²⁷⁸ group was set up in... the late 1980s by a teacher, Mrs Jean Shindler, and others, on the initiative of Alice Shalvi of the Israeli Women's Network' (Alderman, 1998:403),²⁷⁹ which included women leading prayer, learning religious

²⁷⁶ See: <http://www.hasmonean.co.uk/about-us/hasmonean-history/>.

²⁷⁷ For a detailed analysis of the development of women's and girls' Jewish education, read: Zolty, S. (1993) *And All Your Children Shall Be Learned*.

²⁷⁸ *Rosh Chodesh*: The New Moon. Traditionally celebrated by women specifically, recorded as a gift to them from God for not participating in the Biblical incident of the Golden Calf. See: *BT Megillah 22b* and coded in Jewish Law, Karo, *Shulchan Arukh (O"C 417)*. See also: APPENDIX 1, DEFINITIONS.

²⁷⁹ Alice Shalvi, born in Essen, Germany in 1926; she is a well-known Israeli professor, educator, and feminist activist. For further details see: <https://jwa.org/encyclopedia/article/shalvi-alice> or read her newly released (2109) autobiography *Alice Shalvi: Never a Native*.

texts and celebrating together. Throughout the 1970s and onwards, in both the United States and Israel, the impact of feminist literature and activism on religious Jewish life – especially education and ritual participation swelled.²⁸⁰ Thus, it was only to be expected that during the period, ‘feminist ideas entered the mainstream of British Jewry, but these ideas... operated squarely within the halacha [sic]’ (Alderman, 1998:403), nevertheless ‘within a few years many of the initiatives inspired by the Rosh Hodesh movement petered out, apparently as a result of rabbinic and lay opposition and most Orthodox women’s reluctance to defy rabbinic authority and risk the very real discomfort attendant upon undertaking new ritual practice’ (Taylor-Guthartz, 2016:160).

By 1992, many British orthodox Jewish women, in the mainstream and modern orthodox communities, were questioning their religious roles inside and outside of those synagogue-communities. This culminated in two further memorable events. Firstly, in 1993, Chief Rabbi, Lord Jonathan Sacks, ‘sanctioned the first women-only Sabbath service though he also ruled that the Stanmore Synagogue Women’s Prayer Group could not be permitted to read from the Torah scroll’ (Alderman, 1998:404);²⁸¹ and secondly, he instructed Rosalind Preston,²⁸² ‘to co-ordinate a far-reaching enquiry into the role of women in the Anglo-Jewish community.’ As

²⁸⁰ Articles and books discussing women’s participation, education and leadership rapidly emerged over the next three decades in the US and Israel. For example: Berman, S. (1973) ‘The Status of Women in Halakhic Judaism’ in *Tradition* 14(2); Greenberg, B. (1981) *On Women and Judaism: A View from Tradition*; Heschel, S. (1995) *On Being a Jewish Feminist* and Meiselman, M. (1978) *Jewish Women in Jewish Law*.

²⁸¹ The weekly biblical portion is read by men from a *Torah* scroll in synagogue every *Shabbat* morning. The women of the WTG were not permitted to read from a scroll, but from a printed text.

²⁸² See: Citron, J. and Goodkin, J. (1994) *Women in the Jewish Community: Review and Recommendations*.

Alderman continues, '[t]he Preston report, published in July 1994, represents the fruits of the most exhaustive investigation ever undertaken into the feelings of Anglo-Jewish women about their spiritual needs and religious status' (Alderman, 1998:404). Although the report collected and collated material exclusively from United Synagogue membership, it is highly representative of BOJW who belong to other orthodox synagogue-communities, especially modern orthodox. The report detailed some of the ways women felt excluded and shunned from religious life and it made over 100 recommendations for improvement. Several of these recommendations were taken up by local rabbis and communities: the saying of the *kaddish*²⁸³ prayer for a deceased relative, religious ceremonies for the birth of a girl and the inclusion of women in core synagogue-community decision-making about the appointment of new rabbis, the architecture of a new building or educational activities, for example. Yet, many of the recommendations made were not absorbed into the normative practices of local synagogue-communities; for example single, divorced and widowed women still complain of disenfranchisement, especially if they are celebrating a child's *bar-* or *bat-mitzvah* [coming-of-age ceremony], and orthodox women still complain about the architecture of some synagogue buildings making it impossible to hear the prayers in the sanctuary because of their lack of proximity to it. (In orthodox synagogues, women and men are separated for prayer, either by a *mechitzah* [separation] made of a variety of materials which range from extremely opaque (wood, thick curtains)

²⁸³ *Kaddish*: Prayer said by a parent, sibling or spouse of the deceased for one month after burial, and by the child of the deceased for 11 months after burial; it can only be recited in the presence of a *minyan* [quorum of ten Jewish men] meaning that a person needs to be either in a synagogue or have gathered 10 men to their home for its recitation. Historically, women were excluded from this practice. See: APPENDIX 1, DEFINITIONS.

to less obtrusive (lattice or ironwork, translucent curtains); or by men sitting below in the main sanctuary, and women above in a 'ladies' gallery' which sits on three sides above the central sanctuary.²⁸⁴ Both of these arrangements can interfere with women's experience of the prayer service, through inability to see what's going on, to difficulty hearing what's going on, in addition to being excluded from the ritual service itself.) The reports' findings also highlight that the United Synagogue – set up as an umbrella organisation to include Jews whose ritual practice varied, from those who strictly observed *halakha* [Jewish law] to those who were more lax in observance – was veering towards the religious right in terms of its religious outlook and expectations of its membership – and in so doing was disenfranchising many of its congregants; this was especially true for women, some of whom felt judged if they did not go to *shul* [synagogue] regularly, were not wearing strictly modest clothing or did not cover their hair.²⁸⁵ Interestingly, many of these women expressed sadness at the loss of the more 'comfortable' United Synagogue of their parents' generation (their own childhood) and their own children's choice to either become more *charedi* [ultra-orthodox] or leave any sort of orthodoxy altogether, finding no joy or religious fulfilment in the status quo. Yet, 15 years later, in the follow up review *Connection, Continuity and Community: British Jewish Women Speak Out*, Aleksander (2009) repeated many of the original concerns, listing them thematically as, 'inclusion and exclusion, engagement and disengagement, enfranchisement and disenfranchisement'. He stated that,

²⁸⁴ See APPENDIX 9, PHOTO GALLERY.

²⁸⁵ In orthodox synagogues, as well as in all public spaces, married orthodox Jewish women are required to cover their hair; with either a *sheitl* [wig], a *tichel* [scarf] or a hat.

'[u]nless women are offered opportunities to lead the community on an equal footing with men, the gap between their secular and their communal lives will be unbridgeable. Young women have no desire to sustain another generation of tea-makers. They will find other, more productive outlets for their talents, potentially outside the Jewish community...

Women's participation in spiritual life is often a rabbinic lottery within mainstream Orthodox Jewry...

Enlightened attitudes towards female participation can greatly enhance how connected women feel towards their Judaism, and more importantly, the extent to which they can greatly enhance their children²⁸⁶ to connect with their Jewish heritage' (Aleksander, 2009:11-12).

Sadly, Aleksander (2009) reports that not much had changed, other than a further slippage to the religious right (Persoff, 2010:277), a persistent and niggling phenomenon which plays a significant role in locating BOJW.

This brief introduction situates the orthodox world within which many BOJW navigate their religious practices – some of course, are members of the United Synagogue, although others belong to modern orthodox or *charedi* [ultra-orthodox] communities; these findings locate them all to some extent, and give a good grounding for thinking about if, how and why BOJW generate alternative spaces for pious performances.

²⁸⁶ Although not the topic for this research, note the assumptions of motherhood made by this comment.

INTERSECTIONAL IDENTITY - British, orthodox, Jewish, woman (BOJW)

Crucially, I want to mention within the context of location, some intersectional debates about identity. Given that this work is situated in the UK, as well as acknowledging the differences between orthodox communities in the UK and elsewhere, I want to consider the multiple identity (-ies) of the women interviewed. There is some descriptive detail about each of them in Chapters Four, Five and Six,²⁸⁷ but here I want to think about the *theory* of identity (-ies) and the relevance of intersectionality. Kimberlé Crenshaw (1989) states, with regard to the experience of black women, that, ‘the intersectional experience is greater than the sum of racism and sexism’, thus, ‘any analysis that does not take intersectionality into account cannot sufficiently address the particular manner in which Black women are subordinated’ (Crenshaw, 1989:140). So too, I argue is the case for BOJW, one cannot simply add up the parts of that identity hoping for a cumulative result, as Toril Moi (1999) points out, ‘[t]o think of a woman as sex plus gender plus race and so on is to miss the fact that the experience of being white or black is not detachable from the experience of being male or female’ (1999:36); rather, the way in which each facet of that identity: British and orthodox and Jewish and woman intersect matters. In particular, I am interested in British-Jewishness as an essential dynamic in the religious lives of BOJW; and it is this strand of the intersectional moment, which I believe, critically marks their lives as agentic religious subjects. If indeed location matters, then being in the UK at this particular time in history with all its political, social and cultural norms matters too – and these norms and expectations influence and disturb not only what it means to be a BOJW, but to be

²⁸⁷ For a detailed account of each participant, see: APPENDIX 5, THE INTERVIEWEES.

an orthodox Jew at all. As I have discussed above, the history and contemporary nature of the British orthodox Jewish community is less expansive, less inclusive, less imaginative and less mobile than its counterparts in the US and Israel. It is also true that this may have a lot to do with critical mass. Notwithstanding these realities, how does the conservative nature of the British orthodox Jewish community impact on the identity of BOJW? How does the British experience of being a religious Jew impact on how BOJW live their lives? And, how does this particular brand of being an orthodox Jew impact the way in which they measure their religious education and literacy, their religious involvement and participation and their religious rights as well as responsibilities? How does being a *British* orthodox Jewish woman mark them?

It is interesting to note that, Saba Mahmood's (2005) exploration of the pious movement in 'postcolonial Egypt' touches upon the material fact of being an Egyptian woman and the cultural and religious impact this may have on religious subjects, yet she does not explore this in detail, perhaps considering Egyptian-ness an incidental factor. For example, she describes the women's mosque movement simply as, 'part of the larger Islamic Revival... that has swept the Muslim world, including Egypt, since at least the 1970s' (2005:43), rather than a specific kind of Egyptian movement with its own geographic particulars. And, although she notes that despite 'differences among the mosque groups... the participants all shared a concern for what they described as the increasing secularization of Egyptian society, an important consequence of which is the erosion of a religious sensibility they considered crucial to the preservation of "the spirit of Islam"' (2005:43). Thus,

she does not make this an 'Egyptian' response to the problem at hand, but a Muslim one. Moreover, although she situates her work 'within the context of... the current Islamic Revival... and the history of Egyptian religious activism in the last century' (Mahmood, 2005:43), these considerations are neither emphasised as specific to Egypt, nor theorised as critical, a requisite part of the research into the meaning of agency itself and to the relationship between religious authorities and religious women. Mahmood clearly mentions issues of Egyptian politics and policies with regard to religious practice, but her concern about the impact of that state interference and the religious 'way of being' in the world is, I believe, not emphatic – and the implications on subjecthood and agency are not scrutinised. In other words, Egyptian-ness remains coincidental, rather than essential.²⁸⁸ I do not follow this line of thinking with regard to BOJW, and want to highlight this difference. The Britishness in BOJW has great significance, and throughout the analytical chapters, it is both evident and sometimes prominent.

Lastly, and related to the intersectional debate, I want to mention the labelling of 'British orthodox Jewish women' themselves. As this project progressed, the use of the acronym BOJW (British orthodox Jewish woman/women) emerged as a tool to

²⁸⁸ There are, however, a few exceptions to my claim peppered throughout Mahmood's work, nevertheless, I remain unconvinced that it is a crucial part of her analysis. See, for example: 'the discussion surrounding ihktilat here is squarely situated within the expectations generated by women's access to public education in postcolonial Egypt, and the presumption of their rights to higher education' (Mahmood, S., 2005:102); or '[a] number of Egyptian Islamists, for instance, speak of the veil as an expression of Arab identity, while many of their secular-oriented critics view Islam as an essential part of the cultural terrain upon which the Egyptian nation has acquired its unique historical character' (Mahmood, S., 2005:118); or '[h]owever abstruse this might sound to secular ears, debates about how to interpret and enact the variety of embodied Islamic injunctions pervade Egyptian public life today, and even political discussions often devolve upon questions about the proper role ascribed to the performance of these practices.' (Mahmood, S., 2005:119)

ease repetitive typing. However, as a thoughtful PhD colleague pointed out,²⁸⁹ the BOJW acronym itself suggests some kind of homogeneous group, an artificial edifice I am actively trying to avoid. The term, “group’ can refer to those who are commonly located in a particular positioning; belong to the same ‘identity community’; share a ‘social network’; or associate with a common ‘political community’” (Stoetzler et al, 2002:318); similarly, the acronym BOJW, although it does not signify sameness, does imply ‘belonging’ and ‘association’. I do not intend to perpetuate an image of the British orthodox Jewish woman as a certain type of human being, with a specified lifestyle, who holds a distinctive religious outlook – and I do not want to pigeon-hole her or her experiences within the tight parameters that the acronym *BOJW* may (or may not) infer; nonetheless, it is undeniable that her location as part of this ‘group’ is a form of ‘subjection’ suffused with ‘intensely regulatory and disciplinary’ meaning (Madhok et al., 2013:110).

3. RESEARCH DESIGN: DATA COLLECTION and ANALYSIS

This PhD researches the pious acts of BOJW and analyses them using contemporary gender theories of agency. I employed the following methods of data collection to ensure a breadth and depth of material on the subject, from BOJW themselves, as well as from various communal resources, all of which are detailed in this section; and information was collated from both primary and secondary sources. The three primary sources included: 21 in-depth participant interviews; material collated from

²⁸⁹ Many thanks to Dr Nicole Shephard for a really insightful and fascinating conversation. You can find Dr Shephard at: <https://shphrd.org/>.

Jewish community's website postings and newsletters, constitutional policies, orthodox school websites and handouts, and written rabbinical religious rulings; and lastly, personal email correspondence (both autobiographical and from colleagues and friends living in the orthodox Jewish community).²⁹⁰ Secondary sources included material from local Jewish newspapers, and from online fora.²⁹¹ From the outset, I want to emphasise the overlap between formal methods of data collection as a professional researcher, and the informality of me living as a BOJW within the British orthodox Jewish community. Toril Moi (1999) remarked on this phenomenon, describing how de Beauvoir wrote *The Second Sex* and *Memoirs of a Dutiful Daughter*:

'Throughout the 1930s and the 1940s Beauvoir wrote in cafés where she also met her friends and lovers and conducted her professional life. The way she organized her everyday life reinforced her sense that life and philosophy were interconnected. In Beauvoir's writing, her philosophical imagination is constantly at work on material from ordinary life, turning everyday life into philosophy in *The Second Sex*, and showing us the philosophical significance of lived experience in *Memoirs of a Dutiful Daughter*.' (Moi, 1999:129)

Similarly, my private and professional life overlapped significantly whilst undertaking this PhD research. Friends and colleagues telephoned, sent emails and text-messages, turned up on my doorstep with their personal stories, their rage and

²⁹⁰ See: APPENDIX 6.1 for a detailed list of Primary Sources.

²⁹¹ See: APPENDIX 6.2 for a detailed list of Secondary Sources.

frustrations, and their local synagogue-community mailings. They shared their religious lives with me over many years, not only as friends, but as invested collaborators. Their experiences, as well as my own – as lecturer, as *rebbetsin* [rabbi's wife], as feminist-activist and as BOJW – concretised my decision to research issues of a. Education, b. Ritual Participation and c. Leadership and Authority, within the British orthodox Jewish community. These three areas of religious life were the prime location of their and my own concerns, but also the spaces where alternative generative pious practices emanated; they informed my own religious life, as well as my academic interest, as Downes notes, '[w]e draw on our own experiences throughout the doctoral research process...'.²⁹² Furthermore, these three arenas of religious performance are at the forefront of public religious debate within the national and worldwide orthodox Jewish communities (Avishai, 2015 and 2016; Berkovic, 2019 forthcoming; Ferziger, 2009 and 2018; Fishbayn Joffe, 2012, 2013 and 2017; Golinkin, 2011; Levmore, 2010, 2016; Ross, 2000; Taylor-Guthartz, 2016; Zolty, 1993). Not a day goes by without some sort of religious pronouncement, new academic article or journal op-ed contemplating the current advances or crises surrounding orthodox Jewish women's participation in religious scholarship, religious ritual and religious authority.²⁹³ Recently, academic scholar and orthodox Jew, Joel Wolowesky, wrote an article in the orthodox journal *Tradition* examining the ongoing and very lively debates about orthodox women's

²⁹² Downes et al., 2013:103.

²⁹³ David Golinkin's (2011) *The Participation of Jewish Women in Public Rituals and Torah Study 1845—2010*, is a richly detailed article on these three areas of religious life, highlighting the substantial changes in the last twenty years especially.

ordination [*smikha*] programmes, and the use of the appellation ‘rabbi’.²⁹⁴ Notably, he examines what *smikha* implied with regard to religious education, ritual participation and authority, suggesting that,

‘the halakhic community associated with, say, the Rabbinical Council of America [RCA], generally accepts the legitimacy of textual study by women, and certainly is comfortable with women engaging in serious advanced study of the practical halakhot of *nidda*, *shabbat*, and *kashrut*’.²⁹⁵
(Wolowesky, 2016:59)

Notwithstanding the marked discrepancy between what has been normalised in the American orthodox Jewish community compared with the British orthodox Jewish community in regard to women’s advanced *Torah* study, I want to focus on the way in which Wolowesky moves from religious education to religious authority and ritual participation. He argues that,

‘Granting women *semikha* in the contemporary context would simply be certifying that the women are just as much “learned individuals” as are men who receive *semikha*, and could be relied upon to offer the same halakhic judgment and advice as do men with similar training and competence. It has

²⁹⁴ Wolowesky, J. B. (2016) ‘Learned Individuals’ in *Tradition: A Journal of Orthodox Thought* 49(1):59-67.

²⁹⁵ *Nidda*: laws pertaining to menstruation; *Shabbat*: laws pertaining to the Sabbath; and *kashrut*: laws pertaining to food. See: APPENDIX 1, DEFINITIONS for more detail.

nothing to do with certifying someone as a *posek* or as qualified to be a *dayyan* or *mara de-atra*.²⁹⁶ (Wolowesky, 2016:61)

Finally, Wolowesky demonstrates that attaining *smikha* does not imply any right to perform public synagogue ritual, evidenced by the fact that,

‘exams at Midreshet Lindenbaum²⁹⁷ parallel the *semikha* exams of the Israeli Chief Rabbinate in Shabbat, *kashrut*, *nidda*, *avelut*²⁹⁸ and marriage, but while the traditional certificate of *heter hora’ah* is used, it includes no rabbinic title. Rabbi Shlomo Riskin, who signs the *semikha*, explained that he did not want to suggest that these women could perform all the activities in the synagogue proper that professional rabbis might do’. (Wolowesky, 2016:63)

Although the purpose of Wolowesky’s article is to argue that women’s *smikha* [ordination] does not presume inflated authority nor the right to perform public rituals; what he also does is demonstrate that education, ritual participation and leadership and authority, are the three central arenas of debate surrounding orthodox Jewish women’s lives; and with this mind, my research examines these three loci of religious debate in the lives of BOJW.

²⁹⁶ *Posek*: legal decisor; *dayyan* [sic]: religious judge; and *mara de-atra*: accepted community religious authority (regardless of other *halakhic* [legal] experts in the locale). For more information on the appellation, see: Kirschenbaum, A. (1993) ‘MARA DE-ATRA: A Brief Sketch’ in *Tradition: A Journal of Orthodox Thought* 27(4):35-40.

²⁹⁷ *Midreshet Lindenbaum*: women’s seminary, Jerusalem; renowned worldwide for spearheading advanced *Torah* study for women. See: APPENDIX 1, DEFINITIONS for further details, as well as Chapters Four and Six.

²⁹⁸ *Avelut*: the laws of mourning.

3.1 THE INTERVIEWING PROCESS

THE INTERVIEWEES, THE INTERVIEWS and THE INTERVIEW QUESTIONS

This research employs personal interviews as the central means of documenting BOJW's real-life experiences of the contemporary discourses around BOJW's authority and leadership, education and ritual participation.

THE INTERVIEWEES

At the outset of this research, I endeavoured to interview 30 women, which I felt was a large enough group to allow for heterogeneity, but small enough to manage comprehensive interviewing and a detailed enough analysis of the ethnographic data, within the usual time constraints of a PhD; to this end, I sent out 60 initial emails.²⁹⁹ The women were selected from a pool of colleagues, local synagogue-community rabbi's wives [*rebbetsins*], local synagogue-community members, and female educators within the British Jewish orthodox synagogue-communities. Access was negotiated exclusively through emails; I did not attempt follow-up telephone calls. This was in order to minimise pressure on prospective participants given my personal proximity to them through the local synagogue-communities, to minimise any perceived (real or otherwise) impact on our friendship (if relevant), and/or to enable (as far as possible) a group of 'self-selected' BOJW interested in this research. As examined in 'The Politics of Location' above, my primary concern was to ensure that no-one I contacted felt any pressure or obligation to participate simply because they knew me, highlighting how, '[t]he boundary between personal

²⁹⁹ See: APPENDIX 2, Email to participants.

life and the researcher role became blurred' (Downes et al., 2013:110). Some of the interviewees, I know either professionally or socially, and they expressed an interest to me in the research project; some are members of local synagogue-communities and asked to participate; and some were referred to me as possibly interested in the research project by friends and colleagues, and are members of local synagogue-communities. In response to the initial 60 emails, I received 26 replies, 22 from the Greater London area, and four from Manchester. By the end of the eight months of fieldwork, 21 BOJW had been interviewed.

REPRESENTATION

Representation is an iterative process and in order to attempt to avoid the nagging doubts concerning epistemic violence (Spivak, 1982 and 1988), the following measures were put in place. For this research to maintain transparency and inclusivity in its analysis of real-life experiences, without prejudicing women in particular communities or with particular agendas, the participants were chosen from a variety of UK orthodox synagogue-communities – ultra-orthodox [*charedi*], mainstream orthodox, modern orthodox and open orthodox [the actual practice and philosophical delineations of these groups is discussed in Chapter One].

The allocation of which community/personal identity a particular woman fell into was a two-fold process. Initially, I placed them within a particular religious group and labelled them as one of the aforementioned options – and this allocation was based on the synagogue-community to which they belonged. I did not share with the interviewees to which religious group they had been assigned. However, I also

asked the participants to label themselves – in other words to include a method by which these BOJW could self-represent. This helped me ensure that the pool of women was indeed as varied as I felt important to the project, but it also introduced the instability of labelling itself. Labelling is a problematic enterprise and I want to highlight here the fear I have of over-homogenising any synagogue-community, or any British orthodox woman.

Firstly, labels homogenise a particular synagogue-community and its practices, whereas in reality, most orthodox synagogue-communities have a membership which always includes a variety of people and therefore, by definition is a more fluid community than its label might suggest. I want to make clear what membership means here: individuals or families must pay a yearly membership fee which enables them to: attend the synagogue (daily, weekly); utilise the rabbi in his pastoral/professional role (weddings, burials etc.); attend the synagogue-community's classes; have access to burial plots. Membership then is indicative of an investment of sorts, of an allegiance to the synagogue-community.

Secondly, these labels can be loose in terms of actual practice, and in terms of religious outlook. People become members of synagogue-communities for a variety of reasons, and it is not always the religious outlook of the rabbi, which proves to be the most pertinent reason. Additionally, there are a number of synagogue-communities where the rabbis have a different religious outlook from many of their members, but are exceptional or charismatic teachers, or engage in many social justice activities – which endears the congregation to them. Indeed, there are some

synagogue-communities in which the rabbi and those in lay leadership positions try hard to maintain the eclectic nature of the community, as a value in and of itself.

Thirdly, people move between synagogue-communities. Although most orthodox individuals and families choose an orthodox Jewish synagogue-community which they feel suits them best for a variety of reasons (geographic location, religious outlook, attached to a school, friends who attend, the leadership of the rabbi or lay-leadership team etc.), there is nevertheless some movement between these synagogue-communities. This movement may be due to several factors, including: a change in religious affiliation of the individual or family (from modern orthodox to *charedi* [ultra-orthodox] or vice versa for example); a geographic move, or irreconcilable differences of opinion with either the rabbi or the lay leadership.

Fourthly, the labels allocated to the participants, and those they themselves chose, were not always associated with their synagogue-community's self-description; such that, some women, although a member of a self-proclaiming modern orthodox synagogue, might consider themselves 'mainstream orthodox' and so on.

At the completion of the process, out of the 21 BOJW interviewed, two were Americans, having moved to the UK to marry; three were converts to Judaism, and five were *rebbetsins* [rabbi's wives].³⁰⁰ Notwithstanding the issues of

³⁰⁰ With regard to the status *rebbetsin* [rabbi's wife], I have not examined any specific impact this may have had on other BOJW, nor whether their involvement in any particular pious practice had specific impact. Some of these *rebbetsins* were very active within their husband's communities, others less so or not at all. Nevertheless, I think it important to note that out of the 21 interviewees, having 5 *rebbetsins* [rabbi's wives] gave me the reassurance that the generation of pious acts was

representation stated above, five were *charedi* [ultra-orthodox], two were United Synagogue members (mainstream orthodox), nine belonged to a modern orthodox community and five regularly attended their local open-orthodox synagogue-community. Of the six women who self-identified as feminists, all of them had some role in feminist-activism within the orthodox community. Nineteen interviewees were of *Ashkenazi* descent and only two hailed from *Sefardi* families,³⁰¹ twenty were married and one was divorced; all of them had children. Two participated in their local women's *Megillah* Readings, one was a supporter of her local women's *Talmud* class and eight had (at some point) participated in the Edgware women's *Mishnah Chabura*.³⁰² All the participants lived in the Greater London³⁰³ area during this research, and they varied in age from 28 to late-50's. The 21 interviewees fulfilled my requirements for ensuring that there was sufficient time for detailed interviewing and analysis, as well as ensuring that the spectrum of BOJW from the varying orthodox communities were represented. The names and recognisable details of all the interviewees have been altered, ensuring their anonymity; and I acquired permission to use the material recorded for this PhD research only.

not a peripheral or marginal phenomenon, but one that also emerged from the central players within British orthodox life.

³⁰¹ *Ashkenazi*: Jews originating from Central and Eastern Europe; *Sefardi*: Jews originating from Northern Africa, Southern Spain and the Middle East.

³⁰² The fact that one of the 21 participated in her local *Talmud* class and that eight out of 21 had at some point participated in the *Mishnah Chabura* was also indicative of the self-selection of the interviewees. I.e. those BOJW who were clearly interested and invested in women's pious practices, also chose to participate in this research.

³⁰³ When I began contacting prospective participants by email in early 2014, I had several responses from women in Manchester; but given my self-imposed constraints of not 'chasing' them by phone after the initial contact, none of them were realised.

THE INTERVIEWS and THE INTERVIEW QUESTIONS³⁰⁴

Once each of the 21 women had consented by email to be interviewed, they were re-contacted, either by email or telephone to arrange a mutually convenient time to meet; and subsequently, the interviews all took place between 16th September 2014 and 23rd July 2015. Each woman was interviewed on her own, 20 in their own home and one in a private room at their workplace.

The interviews began with an introduction of the project and a copy of the ethical rules and regulations of the LSE with regard to fieldwork and anonymity. Each interviewee was asked to read the documentation carefully, and sign a consent form allowing me to use the data from the interview for the purposes of this PhD only,³⁰⁵ and I assured each interviewee that their identity would be kept anonymous. I then asked if they were comfortable for me to record the interview as well as make detailed notes, and all 21 interviewees agreed to this. (Only one recording was difficult to hear clearly [HF, 26/04/25], and the copious notes taken at the interview sufficed).

I was warmly welcomed into people's homes and before the more formal interviewing began, almost all the interviewees asked how the research was going and if they could read the final work. The interest in my project encouraged me to feel that my research was important and valued, but it also carried with it the

³⁰⁴ See: APPENDIX 4, The Six Starter Questions.

³⁰⁵ This included information from the documents:

<http://www.lse.ac.uk/intranet/researchAndDevelopment/researchPolicy/ethicsGuidanceAndForms.aspx/>.

burden of responsibility to present 'to the world' an upbeat story about the interviewees and *my* British orthodox Jewish community. As Fraser suggests, '[w]hen we become intimate and close with our research subjects and then make them into materials we take what are often intense private moments of exchange in to the public realm in the name of a scholarly 'good'. The dissemination of primary data to a wider public can be plagued by a sense of betrayal and disloyalty...' (Fraser et al., 2008:10). Thus, although many colleagues, friends and the interviewees are looking forward to reading the research, as much as I am concerned about the representative responsibilities of the researcher, I am equally concerned about my dis/loyalty to the religious community which I call home.

By way of introduction, I gave a brief description of the research project to the interviewees and told them that the interview was an opportunity for me to hear about their lives, their experiences, and their perspectives about life in the orthodox Jewish community. Given the complications of my insider-outsider³⁰⁶ (Hill Collins, 1986) location within the orthodox community, I felt that it was absolutely necessary to state explicitly that I was not looking for any particular answers to my questions, but wanted to hear *their voice*. In a similar vein to the way in which Dunn conducted her interviews of women in her local community in 1965, I felt compelled as a researcher to make space for each woman's voice to be heard, to 'know its worth' (Dunn, 1965:VII). Nevertheless, for some of the women interviewed, I was perceived as a friend and ally, supporting their own feminist

³⁰⁶ See: Hill Collins, P. (1986) 'Learning from the Outsider Within: The Sociological Significance of Black Feminist Thought' in *Social Problems* 33(6) Special Theory Issue:S14-S32.

activism; whilst for others, my communal activities were not something with which they agreed nor advocated; and these already established frames of reference played into the researcher-interviewee dynamic, despite my preamble. There were occasions when I felt an interviewee was defensive or apologetic, or another was looking for moral support of her own activities; and it was during these moments, that I restated, that my perspective on British orthodox Jewish life should not play a part in their responses to my questions. But, of course, this is always an impossible dynamic to achieve, exacerbated when interviewing one's peers. Jennifer Platt (1981) observes that this interview experience 'is not anonymous but has a history and perceived characteristics some of which may be directly relevant to the research topic' (Platt, 1981:77), and on occasion this was my experience.

The more formal interview began with me asking the interviewees to tell me a little bit about themselves, their family history, their personal religious journey and what they were doing at the time (e.g. stay-at-home mother, employed, student etc.) A couple of women gave me one-word answers, but most were happy to chat for at least ten minutes about their lives. I then asked four open-ended semi-structured questions about education, ritual participation and authority and leadership and its impact (if any) on their lives.³⁰⁷ I was careful not to define ritual, although this interview question prompted the most requests for clarification; it was important to the integrity of this research that what counts as religious ritual remained an individual perspective, whether it took place in private or in public, at home or in

³⁰⁷ See: APPENDIX 4, The Six Starter Questions.

the synagogue and whether or not it was *halakhically* [legal] required, a *minhag* [custom] or a cultural norm. These ‘starter questions’ were (when necessary) followed up by ‘prompts’ which followed the participants’ own answers, simply to encourage them to expand on a particular point they may have raised, or to return to a part of the question they had not yet addressed. Throughout the interviews, the participants referred not only to their own experiences but also to the comparative experiences of their parents or children, of orthodox family and/or friends in other British communities, or in the US or Israel. Lastly, I asked the interviewee to label their religious affiliation, and this proved to be a fantastically interesting exercise. As described earlier, I pre-categorised the interviewees into either *charedi* [ultra-orthodox], mainstream orthodox, modern orthodox or open-orthodox, to ensure a representative sample; yet very few of the women were happy to label themselves within these categories, despite the fact that this nomenclature of orthodox Jews is a very standard way of expressing one’s allegiance to a particular brand of orthodox Judaism, worldwide.³⁰⁸ Some of the more creative self-labelling included: ‘non-denominational, within a *halakhic* framework’; ‘*charedi* [ultra-orthodox] in practice, modern orthodox in outlook’; ‘post-denominational observant’; and ‘a female Jew’. Although this is not the topic of research per se, the difficulty almost all of the interviewees had in labelling their affiliation as a BOJW is, arguably, demonstrative of the complications of navigating this identity, specifically this intersectional identity. I did not need to contact any of the interviewees further to follow up on any of the interview material (the

³⁰⁸ Notwithstanding the complications highlighted in Chapter One about these definitive labels.

recording and scrupulous note taking went well). However, I did feel the need to have a conversation with one of the participants who subsequently became a more public figure within the orthodox community, in order to confirm that she was still happy for me to use the material gleaned in her interview, notwithstanding the anonymity of her contribution.

3.2 CODING and ANALYSIS

All the interviews were then transcribed in full by me, from the recordings. If I had difficulty hearing a particular word or phrase, I referred to my notes. Although this was a very laborious exercise, (each interview transcription taking between three to six hours) – it meant that as I went on, I became acutely aware of and sensitised to recurring themes, which was of great help in coding the material collated.

The material gleaned from the interviews was coded by both *anticipated* (pre-emptive) and *emerging* themes which helped me formulate and code data systematically.³⁰⁹ At first, I simply read through the print outs of each transcript, highlighting as I went along. This process gave me the time to really absorb the material, before I resorted to computer technology to systematically recognise repeated words and phrases. Anticipated (pre-emptive) themes included: agency [in its varying manifestations]; performative acts; submission; transgression; risk-taking; intelligibility; invisibility; experienced impact on self, experienced impact on rabbinic authority and experienced impact on community; shifts in practice. I chose

³⁰⁹ See: APPENDIX 5, Themes, Coding and Analysis.

these particular themes for coding participants' interviews as they were the most common and emblematic theoretical motifs of much of the literature review – which I was concerned to employ and investigate. In this way, I was able to find material in the interviews that had piqued my interest whilst carrying out the literary review, as well as counter my limited pre-emptive categories of analytical concern by adding in the repetitive emerging themes from the interview transcript. The final list of coded themes,³¹⁰ which are examined in Chapters Four, Five and Six, cluster around four key loci: Jewish Law [*halakha*]; social norms; BOJW's personal experiences, feelings and aspirations; and theoretical fields of research. Some of the themes recurred or overlapped within these loci (as numbered in brackets); for example, 'shifts in practice' was remarked upon by interviewees, both with regard to *halakha* [Jewish law], as well as to their own pious practices; and 'authority' was mentioned, both with regard to orthodox Jewish women's religious scholarship and leadership opportunities, as well as in the context of the relationship BOJW had with rabbinic clergy in the UK.

1. **legal [halakhic] and religious language:** allowed, authority (1), forbidden, gender/ed (1), God, permitted, piety, power, shifts in practice (1), submission (1), transgression (1);
2. **social norms:** acceptability, authority (2), community, complacency / passivity (2), concern, contradictions, control, discouragement (2), domestic vs public, (lack of) education (2), expectations, encouragement (2),

³¹⁰ See: APPENDIX 6.4 for a comprehensive list.

exclusivity, gender/ed (2), inclusivity, in/equality (2), invisibility (2), living in the UK, piety, power, participation (2), role-modelling;

3. **personal feelings, experiences or aspirations:** access, alienation, anxiety, authority (3), boredom, challenge, change, choice, complacency / passivity (3), creativity, desire, disappointment, discouragement (3), (lack of) education (3), encouragement (3), enjoyment, exclusion, experienced impact on self, experienced impact on rabbinic authority, experienced impact on community, fear, frustration, gender/ed (3), identity (3), in/equality (3), inclusivity, invisibility (3), intelligibility (3) joy/passion/pleasure, leadership, managing, participation (3), power/lessness, resentment, revolution, ritual participation (3), sadness, shame, shifts in practice (3), straddling (different worlds), threat, worry;
4. **and several theoretical fields of analyses:** agency, identity (4), intelligibility (4), intersectionality, performative acts, risk-taking, submission (4), transgression (4).

The material from the interviews was coded using these four loci, and was then collated around the three areas of research interest: education, ritual participation and leadership and authority. I then re-analysed the material to highlight both the repeated patterns of BOJW's experiences, and the particular experiences of generating pious practices.

3.3 ADDITIONAL RESEARCH MATERIAL³¹¹

PRIMARY and SECONDARY SOURCES

I have collected articles, rulings and synagogue announcements for over twenty years from the many and varying British orthodox communities in the UK, as part of keeping abreast of contemporary debates about the lives of orthodox Jewish women worldwide, for both feminist-activist purposes and as research for ongoing lecturing commitments. However, almost all the literature for this research has been collected over the last seven years only (2012-2019); and all of these are presented in anonymity, other than those which are already in the public domain. PRIMARY SOURCES include: community websites and newsletters; synagogue announcements; constitutional policies (especially from the United Synagogue); orthodox school websites; rabbinical written religious rulings; and EverywhereK, London's orthodox Jewish community mailing list.³¹² SECONDARY SOURCES include: national newspapers, in particular The Jewish Chronicle (The JC) – Britain's oldest and most widely distributed weekly Jewish newspaper;³¹³ HaModia and The Jewish Tribune – these latter two weeklies serving the orthodox Jewish community; and online fora.³¹⁴ Importantly, these newspaper articles represent the current contemporary debates and situation of what is happening on the ground within the orthodox Jewish communities regarding women's participation, and as such proved especially important reference material.

³¹¹ See: APPENDIX 6.

³¹² See: APPENDIX 6.1 for a comprehensive list.

³¹³ See: www.thejc.com. The JC's archives became available online from 03/03/06.

³¹⁴ See: APPENDIX 6.2 for a comprehensive list.

I live and work in Greater London as a lecturer, which provides easy access to this material – both in the public domain and from London-area orthodox synagogue-communities. Throughout the course of this PhD research, I have been a member of two synagogue-communities, a lecturer at the London School of Jewish Studies, a guest lecturer at many United Synagogues and other institutions, and I have held the post of Scholar-in-Residence at Hampstead United Synagogue. Additionally, since many friends and colleagues are aware of and familiar with my research, I have been (generously) bombarded with material about particular community events, school or synagogue experiences and rabbinic rulings. Thus, the act of exclusion played a significant part of the research process. Nevertheless, this generosity indicated to me the apparent desire of British orthodox women (and men) to share their experiences as worthy matters of research.

AUTOBIOGRAPHICAL EXPERIENCES

With specific reference to my own location within this research, I have included some autobiographical data – notes from personal formal and informal meetings with rabbis or community leaders, personal conversations with other community members and orthodox colleagues, personal email correspondence; lecturing experiences; activist experiences – especially with regard to the performance of public rituals (including women's *Megillah* readings.) These are peppered throughout this thesis and are used as representative experiences of some BOJW, as well as demonstrative of my location within this research.

4. The COMPLICATIONS of TRANSLATION

NORMALISED COLLOQUIALISMS

Throughout this PhD, I translate as I go along, either the first time a Hebrew or *Yiddish* word or phrase is used, or repeated for clarity in a subsequent chapter; or if necessary, repeated for a more nuanced contextual reading. All *Hebrew* and *Yiddish* words and phrases appear in *italics* followed by a [translation in square brackets]; there are longer definitions in footnotes and in APPENDIX 1, DEFINITIONS.

There are a variety of formal methods of translating Hebrew or *Yiddish* into English, as well as the way in which they are transliterated. I have tended towards the most contextual translation, and the most readable transliteration, rather than always adhering to a strict system,³¹⁵ primarily because I have chosen to quote my interviewees in their own words. This is in order that BOJW self-present, and their meaning is as clear as possible to a reader not familiar with Hebrew or *Yiddish*.

Although distinctive, within the British orthodox Jewish community, speaking English interspersed with Hebrew or *Yiddish* phrases, is completely normalised behaviour; (in fact for those orthodox Jews whose professional life is outside this community, adjusting one's cultural references as well as language can be a conscious exercise). This takes some getting used to as a reader, but it allows for a more realistic experience of BOJW's conversations, although it means the research text is somewhat burdened with hyper-referencing. Sarah Bunin Benor's (2012)

³¹⁵ See: Weinberg, W. (1969-1970) 'Transliteration and Transcription of Hebrew' in *Hebrew Union College Annual* 40/4:1-32; Hebrew Union College Press; or UNGEGN Working Group on Romanization Systems (Version 4) (2013) *Report on the Current Status of United Nations Romanizations Systems for Geographical Names*, at: https://www.eki.ee/wgrs/rom1_he.htm, which is an up-to-date 'readable' Hebrew to English transliteration system.

insightful book, *Becoming Frum: How Newcomers Learn the Language and Culture of Orthodox Judaism* describes the way in which newly religious Jews (*ba'alei teshuva* [returnees]) navigate their way through both the cultural and linguistic norms of everyday life in an orthodox community. It is a comprehensive analysis of the normative words, phrases and linguistic nuances that can be alienating for newcomers to the community, as well as assure a sense of belonging to those already settled within it; in other words – the way in which one can ‘speak the local lingo’ is considerably bound up with one’s identity.

Furthermore, there are some subtle differences between the *charedi* [ultra-orthodox] common terminology, compared with the modern orthodox – and the way in which one uses these terms may associate a person with a particular community; this is often conflated with the difference between *Ashkenazi* [Eastern European] pronunciation and *Sefardi* [Middle-Eastern] pronunciation of Hebrew. For example, pronouncing the Sabbath as *Shabbes* as opposed to *Shabbat* in theory is simply a pronunciation difference; but colloquially – those orthodox Jews who wish each other a *Gut Shabbes* [Good Sabbath], are more likely to belong to a *charedi* synagogue-community; whereas those who say, *Shabbat Shalom* [Good/Peaceful Sabbath] affiliate with a modern orthodox synagogue-community. This is not always true, but my point is to familiarise the reader with the not-insignificant use of Hebrew and *Yiddish* phrases which in and of themselves can be markers of where a BOJW is located.

LOSS in TRANSLATION

There is one very particular area of concern within this project that has continued to trouble me throughout. In attempting to ensure the most honest transference of meaning of a variety of the interviewees' points of view – very intentionally and deliberately in their own words, how does one deal with the issue of translation? By translation, I do not mean in its plainest form:³¹⁶ that the colloquial [*Yiddish*]³¹⁷ *shul*, is translated into the English *synagogue* for example. But rather: what does an orthodox Jew mean when they say *shul*, that is not communicated in the word *synagogue*?³¹⁸

A synagogue, I would argue, is a religious building, where prayer and other ritual activities take place. It may also house and host other communal activities. But essentially, the English word *synagogue*, according to the OED's several definitions means a type of building, '...or place of meeting for Jewish worship and religious instruction'³¹⁹ as well as '[t]he regular assembly or congregation of the Jews for religious instruction and worship apart from the service of the temple, constituting, since the destruction of the temple, their sole form of public worship'.³²⁰ The first definition, as explicitly referred to in the OED's entry, is taken from the translation of the Hebrew, *Beit haMidrash* – lit. House of Learning; whilst the second definition is taken from the Hebrew, *Beit HaKnesset* – lit. House of Assembly. Neither definition holds, as it were, the multiple meanings of the term *shul*, rather they

³¹⁶ See: Apter (2013).

³¹⁷ *Yiddish*, see: APPENDIX 1, DEFINITIONS.

³¹⁸ See: Madhok, S. (2009) 'Five Notions of Haq: Exploring Vernacular Rights Cultures in South Asia' in LSE's Gender Institute's *New Working Paper Series* (25) November:2; 'Thus, it is not only important to investigate the originary histories of the words but also to identify the sociological and political relationships that these words signify/uphold and are implicated in.'

³¹⁹ <http://www.oed.com/view/Entry/196342?redirectedFrom=synagogue#eid>.

³²⁰ <http://www.oed.com/view/Entry/196342?redirectedFrom=synagogue#eid>.

collate the several meanings of the word *synagogue* from these two Hebrew references only. The phrase *synagogue community* however, may much better reflect the meaning of the word *shul*: not just the building where I might go to pray, but the people who I meet there, the welfare that the community offers, the education and classes I attend and for some, a place to call a second home, a place of comfort and embrace. This matters because it is my responsibility as researcher to articulate well the meanings, the nuances, the associations of words and phrases commonly used in the British orthodox Jewish community, such that the reader – any reader – might grasp more fully the weight, the implications, the inferences and subtext of those words and phrases. Thus, I have attempted to translate not only literally, but also contextually – hoping that a more complete, multifaceted and situational meaning might be conveyed.

However, the attempt at honest, unambiguous sharing of information from one, ostensibly less known minority community (the British orthodox Jewish community) to an academic audience (not least, the Department of Gender, LSE) yields further translational consequences. And this should come as no surprise, as Apter states (2013:126), '[t]he legal definition listed under "Translation" in the *Encyclopédie* underscores the withdrawal of property from its place: "the Act of transferring or removing a thing from one Place to another.'" How is it ever possible to move a concept saturated in cultural distinctiveness from 'one place to another' without encountering some measure of failure, mistranslation, corruption, misunderstanding and loss? Indeed, as it turns out, *shul* is the least of my problems.

In my concern for appreciating and grappling with ‘translational difference’ (Apter, 2013:4),³²¹ I share the following anecdote. At an LSE workshop several years ago, I presented some of my research material to fellow PhD students. I had wanted them to comment on the style and structure of my interview work, but had cut and pasted a small section from the Introduction to give a flavour of the general research project itself. A heated discussion ensued as to my use of the word ‘secular’ in that introduction (used specifically to mean, the non-Jewish community as compared with the orthodox Jewish community). There were complaints, “the UK is not a secular society – have you been to France?”; “your use of the word secular does not reflect general society, but your assumptions of it”, and so it went on. I defended my use of the term secular as best I could, (and it has remained in my Introduction and throughout this work) but, and this is a significant but, as I was finishing and about to leave, a fellow student poignantly remarked, “you really meant ‘*goy-ish*’ didn’t you Lindsay?”³²² And I did, of course. My supervisor turned to me and asked, “what did he say, what does it mean, is that what you meant, why is it so difficult to translate? Write about it!”

‘*Goy-ish*’ is the translation problem case in point.³²³ The literal translation of the word *goy* from the Hebrew is *nation* or *people*, but this is not how it is colloquially used. Depending on the person using the term it either simply means *non-Jew* (i.e.

³²¹ For a further (online) discussion of Apter’s work, see: <https://www.versobooks.com/blogs/1393-video-emily-apter-on-the-politics-of-translation>.

³²² Thank you, Dr Jacob Breslow.

³²³ For examples of prolific use of Yiddish words and phrases in contemporary literature, see: Roth, P. (1969) *Portnoy’s Complaint*; or Lenny Bruce’s famous comedic use at: <https://www.youtube.com/watch?v=uD6Oi2kySSU>.

not our nation, but a person from the (other) nations in general), but can also be used in a derogatory manner, especially in the plural '*goyim*': *those people, out there, not us – them!* The word '*goy-ish*' as a *Yiddish* derivative of *goy* is a colloquial term for: *what goes on out there (not here), their values (not our values), their lifestyle (not our lifestyle)* etc. Thus, within the orthodox Jewish community itself, the word '*goy-ish*' is often loosely translated as secular, for what else could it reasonably, respectfully, respectably be translated as? Yet, *secular* in this context does not mean lack of religious life or meaning, it means rather '*not our religious life*'. After much deliberation, I decided to keep the word *secular* in this project, however I have also included this detailed analysis of its use.

Within the context of this research then, *goy-ish* has become the archetypal word for contemplating how (if?) to translate when writing an academic paper to an academic audience, and yet insist on quoting interviewees in their own words. The result, I hope, is a prudent and felicitous translation of Hebrew or *Yiddish* words and one which conveys their colloquial meanings, yet feels uncluttered. However, without doubt, the problem of 'incommensurability'³²⁴ persists throughout this project, despite my assiduous questioning of how 'translation works' and whether '*something new can be fully installed in the place of something else*' (Apter, 2013:158).³²⁵

³²⁴ 'If there is a philosophy of untranslatability in Badiou, it has little to do with language. It derives from an incommensurability at the heart of mathematical Platonism.' (Apter, 2013:24).

³²⁵ Furthermore, I have added a DEFINITIONS page in my APPENDICES for those readers still struggling with the exact meaning of a word or phrase. In addition to the short translation within each chapter, this list adds more meaning and context to all Hebrew or *Yiddish* words and phrases quoted herein.

To a great extent, the chronic issue of translation frames this entire PhD. It is not only the 'translation' of words and phrases into transferable ideas which proves vexing, but the *troubling responsibility* of any researcher's attempt to enable the reader to understand clearly *enough* the subject matter (or subject) at hand. I want the reader to appreciate *enough* what it is to be a British orthodox Jewish woman here and now in the UK, the context and history of her life, her community, her choices, her persistence, her frustrations, her joy, her contentment and her negotiations. This *troubling responsibility* of translation then, becomes a lens through which all these experiences are framed and through which all analyses are subject. I hope for a generous reader, and that the 'incomparability' and 'loss' of translation neither hinders the capacity to share experiences, nor diminishes the relevance of their enquiries.

5. CONCLUSION

Yet, '...how do you understand something intimate to people's everyday lives without either romanticising or misrepresenting what people experience? How do you link those intimate experiences to the political in ways which are convincing, yet don't traduce people's experiences?'³²⁶

This thesis attempts to tell a story. It is the story of how British orthodox Jewish women live their lives in the UK in contemporary society. It is the story of how they

³²⁶ Fanella Cannel, Reader in Anthropology on: <http://www.lse.ac.uk/gender/about-us> (minutes 33.36 - 34.05).

navigate the complex and multiple terrain of their lives as best they can. It is the story of what they do, the pious acts they perform and their decision-making within their own religious communities and within the wider world. Their individual stories each contribute to this larger story and my responsibility has been to tell their stories accurately, clearly and evocatively. I have contextualised their stories within the larger theoretical landscape of theories of agency, specifically those that relate to gender and the religious subject, because I believe this is the most apposite method through which their voices might be heard and their experiences understood.

This chapter has examined the complications and consequences of location, as well as emphasised the researcher's location within the British orthodox Jewish community. Knowledges, how we attain, manipulate and (mis-)appropriate them emerged as a key theme throughout this research, and as a tool for the analysis of theory as well as the everyday lives of BOJW proved transformative.³²⁷ I have defended my methodological choices and described the processes of interviewing, coding an analysis. Additionally, I have considered the way in which the losses of translation play a part in this research and the methods which I have attempted to employ to alleviate these constraints. As with all research, the task of excluding material proved to be much more demanding than keeping it all in; but I hope enough participant material is included and enough excluded to make for uncomplicated, exciting and relevant reading germane to the academic community

³²⁷ Thank you to Dr Sumi Madhok and the entire GI402 team.

as well as the religious community it contemplates. This chapter is followed by the three analytical Chapters (Four, Five and Six) which weave together the experiences of the interviewees, along with a theoretical analysis of them.

CHAPTER FOUR

EDUCATING BRITISH ORTHODOX JEWISH WOMEN: DIFFERENTIATION and INEQUALITY

‘Women receive limited and controlled education as a means to learn the correct behaviour... Status markers such as “Woman of Valor” or tseydykes (righteous woman) may be conferred on women who behave “well”... This is a dynamic where the gatekeepers of the community (the learned males) “invoke the prestige of the oppressed in order to dominate them more efficiently and ever more gently” (Betensky (2000:213).’ (Ben-Yosef, 2011:70-72)

1. INTRODUCTION

This chapter explores how BOJW experience educational practices in the British orthodox Jewish community – its schools, its synagogue-communities and other educational institutions. Firstly, I consider why education is so fundamental within the orthodox Jewish community, and how it is particularly marked by the politics of location. I then examine the experiences of the BOJW interviewed, with regard to their own, or their children’s primary and secondary religious schooling experience; as well as the adult education offered to them by their local synagogue-communities or other religious educational bodies. Lastly, I describe and analyse the generative pious practices performed by BOJW for their children’s or their own religious education – ‘filling the gaps’ of what they perceive to be exclusionary practices; and I reflect on what these individual and group performances *do* for BOJW and for the orthodox Jewish community as a whole.

Religious education is of primary importance within orthodox Jewish life, not only because it provides knowledge and generates spiritual growth, as, ‘the bedrock of the Jewish spiritual experience’³²⁸ but also because it is the beginning of the process of who sets up the epistemic, legal and religious authority within the local and wider orthodox community, ultimately who emerges as ‘knowledgeable’; as Ben-Yosef observes, ‘...literacy, language, and power are so intertwined that education for a specific literacy is always a political act: [t]he control of literacy, its use and the conditions under which people become literate, is an enduring political

³²⁸ Rabbi Chaim Brovender on ‘*Teaching Women Gemara*’; see: <https://www.youtube.com/watch?v=3FfnspKQCqQ>.

and religious preoccupation'³²⁹ (Ben-Yosef, 2011:58). Indeed, it is striking that the *talmud chacham* [scholar] holds one of the most revered positions in orthodox Jewish life.³³⁰ Notably then, education in this context, does not mean something that only happens in schools or institutions, it is the religious imperative of lifelong learning and consequently is meaningful throughout a BOJW's lifetime.

Nevertheless, as Heilman suggests, 'there are still differences among the Orthodox with regard to the sorts of Jewish education offered men versus that offered to women. The latter are still less likely to be provided with the intensive experience of *yeshivas* and as such are kept out of the elite society of "*Torah sages*"' (Heilman et al, 1989:147; *italics mine*).

2. LOCATING EDUCATION

As with all other areas of *halakha* [Jewish law] there are differing legal and philosophical opinions about Jewish women's study of sacred text, as well as customs which serve to demonstrate a person's religious allegiance, and indicative to which sort of community a person associates: modern orthodox, mainstream orthodox or *charedi* [ultra-orthodox]. Crucially, the issues surrounding education are often situated not in what *is* taught, but what *is not* and why not, as well as *how* it should be taught.³³¹ The religious disputes surrounding women's and girls' religious study are, for the purpose of this research, split into two categories:

³²⁹ Collins, J. and Blot, R. (2003) *Literacy and Literacies*; Cambridge University Press, quoted in Ben-Yosef, 2011:58.

³³⁰ The other is the *tzadik*, the righteous person, who continually practices good deeds.

³³¹ Jewish religious education for girls and women is a hotbed of contemporary religious debate, differing factions claiming who should and who should not be learning this or that text, and the

Firstly, CONTENT: What material are girls and women permitted to study or be taught. These types of study are categorised as: Written Law - *Chumash* [Pentateuch], *Tanakh* [Bible] and its commentaries; and Oral Law - *Talmud* comprising of *Mishnah* [primary redaction of oral law] and *Gemara* [*Talmud*: the complex and very lengthy commentary to the *Mishnah*]; and *Halakha* [Jewish Law] and its commentaries dating from the Mishnaic period (0-200CE), through to present day legal responsa.³³²

And, secondly, METHOD: How are women and girls taught religious studies? There are those religious authorities who argue that they should be given the requisite skills to study for themselves: Aramaic, Hebrew, homiletic and exegetical skills, and an understanding of the argumentative style of the *Talmud*; there are those religious authorities who argue that they should be taught about them, but not actually have access to the texts themselves; and there are those authorities who argue that women and girls should not study oral law whatsoever.³³³

method by which it should be taught, if at all. There is also an *halakhic* [legal] differentiation made between being taught and teaching oneself. For further detailed analysis, see a variety of lectures on this topic at: https://www.etzion.org.il/en/advanced-search-api-filter/all?author=&field_parent_cat_1=7116&fulltext=women.

³³² *Mishnah* is the backbone of *halakha* [Jewish law], and it was redacted into its current written form in approximately 200CE by (Rebbi) Judah haNasi in order that it be preserved after the destruction of the Second Temple in Jerusalem in 70CE. It is split into six sections (*sedarim* [orders]) and each contains individual *mesechtot* [tractates], 63 in total. Its rabbinic commentaries (*Gemara*) were collated approximately 200 years later in Jerusalem (The Jerusalem or Palestinian Talmud, JT), and approximately 400 years later in Babylonia (The Babylonian Talmud, BT). This rabbinic collection of laws, and the debates within it about how laws were kept in practice, covers most aspects of Jewish life; it is therefore held up as the central work of Jewish law (and lore) and its study held in great esteem, as are those who have mastered it. In many communities worldwide, there has been a recent upsurge in the study of one page of *Talmud* daily (*daf yomi* [a-page-a-day]) and it takes just over seven years to complete (the BT consisting of 2771 pages).

³³³ I do not intend to give a detailed *halakhic* [legal] account of the different positions taken on this issue here – rather, I give the reader the rudimentary orthodox approaches to women's advanced *Talmud Torah* [*Torah* study] as a context for the various circulating tropes within the British orthodox Jewish community, and the way in which BOJW then navigate these communal narratives.

Those orthodox rabbinic leaders who advocate for girls and women to study *Talmud* as well as *halakhic* texts are often teachers themselves, or involved in education. For example, Rabbi Aharon Lichtenstein, the late *Rosh Yeshiva* [Yeshiva Head] of *Yeshivat Har Etzion*³³⁴ spoke at the opening dedication of *Ma'ayanot Yeshiva* High School for Girls of Bergen County, Teaneck (US) on November 24, 1996, and stated that,

‘The first principle, I think, with regard to education generally, and which needs to be particularly emphasized in the field of women’s education, is that first and foremost one needs to mold the person as an individual in all respects, with regard to character, personality, intellectual ability, and above all, of course, in religious terms, as an *oved* [servant of] *Hashem* [God].’³³⁵

For him this included the teaching of *Talmud*, which he endorsed at the school. Similarly, Rabbi Chaim Brovender, pioneer of women’s *Talmud* study in Jerusalem, stated that when he decided to teach women *Torah*, ‘learning *gemara* was the essential part of it. I didn’t know that I could offer women *Talmud Torah* [Torah study] and exclude the most important part of it. That’s what I was taught – the *Yeshiva* curriculum is based on *Gemara* [oral law]... it has special spiritual

³³⁴ *Yeshivat Har Etzion*: ‘The Yeshiva girds its students with a mastery of *Torah*, a love of the Jewish People and the Land of Israel, and the ability to engage the contemporary world and be enriched by it, strong in their beliefs and uncompromising in their commitment’; see: <https://www.haretzion.org/about-us/mission-statement>.

³³⁵ Rabbi Aharon Lichtenstein, ‘*Women, Talmud Study, and Avodat Hashem*’ at the opening of of *Ma’ayanot Yeshiva* High School for Girls of Bergen County, Teaneck on November 24, 1996; see: <https://www.thelehrhaus.com/commentary/women-talmud-study-and-avodat-hashem/>.

significance. How could you deny that opportunity to women who wanted to learn *Torah*?³³⁶ Then, there are those rabbinic leaders who tolerate girls and women studying *Talmud* as well as *halakhic* texts, in order that they fulfil their practical religious lives more thoroughly and meaningfully, but not as a literary or spiritual pursuit in and of itself; 'so long as it is understood as strengthening women's identification with the existing structure, it is not regarded as radical or threatening' (Ross, 2004:74). Lastly, there are those rabbinic leaders who forbid or publicly chastise girls and women who study *Talmud* as well as *halakhic* texts, actively advocating against it by excluding girls and women from oral law classes at their local synagogue-communities, for example. These educational tropes circulate through the different communities of orthodox Jews worldwide, and in general, the more *charedi* [ultra-orthodox] communities do not allow or promote women's and girls' study of *Talmud*, whereas the mainstream and modern orthodox communities not only permit it, but in many cases advocate for it, as Broyde observes, '[s]upport for women learning gemara is wide and deep within a segment of the Orthodox community, deriving from the clear and direct leadership of Rabbi Joseph. B Soloveitchik, zt"l as well as many other gedolim³³⁷ both in America and Israel' (Broyde et al, 2011a:57).

Nevertheless, in practical terms, robust *Talmud* study for women and girls is not widely available in the UK despite the many mainstream and modern orthodox synagogue-communities – possibly because of the influence and pressure from the

³³⁶ See: <https://www2.lsis.ac.uk/midrasha/>.

³³⁷ *Gedolim*, lit. greats – refers to the highly revered and authoritative rabbis in each generation.

religious right (the *charedim* [ultra-orthodox]); possibly because of the fewer resources in terms of a smaller orthodox population; and possibly because of the arguable *malaise* of Anglo-Jewry as described by Alderman (1992, 1998), Elton (2009), and Freud-Kandel (2006) – both at Jewish schools or in local orthodox synagogue-communities. But even where it is on offer for both men and women, few women attend (see APPENDIX 8.2). Moreover, this lack of a more comprehensive education was noted in the Preston Report of 2009,³³⁸ which stated that, ‘it is shortsighted to deny them [women] equal access to all aspects of study. Educational opportunity is not simply about how much is on offer, but about what is on offer and how, when and where it is delivered. We should aim to produce not just learned individuals, but more high-calibre educators as role models. We have to satisfy this thirst for unbounded knowledge’ (Aleksander, 2009:17-18).

Thus, the context within which BOJW generate alternative *Torah* study opportunities for themselves or for their children is markedly situated within a culture which tends towards their exclusion from rigorous *Torah* study, and therefore before examining the interviewees’ experiences of primary, secondary and adult education, I want to emphasise the tropes of both exclusion and invisibility of BOJW within the British orthodox Jewish community in this regard. Many of the women interviewed related the inclusion in, or exclusion from, the *Torah* learning opportunities within their communities, with their perceived value as orthodox Jews, correlating with the supposition that, ‘[e]rasing women is about

³³⁸ See: <http://www.boardofdeputies.org.uk/file/ConnectionContinuityCommunity.pdf>; and Chapter One, section 4.1.

the unquestioned assumption that it is men's spiritual lives that really matter' (Alderman, 2011:3).

The NORMALISATION of EXCLUSION

The following examples of exclusion from religious study within the orthodox community work not only to demonstrate the circulation of these tropes, but also to emphasise the normalisation of them. Firstly, at a *charedi* [ultra-orthodox] synagogue-community I frequent in North-West London, the rabbi made an announcement to the entire community (men and women) during a *Shabbat* morning service, in which he publicised a seven-week period of learning for his 'entire community'.³³⁹ Indeed, he stressed the importance and value of *Talmud Torah* [*Torah* study], publicly stating, 'it is pernicious and wicked to deny *any Jew* the opportunity to learn *Torah*' (*italics mine*). He then went on to explain clearly and carefully what the men would be learning, and with a slight wave of his hand mentioned that there would be a parallel women's learning programme – but, as it turned out, no women's programme of study had or would be organised. By using the phrases, 'the entire community' or 'all of us', within this context, the rabbi alienated over half his congregation in what was ostensibly a communal project.

Similarly, the PBM (Professionals' *Beis Medrash*)³⁴⁰ institute, advertised its communal event in September 2018, for 'adults', 'designed for those who wish to improve their ability and build independence in the study of classical Jewish texts',

³³⁹ April, 2018 at *Kehillas Netzach Yisrael*. For the period of time between *Pesach* [Passover] and *Shavuot* [Pentacost] which are seven weeks apart; see: APPENDIX 1, DEFINITIONS.

³⁴⁰ *Beis Medrash*, study hall; see: APPENDIX 1, DEFINITIONS.

and 'suitable for all ages and backgrounds'. On calling to ask, it turned out to be a programme for men only.³⁴¹ When I mentioned that this was not clear from the advertising material, I was told that it was self-evident, being "a programme for both 'professionals' and in the style of a '*Beis Medrash*'";³⁴² within this cultural location then, it was not possible for BOJW to be included (or visible) as either 'professionals' or normative orthodox Jews who study *Torah* in a '*Beis Medrash*'. Both of these examples emerge from the *charedi* [ultra-orthodox] community, and thus some would argue, are unexceptional, however problematic.

Nevertheless, Vanessa Deutch³⁴³ mentioned the issue of invisibility when it came to religious classes in her own *charedi* community, unprompted. Vanessa was brought up in a non-orthodox home and became more religiously observant during her late teens; she moved to Jerusalem in her early twenties to study and met her husband there. They, and their three children, now live in Greater London and Vanessa works in administration at a central London United Synagogue. Although Vanessa belongs to a *charedi* [ultra-orthodox] synagogue-community, she commented that she 'rarely attends synagogue' and recalled,

'there was a thing [a class] on *Motsei Shabbes* [evening after the Sabbath]... and it was advertised as open to everyone, so I replied and asked, 'is that

³⁴¹ See: APPENDIX 8.2, LOCAL RELIGIOUS CLASSES for the posters advertising the events.

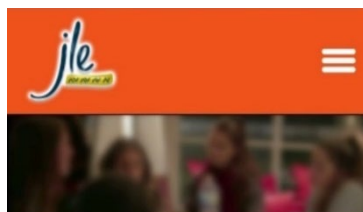
³⁴² Telephone conversation, 20th September 2018.

³⁴³ Vanessa Deutch was interviewed on 23/10/14; for a detailed biography, see: APPENDIX 5, INTERVIEWEES [3].

women too?’ and he said, ‘no.’ So, yes it bothered me... why shouldn’t it be for everybody?’ (VD, 23/10/14)

Nonetheless, this phenomenon also pervades the modern orthodox synagogue-communities’ educational programmes. The Edgware *Adath Yisroel* Community³⁴⁴ offers a daily *halakha* class every weekday evening, advertised as ‘all welcome’, but on further investigation, this class turns out only to be for men.³⁴⁵ And lastly, an example from a *kiruv* [outreach] organisation, which prides itself on educating non-affiliated Jews in the hope that they will ‘come back to’ orthodox Judaism. These images are included below to emphasise not only the issue of exclusion from the content and method of *Torah* study, but to highlight the problematics of BOJW’s visibility within the orthodox community.³⁴⁶

FOR WOMEN:



HOME :: JLADIES

JLADIES

Jladies provides exciting and informative programs and trips for ladies (ages 18 - 35) on all levels in a chilled, easy going atmosphere.

FOR MEN:



HOME :: BEIS HAMEDRASH

BEIS HAMEDRASH

The JLE Beis Hamedrash is for young men who wish to pursue their Jewish learning to a deeper level. No learning background is required, just a desire to learn. There is also a post-yeshiva program for yeshiva graduates.

³⁴⁴ See: <https://www.eayc.org>.

³⁴⁵ Recently, the topic of study was the ‘*yoledes*’ [(sic) a woman in labour] and the relevant laws about violating the Sabbath on her behalf, prompting my request to attend.

³⁴⁶ Retrieved from: <https://www.jle.org.uk/showdepartment.php?did=3> and <https://www.jle.org.uk/showdepartment.php?did=2> on 30/10/18.

Several pertinent issues stand out in this example.³⁴⁷ Firstly, the women’s programme is simply titled, ‘*Ladies*’, in other words, it’s a site for all the programmes available to women, and does not specify *Torah* study per se. The men’s site, on the other hand, is called the ‘*Beis HaMedrash*’ [study hall], suggesting that there is plenty of opportunity for men to find a space to take their religious learning seriously. Secondly, the study that is on offer is highly differentiated. For the women, it’s described as: ‘exciting’, ‘informative’, ‘chilled’, ‘easy going’ and ‘on all levels’; whereas for the men, it’s described as a place where they can, ‘pursue learning to a deeper level’.³⁴⁸ Lastly, the photos themselves offer a stark reminder of the visibility of orthodox men and women within the orthodox Jewish community: the men are photographed as active learners, as part of a thriving educational experience, as present at the table of discussion – as visible. The women on the other hand, are invisible; the photo has been blurred, so we can neither see the women participating, nor see what it is they are participating in.³⁴⁹

The message this image conveys to the community it serves, and to those the

³⁴⁷ Interviewee Avivah Vecht (see: APPENDIX 5, INTERVIEWEES [19]) wrote to the rabbinic leadership of the institution about these discrepancies (October, 2018), but to date, has received no confirmation of receipt of her email, nor any response regarding her complaint.

³⁴⁸ See a similar trope in newspaper HaModia’s ‘Who we Are’ page: ‘What do we do in our spare time? Many men spend much of their spare time *learning Torah*. Women attend *classes* on religious topics and parenting and enjoy spending time with their friends and family. Popular family outings are trips to a zoo or theme park, but cinemas or pop concerts would not be on the list’ (*italics mine*); at: <https://www.hamodia.co.uk/>. Hamodia describes itself as: The Weekly Newspaper of *Torah* Jewry.

³⁴⁹ For a more detailed analysis of photographic or pictorial invisibility, see the work of *Chochmat Nashim*: <https://www.chochmatnashim.org/our-issues/erasing-women/> and <https://www.chochmatnashim.org/who-needs-rabbinic-leadership-a-call-for-orthodox-organizations-to-heed-the-voices-of-the-women-they-cannot-see/>. See, for example, the response from the American orthodox publication Oorah (<https://www.oorah.org/>): “Thank you for contacting us. We struggle with this question every year. While we may not agree with it *hashkafically* [philosophically], we recognize that, from a fundraising standpoint, it would turn off much of our donor base... we are following the decision of mainstream *frum* [religious] publications who have made this the standard in *frum* [religious] publications” (*italics mine*).

institution hopes to reach who are not yet involved in the orthodox Jewish community, is complex: we want to encourage you to engage in some kind of differentiated *Torah* study, but we don't want you to be seen studying, or (arguably) seen at all.

The assumptions made about BOJW and their religious education, and the norms perpetuated by these examples (amongst many others)³⁵⁰ reflect as well as (re-)produce normalised religious expectations, but especially within the realm of rigorous religious education. This is corroborated by Sally Berkovic, eminent UK orthodox feminist-activist and author, who comments that, '[m]any accomplished professional and businesswomen belonging to the United Synagogue are woefully under-educated in Jewish matters. They are often infantilised by patronising lectures and offered Judaism-lite seminars... and minimal use of textual sources' (Berkovic, 2011).³⁵¹ This cognitive dissonance adds further depth to the complexity of the issue, and begs the question: what is the rabbinic hierarchy trying to achieve by its exclusionary practices? Ben-Yosef's (2011) study of *chasidic* women's religious study amplifies some of these concerns. She suggests that 'seeing literacy as a critical social practice compels us to acknowledge the power relations

³⁵⁰ A young woman from Gateshead Old Seminary, one of the only two seminaries in the UK, and a bastion of the *charedi* [ultra-orthodox] community, posted the following about her experiences there: 'Gateshead Old is by far the best seminary out there. They also teach you to really appreciate *Torah*, not to just want to marry a "learning boy" but to actually appreciate every minute that *your husband* is learning, to really feel that every word of *Torah* is priceless! Also a tremendous advantage is that your teachers are all *Rabbanim* [rabbis] not [sic] *ladies*' (*italics* mine); see: <https://www.schoolinspectionsservice.co.uk/inspection-reports/Beth-midrashjtcc2016-17.pdf>.

³⁵¹ Berkovic (2011) 'Why Orthodoxy needs its own Chief Rebbetzin' in *The Jewish Chronicle* [05/05/11]; see: <https://www.thejc.com/judaism/features/why-orthodoxy-needs-its-own-chief-rebbetzin-1.22831>.

embedded in this practice' (Ben-Yosef, 2011:70).³⁵² This observation is useful in that it helps explain the explosion of advanced *Torah* study for women in the US and Israel, and the direct consequences for religious leadership and authority; and it is also useful as a way of understanding how some normative behaviours become seemingly concretised because of the hierarchical frameworks within which they exist, as Ben-Yosef notes, '[c]ontemporary *Chasidic* women I have talked to see their de facto limited access to studying much of the sacred texts as role differentiation rather than oppression or domination' (Ben-Yosef, 2011:64).

2.1 PRIMARY and SECONDARY SCHOOLING: FOSTERING GENDER INEQUALITY

There are considerable and striking differences between the religious education offered in the UK, at all levels, from that offered in the US or in Israel. In general, the UK performs less well at secondary school in terms of religious education for girls, and students emerge with less knowledge and fewer textual skills than their American or Israeli counterparts.³⁵³ Consequently, some BOJW are frustrated by their daughter's (or their own) school education and look for ways to ameliorate these difficulties. Additionally, the importance of religious education as a value in and of itself through the transmission of religious information, from parent to child,

³⁵² See also: '[e]ducation is the social means for ensuring cultural/ideological production and reproduction, and can be used for empowerment, such as constructing and reinforcing personal/group identity, and/or for perpetuating relation of representation and domination (race, class, gender)' (Ben-Yosef, 2011:70).

³⁵³ In fact, orthodox seminaries in Israel and the U.S. are so attuned to these differences that they take them into account when offering UK students a place at their varied post-school institutions and/or seminaries. For a detailed account of schooling in the US, see: Zolty, S. (1993) *And All Your Children Shall be Learned*.

as well as the process of study itself, remains a central tenet of orthodox Judaism.

The indictment of girls' religious education, especially in orthodox Jewish secondary schools was a paradigmatic theme repeated by many interviewees and will be detailed in this chapter section. Almost all of the issues discussed by the interviewees are culturally located: this does not mean they are not present in other orthodox communities worldwide, but it does indicate that there is

- a. very little room for alternative choices of education in the UK, and that
- b. the UK's educational norms within the mainstream and modern orthodox communities are approximately 20-30 years behind their American or Israeli counterparts.

Within these communities, the concerns included the lack of enthusiasm or investment in the girls' religious education by the school itself, as well as the lack of decent study skills or knowledge, especially as compared to boys (their brothers) in the same schools. Several interviewees remarked on how the education did not encourage critique, analysis or questioning, but was directed towards disciplining the girls' behaviour. One BOJW experienced very negative feedback from the school's staff on suggesting oral law be included in the curriculum for their daughters, and several commented on how this lack of religious education had stifled their own adult flourishing as a BOJW. Within the *charedi* [ultra-orthodox] girls' schools the mothers seemed more content with their daughters' education, although more concerned about the pressures from schools to conform to stricter interpretations of *halakha* [Jewish law] both in and out of school. Lastly, BOJW who grew up in the US compared their experience of education with their daughters' and highlighted the major discrepancies.

GENDERED EXPECTATIONS

Wendy Stein³⁵⁴ lives in a thriving orthodox community in North-West London with her husband and four children. She is a committed home-maker, mentioning that although she considers herself to belong to a modern orthodox synagogue-community, she has quite traditional ideas about gender roles. Each of her children attend local orthodox primary and secondary schools, and Wendy was able to compare her son's education with her daughter's, at the same school. On being asked about girls' religious education, Wendy immediately compared her son and daughter's experiences,

'Now, having two children in school Hasmonian,³⁵⁵ a boy and a girl, I can see that my son... is a lot *more encouraged*; and... it seems that *kodesh* [religious studies] is a lot *more important* in the boys' school than it is in the girls' school.' (WS, 17/09/14)

From the beginning of high school (Year 7), Wendy noted the differences between her children's religious education experience and they have become progressively more entrenched as her daughter moves up the school. There are not only differences in the curriculum,³⁵⁶ but in the investment in the education, as she

³⁵⁴ Wendy Stein was interviewed on 17/09/14; for a detailed biography, see: APPENDIX 5, INTERVIEWEES [18].

³⁵⁵ Hasmonian is the mainstream orthodox school attended by many of the interviewees' children. It is located in North-West London and is both state-funded and financially supported by the orthodox Jewish community, specifically to provide religious education. It is split in to a separate boys' and girls' campus, although the sites share many of the teaching staff; in 2018-2019, there were over 500 girls enrolled. See: https://hasmonianmat.org.uk/home_2/?avia_forced_reroute=1.

³⁵⁶ For the current Jewish Studies curriculum, see; APPENDIX 8.1.

notes, 'I don't think the importance [of the religious study] has been given to her, she's a clever child and I think that's a shame for a religious school.' (WS, 17/09/14).

Similarly, Xandy Engelberg,³⁵⁷ an educational psychologist from a *charedi* [ultra-orthodox] community, commented on the 'lack of encouragement' to describe her daughters' educational experiences, as compared to her son's opportunities – but in their case, it was in a *charedi* school setting. Xandy's interview was the longest, and she enjoyed talking about her upbringing in South Africa and how she and her family became more religiously observant, despite the fact, as she expressly stated, that her mother was a 'powerful feminist'.

Batya Epstein,³⁵⁸ 51, is herself a noted religious scholar; she was educated in both the US and Israel before moving to the UK to marry, and she now serves as a *rebbetsin* [rabbi's wife] in a modern orthodox community in North-West London.

Batya works in the medical field in addition to her communal work and family obligations, and having been brought up in the US, she is able to compare religious education there to here in the UK. I interviewed her at her home, which is a treasure trove of Jewish sacred literature, and both she and her husband invest significant time and energy in studying with each of their five children. Batya emphasised the lack of a robust secondary education in the UK for her two daughters, with a personal anecdote:

³⁵⁷ Xandy Engelberg was interviewed on 26/04/15; for a detailed biography, see: APPENDIX 5, INTERVIEWEES [5].

³⁵⁸ Batya Epstein was interviewed on 29/10/14; see APPENDIX 5, INTERVIEWEES [6] for a full biography.

'Hasmonean is trying to improve, but it's been trying to improve for twenty years... A friend of ours told me that she went back to them after she came back from *Michlala* [women's seminary in Jerusalem] and she said, '*you had me for seven years, why didn't you do anything with me?!*' And I think it's ridiculous that the kids' skills, that the girls who go in with reasonable skills say they have gotten worse. I don't think they've given up on skills for content, because I don't think there's much content either' (BE, 29/10/14).

Batya's comments are representative of several interviewees who expressed concern about their daughter's diminishing textual skills on leaving primary school. The skills to which they refer are Biblical Hebrew: reading, writing and comprehension; some Aramaic from studying biblical commentators; a familiarity with biblical commentators; basic *halakhic* [legal] vocabulary and knowledge; liturgy: to read, translate and often, know-by-heart. At primary school level, many orthodox schools begin teaching the children *Mishnah* [oral law] in Year 4, and depending on the school's affiliation, they will either teach boys and girls (some mainstream and modern orthodox), or just the boys (*charedi* [ultra-orthodox]). The acquisition of textual skills begins in primary school, and ideally, BOJW would like their daughters to continue gaining competence throughout high-school to ensure their familiarity and ease with sacred text, but more often than not, these aspirations are not fulfilled within the classrooms of British orthodox secondary schools.

Furthermore, the way in which knowledge is acquired, the backwards-and-forwards of critical questioning, of challenging assumptions and of sharing different interpretations of a text, is key in the context of sacred legal texts and biblical exegesis. Arguably, there is a rigour in the argumentative style of study regularly given to British orthodox Jewish boys and men, but it is clearly missing from the experience of Xandy's daughters, which she notes this with some sadness, 'I don't think the girls are given much... it's just rote... I don't know if they're encouraged to question much' (XE, 26/04/15).

In order to become a scholar in any field, the capacity to ask good questions, to be critically aware is essential; according to many of the views expressed in these interviews, British orthodox Jewish girls are marginalised from this kind of study the outset, and the hope that they will play a part in Jewish scholarship is thus hindered from an early age. Indeed, Naomi Kory³⁵⁹ believes that this lack of education stifles BOJW's ability to flourish as religious subjects, stating that 'I do think that a lot of our inhibitions and our lack of confidence begin when we're children, when we aren't equipped with the same skills as boys' (NK, 29/10/14). I interviewed Naomi at her home just outside London, a few weeks after she had given birth to her first child and was on maternity leave from her work in interfaith. She had recently co-founded a *Partnership Minyan* [open-orthodox community] in her local area and had participated in one of the first women's *Megillah* Readings in the UK, making

³⁵⁹ Naomi Kory was interviewed on 29/10/14, see APPENDIX 5, INTERVIEWEES [15] for a detailed biography. She is a founder of a *Partnership Minyan* [open-orthodox community] and has recently been embroiled in the ongoing hostilities between them and the local United Synagogue. See for example: <https://www.thejc.com/news/uk-news/chief-rabbi-discusses-synagogue-walkout-over-woman-giving-torah-talk-1.429372>.

her comment about confidence all the more resonant. It would be easy to assume that given that Naomi has accomplished much as an active religious subject, she had not been held back by the inequality of her Jewish education – but she stated that this was not the case.

Avivah Vecht,³⁶⁰ 51, is a professional in the charity sector and involved in several orthodox women's projects in and around London, and her interview was peppered with amusing anecdotes. I met Avivah at her home for this interview, and it is covered, floor to ceiling with Jewish paraphernalia and books, collected by her and her husband over many years. Having lived in the States and Israel before moving to London to marry in her early thirties, Avivah had a lot to say about the differences she had experienced in education, ritual participation and religious leadership for orthodox Jewish women abroad, and during her interview, she shared several poignant stories to illustrate her frustrations with Anglo-Jewry. She mentioned that there were a couple of very bright girls in one of her daughter's classes, both of whom had excellent textual skills (either from primary school or home). When the religious studies teacher frequently referred to a specific *Mishnah* or *Gemara* [unit of oral law] in class, the girls would comment and reflect on it, and the teacher 'used to laugh that they're better than the boys at *Gemara* [Talmud] – *it was a source of some amusement*' (AV, 10/07/15). Avivah remarked at the irony of this story, that the girls' competence was amusing, rather than encouraging; and that

³⁶⁰ Avivah Vecht was interviewed on 10/07/15; see APPENDIX 5, INTERVIEWEES [19] for a detailed biography.

no-one ever suggested to them that they should spend more time studying these legal texts or that their capabilities were valuable.

GENDERED DISCIPLINING

Indeed, several interviewees expressed concern that the religious education offered to their daughters (as compared with their sons) was far more focused on disciplining the girls' behaviour; or focused on their 'expected role' as wife and mother; or focused on them amassing the right information for practical orthodox Jewish life, than it was on encouraging them to *think about* their religious lives, or *become scholarly conversant* with their own religious heritage.³⁶¹ In fact, BOJW from the spectrum of orthodox communities commented that orthodox girls' religious education is directed towards the function of knowledge; exemplified by *charedi* psychologist, Xandy Engelberg,³⁶²

'in terms of *kodesh* [religious studies]... I think they engender a love and they do teach the *halakhos* [Jewish laws] *that women have to know in order to run a kosher home and raise children.*' (XE, 26/04/15)³⁶³

³⁶¹ It is prudent to note here, that in contra-distinction to this approach, Rabbi Aharon Lichtenstein (on speaking to the girls at the dedication of the *Ma'ayanot* high-school in New Jersey) explicitly stated that '...of course, that is not to suggest that preparing for a role, be it a domestic role, a professional role, or a communal role, is not important. *It is important, but secondary*' (Lichtenstein, 1996; *italics mine*).

³⁶² Xandy Engelberg was interviewed on 26/04/15; for a detailed biography, see: APPENDIX 5, INTERVIEWEES [5].

³⁶³ See: Elijor, 2004; especially p.84: 'They were denied any existence beyond their bodies and their homes, including spiritual existence and social independence.'

The differentiation between the secondary education of girls and boys is arguably marked in this way: girls' learning focusing on their perceived or desired *function* within the British orthodox Jewish community, and boys' education as 'learning for its own sake', for the knowledge itself, and for the joy and pleasure of study (which according to many *halakhic* [legal] authorities, is a religious obligation on boys and men exclusively).³⁶⁴ Furthermore, orthodox feminist-activist Avivah³⁶⁵ referenced this 'direction of education' with particular reference to modest dress, stating that,

'the informal curriculum, *tzniut* [modesty], *middot* [character traits], *davening* [praying], *the behavioural and socialisation stuff in the mind of the school was more important than the formal curriculum.'* (AV, 10/07/15)

Xandy³⁶⁶ takes this phenomenon one step further, observing that in her daughter's *charedi* [ultra-orthodox] high-school,

'there's a little bit too much taking control... I do see resentment in some of the girls when the school, kind of, takes responsibility beyond the bounds of school. So somebody is speaking on a mobile phone in the street, you're called in at school.'

LS: 'so you feel resentment from the girls?'

³⁶⁴ See, for example: *Maimonides, Mishneh Torah, Mada, Laws of Torah Study, Chapter 1*; or for alternative perspectives, see: <https://www.thelehrhaus.com/commentary/forty-years-later-the-rav%E2%80%99s-opening-shiur-at-the-stern-college-for-women-beit-midrash>; or Rabbi Yehudah Henkin, *Bnei Banim, Chapter 3, Section 12*.

³⁶⁵ Avivah Vecht was interviewed on 10/07/15; see APPENDIX 5, INTERVIEWEES [19] for a detailed biography.

³⁶⁶ Xandy Engelberg was interviewed on 26/04/15; for a detailed biography, see: APPENDIX 5, INTERVIEWEES [5].

‘From the girls, absolutely, oh yeah, some of the girls are *very rebellious because of that*, because they feel “*we’re prepared to conform within school, but what right do you have outside of school?*”’ (XE, 26/04/15)

Control, as a leitmotif of orthodox life, is particularly prevalent in schools and community synagogues. In these examples, the operations of power seep into the students’ classrooms, streets and homes, emphasising the persistence (arguably, desire) of the will to control by those in authority *beyond their prescribed formal boundary*. This authoritarian *seepage* is demonstrative of how ‘educators socialize their students into the established hierarchy and a specific moral code with goals of changing or preserving learners’ values, skills and knowledge bases’, but they also persist in ‘maintaining a group’s existing relations of power’ (Ben-Yosef, 2011:58) wherever they are able. In this case, the mobilisation of behaviour monitoring and excess control might be likened to the theoretical notion of *function* explored by de Beauvoir (1949), who speaks of women being disciplined by society towards a *function* which serves the needs of men, rather than towards their own self-flourishing. Not satisfied with merely supervising the knowledge learned and the behavioural requirement of school life, the power slippage works to proscribe behavioural norms outside of school, reminiscent of a Foucauldian (1991) trope of how power extends beyond its visible boundaries.³⁶⁷ Orthodox girls are easily recognisable by other members of the orthodox community, especially since they often live in the same neighbourhoods, shop in the same stores and frequent the

³⁶⁷ “By means of a wise police, the sovereign accustoms the people to order and obedience (Vattel, 162)” (Foucault, 1991:215).

same synagogues. Within this network then, there is a panoptic imitation of the all-seeing authority, such that girls feel the pressure (and resent the pressure) to behave and dress in very precise ways.³⁶⁸

Wendy Aviv³⁶⁹ is a divorced mother of three children and works in the arts. She converted to Judaism in her twenties and recently moved to the UK after living in Israel for several years. She similarly recalled that,

‘when we came to England, I asked in her religious school if they were learning *Mishnah* [oral law] and *they balked somewhat* and said, ‘no.’ (WA, 01/10/14)

Startlingly, Wendy A. goes on to describe her daughter as ‘terrified’ to learn anything which might be considered unacceptable by some rabbinic leadership, highlighting her daughter’s distress of being ‘found out’. This anecdote is demonstrative not only of the fact that rabbinic ‘balking’ is a method through which authoritarian tropes are successfully mobilised within schools (synagogues and communities), but that this results in the fear of learning *Torah*, the fear of becoming a religiously literate Jew.

³⁶⁸ ‘The panoptic mechanism arranges spatial unities that make it possible to see constantly and to recognise immediately... Visibility is a trap... Unverifiable: the inmate must never know whether he is being looked at at any one moment; but he must be aware that he may always be so.’ (Foucault, 1991:200-201; re: Panopticism).

³⁶⁹ Wendy Aviv was interviewed on 01/10/14; for a more detailed biography, see: APPENDIX 5, INTERVIEWEES [2].

GENDERING OPPORTUNITY

If then, orthodox girls are rendered the non-normative Jew, through the process of exclusion from the opportunity to study sacred texts, how do orthodox schools encourage their spiritual development; what is on offer to engage them religiously? One example was described by religious scholar Batya Epstein,³⁷⁰ which clearly highlights this differentiation between boys' and girls' religious education:

'You'll like this. One year *Erev Yom Kippur* [the Eve of the Day of Atonement] at school, there was a *brachos* [blessings] party for the girls.³⁷¹ And when my daughter came home and said what they had done, my husband hit the roof. And the next year, he said to her... "if they have a *brachos* [blessings] party for you, you are not going. You will go to visit old people in the old age home round the corner, *you will go do anything that is worthwhile...* I refuse to let you go to school for a *brachos* [blessings] party."
And he went, and he spoke to the head of *kodesh* [religious studies] and the guy said this and that... and my husband said, "*would you do it for the boys?*" he said, "*you'd be ashamed!*" and there hasn't been a *brachos* [blessings] party since.' (BE, 29/10/14)

³⁷⁰ Batya Epstein was interviewed on 29/10/14; see APPENDIX 5, INTERVIEWEES [6] for a full biography.

³⁷¹ *BRACHOS* [blessings] PARTY: Event in which participants make blessings over symbolic foods, as a form of prayer – used for healing, finding life partners, fertility etc. Geared specifically towards girls and women. See: APPENDIX 1: WORD DEFINITIONS. Also see: Taylor-Guthartz, L. (2016) *Overlapping Worlds: The Religious Lives of Orthodox Jewish Women in Contemporary London*; PhD thesis, UCL, pp.162-173 for an in-depth discussion of *Brachos* Parties in London.

This story amplifies several knotty issues. Firstly, it encapsulates the discrepancy made between what is acceptable for girls and boys as a meaningful orthodox educational experience. Secondly, it exemplifies parents, who, horrified by their daughter's experience, act. They neither *act in* nor *act out* in Butlerian terms;³⁷² they want their daughter to have a religious life and for it to be meaningful and sophisticated, but they do not (always) accept what is on offer from their local orthodox school. They tell their daughter directly that it is not a worthwhile experience, ask her not to take part if it happens again, and then they complain directly to the school. What makes this example so striking is that this particular family serve as rabbi and *rebbetsin* [rabbi's wife] of an orthodox community, and are both religious educators. They are both very well respected members of the wider orthodox Jewish community, and are seen as wholly compliant with orthodox religious life and communal expectations, an interesting theoretical location.³⁷³ But, perhaps their status also means that they have the confidence and stability in their identities as religious leaders to go to the school, make a serious complaint, specify the complaint as sexist and demand that changes are made. The teacher is told in no uncertain terms that had they suggested this activity for the boys, it would be shameful; not only did the father ensure that the teacher knew about his feelings towards this 'proto-educational' experience, but he was able to expose and explain the underlying discrepancy of it. Although, I do not know of the teacher's response,

³⁷² Butler, 1990; especially Chapter Three.

³⁷³ In this case, Batya Epstein reports that it is the father (not the mother) speaks to the school, perhaps indicative of who the parents thought was more likely to be heard at this particular institution, although we did not discuss this further.

I was told that no '*brachos parties*' have taken place since, which suggests that his conversation had material impact.

Atalia Fairfield,³⁷⁴ 42 and medical professional, reflected on this highly differentiated educational experience. Her interview took place at her home, which she shares with her husband, a teacher, and her three children. She recounted her journey from *charedi* [ultra-orthodox] Judaism to her current participation in her local *Partnership Minyan* [open-orthodox community]; and she explained how her experience at a *charedi* high school had led her to want to study oral law more seriously, and how this experience had transformed her religious life. She described the lack of opportunity for intense religious study for girls as 'wrong' and commented on the effect it has on the girls' sense of worth and value within the British orthodox Jewish community:

'I just think that girls don't get the same opportunities as boys do, *and I think it's really wrong...* Girls learn *Chumash* [Pentateuch] and *Nach* [Bible]. I'm not saying it's not good to learn those things as well; but to not have any *Mishnah* [oral law], any *Gemara* [Talmud] on the curriculum means that they are really losing out of a major part of *Torah* learning... I don't like the message they're getting that *they're not really good enough to be learning this.*' (AF, 24/10/19)

³⁷⁴ Atalia Fairfield was interviewed on 24/10/14; see APPENDIX 5, INTERVIEWEES [8] for a full biography.

Atalia makes it clear that she is not in favour of any gender differentiation when it comes to studying sacred texts, but she also introduces the idea of being ‘not good enough’. This is a useful term in thinking about the paradoxical nature of religious subjecthood in this case; on the one hand, these girls cannot ‘learn this’ *because* they are ‘not good enough’ (which according to some religious authorities simply means they are not boys); and if they engage in ‘this learning’ as a means of becoming ‘good enough’, they have transgressed the religious communal norms and are rendered unintelligible; thus they *can never* become ‘good enough’. It is this gendered discrepancy of subjecthood, produced through differentiated education, which caused the most consternation amongst the interviewees, in different forms and with differing responses. But Nadia Jacobs³⁷⁵ voiced what several BOJW expressed, less fearlessly:

‘I think there should be no boundaries in terms of education for girls and women, none whatsoever.’ (NJ, 30/09/14)

And, given her view, it is unsurprising that Nadia spends her professional life as a teacher within the Jewish community, and almost exclusively the *orthodox* community, ensuring that girls and women are very well educated by her. Nadia and I met at her new home; she had recently moved to a vibrant modern orthodox community in North London and was looking forward to contributing her pedagogic expertise. Her five children are now adults, and almost all have left home. Nadia

³⁷⁵ Nadia Jacobs was interviewed on 30/09/14; see APPENDIX 5, INTERVIEWEES [10] for a full biography.

has been teaching for her entire career; she started at a girls' secondary school, then moved into the Jewish community, comfortable in both the orthodox and non-orthodox institutions. She always insists on using primary source texts for her classes so that her students have direct access to them, enabling them to both question her interpretation of them, but also become part of the community of knowledgeable orthodox Jews.³⁷⁶ In this way then, Nadia speaks back to the powers-that-be: she does the educating herself, fulfills the needs of orthodox girls and women herself, and models the joy and passion of being a literate Jew, a literate Jewish *woman* through her own endeavours. She is a very popular national and international speaker in modern and mainstream orthodox circles, and within the British media,³⁷⁷ but has been shunned by some more right-wing communities because of her stance on women's and girls' religious education (as well as ritual participation and religious leadership roles), making her unintelligible to the very audience she would like to teach.

SUBVERTING GENDERED NORMS

These complication of religious subjecthood and intelligibility were remarked upon almost 40 years ago, when young American orthodox women embarked on *Talmud* study at *Michlelet Bruria*³⁷⁸ in Jerusalem, the first seminary to teach *Talmud* to women. Orthodox feminist philosopher, Tamar Ross, remembers how '[s]ome of

³⁷⁶ I will return to Nadia Jacobs in Chapter Six, as she makes clear how her opinion and method of teaching have generated some very uncomfortable encounters with those in positions of power and authority within the British orthodox Jewish community.

³⁷⁷ In particular BBC Radio.

³⁷⁸ Now, Midreshet Lindenbaum; a seminary founded in Jerusalem in 1976 by Rabbi Chaim Brovender; see: APPENDIX 1, DEFINITIONS.

the earlier graduates of *Midreshet Lindenbaum* who returned to study... were made to feel that they were ruining their prospects for marriage by championing the cause of women's learning' (Ross, 2004:74). Heather Keen³⁷⁹ is 44, and we met when our children were in primary school together. She currently works for a non-governmental organisation, but previously worked at an educational foundation within the orthodox Jewish community. I interviewed her at her home just after her three children went off to school, and we sat in her very beautiful garden. She too highlighted the indirect cost of transgressing religious educational norms, and associated educational choices and marriage prospects within the UK's orthodox Jewish community,

'So, serious Sems [seminaries] are an excellent idea, if you've got that kind of brain. If that's what inspires you, do it for your spirituality. But *it's not the solution*, if it's the case that *you should make yourself unmarriageable*. But I feel that *my voice is a bit of a lone voice amongst my friends*.' (HK, 20/07/15)

Evidently, Heather appreciates the importance of serious religious education for girls, on the one hand; but on the other, she is aware that in some UK orthodox communities, highly educated girls (and women) who have independent ideas and opinions might compromise their marriage prospects, *and this matters to her*.

Given that orthodox doctrine holds family as the central framework of all religious

³⁷⁹ Heather Keen was interviewed on 20/07/15; for a detailed biography, see: APPENDIX 5, INTERVIEWEES [14].

life, she has concerns about the way in which ‘educated’ girls are labelled within certain religious communities. As a BOJW trying to navigate a safe, secure but meaningful pathway for her daughter’s religious education and flourishing, Heather is aware of the risks she is taking when opting for one school or another, the potential practical consequences of such a choice, and the impact on her own religious identity in making that choice. Additionally, she mentions being a ‘lone voice’ amongst her friends; indeed she is the only interviewee to mention this issue.

A DIFFERENT EXPERIENCE: LOCATING GENDERED TROPES of EDUCATION

In contra-distinction to the sentiments of BOJW, Dr Tova Lichtenstein³⁸⁰ spoke of her upbringing in Boston during the 1940s, at the *Neshama* Conference organised by the Office of the Chief Rabbi, in November 2017.³⁸¹ Dr Lichtenstein is one of the six children of the late Dr Tonya Lewit Soloveichik and Rabbi Yosef Ber Soloveitchik; throughout the worldwide modern orthodox community, Rabbi Soloveitchik (affectionately known as ‘*The Rav*’) was considered one of the greatest American Jewish orthodox leaders of his generation. He is renowned for his pioneering co-ed High School, Maimonides in Boston, which taught *Talmud* to girls in the 1940s.³⁸²

³⁸⁰ ‘Dr. Tovah Lichtenstein has a BA from Harvard University and an MSW from Columbia University. She earned a PhD from Bar-Ilan University, where she was a senior lecturer in the School of Social Work until her retirement. Her field of expertise is child welfare. She has given in-service training on the subject and has served on national committees concerned with child welfare. Dr. Lichtenstein was the Chair of the National Advisory Committee to the Ministers of Social Welfare and Justice on International Adoption. She has lived in Israel since 1971 when she made *aliyah* with her husband, Rabbi Aharon Lichtenstein, of blessed memory, and their family. Rabbi Lichtenstein was the Co-Rosh Yeshiva of *Yeshivat Har Etzion*. Dr Tovah Lichtenstein has lectured in Israel and the United States on a wide range of topics, both in child welfare and *Torah* learning’; see: <https://www.torahinmotion.org/users/dr-tovah-lichtenstein>.

³⁸¹ Neshama Conference: <https://chiefrabbi.org/neshama/>.

³⁸² ‘In 1937, Rabbi J.B. Soloveitchik founded the Maimonides School, a Jewish day school in Boston, Massachusetts, in which boys and girls studied Talmud together. In 1972, he delivered the inaugural lecture in Talmud at Stern College in order to sanction the permissibility of teaching Talmud to women. This approach had a huge impact on modern Orthodoxy in ensuing decades. Indeed, the

Lichtenstein stated that whilst growing up in Boston, the expectation of her parents was for every child in the household to *daven* [pray] three times a day, learn *Torah* to the best of their ability and contribute to the religious life of the community, emphasising that each child, girls and boys, were encouraged to flourish religiously and that her spiritual life was of great importance to her parents.

Similarly, Dalia Weiss³⁸³ recalled her New York orthodox education, whilst I interviewed her at her home in London, where she lives with her husband and two children. Dalia spent several years living in Jerusalem before she came to the UK to marry; and as well as her work as a lawyer, she is involved in several community projects, including a local *Partnership Minyan* [open-orthodox community]. On being asked about education in the UK, Dalia compared her experience in the US, with own children's orthodox education,

'The boys and girls learnt *Ivrit* [Hebrew], *hashkafa* [philosophy], *Chumash* [Pentateuch] and *Navi* [Prophets] together; but we were separated for: *Talmud*, *Mishnah* [Oral Law] and *halakha* [Jewish Law].' (DW, 27/11/14)

Dalia described this experience as enabling and demonstrative that she had some ownership over religious text, something which she said has stayed with her throughout her life. Indeed, now resident in the UK, she is an active advocate for

women in Stern College requested and were granted their own Bet Midrash in 1992 and a new, expanded one in 2007' (Golinkin, 2011:23).

³⁸³ Dalia Weiss was interviewed on 27/11/14; for a detailed biography, see: APPENDIX 5, INTERVIEWEES [21].

gender equality in Jewish education, in both primary and secondary faith schools. She described how her personal life experiences, 'grounded in religious textual study, have been a source of great strength' and have been a powerful tool in enabling her to contend with the lack of advanced religious Jewish scholarship offered to girls in the UK, and rally against those orthodox Jewish authorities who perpetuate this status quo.

Dalia continued by emphasising how she felt a rich Jewish education had not only enabled her to 'call-out the problems within the UK's orthodox educational system', but would further her own abilities to make 'good life choices, religiously, through the connection of knowledge with practice'; in fact she specifically mentioned how she had 'wanted to understand Jewish life and the sources [textual sources]... I needed to build bridges... [so that] *I felt, connected, integrated, cohesive.*' (DW, 27/11/14)

I thought her phraseology, 'connected, integrated, cohesive' was a powerful expression of being a religious subject whose identity, although complex, manages to hold together its multiple strands competently. Dalia's experience in the States has provided her with the platform to be a lifelong studier of religious text, not only because of the skills she learned in school, nor necessarily of her aptitude toward study, but – as she describes it – 'because of the encouragement of my teachers that it was an important part of my religious experience'. Interestingly, Dalia was also cognisant to mention the benefits of a single-sex orthodox school experience, noting that,

‘Some of the single sex educational schools have some freedom because there’s not a comparative analysis... girls have a freedom to ‘be’. (DW, 27/11/14)

Evidently, her experience of single-sex education in the US, was not an exclusionary experience, nor one that fostered inequality; rather, she states, it enabled her ‘to flourish’.³⁸⁴

In conclusion, I have demonstrated that the location of the British orthodox girl has a marked effect on her educational experiences, as well as her educational aspirations. The fostering of inequality is, of course, symptomatic of other underlying inequalities; but it is the lack of education, more often than not, which underpins the lack of ritual participation and later, opportunities for leadership and authority for women and girls within the *British* orthodox Jewish community. Thus, the British orthodox approach to rigorous *Talmudic* study for girls and women means that their intelligibility becomes a restrictive restraint, rather than an avenue for creativity.

³⁸⁴ Only one out of the twenty one interviewees expressed complete satisfaction with her daughter’s religious education in the UK. Caroline Vennet, the *rebbetsin* of a large North-West London synagogue, and the mother of several sons and daughters, commented, ‘our eldest’s [daughter] was a big success, out of a pretty *charedi* [ultra-orthodox] school, she’s now studying biology [at university] and has fantastic Jewish textual and learning skills after one year of sem [seminary].’ (CV, 28/10/14). Nonetheless, even Caroline moved her eldest daughter out of her *charedi* schooling to the more mainstream orthodox Hasmonian for sixth form, and subsequently sent her younger daughters there throughout secondary school ; see: APPENDIX 5, INTERVIEWEES [20].

2.2. ADULT EDUCATION: PERPETUATING GENDER INEQUALITY

TEXTUAL vs INSPIRATIONAL

Caroline Vennet³⁸⁵ is the *rebbetsin* [rabbi's wife] of a large United Synagogue in North-West London; she has eight children and in addition to her familial and communal responsibilities, works part-time for a media company. I interviewed her at home, whilst all her children were at school, and although the interview was somewhat punctuated by phone calls, Caroline managed to carve out some quiet time for her and I to chat. It was particularly useful for me to have the opportunity to interview someone who has her finger on the pulse of what is on offer, in terms of adult education, to BOJW within the United Synagogues, and she was a great help in ensuring I was up to date. Caroline claimed that,

‘there’s not a lot of high level textual *shiurim* [religious classes] for women, but there’s more ‘inspirational’ things going on’ (CV, 28/10/14)

and this is a useful framing of the educational differentiations made between what classes are on offer to orthodox men (‘textual’ or ‘in depth’) and what’s on offer to orthodox women (‘inspirational’). This kind of ‘inspirational’ model works for some BOJW, but what was clear from the majority of women I interviewed, was that it was not enough to maintain their religious allegiance.

³⁸⁵ Caroline Vennet was interviewed on 28/10/14; for a full biography, see: APPENDIX 5, INTERVIEWEES [20].

Avivah Vecht³⁸⁶ also noted that there were obvious consequences to this lack of provision and that BOJW,

‘can’t talk about, say, contemporary issues because they don’t have the language; they cannot join contemporary debate about orthodox Jewish law and life’ (AV, 10/07/15).

Thus, the ‘inspirational’ education model only goes so far. And if, as Caroline (CV) suggests, this is almost all that’s on offer to BOJW, it should come as no surprise that very few have the confidence, competency and ability to engage in contemporary theological debate. Indeed, this lack of sophisticated education was noted back in 1978 by Rabbi Moshe Meiselman, *Rosh Yeshivah* [Yeshiva Head] in Jerusalem, and renowned for his *charedi* [ultra-orthodox] religious allegiance and perspective, when (even) he suggested that, ‘[n]o authorities ever meant to justify the perverse modern-day situation in which women are allowed to become sophisticatedly conversant with all other cultures other than their own.’³⁸⁷ Yet, as Avivah noted,

‘with regard to women in my *shul* [synagogue] community, many women are not interested, although they have very empowered careers, and are very well regarded. Jewishly, they often don’t know very much and don’t take advantage of the *shiurim* [religious classes].’ (AV, 10/07/15)

³⁸⁶ Avivah Vecht was interviewed on 10/07/15; see APPENDIX 5, INTERVIEWEES [19] for a detailed biography.

³⁸⁷ Meiselman, M. (1978) *Jewish Women in Jewish Law*; p.40.

This inconsistency is worth highlighting. Avivah makes it clear that the BOJW to whom she refers are generally bright, well-educated women, who contribute to their various professions. Yet, their appreciation of secular knowledge is not paralleled by a similar appreciation to the wisdom of their own heritage, certainly as relates to its relevance to their own lives; consequently, their commitment to *Torah* study is modest. Avivah's observations are made all the more noteworthy as she is a member of a thriving synagogue-community in North-West London, paradoxically headed by a rabbi committed to BOJW's *Torah* learning, giving several high-level classes to women each week. She explains,

‘there are those in their 20’s and 30’s, who generally have a higher level of education than those who are in their 70’s and are rediscovering [their Judaism] intellectually. But those in their 40’s, 50’s and 60’s are rather detached from a decent Jewish education and don’t aspire to it. I understand why, they just don’t feel a deep thirst or understand why they should be studying, say, *Gemara* [Talmud], *they don’t get what its value is.*’
(AV, 10/07/15)

Avivah states explicitly that she ‘understands why’ these BOJW feel the way they do about their own *Torah* education; perhaps the consequence of a poor Jewish education as a girl (see previous chapter section), or (and) the effects of normative tropes around *Torah* learning for BOJW, *despite the fact* that their own communal rabbi is committed to women’s robust *Torah* study; and she adds, ‘there’s a lot of *passivity around learning... they do not seek out opportunities*’ (AV, 10/07/15).

SHIFTS in LOCAL NORMS

Nevertheless, despite these concerns, and despite the exclusionary examples cited earlier, there are several local examples of rigorous *Torah* study opportunities for women, and as Avivah herself noted, ‘what’s happened in the last thirty years is extraordinary in comparison with the last 500 years’ (AV, 10/07/15). Firstly, the *Midrasha* programme at the LSJS offers weekly high-level textual classes in biblical narrative, *halakha* [Jewish law] and *Talmud* [oral law].³⁸⁸ Secondly, several United Synagogues offer weekly classes, termly courses and one-off events, which include for example: at Finchley United Synagogue (Kinloss), a daily *daf yomi* [a-page-a-day] *Talmud* shiur [class], and advanced *Talmud* shiur, a regular *Beit Midrash* [study hall] programme and practical *halakha* [Jewish law] class – all of which are open to women, although upon asking, it was confirmed that no women currently attend any of them;³⁸⁹ at Golders Green United Synagogue (Dunstan Road), a weekly *Talmud* class – open to men and women. According to Rabbi Belovski, over the last ten years or so, out of the regular nine attendees, three are women;³⁹⁰ and (among others) Brondesbury Park, Kenton, Muswell Hill, Radlett, and Southgate and Cockfosters United Synagogues regularly offer courses to men and women, encourage women to participate in them, and ask BOJW educators to teach at these events. And thirdly, Rabbi Chaim Rapoport teaches a weekly women’s *Talmud*

³⁸⁸ See: <https://www.lsis.ac.uk/courses-and-events.php?subjectid=14>.

³⁸⁹ Telephone conversation, 18th September 2019.

³⁹⁰ Telephone conversation, 18th September 2019.

class at his home; there are 10-12 regular attendees, and the class has been running since 2000.³⁹¹

Furthermore, Chief Rabbi Ephraim Mirvis, pioneered the *Ma'ayan* Programme in September 2016.³⁹² Although I discuss this programme again in Chapter Six, there it is with regard to its impact on BOJW as positions of religious leadership and authority, whereas here, I want to specify the content of the *Torah* study as well as its function. I compare it to *Nishmat's Yoetzet Halakha* programme in Jerusalem, to give it some location – and contextualise its impact. The Office of the Chief Rabbi sent me the following details:³⁹³

'The *Ma'ayan* Programme has 3 strands. The first was *Taharat Hamishpacha* [Family Purity – relating to Laws of the menstruant woman],³⁹⁴ taught by Dayan Simons.³⁹⁵ He worked his way through various areas of *halacha* [Jewish Law] relating to *Taharat Hamishpacha*. The sources he used were wide-ranging, depending on the topic.

The second strand related to women's health. Lectures were given by professors/doctors from UCL's Institute for Women's Health, as well as

³⁹¹ Rabbi Chaim Rapoport (former member of the Chief Rabbi's Cabinet and Advisor to the Chief Rabbi on matters of Jewish Medical Ethics) is author of *Judaism and Homosexuality: An Authentic orthodox View* (2004).

³⁹² See: <http://chiefrabbi.org/maayan-programme/>. *Ma'ayan* is the Hebrew word for 'fountain', intimating that the women will offer something vital and nourishing to their community; and the graduates will be known as *Ma'ayanot* (pl.).

³⁹³ Email dated 19th July 2018.

³⁹⁴ See: APPENDIX 1, DEFINITIONS.

³⁹⁵ See: <https://www.theus.org.uk/content/dayan-shmuel-simons>.

courses run by experts on topics including mental health issues, psychosexual issues, counselling skills and infertility.³⁹⁶

The third strand provided training as educators. Lecturers ran sessions on different approaches and pedagogies as well as practical skills.

With regards to the goals of the programme, this is certainly not a direct quote but the Chief Rabbi's aim is that the *Ma'ayanot* can play key roles within the leadership teams in our communities, as well as acting as role models. Whether in the capacity of high-level female educators for the whole community, providing programming tailored to that community, or in roles relating to women specifically, supporting and signposting women at various life stages, we very much hope that the *Ma'ayanot* will fill a gap that exists in terms of female educators and role models in the community.'

(italics mine)

In comparison, *Nishmat* (Center For Advanced Torah Study For Women) in Jerusalem, shared the details of their *Yoatzot Halakha* [Legal Advisors] programme, which also trains women as experts in *Hilkhot Niddah* [the Laws of menstruation], and other related topics. Indeed, even the distinction between the title definitions indicates the way in which both the topic (*what* are these women actually studying) and the strategies around women's learning (*how* are they studying, *what role* will

³⁹⁶ UCL: University College, London.

they play) are mobilised. The *Ma'ayan* programme states that it will educate women to become experts in *Taharat HaMishpacha* – a euphemistic term for legal matters referring to menstruation and other related topics; whereas the *Nishmat* website states that it trains the women in *Hilkhot Niddah* [laws of the menstruant woman] – a direct reference to them becoming *halakhic* [legal] experts. *Nishmat* sent me the following details:³⁹⁷

‘On every *siman* [chapter], there are *dapei mekorot* [source pages] which I can show you in person of the *gemaras* [talmudic literature] and *rishonim*³⁹⁸ [earlier commentators, approx 1000-1500CE] to be studied before reading the *Tur*, *Beit Yosef*, *Darkei Moshe*, [legal codifiers and commentators] followed by the *Shulchan Aruch*, *Shach*, *Taz*, *Nekudat HaKesef*, [legal codifiers and commentators] and most *seifim* [chapter section] of *Pitchei Tshuva*, many *simanim* [chapters] of *Sidrei Tahara*³⁹⁹ and *Chovat Da'at*.

There are many guiding questions to be answered after learning through all of the material. Every student studies this material until it is memorized.

³⁹⁷ Email dated 13th August 2018. These details are for publication in this PhD thesis only, and are NOT to be published elsewhere without prior and specific permission from Atara Eis at *Nishmat*: ataraeis@gmail.com.

³⁹⁸ *Rishonim* (lit. the ‘formers’): Authoritative commentators and legal decisors between approx 1000-1500, preceding the publication of the *Shulkhan Arukh* [Code of Jewish Law, written by Rabbi Yosef Karo in 1563]. Those succeeding the *Shulkhan Arukh* are called *Achronim* (lit. the ‘latters’); see: APPENDIX 1, DEFINITIONS and see also: Leibowitz, A. (2015) *The Early Rishonim: A Gemara Student's Guide*.

³⁹⁹ A work by Rabbi Avraham-Yehuda Chen, posthumously published in 1783: a commentary on the *Shulkhan Arukh*.

You will see I have shared with you a list⁴⁰⁰ of the *shiurim* [classes] given; both the *lomdut* [theoretical and analytical learning], to gain deep mastery of the concepts and underlying ideas, and more *halakha l'ma'aseh* [practical law] and exposure to *shu"tim* [legal responsa] and modern *halachic* [legal] compendiums. After studying all of that, they take written *bechinot* [examinations] on every *siman* [chapter]. Additionally, students are tested on the medical lectures, for which I have given you a draft of goals... At the end of the two years of study, after excelling on *bechinot* [examinations] on every *siman* [chapter], students do a comprehensive review which takes a few months and then they have both a medical *Halacha* [law] oral test (practical cases which combine medical and *halachic* [legal] aspects), and 4 oral *bechinot* [examinations] with recognized *Rabbanim* [rabbis], one hour each, where they must demonstrate complete mastery of the material from *Tanach* [Bible] and *Gemara* [Talmud] all the way through all of the material.

In the U.S., where *Yoatzot* [Advisors] have very public community roles, we also have a leadership curriculum, which prepares them to understand their leadership styles, how to work with different leadership styles, how to establish stakeholders and build consensus, plus handle complicated community/political situations. We give them negotiation skills and interview skills and numerous forums to prepare for work in community.'

⁴⁰⁰ See: APPENDIX 7.

I am aware of the minute detail which I have listed here, and it is used to emphasise that the women enrolled in *Nishmat's Yoaztot Halakha* [Legal Advisors] class are expected to have a rigorous *halakhic* [legal] education and will be tested at regular intervals on that knowledge. The role these women might later play in any community following the course is not explicitly specified (see: Chapter Six for further exploration of this matter). In contradistinction, the *Ma'ayan* course is 1/2 the length and specifies roles intended for participants within the UK Jewish orthodox communities. It should also be noted that on being accepted to the *Nishmat* programme, most women have already had 3-5 years of graduate training in Hebrew and Aramaic religious texts.⁴⁰¹

What these discrepancies emphasise is not only the *intensity* of the study experience and the skills and knowledge acquired therein, but also the *function* of the study itself, and the religious authority each appellation holds. Although the *Nishmat* participants often go on to play community and leadership roles worldwide,⁴⁰² they primarily become 'learned women', scholars in their field, renowned for their *halakhic* [Jewish legal] knowledge. On the other hand, the *Ma'ayanot* [graduates of the *Ma'ayan* programme], 'offer guidance and advice on issues which women members may feel more comfortable discussing with a woman...', rather than hold the appellation, 'scholar'. In other words, the *Ma'ayanot* are known to have 'been through' relevant material, but are not

⁴⁰¹ 'Women preparing to become *Yoaztot Halakha* [sic] are chosen for their extensive *Torah* scholarship, leadership ability, and deep religious commitment'; see: <http://www.yoatzot.org/about-us/default.asp?id=593>.

⁴⁰² See: <http://www.yoatzot.org/contact/default.asp?id=615> to find your local *Yoetzet Halakha* [Legal Advisor] in Israel, the US, Canada and the UK.

renowned for their *halakhic* [Jewish Legal] scholarship of it, and do not function as *halakhic* scholars. This is a nuanced argument, and I am reticent to belabour the point, but the minutiae of the details manifest subtle underlying religious and communal expectations of *British OJW* as compared with Jewish orthodox women worldwide.⁴⁰³ The UK is clearly making significant strides towards better women's post-graduate Jewish education, but it is still in its infancy compared to that which is offered in the States and in Israel, and is almost always less robust in terms of scholarship, as well as couched in the language of community *function*, rather than *scholarship*.⁴⁰⁴ But, most tellingly, the *Yoatzot Halakha* programme has grown year on year since 1997; in 2019 there are 122 trained *Yoatzot* worldwide and the admission to the programme is still very competitive. However, after the initial excitement of the Chief Rabbi's *Ma'ayanot* programme (2016-2018), and the graduation of the first ten women, it has no current cohort of students.

3. GENERATIVE PRACTICES of EDUCATION

'how "life finds a way" despite the seeming strictures of law.' (Adelman, 2012:90)

This section examines how BOJW generate spaces within the British orthodox Jewish community in order to make sense of their religious lives and beliefs, and accord religious subjectivity to themselves. I describe both the individual and collective pious practices through which this is achieved, and analyse the strategies

⁴⁰³ This will be further discussed in Chapter Six.

⁴⁰⁴ This will be further discussed in Chapter Six.

BOJW adopt to disrupt their (or their daughter's) exclusion from *Torah* learning. Rabbi Saul Berman, a leading modern orthodox leader in the US, stated that '[w]hether justified on principled or purely functional grounds it is clear that when the intellectual development of a Jew in secular areas exceeds his or her intellectual development in Jewish knowledge, it leads at best to fragmented personalities performing religious duties and at worst to total disillusion and disaffiliation' (Berman, 1973:18). Many of the BOJW interviewed worked hard to renegotiate pious practices, even as they temporarily or permanently became 'culturally unintelligible', hoping to emerge from this precarious location as more cohesive (less 'fragmented') religious subjects. Thus, as a marked 'site of contestation' (Butler, 1990), BOJW perform their attachment to religious texts and subvert normative expectations, by generating alternative modes of pious practice of *Torah* study within their local orthodox community.

3.1 HOME STUDY: CHALLENGING INEQUALITY

Any attempt to alter the status quo requires recognising what the problem is. As examined above, BOJW are aware of the inequalities in their own or their children's religious education, yet they concurrently feel the pressures of the British orthodox Jewish community, to conform to local *halakhic* [legal] and cultural norms, to be seen to be doing 'the right thing'; to perpetuate their recognisable identity, as Butler attests, '[w]here social categories guarantee a recognisable and enduring social existence, the embrace of such categories, even as they work in the service of subjection, is often preferred to no social existence at all' (Butler, 1997b:20).

Heather Keen⁴⁰⁵ lives out this ambivalence; she has sons and a daughter, and made the following comparison whilst her daughter was still at primary school, where she has already noticed the gender inequality of the religious studies:

'In terms of the education system *which I now live in*. I have a daughter in year three. She's not learning what my sons learnt, *I haven't yet rallied against that.*' (HK, 20/07/15)

Heather is sitting on confronting her daughter's school, but also notes that neither she nor her husband have the requisite skills to educate their children at home. She straddles several worlds: her immediate family's religious community, her own non-religious family background and her secular workplace. In choosing an orthodox Jewish life for herself, she has dedicated much time to her family and community, but she retains a meta-narrative of caution, avoiding the rush towards religious homogeneity that is sometimes associated with the newly religious (*Ba'alei Teshuva*).⁴⁰⁶ Nevertheless, she still remains tentative in approaching her daughter's school to discuss the religious studies classes, arguably indicative of her desire to remain intelligible within her local school community. Oonagh Reitman sheds light on this recurring phenomenon:

⁴⁰⁵ Heather Keen was interviewed on 20/07/15; for a detailed biography, see: APPENDIX 5, INTERVIEWEES [14].

⁴⁰⁶ See: Sands, R. (2009) The Social Integration of "Baalei Teshuvah" in *The Journal for the Scientific Study of Religion* 48(1):86-102, or at: The Jerusalem Institute for Policy Research, <http://en.jerusalemstitute.org.il/>.

‘The obstacles faced in these circumstances are more socio-psychological than material - they are born of belief and psychological make-up; of fear of ostracism by family, friends, associates and community. One may fear the loss of moral support and the sense of belonging and rootedness derived from community. Or one may simply fear change and the unknown. The idea of rupture with one’s family and the people with whom one is closest is pretty hard to conceive in any situation... cultural membership can be pervasively defining of one’s sense of self.’ (Reitman, 2005:195).⁴⁰⁷

Thus, Heather’s sense of self is integrally bound up with her daughter’s school community and whether or not she can approach them about her daughter’s education. This is a complex and messy dilemma – and demonstrative of the multiple loyalties in conflict with one other, all whilst the religious subject attempts to form a cohesive sense of self, some kind of stable identity. She needs to feel intelligible within her local community, and yet Heather is aware that she is unhappy and unsatisfied with her daughter’s education.

Similarly, Bella Sanders⁴⁰⁸ was also concerned with her daughter’s education. She heads a national charity involved in the care of Jewish families struggling with everyday provisions, and is a well-known figure within her local Jewish community.

⁴⁰⁷ See also: ‘The “right of exit” solution... fails to provide a comprehensive answer. Instead it throws upon the already beleaguered individual the responsibility to either miraculously transform the legal-institutional conditions that keep her vulnerable or finds the resources to leave her whole world behind.’ (Shachar, 2001:43); or, as is illustrated herein, to manage to navigate the cultural norms and live with the ambivalence.

⁴⁰⁸ Bella Sanders was interviewed on 30/09/14; for a full biography, see: APPENDIX 5, INTERVIEWEES [16].

I interviewed Bella at her home, whilst her children were at school and it was interesting to hear her counter-narrative of the orthodox Jewish community, given her exposure to its 'underside' through her professional work. She was brought up in a liberal orthodox Jewish family in the North of England, and became more observant during her teens; she moved to London with her husband in her early twenties. During her interview, Bella made several references to her frustration about both her own and her daughter's educational opportunities (at school at her local modern orthodox community). Yet despite this frustration, she argued that the social aspect of the school community outweighed her priority of her daughter's religious education (as Reitman noted), reiterating the necessity for, and power of 'community life'. She made reference to her own schooling, reflecting that, 'I found being in a non-Jewish school too hard, I wouldn't put a child through that socially, but the Jewish education falls short [at school]'. Bella then, has decided to put up with a certain (poorer) level of education, both in order for her daughter to have a nourishing social life, and for her not to have to juggle the conflicting social demands of a non-Jewish school.⁴⁰⁹ Although Bella was acutely aware of the material losses involved, she decided that this is a sacrifice worth making for the sake of her daughter's cohesive orthodox Jewish identity.

Twenty out of the twenty-one BOJW I interviewed kept their daughters at Jewish high schools, despite their frustrations with the Jewish education.⁴¹⁰ On the one

⁴⁰⁹ For example: having to miss school because of early winter Sabbath times on Friday afternoon, or religious festivals and the additional stress of 'catch up' work; or the daughter's inability to join school trips if they are over weekends because of the Sabbath.

⁴¹⁰ Only 18 out of the 20 espoused this frustration. Caroline Vennet [20] and Esther Epstein [7] did not, and both sent their daughters to *charedi* schools. Nonetheless, even Caroline moved her eldest

hand, they submitted to these communal norms, on the other hand, some insisted, concurrently, on a separate and alternative religious education for their daughters. The inequalities of their daughter's religious education could not be managed at school – despite several BOJW speaking to teachers, heads of department and governors. Given the lack of institutional structures in place to resolve the problem, these educational interventions took place at home. However, this could only happen if one (or both) of the parents was sufficiently conversant with religious texts, and if they had the time to teach their daughter each week. As noted in the introduction to this chapter, parent-to-child religious study is a common feature within orthodox Jewish families, but the frequency and scale of this endeavour is particular to each family and to each child within that family, and influenced by the child's proclivity toward religious study. There is no particular preference for a mother (rather than a father) to teach a daughter, although the role modelling of being a knowledgeable normative Jewish subject, by a mother to her daughter, in the process is, I would argue, is of great benefit.

I interviewed Rachel Jakobstein,⁴¹¹ a stay-at-home mother, at her home whilst she nursed her youngest child. She was brought up in South Africa and moved to the UK in her early twenties to marry her husband, whom she met whilst he was travelling near her home town. Rachel and her husband will be emigrating to Israel in a few

daughter out of her *charedi* schooling to Hasmonean for sixth form, and subsequently sent her younger daughters there throughout secondary school.

⁴¹¹ Rachel Jakobstein was interviewed on 01/10/14; for a full biography, see: APPENDIX 5, INTERVIEWEES [11].

months,⁴¹² which she said was partly due to the differentiated (and poorer) religious education her daughters are receiving in primary school here in the UK⁴¹³ (and she did not want to deal with the worsening situation in high school). She decided to respond to the lack of religious education by them teaching her daughter at home, telling her that by the time she's finished her home study she'll 'know more than the boys.' She explained,

'we just bought a *Mishnah* [oral law] programme... so she does *cheder* [Sunday school] every Sunday morning... She likes it and we told her that when she's finished *she'll know more than the boys*. She does love it, and asks, "when are we doing *Mishnah*?"' (RJ, 01/10/14)

The narrative of 'she'll know more than the boys' collides with the educational expectations of the local orthodox school. Rachel complies with communal norms, in order that her family is both recognisable and intelligible, yet she uses the strategy of home learning to enable her daughter to flourish educationally and religiously, *despite* the schooling system. This strategy is adopted by several of the interviewees to ensure their daughters are well educated, and is evidence of how BOJW '...live within this tension and negotiate their reality... to stay within the religious system and to work within in - relate to a deep identification they have

⁴¹² *Aliya* [emigration to Israel], is often founded on religious reasoning. Nevertheless, girls' education features prominently in some families' decision making; see: <https://www.jpost.com/ALIYAH-WITH-NBN-/Family-Life/Why-Israel-Could-Be-the-Answer-to-the-Jewish-Education-Crisis-388871>.

⁴¹³ 'Well, the most telling thing is that we're making *aliya* [emigrating to Israel] to avoid this problem... we are not particularly enamoured with girls' education here and it's only going to get worse ... and we want to avoid that, it's a major reason to make *aliya*.' (RJ, 01/10/14)

with larger parts of the system. They do not feel estranged from the system: rather they wish to change the system specifically because they identify with it' (Fishbayn Joffe and Neil, 2013:220).

Similarly, when I interviewed Esther Epstein,⁴¹⁴ she recounted how her husband teaches their daughter at home, since 'she has a proclivity towards Jewish study'. Esther is the *rebbetsin* of a local *charedi* [ultra-orthodox] synagogue-community, and we have had many conversations about feminism and orthodoxy, women and gender stereotypes. Esther and I have very different religious perspectives, and we have maintained a healthy tone of disagreement during our long-standing friendship; I wanted especially to hear her views about the issues raised in this research. Although she described her daughter's education at a local *charedi* girls' school as 'excellent', she also noted that one of her daughters could not fulfil her desire for rigorous textual study there. Nevertheless Esther 'would not ask the school to change its teaching methodology' just for her child, and preferred to conform with its religious outlook of not teaching specific sacred texts to girls; instead, her daughter learned regularly with her rabbinic husband at home – another elegant compromise.

⁴¹⁴ Esther Epstein was interviewed on 23/07/15; see: APPENDIX 5, INTERVIEWEES [7] for a detailed biography.

3.2 THE *MISHNAH CHABURA*: TROUBLING INTELLIGIBILITY

INTRODUCTION

The women's *Mishnah Chabura* [oral law study group] attended, at some point, by eight of the interviewees, was mentioned many times during the interviews, which is how it came to be such a notable part of this research. *Mishnah* is the backbone of *halakha* [Jewish law], and it was redacted into its current written form in approximately 200CE by (Rebbi) Judah haNasi,⁴¹⁵ in order that it be preserved after the destruction of the Second Temple in Jerusalem in 70CE. It is split into six sections (*sedarim* [orders]) and each contains individual *mesechtot* [tractates], 63 in total. Its rabbinic commentaries (*Gemara*) were collated approximately 200 years later in Jerusalem (The Jerusalem or Palestinian Talmud, JT), and approximately 400 years later in Babylonia (The Babylonian Talmud, BT). This rabbinic collection of laws, and the debates within it about how laws were kept in practice, covers most aspects of Jewish life; it is therefore held up as *the* central work of Jewish law and its study held in great esteem, as are those who have mastered it. In many communities worldwide, there has been a recent upsurge in the study of one page of *Talmud* daily (*daf yomi* [a-page-a-day]) and it takes just over seven years to complete (the BT consisting of 2771 pages). The emphasis by orthodox Jews on *Talmud* study, as well as on knowing one's way around the oral law is entrenched in orthodox Jewish communities worldwide (arguably prized above Biblical (Written Law) knowledge). However, traditionally, this has been the case only for Jewish men, not women. Jewish women have been excluded from the obligation to learn *Talmud*, and, in

⁴¹⁵ (Rebbi) Judah haNasi; for further information, see: <https://www.jewishvirtuallibrary.org/yehudah-hanasi-judah-the-prince>.

some cases forbidden to study it. As described in the introduction to this chapter, there are differing *halakhic* [legal] points of view on this matter; suffice to say that in the UK, the traditional outlook persists.

Despite this normative practice, the *Mishnah Chabura* was established in 2012 by a small group of BOJW, including Katrina Altshul and Hannah Vale,⁴¹⁶ (who themselves had spent several years studying in seminaries in Jerusalem) for BOJW within a burgeoning North-West London orthodox Jewish community. The BOJW attend the weekly group from a variety of different local orthodox synagogues: *charedi* [ultra-orthodox], mainstream orthodox [the local United Synagogue], modern orthodox and one member regularly attends the local *Partnership Minyan* [open-orthodox community]. About 20 women currently study *Mishnah* [oral law] weekly on a *Shabbat* [Sabbath] afternoon during the summer months at the *Mishnah Chabura*, and the numbers have consistently increased over the last seven years. Each week one of the participants prepares the text ahead of time, and another hosts it in her home. On arrival, the women chat for a few minutes, catching up with one another, and then sit themselves around a dining room table, usually laden with snacks and drinks. Each woman will join up with the woman sitting next to her in order that they can study the allocated section of text together. This type of study is called *chavruta* [partner]-based, and it is the

⁴¹⁶ These two women have asked to remain anonymous; I spoke with them in November 2014, and again in October 2018. I have given them pseudonyms, Katrina Altshul and Hannah Vale (also mentioned in Chapters Two and Six). Both these women teach in the Greater London orthodox Jewish community, both are married to orthodox rabbis, and both label themselves as orthodox feminist-activists within their local synagogue-community. Recently, Hannah Vale moved to the States.

traditional religious method of *Torah*-text study, ensuring that the participants are involved in the reading and interpretation of the text itself (not passive listeners), and that they each have a different or counter-perspective of the (often complicated) sacred texts. This method of study has always been a tradition within *Yeshivot* [men's seminaries], but is a more recent phenomenon for women's seminaries,⁴¹⁷ which historically had class-facing teaching.⁴¹⁸ Indeed, this is one of the reasons it was called a *Chabura* [Study Group] rather than a class (Ben Yosef, 2011). A class implies passive listening to a teacher, whereas a *chabura* implies active participation from all the attendees – a goal to which its founders aspired.⁴¹⁹

After most of the women have finished reading and analysing the text in pairs, the participant who has prepared the material works through it with the group, answering questions, and clarifying complicated points of law (if she can). As the months and years have gone by, BOJW who, at first, did not feel competent enough to tackle the Hebrew text, or who were not familiar with studying *Mishnah* have nevertheless felt that the *Mishnah Chabura* was a safe space to have a go. Although not all the regular participants have led the study session, many have exceeded their own expectations and have. The women interviewed describe the learning

⁴¹⁷ See: Kent, O. (2010) 'A Theory of Havruta Learning' in *Journal of Jewish Education* 76(3):215- 245; and also see: https://shwebfiles.s3.amazonaws.com/Havruta_2010_Issue5_WomenReadingWomenInTheTalmud.pdf.

⁴¹⁸ See: APPENDIX 9.1, where the *Yeshiva/Sem Fair* 2018 poster demonstrates this traditional orthodox *Torah*-study style.

⁴¹⁹ Ben Yosef (2011) argues that 'the *shiyour*' [the lesson] rather than the '*chaburah*' [the study session] is to ensure women do not become either textually knowledgeable, or knowledgeable enough – perpetuating the hierarchical community framework of male privilege, male power, and male control. She concludes: 'Are Chabad women gaining knowledge or perpetuating their ignorance? Are they "agents or victims" of their group's religious ideology? I see them as both' (Ben Yosef, 2011:74).

experience of the *Mishnah Chabura* as very powerful, spiritually uplifting and religiously informative.

SUBVERTING NORMS: RABBINIC DISAPPROVAL

The *Mishnah Chabura* is located in a North-West London community, populated by over 15 synagogues, almost all of which are led by *charedi* [ultra-orthodox] rabbis; because of this, none of the local synagogues publicise the class during their *Shabbat* [Sabbath] morning community announcements, nor is it permitted to be published in any of the local synagogue magazines or on the local orthodox e-message board.⁴²⁰ Several of the *Mishnah Chabura* participants have spoken to their own synagogue's rabbi about this issue, yet as of writing, the situation has not changed and the rabbis have not budged.

Nevertheless, the *Mishnah Chabura* serves as an example of women who persist in their desire to learn religious texts despite rabbinic disapproval. In general, these women explained their reasoning thus: they want to study primary sacred texts for the knowledge itself, to develop their ability and skills to access those sacred texts, and they feel the experience significantly enhances their religious practice. Their motivation overrides rabbinic complaint, or in some cases means a fracture of the rabbi-congregant hierarchical relationship. In other words, the individual religious subject's desire to study takes precedence over communal norms, and sometimes

⁴²⁰ This was confirmed in an email dated 13th August, 2018: 'Dear Lindsay... Yes, there's no change in this policy... Directors EverywhereK®' as a reply to the email dated earlier the same day: 'Hi... I'm just confirming that there's no change and EverywhereK is still not permitted to advertise the Edgware Women's *Mishnah Chaburah* on a *Shabbat* afternoon'.

over their often long-term relationship with their communal rabbi. In terms of intelligibility, these women sit in a fantastically interesting location. On the one hand, they want to familiarise themselves with religious text and educate themselves in religious practice (and in so doing, submit to the authority of those religious texts), yet they often face rabbinic leadership which discourages, sometimes vilifies their commitment to do so. They are thus rendered unintelligible by the very establishment, which allegedly seeks to religiously motivate and inspire them, precisely because they are *women* who take an interest in religious study of this kind. This experience of disavowal impacts on their religious identity and emphasises a critical issue of that identity: what kind of BOJW am I if I want to study these religious texts, or more profoundly, am I a BOJW if I want to study these texts (Butler, 1990:23)?

Shachar notes that, 'Okin does not acknowledge the various ways in which women try to improve their intra-group status, critique their subordination, and resist the controls imposed on them, without giving up their cultural identity' (Shachar, 2001:66); yet these BOJW work hard to remain as BOJW by generating a new identity within that categorical space, they re-imagine what that cultural identity needs to look like. Ben-Yosef calls this a 'third-space within which' women 'assume agency and attain status and power of their own.' (Ben-Yosef, 2011:55) And, of course, these contemplations are highly gendered, the (normative) men in the orthodox community never have to ask themselves this question, they do not feel this *struggle to identity* this acutely because they encouraged and expected to study all religious texts; it is the (non-normative) women in the UK's religious

orthodox community who face this identity crisis, precisely because they are women.

In one sense, this might be termed a 'subversive submission'; at the very moment the BOJW chooses to familiarise herself with her religious heritage and law, she is coincidentally going against the norms of her religious community and rabbinic authority (in this case). In terms of Butler's *site of contestation*⁴²¹ this is a complicated negotiation: if the BOJW chooses to study sacred text, she has *acted out* - against rabbinic approval; on the other hand, she has bought into the sacredness of religious text and her submission to it. To illustrate the problem with Butler's limited binary choice, the opposite is also true: a BOJW who decides not to study sacred texts because of rabbinic decree, may also distance herself from Jewish study and practice as a direct consequence, and lose the material affiliation with her own personal religious development. Again, she nether *acts out* nor *acts in* - but remains in the intractable bind of trying to submit to an authority which itself distances her from her own heritage, a problem Butler fails to consider. However, Phillips recognises this intractability, stating '[y]ou are being refused your own self-definition because you lack some attribute deemed an essential component of the category you have tried to claim' (Phillips, 2010: 81). Plainly, BOJW find it hard to claim the category of 'learner' or 'knowledgeable' because they lack the prerequisite essential component of being men.

⁴²¹ 'Sites of Contestation', see: Chapters One and Two; and see also: Butler, 1990:21.

What these BOJW do then, is act agentially in a way which generates a different model of being a BOJW, one which sets a precedent for other women in its wake. This is what I have termed 'generative agentic performativity' meaning that these BOJW choose to perform their religious selves through allegiance to studying religious text, not to adhering to (some of) their rabbi's demands, and in so doing become unintelligible to their rabbinic leadership, but intelligible to the other BOJW who choose to do the same, to other global orthodox communities, and to the (some of the) younger generation of women who may follow in their wake.

Consequently, there are a number of BOJW in this particular geographic location who have not joined the *Mishnah Chabura* because of their rabbi's opposition to it, and there are others women who have joined despite it.

Part of the decision making process within this 'site of contestation' is the fear by some BOJW that they will be considered 'rebellious' by their community rabbi, and Heather Keen⁴²² adds this salient angle to the debate:

'Mishnah Chabura on Shabbat... I love the sisterhood of it. It's not davka [lit. 'on purpose' meaning, rebellious' here] because it's Mishnah.' (HK, 20/07/15)

⁴²² Heather Keen was interviewed on 20/07/15; for a detailed biography, see: APPENDIX 5, INTERVIEWEES [14].

There is a subversive quality to the *Mishnah Chabura*, of which its members are well aware, but in introducing the 'rebellious' narrative, motive is also implied. De Beauvoir poignantly notes (commenting on the psychologists of her day), '[w]hen a little girl climbs trees it is, according to Adler, just to show her equality with boys; it does not occur to him that she likes to climb trees' (de Beauvoir, 1949:83). I love this line of de Beauvoir's and I often use it in speaking to educators about their pedagogy, and to rabbis about the way in which they communicate concepts of 'motive' to their communities. Specifically, it feels so reminiscent of the many conversations I have had with local rabbinic authorities about the nature of why, for example, women want to learn *Mishnah*. All the BOJW who participate in the *Mishnah Chabura* are practicing orthodox Jews and they are paid-up members of local orthodox synagogues. Yet, Heather Keen raises the concern that the groups is 'davka': either learning specifically *Mishnah* because it is *only* the men (in this particular orthodox community) who learn it, or alternatively, purposefully engaged in irritating the local rabbinic authorities. She makes sure to mention that it is not set up for this purpose, it was created precisely because the women want to study sacred text for its own sake, (why *wouldn't* they?) and not, 'just to show their equality with' orthodox Jewish men. Thus, their choice to join the group as BOJW, may be seen by the local orthodox rabbis as religiously problematic, but for the BOJW themselves, it remains a source of religious inspiration.

SUBVERTING NORMS: SPIRITUAL and INTELLECTUAL BENEFIT

Most tellingly, *all* of the BOJW interviewed who participate in the *Mishnah Chabura* spoke of their allegiance to learning Jewish sacred text *directly because* of the

experience; they spoke of their connection with Jewish practice *because* of the experience, and some spoke of their disconnection from their own rabbis who opposed the study group, stating that they considered it inappropriate given the overwhelming religious benefits from the experience. This is demonstrated by Atalia Fairfield,⁴²³ who explained how her experience at a *charedi* high school had led her to want to study oral law more seriously. She highlighted the spiritual impact that studying *Mishnah* has had on her religious practice, and she represents the other *Mishnah Chabura* participants, who expressed very similar sentiments:

‘I know for myself when I’ve started learning *Mishnah* [oral law] and *Gemara* [*Talmud*], it’s been like something that’s *really connected* me to the *mitzvahs* [commandments]. Because, in a way when you’ve been through the whole sources of how it’s developed over thousands of years, *it’s a definite real pull to a mitzvah* [commandment].’ (AF, 24/10/14)

The *Mishnah Chabura* participants also mentioned how their intellectual curiosity was enriched through the study. Wendy Aviv,⁴²⁴ an avid reader, was always interested in the emphasis on asking questions in Judaism; something she said distanced her from her strict Catholic upbringing and drew her towards converting in her early twenties. She also emphasised the collegiality of the group, commenting that,

⁴²³ Atalia Fairfield was interviewed on 24/10/14; for a detailed bibliography, see: APPENDIX 5, INTERVIEWEES [8].

⁴²⁴ Wendy Aviv was interviewed on 01/10/14; for a more detailed biography, see: APPENDIX 5, INTERVIEWEES [2].

‘...and women learning on their own, which I’ve found very *enriching* and rewarding because it’s a level of intellectual curiosity and exploration *that I like*’ (WA, 01/10/14).

Similarly, charity worker Bella Sanders⁴²⁵ highlighted the specificity of studying religious text only with women:

‘I love our *Mishnah* group, lovely group environment, *mutual support*, I can *contribute*, there’s *no criticism*; it’s a *safe space* which I really enjoy.’ (BS, 30/09/14)

A space for women only to pursue religious texts and investigate their orthodox commitment is one of the most repeated themes emerging from the interviewees involved in the women’s *Mishnah Chabura*. Female-only space for religious learning of this style and content is exceptional in the UK, and as stated earlier, this particular group provokes local rabbinic hostility. Yet, participants claim over and over again that both this method and content of religious study motivates their religious practice.

This motivation also has impact on the family lives of each of the BOJW; their husbands and children know that this time on a *Shabbat* afternoon is her time; they know that she has gone to study *Mishnah* and they feel the impact that the study

⁴²⁵ Bella Sanders was interviewed on 30/09/14; for a full biography, see: APPENDIX 5, INTERVIEWEES [16].

may have on her spiritual wellbeing, ritual practice and theological knowledge. Stay at home mother, Rachel Jakobstein⁴²⁶ shares a conversation she had with her young daughters (10 and 8 years old),

‘The *Mishnah* club is the best thing I’ve been to for four years. My girls asked me, “why do you have to go?” And now they understand that I need to do my own thing. It’s good for them and it’s good for me.’ (RJ, 01/10/14)

Miriam Engel⁴²⁷ emphasised this sentiment when I interviewed her at her home just outside London. She and her husband were recently married and are expecting their first child. Miriam converted to Judaism in her early twenties, after flirting with other religions, and now works for an orthodox rabbinic institution in London. Miriam emphasised how she felt that women’s religious knowledge and experience was marginalised, that she was constructed as a ‘non-knower’, which she found especially amusing given how much she had been asked to study throughout her conversion process. She is not part of the *Mishnah Chabura*, but her approach to studying text and her views about its impact on the identity of a BOJW as knowledgeable sheds light on its success. She said that,

‘there’s a couple of women I find particularly inspiring in the orthodox world that I know. It’s good to have these role models who I can talk to, get advice

⁴²⁶ Rachel Jakobstein was interviewed on 01/10/14; for a full biography, see: APPENDIX 5, INTERVIEWEES [12].

⁴²⁷ Miriam Engel was interviewed on 27/04/15; for a full biography, see: APPENDIX 5, INTERVIEWEES [4].

and guidance from, and quite often be signposted to the relevant *halakhic* [legal] sources. When I sit at the *Shabbes* [Sabbath] table make a statement, *I've got something I can back it up with, rather than just 'made to feel like an idiot' because I don't know the Gemara [Talmud] or anything.'* (ME, 27/04/15)

In order to feel like a 'full' member of the orthodox community, or (at least) not 'an idiot', Miriam stresses the importance of knowledge. This is one of the (negative) reasons brought by interviewees as to why it was important for them to study sacred text, they wanted *not* to feel distanced from engaging in religious debate, they wanted to have a place at the table, they wanted to be a 'full' member (normative) of the group with a valid voice. Miriam elucidates the disenfranchisement from religious debate experienced by some BOJW because of their lack of textual expertise. These women are located as 'un-knowers', and the struggle to emerge from the margins, from the identity as the non-normative Jew, for some, is a vital pursuit.

THE INTERPRETATION OF TEXTS

This association of women with religious textual learning brings with it another interesting achievement: knowledge itself is situated, thus women's ownership of sacred knowledge informs the knowledge itself.

‘Having sources, and then having the sources in Hebrew as well which can be challenging, but *it’s good to see exactly what the text says*, rather than the English translation or interpretation of it.’ (ME; 27/04/15)

Miriam⁴²⁸ adds one further dimension to the analysis of the *Mishnah Chabura*: the interpretation of text. She references both the passivity of being taught text, as well as the activity of self-interpretation. There is no question that any reader of sacred text needs excellent training as well as experience, they need familiarity with the relevant concepts, the constructs of argument, the grammatical forms and the cross-referencing of cases, all of which attest to a truthful reading of that text – but these are learned skills, and these BOJW (amongst other orthodox women worldwide) are striving to acquire them.

All knowledge is situated and historically, sacred Jewish text has been located in the hands of knowledgeable men. The text of the *Mishnah* is feminised through BOJW’s learning of it, and in turn, this feminises orthodox Jewish life in general. I do not mean as a direct consequence of knowledge, practice is changed; rather I mean that the influence of the reader on the text and its interpretation is how all knowledge is produced. Orthodox feminist philosopher Tamar Ross argues,

‘it is impossible to speak of a sterile foundation of knowledge, clear of bias, an important corollary of feminist epistemology is that truth cannot be

⁴²⁸ Miriam Engel was interviewed on 27/04/15; for a full biography, see: APPENDIX 5, INTERVIEWEES [4].

equated with an irreducibly self-evident reality. The male attempt to equate one point of view with objective truth by the appeal to pure reason is, on this understanding, just another way of privileging its partial knowledge and imposing it on everyone else' (Ross, 2004:9).

Consequently, not only would BOJW bring their own biases to their textual learning (as everyone does), but, at least according to Ross, perhaps the real fear is that they then might reject the traditional (and established) male interpretations of that text and generate their own. Furthermore, Stoelzer argues that, '[t]hought that denies its social location, its past and its corporeality is unable to 'perceive' and understand, and much less will it be able to project and anticipate change';⁴²⁹ and undoubtedly, some British orthodox Jewish rabbis are stuck in this intransigent framework making it ever more difficult for them to understand BOJW's desire to study sacred texts as a means of religious fulfilment, and to come to terms with inevitable changes within orthodox community life as a consequence of that experience.⁴³⁰ Evidently, BOJW have their work cut out for them, but it is religiously meaningful work that they have chosen to pursue; and ultimately, the 'validity of a new interpretation is always determined by its acceptance as good or correct, this acceptance depends on the interpreter's success in persuading the interpretive community of the justice of his reading' (Ross, 2004:170).

⁴²⁹ Stoezler et al., 2002:323.

⁴³⁰ 'The most significant feature they [women's learning and prayer groups] share is the dissonance they create with established practice and upsetting the ideological implications born in their wake.' (Ross, 2004:73)

Indeed, the persistence of this group has begun to shift the location of women's textual learning within the UK's orthodox community: although still unintelligible to much of their (very) local rabbinic community, this group is beginning to convince *some* of the rabbinic authorities of the benefits of this kind of study, even if remarkably slowly and in private. Thus, these BOJW are *becoming* intelligible through this particular generative agentic performance. And, I believe, this has profound impact (and affect), not only on the women participants themselves; it sets (generates) a precedent for other BOJW, and for other orthodox Jewish communities.

4. CONCLUSION

This chapter examined the inequality and differentiation in the educational practices in the British orthodox Jewish community – its schools, its synagogue-communities and other educational institutions, and how it is particularly marked by the politics of location. I detailed BOJW's experience of primary and secondary religious schooling experience; and their own adult education. I then considered the various generative ways in which BOJW educate their daughters, as well as themselves.

From the differentiation in primary school through to the inequalities of educational experiences at secondary school, nearly all the BOJW interviewed were unsatisfied with their own, or their children's religious education. In order to alleviate these discrepancies, some taught their daughter's at home – enabling the

acquisition of religious knowledge, without the tension of having to confront the orthodox school about its educational policy. Similarly, given that no local synagogue-community offered some interviewees the religious learning they required, they began their own pursuit of study at women's homes. In doing so, they avoided clashing with their local rabbinic authorities directly; but they achieved their goal of an alternative educational experience – generated by their experience of the unequal opportunities offered to them. The *Mishnah Chabura* might be considered characteristic of what Mahmood termed, the 'multiple ways in which one inhabits norms' (Mahmood, 2005:15), but I want to argue that this is not simply an *inhabitation of norms*, but the *generating of new religious norms*. These women are participating in education formerly *denied* to them, rather than (re-)inhabiting already established religious normative practice (or 'perfecting practices'). To this extent they have been excluded from religious subjectivity through their un-equal education, and through the religious textual study of the *Mishnah Chabura*, accord it to themselves, evidence of how 'women seek to change the practices of their culture from within' (Fishbayn-Joffe and Neil, 2013). What was fascinating to hear from the interviewees was how this study group had helped them better understand religious law, how they had a more comprehensible context for what they were practicing; thus although a subversive pious practice, the experience did not separate the BOJW from their community, *but tied them closer to it*. Yet, as many interviewees involved in the *Mishnah Chabura* commented, this kind of religious study did not conform to local normative standards, and thus, the instability of their identity as BOJW is (ironically) exacerbated by their commitment to the study of sacred text.

CHAPTER FIVE:
The RITUAL PARTICIPATION of BRITISH ORTHODOX
JEWISH WOMEN: EXCLUSION, BELONGING and
IDENTITY

‘Their religious experience, far from being a precursor of or a reaction to modernity, was part of the process of modernization itself.’
(Mack, 2003:161)

1. INTRODUCTION

This chapter explores how BOJW perform ritual, and how they generate pious acts both at home, in the synagogue and in their wider Jewish communities. It is divided into three main sections; the first explains the meaning of ritual as part of everyday orthodox Jewish practice, as well as who defines and delineates the way in which it is observed; it also considers how ritual exclusion impacts on feelings of belonging and identity. The second section examines three case studies of public ritual: *Simchat Torah*,⁴³¹ women's *Megillah* readings⁴³² and *Partnership Minyanim* [open-orthodox communities].⁴³³ The final section examines the choice of some BOJW not to participate in public ritual, as well as emerging domestic ritual participation including *HaMotzi* [blessing for eating bread]⁴³⁴ and *Kiddush* [sanctification of wine].⁴³⁵ I conclude by reflecting on the ways in which the performance of ritual pious acts implicates the identity of BOJW through their experiences of exclusion and belonging.

Within the Jewish orthodox world, it is the engagement in the everyday activities and obligations which predominantly identifies one as an orthodox Jew; but it is the what, how and who of 'doing observance' that may render a BOJW who performs

⁴³¹ *Simchat Torah*: autumn festival celebrating the concluding and re-starting of the yearly reading cycle of the Torah; celebrated on the day after Shmini Atzeret (outside Israel); see: APPENDIX 1, DEFINITIONS.

⁴³² *Megillah*: refers to the scroll chanted publicly on Purim [Feast of Lots], a spring festival celebrating the redemption of the Jews in Persia in approximately 400BCE; see: APPENDIX 1, DEFINITIONS.

⁴³³ *Partnership Minyan*: refers to the newly established open orthodox / semi-egalitarian orthodox communities; see: APPENDIX 1, DEFINITIONS.

⁴³⁴ *HaMotzi*: the blessing over challah [plaited loaves] at the beginning of the Shabbat or festival meals (after *Kiddush*, see below); see: APPENDIX 1, DEFINITIONS.

⁴³⁵ *Kiddush*: the blessing over wine (or grape juice) made at the beginning of the Shabbat or festive meals, to sanctify the day; see: APPENDIX 1, DEFINITIONS.

certain rituals remarkable, making her temporarily (or permanently) unintelligible, or that trouble her identity enough for her question her ontological status as a Jew.

Over the last 30 years in the UK, in the mainstream, modern orthodox and the *Partnership Minyan* [open-orthodox] communities, some public ritual by women has emerged, whereas in the *charedi* [ultra-orthodox] communities, it has not.⁴³⁶

This is also replicated in several domestic practices, such as *Kiddush* [blessing over wine] and *haMotzi* [blessing over bread] before a Sabbath meal. Traditionally, both were performed by the male of the household, but increasingly in recent years, either one or both blessings have been performed by the women of the household.

These changes reflect Orit Avishai's claim that there are obvious complications in the way in which, 'religious communities, practices, and institutions reproduce or challenge gendered identities and institutions. Most prominently... that religious women can be agentic even when operating within seemingly oppressive cultural and institutional contexts.' (Avishai et al., 2015:8)

⁴³⁶ In fact, it is arguable, that because of this shift in some orthodox communities, the *charedim* have reacted by becoming more conservative, especially with regard to women's ritual participation. See: Reitman, 2005: 'Indeed, tenacity and fidelity to existing interpretations of the law may themselves become the mark of the culture's resilience, the feminist calls of women standing here as a symbol of the encroachment of the surrounding culture. Orthodox leaders want to ensure ideological purity and the pursuit of what is perceived to be God's command. They may have little interest in bolstering numbers as such, preferring to soldier on with those whose commitment is beyond question.' (Reitman, 2005:199).

2. LOCATING RITUAL

2.1 WHAT IS RITUAL?

‘Ritual is integrated into every single aspect [of Jewish orthodox life].’

(Xandy Engelberg, 26/04/15)⁴³⁷

As a general rule, ritual is an act which is obligated by *halakha* [Jewish law] and *may* require: a specific action or actions, at a specific time (either absolute or relative), using a specific object or objects, a specific blessing.⁴³⁸ There is no *halakhic* [legal] or philosophical definition of ritual, as, to some extent, it covers a multitude of what might be termed pious acts. In practice, there are 613 *mitzvot* [commandments],⁴³⁹ separated in to the positive (the 248 active *do*’s) and the negative (the 365 *refrain from*’s), but not all are considered ritualised, for example the giving of charity, or visiting the sick. To make matters more complicated not all 613 *mitzvot* are obligatory for everyone, or in all places. Some *mitzvot* are only relevant in the Jerusalem Temple (e.g. sacrifices), or in the Land of Israel (e.g. tithing, or the fallow year);⁴⁴⁰ and some are specific to the *Kohanim* [priestly tribe], to men (e.g. circumcision) or to women (e.g. menstrual laws). Moreover, there are

⁴³⁷ Xandy Engelberg was interviewed on 26/04/15; for a detailed biography, see: APPENDIX 5, INTERVIEWEES [5].

⁴³⁸ Additionally, (as described in Chapter One) ritual can be performed by one person on another’s behalf, or could be performed by one person on behalf of the entire synagogue-community. In terms of *halakhic* [legal] obligation, any Jew who has an equal obligation as another Jew may fulfil that obligation on their behalf, and this happens regularly. For example, the sanctification of the Sabbath is made through a blessing on wine both on Friday night and on Saturday; it is customary for one person to make this blessing out loud at the dinner or lunch table, having in mind that he/she is fulfilling the obligation on behalf of everyone else present.

⁴³⁹ Codified and enumerated by: Maimonides (12thC) in *Sefer haMitzvot* [the Book of Commandments], first published in Arabic in 1497; the *Sefer HaChinuch* [the Book of Education] published in 13thC Spain, author unknown; and in Rabbi Sa’adia Gaon’s (9th-10thC Mesopotamia) *Sefer HaMitzvot* [the Book of the Commandments] for example.

⁴⁴⁰ The Land, as opposed to the State. Biblical references to borders of the Land of Israel do not always reflect the political borders of the current State of Israel.

differences in these practices between the *Ashkenazi* Jews (originating from Central and Eastern Europe) and *Sephardi* Jews (originating from Northern Africa, Southern Spain and the Middle East);⁴⁴¹ and between the general orthodox communities and some *chasidic* sects of the ultra-orthodox communities.⁴⁴² Furthermore, local, historical and familial *minhag* [custom] has some bearing on individual and communal practices. These numerous variables emphasise the way in which location is a significant feature of pious practice and has impact on the way in which these rituals are observed, evidence that, ‘there can be as much variation in beliefs and behaviour within what are conceived as cultural groups as between them’ (Phillips, 2010:126).

RITUAL AS ACT

Although somewhat present in issues of Education (Chapter Four) and Leadership and Authority (Chapter Six), I would argue that the visceral, tangible and (sometimes) transgressive experience of ritual often provides the ideal site of contestation for playing out the complexities of what agency might mean; particularly in terms of actively participating in a ritual associated with orthodox men. As Mahmood discovered, the ‘pursuit of piety often subjected... participants to a contradictory set of demands, the negation of which often required maintaining a delicate balance between the moral codes that could be transgressed

⁴⁴¹ For example, foods it is permissible to eat on *Pesach* [Passover]. Ashkenazi custom is to refrain from eating *kitniot* [legumes] in addition to leaven products, whereas *Sephardi* custom is to eat them; see also: *Karo, Shulchan Arukh (O”C 453:1-3)*.

⁴⁴² For example, chasidic men visit the mikveh [ritual pool] every morning before prayers, whereas most orthodox men visit the mikveh only on the eve of a festival; see: *Karo, Shulchan Arukh (O”C 88:1)* or *Rabbi Shneur Zalman of Liadi, Shulchan Arukh Harav, O”C ad loc*. In some sects of chasidism women shave the hair on their head after marriage, often condemned by the non-chasidic orthodox community; see: *Karo, Shulchan Arukh (Y”D 182:5)*.

and those that were mandatory' (Mahmood, 2005:175). Within performances of ritual participation is *a recognisable act*, to some extent measurable, and in this way, ritual differs from Education or Leadership and Authority issues. Action as religious activity seems to hold within it a powerful force for change, because *it is* the change. It is the lived embodiment of religious belief, within a body or bodies and through which a commitment to *halakha* [Jewish law] can be analysed or scrutinised. It is not a discussion *about* the law, nor decision making as to *how* one ought to behave – *it is* the law in action. In accordance with Avishai's remarks that, '[w]hereas Mahmood views veiling as a self-authoring project that effectively produces a feminine Muslim subjectivity premised on docility... I suggest an alternative theory of agency that is grounded not in docile religious conduct but in observance' (Avishai, 2008:427-428), this chapter too highlights activity, rather than docility. Importantly, much, arguably most, of orthodox ritual performance goes on in the private domain, and in questioning my interviewees I was careful not to elaborate to which I was referring.⁴⁴³

2.2 RITUAL PARTICIPATION: GENDERED EXCLUSION, IDENTITY and BELONGING

Every orthodox community is located historically, geographically, culturally, politically and theologically; and whichever orthodox authoritative body defines the customary pious practices and normative ritual performance has huge impact on

⁴⁴³ See: APPENDIX 4, QUESTION 3. In fact, it was a point of much discussion during the interviews as to which performative acts actually constitute ritual, and I let each participant decide for themselves, as is evident throughout the chapter.

the members of their synagogue-community. This functions through a hierarchy of authority which emerges from each synagogue-community, through its rabbi (or rabbinic team). If the synagogue-community belongs to a body of synagogues – for example the United Synagogue⁴⁴⁴ or the Federation of Synagogues⁴⁴⁵ – the individual rabbis may be answerable to the senior rabbis within each body or toe the line on certain prescribed *halakhic* conventions or preferences. This is not always a clearly defined process, and the definition of senior rabbi is imprecise; it can mean a rabbi with many (more) years’ experience; it often means a rabbi who is considered a *talmid chacham* (religious scholar) by his colleagues, or it could be specific to a *dayan* [judge] of the corresponding *Beth Din* [Court of Jewish Law].⁴⁴⁶ Furthermore, there are rabbis who may have served the Jewish orthodox community for decades and who are renowned more widely for their expertise in a specific area of *halakha* [Jewish law]; they may be approached for guidance by their own (institutional) fellow rabbis as well as by rabbis from other synagogue-communities. Indeed, this phenomenon can mean there are rabbinic figures whose influence is not limited to their own synagogue-community, or even to their own geographic location, but who are recognised globally. In the UK, the most prominent representative orthodox body is the United Synagogue, headed by Chief

⁴⁴⁴ The United Synagogue: ‘The United Synagogue is the largest synagogue movement in Europe. Founded in 1870 today it comprises 62 local communities supported by a central office. The Chief Rabbi of the United Hebrew Congregations of Great Britain and the Commonwealth, Chief Rabbi Mirvis, is the spiritual head of our communities’, see: <https://www.theus.org.uk/aboutus>; and see Chapter Three for further details.

⁴⁴⁵ The Federation of Synagogues: ‘Since its establishment in 1887, the Federation’s mission has always been to provide centralised services to its member Orthodox communities, while allowing them to retain their individuality and distinct identity. The Federation today comprises 17 Constituent and 9 Affiliated shuls in London and Manchester’; see: <https://www.federation.org.uk>; and see Chapter Three for further details.

⁴⁴⁶ The United Synagogue, the Federation of Synagogues and the AOHC each have their own *Beth Din*; see Chapter Three for further details.

Rabbi Ephraim Mirvis. Although he is the figurehead of the institution, it is his *Beth Din* [Court of Jewish Law] who make *halakhic* [legal] decisions about which pious acts and rituals are permissible or forbidden within their synagogue-communities. In practice, this means any questions about synagogue worship, religious ceremonies, educational programmes or synagogue lay-leadership might be addressed to them. Consequently, synagogue-communities who affiliate with the United Synagogue have consistent and regulated standards of *halakha* [Jewish law] on the one hand; but on the other, this micromanagement may constrain individual synagogue rabbis from innovative practice.

I interviewed feminist academic Nathalie Jacobson⁴⁴⁷ at her home in London, and we had a long and detailed conversation about the history of Anglo-Jewry, and the impact of the United Synagogue on normative pious practice, given it is her field of expertise. Nathalie outlined the British orthodox framework within which BOJW function and perform their religious identities (in contradistinction to the US and to some extent Israel),⁴⁴⁸ as a place of restrictive movement, primarily because it is limited by the centralised orthodox rabbinate (The United Synagogue) and led by its *charedi* [ultra-orthodox] *Beth Din* [Court of Jewish Law].⁴⁴⁹ She said that,

⁴⁴⁷ Nathalie Jacobson was interviewed on 16/09/14; see APPENDIX 5, INTERVIEWEES [11] for a detailed biography.

⁴⁴⁸ The multiple American and Israeli rabbinates and multiple *Batei Din* [Courts of Jewish Law] although centralised to some extent, differ with regard to their umbrella impact on community life. For more information on the nature of Israeli orthodox community life; see, for example: <http://countrystudies.us/israel/45.htm>.

⁴⁴⁹ See similar (and more lengthy) analysis in Chapter Three.

‘The British situation is fascinating... the truth is, in a British context, the scope to break out of the boxes in which you’re imposed or positioned, is very limited... the influence of just the whole notion of institutionalisation in Britain as a whole, and in British orthodoxy, is such that in terms of ritual change and the flexibility... opportunities... for women in British orthodoxy are incredibly limited.’ (NDJ, 16/09/14)

GENDERED EXCLUSION

A recent example illustrates these complications, both the British institutionalisation of normative orthodox ritual practice, and the impositions made by the *dayanim* [judges] of the London *Beth Din* (in this case) on individual rabbis and their synagogue-communities. During the *Shabbat* [Sabbath] morning service, the weekly biblical portion is read aloud from a *Torah* scroll in synagogue. After this reading ends, the *Torah* scroll is dressed in its cover and adornments, and carried by a chosen honouree⁴⁵⁰ through the men’s section of the synagogue so that congregants may reach out to touch or kiss it, before it is returned to the *aron kodesh* [ark] (where it remains until it is used again). Most men walk towards the procession, taking the opportunity to express their adoration of the *Torah* through this symbolic gesture of love. This is the standard procedure in *charedi* [ultra-orthodox] and mainstream synagogue-communities, as well as almost all modern orthodox synagogue-communities in the UK. However, in 2014, United Synagogue Rabbi Harvey Belovski, in response to his community’s ongoing requests, and his

⁴⁵⁰ The honourees change week to week.

interpretation of the *halakha* [Jewish law], decided that the *Sefer Torah* [Torah scroll] could be (should be?) passed to the women in his community so that they too could express their adoration of the *Torah* through this symbolic gesture of love. In terms of its physical layout, Golders Green United Synagogue has both an upstairs women's balcony⁴⁵¹ overlooking the main sanctuary on three sides, as well as a women's prayer space downstairs in the main sanctuary, with a *mechitzah*⁴⁵² [separation] behind which women sit during the Sabbath service. Practically, this was done by Rabbi Belovski passing the *Sefer Torah* [Torah scroll] to his wife through the *mechitza* [separation] and she in turn passed it to the other women, who then returned it to the rabbi, who passed it back through the men's section (main sanctuary) to be placed back in the *aron kodesh* [ark]. It should be noted, that this ritual practice is not obligatory on anyone, man or woman, it is merely a custom which bestows love and reverence upon the sacred scroll by the members of the synagogue-community; nevertheless, it is considered an intimate spiritual moment.⁴⁵³

⁴⁵¹ Women's Gallery: a form of separation between men and women in an orthodox synagogue. The gallery is a female-only prayer space, which is located above the main sanctuary (a male-only prayer space), either at the back of the synagogue, or around three sides – facing the holy ark. For further details on 'The influence of synagogue layout on women's experience', see Taylor-Guthartz, 2016:98-102; see also: APPENDIX 9, PHOTO GALLERY.

⁴⁵² *Mechitza* [separation] see: APPENDIX 1, DEFINITIONS. This is a physical barrier to ensure that there is no mingling of men and women during synagogue services, which is considered inappropriate. Some *mechitzot* [separations] are opaque, others less obtrusive; see also: APPENDIX 9, PHOTO GALLERY.

⁴⁵³ See: *Isserelis, Rema (O" C 149)*, 'And in the places where they store the *Torah* in the [...] ark in the synagogue, it is a *Mitzva* for everyone that [the *Torah*] passes in front of to accompany it until before the ark in which they will place it. Similarly, the one who wrapped the *Torah* should walk after it until before the ark and stand there until it they put the *Torah* scroll back to its place. And such is practiced also by the one who raised the *Torah*, for that is the main part of the wrapping. And some have written that we bring the young children to kiss the *Torah* in order to educate them and excite them about *Mitzvot*, and such is the custom.'

This practice went on each Shabbat [Sabbath] for several months before Rabbi Belovski was called into the offices of the London *Beth Din* [Court of Jewish Law] to speak to one of the *dayanim* [judges]. As far as is publicly known,⁴⁵⁴ Rabbi Belovski was reprimanded and the practice deemed unacceptable. Following this meeting, at the next *Shabbat* morning prayer service, he announced that the practice would be stopped. The following week, *The Jewish Chronicle* (Rocker, 2014a) stated that, the decision to put a stop to the practice had ‘prompted protests among congregants, with warnings that it will deepen alienation among women.’⁴⁵⁵ Indeed, following the incident, a letter to the London *Beth Din* was signed by 45 members of the synagogue who objected to the decision. The JC quoted the responses of several women, congregants of Golders Green, reporting that,

‘Sally Berkovic, a member of the synagogue, said: “The pressure to stop the women taking the *Sefer Torah* is merely the touchstone reflecting a deeper chasm between the *Beth Din* and the communities it serves... The impact of ignoring the religious needs of the women in United Synagogue communities is at the *Beth Din’s* peril — *the alienation and disaffection of young women in particular is clear to anyone who understands these communities...* Consequently, over time, some of those men and women who care deeply about inclusivity may seek to establish alternative, independent *minyanim* [communities] *outside* the United Synagogue”’ (*italics mine*).⁴⁵⁶

⁴⁵⁴ Rocker, 2014a.

⁴⁵⁵ *Ibid.*

⁴⁵⁶ *Ibid.*

Berkovic's remarks were echoed by Jacqui Zinkin (former vice-chairman of Golders Green synagogue), who said that 'she was "very saddened by the fact that many women will now be denied the opportunity to be more physically and spiritually involved in the *Shabbat* [Sabbath] and *Yomtov* [Festival] services"' .⁴⁵⁷

Furthermore, a third congregant, Eva Blumenthal, commented,

"In most areas of the secular world it has been possible for women to overcome resistance to their progress. For Orthodox Jewish women in England, *there seems to be no way forward*. We can do nothing, we can try to advance very slowly and cautiously but, as in this case, one step forward is likely to be followed by at least one step back. *Or we can opt out of the United Synagogue*"⁴⁵⁸ (*italics mine*).

These three Golders Green congregants publicly decry what they consider the *inappropriate interference* by the London *Beth Din* [Court of Jewish Law] in local rabbinically approved rituals (or in this case, a mere tradition), as well as the *strict view* that is taken specifically with regard to British orthodox Jewish *women's* participation.⁴⁵⁹ Mahmood (2005) makes a similar observation when describing the experiences of Muslim women participants in the piety movement in Egypt, suggesting that, 'a number of scholars active in the Islamic Revival... have written

⁴⁵⁷ *ibid.*

⁴⁵⁸ *ibid.*

⁴⁵⁹ It may also be indicative of the fact that, since 'the early 1990's, right wing orthodoxy had come to exert a powerful influence on Anglo Jewish mainstream orthodoxy' (Gidley and Kahn-Harris, 2010:67).

against the kind of views espoused by the Nafisa dā'ayāt in order to correct what they perceive as a... tendency toward overly stringent and narrow interpretations of the Quran and the hadīth, particularly in those aspects that pertain to the conduct of women (Mahmood, 2005:104).⁴⁶⁰ Her comments reflect the concern of BOJW that those (men) in religious authority are overly strict in their interpretation of *halakha* [religious law], whenever it concerns the pious practices of women.

This public declaration of dissatisfaction and complaint by these three Golders Green congregants is itself, I believe, a moment of agentic performance – calling to account those who ostensibly represent the religious needs of the community – and demanding a propitious response. These women are seeking a common ground between themselves and the religious authorities (*Beth Din*) so that they can participate ('be more spiritually involved') on the Sabbath and festivals. They fear, that unless this happens, BOJW will have no choice but to opt out of this particular orthodox community (the United Synagogue); and in my opinion, this is an intimation of the *Partnership Minyanim* [open orthodox synagogue-communities] of which the *Beth Din* emphatically disapprove. In its defence, the *Beth Din* [Court of Jewish Law] spokesman reportedly stated that, "[t]his was not a question of curtailing the rights of women, but was an issue of protecting the synagogue

⁴⁶⁰ Similarly, orthodox women involved in the interpretation of *halakha* [Jewish law] through their performance of it, is described by Rachel Adelman, through her reading of transgressive acts in her article revisiting the biblical stories of Judah and Tamar (and the Book of Ruth). Perez is the name given to the child born from their relationship, and the antecedent of Boaz (and eventually King David), Ruth's husband. Both these relationships (Judah and Tamar, Boaz and Ruth) take place in spurious circumstances, instigated by the women involved in search of justice: 'The name Perez, from p, r, tz (to break forth, to breach)... points to the transgressive acts of all these women in breaching the strict line of the law, or rather in creating a fissure in that line. It crystallizes the central theme of redemption: how "life finds a way" despite the seeming strictures of law' (Adelman, 2012:90).

customs and practices.”⁴⁶¹ As is evidenced in this example, the narrative of ‘custom’ and/or ‘practice’ can be used as a form of ignoring or actively denying the rights of women within the orthodox Jewish community by those in positions of authority (even if they say otherwise). Furthermore, the mobilisation of the trope of ‘protecting’ synagogue practice as means of preventing any changes, also heightens the sensitivity of both women congregants, as well as the rabbi, to discourses of ‘authenticity’ (See Chapters One and Two) – a form of subtle (almost invisible) means of control.

Interviewee, Atalia Fairfield, commented on the Golders Green *Sefer Torah* incident when asked about religious ritual.⁴⁶² Atalia bemoaned the constrictive nature of British orthodox Jewish synagogue practice, specifically mentioning new practices intended to be more inclusive to women congregants, which were subsequently curtailed by the London *Beth Din*. Her comment highlights the nature of how ostensibly small ritual changes in synagogue take on disproportionate significance,

‘Golders Green used to let the *Sefer Torah* [*Torah* scroll] go round the women’s section – quite a small, not very *halakhically* [legally] controversial move, and the *Beis Din* [Court of Law] got hold of it and put a stop to it.’ (AF, 24/10/14)

⁴⁶¹ Rocker, 2014a.

⁴⁶² Atalia Fairfield was interviewed on 24/10/14; see APPENDIX 5, INTERVIEWEES [8] for a full biography.

Atalia notes the relative insignificance of any *halakhic* [Jewish legal] concern, yet the insistence, nevertheless, of the London *Beth Din* to interfere; indeed it is because of these that Atalia now also frequents her local *Partnership Minyan* [open-orthodox community], where she said she feels like a valued active member of the congregation. Furthermore, *Rebbetsin* Belovski (Rabbi Belovski's wife) stated that in general, she does not engage in public ritual participation, but she did take part in the carrying of the *Sefer Torah* in the women's section at Golders Green United Synagogue. She stated:

'Do I engage in informal religious practice at home? Yes. But I do not in the public sphere of the synagogue. Though, when we briefly brought the *Sefer Torah* [*Torah* scroll] into the women's section on *Shabbes* [Sabbath], I did do that.'⁴⁶³

What is particularly noticeable in this example is that both women considered this to be a very minimal public ritual act, almost insignificant; so much so that *Rebbetsin* Belovski felt comfortable taking part. Yet it was still enough of an affront to traditional custom for it to be stopped by the *Beth Din* [Court of Law], reflecting the way in which:

a. the minutiae of what is practiced within orthodox synagogues articulate highly charged gendered norms, which are often invisible. Crises erupt only when those

⁴⁶³ Telephone conversation, 28th October 2014.

norms are disrupted (such that a very small breach in those regularised, expected normative pious practices causes a minor furore), and,

b. how the United Synagogue's London *Beth Din* interfere in individual synagogue's practice to a degree that signals micro-management and control, corroborating the claim that '[t]he United Synagogue is extremely jealous of its control over its officials and allows virtually no discretion of initiative' (Persoff, 2010:2).

The political and religious leakage from this specific event, also exposed the way in which the London *Beth Din* undermine the authority of their local United Synagogue rabbi.⁴⁶⁴ About this, Rabbi Michael Harris stated that, "[o]nce again – the most recent incident being the interference of the London Beth Din to prevent women at Golders Green Synagogue carrying a *Sefer Torah* with no objection to that interference from the Chief Rabbi – *local rabbinic authority has been undermined*. If rabbis were not permitted to rule on such issues in their own synagogues," he went on, "we risk – as I have said in previous such instances – *the infantilisation of the United Synagogue rabbinate*.'" (Rocker:2014a, *italics mine*). I add this point, because I think it is important to note the developments made by the rabbis themselves in particular communities which are then undermined by superior authorities (senior rabbis). Although this may happen in the States (the Rabbinic Council of America condemning certain practices)⁴⁶⁵ or in Israel (the local or wider Rabbinic Courts decrying certain ritual performances);⁴⁶⁶ the UK situation

⁴⁶⁴ See: Rucker,2014c.

⁴⁶⁵ For example: <https://rabbis.org/2015-resolution-rca-policy-concerning-women-rabbis/>.

⁴⁶⁶ For example: <https://www.timesofisrael.com/alternative-kosher-certification-group-says-rabbinate-intimidating-its-customers/>.

stands out because *all* the United Synagogues are bound by the authority of the Chief Rabbi and his religious court; thus even if a local rabbi has a differing interpretation of *halakha* [Jewish law], if the *Beth Din* do not like it, it may well be rescinded. Consequently, although some rabbis may be working hard to generate spaces of alternative practices for BOJW, they too may hit a brick wall. Moreover, the London *Beth Din*, although officially tied to the United Synagogue, has informal influence on other synagogue bodies and independent synagogue-communities.

Caroline Vennet also visited Golders Green synagogue during the period of time when the rabbi was passing of the *Torah* scroll to the women during the *Shabbat* morning service. Caroline is herself a *rebbetsin* [rabbi's wife] of a large North-West London synagogue-community, and described herself as *charedi* [ultra-orthodox] in practice, modern-orthodox in outlook'.⁴⁶⁷ She commented on how the practice was met by the BOJW of the Golders Green community at the time, recalling that when the *Torah* scroll was passed to the women, some of those present were upset about the proceedings:

'I wasn't that bothered about carrying the *Sefer Torah* [*Torah* scroll], it was nice. But I was irritated, not as strong as upset, by people who found it offensive. If you don't like it, then don't do it.' (CV, 28/10/14)

⁴⁶⁷ Caroline Vennet was interviewed on 28/10/14; for a full biography, see: APPENDIX 5, INTERVIEWEES [20].

Caroline brings up another important issue. There are many BOJW who are firmly attached to their traditional ritual practices, and for whom any shift produces some kind of identity crisis, a precariousness which they may be unwilling to risk. This is a hugely relevant factor for those BOJW trying to generate alternative pious practices, as it is part of the context and habitat within which they negotiate for ritual change.

BELONGING: ARE WOMEN JEWS?

Furthermore, the Golders Green example highlights the experiences of several of my interviewees, who expressed how these gendered exclusions impacted on their sense of belonging and identity as Jews. This was experienced in two ways; firstly, as exclusion from specific rituals: for example, when prayer service times for the upcoming week were announced in the synagogue (on *Shabbat*), women were rendered invisible, since ‘*Shacharit* [morning prayers] will be at 6.45am’, actually meant, ‘*Shacharit* for men will be 6.45am’ – given that there was no space for women to attend morning prayer services (at some of their synagogue-communities). This exclusion was exacerbated when on asking if space could be made for them to pray, they were told it could not.⁴⁶⁸ Secondly, as exclusion from some kind of ‘personhood’; whereby a BOJW *is actually* present at the prayer

⁴⁶⁸ One particular incident is from my personal archive, regarding women’s exclusion from prayer services. The conversation with the rabbi of Kehillas Netzach Yisroel was held in January 2018, when I asked whether room could be made for me in their daily morning prayer services (which had, until then, been attended only by men), in order that I could say *Kaddish* after the death of my father. *Kaddish* is the prayer said for 11 months following the death of a parent; it can only be said in the presence of ten Jewish men. I was told that this was not possible and that I had to find alternative arrangements, despite the fact that I had been a paying member of the synagogue-community for over 15 years. In the event, I returned to my childhood United Synagogue (which my father had regularly attended) and was welcomed very warmly.

service, but cannot perform any leadership role. Nadia Jacobs⁴⁶⁹ brought this to my attention at her home when I interviewed her before she left to lecture at a local Jewish community centre. She has been teaching for over 30 years, has a passion for biblical text and is an avid reader. Nadia is a member of her local United Synagogue, and has just started attending her nearest *Partnership Minyan* [open-orthodox community] at its monthly services, which she said she thoroughly enjoys and where she is often asked to deliver a sermon. During the High Holy Days (*Rosh HaShanah* [New Year], and *Yom Kippur* [the Day of Atonement]) Nadia leads an alternative to the main prayer service. On these days, synagogue prayer services are extremely long (often over three hours), and for those less affiliated with prayer (the less regular attendees), many United Synagogues offer alternative options, most of which are explanatory and much less formal. She explains,

‘I take explanatory services... On *Rosh Hashanah* [New Year] and *Yom Kippur* [Day of Atonement]. I do alternative services... that’s quite challenging, because I can’t lead the services, so I have to have a man there to lead the services. I find that very frustrating actually. I’d be very happy to do that myself and I don’t see what’s wrong with it, in just saying the first word of a prayer, and then everybody just joins in... and often the whole thing has been very limited because there hasn’t been a man to come in at the right time... It all revolves around the men.’ (NJ, 30/09/14)

⁴⁶⁹ Nadia Jacobs was interviewed on 30/09/14; see APPENDIX 5, INTERVIEWEES [10] for a full biography.

Nadia's experience of needing to have a man around emphasised the strange dichotomy for her, of being a well-known educator in the wider Jewish community, yet unable to fulfil the role of leader for festival liturgy in a communal space. In orthodox synagogue-communities (with the exception of the open-orthodox *Partnership Minyanim*) women take no active role in the ritual prayer service at all, but this was an alternative service where the regular rules of the sanctuary were somewhat changed: there was a lot less formal prayer happening, and Nadia was already leading the prayer service through discussion and debate. Judith Butler's claim, 'that the gendered body is performative suggests that it has no ontological status apart from the various acts which constitute its reality' (Butler, 1990:185) is lived out in this experience. How so? If Nadia *must* not lead the prayers, if she is not involved in the acts which 'constitute reality' *does she exist* as an orthodox Jew, *can* she? What is most convincing about this example is that the reverse scenario is also problematic in Butlerian terminology: if Nadia does *lead* the prayers, does she exist as an orthodox Jew? Butler goes on to suggest that, 'if that reality is fabricated as an interior essence, that very interiority is an effect and function of a decidedly public and social discourse, the public regulation of fantasy through the surface politics of the body, the gender border control that differentiates inner from outer, and so institutes the "integrity" of the subject' (ibid.).

For BOJW to have to rely on men to perform certain public rituals not only diminishes their ability to take part (as in this example) in leading the prayer (when it is *halakhically* [legally] appropriate for her to do so), but questions their very ontological status. It was, according to Nadia, a perverse situation, instilling a sense

in everyone present that she *could* not perform the prayer (and maintain her personhood), rather than the actual reasoning of her local rabbi – that she *should* not.

What these examples demonstrate, and what several interviewees expressed, is that BOJW's experiences were not simply an exclusion from ritual performance (through their absence, or invisibility), but that their Jewishness was called into question. Similarly, feminist theorists have queried gendered exclusions (and social and religious hierarchies) to ask if women count as human (Phillips, 2010 and 2015; Mackinnon, 2007); and just as Catharine MacKinnon asks, 'Are Women Human',⁴⁷⁰ I ask: are (orthodox) women Jews?⁴⁷¹ It is the constructed categories within cultural and religious hierarchies which preclude one human from being a Jew – the term Jew (in the singular, and 'community' in the plural) renders the woman, or women, invisible – actively *un*-included, not only as a member of a particular community, or as part of a particular religious activity, but as a Jew. And the regular repetition of this phenomenon can deleteriously mark BOJW, their relationship with a particular community, with its rabbinic leadership and in some cases to re-consider their own religious life-choices. In other words, the day to day questioning of her ontological status of Jew, through the phenomenon of exclusion, led some BOJW to lose their sense of identity and belonging. In reflecting on the effects, and consequences, on

⁴⁷⁰ MacKinnon, C. (2007) *Are Women Human?*

⁴⁷¹ Phillips states that, 'the human has been conceptualised in culturally loaded, gender coded, and strongly normative terms that have then served as a basis for denying significant groups of humans the name. From the debates about whether the South American Indians had souls or pygmies were human to the so-obvious-that-it-hardly-needed-to-be-justified exclusion of women from the rights of man, 'human' has operated to exclude as much as to include. The characteristics deemed essentially human have turned out, again and again, to be modelled on particular groups of humans, and the history of the term has been more marked by hierarchy than equality' (Phillips, 2015:9-10).

orthodox Jewish women's sense of belonging, feminist-activist Elana Sztokman (2017)⁴⁷² reported that, 'the women I spoke to all said that synagogue was once important to them, but that now they are without a congregation to call home. They live in Israel, North America and the UK and are between their twenties to their sixties. They are predominantly Orthodox, but not exclusively. They dropped out of synagogue for a variety of reasons, each of which presents its own biting critique of Jewish communal practices' (Sztokman, 2017); and although Sztokman goes on to examine different synagogue-communities' social and religious practices, the persistent thread of women's experience is exclusion.

3. GENERATIVE PRACTICES: PUBLIC RITUAL PARTICIPATION

Given the experiences of exclusion, this section analyses BOJW's experiences of public ritual participation by examining three case studies. Firstly, BOJW's experience of *Simchat Torah*; secondly, their experiences of generating pious acts through women's *Megillah* Readings, and lastly through their experiences of participating in *Partnership Minyanim*. As described earlier in this chapter, in British orthodox synagogues, public ritual participation is performed exclusively by men.⁴⁷³ There are many BOJW, especially within mainstream and modern orthodox communities who have advocated for more public ritual participation – as in the

⁴⁷² Dr. Elana Maryles Sztokman is an award-winning author and researcher of gender issues in the Jewish orthodox community. She was Executive Director of JOFA (Jewish Orthodox Feminist Alliance) between 2012-2014, after which she left the orthodox Jewish community to study rabbinics at Hebrew Union College in Jerusalem. See her blog at: <https://elanasztokman.com/jewfem-blog/>.

⁴⁷³ The exception is *Partnership Minyanim* [open-orthodox synagogue-communities] discussed later in the chapter.

example above at Golders Green United Synagogue, of passing the *Sefer Torah* to women in the sanctuary on a *Shabbat* morning – and although in that specific case, the rabbi responded positively to their requests, the London *Beth Din* did not. The conflict between any individual rabbi's preference, the synagogue-community custom, *halakhic* [Jewish legal] opinions, the changing cultural habitat of any orthodox community, and the particular spiritual needs or demands of the BOJW are the negotiating framework within which religious authorities make decisions about public pious practices. They are also the framework within which BOJW choose to put up with exclusionary public ritual practice or generate new alternative possibilities.

A BRIEF HISTORY

To contextualise BOJW's participation in public ritual within the British location, I note three moments of change of authorised orthodox public pious practice, which stand out. The first was in 1993, when Chief Rabbi Jonathan Sacks 'sanctioned the first women-only Sabbath service though he also ruled that the Stanmore Synagogue Women's Prayer Group could not be permitted to read from the *Torah* scroll' (Alderman, 1998:404) This prayer group was part of a movement of Women's *Tefillah* [prayer] Groups (WTGs) which began in the US in the 1970s,⁴⁷⁴ in which orthodox women separated themselves out from the main community on a *Shabbat* morning to pray as a group of women. Rabbi Jeffrey Cohen, then rabbi of Stanmore synagogue-community, had spoken during a *Shabbat* morning service

⁴⁷⁴ Lincoln Square Synagogue, Upper West Side, NY; supported by its rabbi, Shlomo Riskin. This WTG began in 1972 and is still going under the auspices of the current rabbi, Shaul Robinson. See Taylor-Guthartz's (2016) detailed account of WTGs, pp.139-150.

about his experience of the opportunities for orthodox women at a modern orthodox synagogue-community in the US, that he had recently visited and he was approached by several women congregants to discuss the possibility of creating one in Stanmore.⁴⁷⁵ Although initially supported by the Chief Rabbi (Alderman, 1998), there were serious protests from the Board of Management at Stanmore United Synagogue,⁴⁷⁶ and from the London *Beth Din*. Rabbi Cohen and several Stanmore WTG representatives were invited to speak with the London *Beth Din* and the Chief Rabbi to resolve the issue. In the event, the London *Beth Din* made three conditions for the Stanmore WTG to go ahead: it could not be held on synagogue premises; the women could not recite any prayers that required a *minyan* [quorum of 10 men]; and they could not read the weekly *Torah* portion from a *Torah* scroll, but rather had to use a *chumash* [printed edition of the Pentateuch]. The issue became hotly debated in the Jewish press, by those both supporting or opposing its establishment.⁴⁷⁷ The first prayer service was held on 27/12/93 and approximately 60 women attended; subsequently numbers have risen over the years for celebratory services (such as *Bat-Mitzvahs*)⁴⁷⁸ and fallen due to lack of interest, women moving to Israel, or lack of (physical) mobility of older founder-members. In 2011, the Stanmore WTG was given permission to move to Stanmore United Synagogue premises with the proviso, from the London *Beth Din*, that it change its name to (the disingenuous) 'Women's Learning Experience' (WLE), shifting its

⁴⁷⁵ See: Taylor-Guthartz (2016:140) for a detailed account of these conversations.

⁴⁷⁶ Taylor-Guthartz, 2016:140.

⁴⁷⁷ See, for example: 'Letters to the Editor' in *The Jewish Chronicle* [27/09/92].

⁴⁷⁸ The Stanmore WTG became a popular place to celebrate a girl's coming-of-age, since she was able to chant the *Torah* reading aloud and lead the *Shabbat* service – playing an active participatory role.

public facade from a separate prayer space for orthodox women, to one of an educational nature. Although attendance has varied over the years, on its move back to synagogue premises in 2011, 60 women attended the first service there; it is still running as the WLE in 2019. During the services one woman leads the prayers from a central lectern; other women are 'called-up' to chant the *Torah* reading; and still others are 'called-up' to recite prayers for the dead on a relative's *yahrzeit* [anniversary of a death], on the birth of a child or grandchild, or any similar such celebration or memorial. In this way, BOJW actively participate in the prayer service, although the actual ritual practice that takes place is significantly curtailed by the rulings of the London *Beth Din*. Although many attempts were made over the years from 1993 to start WTGs at other United Synagogues, there are only two that both materialised and persisted, Stanmore (Greater London) and Manchester.⁴⁷⁹

The relevance of WTGs for this research is that they represent the attempts by BOJW to generate spaces of ritual participation under the auspices of orthodox authority, whilst simultaneously accepting an alternative to standard practice of ritual norms. What I mean by this is that the BOJW involved in WTGs are not practicing normative ritual participation, because they are not permitted to do so by the London *Beth Din*. On a *Shabbat* morning in an orthodox synagogue, one of the highlights is the weekly chanting from the *Torah* scroll, but the UK WTGs are not allowed to use the scroll; and because there is no *minyan* [quorum of ten men] many prayers cannot be recited (according to normative *halakha*). This is in contra-

⁴⁷⁹ Taylor-Guthartz, 2016:143.

distinction to women's *Megillah* readings (see immediately below) in which women chant the *Megillah* from its original scroll in exactly the same way orthodox Jewish men perform the ritual, because they have an equal obligation to do so (see *halakhic* [Jewish legal] detailed below). In other words, at WTGs, the actual pious practice is significantly changed because it is performed by women, whereas in the case of the women's *Megillah* readings, it is not.

The second moment of change of authorised orthodox public pious practice, was in 1991, when the first women's *Megillah* reading in the UK, was established by the Jewish students at Cambridge. And the third is the Radlett women's *Megillah* reading, the first to take place in a United Synagogue in 2000.⁴⁸⁰ Women's *Megillah* readings are discussed in detail later in this chapter, but these two 'firsts' marked the beginning of a significant shift in BOJW's public ritual participation, almost 30 years ago. Unlike the WTGs, women's *Megillah* readings have taken off as part of the generative movement of pious practices and in 2019, there are over 13 women's *Megillah* readings in United Synagogues,⁴⁸¹ several at the six newly established *Partnership Minyanim*,⁴⁸² one at the London School of Jewish

⁴⁸⁰ Rabbi Gideon Sylvester of Radlett Synagogue was the first United Synagogue rabbi in the UK to encourage the women of his community to perform a women's *Megillah* reading in 2000, now the longest standing in the UK. For other women's *Megillah* readings see: <https://www.theus.org.uk/printpdf/article/us-women-celebrate-purim-record-megillah-reading>, although the most recent update listed on the United Synagogue website is from 2015.

⁴⁸¹ See:

<https://www.theus.org.uk/sites/default/files/US%20Women%20Megillah%20Readings%20Purim%2005775.pdf>

⁴⁸² It changes year on year, and also as new *Partnership Minyanim* open. See, for example: <http://www.kehillatnashira.org>; and see: APPENDIX 9.2.

Studies,⁴⁸³ several on university campuses,⁴⁸⁴ and several in BOJW's homes.⁴⁸⁵

Women's *Megillah* readings represent an area of public ritual participation in which women and men perform exactly the same *halakhic* [legal] obligation in exactly the same way – and thus they constitute a very different sort of pious practice from the WTGs.

This section now examines BOJW's experiences of: *Simchat Torah*, in which the normative practice is to carry and dance with a *Sefer Torah*, and from which BOJW have historically been excluded; women's *Megillah* readings, in which the normative *halakhic* requirement is to chant *Megillat Esther* out loud, and which BOJW have generated as a pious practice of their own; and the *Partnership Minyanim*, which perform the normative *Shabbat* (or Festival) morning worship, but which generate space for BOJW to be an active part of the pious communal practice.

3.1 SIMCHAT TORAH:⁴⁸⁶ DISENFRANCHISEMENT

Simchat Torah [Joy of the *Torah*] seems to hold an exceptional location: it was *the* site of complaint and sadness in the religious psyche of almost all the BOJW I interviewed (19 out of a total 21) and was *the* site of disenfranchisement from feeling like a member of one's local synagogue-community, even amongst those

⁴⁸³ See:

<https://www.facebook.com/LondonSchoolofJewishStudies/photos/gm.1556895734580149/416982958458780/?type=3&theater>; and see: APPENDIX 9.2.

⁴⁸⁴ For example, Cambridge University,

⁴⁸⁵ For example, the Edgware women's *Megillah*, see: APPENDIX 9.2.

⁴⁸⁶ lit. Joy of the *Torah*; an autumn festival celebrating the concluding and re-starting of the yearly reading cycle of the *Torah*. See: APPENDIX 1, DEFINITIONS.

interviewees who expressed their aversion from participating in public ritual worship. Arguably, it was the context in which ‘woman’ became the primary identity, and ‘Jew’ was rendered immaterial, as sociologist Dina Pinsky observed, ‘[y]ou know how Cynthia Ozick says, ‘[e]verywhere in the world I am a Jew except in *shul* [synagogue], and there I’m a woman’? So, yeah, Jew and woman are the twin identities. And which one is dominant depends on the context’ (Pinsky, 2010:38). Moreover, the experience of *Simchat Torah* for BOJW was the primary reason my interviewees gave for leaving their orthodox synagogue-community and attending a *Partnership Minyan* [open-orthodox community], which has transformed their experience from one of exclusion and disenfranchisement, to one of belonging and joy.⁴⁸⁷

The Festival of *Simchat Torah* [Joy of the *Torah*] is an Autumn festival held on the second day of *Shmini Atzeret* [the eighth day of Tabernacles], celebrating the annual completion of the weekly *Shabbat* reading of the *Torah* scroll. The celebration includes every *Torah* scroll in the synagogue being removed from the *aron kodesh* [ark], and every man being given an *aliyah* [call-up] to chant the blessing over the *Torah* scroll. The *Torah* scrolls are held by all the men in turn, and each has an opportunity to either lead or dance within the circumambulations around the *bimah* [central platform]. Each year, two men are specifically honoured: one is *Chatan Torah* [lit. groom of the *Torah*] and he completes the cyclical reading of the *Torah* from Deuteronomy; and the other is *Chatan Bereishit* [lit. groom of the

⁴⁸⁷ Detailed later in the chapter.

beginning]⁴⁸⁸ and he begins the cyclical re-reading of the *Torah* from Genesis. These honours are usually given to men who contribute in some way to the synagogue community.⁴⁸⁹ Depending on the size of the synagogue community, this process may take a significant amount of time (over three hours is not unusual), even if there are several simultaneous readings to accommodate all the men's *aliyot* [call-ups] in one synagogue-community. In almost all orthodox communities in the UK, with the exception of the *Partnership Minyanim* [open-orthodox community], women are excluded from the formal proceedings – the reading of the *Torah* Scroll, being called up to make a blessing [*aliya*], and the dancing with the *Torah* scrolls. Some BOJW have been dancing on the women's side of the *mechitza* [separation] for several years, but without a *Torah* Scroll, as it was deemed prohibited by almost all orthodox rabbinic leadership in the UK.⁴⁹⁰ In general then, it is a spectator sport for BOJW, hindered by the *mechitza* [separation], the difficulty in hearing the chanting of the *Torah* due to the increased noise levels on the men's side and the physical distance from the readings. Often this is exacerbated by the general informality of the proceedings as well as the prevalence of men drinking alcohol.

As noted in the Preston Report,⁴⁹¹ commissioned by Chief Rabbi Jonathan Sacks in 1994, and described as 'the most exhaustive investigation ever undertaken into the

⁴⁸⁸ Note here the gendered appellation. The man honoured is called the groom, making the *Torah* itself the bride. For more on this topic, see: Belea, 2017.

⁴⁸⁹ Contributions may be: voluntary service, community welfare, religious or educational, or financial.

⁴⁹⁰ For further *halakhic* [legal] discussion about this topic, see: Chapter Seven in Weiss, A. (1990) *Women at Prayer*; and also Cohen, S. J. D., 1992:103-13. My thanks to Lindsey Taylor-Guthartz for this reference.

⁴⁹¹ Colloquially known as The Preston Report; Goodkin, J and Citron, J. (1994) *Women in the Jewish Community: Review and Recommendations*; p.34.

feelings of Anglo-Jewish women about their spiritual needs and religious status' (Alderman, 1998:404), the 'dissatisfaction expressed with mainstream Orthodox *Simchat Torah* services was overwhelming. More than at any other time of the year women felt marginalised, literally "spectators at a men-only sport"' (Citron and Goodkin, 1994:34). In effect, all my interviewees noted that in the 24 years since the publication of that report, very little had in fact changed, within *charedi*, mainstream and modern orthodox communities in the UK.

Vanessa Deutch⁴⁹² is a member of a *charedi* synagogue-community, and in general, she makes no complaints of her passive participation in public ritual. I interviewed her at her home in Greater London and although she commented that she, 'rarely attends synagogue', she highlighted *Simchat Torah* as the only occasion which makes her question her lack of participation,

'The only time that it bothers me is *Simchas Torah*... It's supposed to be a lovely *chag* [festival]... but it's just a bit of a let down. Why aren't women doing more and why are so many women moaning about it? And yet we don't really do anything and we moan every year. Maybe it's time to actually do something. That's the only time I feel something, maybe I'd like to participate in a different way.' (VD, 32/10/14)

⁴⁹² Vanessa Deutch was interviewed on 23/10/14; for a detailed biography, see: APPENDIX 5, INTERVIEWEES [3].

Vanessa raises the significant groundswell of complaint, yet also notes that nothing has actually changed in her synagogue-community or others in her area with regard to this matter, neither driven by the rabbinic leadership nor by her or any BOJW in her synagogue-community. Interestingly, Vanessa is a member of a *charedi* [ultra-orthodox] community, and the expectations with regard to ritual participation are much more traditionally gendered. Nevertheless, although Vanessa may feel comfortable the rest of the year in her passive role in synagogue, on *Simchat Torah*, she is bothered by it.

However, some ritual participation practices have filtered through to the UK from the USA and Israel, even if at a very slow pace.⁴⁹³ Thus, within the past five years, several local orthodox synagogues have now permitted women to dance with the *Sefer Torah*, although, none permit women's *leining* [chanting of the *Torah*].⁴⁹⁴ As of writing, and from the rabbinic responses received, seven Greater London United Synagogues allow this practice and what is quite noticeable is the variety of practice within these mainstream orthodox communities;⁴⁹⁵ evidently, local rabbis are given the opportunity to express personal preferences. Nevertheless, most of those I contacted had engaged with the community's women about this issue and responded to their requests, rather than proclaiming a top-down community policy or suggesting any change in BOJW's participation themselves.

⁴⁹³ See: <https://www.thejc.com/news/uk-news/mirvis-bans-women-from-reading-torah-1.62657> .

⁴⁹⁴ Women's *leining* is quite common in modern orthodox communities in the States and in Israel. For example, see: <https://www.lss.org/wtg> - Lincoln Square Synagogue, NY or <http://shirahadasha.org.il/hebrew/en/> - Shira Chadasha, Jerusalem.

⁴⁹⁵ Detailed information collated through personal text messages and telephone calls between 14th November 2018 and 20th November 2018.

I list some examples: Alei Tzion (United Synagogue affiliate), London NW4, began the practice in 2018 and the desire emerged from the women of the community; whereas at Belmont United Synagogue, the women do not have a *Sefer Torah* and according to the rabbi, it's 'not something the ladies want to do on the whole'. At the *Bnei Akiva Bayit* (a youth-led community) in London NW11⁴⁹⁶ the girls and young women are given a *Sefer Torah*. At Brondesbury Park United Synagogue the women have a *Sefer Torah*; but at Cockfosters and North Southgate United Synagogue, the women are not given a *Sefer Torah*, although the rabbi listed several other rituals which the women are keen to perform; he went on to describe the community as 'very traditional'. At Elstree and Borehamwood United Synagogue the women do dance with a *Sefer Torah* and Finchley United Synagogue (Kinloss) began the practice in 2018. Golders Green United Synagogue also give the women a *Sefer Torah* as is the case at Hampstead Garden Suburb United Synagogue. Radlett United Synagogue do not give the women a *Sefer Torah*, and the Rabbi stated that 'the women did not seem that interested in having one', although at South Hampstead United Synagogue they do. These examples all emerge from the United Synagogue and reflect the difference of religious participation by women, depending on the requests of the women of the congregation, their perceived needs and requirements and the response of the rabbinic leadership. Additionally, *Ner Yisrael Synagogue*,⁴⁹⁷ an independent modern orthodox community in Hendon, London, at present does not allow women dance

⁴⁹⁶ Under the leadership of Rabbi Chaim Kanterovitz, formerly of Elstree and Borehamwood United Synagogue.

⁴⁹⁷ See: <https://www.neryisrael.co.uk>.

with the *Torah* Scroll. I did not speak with the rabbi directly, but to a female congregant⁴⁹⁸ who discussed with me both the resistance of the rabbi, and of the women themselves.⁴⁹⁹ She preferred not to speak in detail about the matter – it is an issue which she described as having political, religious and social ramifications between and within congregants and the senior leadership team, including the rabbi. Indeed this situation was not unusual; it is also the case of *all* the orthodox synagogues in Edgware (Greater London) for example, including its United Synagogue. For a short spell, in 2006, Edgware United Synagogue’s rabbi decided to give a *Torah* scroll to the women congregants to dance with on *Simchat Torah*, but on the appointment of a new rabbi in 2008, this privilege was rescinded. Two local BOJW⁵⁰⁰ then met with the newly appointed rabbi and questioned him on his ‘regressive’ [sic] ruling, and asked him to re-instate the synagogue’s policy in order that the women of his synagogue-community, as well as the wider local orthodox community would continue to enjoy the festival as they had done for the past two years. But he refused to change his ruling, and it remains in place until today (2019).

I was delighted that many of the United Synagogue rabbis I had contacted replied and shared details of the decision-making within their own communities; but just as many did not reply, or did not want me to quote them directly, or felt the issue was too explosive to be discussed in detail. Evidently, the rabbis I contacted and who

⁴⁹⁸ A personal friend, who asked to remain anonymous.

⁴⁹⁹ Conversation on 9th October 2018.

⁵⁰⁰ Katrina Altshul and Hannah Vale (pseudonyms) are the same two women who met with their local orthodox rabbi about the *Megillah* readings. From my own archives, 2008.

responded were acutely aware of the problematic nature of the *Simchat Torah* situation for the women of their communities – some had decided to alleviate the distress by allowing the women to dance with the *Sefer Torah*,⁵⁰¹ whilst others maintained that it was not acceptable [not ‘traditional’ or ‘authentic’], although none suggested it was forbidden by Jewish law [*assur*]. The *Simchat Torah* experience is currently at the forefront regarding the issue of ritual participation for women in the orthodox community of the UK, and has had impact on *where* women go to synagogue on the festival, *if* they go to synagogue on the festival at all, or if they choose to leave their specific local orthodox community. As an ongoing, highly charged internal debate within the orthodox Jewish community, the rules, regulation and practices of *Simchat Torah* stand out as a marked paradigm where the presumed homogeneity of the orthodox community is challenged, realising Phillips’ assertion that, ‘[g]roups are also capable of coercion. They pretend to or construct a unity where none such exists; they claim to speak in the name of all when they only represent some; they set up constraints on those they deem their member and require them to conform to what are said to be group norms’ (Phillips, 2010:9). Indeed many of the rabbis’ responses as to whether or not

⁵⁰¹ This ‘alleviation of distress’ (in contradistinction to any positive engagement with the festival and its religious meaning, significance and celebration) is similar in approach to the opinion of the *Trumat Hadeshen* [Rabbi Israel Isserlein; b.1390 Maribor, Duchy of Styria, d.1460 Wiener Neustadt, Lower Austria] (cited in *BT Pesachim* 132). He permitted a *niddah* [menstruant woman] to go into synagogue on *Yamim Noraim* [Days of Awe: New Year and Day of Atonement] when the prevailing custom was for her to refrain from doing so. His argument was based on ensuring *nachat ruach* [peace of mind] – given that she might feel significant distress in not going to synagogue on the Days of Awe when everyone else in the community was attending. But in both these cases the religious experience or relevance of the festival for the community’s women is not brought as the reasoning behind allowing (or encouraging) them to participate, rather – it is the alleviation of their distress. Arguably, this is demonstrative of an attitude which is placatory and attempts to dissipate conflict, rather than an attitude which promotes women’s ritual participation or their personal need for religious and/or spiritual nourishment.

the women in their community desire, require or refuse a *Sefer Torah* complied with their own expectations of conformity and constraint, highlighting how individual rabbis have a profound effect on the inclusivity of the ritual participation of women in their congregations.

Additionally, the current Chief Rabbi Ephraim Mirvis, 'ruled out women reading from the *Sefer Torah* as part of Orthodox services. He made his view clear... as it emerged that he had blocked women from one of his communities who wanted a women-only *Torah* reading on *Simchat Torah*' (Rocker, 2014b).⁵⁰² This ruling is particular to the *reading* from the *Torah* scroll by women, not *dancing* with a *Torah* scroll – hence the flexibility of practice and variety of opinions of the United Synagogue rabbis quoted earlier. However, it is nevertheless a ruling which reflects the power that the United Synagogue as a religious body holds on its individual member-synagogues, irrespective of the views of that synagogue's rabbi or rabbinic team. It also adds an authoritative pressure to the ongoing wranglings of the *Simchat Torah* experience for women: on the one hand, it may give space for leniency⁵⁰³ regarding women *dancing* with a *Torah* scroll (since it only forbids the actual *reading* of the scroll); yet it is also felt by BOJW as laying down very rigid lines of prohibition, again irrespective of the individual *halakhic* [legal] perspective

⁵⁰² <https://www.thejc.com/news/uk-news/mirvis-bans-women-from-reading-torah-1.62657>.

⁵⁰³ The use of the word leniency is somewhat problematic here. *Halakhically* [legally], it refers to the less strict approach – in this case, allowing women to dance with a *Sefer Torah* [Torah Scroll] when it had previously been rendered forbidden. But as is the case with all leniencies, the language may mask the issue at hand: in some cases a leniency in one area of the law might be a stringency in another (for example: leniency regarding a question of kashrut [food fit for eating], may be concurrently a strict ruling with regard for caring for the poor). In this example then, although constructed in the language of leniency, the ruling may also indicate a care for women's religious experiences, their relationship with God, and so on; thus perhaps it ought to be structured legally as a religious imperative, rather than a form of tolerating need.

of the synagogue-community's rabbi or its membership. In so doing, these public religious announcements qualify certain practices and squeeze out the possibility for open discussion or differing opinions, which in turn leads to a culture of less rabbinic-communal conversation and, according to the women interviewed, dissuading BOJW from even approaching their rabbinic leadership.⁵⁰⁴

Crucially, the issue of local rabbinic response, claims Rabbi Michael Harris,⁵⁰⁵ is so often pertinent to women's religious participation. He argues that, 'momentum towards greater empowerment of women in our religious and communal life is unstoppable. That is the good news. The bad news is that US [United Synagogue] members who would like to see principled movement and development in this area will likely have to go outside the United Synagogue to find it.' (Rocker, 2014a) Thus, the pressure felt by BOJW to conform to a certain standard of behaviour (or lack of participation) as defined by some British orthodox rabbis, (or on occasion the Chief Rabbi, or his *Beth Din* [Court of Jewish Law]) as religious imperative becomes further ingrained as part of the *intractable* religious status quo – and it is this that has driven many BOJW (and some of those interviewed) to choose to leave their current orthodox community – even if only on *Simchat Torah* – and choose religious fulfilment elsewhere. These kinds of negotiations, that preclude engagement with one's current synagogue-community, yet are part of one's religious experience as a

⁵⁰⁴ This is true, a fortiori, in communities to the religious right of the United Synagogue, where even those BOJW who want to speak out about *Simchat Torah* feel they either cannot or must not.

⁵⁰⁵ Rabbi Michael Harris is the rabbi at Hampstead United Synagogue. He is an outspoken advocate for modern orthodoxy in the UK (see his 2016 book, *Faith without Fear: Unresolved Issues in Modern Orthodoxy*), and established the first Scholar-in-Residence role for BOJW at his synagogue in 2015 (see Chapter Six).

BOJW, demonstrate the ongoing complexity of carving out a religious identity, its desires and its practices, whilst simultaneously suffering a longing to maintain allegiances – to either rabbi or community or both.

In contradistinction to the general experience of the interviewees, is that of a community in Beit Shemesh, Israel as described in a 2016 *Jerusalem Post* article:⁵⁰⁶

‘The decision for a synagogue like ours – which adheres strictly to *Halacha* [Jewish Law] – to give women *Torah* scrolls to dance with did not happen overnight, and was not taken lightly. The move came after a group of women – feeling a *sincere desire* to transform *hakafot* [circumambulations] from close to non-existent, to one of spiritual elevation and inspiration through dancing with a *Torah* [scroll] – approached the rabbi and the synagogue lay leadership with the idea. The synagogue held a vote of its membership, with secret ballots providing a variety of options, and the majority chose the women being given *Torah* scrolls throughout all of the *hakafot* [circumambulations]. The rabbi, Rabbi Mayer Lichtenstein, taught the community the *halachic* [legal] basis for women to dance with the *Torahs*, and the result was a magical night and morning: young girls through women in their 80s were spiritually uplifted, experiencing close encounters with God by tangibly expressing their love for His *Torah*’ (Lipman, 2016).

⁵⁰⁶ See: <https://www.jpost.com/Opinion/Women-should-dance-with-Torah-scrolls-471071>.

This specific example sheds light on the ever-growing frustrations, positive negotiations and changes in practice, and is demonstrative of the many articles and religious rulings made on the topic of women's ritual participation on *Simchat Torah*. The wording specifies the 'sincere desire' of the women 'to transform *hakafot* [circumambulations] from close to non-existent to one of spiritual elevation and inspiration'; the process began with approaching the community's rabbi, then through a process education, before it began as ritual practice. It is for this purpose that this particular example (from Jerusalem) is included here: the phrase 'sincere desire' is evocative of two tropes which, I argue, regularly travel through the UK's orthodox Jewish community. The first 'sincere' is related to the concept of motivation, and BOJW are asked repeatedly about the sincerity of their intention by their communal rabbis and other men and women within their own synagogue-communities. Why do they (sic) want to participate? Have they been influenced by the feminist narrative, rather than a religious one? '[A]re they coming from a place of *genuine spiritual yearning* or from a *feminist desire* for equality that "if men can do it, we can do it too"' (*italics mine*)?⁵⁰⁷ Will that motivation lead them to motivate other BOJW away from 'authentic' tradition? Rather than view the prospect of women's religious participation as a benefit to the orthodox community – even ritual participation that has not traditionally been performed by women (although there are always exceptions) – the commonest response as articulated by the BOJW interviewed was a narrative of fear, annoyance, and a resistance to change.

⁵⁰⁷ As expressed by Rabbi Yitzchak Schochet of Mill Hill United Synagogue in *The Jewish Chronicle* (2013) in an article entitled 'Orthodox feminism must know its limits'; see: <https://www.thejc.com/judaism/features/orthodox-feminism-must-know-its-limits-1.46175>.

Furthermore, the competing strands through which BOJ women's identity is mediated, especially the marker of living in the UK, offer an insight as to how living and practicing as an orthodox Jewish woman in an arguably multicultural society which allows for some kind of Jewish identity, nevertheless retains a compromise to local habitat. In this case, this is the far more conservative British rabbinate in the modern and mainstream orthodox synagogue-communities as compared to the spectrum of orthodox rabbinic leadership in Israel or the US. As Gidley notes, '[t]he American Jewish community has always been much more receptive to innovation in Jewish thought and practice than its counterpart in the UK' (Gidley and Kahn-Harris, 2010:58). The pressures of multiculturalism in the UK may exacerbate an already conservative British rabbinate, doubling the burden which BOJW bear as crucial representatives of that community.⁵⁰⁸ Anne Phillips explores the viability of such a claim, utilising Shachar's work on religious communities within multicultural locations, which specifically challenges speaking out or attempting to bring about change within that community.⁵⁰⁹ 'As Ayelet Shachar phrases it, 'well-meaning accommodations aimed at mitigating power inequalities between groups may end up reinforcing power hierarchies within them'; where this happens, 'at-risk group members are being asked to shoulder a disproportionate share of the risks of multiculturalism'. Traditions are rediscovered or even created, and practices that have long been contested are restored to a central defining role.' And, as a

⁵⁰⁸ 'The behaviour and attire of women becomes a measure of the sanctity, power, and purity of the family, the religion, and the state. This is a big burden for women' (Feldman, 2011: 77).

⁵⁰⁹ See: Chapter Two, and note her claim that, 'this strategy is to break the vicious cycle of "reactive culturalism" whereby the group adopts an inflexible interpretation of traditions precisely because of the perceived threat from the modern state. Transformative accommodation thus creates condition of sufficient security so that the group may revive its own nomos and make it again a vital, dynamic tradition that can engender viable answers to the present-day challenges that its members encounter in their manifold identity' (Shachar, 2001:142).

consequence, '[t]he codes regulating gender relations then become bound up with notions of cultural authenticity, and the defence of one's culture becomes in large part of the defence of that culture's notions about what is appropriate for women to do' (Phillips, 2010:39).⁵¹⁰ Within this framework, BOJW become the pawns through which 'authentic religious life' is established by those in religious authority in a multicultural environment, often entrenching stricter interpretations of the law through the restrictions placed, specifically, on women.

The major difficulty for many of the BOJW interviewed was the defensive attitude from their rabbis (and the *Beth Din*) towards their requests, complaints and desires. 'Desire' also contains within it the possibility of prioritising personal wish fulfilment over the requirements of religious law – and the BOJW interviewed expressed their concerns that their 'desires' were often assumed to be those that took them away from the BOJ community, rather than tied them ever-closer to it. The assumption by some rabbinic leadership is that, '[t]hose who look to satisfy a *soul craving*, will adhere to what rabbis tell them is permissible in Jewish law and act on it graciously' (Schochet, 2013: *italics mine*), presumes that a. any true 'soul craving' will be satisfied by a sensitive rabbi, and b. that any BOJW left unsatisfied by the opinion of her local rabbinic authority has no genuine 'soul craving', such that her desires are not truly spiritual or religious ideals, but are misguided, often expressed as 'the influence of feminism'. As Butler proposes, '[i]f the "cause" of desire, gesture, and act can be localized within the "self" of the actor, then the political relations and

⁵¹⁰ See also: 'Religious authorities have been especially sensitive to challenges raised by women, as women tend to be the custodians of culture and religion.' (Feldman, 2011:120)

disciplinary practices which produce that ostensibly coherent gender are effectively displaced from view' (Butler, 1990:186), in accordance with the rabbinic view that, 'those who push the boundaries and look for some rabbi somewhere that would give them the nod to perhaps even step over the boundaries, are, *without doubt*, coming with ulterior motif [sic]' (ibid., *italics mine*). Thus, although some local rabbis have picked up on BOJW's feelings of exclusion, or have responded positively to their request to dance with a *Sefer Torah*, many have not and have either discouraged the practice⁵¹¹ or rendered it forbidden.⁵¹²

Yet, through the disenfranchisement caused directly from feelings of exclusion on *Simchat Torah*, several interviewees went on to talk about how they wanted to generate pious practices elsewhere, and these included both women's *Megillah* reading and Partnership *Minyanim*.

3.2 WOMEN'S MEGILLAH READINGS: CHALLENGING AUTHORITY

Women's *Megillah* readings have become a prominent site for generative religious agency, and they are representative of pious practices in which BOJW are *halakhically* obligated and choose to fulfil their obligation through personal active participation. As described in Chapter One, the festival of *Purim* commemorates

⁵¹¹ As cited above, Rabbi Lister of Edgware United Synagogue.

⁵¹² For example the *psak din* [Legal Judgment] of the Federation of Synagogues on 03/10/13, explicitly forbidding women from carrying the *Sefer Torah* on *Simchat Torah*; see: https://failedmessiah.typepad.com/failed_messiahcom/2013/10/london-beit-din-rules-women-dancing-with-torah-scrolls-on-simchat-torah-profanes-the-scrolls-sanctity-345.html.

events, which culminated in the saving of Persian Jewry from slaughter in approximately 400BCE. In celebration, adult Jews have four legal obligations:

1. To chant the *Megillah* aloud,⁵¹³
2. To have a celebratory meal,
3. To give gifts of food to a friend and
4. To donate gifts of charity to the community's poor.

All four of these obligations are incumbent upon both men and women, but historically, women have heard the *Megillah* being chanted by a man, rather than reading it for themselves. How does this work? In terms of *halakhic* [legal] obligation, any Jew who has an equal obligation as another Jew may fulfil that obligation on their behalf; this happens regularly in Jewish religious life. For example, the sanctification of the *Sabbath* is made through a blessing on wine both on Friday night and on Saturday; it is customary for one person to make this blessing out loud at the dinner or lunch table, having in mind that he/she is fulfilling the obligation on behalf of everyone else present. With regard to the annual reading of the *Megillah* on *Purim*, it is the traditional custom for a male member of each synagogue-community to read for the entire community, and this is common practice in the UK. Community members gather in synagogue on both the evening and morning of *Purim*, as they would do at any regular *Shabbat* or Festival service; the women sit in the women's section – either in the women's gallery⁵¹⁴ upstairs or

⁵¹³ *Megillat Esther* [the Scroll of Esther] which tells the *Purim* story. Note that it is named after the female protagonist Esther, and thus the festival is often associated with women's active participation in Jewish history; see: APPENDIX 1, DEFINITIONS.

⁵¹⁴ Women's Gallery: a form of separation between men and women in an orthodox synagogue. The gallery is a female-only prayer space, which is located above the main sanctuary (a male-only prayer

in the main sanctuary (depending on the architecture of the synagogue) behind a *mechitzah* [separation], and the scroll is chanted aloud. There are ten chapters of the *Megillah* and the entire procedure takes about 30 minutes, interrupted only by the sounds of shouting and *groggers* [ratchets] whenever the name of the antagonist *Haman* is mentioned. Children and adults alike dress-up on this carnival-like celebration, often in costumes of biblical heroes and heroines, and especially characters from *Megillat Esther*. It is the only day in the Jewish calendar where frivolity is looked upon kindly.⁵¹⁵

However, at a women's *Megillah* reading, although the procedure involves the chanting of the same text (from a sacred scroll), there are many experiential differences from the synagogue community's reading. Firstly, BOJW have the opportunity to choose whether they'd like to organise either the evening or morning reading,⁵¹⁶ and taking childcare into account, the women's *Megillah* readings are usually organised to take place just after the main synagogue reading has finished. The organiser will allocate a chapter to each woman (rather than one woman reading the entire scroll) a few months beforehand; this is because a. it gives an opportunity for more women to participate, and b. because most BOJW have not learnt to chant the *Torah* scroll as most British orthodox Jewish men have done in preparation for their *Bar-Mitzvahs* at thirteen, and the skill is an entirely new one, so one chapter is plenty. The *Megillah* has its own particular *trup* [tune],

space), either at the back of the synagogue, or around three sides – facing ark. For further details on 'The influence of synagogue layout on women's experience', see Taylor-Guthartz, 2016:98-102. See also: APPENDIX 9.7.

⁵¹⁵ For some entertaining photographs, go to GoogleImages, and type in *Purim*.

⁵¹⁶ Although in theory they could do both, none do.

which the women can learn from a teacher,⁵¹⁷ although most of the women I interviewed used the JOFA app⁵¹⁸ (for learning to chant the *Megillah*) for this purpose; and because of its convenience, they could learn on the move. The *Megillah* scroll itself has no vowels or punctuation, and therefore the entire recitation needs to be learned off by heart, which provides an opportunity for real investment in the learning process as well as the actual chanting on the day itself.

On the day, each women's *Megillah* reading has a *gabbait* [warden] who's job it is to ensure that each woman reads the correct portion, reads it accurately and corrects her if necessary, and generally keeps the process in check; she stands on the platform where the *Megillah* is read and follows each word carefully. Each woman gets up in turn to read her allocated portion from the platform, chants her piece and then returns to her seat. Often, the woman who reads Chapter One reads the last Chapter (Ten) also, as it is very short, and she makes the blessings which precede and conclude the ritual.⁵¹⁹ There are some *halakhic* questions as to which blessings women who read for women should make, (based on the legal debates about whether women are obligated to 'read' or to 'hear' the *Megillah*; see Chapter

⁵¹⁷ There are many experts on scriptural chanting, almost all men. Dr Lindsay Taylor-Guthartz is the only BOJW, as far as I am aware, who teaches women how to ritually chant, both from the *Torah* and from the *Megillah*.

⁵¹⁸ JOFA, the Jewish Orthodox Feminist Alliance, have created both a webpage and an app so that Jewish women worldwide could learn how to chant the *Megillah*; see: <http://jofamegillatesther.com>.

⁵¹⁹ There are many social, philosophical and *halakhic* discussions as to the question of who constitutes 'the community', as well as the respect 'the community' is due not only in relation to this particular matter. For an *halakhic* discussion, see: http://www.rcarabbis.org/pdf/frimer_article.pdf and a response to that ruling here: <https://library.yct Torah.org/lindenbaum/women-and-kriyat-hatorah/>. Rabbi Anthony Manning's lecture also brings philosophical questions to the table – see p.4 of: <https://www.rabbimanning.com/wp-content/uploads/2013/01/Kavod-Habriyot-Lander.pdf>. Related to this question is the issue of personal dignity (as contra-distinct to communal dignity) which weighs in heavily with regard to women's *Megillah* readings, see: <https://www.ilaw.com/Articles/HumanDignity.pdf>.

One, p.30-31), which are beyond the scope of this thesis, suffice to say, that as far as I am aware, all the women's *Megillah* readings that take place in the UK at present recite all the blessings in full.⁵²⁰

According to my own experience of women's *Megillah* readings, and from the BOJW interviewed who participate in them, there are many benefits which they enjoy. On a very practical level, it means that the female 'listeners' hear the *Megillah* being read much more clearly than they would in a usual orthodox synagogue setting, given that they are in close proximity to the reader rather than behind a *mechitza* [separation] or in a separate women's gallery; these physical separations can preclude both hearing the *Megillah* properly, or seeing the reader. Additionally, all the BOJW I interviewed who currently participate in women's *Megillah* reading stated emphatically that 'the *halakha* [Jewish law] obligates one to hear every word of the *Megillah*' (AF, 24/10/14),⁵²¹ so at a women's *Megillah* reading and they are much closer to the reader and thus can hear her much more clearly. Additionally, the readers enjoy enormous benefit from both the preparation of, and actual ritual chanting of the *Megillah* as a religious enterprise in which they are personally invested (DW, 27/11/14);⁵²² there is a sense of ownership of the activity itself in which these women are engaged, in that they are not relying on the men of the community to fulfil their obligation on their behalf (NDJ,

⁵²⁰ For further discussion on women's *Megillah* readings, see: Henkin, Y. (1999) *Equality Lost* at https://www.nishmat.net/Uploads/files/R_Henkin_Women_Megilla_Reading.pdf; for further discussion on the blessings recited – either '*al kriot haMegillah*' [on reading the *Megillah*] or '*al shmiat haMegillah*' [on hearing the *Megillah*], see: Rabbi David Brofsky's class, *Women's Obligation in Megilla Reading* at: <https://etzion.org.il/en/womens-obligation-megilla-reading>.

⁵²¹ Atalia Fairfield was interviewed on 24/10/14; see APPENDIX 5, INTERVIEWEES [8].

⁵²² Dalia Weiss was interviewed on 27/11/14; see APPENDIX 5, INTERVIEWEES [21].

16/09/14).⁵²³ Furthermore, in many communities, for example Radlett United Synagogue, the women who participate in the women's *Megillah* reading also bring gifts of food to their friends (1), make a charitable donations which are then distributed to the needy in the community on the day of *Purim* itself (2), and have a festive meal after the reading (3). These three additional *mitzvot* [commandments] ensure that the women do not only participate in just *one* of the required activities of the day (the *Megillah* reading itself), but in all of the four rabbinic obligations of the day.⁵²⁴ For women who are less observant in orthodox pious practice, this means that their participation in the *Megillah* reading generates other pious practices in its wake.

The women's *Megillah* readings have been successful in keeping up their momentum, recurring again year after year in the same location. In part, this has to do with the fact that once a chapter has been learned, it can be repeated each year, so that many of the BOJW involved in women's *Megillah* readings return. But the readings have also created a community within a community, such that the BOJW who attend these *Megillah* Readings tend never to return to their local synagogue

⁵²³ Nathalie Jacobson was interviewed on 16/09/14; see APPENDIX 5, INTERVIEWEES [11] for a detailed biography.

⁵²⁴ Indeed, as a proponent of and participant in both the Radlett women's *Megillah* reading (in synagogue) and the Edgware women's *Megillah* reading (at home), I was once asked by a rabbinic colleague whether I thought that women's only *Megillah* readings were a slippery slope. The person in question (when asked) implied a 'slippery slope' to non-orthodox practices. But I replied that it was indeed a 'slippery slope', but towards the fulfillment of the other obligations of the day – given that most of the women who had become involved in the *Megillah* readings were not necessarily fully practicing orthodox Jews, yet now participated in all the *mitzvot* [obligations] incumbent on the day.

readings⁵²⁵ and encourage their friends and families to join them – in this way, the sense of perpetuation (as well as generation) is achieved.

In this vein, some BOJW have used the opportunity of a women's *Megillah* reading to celebrate a daughter's *Bat Mitzvah* [coming-of-age-ceremony], which enabled the young woman to spend time preparing a chapter of the *Megillah* and chant it out loud as part of a public celebration. This is an imitative ritual, similar to a boys' *Bar Mitzvah* for which he studies in preparation to chant from the *Torah* scroll, and celebrates publicly in synagogue. In this way, young girls are given the opportunity to actively participate in pious ritual; but they also experience the normalisation of this process through the women's *Megillah* reading, which is, in terms of intelligibility, an achievement. Amelia Shaw,⁵²⁶ is a secondary school educator and an active *rebbetsin* [rabbi's wife]; I interviewed her at her parent's home in North-West London, just after her second child was born. She and her husband were packing up to leave the UK to take up a rabbinical position in an orthodox community abroad for a few years. She pinpointed this time in a young girl's adolescence as a pivotal moment in her religious life:

'Bat Mitzvah [coming of age ceremony], is a key time for educating Jewish girls, particularly in the British orthodox Jewish community... Because being

⁵²⁵ Katrina Altshul, feminist-activist told me that she had only attended women's *Megillah* readings in the last 15 years, both on the night and during the day of Purim; telephone conversation October, 2018.

⁵²⁶ Amelia Shaw was interviewed on 17/09/14; see APPENDIX 5, INTERVIEWEES [17] for a detailed biography.

part of a community – through experience of my work in the United Synagogue – is often *shul* [synagogue]-centric, so centred on *Shabbat* [Sabbath] and *Yom Tov* [festivals], and therefore male-centred; especially... the ceremonial forum is male... If *Bat Mitzvah* [coming of age ceremony] is done right – it can be a very positive experience.’ (AS, 17/09/14)

Correspondingly, along with the performance itself, is the impact on the rest of a young girl’s religious life: an ownership of religious practice, which may lead her to a deeper relationship with religious life in general, and the way in which she finds her identity as a BOJW – as active participant in religious ritual.

I have described what a women’s *Megillah* reading is, how it functions and what it achieves for the BOJW who participate. Nevertheless, in terms of BOJW’s having to negotiate with those in religious authority, in terms of how they navigate their sense of belonging and in terms of the production of an identity, I now consider an experience of one of my interviewees in starting up a university women’s reading. This, I hope, will provide a clear and detailed account of the pressures for BOJW living in an orthodox framework and attempting to navigate the *halakhic* [legal], social, political and cultural system with those in rabbinic authority in attempting to generate pious practice.

Naomi Kory was interviewed at her home, just outside London on 29/10/14.⁵²⁷ She had just given birth to her first child and was taking some time off work. Naomi spent a year at a seminary in Jerusalem, which promoted advanced textual religious study for women, and then returned to the UK to study theology at university. Since finishing her degree she has working for an inter-faith charity. It was during her time at university that Naomi experienced orthodox women involved in active ritual participation. She recalled that, 'some friends and I first had the *idea* of doing a women's *megillah* reading' (NK; 29/10/14). But in order to get the go ahead, the students had to speak to their student chaplain who organised the religious activities on campus and made *halakhic* [legal] decisions for the students. So, they asked the chaplain if they could go ahead with a women's *Megillah* reading, and Naomi reported that he was, 'very unhappy'.

This conversation and negotiation exposes the way in which Jewish life is lived on the ground, even for a group of university students, away from home and ostensibly away from their local community and religious authority. They have an idea that relates to ritual practice, but before the idea comes to fruition, they consult their local religious authority, because that is the normative system within which orthodox Jews practice their pious lives. In this case, the students were all women and requested an all-women's *Megillah* reading – read by and for women. Naomi and her friends' commitment to, and investment in, their study for reciting the *Megillah* meant they were upset by the chaplain's response. They discussed the

⁵²⁷ Naomi Kory was interviewed on 29/10/14, see APPENDIX 5, INTERVIEWEES [15] for a detailed biography.

issue amongst themselves and, because of their commitment to active ritual participation, sanctioned by *halakha* [Jewish law], Naomi stated that, 'in the end we did it anyway' (NK, 29/10/14).

I want to highlight here the stages of the *halakhic* process within which Naomi and her university friends wanted to generate a pious practice; they spoke with the local religious authority and then went ahead with their *Megillah* reading, irrespective of his support. Naomi expresses her interest in orthodox Judaism, which begins as a very intellectually driven enterprise. At university, she begins to advocate for women's participation in religious rituals – and in so doing questions the religious authority, her university chaplain, in the process. However, when the latter part of that process, the negotiation with religious authority, disables her ability to practice her religious obligations, *she dismisses the authority ruling in favour of the ritual obligation*; what Feldman describes as religious subjects who 'are unwilling to challenge divine authority, but they are willing to challenge men who claim to be speaking for G-d.' (Feldman, 2011:32)

This moment in religious decision making is reminiscent of the Butlerian 'site of contestation'. Yet the performance of a religious ritual at the expense of religious authority is not something which easily emerges from Butler's binary possibilities, which suggest that a subject either repeats the expected performance, or acts-out, and in so doing exerts her agency. Naomi's decision is indeed a submission to the law (*halakha*, religious law – in this case) whilst simultaneously, a disruption of the workings of that law in its dismissal of a normative authoritative ruling. Naomi and

her fellow students worked hard to persuade the Jewish chaplain at that time to reassess his assumptions about how Jewish law through women's participation is practiced on the ground. This is a sentiment I heard several times from the BOJW I interviewed: that there is an ongoing tension between a person's commitment to *halakha* [Jewish law] and their commitment to the legal decisions espoused by those religious legal *poskim* [decisors] (at present, all men) who are entrusted to teach and enforce them. Naomi, and the students who joined her, did not reject the religious authority's role or relevance in the decision making, nor did they reject the *halakhic* system of which they chose to be a part, but ultimately did reject the particular rabbinic point of view. This is a nuanced and vital (hair-splitting) difference, but important because rabbinic inclusion in the process of *halakhic* issues matters to BOJW who wish to practice orthodox Judaism. Although these BOJW clearly appreciate the *halakhic* system, they do not necessarily accept *one* specific response because they are aware of other reasonable (orthodox) responses, and they are *agentic enough* to feel able to reject their local rabbi's opinion, even as they submit to an alternative *halakhic* [legal] authority. This turns out to be a narrative common to several of the women interviewed regarding many ritual issues, and given that orthodox Jews' lives are saturated by obligation, it is the (almost) humdrum repetition of these experiences, which is of particular interest.

This example is evidence of a principle: namely, that not only do moments of the subversion of the expected religious public ritual performances of BOJW take place at all, even once, but that they perpetuate an ongoing and generative repetition of

performances, such that this particular religious ritual becomes a more ‘culturally intelligible’ expression of orthodox practice. For these women at this time and this place – the *Megillah* reading went ahead. But in their choosing to abandon their rabbi’s perspective, they influenced other women in other communities and they influenced their own rabbi and his family’s involvement in the reading (see below). Although they remained loyal to the *halakhic* [legal] system, they generated a space for a ‘permitted’ women’s *Megillah* reading as well as becoming themselves *a part of how the halakhic system functions*.⁵²⁸

What arguably adds credence to the theoretical relevance of personal experience, is Naomi’s description of how the chaplain’s wife responded to the women’s *Megillah* reading:

‘When in the end it did eventually happen, she came with her daughters, which was really nice. It was kind of saying, ok you’ve gone ahead and done this anyway; or... it was them saying, ok this is what’s happening and we’re going to be part of it.’ (NK, 29/10/14)

Thus, not only did the female students themselves go ahead and perform this pious act, but they enabled the chaplain’s wife and her daughters to themselves be a part

⁵²⁸ Compare with Mahmood’s description of the case of Abir, who chooses to follow her calling to *da’wa* (activities that urge fellow Muslims to greater piety). This calling is described as voluntary, whereas her obligation to obey her husband as obligatory. However, she nevertheless persists in pursuing *da’wa*, against her husband’s wishes. Mahmood suggests that ‘Abir’s divergence from approved standards of wifely conduct, therefore, did not represent a break with the signifying system of Islamic norms, but was saturated with them, and enabled by the capacities that the practice of these norms endowed her with.’ (Mahmood, 2005:178-180) [from Simmonds, L. (2009) *Female Agency in Biblical Narrative*; MSc Dissertation; LSE].

of this public ritual participation. This mechanism, the reflection back on to the very person, people or community who have thus far rejected the permissibility of women's active ritual participation, is tangible evidence of the continual shift in the lived experience of orthodox life, both in terms of religious practice and in the perception of those who participate in it. It is, arguably, the actualisation of *halakha* [Jewish law] as well as a consequential result of a struggle at a site of contestation, that simultaneously iterates submission to Jewish law and a change in communal practice.

In attempting to analyse the experience, I am struck by the women's insistence on going ahead with the ritual participation, against the local rabbi's ruling – and their ability to defend their decision as a legitimate performance of BOJW. They, I would argue, identify as BOJW, even as that identity with all its expectations, and cultural norms is held to account and found wanting. Through their decision to hold the *Megillah* reading, they re-imagine what it is to be a BOJW, how they need to perform that identity and were comfortable (enough) with the temporary precariousness of it. In disavowing their claim to this identity of a BOJW-as-*Megillah*-reader, their local rabbi's ruling is evidence of the inability to imagine BOJW-as-*Megillah*-reader; and this apparent incongruence of nomenclature is, I believe, what Butler argues is the concept of the unintelligible. This has an impact on the way we think about agency itself; for through the ritual participation of *Megillah* reading by some BOJW, the identity of BOJW shifts from being a static concept (with ideals, roles, expectations) to a work-in-progress, an ongoing achievement. This, argues Butler is 'the reconceptualization of identity as an effect,

that is, as produced or generated,' (Butler, 1990:201); which in turn, 'opens up possibilities of "agency" that are insidiously foreclosed by positions that take identity categories as foundational and fixed' (ibid). Thus, the BOJW who perform the *Megillah* have, over the last 19 years, shifted from being culturally unintelligible to their local rabbinic authority (and other members of their community) to becoming not only 'culturally intelligible' in some communities, but in others a model of orthodox Judaism to which to aspire.⁵²⁹ This shift in people's behaviour therefore, does not only have impact on their own religious lives, but the landscape of general orthodox Jewish practice: the more people involved and the more people exposed to this ritual practice, the more the practice becomes normative, and those who perform it more 'culturally intelligible' and contemporary models of orthodox ritual performance. Thus, through the destabilisation of the BOJW as fixed identity, recognition of BOJW-as-*Megillah*-reader is achieved.

3.3 PARTNERSHIP MINYANIM: INCLUSION and BELONGING

*Partnership Minyanim*⁵³⁰ [open-orthodox communities] are recently created orthodox communities in the UK (following on from their success in the States and Israel), which espouse a more liberal interpretation of Jewish law, sometimes

⁵²⁹ However, some BOJW carry with them the continued (year after year) disapproval of their local rabbis and community members, whilst persisting against normative orthodox practice to perform and thereby produce their own religious identity. Indeed, there are local rabbis who continue to express their disapproval by announcing in their synagogue-communities, on the *Shabbat* preceding Purim each year, that any woman who attends women's *Megillah* readings has not fulfilled their halakhic obligation to hear the *Megillah*, and should not attend. Naomi's experience with her local rabbi at university was for her a one-off event, but the antagonism and friction evoked by these halakhic negotiations is not always resolved, such that BOJW learn to live with the dissonance between themselves and their synagogue-communities as an ongoing complex relationship.

⁵³⁰ See: <http://www.kehillatnashira.org/what-is-a-partnership-minyan.html>; and see: APPENDIX 1, DEFINITIONS.

referred to as open-orthodoxy. Although they are considered outside normative orthodoxy, their membership is growing.⁵³¹ Chief Rabbi Mirvis stated that,

‘they “are contrary to *halacha* [Jewish law] and should not take place under the auspices of any of our United Hebrew Congregations”. In a letter sent to the “*Rabbanim* and *Rebbetzens*” of United Synagogue congregations, Rabbi Mirvis said his view was “one that is shared by every major *posek* [religious authority] in the Orthodox world and it is binding on our communities”.

(Sugarman, 2016)

In contra-distinction to Rabbi Mirvis, Rabbi Daniel Sperber,⁵³² the leading rabbinic authority who supports *Partnership Minyanim*, published detailed *halakhic* justifications for them.⁵³³ He begins by acknowledging that,

‘Since *partnership minyanim* see themselves as belonging to the orthodox community, and, on the other hand, they constitute a departure from the

⁵³¹ See responses from Chief Rabbi Ephraim Mirvis at: <https://www.thejc.com/news/world/chief-rabbi-mirvis-stands-%EF%AC%81rm-on-partnership-minyanim-1.147872> and from Rabbi Alan Kimche of the independent modern orthodox synagogue Ner Yisrael at: <http://rabbikimche.com/partnership-minyanim/>.

⁵³² Rabbi Dr. Daniel Sperber is President of the Institute of Advanced Torah Studies, Bar Ilan University, Israel and rabbinic consultant to *Partnership Minyanim* worldwide, as well as to the *Maharat* ordination Programme, NY (see Chapter Six). See, also: <http://www.kehillatnashira.org/what-is-a-partnership-minyan.html> for further information about his role in *Partnership Minyanim*.

⁵³³ See: See: APPENDIX 10.1; see also: <https://s3.amazonaws.com/images.shulcloud.com/708/uploads/Halakhic%20Justification%20for%20Partnership%20Minyanim.pdf>; and for further halakhic discussion, see: <https://www.dnoam.org/halakha>.

traditional orthodox congregational model, it is important that their congregants understand the elementary basis for their *halachic* legitimacy.’

As of writing there are six up and running *Partnership Minyanim* in and around London: Borehamwood⁵³⁴ (*Kehillat Nashira*), Finchley,⁵³⁵ Golders Green (*Kol Rina*),⁵³⁶ Hendon,⁵³⁷ the London *Partnership Minyan*⁵³⁸ and the North West London *Partnership Minyan*; they describe themselves as:

‘A prayer group that includes women to the fullest extent possible within the boundaries of Jewish law... Committed to observance of *halacha* [Jewish law], the traditional *siddur* [prayer book] is used; the *minyan* [quorum] is made up of ten men; women and men are separated by a *mechitzah* [physical barrier]...

[It is] a model followed by over 20 *minyanim* worldwide...

[It is] *halachically* sanctioned by the modern orthodox scholars Rabbi

Mendel Shapiro and Professor Rabbi Daniel Sperber’, and that,

‘[t]he *Partnership Minyan* is a space in which every effort is undertaken to

ensure that all the individuals present are valued for their ability to

contribute in their own ways to the *tefilla* [prayer]. Everyone is encouraged

⁵³⁴ See: <http://www.kehillatnashira.org>.

⁵³⁵ See: <https://finchleypartnershipminyan.com>.

⁵³⁶ See: <http://www.kolrinaminyan.com>.

⁵³⁷ See: <https://www.facebook.com/HendonPM/>.

⁵³⁸ See: <https://londonpartnershipminyan.wordpress.com>.

to be an active participant, whether leading a service or joining in the *davening* [prayer] from either side of the *mechitza* [separation].'⁵³⁹

The establishment of, and the flourishing of *Partnership Minyanim* is a significant example of generative agency. As explained, it sits within the disputing opinions of authoritative rabbinic leaders and its ongoing religious and cultural challenge is espoused by its own participants, the religious leaders who oppose or support it and the national Jewish media who keep the Jewish community abreast of these debates. Of my interviewees, five regularly attended a *Partnership Minyan*. Their experiences of frustration within their local synagogue-communities, with their local rabbis and with the constraints of the London *Beth Din*, and the way in which those frustrations mobilised them to intervene and create alternative pious practices are detailed below.

Dalia Weiss,⁵⁴⁰ originally from the States, is involved in both the education and ritual participation of British orthodox girls and women, as well as in her local *Partnership Minyan* [open-orthodox community]. I interviewed her at her home in London, where she lives with her husband and two children. Dalia spent several years living in Jerusalem, which has given her a broader view of the opportunities available to women in orthodox communities. Dalia explained that much of her religious participation in the UK began life as frustration,

⁵³⁹ See: <https://londonpartnershipminyan.wordpress.com>.

⁵⁴⁰ Dalia Weiss was interviewed on 27/11/14; for a detailed biography, see: APPENDIX 5, INTERVIEWEES [21].

'I started *Partnership Minyanim* because I'm frustrated. I'm frustrated by the architecture, by the lack of women's voices and their participation in the United Synagogue *shuls* [synagogues].' (DW, 27/11/14)

Similarly, Nathalie Jacobson⁵⁴¹ spoke of her frustrations of religious life in a United Synagogue community. I interviewed Nathalie at her home and she was the most informative about the shifts in practices over time in the UK orthodox Jewish community. Nathalie was brought up in a strictly orthodox home; her parents were members of one of the largest *Adath Yisrael shuls* [synagogue-community]⁵⁴² under *charedi* [ultra-orthodox] leadership. Nevertheless, she recalled her father always telling her to, 'have an open mind' which she fears may now come back to haunt him. She went through mainstream orthodox primary and secondary schooling system, which she commented left her little in terms of rigorous Jewish education and decided to leave for sixth form to attend a girls' independent secondary school. Nathalie went on to study theology at university, commenting that, 'I was really, really excited by the way I could study Judaism as something, a living religious to actually examine and try to make some sense of... to analyse and engage with critically' (NDJ, 16/09/14). Like Dalia, Nathalie mentions both the physical architecture of the synagogue as exclusionary, and the lack of 'women's voices':

⁵⁴¹ Nathalie Jacobson was interviewed on 16/09/14; see APPENDIX 5, INTERVIEWEES [11] for a detailed biography.

⁵⁴² See: APPENDIX 1, DEFINITIONS.

'I hate, detest, abhor, the ladies' gallery [balcony for women worshippers at some orthodox synagogues]⁵⁴³... it strikes me as the cheap seats in the theatre... the nature of the United Synagogue services, that it's more theatre rather than encouraging full participation. So when you're in the cheap seats your ability to even seek participation is limited. The appropriate term is disenfranchised, wholly disenfranchised in *shul* [synagogue]' (NDJ, 16/09/14)

Nathalie spoke strongly of her feelings towards synagogue architecture and she neatly parallels architectural distance from synagogue ritual action with voicelessness: that the (physical) distance from the action, might also distance one's commitment, and thus the loss of belonging as a member of the community. It is interesting to note that amongst other issues, the very architecture of the synagogue moves Nathalie to create (with others) a new synagogue-community, specifically intended to include BOJW not only as ritual participants, but as ritual participants who can be heard. In light of Spivak's⁵⁴⁴ work on the subaltern, I use voicelessness here intentionally – as a measure of personhood, subjecthood and in this case identity as a British orthodox Jew. The gendered nature of this identity correlates with the gendered voicelessness experienced by Nathalie and others, and '[i]f in the context of colonial production, the subaltern has no history

⁵⁴³ Ladies' Gallery: balcony for women worshippers at some orthodox synagogues, used as a form of separation between men and women during synagogue services. The balcony is based on the structure built in the Jerusalem Temple for the *Simchat Beit haSho'eivah* [water-drawing ceremony] during *Sukkot* [Festival of Tabernacles]. See: APPENDIX 9.7.

⁵⁴⁴ Spivak, G. (1988) 'Can the Subaltern Speak?' in *Marxism and the Interpretation of Culture*; Urbana, University of Illinois Press.

and cannot speak, the subaltern as female is even more deeply in shadow...'

(Spivak, 1988:28), so too here – where voicelessness becomes a function of identity of the BOJW.

Dalia too collaborated with friends and colleagues and helped set up two *Partnership Minyanim*; this in addition to her professional and family commitments; indeed, she stood out as a BOJW who puts an enormous amount of her resources into generating spaces for BOJW to participate in orthodox Jewish life. Dalia exemplifies taking ownership of a frustrating situation, intervening and creating a space where she can practice pious acts in a state of belonging, rather than exclusion. Specifically, she spoke of her experience of the *Megillah* readings at the *Partnership Minyan* communities:

'I read the *Megillah* and I do know how to *lein* [chant from a ritual scroll]... I think that reclaiming the public space gives everyone a sense of ownership, in their *tefillah* [prayer] and, therefore in their Jewish Life.' (DW, 27/11/14)

She stressed the impact she feels these communities have on women's religious experiences through their performance of public religious ritual, saying that,

'I do get very excited by getting other people to do things, for example, girls to sing *anim zemirot*,⁵⁴⁵ for them to take responsibility... I regularly lead the

⁵⁴⁵ A song during the Shabbat morning service, traditionally sung by one or a group of boys under *Bar Mitzvah* age.

children's service, which I think is valuable for kids to see both women and men... I think it has a nice dynamic.' (DW, 27/11/14)

Dalia focuses on the 'doing things', which I alluded to in this chapter's introduction. The act of actually doing, of participating in producing one's religious self is fundamental to the religious ideals of the *Partnership Minyanim*; active participation of BOJW is *the* point of divergence from other normative orthodox communities. Furthermore, Dalia's experience, substantiates the argument that one woman's performance of a public ritual does not merely transform her own intelligibility within her specific British orthodox Jewish community, but serves as a model of, as well as normalising possible religious performances for other BOJW and significantly, children.

Atalia Fairfield,⁵⁴⁶ who was brought up in a *charedi* [ultra-orthodox] community, before moving to London, was similarly frustrated with her level of ritual participation at her local synagogue-community. Although she is a member of a modern orthodox synagogue-community, she is also a very active participant of her local *Partnership Minyan*, where she *leins* [chants from the *Torah*]. Atalia is also a regular participant of a high-level women's *Gemara shiur* [*Talmud* class] and of her local women's *Megillah* reading. Atalia spoke movingly about the change in her conviction towards her religious life, inspired by her active participation in pious acts:

⁵⁴⁶ Atalia Fairfield was interviewed on 24/10/14; for a detailed bibliography, see: APPENDIX 5, INTERVIEWEES [8].

'I definitely feel that my own increased participation has increased my own, I wouldn't say commitment, because I was already committed, but my drive and my spiritual-ness; just being enthused to carry out *mitzvahs* [commandments]' (AF, 24/10/14)

This enthusiasm is encouraging in terms of what the performance of pious acts does to a religious person's inner convictions and desires. In this case, her religious identity is a goal towards which participation assists; in other words, participation is a teleological pursuit, fuelling the enthusiasm to carry out all obligatory commandments. Atalia's experience in active participation generates in her the desire to continue her religious journey with enthusiasm, rather than being a goal of that desire.⁵⁴⁷

Lastly, I bring an example of the joy which active participation brings to BOJW who perform pious acts at the *Partnership Minyanim*. This joy was most profoundly felt on *Simchat Torah*, which, given the interviewees experiences detailed above, is unsurprising. Naomi Kory⁵⁴⁸ describes her first experience at a *Partnership Minyan* on *Simchat Torah*:

⁵⁴⁷ This has resonance with Mahmood's description of Muslim pietist Mona: 'Of significance is the fact that Mona does not assume that the desire to pray is natural, but that it must be created through a set of disciplinary acts. That is to say, desire in this model is not the antecedent to, or cause of, moral action, but its product.' (Mahmood, 2004:126).

⁵⁴⁸ See *Megillah* readings above; Naomi Kory was interviewed on 29/10/14, see APPENDIX 5, INTERVIEWEES [15] for a detailed biography.

'On *Simchat Torah* which we've had just now, that was a very different *Simchat Torah* to any I've had before. We had a *Sefer Torah* [Torah Scroll] in the women's section; we danced with it. I led a *hakafah* [circuit]... women had a very similar, if not identical, role to men when it came to the *hakafot*... And *leining* [ritual chanting]. We had a *Kallah Bereishit* [lit. bride of the beginning], as well as a *Chatan Torah* [lit. groom of the Torah].' (NK, 29/10,14)

We can see from this example that the active participation in ritual produces the joy, appropriate for the festival. Naomi's decision to create an alternative space for pious practice is substantiated by the pleasure of what she can achieve within it as a religious subject. She goes on to consider how the choice to create a *Partnership Minyan* and to be an active participant in pious practices impacts on her identity as a religious Jew:

'To be able to do that, in an orthodox framework where I don't feel like I'm... having to leave the Judaism that I know and love in order to get that participation and ritual; that's been exactly what I've wanted. It's been wonderful to have those opportunities through the *minyan* [*Partnership Minyan*] we created...

In most *shuls* [synagogues], the men are the concert and the women are the audience; in a *Partnership Minyan* [open-orthodox community] everyone is the concert and *HaShem* [God] is the audience.’ (NK, 29/10/14)⁵⁴⁹

Naomi’s remark of ‘everyone is the concert’ is a useful metaphor for thinking about BOJW’s public participation in religious ritual. It corresponds to many comments about being part of the public action, rather than an onlooker, and feeling that one’s local synagogue is a space where BOJW too feel included and that they belong. Additionally, her mentioning God as part of the proceedings is indicative, that for her, the entire exercise is about expanding her religious experience in order to enrich her relationship with her God. She uses common religious tropes associated with traditional orthodox communities, emphasising their love of doing God’s will (not their own) and that ‘God is the audience’ to every act of piety. According to Naomi, her performance of ritual participation is strictly directed at this relationship and it is therefore arguable that her ‘desire’ is exactly what one might assume the rabbinic leadership also desire for women (and men) of their congregation. However (ironically), it is exactly this (unmet) desire which has prompted Naomi (and other BOJW) to move outside of (or ignore) the legislative power of their normative local rabbinic authority in order to generate an identity of BOJW with which she is religiously comfortable (i.e. orthodox) *and* spiritually fulfilled. These examples re-iterate the sense of action, the personal and communal generative agency which manifests itself in a change of the entire British orthodox

⁵⁴⁹ Compare Naomi’s words to Hampson’s (1990:85) ‘Women are disrupted in their worship by the masculinity of the religion to the point where it ceases to be for them a vehicle through which they can love God’.

landscape. These new synagogue-communities continue to grow and represent not only the frustration of many BOJW (and men) but the ability for religious subjects to *act-out* of one religious community in order, and for the specific purpose of, *acting-in* to another. They refuse to give up their claim to an identity of a BOJW, but insist on changing its meaning, its boundaries, its associations and its practices.

CONCLUSION

The six current *Partnership Minyan* communities in the Greater London area (since their establishment), have caused much consternation from the mainstream orthodox communities; the Office of the Chief Rabbi has been particularly vocal, writing in 2016: 'It has always been my view that such services are not *halachically* [sic] sound.' Nevertheless, Chief Rabbi Mirvis stated, that although he considered the services themselves unacceptable, he had 'every respect for participants of such services, who are cherished members of our communities'⁵⁵⁰ (Sugarman, 2016). Indeed, there are members of modern orthodox and mainstream synagogue-communities who also attend a *Partnership Minyan*, either regularly or infrequently, and retain allegiance to both.⁵⁵¹

The general authoritative opinion from the mainstream and *charedi* community is that *Partnership Minyanim* are an aberration of Jewish law and will never be acceptable within contemporary normative interpretation of *halakha* in the UK.

⁵⁵⁰ See: <https://www.thejc.com/news/world/chief-rabbi-mirvis-stands-firm-on-partnership-minyanim-1.147872>.

⁵⁵¹ Recently, Naomi Kory, a founder member of a *Partnership Minyan*, was (re-)allowed to speak at her local orthodox United Synagogue, the community in which she grew up, after being banned for several years.

This is based on the current majority *halakhic* [legal] opinions regarding: the separation between men and women [*mechitza*], women's participation in leading prayers and reading from the *Torah* scroll [*leining*], and women delivering sermons during the *Shabbat* [Sabbath] or Festival morning service. There are a variety of *halakhic* opinions with regard to *mechitza* [separation] and women giving sermons – and in several United Synagogues a more lenient approach has been taken to allow for a less obtrusive and obstructive separation,⁵⁵² and for women to be invited to speak to the congregation on Sabbath mornings.⁵⁵³ However the issue of women leading services or chanting from the *Torah* scroll is far more controversial.⁵⁵⁴ Sufficed to say that as of writing, this is considered outside the bounds of mainstream orthodox Jewish thought and practice, and as such, is viewed spuriously by both the rabbinic authority and much of its membership. What is obvious from these four concerns is the gendered nature of the *halakhic* issues with regard to *Partnership Minyanim* – all of them relate to how (and if) women perform religious ritual, or to how men and women are separated for the synagogue prayers. Seeing women's bodies, hearing women's voices and women performing leadership roles are the observable thread which connects all of the

⁵⁵² For example, Radlett United Synagogue, on building their new synagogue in 2013 took great pains to include the men and women of the community to share their ideas (and concerns) with the architects and worked hard to find a solution that was mutually acceptable to both them and the rabbi.

⁵⁵³ Hampstead United Synagogue encourages women to give a synopsis of the weekly portion read from the *Torah* scroll on Shabbat mornings. Additionally, it created the position of (female) Scholar-in-Residence in 2015 and one of her responsibilities is to speak to the congregation on *Shabbat* morning, although after prayers have ended.

⁵⁵⁴ For a detailed account of the *halakhic* [legal] views see: Sperber, D. (2002) 'Congregational Dignity and Human Dignity: Women and Public Torah Reading' in *The Edah Journal* 3(2) here: http://www.edah.org/backend/JournalArticle/3_2_Sperber.pdf; or Shapiro, M. (2001) 'Qeri'at ha-Torah by Women: A Halakhic Analysis' in *The Edah Journal* 1(2); see: http://www.edah.org/backend/journalarticle/1_2_shapiro.pdf; or Wolowelsky, J. (1997) *Women, Jewish Law and Modernity: New Opportunities in a Post-Feminist age*; KTAV Publishing House; and the subsequent responses.

rabbinic concerns, but which also underpin the history of the *Partnership Minyanim* (hence their appellation) – a synagogue-community within which women can participate as much as possible according to a minority interpretation of *halakha* [Jewish law].⁵⁵⁵ These communities continue to gain momentum in the UK and have clearly offered both a spiritual and physical location for those committed to orthodox Judaism, but who can no longer tolerate the frustrations and limitations they experience in mainstream orthodox ritual practice, especially within the synagogue space.

Whilst there is no question that in the UK in 2019, *Partnership Minyanim* are considered transgressive by the mainstream orthodox community, they may characterise, to some extent, the ongoing machinations of the Jewish legal system.⁵⁵⁶ Indeed, Ross suggests that it is feminist orthodox women and their reflections and experiences which mean they are very well equipped to negotiate these legal quandaries (as well the pragmatic day-to-day negotiations mentioned above), '[p]recisely because they are the ones who have been forced to the greatest extent to develop concrete ways of reconciling these loyalties *within* the tradition.' She continues, 'the potential for engendering classical *halakhic* [sic] development lies largely in their hands. Able to approach *halakhah* [sic] critically without rejecting it and to manipulate a viable position for themselves within it without abandoning its internal vocabulary, they are the ideal formulators of new legal meaning' (Ross, 2004:172). The loyalties to which Ross refers are referred to

⁵⁵⁵ Ross, 2004:97.

⁵⁵⁶ See for example: <https://cross-currents.com/2011/09/27/modern-orthodoxy-at-a-crossroads-2/>.

by many of the women interviewed – their commitment to orthodox Judaism and the context of modernity in which they live and experience their Jewish lives. The agency invoked in this process of negotiation and the contingency invoked by *halakha* [Jewish law] work to generate new ways of living orthodox Judaism to which Nathalie and others ascribe, and this progression is indicative of the ways in which frustrations are both borne and evoke creativity within a religious life. Similarly, these loyalties are observed by Armour et al., in their reading of Mahmood, suggesting that, ‘if one considers Saba Mahmood’s fine analysis, then we can see that she is tracing the development of schools of interpretation within the mosque movement in which women actively offer models of interpretation that *at once conform* to Quranic law *and innovate* precisely on the question of what it means to conform, how best to conform, and *how to reconcile such conformity with secular demands* that emerge from the workplace and wider market realities. They are simultaneously conforming to and restaging that doctrine, “working the norm,” and thus making it generate new possibilities’ (Armour et al, 2006:286; *italics mine*). The creation of a whole new network of orthodox communities is a seminal site of religious contestation. Personal religious requirements become communal ideals, and personal experience creates new synagogue practice. To emphasise the theoretical importance of this phenomenon: cultural shift is happening on the ground in synagogue practice, in the media and within inter- and intra-communal conversations. Through this process, the definition of orthodoxy is called into question, as are the identities of those who choose to participate in these religious ritual services. The BOJW, her physical location within the synagogue, her status in terms of ritual participation, and her identity as an orthodox Jew are all called into

question, re-ascribed and generated anew through this process of synagogue-community-building. It is perhaps this fragility of identity that has driven the concern of the more conservative Jewish communities with regard to *Partnership Minyanim*. The precariousness of BOJW's identity, especially in the public sphere, undermines the apparent (and desired image of) stability of the Jewish community, the (superficial) steadfastness of the Jewish home and the absoluteness associated with the traditional trope of the ideal (and fictitious) Jewish woman.

4. GENERATIVE PRACTICES: DOMESTIC RITUAL PARTICIPATION

In the introduction of this chapter, I emphasised on the fact that domestic ritual does not mean private ritual, since there is often so much social, political, religious and communal sharing of customs and ideas with other members of the community, around the *Shabbat* table or on other festive occasions, in individual homes. *Domestic ritual* then refers to ritual taking place in the home, but belies the communal space that private homes often play, the domestic microcosm of public ritual. In other words, it shifts from being a moment of personal or private ritual and becomes a recognisably religious act within the domestic sphere, which resonates beyond its private space. What happens in some homes influences what happens in others – both in terms of women's restrictive ritual participation or alternatively, women's active participation. Either way, communal norms and expectations move from person to person, from home to home, into the wider community, and sometimes into the public space of school, synagogue or cemetery. For some BOJW interviewed, what goes on in the synagogue is not an essential

device in the establishment and preservation of identity. Indeed, the fear of disruption of public ritual space might be completely inconsequential to the unhindered flourishing of religious self in the space of private domestic ritual, as related by a number of the participants. Nonetheless, several other participants were keen to state that the struggle to identity is complicated by gender norms and expectations even in the private space of home, and they have found themselves being questioned by visitors and guests as to the *halakhic* [legal] integrity of their domestic rituals.

4.1 CHOOSING NON-PARTICIPATION in PUBLIC RITUAL

THE NON-PARTICIPATION in PUBLIC RITUAL

Some interviewees made a clear distinction between the need for a much better religious education and the need for women's performance of public ritual, explaining that some BOJW, '... are generally more comfortable in traditional roles. But there is also a difference between the pursuit of knowledge and ritual participation' (AV, 10/07/15). Avivah Vecht⁵⁵⁷ works in the charity sector, and although she advocates tirelessly for BOJW's better education, ritual participation and positions of leadership, she is acutely aware of the diversity of needs of BOJW – although they may have a very specified cultural label, their needs, aspirations and performances vary widely (Phillips, 2007). For her, public performance of ritual occupied a very different space from that of religious education. The latter was presumed to be something that ought to be accessible to all orthodox Jews,

⁵⁵⁷ Avivah Vecht was interviewed on 10/07/15; see APPENDIX 5, INTERVIEWEES [19] for a detailed biography.

regardless of gender and regardless of their perceived motivation, however, she commented that some BOJW feel that taking on a public role of ritual participation was considered unnecessary in terms of religious identity, and sometimes inappropriate. Consequently, the consideration of non-participation in public rituals contextualises the generative piety examined in the previous section, as well as the subversive generative domestic pious acts which follow.

Fiona Admor,⁵⁵⁸ is a mother of three young children, and her husband is an active rabbinic figure within her local community. She is 37 and has a career in social work; we met at her home one evening after work, whilst her children slept. We chatted considerably about her upbringing in the States, which was marked by both her parents being immigrants to New York. Whilst at university, Fiona went to study in seminary in Israel, and she spent all of her summers there. After graduating, she went back to seminary for another year, which is where she met her husband who was training to become a rabbi, and she told him explicitly that she did not want any leadership role in the Jewish community, and on their return to the UK she has no formal role in the orthodox community. She carefully explained her stance:

‘I don’t like to do anything publicly, in terms of ritual... and I don’t know if that’s because I’m self-conscious (a) as a person or (b) perhaps because I’m married to a rabbi, and perhaps people would look at me and then deduce

⁵⁵⁸ Fiona Admor was interviewed on 16/09/14; see APPENDIX 5, INTERVIEWEES [1] for a detailed biography.

that's the way it should be done, or shouldn't be done. I don't know what to attribute it to...' (FA, 16/09/14)

But additionally, Fiona explained that her religious life is very personal and private, explaining that, 'for me, ritual is much more meaningful when I'm alone' (FA, 16/09/14); and this comment is similar to Naomi's above when she described God being 'the audience' to her ritual participation. It is a fascinating parallel that in one case, the active and equal public participation makes the religious experience a deeper and more real one for Naomi, whereas in attempting to create meaningful ritual and a deeper relationship with God, Fiona wants to be alone. The comparison of these two experiences highlights the impossible task in making any assumptions about the meanings of, and reasons why, people choose to perform ritual performances in the way they do (Avishai, 2016).

Similarly, Batya Epstein⁵⁵⁹ has chosen not to participate publicly in many synagogal public ceremonies, and she expressed her dislike for being in the public eye, although she made clear that she encourages others in her community to take part in their women's *Megillah* reading, for example. Batya works full-time in the medical sector, in addition to bringing up her five children and her role as *rebbetsin* [rabbi's wife] at her husband's modern orthodox synagogue-community in North-West London. Now, 51, she was brought up in the States, in a family who affiliated

⁵⁵⁹ Batya Epstein was interviewed on 29/10/14; for a detailed biography, see: APPENDIX 5, INTERVIEWEES [6].

with the American conservative movement⁵⁶⁰. Batya recalled that in her late teens she decided that when she went to university she wanted 'to keep *kosher* and become more religiously observant'. After completing her undergraduate degree, she spent several years studying in seminaries in both the US and Jerusalem, where she eventually met her husband; they moved to the UK in 1995. We have been friends for many years and we share a passion for bettering orthodox girls' religious education in the UK. In fact, Batya's many years in several religious seminaries meant she was far more religiously knowledgeable than all my other interviewees, yet her religious education has not led her to feel that she wants (or needs) to participate in public ritual, repeatedly emphasising,

'I think we need more women learning *Torah*, I think we need more women sharing that knowledge' (BE, 29/10/14).

On being asked about ritual, Batya only mentioned her acts of private ritual; and although she said, 'I do go to *shul* [synagogue] every *Shabbes* [Sabbath]' (BE, 29/10/14) it was in the context of her privately praying when she arrived and greeting new and familiar faces, in her role as *rebbetsin* [rabbi's wife]. Arguably, Batya is an example of someone who embodies how public religious ritual is not a substitute for robust religious knowledge or domestic religious practice, but simply

⁵⁶⁰ Conservative Judaism: defined by the Jewish Theological Society's (JTS) website as, 'a unique blend of fidelity to Jewish tradition and thoughtful responses to modernity'. In the UK, the most comparable movement is the Masorti [Traditional] Movement, founded by Rabbi Dr Louis Jacobs after his fracture with the United Synagogue and Jews' College in 1964; see: https://masorti.org.uk/newsblog/newsblog/news-single/article/the-jacobs-affair.html#.XNrolmVF_I.

another alternative for personal religious flourishing through performance. As Mahmood (2005) similarly notes with regard to Egyptian women's piety: '...the space of ritual is one amongst a number of sites where the self does to acquire and give expression to its proper form' (Mahmood, 2005:131)

Wendy Stein,⁵⁶¹ a stay-at-home mother, and member of a modern orthodox community, expressed her preference not to take part in public pious acts, and was particular to mention that she does not feel excluded in *shul* [synagogue]. She was interviewed at her home in North-West London whilst her four children were at school, and after her interview we continued to chat informally about her religious journey to orthodoxy. At about 16, Wendy decided she wanted to *keep Shabbat* [observe the Sabbath] and her commitment to orthodox Judaism grew over her university years; in fact, she commented that the increased availability of Jewish classes in the London area and on UK university campuses had had an impact on many of her friends' religious observance. On being asked about ritual participation, Wendy talked a lot about her experience of the synagogue as a child and she remembered standing next to her father, watching him sway whilst he prayed, something she says, she now practices whilst she prays. She attends '*shul* every *Shabbat* and *Yom Tov* [festival]'; commenting,

'I don't feel excluded, I know that many women do feel excluded, and I don't. Actually I'm quite comfortable sitting in *shul* [synagogue] where I sit,

⁵⁶¹ Wendy Stein was interviewed on 17/09/14; for a detailed biography, see: APPENDIX 5, INTERVIEWEES [18].

watching everything. And, joining in, in my way, singing, and I do sing. And it doesn't bother me; I know it bothers a lot of people.' (WS, 17/09/14)

Similarly, Xandy Engelberg,⁵⁶² a member of a *charedi* [ultra-orthodox] community, commented on her feelings about what a synagogue-community means in terms of her own religious identity. Now 52, Xandy was brought up in a small village in South Africa and she describes her upbringing as, 'very spiritual, but not at all religious'. Although her parents were part of the Reform Movement,⁵⁶³ she became a more committed orthodox Jew in her late teens. Xandy remarked that she was never a person who did things in half measures, so if she was going to become more religiously observant, she was going to go the whole hog – and in so doing, she also influenced both her parents' and sisters' commitment to *halakha* [Jewish law], and they are all now practicing orthodox Jews. She commented specifically that this transformation was particularly difficult for her mother, who she described as, 'a very powerful feminist.' I interviewed her at her home, whilst her youngest children were at school, and hers was the longest interview, lasting well over ninety minutes. She espoused similar views to Wendy (WS, 17/09/14), but also claimed that,

⁵⁶² Xandy Engelberg was interviewed on 26/04/15; for a detailed biography, see: APPENDIX 5, INTERVIEWEES [5].

⁵⁶³ The Reform Movement, UK is also called the Progressive or Liberal movement, and is defined as a non-orthodox theology of Judaism, which rejects the adherence to the *halakhic* [Jewish legal] system. Its website states that it: 'treasures both Jewish tradition and Judaism's ability to evolve in response to the contemporary world; promotes a life of integrity based on a process of informed decision making; it makes an uncompromising commitment to gender equality and inclusion, responding to the changing realities of our community; seeks out new opportunities and spaces in which to welcome and engage with members, unaffiliated Jews and those with non-Jewish partners; is committed to Israel and the pursuit of peace; democracy; human rights and religious pluralism and means building a just society through social action and tikkun olam, repair of the world.' See: <https://www.reformjudaism.org.uk/about/> for further details.

'Christianity [made] the church the centre of the religion. Whereas for us, *shul* [synagogue] is just something that men really need... A boys' club.' (XE, 26/04/15)

With this statement, Xandy highlights her own exclusion within her local community, calling it 'a boys' club'. I do not know whether she was *describing* the current status quo, or *prescribing* an ideal something she thought *shul* [synagogue] ought to be; but it was clear that she had little expectation of being any part of performing ritual participation publicly there, or that she wanted (or needed) to. She also mentioned how her mother found this particularly difficult,

'She [Xandy's mother] constantly asks me how do you accept a *shul* [synagogue] where you can't do those things? And I keep telling her, "*well that's not what I want to do*".' (XE, 26/04/15)

What Xandy expresses clearly is that non-participation is a choice she has made, even when she is questioned and pressured by her own mother. She reflected the sentiments of several of the BOJW participants, that their Jewish ritual practice revolved around their homes and they felt strongly that their choice to maintain their religious commitment in private was a valid choice, an acceptable choice, and a valuable choice of religious significance.

THE ACTIVE PARTICIPATION of TRADITIONAL DOMESTIC RITUALS

Moreover, even those BOJW interviewed who did not argue for non-participation in public ritual, made very clear that most of their pious practice goes on at home.

Wendy Stein⁵⁶⁴ went on to describe what she considered her enabling 'role' as a BOJW, a question I did not ask her, but an expansion which she, nevertheless, chose to share:

'I feel that my role is to provide the wherewithal for everyone in my family to perform all the rituals: make *Seder* [ritual evening meal on *Passover*], make sure that everything is there for all the upcoming *chagim* [festivals].'

(WS, 17/09/14)

I was careful not use the word 'role' in my interview questions at any point, so that the interviewees focussed on pious acts themselves, rather than a specific identity they felt committed to embody, or reject. Yet, the word role was brought up frequently, and especially in the context of public vs domestic rituals. Arguably, this highlights how the performance of public ritual is measured, to some extent, against the 'enabler' role in this example. These roles, of course, are not mutually exclusive, but Wendy's comments suggest that her identity as BOJW is bound up with her family commitments and not measured or produced through public pious acts. (Whether or not 'enabler' itself can be constituted as a pious act is beyond the

⁵⁶⁴ Wendy Stein was interviewed on 17/09/14; for a detailed biography, see: APPENDIX 5, INTERVIEWEES [18].

scope of this research, but as religious identity and as intelligible BOJW, the homemaker plays a vital role.)

Two interviewees mentioned the burden of private ritual being weighty enough, such that they did not have either the time or the desire to take on more, specifically public, religious rituals. Esther Epstein,⁵⁶⁵ a *rebbetsin* [rabbi's wife] of a *charedi* [ultra-orthodox] synagogue-community stated that her ritual participation was exclusively at home, and that she did not feel this as exclusion. As well as having a full-time career in education, Esther contributes alongside her rabbinic husband to their congregation. I have known Esther for many years in her position as *rebbetsin* [rabbi's wife] and we have had many conversations about feminism and orthodoxy, women and gender stereotypes. Esther and I have very different religious perspectives, but we have managed to maintain a healthy tone of disagreement during our long-standing friendship; I wanted especially to hear her views about the issues raised in this research. She is 44, and her adult children have now moved out of the family home and she has several grandchildren. When asked about ritual participation, Esther stated that,

'rituals at home are adequate and more than enough for women of my background. I do not feel I have a lower role; I have a different role and focus. There are plenty of rituals... so there's no need to feel subservient or

⁵⁶⁵ Esther Epstein was interviewed on 23/07/15; for a detailed biography, see: APPENDIX 5, INTERVIEWEES [7].

inadequate and none of my daughters have ever expressed...

dissatisfaction.’ (EE, 23/07/15)

Indeed, Esther goes on to contextualise her satisfaction with private ritual in her *charedi* [ultra-orthodox] upbringing, and has actively chosen to perpetuate that education, expectation and experience for her daughters also. And, it seems to have worked – according to Esther, they have not expressed dissatisfaction with their upbringing and its demands; in fact, on writing, three out of her three daughters have gone on to create very similar family structures and gendered religious practices. Moreover, Esther goes on to suggest that she finds it demanding enough to manage all that is required of her in terms of private ritual, and that taking on public ritual participation would simply hinder her ability to do what she does already: ‘I’m not looking for anything more, I wish I could keep it all the way we’re supposed to!’ (EE, 23/07/15).

Similarly, Heather Keen,⁵⁶⁶ a mother of three children and professional in the NGO sector, responded to my question on ritual participation by detailing her many domestic obligations as a BOJW. This interview was one of the longest, lasting almost an hour and a half. Heather has shifted her orthodox allegiances over time, and although she and her husband originally joined a *charedi* [ultra-orthodox] community, they have subsequently become members of a modern orthodox synagogue-community in the same neighbourhood; she is also a member of the

⁵⁶⁶ Heather Keen was interviewed on 20/07/15; for a detailed biography, see: APPENDIX 5, INTERVIEWEES [14].

Mishnah Chabura. Heather brings to the fore the centrality of domestic pious rituals, specifically *Hilkhot Niddah* [Laws of the Menstruant Woman].⁵⁶⁷ All the married BOJW I interviewed strictly observe these laws, and I detail them to give a flavour of the time-consuming nature of this (amongst many) domestic ritual. During menstruation and for some time following a husband and wife must have no physical contact whatsoever; this means a separation of beds, no sharing of food and no touching. Orthodox women are tasked with ensuring the cessation of bleeding after five days from its commencement, which requires twice-daily internal checks with white cloths; and after seven days of ‘no bleeding’, she immerses in a *mikvah* [ritual pool].⁵⁶⁸ The preparation on the day of this immersion is very time consuming, as she has to ensure that there are no physical ‘barriers’ between her and the *mikvah*. This requires taking off all jewellery, removing nail polish, washing and combing all bodily hair etc. These details reflect what the BOJW interviewees claim when they suggest that domestic rituals are more than enough. They are not referring to housework and childcare (although this may also be their responsibility), rather they are specifying ritual obligations which fall on them. This matters because in order to contextualise their choice of non-participation of public ritual, we need to more fully understand what domestic ritual entails.

Additionally, like Wendy (above), Heather also enables her home to run smoothly, regulated to the cyclical rhythms of *Shabbat* and the festivals, ensuring they can all

⁵⁶⁷ For further information about the laws of Taharat haMishpacha [family purity] see: Zimmerman, D. (2011) *A Lifetime Companion to the Laws of Jewish Family Life*; or see: <http://www.yoatzot.org/taharat-hamishpacha/default.asp?id=556>; and APPENDIX 1, DEFINITIONS.

⁵⁶⁸ Mikvah: most synagogue communities have access to a local ritual pool. See: <https://www.theus.org.uk/mikvaot>.

be celebrated with the necessary religious requirements. Her response to my question about ritual, exemplifies these responsibilities:

‘I run my home; I run my knickers (alluding to the laws of *niddah*); I make sure my kids have done x, y and z. *I’m the Jewish woman as a cornerstone thing.*’ (HK, 20/07/15)

Her comment of ‘a cornerstone thing’ is similar to Wendy’s ‘enabler’ comment above – ensuring that everyone at home is taken care of, and that everything related to Jewish ritual in the home is organised and fulfilled.

These examples of BOJW’s engagement and relationship with domestic rituals, do not *preclude* participation in public ritual, but they give a context as to why some BOJW do not feel the need to perform public ritual acts; demonstrating that, the will to contest *or* perpetuate one’s identity might just as easily be negotiated at the kitchen table as it is at the synagogue service; and for some BOJW, this is clearly the case. I am conscious of two factors that impact on this choice of non-participation in public ritual that these BOJW have made. The first is a communal one, highlighted by feminist-activist Avivah Vecht⁵⁶⁹ who noted that, ‘within the more progressive elements, women are shamed if they don’t want to participate’ (AV, 10/07/15). Avivah suspects there is a backlash within the more progressive orthodox communities, whereby a BOJW who claims to be either satisfied with her

⁵⁶⁹ Avivah Vecht was interviewed on 10/07/15; see APPENDIX 5, INTERVIEWEES [19] for a detailed biography.

ritual participation, or is uncomfortable with participating in public ritual performance, is made to feel as though she has shown disloyalty to BOJW who are working extremely hard to generate them. As Avivah emphatically states, the pressure to perform public ritual by those others who have decided it is a necessary function of being a BOJW in the 21st century, jeopardises the subjecthood of those BOJW who strongly disagree. Indeed, some interviewees were frustrated by the expectations from other BOJW (or communities) who made assumptions about their desire not to participate in public rituals, and they made it explicit that they had a choice and they had deliberately chosen not to.⁵⁷⁰ Indeed, this plays into the second factor that impacts on this choice of non-participation in public ritual by BOJW, a theoretical concern. Feminist theorists have written widely on the problem of 'choice'; some suggesting its questionable inherent apologetics, 'as evidence of victim status or illustrating their false consciousness' (Casanova et al., 2009:42); others are frustrated by the presumption of delusion, 'when they express loyalty to their religious community' (Feldman, 2011:176);⁵⁷¹ and further others, who are, 'uncomfortably conscious of the difficulties of saying what does then count as authentic choice... and who would ever be in a position to know' (Phillips, 2001:262-263).⁵⁷² Do those who render BOJW who choose not to participate in public ritual as disloyal, ignore the importance and religious value of what BOJW have traditionally provided and, contemporarily many BOJW choose to continue to provide in the domestic setting as 'bearers of religious life'; are they erasing that

⁵⁷⁰ For example Xandy Engelberg's reference to her conversation with her mother (26/04/15).

⁵⁷¹ In her argument against Okin, 1998.

⁵⁷² As Berman states, '[o]ur apologetics have relegated women to the service role; all forces of the male dominated society were brought to bear to make women see themselves in the way most advantageous to men.' (Berman, 1973:4).

contribution, claiming that only that public ritual participation is of religious value and meaning? When Susannah Heschel (1995) speaks of, 'an erasure of Jewish women's lives', she is concerned that domestic pious practices are deemed less religiously valuable than those performed in the public sphere, and I too am concerned with this possible reading of my chapter. Several BOJW interviewed clearly stated that their religious needs and their identity as BOJW, was fulfilled (entirely) through domestic rituals. Furthermore, BOJW had the opportunity to pray, learn *Torah*, visit ill members of the community, cook for the needy members of the community and volunteer – at times which fit in with their domestic arrangements; and several of the BOJ women described how this set up enabled them to flourish spiritually *precisely because* they were not bogged down by the specific time restraints of public ritual obligation.

4.2 SUBVERSIVE PIOUS PRACTICES: *KIDDUSH*, *HaMOTZI* and *ZIMUN*

Nevertheless, some of the BOJW interviewed, choose to participate in religious rituals at home, which traditionally have been performed by men – and, as explained earlier, the domestic sphere can function a microcosm for the public space, frequented by visitors and community friends – a space for generative intervention and influence. A number of the BOJW interviewed described their participation in these private rituals, and how their domesticity did not lessen the disruptive impact on their intelligibility within their orthodox communities, or on their identity as a BOJW. Several Sabbath meal rituals were repeatedly mentioned, including: *Kiddush* – the blessing over wine at the beginning of the Sabbath meals, *haMotzi* - the blessing over bread at the beginning of the Sabbath meals, and the

making of a women's *Zimun* – one woman leading a group of three women (and any others present) to recite *Birkhat HaMazon* [blessing over a meal] with them.⁵⁷³

Kiddush is the blessing made over wine (or grape juice) to sanctify the Sabbath.⁵⁷⁴

This is done on Friday night, at home, around the dinner table, before the meal is eaten and is traditionally recited by the man of the household (if there is one).

Kiddush on a Saturday is often made in synagogue after morning prayers, and will be recited by the rabbi, after which a buffet of cakes and drinks is usually served.

Additionally, *Kiddush* is made before Shabbat lunch, at home, if anyone present has not yet heard it recited and, similarly, it is traditionally said by the man of the

household (if there is one). Once everyone has heard *Kiddush* (at either meal), they get up from the table and ritually wash their hands before eating bread. Between

the washing of the hands and the eating of bread, people sit and wait in silence.

Traditionally, the man of the household returns to the table after everyone has completed the washing ritual, recites the *HaMotzi* prayer over the *challah* [Shabbat plaited loaf] and distributes a piece to everyone at the table, then the meal begins.

After the meal, *Birkhat HaMazon* [blessing over a meal] is recited and if there are three adults present, there is an additional responsive prayer (*zimun*)⁵⁷⁵ recited at

the beginning. In most orthodox homes, this means three adult men, but the

⁵⁷³ See: APPENDIX 1, DEFINITIONS for more specific details.

⁵⁷⁴ For laws of women making *Kiddush* for a man; see: *Karo, Shulchan Arukh, (O"C 271:2)* and *Kagan, the Mishneh Brurah (O"C 271:2, sub-sections 4-5)*.

⁵⁷⁵ For a short precis of laws of women and *Zimun*, see:

https://www.ou.org/torah/machshava/tzarich-iyun/tzarich_iyun_womens_zimun/ ; for a more expanded discussion, see: Henkin (5758) *Bnei Banim (3:1)* or For the specific law regarding three men and three women, see: *Kagan, Mishneh Brurah (O"C 199:18)* who says in the name of the *Shulchan Aruch* of the *Ba'al Hatanya*, (that if three women and three men are present, the three women do not have to answer the men's *zimun*, but can make their own. See also: FOOTNOTE X below.

halakha [Jewish law] is not as clear cut, and most normative *halakhic* [legal] sources require three adult women to recite the responsive prayer too – although this is not common practice.

This is the normative practice in *charedi* [ultra-orthodox] homes, and most modern orthodox and mainstream orthodox homes. However, over the last 10 years or so in the UK, the practice for women to take on *Kiddush*, *HaMotzi* and be particular to recite the *zimun* has increased, especially within the homes of BOJW who identify with mainstream and modern orthodox communities. Additionally, single women living apart from their families, divorced women with or without children and widows constitute a significant, and growing, part of British orthodox Jewish life and these demographics too have impact on ritual at home.⁵⁷⁶ Interviewees (below) noted that even though they may regularly perform all or some of these pious practices, they tend to take into account the guests at their table, and may either explain to the guest the *halakhic* permissibility for their pious performance, or alternatively, choose not to perform it.

CULTURAL NORMS and ONTOLOGICAL TROUBLE

Dalia Weiss,⁵⁷⁷ originally from the States, is involved in both the education and ritual participation of British orthodox girls and women, as well as in her local *Partnership Minyan* [open-orthodox community]. Dalia practices all three of these

⁵⁷⁶ Boyd et al. (2017) *Synagogue membership in the United Kingdom in 2016*.

⁵⁷⁷ Dalia Weiss was interviewed on 27/11/14; for a detailed biography, see: APPENDIX 5, INTERVIEWEES [21].

domestic rituals regularly, despite her experience of occasions when guests are surprised, or disturbed by this practice. She noted that,

‘For myself, I actively say *Kiddush* [blessing over wine] and *haMotzi* [sanctification over bread] or lead *bensching* [grace after meals]. I have a good story – we had a guest once who was very anti-feminist, but who was committed to *halakha* [Jewish law], so when I explained about the obligation,⁵⁷⁸ they had to participate in my *zimun* [invitation for a group of three eating together] although they were quite irritated by it.’ (DW, 27/11/14)

Here is an example of the kind of impact that domestic ritual may generate. Not only does Dalia practice domestic pious acts as part of her own identity as BOJW, but she impacts on those around her *Shabbat* table. In this instance, Dalia takes the time to show the guests the relevant *halakhic* sources, but, and this is crucial, although her guests were convinced by the *halakhic* justification for her pious practices, they remained ‘irritated’ about the normative cultural expectations being transgressed. In other words, the *halakhic* reality did not mitigate the sense of unintelligibility that Dalia’s pious practise produced; arguably founded on the destabilisation of normative gender roles.

⁵⁷⁸ For a quick introduction to the topic, see: <https://www.yeshiva.co/ask/?id=8002>. Alternatively, for a very detailed account of women’s obligation in zimun, see David Brofsky’s lecture at: <https://etzion.org.il/en/shiur-54-zimun-3-women-and-zimun> in which he states, ‘[t]he women’s zimun has become increasingly popular in modern orthodox and Religious Zionist seminaries and communities in Israel and the United States. It is viewed as a *halakhically* [legally] rooted and sanctioned opportunity for greater ritual participation’.

Miriam Engel,⁵⁷⁹ mentioned that her husband affectionately calls her *rabbanit* [rabbi (f)] because she feels that she sometimes needs to make her own judgments regarding *halakha* [Jewish law]. Miriam recalled an instance in which, despite the fact that she had recited *Kiddush*, a male dinner guest repeated it for himself, due to his concern it had been performed by a woman and was thus invalid. This guest, it seems, did not only feel *discomfort* with a BOJW performing the ritual (as a cultural norm), but a *religious necessity* to re-perform it himself; and in invalidating Miriam's *Kiddush*, he arguably invalidated Miriam. Her ontological status as Jew, as *halakhically* permitted to recite *Kiddush*,⁵⁸⁰ is called into question by the repetition of the blessing by her guest. She stated,

'So things... people's attitudes... women making *Kiddush* [blessing over wine], it seems to be like, 'we can't rely on your *Kiddush*' and that, 'I'll wait for the rabbi' or something. As if somehow your religious observance isn't as genuine or worthwhile, than [sic] a man's.' (ME, 27/04/15)

What Miriam brings to the fore here, is the very Jewish-ness of the BOJW. She suggests she is rendered 'unreliable' or not 'genuine', not just that her ritual performance is invalid; thus she has her personhood and religious identity called

⁵⁷⁹ Miriam Engel was interviewed on 27/04/15; for a detailed biography, see: APPENDIX 5, INTERVIEWEES [4].

⁵⁸⁰ And, under some circumstances, should. See: <https://www.etzion.org.il/en/shiur-11-kiddush-woman%E2%80%99s-obligation>: 'Some suggest that, according to the *Magen Avraham*, if the husband recited the *Amida* on Friday night, and his wife did not, it is actually preferable that the woman recite *Kiddush*. This is because the woman is obligated in *Kiddush* by *Torah* law, whereas the man has already fulfilled his biblical obligation, and is now obligated only by rabbinic enactment. Since a person who is obligated only by rabbinic enactment cannot fulfill an obligation on behalf of someone who is obligated by *Torah* law, the man in this scenario would be unable to recite *Kiddush* on behalf of his wife (*Dagul Me-revava*, O" C 271)'.

into question at the very moment she performs a religious ritual. Reminiscent of girls and women discussed in Chapter Four, whose educational aspirations are persistently questioned, Miriam highlights the gendered deconstruction of a religious body at a moment of religious performance. This then is not only a crisis of performance, but a crisis of identity. When Phillips (2015:42) describes the complexity of multiple identity (-ies), she suggests that the, 'anti-semite can only see the Jew as Jew, the humanist can only see him as human, but where, in this, is there space for him being both Jewish and human? Or, why, to echo a point made in the feminist literature, cannot we be both women and human?'

Consequently, some BOJW take considerable care before they practice these domestic pious acts, even in their own homes. New mother, and *Partnership Minyan* supporter, Naomi Kory⁵⁸¹ also spoke about these three rituals; and she remarked that she negotiates weekly depending on the *Shabbat* guests,

'At home... I either make *haMotzi* or *Kiddush* - usually *haMotzi*, depending on who's been to *shul* [synagogue] and what guests we've got and how shocked they'll be... if we had extremely conservative guests, we might not do that; there's only so much boat-rocking that you want to do.' (NK, 29/10/14)

⁵⁸¹ Naomi Kory was interviewed on 29/10/14, see APPENDIX 5, INTERVIEWEES [15] for a detailed biography.

Naomi highlights the ongoing challenges performing these rituals poses for BOJW. Their performance is not a static position, it fluctuates according to who is present, and this oscillation destabilises the concreteness of the practice itself, as well as Naomi's own religious identity. This fluctuation indicates that even once established as a norm in one's own home, the performance by a BOJW of the ritual practice is nevertheless contingent on what the BOJW considers as culturally possible (at this particular moment in time, or with these particular guests at the table); as Phillips notes, 'while some (like de Beauvoir's women) will indeed rail against the injuries done to them, *others quietly adjust their sights to what they perceive as possible*' (Phillips, 2010:108; *italics mine*). The wavering between 'will I, won't I' or 'can I can't I' perform this ritual, calls into question Naomi's sense of her religious self, and the practices her body can perform; and it highlights how much the concept of intelligibility plays into the day to day decision making for the BOJW.

NORMALISATION

Avivah Vecht⁵⁸² had the experience of watching many orthodox Jewish women in the US and Israel take on this domestic rituals, and this experience encouraged her to inculcate the practice into her own home. The cultural intelligibility of the domestic ritual participation of orthodox Jewish women in the various (modern) orthodox communities in the US or Israel generated in Avivah both the knowledge and the confidence to pursue those ritual in the UK, despite the fact that when she arrived here she was not aware of any BOJW who practiced the custom.

⁵⁸² Avivah Vecht was interviewed on 10/07/15; see APPENDIX 5, INTERVIEWEES [19] for a detailed biography.

'I cut the *challah* [sacred bread] on *Shabbat* [the Sabbath]... so *that's what my kids have grown up with*. I remember people staring or my kids not understanding at someone else's home if women aren't doing it; and I have seen many more women doing that particular ritual.' (AV, 10/07/15)

Avivah makes very clear that this practice is completely normalised in her own home, such that her daughters are surprised when other women are not making *haMotzi* in their own homes, and she has noticed the increase in women taking on this particular ritual. Both of these comments reflect the ways in which this particular ritual practice is generative in terms of pious practice. Her daughters are surprised when other women are not doing it their homes – and this normalisation is a significant part of the argument I make for religious women's generative agency. As BOJW are changing their own domestic pious practices, they are simultaneously creating alternative expectations of others in their family, and in their orthodox community as to what constitutes normative ritual practice, and furthermore, what constitutes the normative BOJW.

5. CONCLUSION

'[the] opposite of submission is not alienation, but informed engagement, a dialogue, and wrestling.' (Frymer-Kensky, 2006:197)

This chapter examined how BOJW generate pious acts at home, in the synagogue and in their wider Jewish communities. My aim has been to emphasise the multiple

ways in which BOJW inhabit their identities through their performance of both public and domestic pious practices, and how this is motivated by their experiences of exclusion, frustration and belonging. I have demonstrated that BOJW often manage to rally against a status quo which routinely renders them invisible as a class; that ritual practice by BOJW, whether at home or in synagogue, at times reflects and/or produces the intransigence of a particular orthodox Jewish community or its leadership, whilst at other times generates moments of creativity and inclusiveness; and that the performance of pious acts means different things to different BOJW.

The BOJW who shared their personal domestic and public experiences of ritual participation, expressed their hopes, their frustrations and their contentment in this chapter. Common themes which emerged included being questioned about their motives, the ambivalence they experience,⁵⁸³ their sense of disenfranchisement as well as how these feelings generate pious practice and new ways of being BOJW. Casanova et al. (2009:42) propose that, 'women's religious participation is treated primarily in terms of the avenues it opens up for action, the

⁵⁸³ The ambivalence experienced by many BOJW is expressed adroitly by two interviewees. The first, Vanessa Deutch, a member of a *charedi* [ultra-orthodox] community, comments: 'In the *shul* [synagogue], it does piss me off a bit that... (I'm) not even given the option whether I'd like to do more in the *shul* [synagogue]. I'm not saying I would, I'm not saying I wouldn't, I'd like to have the option' (VD, 23/10/14). Whilst the second, Naomi Kory, a founder member of a *Partnership Minyan* comments: 'and many of these women are extremely reticent. They've really got to be cajoled to have an *aliya* [call-up to the *Torah* scroll] or even open the ark [housing the *Torah* scrolls] or to hold the *Sefer Torah* [Torah scroll], but when they do, it's a revelatory experience' (NK, 29/10/14). Both of these comments reflect the fact that within the spectrum of British orthodox communities there are multiple layers of allegiance and performance. For Vanessa, although she has chosen to be a member of a *charedi* [ultra-orthodox] synagogue-community, the lack of public ritual for women nonetheless troubles her; yet, so too, those BOJW who choose to attend *Partnership Minyanim*, who are still hesitant to engage in a public ritual.

main focus being on the subversion of traditional interpretations of religious doctrine or the challenges women offer to patriarchal norms. Yet for the women themselves, religion may be primarily about virtue and piety, involving submission or “the desire to be controlled by an authority external to oneself” (Mack 2003:174)’. This precisely written observation exemplifies the many different experiences of the BOJW interviewed. Whilst there are those who are content with their more traditional domestic pious practice, there are others who desire to shift the status quo with regard to their performance of both domestic and public ritual, often living as the ‘unintelligible’ BOJW, and living with a precarious identity; yet always committed to orthodox Jewish life. The accomplishments of BOJW who do perform contested domestic and public rituals leave them feeling much more connected to their orthodox religious tradition. These attachments travel from homes, into schools and synagogue-communities, and they amplify the cacophony of women’s voices within the British orthodox community.

CHAPTER SIX:
LEADERSHIP and AUTHORITY:
The INVISIBILITY of BOJW

‘Women need equality of political and policy representation for a whole range of reasons: as a straightforward matter of fairness between the sexes; so as to provide more vigorous advocacy for interests that would otherwise be overlooked; so as to challenge the infantilization that regards women as better looked after by the (supposedly) more knowledgeable men.’

(Phillips, 2010:33)

1. INTRODUCTION

This chapter examines the experiences of BOJW with regard to religious authority and power, highlighting both the lack of leadership programmes and leadership positions within the British orthodox Jewish community for orthodox women, as well as the few exceptional opportunities. It is divided into three main sections; the first locates orthodox Jewish women's leadership and authority by detailing programmes in Israel and the US at *Nishmat*,⁵⁸⁴ *Midreshet Lindenbaum*,⁵⁸⁵ *Matan*⁵⁸⁶ and *Yeshivat Maharat*,⁵⁸⁷ and by examining the limiting structures of orthodoxy in the UK; the second section explores circulating tropes of authority and control within the British orthodox community, drawing attention to how women in authority are constructed as dangerous, inaccurate and untrustworthy. The final section describes the hopes and aspirations of the BOJW interviewed with regard to BOJW's religious leadership and authority, the way in which BOJW have generated modest shifts and changes within the orthodox community, and how that community responds to these changes. I conclude by reflecting on the current situation in the UK with regards to women's religious leadership, and how this particular arena of practicing piety is, arguably, the most difficult to achieve.

Feminist academic Rachel Elijor describes the lack of orthodox women in authoritative positions as an historic exclusion.⁵⁸⁸

⁵⁸⁴ See: <http://www.yoatzot.org/yoatzot-halacha-intro/>.

⁵⁸⁵ See: <https://ots.org.il/program/susi-bradfield-wihl/>.

⁵⁸⁶ See: <https://www.matan.org.il/en/beit-midrash/hilkhata/> and <https://www.matan.org.il/en/beit-midrash/morot-lhalakha/>.

⁵⁸⁷ See: <https://www.yeshivatmaharat.org/ordinationprograms>.

⁵⁸⁸ Rachel Elijor is the John and Golda Cohen Professor of Jewish Philosophy in the Department of Jewish Thought, at the Hebrew University of Jerusalem.

‘...Women have not participated in shaping the norms that have governed their lives, nor have they taken part in the creative cultural process conducted in the public arena, *producing the laws*, custom, values and standards, and reflecting in legend and *Halakha* [Jewish law]... the foundations of the common space of meaning of a specific cultural community. Moreover *their voices were never heard*, their experiences not considered, *their perspective*, aspirations, fears, priorities, unique standards and values. Ideas and memories, all were plunged into the abyss of oblivion, *absent from written memory.*’ (Elior, 2004:82; *italics mine*)

I would argue however, that this absence is not merely historic, but ever-present and actively perpetuated within some British orthodox synagogue-communities and by the male religious leadership currently in place. Although historically, there have been a number of female leaders from Biblical prophets⁵⁸⁹ and judges,⁵⁹⁰ to *Talmudic scholars*⁵⁹¹ and *halakhic* [legal] decisors;⁵⁹² women as religious leaders

⁵⁸⁹ See: *BT Megilla 14a-b*, which list seven Jewish biblical prophetesses (Sarah, Miriam, Deborah, Hannah, Abigail, Chulda, and Esther); there are several different versions of this text.

⁵⁹⁰ See: The Book of Judges, Chapter Four, which describes the story of the Deborah as judge over the Jews from (approximately) 1107 BCE until her death in 1067 BCE.

⁵⁹¹ See: Bruria (the scholar) in *BT Pesachim 62b* in which she is described as learning 300 laws from 300 rabbis in a single day; or see: *BT Eruvin 53b* in which she (amusingly and somewhat ironically) chastises Yossi the Galilean for his unnecessary lengthy conversation with women; or see: *Tosefta Keilim Kamma* Chapter 4, section 9, in which she challenges her father on a point of ritual purity law; or see: *Tosefta Keilim Metzia* Chapter 1, section 3, in which she debates with Rabbi Tarfon and the general rabbinic authorities and where it is said about her, ‘she has spoken correctly’. There is a mythologized account of her death, often associated with sexual impropriety – although this is highly disputed. For further information see: *BT Avodah Zara 18b* and Eitam Henkin’s article entitled ‘The Mystery of the Bruria Affair, an Interpretation’ at <https://eitamhenkin.wordpress.com/2011/06/14/%D7%AA%D7%A2%D7%9C%D7%95%D7%9E%D7%AA-%D7%9E%D7%A2%D7%A9%D7%94-%D7%93%D7%91%D7%A8%D7%95%D7%A8%D7%99%D7%90-%D7%94%D7%A6%D7%A2%D7%AA-%D7%A4%D7%99%D7%AA%D7%A8%D7%95%D7%9F/> (Hebrew)

⁵⁹² See: *Chulda* (the prophetess, the *halakhist* [legal decisor] and the scholar) in *II Kings (22, 14)* where the French mediaeval biblical commentator *Rashi* (1040-1105) suggests that when the biblical verse states ‘In the study house’, it meant ‘...she was teaching the oral law to the elders of the

remain the exception, and as such they occupy the position of non-normative. However, in the last 40 years there has been dramatic change in Israel and in the US as orthodox Jewish women around the world have demanded and achieved access to in-depth higher religious education – specifically to rabbinic texts and legal sources, both previously denied to them at a communal-educational level. This in turn has led them to claim authority within a variety of areas of *halakha* [Jewish law], and *smikha* [rabbinic ordination] (or in some cases specifically ‘non-*smikha*’)⁵⁹³ programmes for women have grown significantly over this time; but this has not been the case in the UK. Consequently, the question of leadership roles within orthodox communities worldwide which the graduates of these programmes are offered, or create, or in some circumstances are barred from, is at the forefront of current religious debate in orthodox Jewish communities worldwide; in a similar vein to other religious communities worldwide, where ‘there is still controversy about how far women can rise in the respective hierarchies’ (Woodhead and Catto (eds.), 2012:364).

Consequently, I argue that it is within the religious space of authority and leadership where BOJW are most marginalised, and where they are most obviously perceived as gendered religious subjects, as the non-normative Jew. In order to make these claims, I locate and examine BOJW’s experience of religious leadership and authority, the relationship of knowledge to authority and the transition between the two. Through this analysis emerge moments of contestation: the

generation, i.e., the *Mishnah*.’ See: https://www.sefaria.org/II_Kings.22.14?lang=bi&with=Rashi&lang2=en.

⁵⁹³ This is explained in full throughout the Chapter.

contestation of who is allowed to access this knowledge, of what sort of knowledge constitutes authority and who says so, and which subject is permitted (or encouraged, or forbidden) to use their knowledge within a position of religious leadership. Furthermore, I argue that the BOJW interviewed who referred to their legitimate religious claim to knowledge and religious authority were confronted by the perfunctory trope that any BOJW making them was not recognisable as 'authentic', rendering them unintelligible, their identity as a BOJW called into question. Nonetheless, there were several productive spaces where BOJW negotiated and generated innovative religious pious practice of leadership, as well as performing (and producing) new identities as BOJW.

2. LOCATING ORTHODOX WOMEN'S LEADERSHIP and AUTHORITY

In October 2015, the Rabbinical Council of America (RCA) issued a very short statement entitled, '2015 Resolution: RCA Policy Concerning Women Rabbis' in which it set out to inform its members who hold positions in orthodox institutions that they may not:

'Ordain women into the Orthodox rabbinate, regardless of the title used; or
Hire or ratify the hiring of a woman into a rabbinic position at an Orthodox institution; or

Allow a title implying rabbinic ordination to be used by a teacher of *Limudei Kodesh* [religious education] in an Orthodox institution.’⁵⁹⁴

The RCA is an umbrella body in the US, which claims to promote orthodox Judaism, ensure appropriate economic welfare and security of its member rabbis and unify the American rabbinate and *Yeshiva* [men’s seminary] heads; it also espouses to ‘be ever on guard against any distortion or misinterpretation of Torah-true Judaism’.⁵⁹⁵

In response to the resolution, Rabbi Shlomo Riskin, a member of the RCA and founder of Midreshet Lindenbaum’s *Susi Bradfield Women’s Institute for Halachic Leadership* (WIHL)⁵⁹⁶ in Jerusalem, ‘which gives women a qualification that amounts to ordination, although it is not labeled as such’ said, “‘their resolution makes no sense halachically [legally] since they accept yoatzot halacha [Legal Advisors].⁵⁹⁷

That’s why it seems to be a political decision and not one based on Halacha [Jewish law]” (Sharon, 2015). In fact, only a year before the RCA published its resolution, Riskin had appointed Dr. Jennie Rosenfeld⁵⁹⁸ as an ‘halachic and spiritual guide’ in his home town Efrat, just south of Jerusalem.

⁵⁹⁴ See: <https://rabbis.org/2015-resolution-rca-policy-concerning-women-rabbis/>.

⁵⁹⁵ See: <https://www.rabbis.org/pdfs/constitution.pdf/>.

⁵⁹⁶ See below.

⁵⁹⁷ *Yoatzot Halakha* [pl. Legal Advisors] is the appellation given to Nishmat’s graduates, specifically chosen to avoid any similarity with rabbi or other ordination title; see below.

⁵⁹⁸ Rabbanit Dr. Jennie Rosenfeld graduated from the Susi Bradfield Women’s Institute for Halachic Leadership at *Midreshet Lindenbaum*. She is also a graduate Yeshiva University Graduate Program in Advanced Talmudic Studies for Women (US) and has an MS in Jewish Education from their Azrieli Graduate School. Her PhD thesis examined “Talmudic Re-readings: Toward a Modern Orthodox Sexual Ethic” from City University in NY. She is also the co-author of *Et Le’ehov: The Newlywed’s Guide to Physical Intimacy*; Gefen (2011).

Just over a year after the RCA resolution, in January 2017, the Orthodox Union (OU),⁵⁹⁹ published a 17-page detailed document evaluating the *halakhic* [Jewish legal] questions regarding the hiring of female clergy,⁶⁰⁰ resulting in a surfeit of responses from across the orthodox Jewish world.⁶⁰¹ An American body, set up in 1898, the OU claims ‘to engage, strengthen and lead the Orthodox Jewish Community’ and functions as an umbrella organisation overseeing many central matters of orthodox life, including the labelling of *kosher* foods, rabbinic appointments to synagogues and schools, and managing orthodox youth movements. The document was an expansive and detailed consideration of many of the Jewish legal issues involved in orthodox women’s ordination and as such has become an important document of reference with regard to the issue of women’s ordination, as well as the practicalities of them being hired as clergy in orthodox institutions. It asked its panel of seven orthodox rabbis⁶⁰² two questions: ‘Is it halachically acceptable for a synagogue to employ a woman in a clergy function?’, and ‘What is the broadest spectrum of professional roles within a synagogue that may be performed by a woman?’. In short, it stated that,

‘women can and should teach and lecture on Torah, including at advanced and sophisticated levels... women may also assume communally significant

⁵⁹⁹ The Orthodox Union is based in the United States and its website states that, ‘[t]he mission of the Orthodox Union is to engage, strengthen and lead the Orthodox Jewish Community, and inspire the greater Jewish community’; see: <https://www.ou.org/about/>.

⁶⁰⁰ See: <https://www.ou.org/assets/Responses-of-Rabbinic-Panel.pdf>; for the full document, see also: APPENDIX 10.3.

⁶⁰¹ See, for example: <https://www.timesofisrael.com/orthodox-union-wont-penalize-synagogues-that-already-have-women-clergy/>, or <https://www.haaretz.com/us-news/u-s-orthodox-union-bars-women-from-becoming-rabbis-1.5494225>, or <https://forward.com/news/393319/orthodox-group-wont-boot-synagogues-with-female-clergy-yet/>.

⁶⁰² Listed in APPENDIX 10.3.

roles in pastoral counseling, in bikur cholim (visiting the sick), in kiruv (community outreach to the affiliated and unaffiliated), in youth and teen programming, and in advising other women on issues of taharat hamishpacha (family purity) in the role of Yoatzot Halacha, in conjunction with local rabbinic authorities when determined by a community's local rabbinic and lay leadership to be appropriate.' (Kratz, 2017)

Subsequently, in July 2018 the Oxford Summer Institute included a conference entitled 'Gender and Judaism: Perspectives from the Study of Comparative Religion and Transnationalism', at which the OU document was analysed and debated.⁶⁰³ The RCA resolution and the detailed OU document are important in that they reflect current mainstream orthodox thought and practice within the States, which itself has impact on similar orthodox communities worldwide. The OU document in particular, its responsa and several rabbinic letters and reviews frame many of the debates surrounding female ordination, especially which leadership programmes are considered by current orthodox rabbinic authorities as permissible, forbidden or encouraged – and therefore which become normative within orthodox communities worldwide; these circulating debates and the experiences of the interviewees form the structure and content of this chapter. To contextualise the analysis, I have detailed a range of 'ordination' programmes available for orthodox Jewish women worldwide, and this locates and throws into sharp relief the very different and much less developed opportunities for BOJW in the UK.

⁶⁰³ See: Ferziger, 2018.

2.1 ISRAEL and the UNITED STATES: *NISHMAT, MIDRESHET*

LINDENBAUM, MATAN (ISRAEL) and *YESHIVAT MAHARAT* (NY, US)

At present there are three quasi-ordination programmes in Israel, none of which give their graduates the appellation *rabbi*, or its grammatical feminine equivalent *rabba*, although they all cover at least as much as the curriculum for orthodox ordination for men, as well as require a strict examination (or series of examinations) to qualify. In contrast, there is one ordination programme in the US and it allows its graduates to choose their own appellation on graduating.

I will give a brief outline of each course offered, the appellation awarded to its graduates and the political fall-out of these, as well as reflect on how these programmes have influenced orthodox communities worldwide.

NISHMAT: YOATZOT HALAKHA (LEGAL ADVISORS) PROGRAMME

The first is offered at Nishmat,⁶⁰⁴ established in 1990 in Jerusalem, which awards the appellation *Yoetzet Halakha* [Legal Advisor] to its graduates. This appellation implies that the graduates advise, rather than rule – although in practice this is often not the case.⁶⁰⁵ Specifically, a *Yoetzet Halakha* deals with *halakhic* [legal] questions about *Taharat HaMishpacha* [Family Purity],⁶⁰⁶ namely laws of menstrual separation (between a husband and wife), pregnancy and childbirth, birth control, gynaecological health and sex. The programme was established by Rabbanit Chana

⁶⁰⁴ Golda Koschitzky Center for *Yoatzot Halacha*; see: <http://www.yoatzot.org/home/>.

⁶⁰⁵ See the *Yoatzot* 'ask questions' website: <http://www.yoatzot.org/resources/default.asp?id=632> which states explicitly that for these kinds of ritual questions a 'halachic (sic) authority' should be sought and that a 'ruling' is given – and that a *Yoetzet Halakha* fulfills both these roles.

⁶⁰⁶ For an easy to read, yet comprehensive description of these laws, see: <http://www.yoatzot.org/taharat-hamishpacha/>.

Henkin,⁶⁰⁷ herself a religious scholar.⁶⁰⁸ This programme, as described on its website (and in some detail in Chapter Four),

‘is the leading halachic studies program for women today. The two-year fellowship program includes in-depth study of *Hilchot Niddah* [laws of the menstruant woman] under the mentorship of outstanding scholars and *poskim* [legal decisors] as well as supplementary studies in women’s medicine and *halacha* [Jewish law].⁶⁰⁹ Applicants are selected on the basis of *Talmudic* scholarship, religious commitment, and demonstrated leadership potential.’⁶¹⁰

This means, that in practice, the orthodox women who apply for the programme have already had an extensive and advanced Jewish textual education, and are the elite in terms of Jewish scholarship. Significantly, the programme is available in Israel and the States, but not yet in the UK.

In addition to the programme and the *Yoatzot Halakha* themselves, there is a live website⁶¹¹ for asking *halakhic* [legal] questions or advice; and a book of responsa was published in 2018 (*Sefer Nishmat haBayit* [The Soul of the Home]) by the

⁶⁰⁷ See Henkin’s support for women’s *Torah* scholarship and leadership at: https://www.youtube.com/watch?v=3QRVzk_DkDU.

⁶⁰⁸ Read Henkin’s (1998) chapter ‘Women and the Issuing of Halakhic Rulings’ in M.D. Halpern and C. Safrai Jewish *Legal Writings by Women*; Jerusalem: Urim:278-287.

⁶⁰⁹ The full curriculum is in APPENDIX 7.

⁶¹⁰ See: <http://www.nishmat.net>.

⁶¹¹ See online at: <http://www.yoatzot.org/hotline/>; and *Sefer Nishmat HaBayit* (2018) (Hebrew Edition); publ. Maggid.

eminent publisher Maggid.⁶¹² The website ensures that the programme has had influence globally, and thus is not restricted to a particular geographic location, or any specific local orthodox community; and the book of legal responsa is one of only a handful of its kind written by women, and ensures that the graduates are taken seriously as scholars amongst the *halakhic* community.⁶¹³

In 2019 there are over 120 graduates and most serve as members of the religious leadership team in synagogue-communities in the States and Israel. Henkin's programme has transformed the landscape of religious leadership opportunities for orthodox women, and in so doing has normalised the phenomena of women asking their *halakhic* [legal] questions concerning issues of *niddah* [the menstruant woman] to women. Recently, Rabbanit Henkin recalled that rabbis in the local communities who hired the *Yoatzot Halakha* [Legal Advisors] warned them 'not to be disappointed if they don't get any question, I get very few'.⁶¹⁴ However, the

⁶¹² 'Maggid Books a home for contemporary Jewish thought. Established in 2009, Maggid Books offers works of high originality and profound religious passion from the Jewish world's leading scholars, including Rabbis Joseph B. Soloveitchik, Jonathan Sacks, Adin Steinsaltz, Norman Lamm, Binyamin Lau, and Shlomo Riskin. A major voice in Modern Orthodox publishing, Maggid is founded on the three pillars of religious commitment, rigorous scholarship, and broad popular appeal. It is the proud publishing partner of the Orthodox Union, Yeshiva University, Machon HaMikdash, Yeshivat Har Etzion, Pardes, and other institutions of higher Jewish learning. Maggid is also distinguished by its mission to bridge the Jewish world's two largest communities, identifying and translating prominent Hebrew works into English (and vice versa)'; see: https://www.korenpub.com/maggid_en_usd/about-us.

⁶¹³ Later in 2018, Maggid (in association with JOFA) published *Hilkhot Nashim* [Women's Laws] Volume 1, one of a series of *Halakhic* Source Guides. Edited by Jewish scholar Raḥel Bekovits, it includes the following topics: women reciting *kaddish* [mourner's prayer]; women reciting *birkat hagomel* [thanksgiving prayer] and women chanting the *Megillah*. As far as I am aware, there are only 2 other volumes of *halakhic* responsa written by orthodox women: in June 2014, Ohr Torah Stone produced the first volume of orthodox women's responsa in an 85-page booklet entitled, *Mah She'elatech Esther Vate'as*, authored by Rabbanit Idit Bartov and Rabbanit Anat Novoselsky; and later that year, Malka Puterkovsky published *Mehalekhet Bedarkhah*, also a collection of *halakhic* responsa.

⁶¹⁴ Rabbanit Chana Henkin speaking on a rabbinic panel at the Spanish and Portuguese Synagogue, London – including herself, Rabbi Dr. Michael Rosensweig (Rosh Yeshiva of RIETS of Yeshiva University, NY), and Rabbi Dr. Daniel Sperber (President of the Institute of Advanced Torah Studies,

newly appointed *Yoatzot Halakha* received many more questions from the women in the community than the rabbis, explaining that the women in the orthodox community finally had someone to speak to, who understood their concerns and with whom they felt comfortable discussing their intimate lives. In other words, it was not a case of the same women asking *Yoatzot Halakha* instead of their local rabbi, rather, it was the case that *many more* orthodox women felt they could ask questions at all. To some extent then, the presence of *Yoatzot Halakha* has reinvigorated the practice of *niddah* [the menstruant woman] within the orthodox community; a sure sign that through the establishment of female orthodox Jewish authority follows the (re-)generation of pious practices.

Arguably, Henkin's insistence on committing to what she calls 'evolution, not revolution';⁶¹⁵ her choice of the area of *halakhic* [legal] expertise for study (laws of menstruation and sex); her choice of appellation (*advisors*, rather than *decisors*) and, undoubtedly, her marriage to a renowned and highly respected orthodox rabbi⁶¹⁶ has enabled her to navigate well within most established orthodox communities, so much so that the graduates from Nishmat's *Yoatzot Halakha* programme have, in general, been received amicably into modern and mainstream orthodox communities worldwide. Nevertheless, despite her careful navigation of the orthodox community, in 2017, at a panel discussion held in London, entitled

Bar Ilan University, Israel). The panel discussion took place on 14/06/17, and was entitled 'Women and Halacha'. See: <https://www.montefioreendowment.org.uk/common/ethos/women-and-halacha/>.

⁶¹⁵ Ibid.

⁶¹⁶ Rabbi Yehudah Henkin; scholar and renowned *posek* [legal decisor]. See: <http://www.nishmat.net/nishmat-leadership/56/>.

'Women and *Halacha*',⁶¹⁷ Henkin stated explicitly what her ambitions for the *Yoatzot Halakha* are:

'In the 20th century, women are involved in academia, professions, and in the political world. But until recently, women were not involved in *halakhic* [legal] decision making, Women were cases,⁶¹⁸ but were not part of the discussion... We are on a journey towards *pesika* [legal decision making].'

Her statement is indicative that the appellation *advisor* masks her aspiration that these women will become not only *part* of the process of *halakhic* [legal] decision making, but will be *poskim* [legal decisors]. She also made clear that the programme itself outrivalled any *smikha* [ordination] programme available for men, explaining that 'the *Yoetzet Halakha* study *Talmud* [oral law], *Shutim* [legal responsa], basically *smikha*-plus.'⁶¹⁹ On asking my interviewees about orthodox women in positions of authority, almost all knew about Nishmat's programme and were delighted by its achievements. Avivah Vecht's⁶²⁰ comments reflect many of the other interviewees:

'Someone like Chana Henkin... her idea of *Yoatzot Halakha* [Legal Advisors] has been *revolutionary*... she has worked within [i.e. the traditional orthodox

⁶¹⁷ See: above, FOOTNOTE 616.

⁶¹⁸ Plaskow considers this phenomenon the source of discrimination against women in Jewish Law, stating that, 'Halakhah in its details discriminates against women because the world of law is male-defined and places men at the center. Women are objects of the law but neither its creators nor agents.' (Plaskow, 1990:63)

⁶¹⁹ See: above, FOOTNOTE 616.

⁶²⁰ Avivah Vecht was interviewed on 10/07/15; see APPENDIX 5, INTERVIEWEES [19] for a detailed biography.

norms], but it is fundamentally *revolutionary*. She transformed women's experiences of *niddah* [the menstruant woman] and *mikvah* [ritual pool] and has been the *least controversial*.' (AV, 10/07/15)

New York based Rabbi Ezra Schwartz's book review of the *Yoatzot*'s collection of legal response, *Sefer Nishmat haBayit* (2018), both clarifies this position, and exemplifies the way in which arguments around female leadership and authority within the more traditional orthodox Jewish community are framed:

'I deeply admire the knowledge, conscientiousness, and *tzeniut* (sic) [modesty] of the *Yoatzot* whom I have encountered, and I believe *Yoatzot* can be very important role models for our communities, which desperately need female Torah role models... *Yoatzot Halacha* (sic) represent what large segments of mainstream Modern Orthodoxy perceive as *the most accepted form* of women's Torah leadership... In other words, *Yoatzot* are not intended to be *posekot* [decisors]—those who themselves decide *halakha* (sic) and weigh in on complicated matters, but the first address one can turn to, if so desired. This *framing* may contribute to the fact that mainstream Modern Orthodox communities are largely comfortable with *Yoatzot Halacha*⁶²¹ (Schwartz, 2018).

⁶²¹ Rabbi Ezra Schwartz serves as *Rosh Yeshiva* [Seminary Head] and Associate Director of the *smikha* [ordination] programme at RIETS, and teaches *Talmud* at Stern College for women (all in NY) – all of which place him firmly within the mainstream/modern orthodox community of American Jewry. See: <https://www.thelehrhaus.com/culture/nishmat-habayit-a-window-into-the-successes-of-yoatzot-halacha/>.

Schwartz's review of the book, it turns out, is actually an analysis of the women who wrote it. He describes the *Yoaztot Halakha* as 'modest' (twice in fact), and as able to 'weigh in on complicate matters', rather than make legal decisions themselves. His review echoes the more apologetic approach to the programme, but it also reflects many of the concerns employed in the UK regarding orthodox women's scholarship and leadership: that they do not flout the laws of modesty, and that they don't *really* make *halakhic* [legal] decisions.

MIDRESHET LINDENBAUM: WOMEN'S INSTITUTE of HALAKHIC LEADERSHIP (WIHL) PROGRAMME

An alternative ordination programme is offered at Midreshet Lindenbaum,⁶²² which was the first women's seminary to teach *Talmud* [oral law], originally established in Jerusalem as *Michlelet Bruria* by Rabbi Chaim Brovender in 1976.⁶²³ Their programme, opened in 2010, is called the Susi Bradfield Women's Institute of *Halakhic* Leadership (WIHL) and awards its graduates the title *Rabbanit* – Hebrew for both rabbi's wife and rabbi (in the feminine). Its website states that, '[g]raduates of the five-year WIHL program are certified as spiritual leaders and *Morot Hora'ah* [authorised to provide direction in matters of *halakha*].'⁶²⁴ Rabbi Shlomo Riskin, Dean of Midreshet Lindenbaum stated that the students,

⁶²² <https://www.midreshet-lindenbaum.org.il/>.

⁶²³ See: https://en.wikipedia.org/wiki/Chaim_Brovender or <https://web.archive.org/web/20051211062549/http://www.ohrtorahstone.org.il/rabi2.htm>

⁶²⁴ <https://ots.org.il/program/susi-bradfield-wihl/>. Literally: teachers of authority – a phrase traditionally associated with ordination (*smikha*).

‘sit for the same examinations given to male rabbis-in-training, and program graduates are equal in knowledge and skill to their male rabbinical counterparts. Ultimately, our mission is to break the glass ceiling on an academic, professional and economic level by training and enabling women to serve as Orthodox spiritual leaders and *poskot* (arbiters of Jewish law) for the entire Jewish people.’⁶²⁵

Thus, Midreshet Lindenbaum’s comprehensive leadership programme clearly focusses on the parallel quality of education and examination between men and women, as a route towards parallel leadership and authority, and pay. It specifies that women are *poskot* [decisors] rather than *advisors*. It is a five-year long programme, and includes several areas of *halakha* commonly associated with rabbinic ordination. Its website lists these as, ‘*Hilkhhot Niddah* [Laws of the Menstruant Woman]; *Shabbat* and the Jewish Holidays; *Kashrut* [Laws of Permissible Foods and Cooking]; *Aveilut* [Laws of Mourning]; *Gerut* [Laws of Conversion]; *Kiddushin* and *Gittin* [Laws of Marriage and Divorce]’ (*italics* and translations mine), and as such constitutes a very rigorous syllabus. The programme is headed by Rabbi Shuki Reich and directed by Rabbi Shmuel Klitsner, each of whom have been instrumental in both men’s and women’s post-graduate religious study in the modern orthodox community in Israel over the last 30 years. In giving a blessing to the women graduates, Klitsner said,

⁶²⁵ As quoted by, Gordimer, A. (16/01/17) ‘The Non-Rabbinic Rabbinic Training Program for Women’ in *Cross Currents* (online forum); see: <https://cross-currents.com/2017/01/16/the-non-rabbinic-rabbinic-training-program-for-women/>.

‘We have merited to live in an era in which women are learning intently and achieving status of *talmidot chachamim* [learned woman] and *morot halacha*, [arbiters of Jewish Law]. I am pleased to bless you with the prayer that you will continue to sanctify God’s name, that you will merit to increase holiness and promote Torah within the hearts of the people of Israel.’

Although the appellation *Rabbanit* [Hebrew: rabbi’s wife] has not caused to much of a stir, the certificate *Morot Hora’ah* [authorised to provide direction in matters of *halakha*] has. Consequently, in contradistinction to Schwartz’s review of *Nishmat HaBayit* and the *Yoatzot* participants (above), below is the response of the ‘Traditional Orthodox Rabbis of America’ (TORA)⁶²⁶ to Midreshet Lindenbaum’s graduation ceremony:

‘The graduates were given the titles of *moros hora’ah* (sic) – the traditional title for ordination – and press accounts both called the ceremony *semicha* [sic; ordination] and noted that the recipients had studied the classic areas in *halakha* [Jewish law] concerning which ordination candidates are tested. *This ceremony is part of an emerging and disturbing trend.* It comes at a time when others are trying to place women rabbis in Orthodox synagogues

⁶²⁶ TORA is an American *charedi* [ultra-orthodox] body, which responds to statements or publications from the OU, or the RCA, or to contemporary matters in the orthodox world. It’s website states that, ‘TORA is a rabbinic voice that clearly, unequivocally and unhesitatingly articulates the *hashkafa* [philosophy] of Orthodox Judaism on timely and timeless issues... TORA will focus on the critical task of offering an authentic *Torah* viewpoint to the media and will help counteract those voices that, as we see it, occasionally distort or dilute the Torah’s message. See: <https://torarabbis.org/>.

in America, in *an attempt to circumvent the traditional halakhic* [legal] *process*. TORA asserts that actions such as these are void and not only painfully divide Orthodoxy at a time when *the community desperately needs unity*, but also diminish the already powerful role played by Orthodox women in education and community service. *From time immemorial*, women have served in pivotal roles in the Jewish community. *The implication that a lack of rabbinic ordination diminishes their contributions insults the many great women leaders of the past and the present*⁶²⁷ (TORA, 2017; italics mine).

Thus, unlike *Nishmat's Yoatzot Halakha* programme, Lindenbaum's WIHL programme has not been accepted with the same approval across the orthodox world. Tensions have arisen around both the imitative course of study – traditionally and exclusively studied by men, and their appellation – also traditionally and exclusively held by men. In particular, the course is referred to as representative of 'a disturbing trend' within the orthodox community of scholarly women seeking to usurp religious power and authority from the traditional male leadership – and this is characterised as an *halakhic* [legal] concern, rather than a political, social, cultural or philosophical phenomenon. TORA's assertion that orthodox Jewish women 'from time immemorial' have had 'pivotal roles in the community' mobilises the trope of *authenticity*, suggesting that any new role somehow diminishes traditional orthodox life, mobilising 'history as a legitimator of

⁶²⁷ See: <https://torarabbis.org/2017/01/12/statement-on-ordination-of-women-as-rabbis/>, published 21/10/17.

action and cement of group cohesion' (Hobsbawm at al, 1983:12). Only three of the BOJW I interviewed mentioned the programme at Midreshet Lindenbaum and unlike the *Yoatzot Halakha* graduates, the *Rabbaniot* all live in Israel – making their impact less keenly felt worldwide. Nevertheless, the comprehensiveness of the programme and the extent to which the women are tested is testament to their scholarship, and the commitment of the institution to expanding the horizons of women's *halakhic* authority.

MATAN: MOROT L'HALAKHA [TEACHERS of JEWISH LAW] PROGRAMME

Thirdly, *Matan*, a highly acclaimed women's seminary for advanced textual analyses, *Talmud* [oral law] and *halakha* [Jewish law], started a similar programme of higher education for orthodox women in 2016, giving its graduates the appellation *Morot l'Halakha* [Teachers of Jewish law]. It is based in Ra'anana, a large town in central Israel, and its website states that the programme,

'is training highly qualified women to become certified as *community leaders* and *Halakhic* [legal] *advisors* who are thoroughly versed in *Halakhot* [Jewish laws] related to family purity and the full range of life-cycle events (from child-birth through mourning). In parallel with their *Halakhic* [legal] studies, the participants delve into the psychological and medical aspects of these life-cycle events, enabling them to strengthen their understanding,

professionalize and elevate the quality of the *advice* that they give.’⁶²⁸

(*italics* and translations mine)

This is a two year programme, which requires applicants to have ‘extensive experience of *Beit Midrash* [partner-style in-depth textual learning] study’⁶²⁹ (translation mine). It is headed by *Yoetzet Halakha* and *Talmud* scholar Shani Tarigin, and lists three leading rabbinic authorities as the programme’s *poskim* [religious decisors].⁶³⁰ Like *Nishmat, Matan* students become experts in areas of Jewish law most particular to women, as well as other life cycle events (for example, the religious practices at wedding ceremonies and in death and mourning). They too have a live website⁶³¹ and, as of writing, their graduates occupy four clergy positions within local modern orthodox communities in Israel as either ‘*halakhic* [legal] advisors’ or ‘spiritual leaders’.⁶³² Moreover, they are called *advisors*, nevertheless they are sought out in their capacity to judge *halakhic* [legal] questions, as its website states: ‘The women give *halakhic* answers with a sensitive and empathetic approach’ (*italics* mine).⁶³³

Concurrently, Matan is running another programme called the Matan’s *Hilkhata* Institute, headed by *Rabbanit* Rachelle Sprecher Fraenkel, herself a *Yoetzet*

⁶²⁸ <https://www.matan.org.il/en/beit-midrash/morot-lhalakha/>.

⁶²⁹ See: <https://www.matan.org.il/en/beit-midrash/morot-lhalakha/>.

⁶³⁰ Rabbi Yosef Zvi Rimon, Rabbi Yosef Carmel and Rabbi Ariel Holland; see:

<https://www.matan.org.il/en/beit-midrash/morot-lhalakha/>.

⁶³¹ <https://www.matan.org.il/en/face-to-face-with-a-morah-lhalakha-isha-el-achota/>; and

<https://www.matan.org.il/en/new-shayla/>.

⁶³² See: <https://www.matan.org.il/en/face-to-face-with-a-morah-lhalakha-isha-el-achota/> for a full list and biography of the graduates thus far and their community roles.

⁶³³ <https://www.matan.org.il/en/face-to-face-with-a-morah-lhalakha-isha-el-achota/>.

Halakha, a five-year long course which is ‘training 13 exceptional women to become *meshivot halacha*—halachic responders. This pioneering institute makes a quantum leap in women’s learning, providing the tools that enable the students to serve as inspirational leaders in their communities and respond to halachic questions.’⁶³⁴ It is interesting note here too that the appellation the women receive on graduating is ‘*meshivot halacha—halachic responders*’, another creative alternative to the title rabbi. I found it extremely difficult to access worldwide orthodox responses to these two programmes specifically, and I believe it is because Matan is very focused on making inroads within the Israeli orthodox community, almost exclusively. Indeed, none of the BOJW I interviewed mentioned the Matan’s *Morot l’Halakha* or *Meshivot Halachah* courses, although a few were familiar with its gap-year programme for post-high-school girls.

YESHIVAT MAHARAT: MAHARAT PROGRAMME

And lastly, *Yeshivat Maharat*,⁶³⁵ established by Rabbi Avraham (Avi) Weiss, Rabbi Daniel Sperber and *Maharat* Sara Hurwitz in New York, in 2009, named in reference to its graduate appellation of ***Maharat*** [***Manhiga*** [leader] ***Halakhtit*** [legal], ***Ruchanit*** [spiritual] v’ [and] ***Toranit*** [learned].⁶³⁶ Weiss⁶³⁷ and Sperber⁶³⁸ feature at the left of

⁶³⁴ See: <https://jewishlinknj.com/community-news/bergen/18689-matan-inspires-teaneck-community-in-advance-of-yom-yerushalayim>.

⁶³⁵ See online at: <https://www.yeshivatmaharat.org/about>.

⁶³⁶ See: <https://www.yeshivatmaharat.org/mission-and-p2>.

⁶³⁷ See, for example: <https://www.encyclopedia.com/religion/encyclopedias-almanacs-transcripts-and-maps/weiss-avi> or his decision to leave the RCA (Rabbinical Council of America): <https://jewishweek.timesofisrael.com/in-protest-rabbi-avi-weiss-leaves-rca/>.

⁶³⁸ Sperber (b. 04/11/40) is professor of *Talmud* at Bar-Ilan University in Israel and is prolific writer and world-traveller. His myriad publications range from Jewish Law, to custom, philosophy and art – indeed, he is an accomplished artist himself. He has ten children, one of whom is the founder of Bat Kol, a Jewish religious lesbian group. His 8 volume Hebrew collection, *Minhagei Yisrael: Origins and History on the Character and Evolution of Jewish Customs* (1989); publ. Mossad HaRav Kook, includes

modern orthodox politics worldwide and their views on a variety of contemporary issues reflect this religious outlook. The Maharat's website states:

'By providing a credentialed pathway for *women to serve as clergy*, we increase the community's ability to attract the best and brightest into the ranks of its *rabbinic leadership*. In addition, by expanding the leadership to include women, we seek to enliven the community at large with a *wider array of voices, thoughts and perspectives*... There are 30 more students in the pipeline preparing to *change the landscape of Orthodox Judaism* and the community at large.'⁶³⁹ (*italics mine*)

The programme sets out explicitly for women to serve as clergy, for women's voices to be a part of the rabbinic tradition going forward and in so doing 'change the landscape of Orthodox Judaism'. The curriculum includes:

in-depth analyses of more inclusive roles for women in public ritual participation, and ordination. He won the Israel Prize for contribution to Jewish life in 1992, aged just 51.

For an insightful reflection on his contribution to academia and Jewish intellectual and moral thought, see the introduction to Ferziger, A. and Sperber, David (eds.) (2016) *The Paths of Daniel: Studies in Judaism and Jewish Culture in Honour of Rabbi Professor Daniel Sperber*; publ. Bar-Ilan, Israel.

See also: Judy Maltz's article in HaAretz [02/10/13] entitled, 'Just Don't Call the Rabbi 'Feminist'' in which she states: 'Rabbi Daniel Sperber, who has been instrumental in broadening the role of women in Orthodox worship, says it's all about human dignity. Sperber explains his rationale for allowing a greater role for women in Orthodox practice: "The first is that in the same way it is forbidden to permit that which is forbidden, it's also forbidden to forbid that which is permitted. The second is that it is not forbidden to permit that which is permitted, even if it wasn't practiced in the past, because halakha is dynamic and when cultural circumstances change, one has to face up to these changes and accommodate them. The third principle is that if you can find a position of leniency, you should do so. So when things are permitted, they should be encouraged'; see: <https://www.haaretz.com/jewish/.premium-just-dont-call-the-rabbi-a-feminist-1.5343659>.

⁶³⁹ <https://www.yeshivatmaharat.org/mission-and-p2>.

- '(a) *Halakha* [Jewish Law] and *Gemara* [Talmud] — classical skills required to be *poskot* [decisors] through mastery of relevant portions of *Gemara* [Talmud], *Rishonim* [Early Legal Interpreters], *Tur*, *Beit Yosef*, *Shulchan Aruch* [Latter Legal Interpreters] and contemporary *teshuvot* [Responsa]
- (b) Pastoral Torah...
- (c) Leadership Development...

The combination of these three components positions our graduates to serve as forward-thinking, *visionary religious leaders* who are grounded and fluent in *halakhic* literature...

Students attain expertise of the following areas of *Halakha* [Jewish Law]: *nidda* [Laws of the Menstruant Woman], *shabbat* [Sabbath], *kashrut* [Laws of Permitted Foods and Cooking], *aveilut* [Laws of Mourning], *geirut* [Laws of Conversion], *berachot* [Laws of Blessings], *tefila* [Laws of Prayer], *beit k'nesset* [Laws of the Synagogue] and *moadim* [Laws of the Festivals]...' (*italics mine*).⁶⁴⁰

This programme (like Midreshet Lindenbaum's) covers area of law which have traditionally been studied by men for rabbinic ordination; and includes those areas of the law which are considered the most practical for leading a community, as well as some of the most complex.⁶⁴¹ Twenty-six female scholars (bearing an eclectic

⁶⁴⁰ See full description of the programme at: <https://www.yeshivatmaharat.org/4year-semikha>.

⁶⁴¹ For example conversion, which in general is performed by the *dayanim* [judges] sitting on the *Beth Din* [Court of Jewish Law], rather than by community rabbis.

array of appellations of their own choice)⁶⁴² have now graduated from the *Maharat* programme and many have taken up leadership positions in synagogue-communities in the States; additionally there are over 30 current students.⁶⁴³

The *Maharat* programme has caused an enormous wellspring of debate, especially in the US, because of its insistence, right from the start, of promoting the appellation *rabba* [rabbi.(f)] (as well as *Maharat*) and of conferring ordination [*smikha*] onto its graduates. The RCA resolution,⁶⁴⁴ as well as the OU document, examined above, reflect the impact it has had on American orthodox Jewry, and it still stands as the most controversial leadership programme for orthodox women worldwide. (As is discussed later in the chapter, *Rabba* Dina Brawer, once resident in the UK, left for the US in July 2018 after completing the programme; Chief Rabbi Ephraim Mirvis and the London *Beth Din* would not allow her to speak at any United Synagogues or affiliate institutions).

APPELLATIONS

The appellations given to the women graduates of all these programmes may, to some extent, seem insignificant. They clearly have access to the echelons of the highest *Torah* scholarship and are expected to serve as *halakhic* experts in the various orthodox communities in which they live. Nevertheless, the difficulty with this individualised (or institutional) approach is that it lacks conformity, leading to

⁶⁴² See: <https://www.yeshivatmaharat.org/our-scholars> for examples.

⁶⁴³ See: <https://www.yeshivatmaharat.org/our-scholars>.

⁶⁴⁴ In fact, as a result of pioneering the *Maharat* programme, Weiss rescinded his membership of the RCA.

several complications. Firstly, for the employee or the tax office: is this woman a woman of clergy if she lacks the appropriate appellation *rabbi*? And should this woman be paid the same amount as a man in her position if she lacks the same appellation? Furthermore, for those rabbinic professionals working in the inter-faith environment, titles like ***Maharat*** or *Rosh Kehilla* [Community Head]⁶⁴⁵ are meaningless. Non-Jewish clergy and many non-orthodox Jews only recognise the title *rabbi* – so choosing *rabbi* or *rabba* [the female equivalent] or perhaps the Hebrew *rabbanit* may work better outside the orthodox Jewish community, although (as detailed above) it causes much distress within it.

2.2 The UK

STRUCTURES OF POWER

At present in the UK, there are no such rigorous programmes of study. As of writing, there are no orthodox women employed as the *religious leader*⁶⁴⁶ of any

⁶⁴⁵ Dina Najman held the position of *Rosh Kehilla* [Community Head] at Kehillat Orech Eliezer in Manhattan's Upper West Side, New York from 2006 to 2014, and as such was the first modern female religious leader of an orthodox community. She currently holds the position of *Rosh Kehilla* [Community Head] of The Kehilah in Riverdale, New York. She is also the Head of *Gemara* [oral law] at SAR High School in Riverdale New York, where she has been for over 10 years. Although she spent many years studying in advanced seminaries in both the States and Israel, her appointment to religious leadership preceded any (current) ordination programme. She is an expert in bio-ethics. For further information, see: <https://kehilah.wixsite.com/the-kehila/marta-datra>, <https://www.nytimes.com/2006/08/21/nyregion/21rabbi.html> and <https://jewishjournal.com/uncategorized/223769/rosh-kehilah-dina-najman-celebrating-unique-rebbe-time/>.

⁶⁴⁶ In contrast, BOJW have been permitted within the United Synagogue to take on increasing roles of lay leadership; progressing from members of synagogue boards, to vice-chairs (2000) and then more recently (in 2012) to chairing their synagogue boards. This was done under the leadership of the former Chief Rabbi, Lord Jonathan Sacks and the auspices of the London *Beth Din*, who had (up until this point) forbidden women from holding these positions, but (as of writing) have not explained publicly their change of *psak* [legal decision]; 'no-one from the US hierarchy has explained the shift in thinking after previous leaders failed to persuade the religious authorities to allow women to occupy the top seat.' (Rocker, 2012c); see: <https://www.thejc.com/news/uk-news/united-synagogue-says-yes-to-women-leaders-1.39222>.

Indeed, the 'question of whether women can serve as shul [synagogue] chairpersons has been raised repeatedly since they were first allowed to serve as financial representatives and vice chairs in the

orthodox synagogue-community within the UK.⁶⁴⁷ Thus, although the last five years have promulgated the case of British orthodox Jewish women's positions of *religious* leadership and authority into the headlines of the orthodox Jewish world, the reality of women holding positions of religious leadership and authority in the UK in no way match those in the States or Israel. Arguably, this is not only hampered by a less rigorous high-school religious education, nor by the far fewer number of Jews in the UK (284,000 in 2011)⁶⁴⁸ than in the US (7,160,000 in 2016)⁶⁴⁹ or Israel (6,668,000 in 2018),⁶⁵⁰ but principally by the more conservative outlook which is prevalent in the London *Beth Din* as well as the rabbinic leadership of the Federation of Synagogues, both of which enjoy great influence over their own institutional rabbis as well as the leadership of other independent orthodox synagogue-communities nationally, as described in detail in Chapter Three. This pressure from the more conservative religious bodies exerts itself particularly in regard to BOJW's pious practices as leaders.

United Synagogue more than a decade ago. A 2009 report... highlighted Orthodox women's frustration at being barred from top leadership positions, noting, "Unless women are offered opportunities to lead the community on an equal footing with men, the gap between their secular and their communal lives will become unbridgeable." (Shaviv, 2012); see:

<https://www.timesofisrael.com/vote-will-likely-allow-women-to-lead-orthodox-shuls-in-britain/>.

⁶⁴⁷ There are several united Synagogue community websites which include the rebbetsins [rabbi's wives] as part of the rabbinic team, but most do not. Compare South Hampstead:

<http://www.southhampstead.org/rabbis/> (which includes rebbetsins [rabbi's wives] as part of their rabbinic team), with Kinloss (Finchley): <http://www.kinloss.org.uk/rabbi>, (which does not).

⁶⁴⁸ Jewish Policy Research estimates that the actual figure is 284,000, although the findings of the 2011 census was lower at 263,346; see: <https://www.bod.org.uk/jewish-facts-info/jews-in-numbers/>.

⁶⁴⁹ Figures from The Cohen Center for Modern Jewish Studies American Jewish Population Project: Jewish Millennials;

Cohen Center for Modern Jewish Studies American Jewish Population Project: Jewish Population in the U.S;

"A Portrait of Jewish Americans," Pew Research (2013); see:

<https://www.jewishvirtuallibrary.org/demographic-profile-of-american-jews>.

⁶⁵⁰ Figures from the Israel Democracy institute; see: <https://www.jewishvirtuallibrary.org/latest-population-statistics-for-israel>.

British journalist, Miriam Shaviv, attended the JOFA (Jewish Orthodox Feminist Alliance) conference in New York in 2017. During the welcome address, a conference organiser asked if there were any orthodox women studying for rabbinic ordination sitting in the audience, and if they would stand up. About 20 women rose, greeted with cheers and applause. Shaviv asked herself how it was that those interested in establishing centres of women's ordination found it so much easier to do so in the United States:

'How were the American Orthodox women rabbis able to establish themselves so quickly, despite being inherently controversial? The answer has to be because American Orthodox *shuls* [synagogues], schools and rabbis are relatively autonomous. Rabbis can decide to ordain women, and *shuls* [synagogues] and schools can hire them. *Not so in Britain, where the Orthodox community is highly centralised.* No United Synagogue or United Synagogue school can hire a woman rabbi (or equivalent) as long as the Chief Rabbi and the London *Beth Din* forbid it.' (Shaviv, 2017; *italics mine*)⁶⁵¹

Arguably, it is this centralised orthodox infrastructure which enforces and re-enforces the strictures of orthodox living in the UK.⁶⁵² The rabbis and *dayanim* [judges] in positions of power and authority, who preside over the London *Beth Din* [Court of Jewish Law], invariably emerge from the *charedi* [ultra-orthodox]

⁶⁵¹ Shaviv, M. (2017) 'Orthodox women rabbis? It's a certainty' in *The Jewish Chronicle* [30/01/17]. See: <https://www.thejc.com/judaism/features/orthodox-women-rabbis-it-s-a-certainty-1.431524>.

⁶⁵² Reminiscent of Hartsock's observation that, '...the power realities operative in a community... point[s] to the ways the ruling group's vision may be both perverse and made real by means of that group's power to define the terms for the community as a whole' (Hartsock, 1983:286)

community,⁶⁵³ even though the members of the synagogue communities and the United Synagogue rabbis largely consists of mainstream or modern orthodox communities – *and this paradox is a particularly British phenomenon.*

Interviewee, Wendy Aviv, a convert to Judaism and single mother of three, lived in Israel for several years before returning to the UK; I interviewed her at her home in Greater London, and her thoughts reflect the majority of the BOJW interviewed:

‘I feel that we as orthodox women are pushing all the time against a closed door. I feel that we are trying and striving and heaving and shoving against this door to get it open and it’s a tiny, tiny, tiny, tiny bit more ajar than it ever was. But there’s still rather large number of people behind it making sure that it stays shut.’ (WA, 01/10/14)

⁶⁵³ The following biographies of some of the judges presiding over the London *Beth Din* are indicative of the *charedi* [ultra-orthodox] communities from which they emerge and thus the location from which their *halakhic* [legal] decision making is situated:

Dayan [Judge] Menachem Gelly, ‘studied at Gateshead Boarding School, Sunderland *Yeshiva* (which was headed by his father) and *Ponevezh Yeshiva* in B'nai Brak, before moving to the Gateshead Kollel. He trained as a Dayan at Batei Din in the United States and Israel and joined the London Beth Din in 1993... and is the Rabbi of the Ohr Chodosh Synagogue in Golders Green’, (all of which are bastions of *charedut* [ultra-orthodoxy]).

Dayan [Judge] Yonasan Abraham, was, ‘was educated at Gateshead and Lakewood (New Jersey) *Yeshivot*, before moving to Australia in 1985 where he was a member of the Lakewood Kollel Beis Hatalmud in Melbourne. After marrying in Australia, he studied in the Brisk *Yeshiva* in Jerusalem and then returned to Melbourne’, (all of which are bastions of *charedut* [ultra-orthodoxy]). Within the three months of completing this PhD, Dayan Abraham resigned from the London *Beth Din*; there has (of yet) been no appointment made in his stead.

Dayan [Judge] Shmuel Simons, ‘was educated at... Gateshead *Yeshiva*. He continued his learning at the *Ponevezh Yeshiva* in B'nai Brak and subsequently spent eleven years in the Gateshead Kollel where, in his final year, he was a member of the Kollel Executive. For eight years, until the Spring of 2006 when he was invited to join the London Beth Din, Dayan Simons was Rosh Chaburah of the Golders Green Kollel. Dayan Simons has considerable expertise in Halacha and has published a sefer, 'Meil Shmuel', (all of which are bastions of *charedut* [ultra-orthodoxy]). Biographies taken from: <https://www.theus.org.uk/category/our-dayanim>.

In short, the resistance of the London *Beth Din* to the roles of leadership and authority for women rests on the following main arguments, all of which they deploy powerfully and to great effect:

1. women occupying rabbinic positions is not *halakhically* [legally] permissible;⁶⁵⁴
2. women are not *legitimate knowers* and therefore unfit for positions of leadership or authority within the British orthodox Jewish community;
3. these authoritative leadership roles do not *conform* to practices of the past, they cut the uninterrupted tie to mainstream orthodox tradition;⁶⁵⁵
4. these roles undermine *the* authentic role of orthodox Jewish women in the past ('since time immemorial');
5. the appointment of women clergy in some synagogue-communities will *fracture unity* within the larger orthodox community;
6. the orthodox community is under threat of dismissing *halakha* [Jewish Law] for the sake of *fleeting trends*;⁶⁵⁶

⁶⁵⁴ As elaborated upon in the TORA website, by comparison: 'But just as an Israelite cannot perform a Kohen's service, a woman may not serve as clergy.' See: <https://torarabbis.org/2018/02/01/statement-on-orthodox-unions-stance-on-women-clergy/>. Dr Elana Stzokman, feminist advocate and author, was director of JOFA from 2012-2014, but left the traditional orthodox Jewish community to pursue rabbinic ordination at Hebrew Union College, Jerusalem a non-orthodox rabbinic programme; see: <http://huc.edu/campus-life/taube-family-campus-jerusalem>. She argues against this position, claiming that, '[o]pposition to women rabbis has nothing to do with *halakha* [Jewish law] and everything to do with entrenched ideas about gender, power and assumed social hierarchies' (Stzokman, 2016).

⁶⁵⁵ As elaborated upon in the TORA website: 'Nevertheless, as Orthodox Jews we believe that we are guided by Jewish laws, customs and traditions that have bound us since time immemorial'; see: <https://torarabbis.org/2018/02/01/statement-on-orthodox-unions-stance-on-women-clergy/>.

⁶⁵⁶ As elaborated upon in the TORA website: 'the majority of the Orthodox world who have faith and confidence in our collective age old wisdom, and have no desire to sacrifice it on the altar of fleeting societal trends'; see: <https://torarabbis.org/2018/02/01/statement-on-orthodox-unions-stance-on-women-clergy/>. See also, Reitman's claim that, "Cultural identity is constructed relationally. It consists in marking off that which is other, that which a given group of people with a common identity asserts itself not to be. Gender is highly significant to this process. Whereas sex difference is universal, gender difference, as a cultural construct, tends to vary from culture to culture, and these differences in gender ascriptions serve to distinguish cultures from each other. One manifestation of

7. the concerns over *tzniut* [modesty] of the individual women who serve in these roles, and the *tzniut* [modesty] of the nature of the role itself;
8. the imitation of men by women – either through the learning programme, the role itself, or the appellation given to the woman who holds that role.

Crucially, these arguments also have traction when BOJW want to gain access to the orthodox religious leaders in the UK, and are excluded from having meaningful conversations about contemporary *halakhic* matters. '[H]aving this literacy [is] not always a sufficient resource... in that religious authority figures, including rabbis, often [do] not view the women as legitimate partners in a discussion of how to interpret religious texts, *precisely because they are women,*' (Koren, 2013: 222).

This means that the identity of the BOJW is bound up with being a non-legitimate knower, a Jew who can neither access power nor hold power to account.⁶⁵⁷ For BOJW to make innovative suggestions about BOJW's leadership roles within the

this differentiation process is when cultures stake their difference with reference to the values of feminism. Leaders of traditionally patriarchal cultures sometimes define their cultures in opposition to feminism – almost as if feminism defines what the culture is not. It is perceived as a force which arises and ought to exist outside of the community, as antithetical to its core values and beliefs' (Reitman, 2005:197).

⁶⁵⁷ I bring two examples to illustrate the reluctance of the London *Beth Din* to have face to face conversations with congregants about personal and communal issues within their local synagogue-communities.

Example 1 (May 2014) in response to their banning the *Sefer Torah* [Torah Scroll] being handed to the women during morning prayer on Shabbat at Golders Green United Synagogue, an email was sent stating that, 'The Dayanim [judges] have said that *they are prepared* to meet with up to 5 representatives of your group' (italics mine); email sent to a representative congregant of Golders Green United Synagogue (name withheld on request, *italics* mine).

Example 2 (November 2018) in response to a request regarding the Beth Din's requirement to alter the wording on a parent's headstone: 'I am regrettably unable to assist. I probably have little to add to that which a long list of distinguished, learned people, including [name removed], my learned colleague Dayan [name removed] and my experienced Registrar have already told you. Besides for the number of other Rabbis you have consulted with. (*Indeed, with respect, allow me to mention that I am surprised that you have chosen it proper to use up so much collective communal time for this personal request*)' (italics mine); email sent to me regarding my own request to see a member of the London *Beth Din* face to face, which was not granted [12/11/18].

orthodox communities, they need to be part of an ongoing conversation with those already in power, making it difficult to achieve in the UK.⁶⁵⁸ The location of those in authoritative positions and the normative structures in power within any particular orthodox community will impact significantly on the *halakhic* [legal] decision making itself. This situated-ness, 'is extremely influential in limiting the range of *halakhic* [legal] innovation... just how far he may legitimately take his interpretations' (Ross, 2004:57). These positionings only emphasise the desire by some, and the opposition of others, for a broader perspective within the religious leadership, and arguably for the inclusion of women in *halakhic* decision making.⁶⁵⁹ Moreover, 'as long as male *halakhic* [legal] authorities unself-consciously continue the traditional practice of *looking out* on women, thus perpetuating the exclusion of women's perspectives from the interpretive powers of Judaism' (Ross, 2004:230), the possibility of female authoritative leadership within the UK's current rabbinic hierarchical structures seems remote.

INVISIBILITY

Arguably, these tropes are further borne out by notions of invisibility. These are manifest in many different ways, as examined in the previous chapters on education and ritual participation; yet within the framework of authority, this is more pronounced. Naomi Kory,⁶⁶⁰ new mother and co-founder of a *Partnership*

⁶⁵⁸ '[a]ny future developments must negotiate with what already exists' (Ross, 2004:135).

⁶⁵⁹ See: Elior (2004), '... it is those persons who interpret and apply Halakha [Jewish Law], and not halakha [i.e. the halakhic system] itself, who are responsible for the injustice occasions by today's special circumstances. If we blame the rules, rather than those who apply them, we absolve them and ourselves of moral responsibility' (Elior, 2004:65).

⁶⁶⁰ Naomi Kory was interviewed on 29/10/14, see APPENDIX 5, INTERVIEWEES [15] for a detailed biography.

Minyan [open-orthodox community] just outside London, has sought out educational opportunities that provide her with the knowledge and expertise to both establish and lead her current synagogue-community. She has no formal appellation nor has she completed any of the ordination programmes cited above – although she studied for several years in modern/open-orthodox institutions in Israel. She said,

‘I think I’ve actually been extremely fortunate that the educational opportunities I’ve been offered as an adult have been pretty similar to the men; and I think the London School of Jewish Studies (LSJS) is a brilliant example. Everything open to men and women, pretty much equally... with the only exception being the *smikha* [rabbinic ordination] programme offered there.’ (NK, 29/10/14)

Naomi gives an example of the educational opportunities open to her here in the UK, as well as citing specifically the *smikha* [rabbinic ordination] which is not. The LSJS⁶⁶¹ is an orthodox organisation under the auspices of the Chief Rabbi (and the London *Beth Din*), originally established in 1855 as Jews’ College as, ‘a training college for religious leaders’. It now houses ‘some fifty teachers providing adult education courses, degree and teacher training programmes for over seven hundred students.’⁶⁶² One of the eight principle commitments listed on its website is to, ‘promote the *full participation of women* in Jewish learning’⁶⁶³ and as such it is

⁶⁶¹ See: <https://www.lsis.ac.uk/>.

⁶⁶² See: <https://www.lsis.ac.uk/about-lsis.php>.

⁶⁶³ Ibid.

a bastion of modern and mainstream orthodox education in the UK; nevertheless, this principle does not extend to the ordination programme.⁶⁶⁴ Consequently, although LSJS promotes women's religious study, and although it has many female lecturers and regularly invites world-renowned orthodox Jewish women as visiting scholars-in-residence, access to the ordination programme which provides religious authority to its graduates is not open to women. The *smikha* [ordination] programme is under the auspices of the London *Beth Din* [Court of Jewish Law] and is sponsored by The Montefiore Endowment, which was established in 1885, following the death of Sir Moses Montefiore. The Endowment promotes, 'the advanced study of the Holy Law as revealed on Sinai and expounded by the revered Sages of the Mishna and the Talmud, and teaching the benefit of tolerance, mutual understanding, social harmony and integration, in accordance with the teachings of the Holy Law as expounded by the revered sages of the Mishna and Talmud and as demonstrated in the life of Sir Moses Montefiore.'⁶⁶⁵ The 2017 *smikha* [ordination] programme brochure was published by the Montefiore Endowment (rather than by LSJS) and states:

⁶⁶⁴ See: <https://www.montefioreendowment.org.uk/wp-content/uploads/2017/09/montefiore-brochure-low2017.pdf>. There is no mention that this course is open to men only in the brochure, but upon requesting whether it is open to women, I was told by LSJS that it is not (telephone conversation, 28th March 2019).

⁶⁶⁵ See: <https://www.montefioreendowment.org.uk/sirmoses/endowment/>.

‘THE LONDON MONTEFIORE SEMICHA PROGRAMME:

Training a new generation of rabbis for the Anglo-Jewish community. A part-time course designed for future community rabbis, teachers and lay leaders to be followed in parallel with a career or other studies.’⁶⁶⁶

On being asked about the lack of clarity as to whether the programme was open to only men, or to both men and women, LSJS responded,

‘When the *smikha* [ordination] programme was advertised on the LSJS website and in its brochures, it was always made clear that it was a programme for men. On the Montefiore website *they are less conscious of these things and just assume everyone realises it is for men.*’⁶⁶⁷ (LSJS, personal email, March 2019; *italics* mine)

I subsequently checked the archives of the LSJS webpages and indeed, for the year 2013-2014 the *smikha* [ordination] programme webpage read:

Montefiore Kollel: Study *Halacha* (sic) [Jewish Law] in-depth from theory to practice. Now in its third year, the Montefiore *Kollel* at LSJS *is for men* who want to improve their learning in a traditional *yeshiva*-style setting...

Preference will be given *to men* with a solid grounding in traditional learning

⁶⁶⁶ See: FOOTNOTE 666; front cover.

⁶⁶⁷ Conversation in person, 28th March 2019; the source at LSJS requested anonymity.

who are interested in (or are currently) serving the community as teachers, rabbis or leaders.’⁶⁶⁸ (*italics mine*)

The kind of invisibility of BOJW invoked by the current publication maintains their absence from Jewish authoritative roles and re-enforces the BOJW as ‘the Jew who wasn’t there.’⁶⁶⁹ Given that, ‘[p]ower holders in a community have the authority to define what constitutes knowledge, the cultural worth of different aspects of knowledge, and *what access diverse groups in the community will have to any kind of knowledge/power*’ (Ben-Yosef, 2011:70; *italics mine*), those who render BOJW as unfit to become *halakhic* [legal] authorities (and those who do not even consider it a realistic possibility) perpetuate, either purposefully or through neglect, their exclusion from religious power.

⁶⁶⁸ See: <https://www2.lsis.ac.uk/montefiore-kollel-5773/>.

⁶⁶⁹ Adler, R. (1973) ‘The Jew Who Wasn’t There: Halacha and the Jewish Woman’ in *A Contemporary Jewish Review* (Summer:80-81).

3. LOCATING TROPES of AUTHORITY

INTRODUCTION

‘...the ruling group’s vision may be both perverse and made real by means of that group’s power to define the terms for the community as a whole.’ (Hartsock, 1983:288)

This section of the chapter examines circulating tropes of authority and of exclusion from authority, exploring how they are mobilised within the UK, and the effect they have on BOJW.

3.1 The AUTHORITATIVE CONTROL of WOMEN by MEN

SEEKING PERMISSION

I believe it is symptomatic of the UK orthodox Jewish community and the hierarchical structure of male religious authority that well over half the BOJW interviewed mentions ‘asking permission’ or of ‘being allowed’ in the context of female religious leadership. Wendy Aviv,⁶⁷⁰ since divorcing, has moved out to a smaller provincial community within which she feels she can ‘contribute and be counted as a valuable member.’ Wendy labelled herself as modern orthodox and when I asked her about orthodox women’s leadership, she replied,

‘I think they are allowed to do certain things, like the *halakhic* [legal] version of a rabbi for *women’s issues*. I think there’s still a lid being put quite tightly

⁶⁷⁰ Wendy Aviv was interviewed on 01/10/14; for a more detailed biography, see: APPENDIX 5, INTERVIEWEES [2].

on the box of women teachers, scholars on what they are allowed and aren't allowed to learn and teach' (WA, 01/10/14).

Wendy's response highlights the cautious approach to the topic of orthodox women in authority, using tentative phrases such as 'I think...' and '...are allowed' indicative of the persistent permission-seeking from those in power. She also compartmentalised the role of an orthodox woman leader, suggesting she would be able to deal specifically with 'women's issues.' Of the four programmes in the US and Israel described in the first section of this chapter, two focus almost exclusively on *Hilkhoh Niddah* [Laws of the Menstruant Woman] and related topics. I would argue that *Rabbanit* Chana Henkin of Nishmat's *Yoetzet Halakha* programme thought very hard, both about what orthodox women wanted and needed from orthodox women authorities, but also anticipated what areas of *halakha* would be most palatable (to the orthodox men in positions of authority) for women to become experts in. Miriam Engel⁶⁷¹ felt that women's religious knowledge and experience was marginalised, which she found especially amusing given how much she had been asked to study for her conversion process. Although an advocate for women's leadership within the orthodox community, she also spoke hesitantly, and she also specified 'Taharat *haMishpacha*' [Family Purity], (a euphemism for *Hilkhoh Niddah*) suggesting,

⁶⁷¹ Miriam Engel was interviewed on 27/04/15; for a full biography, see: APPENDIX 5, INTERVIEWEES [4].

'If it's permissible, I think women should be encouraged to do it, supported by their current leaders – especially in regard to women's issues – Taharat HaMishpacha [Laws of Family Purity] and contraception, or issues of sexual abuse, domestic abuse, abortion – if necessary. A woman might not necessarily feel comfortable talking to a man about it, even if he is her rabbi. So I think there needs to be more women out there who can pasken [judge], if halakhically [legally] permissible on these issues.' (ME, 27/04/15)

Miriam adds another angle to the debate, by not only emphasising the 'permissible', but also calling for 'current leaders' to encourage the BOJW who want to take up these roles. It is arguable that these comments are simply two sides of the same coin, both of which require the involvement of the orthodox men in positions of religious power.

It might be assumed that the *Partnership Minyanim* are ostensibly an open-orthodox environment within which the authoritative control of men over women has been explicitly addressed. Nevertheless, Nathalie Jacobson⁶⁷² had an alternative perspective on its structure. She is 48, an academic in Jewish Studies, and lives in London with her husband and their three children. In her interview, she stressed that at home, she shares the domestic ritual roles with her husband and they work hard to bring up their three children to be acutely aware of an emphasis on gender equality. Nathalie, as a founder of her local *Partnership Minyan* [open-

⁶⁷² Nathalie Jacobson was interviewed on 16/09/14; see APPENDIX 5, INTERVIEWEES [11] for a detailed biography.

orthodox community], stressed that even this model is steeped in a male authoritative framework:

‘In all honesty, I think that *Partnership Minyanim* are actually deeply problematic because they are still built very much on notions of permission. If anything they *reinforce*, rather than seek to ask questions about the *halakhic* [legal] structure.

So, my understanding of the feminist critique taken to its logical conclusion, applied to Judaism, to an orthodox Judaism – is that the entire *halakhic* [legal] system on which it’s built needs to be questioned in terms of... the basis of the hierarchies and the impositions that it is built upon.’ (NDJ, 16/09/14)

This position reiterates the perspective through which religious lives are lived out – the fact that asking permission reinforces the male perspective, given that orthodox religious leadership is, in the UK, exclusively male. Indeed, even within the worldwide *Partnership Minyan* movement, the *halakhic* authority that is relied upon for the semi-egalitarian prayer service is also male. Within the British orthodox community, men occupy all the seats of *halakhic* [legal] authority and subsequently, have a ‘privileged insight to truth’ (Ross, 2004:24); so much so, that the only way of abandoning this entitlement is, according to Nathalie (and only Nathalie), to dismantle the structures that keep this status in place.

'THE INVOCATION of PRESTIGE'⁶⁷³

Xandy Engelberg⁶⁷⁴ works in children's care within the Jewish community and is a prominent member of her own *charedi* synagogue and she had conflicting views about orthodox women's leadership. On the one hand she felt strongly about women being heard, and has often voiced her own concerns in her own synagogue-community to the rabbi or lay-leadership. Nevertheless, she spoke of orthodox women's religious authority as a 'taking away' from the male leadership, as opposed to a welcome addition. Arguably, this is demonstrative of the way in which some BOJW are persuaded to perpetuate historical cultural norms as religious imperatives, ensuring that BOJW hand over privilege and power to men in the orthodox community. She remarked,

'I don't need those roles to *validate* me as a woman.⁶⁷⁵ And I think that the roles women need to play have to do their *unique strengths* and what they can contribute that men can't, not in *taking roles away from men.*' (XE, 26/04/15)

Ben-Yosef (2011), in her analysis of *Lubavitch* women's religious classes, argues that this is a 'most important criterion... the existence of an audience to be governed and dominated because "the language of authority never governs without the collaboration of those it governs"' (Ben-Yosef, 2011:60). With regard to how this

⁶⁷³ Ben Yosef, 2011:72.

⁶⁷⁴ Xandy Engelberg was interviewed on 26/04/15; for a detailed biography, see: APPENDIX 5, INTERVIEWEES [5].

⁶⁷⁵ See also literature on Adaptive Preferences, for example: Khader, S (2011) *Adaptive Preferences and Women's Empowerment*; OUP, or Cudd, A.E.(2004) *Analyzing Oppression*; OUP.

phenomenon plays out in the theoretical landscape of agency, it is a provocative arena of claim and counter-claim. On the one hand, as an observer of behaviours from an 'outsider' perspective, theorists are led to believe that some women are indeed oppressed by the very community which professes to care for them. Butler describes this in a way that also touches on the question of the intelligible BOJW, capturing precisely the precariousness to one's own identity were one to question and destabilise the systems of power in place. She asks, '[w]hat does it mean to embrace the very form of power – regulation, prohibition, suppression – that threatens one with dissolution in an effort, precisely, to persist in one's own existence?' (Butler, 1997b:9). She brings to light the absurdity of wanting to perpetuate an identity which precludes certain types of flourishing, yet which sustains one as an intelligible subject. Even with an insider's view – it is hard to argue that this is not the case for BOJW striving towards leadership. Indeed, my reading of Ben-Yosef's claim is, that it is through 'allowing' women *some* access to *some* religious texts that they become partners in their own preclusion from authority – accepting whatever 'authentic' role or appellation is granted to them as an intelligible BOJW, rather than aspiring to or generating alternative possibilities. She proposes that,

'the authority of the texts and their expression of male hegemony are accepted not by subordination but through knowledge acquisition, and cooperation... top social rewards are gender specific and the *shiyour* [religious class] gives access to rewards to which women are allowed to aspire. Status markers such as "Woman of Valor" or *tsedeykes* (righteous

woman) may be conferred on women who behave “well”. This is a dynamic where the gatekeepers of the community (the learned males) “invoke the prestige of the oppressed in order to dominate them more efficiently and ever more gently” [Betensky (2000:213)]. (Ben-Yosef, 2011:72; *italics mine*)

It is this ‘invocation of prestige’ I believe, which most marks the distinction between the variety of orthodox communities in the UK; so that in the open-, modern- and mainstream orthodox communities, this sort of ‘gentle’ process of subordination is recognised, called out and confronted (as well as put up with); whereas within the more *charedi* [ultra-orthodox] leaning communities, this commonly circulated trope, is more widely accommodated and integrated, permeating much of day to day religious life. This results in the withholding of access to knowledge, as a way in which to control what orthodox women can and cannot do – specifically (and most obviously) in the realm of religious authority.

The ABSENCE OF WOMEN’S VOICES

Historically, orthodox Jewish men have had the authority to make individual and communal *halakhic* [legal] decisions, and it is unsurprising that women’s voices have been unheard, even silenced.⁶⁷⁶ I do not mean that there have not been women asking questions; there are examples of women asking questions in the *Talmud* [oral law], as well as within books of responsa, the most popular recent

⁶⁷⁶ There are, of course, exceptions to this general rule, including *Bruria* (see: *BT Pesachim 62b* ‘she learned three hundred laws from three hundred teachers in one day’; and *Hulda* (see: Targum’s commentary on *2 Kings (22, 14)* who states that ‘Huldah was not only a prophet, but taught publicly in the school’, even the oral law – according to some).

form of *halakhic* [legal] writings;⁶⁷⁷ rather, I mean that ‘men have always set the agenda’ (AV, 10/07/15).⁶⁷⁸ Even for those who argue that the cacophony of texts – *halakhic* [legal], narrative [biblical], *midrashic* [homiletic] and *Talmudic* – have many comments about women (negative and positive), there is nevertheless the ongoing concern that they are all written by men and as such, it ‘is not surprising that they necessarily reflect predominantly male interests and a masculine set of values’ (Ross, 2004:22). Nadia Jacobs,⁶⁷⁹ a popular modern orthodox educator, spoke strongly about the issue of lack of women’s voices within the British orthodox religious leadership.

‘I feel passionately that the all male voices and the all male leadership is at the heart of everything that’s wrong with orthodox Judaism, and that might sound a very extreme statement... what do I mean by that?

...the absence of a female voice, a female perspective and a female influence, I think is terribly important for both the men and the women.’

(NJ, 30/09/14)

Although Nadia makes her comments with reference to the UK’s orthodox Jewish community, she not only speaks for a majority of the BOJW interviewed but reflects

⁶⁷⁷ For example: The seven volumes of Feinstein (1959) *Iggrot Moshe*. The first volume included questions regarding: *Bat-Mitzvah* [coming-of-age ceremony] for girls (*O”C I:104* (1956), *O”C II:97* (1959), *O”C IV:36*); Education of girls (*Y”D II:109*, *Y”D II:113* *Y”D III:87.2*); *Mehitza* [separation] (*esp. O”C I:39*); Mixed-seating on a subway or other public transportation (*E”H II:14*).

⁶⁷⁸ Avivah Vecht was interviewed on 10/07/15; see APPENDIX 5, INTERVIEWEES [19] for a detailed biography.

⁶⁷⁹ Nadia Jacobs was interviewed on 30/09/14; see APPENDIX 5, INTERVIEWEES [10] for a full biography.

much of the Jewish feminist literature which has emerged over the last 40 years,⁶⁸⁰ as Ross (2004) asserts, 'male bias cannot be limited to specific terms and passages; it is all over the text.' (Ross, 2004:186)

Arguably, one of the consequences of male bias within *halakha* [Jewish law], means that the men in the orthodox community have authority over what the orthodox women ought to practice and perform (although as mentioned in Chapters Four and Five, BOJW do not always heed to these *halakhic* [legal] decisions). But it also engenders a powerful hierarchical communal framework within which men are constructed as qualified to take positions of authority within orthodox religious life and women are rendered ineffective, voiceless. It is within this framework that we find powerful men speaking on behalf of women, about women and to women. In *The Problem of Speaking for Others*, Alcoff suggests that, 'the practice of speaking for others is often born out of desire for mastery, to privilege oneself as the one who more correctly understands the truth about another situation or as the one who can champion a just cause and thus achieve glory and praise. The effect of the practice on speaking for others is often, though not always... a reinscription... of hierarchies' (Alcoff, 1995:115).⁶⁸¹ In this framing, those who speak for others (British orthodox Jewish men for BOJW) claim their legitimacy through the assumption that they have a monopoly on truth, founded both on their educational opportunities and on the hierarchal structures in place which reinforce their status.

⁶⁸⁰ Examples include: Heschel, 1995; Adler, 1998; Plaskow, 1990; Greenberg, 1981 and Ross, 2004.

⁶⁸¹ Similarly, 'It is not that we have not been speaking, but rather our voices - through a system of racism - have been either systematically disqualified as invalid knowledge; or else represented by whites, who, ironically, become the 'experts' on ourselves' (Grada, 2008:28).

GOD AS MALE

Within these circulating tropes, is the one most difficult to deconstruct within a religious framework. I believe that the male language used to describe God, as *the* authoritative religious voice, has impact on how woman, as opposed to man (not *human*), is theologically and culturally constructed as the non-normative religious authority. It is all very well for BOJW or other orthodox women worldwide to contend with male leadership, but it is almost impossible within these communities to confront the language of the maleness of God. And I think this matters; at some level, the male leadership within religious communities, equate their power, and their entitlement to that power to being made *more literally* in the image of God,⁶⁸² as feminist orthodox philosopher Ross (2004) argues, ‘...the normative language about God serves only to reinforce the tendency to exclude women from participation in Jewish religious life and the development of *halakhah*, “Male imagery both tells us about God’s nature (it is, after all, the only way we know God) and justifies a human community which reserves power and authority to men” (Plaskow)’ (Ross, 2004:118). There is no question that theologically, Judaism does not assert that God is male, to the contrary, Maimonides⁶⁸³ in the third of his thirteen attributes of faith states: ‘I believe with perfect faith that the Creator, Blessed be His Name, has no body, and that He is free from all the properties of

⁶⁸² John Wyndham highlights the linkage between who wields power and communal change in his dystopian novel, *The Chrysalids*, declaring that those in power, ‘stamp on change: they close the way and keep the type fixed because they’ve got the arrogance to think themselves perfect. As they reckon it, the, and only they, are in the true image; very well, then it follows that if the image is true, they themselves must be God: and, being God, they reckon themselves entitled to decree, “thus far, and no farther”’ (Wyndham, 1955:154).

⁶⁸³ Maimonides: Rabbi Moses ben Maimon (b. 1135, Spain – d. 1204, Egypt); philosopher, *halakhist* and physician. Author of *The Mishneh Torah*; the Guide for the Perplexed as well as numerous other works. See: <https://www.britannica.com/biography/Moses-Maimonides> for further information.

matter, and that there can be no (physical) comparison to Him whatsoever.’⁶⁸⁴ Yet, although *Judaism* purports to a genderless ethereal God, *Jews* themselves speak of God in the masculine – in their general reference to God, and both in liturgy and in scripture. Unlike English which has a gender neutral ‘It’, Hebrew uses the male grammatical form as the gender-neutral form. And, although God is anthropomorphised as having both male and female characteristics (itself a complex and contested assertion), colloquially, within British orthodox communities, God is spoken of only in the male. Famously, Daly (1973)⁶⁸⁵ asserted that, ‘If God is male then male is God’ – a statement which has been both repeated and hotly disputed since, but I do feel its resonance and profound relevance within this argumentation,⁶⁸⁶ as Ross continues, ‘the extent that monotheism places men at the center, then the world it constructs in order to make sense of human

⁶⁸⁴ Found at the end of the Morning Prayer service for *Ashkenazim*. Translation from: Birnbaum, D. (2005) *Jews, Church & Civilization, Volume III*; publ. Millennium Education Foundation.

⁶⁸⁵ Daly, N (1973) *Beyond God the Father*; Beacon; p.19.

⁶⁸⁶ Recently (2018), I gave a sermon in a local modern orthodox synagogue-community on ‘The Gender of God’ and in order to explain the significance of using He for God, changed the translation of a well-known morning prayer from masculine to feminine: ‘Blessed be She who spoke, and the world came into being; blessed be She. Blessed be She who created the universe. Blessed be She who says and performs. Blessed be She who decrees and fulfills. Blessed be She who has mercy on the world. Blessed be She who has mercy on all creatures. Blessed be She who grants a fair reward to those who revere him. Blessed be She who lives forever and exists eternally. Blessed be She who redeems and saves; blessed be Her name.’ (My own re-translation of *Barukh She’Amar*. See original text in Hebrew and English at:

https://www.sefaria.org/Siddur_Ashkenaz%2C_Weekday%2C_Shacharit%2C_Pesukei_D'Zimra%2C_Baruch_SheAmar?lang=bi). A young member of the congregation was highly affronted by this translation, and thought it ‘ridiculous’. I explained the methodology of the exercise, and that his response highlighted the problem, replying that it is indeed ridiculous to call God She, in the same way that it is ridiculous to call God He. Yet the discomfort of calling God She calls attention to the assumptions orthodox Jewish communities make about God (as male), about the attributes of maleness, about authority and about leadership within their communities.

Would it not be true, suggests C.S.Lewis, that ‘[a] child who has been taught to pray to a Mother in Heaven would have a religious life radically different from that of a Christian child.’” (*Hampson*, 1990:82)? Notably, Lewis was arguing against the ordination of Christian women in 1948 (Lewis. C. S. (1948) “Priestesses in the Church?” in Lewis, C.S. (1970) *God in the Dock*; William B. Eerdmans:237); but his astute perspective about having a ‘radically different’ religious life is exactly the point I want to make: calling God female profoundly changes the relationship a religious person has with God, in the same way that it changes religious notions of leadership as essentially male.

experience is also a world imbued with a male perspective' (Ross, 2004:110). Furthermore, feminist Judith Plaskow (1990) alleges that the consequence of referring to God as male has significant and dangerous theological consequences: 'It then becomes maleness which is worshipped instead of God. While Jews are used to thinking of idols as pillars and stones, verbal idols can be every bit as powerful as sculpted ones - indeed more powerful for being less visible' (Plaskow, 1990:128).

Arguably, the presumption of the maleness of God, and the power its invisibility arouses, impacts directly on the experience of Jews as worshippers of God, the religious experiences and practices they perform, and who they believe has religious authority. Most pertinent to the arguments presented here, is the alternative trajectory: were orthodox women to occupy leadership positions within orthodox Jewish communities, if they have authority over the ways in which British orthodox Jews practice Judaism, this in turn will have a profound impact on the way in which God is imagined, constructed and described.

3.2 BOJW: DANGEROUS, INACCURATE and UNTRUSTWORTHY

In addition to the issues discussed above, I wanted to briefly include the more uncomfortable, and in some sense, the more penetrative tropes which, I believe, form part of the British orthodox (unspoken) construction of women, *especially* present in thinking about BOJW in positions of leadership and authority.

WOMEN as DANGEROUS

Interviewing modern orthodox educator Nadia Jacobs,⁶⁸⁷ was fantastically interesting and she had many humorous stories to share of her life in education. Often, these anecdotes oscillated between the comical and the tragic – and this is one. Nadia recalled an occasion on which she had been invited to speak at an orthodox girls' school in Manchester.

‘They disinvited me at the last minute; it was kind of clumsy and a badly done business – because the religious studies department had ‘heard’ things about me. What things, nobody would say... It could have been about a dozen things really, but I was really curious to know which. The general feeling was, ‘we don’t want educated women coming into our schools,’ which for me seems about just the most depressing thing I’ve heard in my life.” (NJ, 30/09/14)

This is an incident which testifies to the fact that Nadia is perceived as a scholar of some kind. Indeed, it not that her scholarly status or knowledge is not taken seriously or is dismissed, it is taken very seriously and precisely because of it, she is considered a dangerous woman. An orthodox school which, as a matter of principle, refuses to host (or in this case, disinvites) a BOJW who is religiously literate, reiterates the concern of those in power that BOJW are either not fit to teach with authority (*especially* if they are knowledgeable) or that them being

⁶⁸⁷ Nadia Jacobs was interviewed on 30/09/14; see APPENDIX 5, INTERVIEWEES [10] for a full biography.

knowledgeable per se is a danger to the traditional community, and intractable bind. This paradox cannot be overstated in terms of identity as a BOJW; Nadia's story highlights this: the more a BOJW wants to become scholarly, the more she is perceived as transgressive – and in this case, dangerous.

This concern is often conflated with issues of *tzniut* [modesty], whereby danger, is directly associated with sexual danger.⁶⁸⁸ The grass-roots Israeli movement *Chochmat Nashim* is dedicated to ensuring that orthodox women are both seen and heard. In an online article written just after the publication of the RCA and OU documents,⁶⁸⁹ they asked, 'Who needs rabbinic leadership? A call for Orthodox organizations to heed the voices of the women they cannot see!'⁶⁹⁰ emphasising the fact that these orthodox institutions had time and energy to make comments and *halakhic* judgements on orthodox women's positions of authority and leadership, but were not concerned with the evermore prevalent custom of orthodox publications erasing women's and girls' images, to the extent that they are airbrushed out of children's clothing advertisements, not pictured alongside men as lecturers, or not included in children's story books or illustrated religious literature. The article stressed the disturbing correlation between women's erasure and the perception of women as dangerous:

⁶⁸⁸ Jewish feminist Judith Plaskow highlights the ever-present sexual concerns in *Seder Nashim* [the Order of Women] (the third order of the Mishnah): 'Jacob Neusner argues in his extensive work on the Mishnah's system of Women that though the subject of sexuality is scarcely mentioned, "it is always just beneath the surface" ... The goal and purpose of the Mishnah's division of Women is to being under control and force into stasis, all the wild and unruly potential of female sexuality, with their dreadful threat of uncontrolled shifts in personal status and possession alike.' (Plaskow, 1990:175).

⁶⁸⁹ See: APPENDICES 10.2 and 10.3

⁶⁹⁰ <https://www.chochmatnashim.org/who-needs-rabbinic-leadership-a-call-for-orthodox-organizations-to-heed-the-voices-of-the-women-they-cannot-see/>.

‘not displaying pictures of women at all implies that any sight of a woman is dangerous to a man, that he is totally incapable of controlling himself when confronted with an image of a properly dressed woman or girl. That too says that women are being judged. Being judged as dangerous.’⁶⁹¹

BOJW who lecture in public are held to very high standards with regard to what they wear and, if they are married, whether or not they cover their (head) hair, an obligation according to normative *halakha*.⁶⁹² Although the laws of modesty are part of an orthodox lifestyle, the obsession with modesty has become a cause celebre over the last two decades.⁶⁹³ *Charedi* [ultra-orthodox] *rebbetsin* and teacher Esther Epstein⁶⁹⁴ invoked this trope on being asked about women in leadership positions. I interviewed her at her home in Greater London, which she shares with her husband, the rabbi of a local *charedi* synagogue-community and her one remaining child at home. On being asked about women in positions of religious leadership and authority, Esther replied firmly that,

⁶⁹¹ <https://www.chochmatnashim.org/who-needs-rabbinic-leadership-a-call-for-orthodox-organizations-to-heed-the-voices-of-the-women-they-cannot-see/>.

⁶⁹² For more information on hair-covering, see: Schreiber, L. (2006) *Hide and Seek: Jewish Women and Hair Covering*; Urim.

⁶⁹³ For example, see: Rabbi Yehuda Henkin’s (2008) response in *Understanding Tzniut* to Rabbi Eliyahu Falk’s (1998) book, *Modesty: An Adornment for Life*; Feldheim, which takes an extremely stringent position on the modesty laws for women’s clothing. Henkin states that we are in danger of ‘losing sight of the real basics of modesty - not to mention being so concerned about not thinking about women that one can think of nothing else’.

⁶⁹⁴ Esther Epstein was interviewed on 23/07/15; for a detailed biography, see: APPENDIX 5, INTERVIEWEES [7].

‘Religious Jews are reluctant to have women in roles other than teaching women. It’s a “danger area” where women want to teach in mixed gender [classes] or (as) leaders of communities.’ (EE, 23/07/15)

In theory, modesty is required of both men and women, in both dress and behaviour,⁶⁹⁵ yet it has taken on a renewed fervour as the yard stick through which BOJW’s commitment to orthodoxy is measured. *Tzniut* [modesty] and its performance, being *tzanua* [modest] has become a by-word for being an intelligible orthodox woman, but it is a highly gendered phenomenon, and reinforces the control of men over women, as Plaskow suggests, ‘[t]o speak of sexuality is to speak of women occasionally as fellow people – themselves desirous but subject to social restraint – but mainly as objects, as Others, as dangers to male moderation, as hazards to the balance and regulation that mark the sacred order’ (Plaskow, 1990:185).

WOMEN as INACCURATE

My conversation with Esther continued, and she brought up a second protestation against women having positions of religious authority, claiming that,

⁶⁹⁵ See Millen (2009): ‘Tzeni’ut is often invoked in particular as a criterion for evaluating the attire of girls and women, but it is actually a much broader, gender-inclusive conceptual category. True modesty—unpretentiousness, a lack of self-centeredness, a curtailment of unwarranted pride or arrogance—may be understood as a vehicle for developing and making visible the dignity of each person, the image of God within us all’ (Millen, 2009:234).

‘Women tend to be... not as “accurate” as men, perhaps his has something to do with emotions. There’s a risk of expanding or contracting *halakha* [Jewish law], because it needs to be precise.’ (EE, 23/07/15)

With this statement, Esther has complied with, and mobilised the expectations placed on her by the *charedi* [ultra-orthodox] community – and she has submitted to the belief that men are more ‘accurate’ and less ‘emotional’ than women and as a consequence better interpreters of Jewish law, somehow truer *halakhists* [law makers]. None of the public responses (to the best of my knowledge) to orthodox women taking up positions of authority have used this reasoning to exclude women from engaging in *halakhic* decision making; nevertheless, I wanted to include it here because although Esther was the only interviewee to mention it, she was also the interviewee who belonged to the most ultra-orthodox community, and as such, she *may* reflect an undercurrent that is more acutely felt in her orthodox community.

WOMEN as UN/TRUSTWORTHY

Nonetheless, Esther went on to describe the trust assumed of Jewish women by men, with reference to BOJW’s domestic religious role:

‘Women are trusted to a high level. The lineage of the descendants⁶⁹⁶ and the upkeep of *kedushah* [lit.holiness – on asking, Esther specified *niddah*

⁶⁹⁶ Esther Epstein is referring to matrilineal descent as the legal marker of Jewishness. In general, within orthodox theology it is presumed that matrilineal descent began with Moses at Sinai but others claim this was not the established practice until approximately 10-70CE. There are opposing views as to why this is the case. One *halakhic* opinion claims that this has a theological component – that only women are capable of passing on identity (see: note 42 in Sorek, S. (2002) *Mothers of*

[the menstruant woman] amongst other ritual practices] in the family.

Women's word is relied upon, women are respected and trusted.' (EE,
23/07/15)

It is hard to disagree with Esther, because in most orthodox homes this is indeed the case, especially with regard to the *niddah* [the menstruant woman] rituals. Women check themselves internally every month for signs of menstrual bleeding and its cessation – and, in general, their word is completely relied upon.⁶⁹⁷ But what stands out is that Esther, who has already highlighted her concern with women's public religious leadership, has integrated the systemic narrative of being a trustworthy and reliable religious Jew, but only within her own home or in the teaching of other women. In other words, her conservative outlook with regard to female religious authority is ironically sustained by her belief of the identity of BOJW as trustworthy and respected. In cases where there may be a doubt of status regarding *niddah* [the menstruant woman] rituals,⁶⁹⁸ these questions will be taken to the male authority in the *charedi* community (and not, a female *Yoetzet Halakha* – at least, not yet). Thus, although Esther contends that orthodox women are 'trusted... and... respected', in the *charedi* [ultra-orthodox] community, it could be

Israel: Why the Rabbis Adopted a Matrilineal Principle); but another school of thought claims paternity was impossible to determine (at that time) but there would be witnesses to a mother giving birth. For an excellent article on the subject, see: Cohen, S.J.D. (1985) *The origins of the Matrilineal Principle in Rabbinic Law*; p.40; and see also the undisputed opinion of Rabbi Shimon Bar Yochai in *BT Kiddushin 68b* and *BT Yevamot 23a* (and commentaries there); and in contra-distinction the stories told of Yaakov of Gevurial in *Numbers Rabbah 19: Midrash 3*, who claimed the validity of patrilineal descent and was condemned (whipped) by his fellow *halakhists* [legal decisors].

⁶⁹⁷ For more information about *hilkhot niddah* [laws of the menstruant woman], see: <http://www.yoatzot.org/taharat-hamishpacha/>.

⁶⁹⁸ Common examples include: the colour of the bloodstain, the size of the bloodstain, the necessary length of separation, the possible ramifications for conception.

argued that they are not trusted enough to make *halakhic* [legal] decisions, and certainly not trusted as much as the men to share their *halakhic* [legal] opinions authoritatively and in public.

I interviewed Gila Katz⁶⁹⁹ at her home in Greater London just after her six children had left for school, and before she had to leave for work. Gila is 42, grew up in Manchester and moved to London as a medical student. She was brought up in a *charedi* family with several siblings, although she commented that her parents had always been quite academic so she was never dissuaded from going to university. Gila shifted towards modern orthodoxy in her teens and spent her gap-year in a modern orthodox seminary in Jerusalem. She too commented on the issue of whether a woman could be trusted in matters of *halakha*, and mentioned that she often goes to see her local *rebbetsin* if she has a *Niddah* question, and almost every time, she responds in the same way:

‘If I speak to my *rebbetsin* usually her response is ‘I think this is what you do... but I’ll just go check with my husband’. I’m sure she has a lot of knowledge herself and could answer – she never does take on the role of answering.’ (GK, 20/10/14)

Gila is disappointed that the rabbi’s wife, although very experienced, and most likely very knowledgeable, does not trust herself to make a decision. This anecdote

⁶⁹⁹ Gila Katz was interviewed on 20/10/14; for a detailed biography, see: APPENDIX 5, INTERVIEWEES [13].

is similar to several of my interviewees gripes about having to see the local rabbi when they would much rather discuss the matter with his wife. It is representative of both the way in which BOJW are constructed as not able, not eligible, not entitled to be trusted in making *halakhic* decisions – even if they have the requisite skills, and also that many BOJW who go through this experience are disappointed by this phenomenon.

4. GENERATING BOJW'S LEADERSHIP and AUTHORITY

INTRODUCTION: LOCATING CHANGE

This research demonstrates that BOJW who want to generate practices of piety within positions of leadership and authority, but who also want to remain as intelligible BOJW, find this arena of religious life *the* most difficult terrain to navigate within the British orthodox Jewish community. Nevertheless, my interviewees expressed delight at what had been achieved, hope for what may be achievable, as well as expressing their ongoing frustrations about the UK orthodox Jewish community's lack of women's religious leadership positions.

4.1 BOJW's HOPES and ASPIRATIONS

INTRODUCTION

Often, shifts in orthodox practice, which begin in the States and/or in Israel, are shipped across to the UK eventually; but it can take a long time, and can be very frustrating for BOJW who seek this change. Thus, although the need for women's

leadership was almost universally espoused by the interviewees, there remains an ambivalence as to whether this will ever emerge within the UK's orthodox communities. Most interviewees agreed that although, 'there's a huge need for women religious leaders... there are far more women educators in Israel and America than there are in England, within orthodoxy anyway' (GK, 20/10/14). Yet, even living with the frustrations of the status quo, there was a momentum of optimism and hope, that, '[i]t's inevitable that those women [scholars] will eventually have wonderful leadership roles in our community' (NK, 29/10/14). This section outlines why BOJW would like to see orthodox women in positions of pious leadership and authority, and is followed by the current generative practices of BOJW.

The NEED to RELATE to THOSE in POSITIONS of LEADERSHIP

Heather Keen⁷⁰⁰ suggested that in her own local community, women's 'spiritual and intellectual' religious needs are not being met, and one approach to addressing that need is to encourage women to take on religious leadership roles. In other words, her concern is not only to address issues of male bias or lack of female representation, nor the internal pressure BOJW may feel to community norms – but on a more pragmatic level, to ensure the basic religious needs of BOJW are being heard and addressed by their local orthodox communities. She remarked that,

⁷⁰⁰ Heather Keen was interviewed on 20/07/15; for a detailed biography, see: APPENDIX 5, INTERVIEWEES [14].

‘From a more localised perspective, the leadership does not relate to its congregants. They (BOJW) are trying to be fully observant, trying to grow spiritually and intellectually, and most are not being catered for by the rabbis who are here now.’ (HK, 20/07/15)

This perspective is amplified by writer and activist Hill-Collins, who wrote that, ‘a subordinate group not only experiences a different reality than a group that rules, but a subordinate group may interpret that reality differently than a dominant group’⁷⁰¹ In this reading of non-normative experience, the rabbinic leadership needs not only to inculcate *his* perspective about what the women in his local synagogue-community require religiously, but what it is *the women themselves* say they require – as their own religious representatives, and as intelligible BOJW. Heather speaks for several other interviewees, who commented that their rabbis were ‘out of touch’ (NJ, 30/09/14), ‘non-inclusive’ (WA, 101/10/14) or ‘clueless’ (AV, 10/07/15) about the needs of the women in their communities, and that having a woman as part of the leadership team would ensure their needs were heard, understood, and, hopefully, met.

Atalia Fairfield⁷⁰² is member of her local *Partnership Minyan* [open-orthodox community] and works in medical research. She was brought up in a *charedi* family and attended a *charedi* school, but as an adult chose to move to a more modern orthodox community, and is a great supporter of women’s *Gemara* [Talmud] study.

⁷⁰¹ Hill-Collins (2000) in James and Sharpley-Whiting (eds.) *The Black Feminist Reader*:184.

⁷⁰² Atalia Fairfield was interviewed on 24/10/14; see APPENDIX 5, INTERVIEWEES [8] for a full biography.

On being asked about women's religious authoritative religious leadership and the role they might play here in the UK, she replied,

'So I think it's a really good development, from studying the *halakhas* [Jewish laws], I can see no reason why women can't be in those roles. I think... women need the same opportunities to be able to develop themselves in that way if they want to be a leader.' (AF, 24/10/14)

Atalia reflected a majority position of the women interviewed, although she was far less tentative in her opinion, stating that she could 'see no reason' why women could not take on leadership roles, and that she felt it was a matter of fair opportunity for pious self-development. I interviewed Dalia Weiss,⁷⁰³ mother of two and co-founder of her local *Partnership Minyan* at her home in London, where she lives with her husband and two children. Dalia spent several years living in Jerusalem, which has given her a broader view of the opportunities available to women in orthodox communities; she then came to the UK to marry. Dalia added that, 'it's a matter of time here, even if it's very slow, because women are not educated enough or confident enough to take on those roles' (DW, 27/11/14).

Similarly, Nathalie Jacobson,⁷⁰⁴ academic and supporter of her local *Partnership Minyan*, was sure that the changes experienced in the States and Israel would

⁷⁰³ Dalia Weiss was interviewed on 27/11/14; for a detailed biography, see: APPENDIX 5, INTERVIEWEES [21].

⁷⁰⁴ Nathalie Jacobson was interviewed on 16/09/14; see APPENDIX 5, INTERVIEWEES [11] for a detailed biography.

eventually reach the UK. She highlighted how much the physical presence and voice of orthodox women leaders had impact, as much as their ability to be a part of the halakhic conversation:

‘I think it’s incredibly important the way in the States and Canada you have women taking on roles in rabbinic teams, And whether they’re called *Rabba* or *Maharat*... it doesn’t particularly matter as long as they’re a physical presence and a physical presence whose voice is heard... to give sermons, influencing the *halakhic* [legal] decisions that are made within the community.’ (NDJ, 16/09/14)

Fiona Admor⁷⁰⁵ took the stance that orthodox women occupying pious roles in leadership is a natural development of Jewish life, and that a major theme of that life is to be engaged with what is going on around you;

‘It just seems like the natural extension... because Judaism doesn’t live on a mountain top, it is the fabric of our lives... women should be in that fabric in prominent roles, because women are capable of doing that – why shouldn’t they be there? To abandon all those messages because they come from women is just ridiculous.’ (FA, 16/09/14)

⁷⁰⁵ Fiona Admor was interviewed on 16/09/14; see APPENDIX 5, INTERVIEWEES [1] for a detailed biography.

Lastly, Fiona states explicitly the loss and madness of ignoring what orthodox women have to say, simply because they are women; and this was a sentiment shared by other interviewees. Thus, the BOJW I interviewed demonstrated that one reason for wanting orthodox pious leaders, is (simply) that they are *women*: they represent them, they are able to be role models for them, and they argue that they'll have a better understanding of the women in their own orthodox community.

ANSWERING QUESTIONS, NIDDAH

Secondly, nearly all the BOJW interviewed mentioned the *halakhic* [legal] questions associated with *niddah* [the menstruant woman], and how they would far prefer asking these intimate questions to a female religious scholar. Two out of the three self-identified *charedi* [ultra-orthodox] participants as well as all of the other orthodox interviewees supported this development. Vanessa Deutch,⁷⁰⁶ even as part of the ultra-orthodox community, felt that having an authoritative orthodox woman in a position of pious leadership would be of great benefit to women having to discuss (on a regular basis) intimate issues:

'I definitely think there's room for... a *rabbanit* [female legal authority]. I definitely think there's room for that sort of person to be able to *pasken shailos* [answer legal questions] especially for things like *niddah* [the

⁷⁰⁶ Vanessa Deutch was interviewed on 23/10/14; for a detailed biography, see: APPENDIX 5, INTERVIEWEES [3].

menstruant woman]. I think that would make things a lot more comfortable for a lot of people.’ (VD, 23/10/14)

The AMBIVALENCE of BOJW’s LEADERSHIP in the *CHAREDI* [ULTRA-ORTHODOX] COMMUNITY

It was the self-professing *charedi* [ultra-orthodox] women specifically⁷⁰⁷ who expressed most ambivalence at the developing leadership roles for women; discomfort about women occupying public religious spaces, whilst at the same time noting that they may be beneficial to the orthodox community.

Although Vanessa Deutch (see previous page) agreed that having orthodox women available to answer *halakhic* questions would be a good idea, she nevertheless stated that,

‘I suppose I would feel... uncomfortable if a woman got up and spoke in *shul* [synagogue]’ (VD, 23/10/14).

Vanessa’s contrasting views, emphasise the discrepancy between being a knowledgeable person, and having a public role as religious leader – something, at present, unachievable in the UK *charedi* community. Indeed, Caroline Vennet,⁷⁰⁸ commented on the loss of *charedi* BOJW not teaching outside the limits of a classroom. We met at her busy home, she spoke in depth about her daughters’

⁷⁰⁷ Vanessa Deutch (23/10/14), Xandy Engelberg (26/04/15) and Esther Epstein (23/07/15).

⁷⁰⁸ Caroline Vennet was interviewed on 28/10/14; for a full biography, see: APPENDIX 5, INTERVIEWEES [20].

education, and was extremely positive about their experience in a *charedi* high school, especially with regard to their textual and analytical skills. Nevertheless, she also claimed that,

‘there are lots of women teachers who teach in the *charedi* [ultra-orthodox] schools, who could actually give a text-based *shiur* [religious class] but who wouldn’t feel comfortable outside the classroom, and this really is an untapped resource.’ (CV, 28/10/14)

Caroline thus constructs some BOJW as an ‘untapped resource’. She frames this as a loss of talented religious educators, amplified within the ultra-orthodox community, due to the negative assumptions associated with educated women taking on leadership roles outside the comfort of their own classrooms.

Lastly, Xandy Engelberg⁷⁰⁹ also expressed ambivalence about orthodox women’s pious leadership and authority. Previously, she voiced concern about not ‘taking roles away from men’; yet she also articulated her unease about not allowing or BOJW to take up positions of religious leadership, commenting that ‘if orthodoxy doesn’t accept the emerging, strengthening role of women, it will alienate everybody’ (XE, 26/04/15). For Xandy then, BOJW’s religious leadership seems inevitable (and possibly desirable) even within the *charedi* community and even as she herself is concerned with usurping the roles traditionally ascribed to men.

⁷⁰⁹ Xandy Engelberg was interviewed on 26/04/15; for a detailed biography, see: APPENDIX 5, INTERVIEWEES [5].

4.2 SUBVERTING EXPECTATIONS

In contra-distinction to Chapters Four and Five, my findings in this chapter are more modest, demonstrative of the ongoing struggles that BOJW have in generating spaces to perform piety within religious leadership and authoritative roles. Nevertheless, BOJW do find spaces to practice piety within religious leadership. This section details what and how BOJW perform acts of religious leadership and authority; and how and where they find spaces to generate pious practices which satisfy their commitment to *halakha* [Jewish law], to their own personal religious development and to their commitment to become contributors to religious, especially *halakhic*, conversations. It also comments on the trajectories of these shifts, and whether or not they are repeatable and/or sustainable.

***REBBETSIN* and *YOETZET HALAKHA* LAUREN LEVIN**

In 2009 Lauren Levin⁷¹⁰ was appointed to South Hampstead United Synagogue as part of the rabbinic team, not only as a *rebbetsin* [rabbi's wife], but also as *Yoetzet Halakha* [Legal Advisor]. In this capacity, she was expected to teach and have pastoral duties, as well as answer *halakhic* questions from the community in her area of expertise, which were directed to her by her male colleagues. Three years later, she was appointed in a part-time capacity in 2012 to Finchley⁷¹¹ United Synagogue (headed then by the-now Chief Rabbi Mirvis). *Nishmat's* report of the appointment states:

⁷¹⁰ See: <http://www.nishmat.net/blog/431/> and her article about female religious scholarship and leadership at <https://www.thejc.com/judaism/features/let-s-cool-down-the-overheated-debate-over-orthodox-women-1.63086>.

⁷¹¹ Colloquially known as Kinloss, situated in Finchley, NW London.

‘Rabbi Ephraim Mirvis, newly-appointed Chief Rabbi of Britain, appointed Lauren Levin as England’s first-ever official *Yoetzet Halacha* (Woman Advisor in Jewish Law)... in London. Yoetzet Levin, a graduate of the sixth class of Nishmat's Keren Ariel *Yoatzot Halacha* Program, has been *an up-and-coming leader* of the London Jewish community for the past four years... *Yoetzet Levin is also Dean of Students at London's new Midrasha program for women, where she teaches Hilchot Niddah (Jewish Family Law).*⁷¹² (*italics mine*)

Levin commented on the appointment, saying that she envisions herself as, ‘taking the rigorous level of *halachic* scholarship and breadth of medical knowledge that we were exposed to at *Nishmat* and giving it over in London’ (Levin, 2012; *italics mine*).⁷¹³ This was a bold and optimistic proposal; yet since 2012 no other *Yoatzot Halakha* have been appointed as member of any orthodox synagogue-community leadership team in the UK. Levin stepped down from her official post at Kinloss 2017, but still serves in the South Hampstead community. In a conversation with *Yoetzet Halakha* Levin,⁷¹⁴ she stated that her salary reflected her qualification, and that a part of her role was to communicate to other rabbis and *rebbetsins* [rabbi’s wives] within the United Synagogue the qualifications and expertise of the *Yoetzet Halakha* and the benefits they could bring to the UK’s orthodox communities. In fact, she said that ‘between 2009-2012, her role was less conspicuous and understood, but after the appointment to Kinloss in 2012, it became more

⁷¹² See: <http://www.nishmat.net/blog/431/>.

⁷¹³ See: <http://www.yoatzot.org/blog/681/>.

⁷¹⁴ Telephone conversation, 28th March 2019.

‘acceptable’; and even more so after she spoke at that year’s United Synagogue rabbinic conference.’ She also stated that it has been a gradual process, and the longer she performs her role, the less fearful and threatening the appellation and role of *Yoetzet Halakha* becomes. Levin also teaches weekly classes on biblical narrative at the women’s *Midrasha*⁷¹⁵ programme at the LSJS, but at present is not teaching *hilkhot niddah* [laws of the menstruant woman], although this changes year on year. Thus, although ostensibly the beginning of a trend in the leadership of BOJW, Levin’s appointment has not led to other similar appointments.

HAMPSTEAD’S SCHOLAR-IN-RESIDENCE

In 2015, Rabbi Michael Harris, along with synagogue chair Adrienne Powell, created the post of Scholar-in-Residence at Hampstead United Synagogue, to enable and encourage scholarly BOJW to have a more permanent teaching position within an orthodox synagogue-community. It is an annual appointment, and the scholar comes to speak at the synagogue several times during the year, both over Shabbat and during the week. To date, the Scholar-in-Residence position has been held by *Rabba* Dina Brawer (before her ordination from *Yeshivat Maharat*, although during her study). Dina, born in Italy, served as a *rebbe* for six years at Northwood United Synagogue after studying at *Chabad*⁷¹⁶ seminaries in Italy and Israel; and on her appointment, Hampstead Synagogue’s website stated, ‘[we] are thrilled to be able to draw on Dina’s talent and experience, and our intention is that in the future our community will have the opportunity to learn from many further women

⁷¹⁵ See: <https://www2.lsis.ac.uk/midrasha/>.

⁷¹⁶ A *Lubavitch* establishment.

scholars.’⁷¹⁷ I held the position the following year. Next, Danielle Gedalla, a young woman who had studied for a year in seminary in Jerusalem, before returning to the UK to study Maths at university. Gedalla also runs the Young Adult *Minyan* (YAM) at her local Edgware Federation Synagogue,⁷¹⁸ and is a graduate of the Susi Bradfield Educational Leadership Course at the London School of Jewish Studies (detailed below). On her appointment, Hampstead Synagogue’s website declared, ‘[w]e are excited that we have appointed a talented younger scholar in order to help foster a new generation of Orthodox female Torah scholars.’⁷¹⁹ The current year’s appointee is *Ma’ayan* Raisel Freedman works at PaJeS, an organisation supporting Jewish schools in the UK. Raisel is also a graduate of the Susi Bradfield Educational Leadership Course, and is part of the cohort of the Chief Rabbi’s *Ma’ayan* Programme (detailed below). Yet, even in this post, the Scholar-in-Residence is not presumed to be an *halakhic* [legal] authority nor is she encouraged to be one; she has a very defined role as educator only. Moreover, the scholar is not geographically living in the area, she does not have day to day or week to week contact with the congregants, and only has a year’s contract – such that there is little time to build and maintain communal relationships. Most significantly, she does not become an integral and permanent part of the clergy. Rabbi Michael Harris⁷²⁰ of Hampstead United Synagogue has been a forthright voice of modern orthodoxy and he and his lay-leadership team have worked hard to create this post; yet although it represents a significant step towards orthodox women’s religious

⁷¹⁷ See: <https://www.hampsteadshul.org.uk/dina-brawer-appointed-as-community-scholar-for-2015-2016/>.

⁷¹⁸ See: <http://www.yeshurun.org/yam/>.

⁷¹⁹ See: <https://www.hampsteadshul.org.uk/who-we-are/danielle-gedalla/>.

⁷²⁰ See: <https://www.hampsteadshul.org.uk/who-we-are/meet-the-rabbi/>.

leadership and authority in the UK, it is a minimal position in comparison with the religious roles offered to orthodox female scholars in the States or Israel; and, the position has not been replicated in any other United Synagogue since it began in 2015.

MAHARAT DINA BRAWER

Indeed, it was the ordination (via distance learning) of JOFA⁷²¹ ambassador *Rabba* Dina Brawer⁷²² in the UK in 2018, which instigated a more robust and public debate about the issue of authoritative leadership positions for female scholars. Although Brawer taught in the UK, served as the first Scholar-in-Residence at Hampstead United Synagogue (2015-2016),⁷²³ and created a pop-up open-orthodox community (*Mishkan*),⁷²⁴ in many British modern and mainstream orthodox communities she had become a persona non grata – prohibited from speaking to most orthodox synagogue congregations from the pulpit on *Shabbat*, or from teaching at their educational programmes. Word of mouth suggests that this was because of her association with JOFA, her association with *Partnership Minyanim* and her decision to study at *Yeshivat Maharat* – although there is no evidence in writing to substantiate these claims.⁷²⁵

⁷²¹ Jewish Orthodox Feminist Alliance, an American body for the advancement of orthodox women within religious life; see: <https://www.iofa.org>.

⁷²² For Brawer's own take on her religious journey, see: <https://www.thejc.com/lifestyle/features/dina-brawer-from-orthodox-rebbetzin-to-rabbi-1.461569>.

⁷²³ See: <https://www.thejc.com/news/uk-news/us-shul-gives-scholar-post-to-woman-1.58290>.

⁷²⁴ For further information, see: <https://www.thejc.com/news/uk-news/pop-up-pair-launch-new-kind-of-prayer-1.52865>. Since Brawer's move to the States, the *Mishkan* website has been shut down.

⁷²⁵ Much of this information was gleaned from private conversations with rabbinic colleagues, who have chosen to remain anonymous.

Brawer is the first orthodox woman to receive rabbinic ordination in the UK, and the public (as well as private) discourse has been plentiful. She was aware of the religious environment in which BOJW are constructed as the non-normative Jew, stating that, 'the British Orthodox Jewish community is, on the whole, more conservative than in the United States and the role of women has been rather neglected', and she advocated for BOJW 'to play a greater role in their religious life' so that, 'they shouldn't remain silent or have to leave Orthodoxy for the Reform⁷²⁶ movement' (2013).⁷²⁷ On Brawer's ordination, *The Jewish Chronicle's*⁷²⁸ Simon Rocker wrote:

'The first British Orthodox woman to be ordained as a rabbi has said she wants to be a role model for women and girls who want to be more involved in religious life. Dina Brawer, who has chosen the title "Rabba", received her qualification in a ceremony at *Yeshivat Maharat* in New York this week after four years of study. She said: "In becoming the first female Orthodox rabbi in the UK, I want to be a role model for girls and women on how to become more deeply involved in Jewish ritual, prayer and study of sacred text...

[e]very field that has welcomed women's contribution has benefitted as a

⁷²⁶ The Reform Movement: a liberal movement within Judaism, not bound by halakha [Jewish Law], emphasising Judaism's moral and ethical teachings over its ritual practices. It first emerged in Germany in the 19th century, propelled by the Enlightenment and in the UK is currently led by its Senior Rabbi Laura Janner Klausner. For further information, see: Romain, J. (1995) *Tradition and Change: A History of Reform Judaism in Britain, 1840–1995*; publ. Vallentine Mitchell.

⁷²⁷ Brawer, D. (16/12/13) 'Orthodox Judaism ignores its women at its Peril' in *The Telegraph online*. See: <https://www.telegraph.co.uk/women/womens-life/10520256/Orthodox-Judaism-ignores-its-women-at-its-peril.html>.

⁷²⁸ *The Jewish Chronicle*: the UK's oldest national newspaper.

result. It is imperative that Orthodox Judaism seizes the opportunity to be likewise enriched.” (Rocker, 2018)

He went on to quote academic and *Partnership Minyan* co-founder Miri Freud-Kandel,⁷²⁹ who ‘called her ordination “momentous”’⁷³⁰ suggesting that Brawer, ‘galvanised a grassroots movement, bringing together women and men, young and old, to elicit a response from the established institutions that dominate Jewish community life in the UK.’⁷³¹ Interestingly, what Freud-Kandel focused upon was the hope for a response from religious authorities within the orthodox Jewish community in the UK, perhaps to begin a conversation about the future of women’s religious leadership, perhaps to challenge the current lack of female orthodox voices and authority within the UK’s orthodox community. Whatever her objective, the response was neither conversational nor public and Brawer found it increasingly difficult to carve out a leadership role for herself in the UK.

Subsequently, in the summer of 2018, she and her family left to pursue her rabbinic and educational career in the States, unmistakable evidence of the substantial difficulty a scholarly orthodox woman has in finding or generating a religious space in the UK to claim her pious identity as authoritative religious leader. Brawer was marginalised within both mainstream and modern orthodox communities, and her identity questioned as an orthodox Jew. She was rendered completely unintelligible

⁷²⁹ Dr Kandel is currently a fellow in modern Judaism at the Oxford Centre for Hebrew and Jewish Studies, Oxford University.

⁷³⁰ Rocker, 2018.

⁷³¹ Ibid.

within the bodies of orthodox authority – and she was powerless to make her claim of practicing piety in the UK. Nevertheless, although her transgressive ordination was a step too far for UK orthodox leadership, it may have opened up the pathway for other BOJW who wish to follow her example (despite Brawer’s own experience), and several interviewees alluded to their personal aspirations being influenced by her achieving *smikha* [rabbinic ordination]. In her place, *Maharat* Ramie Smith⁷³² arrived in the UK in February 2019 as the new JOFA ambassador, herself a graduate of the *Maharat* programme, and we have yet to see how she is welcomed (or not) and utilised as a scholar within the British orthodox Jewish community.

The CHIEF RABBI’S *MA’AYANOT* PROGRAMME

In 2016, Chief Rabbi Ephraim Mirvis established the *Ma’ayan*⁷³³ course, although the 18 month long commitment is shorter and much less demanding than those described above in Israel and the US. Additionally, the participants are not required to have any previous Talmudic or *halakhic* [legal] expertise (as is required for all the programmes in Israel and the States). On its website, the Chief Rabbi is quoted as saying:

⁷³² See:

https://static.wixstatic.com/media/44883f_37ca1982c4fd49cdb70b870cb1009efd~mv2_d_2663_4000_s_4_2.png/v1/fill/w_322,h_480,al_c,usm_0.66_1.00_0.01/44883f_37ca1982c4fd49cdb70b870cb1009efd~mv2_d_2663_4000_s_4_2.png in which Smith states, ‘There are so many reasons one might choose not to engage in Torah study, in Jewish leadership, in Jewish communal life but ‘because I am a woman’ was just never a compelling enough reason for me to sit back and watch. I’ve never been a sidelines kind of girl; I need to be in the game.’

⁷³³ See: <https://chiefrabbi.org/wp-content/uploads/2016/02/Programme-pack-FINAL.pdf>. The Hebrew word *ma’ayan* means fountain or spring.

‘I am delighted to introduce this course which will ultimately provide our communities with *exceptional female educators* who will have a *particular expertise* in matters relating to *women’s health* and the area of *Taharat Hamishpacha* (family purity). Experience shows that there is a real need within our communities to place women in a position to *offer guidance and advice* on issues which women members may feel more comfortable discussing with a woman’ (*italics mine*).⁷³⁴

As highlighted, the role is framed in terms of ‘advice’ and guidance’, rather than *psak* [judgment] or *halakhic* [legal] decision making, as well as in the context of *Taharat haMishpacha* [Laws of Family Purity] – a recurring theme. Yet this programme clearly represents the rumblings of a different vision for future leadership of women within the wider orthodox community in the UK and that the current Chief Rabbi Mirvis is cognizant of the need for women’s religious leadership.

As of March, 2019 the Office of the Chief Rabbi (OCR) reported that, ‘[t]wo of them are currently working as *Ma’ayanot* in communities, in a one-year fixed term capacity... Two others are about to be employed as *Ma’ayanot* on a permanent basis. One other has taken on permanent extra responsibilities as a *Ma’ayan* in her own community where she is already *Rebbetzen* [rabbi’s wife]’.⁷³⁵ This means that five out of the first cohort of ten *Ma’ayanot* have some kind of recognition as

⁷³⁴ See: <https://chiefrabbi.org/maayan-programme/>.

⁷³⁵ Email from The Office of the Chief Rabbi, 26th March 2019.

scholars within the United Synagogue. There are no employment opportunities for *Ma'ayanot* listed on the United Synagogue website,⁷³⁶ although from the email response (above) it seems that the upcoming vacancies are not advertised publicly and the positions are negotiated internally between the particular community and the OCR or *Ma'ayan* themselves. It will be interesting to follow the development of the two *Ma'ayanot* currently employed on a year's contract, and whether or not they become permanent members of their local community rabbinic or clergy team.⁷³⁷ Most significantly, after the first cohort of *Ma'ayanot* graduated last year (2018), the programme has not taken on any more students and seems to have come to a standstill.

The SUSI BRADFIELD EDUCATIONAL LEADERSHIP PROGRAMME, LSJS (LONDON SCHOOL of JEWISH STUDIES)⁷³⁸

The Bradfield is not a programme of ordination, but it prides itself in encouraging BOJW to 'develop their skills as adult educators or educational leaders in the orthodox community... and an ability to lead and to teach in the community.'⁷³⁹ The programme consists of weekly sessions over the course of a year, and there is no rigid syllabus, or curriculum and no examination. Rather the course aims to give upcoming educators and leaders within the orthodox Jewish community access to better pedagogical tools, to a more varied array of teaching methods and teaching

⁷³⁶ See: <https://www.theus.org.uk/vacancies>.

⁷³⁷ I was not privy to any financial information; specifically how much the *Ma'ayanot* are paid (especially in comparison with the communal rabbi), or whether they had pension rights. I was also not able to find out whether the *Ma'ayan* who also served as a *rebbetsin* [rabbi's wife], was paid any supplementary wage for her additional work, reflecting her new status.

⁷³⁸ See: <https://www.lsis.ac.uk/susi-bradfield-educational-leadership-programme.php>.

⁷³⁹ *Ibid.*

styles – bringing in many world-class guest speakers, to develop public speaking skills and to create a sub-community of BOJW able to network with one another about contemporary communal debates, often related to BOJW. The course is directed by Dr Tamra Wright,⁷⁴⁰ and is run under the auspices of the modern orthodox London School of Jewish Studies. To date, over 150 BOJW have graduated and some have gone on to orthodox communal leadership positions, not as religious authorities, but as far better equipped to navigate and succeed in their roles. The course has been running for over 15 years, and in that regard is extremely successful.

In general, the BOJW who enrol as Bradfield participants are particularly interested in women's religious leadership, and they are expected to leave the course better equipped to stand up in a synagogue and give a sermon, for example. Interviewee Heather Keen⁷⁴¹ is also a Bradfield graduate and she shared the following anecdote, reflecting the UK orthodox community's underlying conservative position on women's ordination, and the complexity of women's pious practice as religious authority – even in an environment which promotes BOJW leadership, recalling,

‘whilst I was on the Bradfield Course, Tamra spoke about women rabbis; it did not go down well. It was considered very fringe, and perhaps seemed more mainstream in the States.’ (HK, 20/07/15)

⁷⁴⁰ Dr Tamra Wright, Director of Academic Studies; oversees LSJS's degree and teacher training programmes as well as the Susi Bradfield Educational Leadership programme; see: <https://www.lsis.ac.uk/dr-tamra-wright-223.php>.

⁷⁴¹ Heather Keen was interviewed on 20/07/15; for a detailed biography, see: APPENDIX 5, INTERVIEWEES [14].

Even for those BOJW participating in a leadership course for orthodox Jewish women, the question of 'women rabbis... did not go down well', and this response speaks volumes about the undercurrent of limited expectations of BOJW.

A PERSONAL ANECDOTE

There are examples where BOJW destabilise their own intelligible identity, in which they transgress expectations, often in challenging those who seek to depose them from having an authoritative voice. On being asked to give a *shiur* [religious class] before the festival of *Purim* in 2012 by the women of a local mainstream orthodox synagogue-community, I was sent a confirmation email by its *charedi* [ultra-orthodox]-leaning rabbi, stating:

'In principle it is fine. I would only ask that she doesn't speak on any specific *halachic* [legal] matters which is *beyond her remit*.⁷⁴² In other words, she could talk about the relevance of *Purim* [Feast of Lots] to women etc etc but it is not for her to get into a discussion about women's *megillah* [scroll] readings etc which is already a *halachic* [legal] matter and *not something she ought to be talking about.*' (*italics mine*)⁷⁴³

The email clearly references certain types of teaching as off-limits to BOJW, regardless of their knowledge or authority on the matter; a role which would deem a BOJW as unintelligible. I responded to the email stating that I was happy if the

⁷⁴² Which I understand to mean crossing a recognisable boundary; it is the language of transgression.

⁷⁴³ Personal archive; email February 2012.

synagogue-community felt they needed to find another speaker, but that I would not be told what I could and could not teach. The class went ahead as planned, and in the event, I taught women's *halakhic* [legal] obligations on *Purim*. Thus, this became an ideal opportunity to subvert the rabbinic expectation: to comply with normative orthodox expectations in taking a pious role as teacher, specifically teaching *halakha* [Jewish law]; yet *to not* comply with rabbinic demand. This site of contestation, this negotiable space for precarious identity demonstrates the generative moments which shift the unintelligible BOJW (who does not comply with what the rabbi allows her to teach and thus – *cannot teach*), to a BOJW who does not comply with what the rabbi wants her to teach – *but teaches nevertheless*. That this rabbi wanted to censor the content of the class, echoes Butler's assertion that, '[I]anguage has a dual possibility: it can be used to assert a true and inclusive universality of persons, or it can institute a hierarchy in which only some persons are eligible to speak and others, by virtue of their exclusion from the universal point of view, cannot "speak" without simultaneously deauthorizing that speech' (Butler, 1990:164).

4.3 HOW COMMUNITIES RESPOND to CHANGE

The AUTHORITY of LEARNED WOMEN

Adam Phillips writes that Nietzsche draws, 'our attention to the fact that we are likely to call mad all those people who do things that unsettle us, that destroy something of the past in us. Sane becomes our word now for all those people who don't trouble us, but reassure us' (Phillips, (Adam) 2005:153). 'Madness' and

‘maverick’ are words used by the BOJW interviewed who experienced their authoritative teaching styles or leadership skills as problematic by either the rabbinic or communal locations in which they espoused their own opinions.

Renowned modern orthodox educator Nadia Jacobs,⁷⁴⁴ recalled an evening in which she performed the authoritative role as chairperson, and was tasked to restrict time both members of the panel and members of the audience had to speak. She said,

‘the chairing of a panel of men [by women] was seen as extraordinary. So occasionally, I would say in front of the audience, ‘thank you very much, you have to be quiet now’ to a man and move on to the next one. That was seen as *culturally transgressive*.’ (NJ, 30/09/14)

Nadia took on the role of saying ‘enough now’ to a panel of rabbis and *halakhic* [legal] experts and remembers the trouble she got into by curtailing their responses as well as asking for alternative points of view from other members of the panel. For her, the evening was both indicative of the UK’s conservative religious educational experiences, but also personally transformational in her demanding more of herself to speak out, to control and to encourage other, unconventional points of view. She went on,

⁷⁴⁴ Nadia Jacobs was interviewed on 30/09/14; see APPENDIX 5, INTERVIEWEES [10] for a full biography.

‘And you might think I’m quite obsessing here about my self-image as an orthodox educator and that’s because I am. And that’s because I’m under such scrutiny and I want to do right for the women, but I also want to say to the men that I have what to say. And I think there are many women scholars... who have enormous value to offer not just because they happen to be women, but because they happen to have what to say and think.’ (NJ, 30/09/14)

Nadia’s self-reflection about ‘self-image’ and ‘scrutiny’ is useful as it demonstrates the pressure to conform, to say the right thing, to not ‘rock- the boat’ which, from her own account, has visceral impact on many BOJW scholars in the UK. Nadia exposes the ongoing issue with cultural, and specifically religious intelligibility within her local and wider orthodox community. Recognising herself as orthodox, teaching orthodox Jewish practice and lore, she nevertheless finds herself being questioned for her non-normative assumption of authority, especially over rabbinic panelists. Given her local situatedness, it is unsurprising that Nadia is under such scrutiny, as Koren (2013) argues, ‘knowledge changed... social norms and practices as well. Thus the entrance of women to religious literacy has created a social revolution.’ (Koren, 2013:222) Nadia is at the centre of this social revolution through her educational style and prominence – and being at the forefront of a social revolution she is aware of the ‘horror and disgust’⁷⁴⁵ (unintelligibility) she

⁷⁴⁵ It is interesting to note here, that some rabbinic authorities ignore or purposely refrain from engaging with their scholarly congregants, lest they do not listen – possibly causing a further breakdown in relationship or confrontation. To this extent there is some potency to the argument that there may be some rabbinic acceptance of the ‘maverick’: as either performing the exception to the rule, or practicing non-normative, but recognisable religious piety (before its time). Ross details

engenders in some, and the 'joy and inspiration' (NJ, 30/09/14) (intelligibility)⁷⁴⁶ she engenders in other members of the orthodox Jewish community, both responses claiming leverage on her intelligible identity as a BOJW. But what Nadia (and other orthodox leaders like her) claim they are trying to achieve, is not dissonance or confrontation, but active engagement and ongoing religious negotiation, the attempt to *become* intelligible *within* their British orthodox communities. These kinds of conversations within the orthodox Jewish community between the powers-that-be and emerging scholars and communal leaders are the generative spaces that BOJW both desire to create and have achieved to some extent. Ideally, they are spaces in which, '[d]ialogue is not about blurring or fusing identities, but rather about recognizing the mutual contribution of each side, and *accepting differing points of view*' (Elior, 2004:194). Arguably, these conversations might be considered agentic achievements for those scholars invited to be part of communal education programmes, or chair panels, and to participate on the Chief Rabbi's *Ma'ayan* course (for example); but there are so many other conversations which have been far less successful when approaching *halakhic* [legal], educational or ritual participation issues within some orthodox institutions or synagogue-communities by some communal rabbis, or the London *Beth Din* (as cited above).

several examples of women who took on non-normative religious roles, 'despite the explicit disapproval of halakhic [legal] authorities. Rabbanit Brona, who continued wearing tzitzit [fringed undergarment] despite the objections of the Maharil is a case in point. Even more interesting is his refusal to chastise her "for fear that she will not heed me" (Ross, 2004:26) Indeed, I recall a personal anecdote (LS, 2014, personal archive) whereby the rabbi of my local synagogue-community said to me, 'I wouldn't dream of telling you what to do!' (For further information on the Maharil, see: <http://www.jewishencyclopedia.com/articles/10935-molln-molin#2442>).

⁷⁴⁶ 'Sanity... is about reliability; it could be another word for trustworthiness, for the demeanour of the successfully acculturated person. It is certainly a word for the intelligible and the orderly, a world of shared values, orthodoxy and firm foundations' (Adam Phillips, 2005:52)

BETRAYAL

The mainstream, modern and open-orthodox community is often accused by the *charedi* [ultra-orthodox] community of being too liberal, of acquiescing to secular cultural, social and political –isms of the day. Indeed, it sees itself in this regard as the guardian of ‘authentic’ Judaism and espouses its opposition to contemporary shifts in religious practice in suggesting that ‘the orthodox community is under threat of dismissing *halakha* [Jewish Law] for the sake of *fleeting trends*’ (*Beth Din* argument 6). Thus, there is the added pressure within the *charedi* [ultra-orthodox] synagogue-communities of BOJW not only abandoning the *halakhic* [legal] preferences of their communities, but of being disloyal to it. This perfidy is framed not only as an individual’s (unacceptable) preference, but also as a betrayal of community cohesion, and as a fracture of a unified ideal; an additional pressure to conform to *charedi* [ultra-orthodox] cultural norms.

Betrayal, as a trope is also mobilised in contradistinction to the non-orthodox, or non-Jewish communities of the UK, such that holding up religious values against or in the context of contemporary norms leave BOJW questioning their own allegiances to their orthodox community and their identity as orthodox, as well as being questioned by others as to where their allegiances lie; and it is often constructed as a binary question by those struggling with the lack of clarity: are you in or out, here or there, orthodox or feminist? Identity, especially religious identity is a complicated intersection of numerous strands – and being British and a woman and an orthodox Jew means that there are times when some strands of that identity are emphasised, whilst at others they are less audible. Shachar comments

on issues of community betrayal, reinforcing the complexities BOJW face when navigating their way through these various strands of identity, specifically noting the fear of authorities in being questioned and their desire to silence those who speak out:

‘Once a group’s self-concept is inlaid with elements of reactive culturalism, a carte blanche devolution of jurisdictional powers from the state to the nomoi group proves to be inevitably detrimental. It may legitimize the maltreatment of women in the family law arena, because such maltreatment is encoded in the group’s tradition and is sanctioned by the accommodating state... multicultural accommodation thus becomes an accomplice in silencing group members who criticize the imperatives of the collective nomos, *by permitting group authorities to construe such criticisms as acts of cultural betrayal.*’ (Shachar, 2001:60; *italics mine*)

And it is germane, that she goes on to argue that this an issue particularly relevant to issues of gender, stating that ‘reactive culturalism can build formidable resistance against seeking innovative and gender-inclusive solutions that remain faithful to the tradition’ (Shachar, 2001:60; note 64).

The FEMINISATION of SACRED TEXTS and of *HALAKHA* in PRACTICE

Yet, even as the BOJW involved in textual and high-level *Torah* teaching, or those taking on some form of community leadership roles increase in both number and persistence, so too do the circulating tropes of unintelligibility and madness about

these women. Nadia Jacobs (again)⁷⁴⁷ opened up this conversation by suggesting that her teaching was form of textual as well as authoritative appropriation. She said, 'I take a text, I do my thing, so I take a quite masculine role... I'm seen as a bit male' adding 'right now I do feel a bit tokenistic' (NJ, 30/09/14). Nadia highlights several aspects of female scholarship which directly impact on authoritative religious texts. She suggests that not only does the text move from the ownership of *male* to *female*, but that the students of these texts takes on some kind of *maleness*, and that subsequently, the text itself becomes feminised by the *women* (females) who are studying it. Teaching, being an authoritative interpreter of text, therefore, is an exemplary way of challenging male authority over those texts, so it should come as no surprise that the religious 'scholar' represents the beginning of this journey. I emphasise scholarship for two reasons here. Firstly, because scholarship of text leads to authority of over texts, all else being equal; as Feldman (2011) claims, '[t]he core of the feminist program is really about who has the authority to interpret the foundational texts and who can claim to speak for God' (Feldman, 2011:30). But secondly, scholarship of text always changes the meaning of text, because it is always read through the eyes, experiences and location of the reader – in this case – the orthodox female reader. In so doing, the analyses of these religious texts and the application of them, as female scholar represents a shift from male autonomy over text (as the normative Jew) to a sharing of the multiple meanings of religious text and the inclusion of multiple female analyses of these texts as authoritative. In an interesting twist, Ross appropriates the question

⁷⁴⁷ Nadia Jacobs was interviewed on 30/09/14; see APPENDIX 5, INTERVIEWEES [10] for a full biography.

of feminisation of religious text by women as a restorative gesture, through the inclusion of women in *halakhic* [legal] interpretation:

‘Indeed, some observers have viewed in this very flexibility of halakhah evidence of its essentially “feminine” nature, even when it does not concern itself with explicitly feminist concerns. Thus the entry of women into contemporary halakhic discourse may eventually serve the function of restoring to the *halakhah* some of the flexibility that once characterized its method, in placing spiritual considerations over and above political ones, or even above the adherence to formal rules.’ (Ross, 2004:242)

Consequently, the interpretation of sacred text, as a pious performance by women is itself a subversive act, yet one which not only generates innovative ideas and ritual performances, but which regenerates the system and process of *halakha* [Jewish law] itself. This is a radical reading of female scholarship, but an interesting one in the context of this chapter.

According to Koren (2013), ‘Rabbanit Chana Henkin recognized (sic) that there was a need to integrate women into the *halakhic* [legal] system regarding laws of family purity’ (Koren, 2013:246) and she did this by creating a programme of study which emphasised the critical analysis of the relevant primary religious texts by orthodox women and examinations on them. Like Koren’s (2013) study cohort of religious brides ‘who had a strong command of religious knowledge, [and who] felt a certain sense of ownership of the religious texts... this enabled them to move on to the

next stage of changing religious praxis... to take issue with those texts and challenge conventional applications' (Koren, 2013:222), and 'challenge, resist, or adapt, the Orthodox wedding ritual' (ibid.:213). Similarly, the *Yoatzot Halakha* have become *halakhic* [legal] experts and their *scholarly* experience translates into *practical halakhic* [legal] experience also, shifting the rabbinic authoritative landscape from all-male to inclusive of female analysis and opinion – but again, this is only happening in Israel and the States at present.

THE FEMINISATION of 'RABBI'

Feminist-activist and author, Avivah Vecht⁷⁴⁸ takes a cynical perspective in her analysis of the first *Maharat, Rabba* Sara Hurwitz, commenting,

'I find it very interesting that the first *Rabba* is a very non-offensive, sweet... non-threatening... the public persona of her as a caring, empathetic person was a clever strategic move; and she's obviously married with children.' (AV, 10/07/15)

Avivah highlights the traditionally feminine qualities which she believes have been mobilised as Rabba Sara Hurwitz's⁷⁴⁹ stand-out qualities for both receiving *smikha* [ordination] and for her subsequent role as Director at *Yeshivat Maharat*. Indeed, she goes further in thinking about how her function as *rabba* will affect the role of

⁷⁴⁸ Avivah Vecht was interviewed on 10/07/15; see APPENDIX 5, INTERVIEWEES [19] for a detailed biography.

⁷⁴⁹ *Rabba* Sara Hurwitz was the first orthodox woman receive *smikha* [rabbinic ordination] from Rabbis Avi Weiss and Daniel Sperber; now employed as part of the rabbinic team at the Hebrew Institute of Riverdale, and Dean of *Yeshivat Maharat* (see above, p.X); see also: APPENDIX 9.4.

rabbi itself. Firstly, she considers the allocation of responsibilities for these women in rabbinic teams, suggesting that,

‘I mean compare how much women learn (she is referring to *Torah* learning) and their pastoral training with men. In ten years, I’d like to do a study: are the (ordained) women doing all the pastoral work for the men?’ (AV, 10/07/15)

Avivah is conscious of the many various roles a rabbinic leader has in their community, and is concerned that those which are traditionally considered female qualities will be the roles syphoned off to the women clergy, rather than the high-level *Torah* classes or the function of authoritative *halakhic posek* [legal decisor]. In other words, what will be the work ascribed to women in leadership positions, and will that work reflect the way women in religious leadership positions are made more intelligible to the communities they serve as well as the wider orthodox Jewish community? She also touches on the (age-old) phenomenon that when women are ‘let in’ to function as professionals in a particular field from which they were previously excluded (politics, medicine, academia etc.), their presence and performance of the role feminises the position itself (similar to Nadia Jacob’s association with sacred text, above). It may change the way the role is practiced and performed and may alter the requirements of those occupying that position going forward. In light of these concerns, Avivah suggests that, ‘woman need to be writing and publishing, because no-one will question their pastoral abilities and their excellent educational programmes.’ (AV, 10/07/15)

RELIGIOUS AUTHORITY, WIFE and MOTHER?

Avivah continues this conversation with irony,

‘in Israel, there’s a strata of women where the relationship is more equal in terms of learning, and *men are behind this movement* of getting involved.

And there are examples of women teaching *Talmud* [Oral Law] and *nevertheless wanting to be married.*’ (AV, 10/07/15)

She adds two interesting points here. Firstly that the men are actively involved in the process of women’s scholarship and leadership – making all the difference to the practical outcome for scholarly women. But secondly, she is keen to stress (albeit sarcastically) that in the UK, the orthodox community have difficulty in imagining that orthodox women who want to study *Torah* seriously, or want to take on roles of religious leadership also want the traditional life of wife and mother – that somehow these are mutually exclusive.⁷⁵⁰ Thus, the role of wife and mother as a valuable religious tenet, seems to preclude the possibility of other religious, specifically religious, pursuits. So, it may be ‘acceptable’ and normalised for an orthodox woman to have a family and also work outside her home – but this is constructed as an economic need, possibly as a service to the community. It may also be constructed as a form of personal flourishing; but apparently, it seems a leap too far to imagine that BOJW would want to flourish as *Torah* scholars or

⁷⁵⁰ These arguments are exacerbated and complicated if the women in question is neither married, nor has children. For further material on this topic; ‘women in more traditional Jewish communities who do not marry often feel marginalized by those communities, as they fail to fit into the idealized model of the conventional Jewish nuclear family’; see: <https://forward.com/sisterhood/334041/the-rise-of-the-jewish-single-woman/>.

religious leaders in the orthodox community. Arguably then, under the current orthodox male leadership, the desire for female authoritative scholars, and the pious acts they seek to perform, are framed as a religiously subversive project in the UK.

5. CONCLUSION

In this chapter, I have examined the experiences of BOJW with regard to religious authority and power, highlighting both the lack of leadership programmes and leadership positions within the British orthodox Jewish community for orthodox women, as well as the few exceptional opportunities. I have located the context of the circulating tropes mobilised in homes, classrooms, and synagogue-communities and examined the limiting structures of orthodoxy in the UK; I have outlined the hopes and aspirations of the BOJW interviewed with regard to BOJW's religious leadership and authority, and the ways in which BOJW have generated modest shifts and changes within the orthodox community. I conclude by reflecting on how this particular arena of practicing piety may be the most difficult to achieve.

Woodhead (2008) argues that '[r]eligion is a name we give to a complex set of social practices which structure individual agency, and are in turn recursively structured by it' (Woodhead, 2008:55) and this is hugely apparent from the current state of pious leadership and lack thereof in the British orthodox community for women; male leadership has perpetuated male leadership and the desire and actualisation of BOJW to generate spaces for change is itself the re-structuring of

orthodox Judaism. If religious life is always lived within a cultural, political and social context – it is nigh impossible to extricate what (where and how) cultural norms become religious norms and vice versa. And clearly religious norms vary contemporaneously in different locations: in this case – the authoritative leadership roles for women in the States and in Israel are far more developed than in the UK, and this example itself speaks volumes about the complexity of disentangling religious doctrine from cultural normative expectations,⁷⁵¹ given that ‘the variety across time and region suggests that many things designated as essential components of the religion may be historical, contextual and cultural’ (Casanova and Phillips, 2009:52). I would argue that nowhere is this seen more explicitly than in current debates about women’s authoritative religious voice, especially within *halakhic* [legal] decision making.

Yet, as exemplified throughout this chapter, the BOJW I interviewed felt strongly about women’s religious leadership and they said so. They were confident enough to both speak out and in certain circumstances, act out. A BOJW who can and must speak when she sees what she believes to be religious doctrine used to mask cultural norms speaks her way out of her ‘current identity’ and in so doing generates a new one. Butler proposed that the ‘practical task that women face in

⁷⁵¹ [t]he separation of “real” religion from its cultural accretions is a political, therefore always contestable, act. Epistemologically, it is perhaps as impossible to achieve as the separation of the real self from its social context and influences. There is no self existing prior to and independently of that context and those influences – and if there were, why should we consider it more authentic or real? By the same token, religious beliefs and injunctions can only be articulated in the historically specific discourses of their day, which means they are permeated through and through by “Culture”. If this is the case, no amount of stripping away the cultural accretions will deliver the essential truth’ (Casanova and Phillips, 2009:53).

trying to establish subjectivity through speech depends on their collective ability to cast off the reifications of sex imposed on them which deform them a partial or relative beings... women speak their way out of their gender' (Butler, 1990:159). She was referring to gender, but her phrase, the 'collective ability to cast of reifications' seems peculiarly fitting in the context of the religious normative pious practices of BOJW.

These women live in the UK, they navigate their way through religious schools, religious institutions, orthodox communities and its leadership. They are aware of the nuances and complexities within orthodox community life, and they often have much at stake in their quest for change. Similarly, when Butler explores Foucault's assertion that the self is always situated within regimes of power, she suggests that '...subjection is the paradoxical effect of a regime of power in which the very "conditions of existence," the possibility of continuing as a recognizable social being, requires the formation and maintenance of the subject in subordination.' (Butler, 1997b:27) Thus BOJW who question and confront the regimes of power, are making precarious their very existence as those British orthodox Jewish women. It should be unsurprising that Ross advocates for women, however risky the endeavor, to advocate for change within religious communities; because it is this group of people who have the most to lose by the stagnation or reification of traditional norms, and the most to gain from changes in normative religious leadership (even as they put themselves at risk in the process):

‘...those in the best position to negotiate the encounter between Judaism and modernity are those who are most intensely affected by the conflict of loyalties that it has engendered. Orthodox women with feminist sensibilities are the very personification of the qualifications required... [p]recisely because they are the ones who have been forced to the greatest extent to develop concrete ways of reconciling these loyalties within the tradition, the potential for engendering classical halakhic development lies largely in their hands... they are the ideal formulators of new legal meaning’. (Ross, 2004:172)⁷⁵²

If BOJW are best placed to generate pious practices within positions of leadership and authority, the relationship they have with those currently in religious authority becomes, arguably, the most important avenue for communication, to share the concerns and implement change, and this is a matter of building (or perpetuating) trust.

‘Trust has been identified as a key element of successful conflict resolution and prevention... When instituting change in a religious community, the level of acceptance will depend on the amount on the amount of trust the agents of change have acquired... This trust is based on mutual understanding and will develop especially when there is collective identity with collective intentions between the parties. When there are shared core

⁷⁵² Similarly, ‘[s]trategically, internal critique aiming to reform certain aspects of tradition would seem to have better chances to succeed than external frontal attacks against any religious tradition’ (Casanova, 2009:19).

values, beliefs, and concerns, then this trust is strengthened.' (Koren, 2013:253-4)

To date, BOJW who have chosen ordination have had to leave the UK to find space within orthodox communities to practice pious leadership – there simply isn't 'space' in the British orthodox Jewish community for these women yet; they remain unintelligible. However, there have been some exceptional appointments of BOJW to pious leadership positions: Hampstead's Scholar-in-Residence; *Yoetzet Halakha* Lauren Levin and the *Ma'ayanot* graduates. These, along with the ongoing support from some UK rabbis, including Chief Rabbi Ephraim Mirvis, may give some hope that the future of British orthodoxy will include BOJW as religious authoritative leaders.

CHAPTER SEVEN

CONCLUSION

'Lack of inclusivity can leave women feeling dispossessed not only from their community by most worryingly from their God'
(Aleksander et al., 2009:12)

This thesis has explored the generative pious practices of British orthodox Jewish women, detailing and analysing how they generate subversive spaces to perform pious acts of education, ritual participation and with regard to leadership and authority. I have also examined how these pious acts are mobilised, as well as what impact they have on the wider British orthodox Jewish community.

Theoretical expectations of religious subjects, especially women, often preclude their flourishing, especially under the constraints of orthodox religious and communal norms, claiming them as suppressed, submissive, voiceless and invisible (as detailed in Chapters One and Two). Although these claims are sometimes substantiated, even within such a religious framework, I have brought evidence to argue that there is a sub-culture of subversive piety practiced by BOJW. Through a generative agency these performances both create (through their action) and perpetuate (through their repetition) women's alternative pious practices in these three areas of religious life.

Through this ethnographic examination, I have highlighted the pious interventions of BOJW, within which they may risk their intelligibility and precarious identity. For some BOJW their intelligibility is a sacred edifice and they are fearful of taking these risks; for others it is a restrictive restraint but does not preclude them from trying out subversive pious practices and re-gauging their religious and cultural identity; and for other BOJW their intelligibility provides an opportunity for creativity, whereby taking risks in pious practice enables a fuller and more rewarding religious life, and an altered (and altering) identity.

This research project has inevitable limitations. I interviewed 21 BOJW, all of whom lived (at the time) in the Greater London area. Although they were representative of different orthodox Jewish communities: *charedi* [ultra-orthodox] mainstream and modern orthodox, and although ‘three out of every five Jews’⁷⁵³ in the UK lives in Greater London, it remains a small localised sample; I did not include data from other large Jewish communities, for example Manchester or Leeds. Additionally, throughout the writing of the thesis, the landscape of pious practices by BOJW was changing week on week, and inevitably I drew a line under how many (new) pious practices were included. Nevertheless, the research material collated and analysed, as well as the BOJW interviewed, arguably represent both the normative and the subversive practices of orthodox Jews within the UK. Additionally, my own location bias, as detailed in Chapter Three, will have impact on this thesis (as well as (inevitably) the thesis’ research findings having impact on my own life as a BOJW, within my local British orthodox community). Nonetheless, I hope these findings contribute to both the theoretical questions of agency of religious subjects as well as to the ongoing conversations and negotiations of BOJW within the British orthodox Jewish community, and that they are evaluated in the framework of these limitations.

⁷⁵³ From: <https://www.bod.org.uk/jewish-facts-info/jews-in-numbers/>.

1. EMPIRICAL FINDINGS

Within my three empirical Chapters Four, Five and Six, I found that BOJW practice piety beyond the normative practices of their local orthodox communities and that these subversive pious acts flourish despite the constraints of those communities. I discovered that BOJW used 'sites of contestation' (Butler, 1990) in Education, Ritual Participation, and positions of Leadership and Authority to perform a generative agency whereby their pious acts called to account their identity as BOJW, sometimes rendering them unintelligible. Through these pious acts, BOJW made claims to an alternative identity: they insisted on belonging to an orthodox Jewish community, whilst also generating alternative ways in which they inhabit that community through the pious acts they perform. I concluded that these BOJW were able to 'contain this complex reality and live within both value systems while consistently maneuvering between them' (Koren, 2013:225).

In Chapter Four, I examined the inequality which girls experience in their religious education at orthodox schools and how that differentiation persists throughout adulthood, through the paucity of rigorous textual study offered to BOJW. I also examined the circulating tropes through which they are discouraged from claiming an identity as the religiously educated Jew. I argued that through teaching their daughters *Mishnah* [oral law] at home (because it *not* offered at school) and through the religious textual study of the *Mishnah Chabura* (at women's homes, because it is *not* offered at their local synagogues) BOJW accord religious subjectivity to themselves. Furthermore, I discovered that, rather than separate the

BOJW from the orthodox Jewish community, these subversive performances of education *tie them closer to it*.

In Chapter Five, I examined how BOJW generate pious acts of ritual participation at home, in the synagogue and in their wider Jewish communities, as well as recorded the voices of those BOJW who prefer not to participate in public ritual. I emphasised the multiple ways in which BOJW inhabit their identities through their performance of both public and domestic ritual practices, and how this was motivated by their experiences of exclusion and frustration. Specifically, 20 out of the 21 interviewees spoke of their exclusion from the festivities at their synagogue-community on *Simchat Torah*, and how this had inspired some to set up a *Partnership Minyan*. I also examined the flourishing of women's *Megillah* readings, despite early resistance to them, as well as continued disquiet from some rabbinic leaders of local orthodox communities. I highlighted how the BOJW who perform this ritual experience expressed their increased religious allegiance through studying how to chant correctly, through studying the narrative text and through learning about, as well as participating in, the three other obligations of *Purim*. This chapter also examined how domestic ritual is being adopted by BOJW and how this has impact not only within their own homes, but to their guests and the wider local orthodox community. I demonstrated that within the sphere of both public and domestic ritual practice, BOJW risk their intelligibility and live with a precarious identity; but that nevertheless, these subversive accomplishments left them feeling much more connected to their orthodox religious tradition. Thus, the performance of these pious ritual practices worked to relieve the ongoing concern that,

‘women’s Otherness is not just a matter of social and religious marginality but of spiritual deprivation’ (Plaskow, 1990:86).

In Chapter Six, I highlighted both the lack of leadership programmes and leadership positions within the British orthodox Jewish community for orthodox women, as well as the few exceptional opportunities. I also located the context of the circulating tropes mobilised in homes, classrooms, and synagogue-communities which curtail the possibility of these achievements in the UK as compared to the various opportunities available in the US and in Israel. Nevertheless, the BOJW interviewed expressed their hope and their aspiration towards BOJW’s religious leadership and authority, and in the majority felt that it would be an inevitable development however much the current rabbinic leadership espouses discomfort or outrage. I identified the generative practices that have emerged over the last few years in the UK, including the appointment of *Yoetzet Halakha* Lauren Levin, the Scholar-in-Residence post at Hampstead United Synagogue and the Chief Rabbi’s *Ma’ayanot* Course, and detailed how these modest shifts have impacted on the wider orthodox community. Nevertheless, I concluded that the two positions of religious leadership have not been taken up by other local orthodox communities and that, there has not yet been a second intake of participants to the *Ma’ayanot* programme. This chapter demonstrated how generating pious practices in leadership and authority within the British orthodox Jewish community may be the most difficult to achieve.

2. THEORETICAL CONTRIBUTIONS

This research was founded on three critical areas of examination. Firstly, I asked how BOJW perform pious acts and what sort of agency accounts for, and emerges from, this generation of pious practices? Secondly, I questioned whether these acts render BOJW culturally unintelligible, and if they do, are they a risk worth taking? And lastly, I claimed that living in the UK has a huge impact on the pious practices of orthodox Jewish women, marked by their intersectional identity: British and orthodox and Jewish and woman.

Firstly, my research findings demonstrate the way in which religious subjects generate agency through their subversive performance of pious practices. I provide detailed accounts of their complex negotiations between their desire to habituate the norms of their orthodox communities, whilst concurrently performing subversive pious acts. Their personal journeys are relevant and explicitly demonstrative, and might be legitimately used strategically to substantiate my argument that BOJW's claim to religious identity is not about relinquishing their agency as some feminist theorists argue (de Beauvoir, 1949; Nussbaum, 1999; Plaskow, 1990 and Stoljar, 2000); indeed the BOJW does not live 'in a state of impotent rage'⁷⁵⁴ but rather performs and engages in orthodox Jewish life. Neither is it about submitting to the pressures of normative cultural or religious practices (Ben-Yosef, 2011; Kymlicka, 1995 and Adam Phillips, 2005) whereby 'inner feelings are sacrificed to correct beliefs and becoming a recognizable member of a group is

⁷⁵⁴ de Beauvoir (1969:338), as quoted by Anne Phillips, 2010:108.

the overriding aim'.⁷⁵⁵ Rather, BOJW's claim to religious identity circulates around a generative agency through which they perform non-normative pious acts as an expression of their religious commitment. These generative acts serve as Butler's (1990) sites of contestation, within which BOJW preserve their submission to the law, yet alter their 'habitation' of those norms. This agentic self, I argue, inhabits a precarious location, at once 'within and without' the bounds of its own production – exhibiting an agency which recognises its own habitat yet negotiates within and beyond it, attempting to access a religious subjectivity which it has been previously denied. Yet, BOJW do not lead dichotomous (in agential terms) lives, which I think to some extent has been the assumption of agency, their everyday decision making proves to be much more complex. Indeed, they are reflective about their own lives, their commitments to their families and communities, as well as their own spiritual flourishing.⁷⁵⁶ From my findings, I discovered that BOJW do not live in a state of cognitive dissonance, but rather in a state where they have accepted the, 'myths of harmony, consistency and redemption' (Phillips, Adam, 2005: 228); in other words, accepting the complicatedness of their location as part of their choice to both inhabit UK's orthodox community as well as make demands on themselves with regard to their own religious flourishing.

⁷⁵⁵ Phillips, Adam 2005:30.

⁷⁵⁶ As Feldman notes, 'bonds of community are intertwined with bonds of religion, ancestors, family, tradition, and importantly, with individual identity. This is important to the understanding of why religious feminists, who share these bonds, do not simply abandon their faith communities' (Feldman, 2011:170).

Secondly, religious subjecthood is an ongoing and precarious location, constructed by religious law, communal practice, personal preferences and the ongoing negotiations between all three, as well as over time. The interviewees' thoughts and experiences are demonstrative of their own recognition and reflection of this instability. In focussing on the pious acts of BOJW within their own orthodox communities, I found that despite, or regardless of, normative pious practice, despite the circulating tropes and discourses about what BOJW ought to be doing (how they should be behaving), and despite the fact that these BOJW are highly visible within these orthodox Jewish communities, some BOJW will nevertheless risk their intelligibility, and trouble their identity – as a form of religious devotion, not religious abandonment, through their performance of subversive pious acts. Butler's (1990) reading of cultural intelligibility (as detailed in Chapter One) implies that personhood itself is called into question if a subject resignifies herself by failing to conform to the recognisable social and cultural norms which produce her, and the power of this regulation (to conform) is so substantial as to render a subject a non-person, no subject at all. Yet, this research demonstrates that religious subjects are willing to forgo a sense of identifiable self, to render themselves unintelligible – precisely because they want to perform pious acts.

Thirdly, the impact of location is emphasised throughout this research, highlighting the constraint on religious life for orthodox Jewish women by living in the UK. In Chapter Three especially, I examined the impact of the British orthodox community, its constrictive structure and its tendency towards the trope of unity. Throughout Chapters Four to Six, the comparison between orthodox practice in the US, Israel

and the UK was marked, and had significant consequence for the performance of pious acts by BOJW. These discrepancies emphasise the usefulness of thinking about BOJW through an intersectional lens: the mere adding up of their (superficial) identity, British *and* orthodox *and* Jewish *and* woman in no way reflects the enormity of their exclusionary experiences as British orthodox Jewish women (BOJW) in the British orthodox Jewish community. Throughout this research, the intersectional location of the BOJW has been *the* most influential theoretical factor in the way in which I have analysed their experiences, and the way in which I have framed their generative response (Crenshaw, 1989). Although it could be argued that in generating piety, BOJW have made much more modest shifts in normative practice than their Israeli or American counterparts – when framed within an intersectional structure, their achievements are amplified. Within this context then, this research contributes to the scholarly debates around intersectionality, highlighting its potent perspective.

Although in general, the comparison to other orthodox Jewish women worldwide, rendered BOJW in a far less conducive environment for religious flourishing; as detailed in Chapter Six, the issue of orthodox Jewish women's leadership and authority is part of a global Jewish debate and not limited to the UK. In this regard, although the BOJW interviewed claimed that they had experienced backlash from local religious authorities who construed their performances as meta-acts of communal, political and social transgression, rather than acts of religious piety – precisely because they were pious acts performed by women, BOJW share this experience with other orthodox Jewish women worldwide. Thus, these findings

correlate with the experiences of other orthodox Jewish women struggling to claim religious authority. Furthermore, I have argued that BOJW's pious performances do not only affect them directly, but reflect back onto the way in which normative Judaism is practiced as a whole. As evidenced from Chapters Four to Six, when certain pious acts are performed by BOJW, this contributes to a shifting landscape of orthodox pious practice in general. In Mahmood's (2005) examination of the practices of Muslim women in the Piety movement in Egypt, she does not consider whether their practices impact on the local (or greater) Muslim community, yet I believe that these considerations must be taken into account, especially since the relationship between religious subjects and their local community is often a very meaningful one with regard to shifts in normative practice, exclusionary practices, and the question of intelligibility.

Lastly, I coined the innovative term 'generative agency' to emphasise the ways in which BOJW generate spaces within the patriarchal and conservative orthodox religious of which they choose to be a part, to participate in religious educational, ritual and leadership performances. This generative agency not only reflects the creative way in which BOJW submit to *halakha* [Jewish Law] whilst performing non-normative religious practices, but also reflects the way in which the process of *halakha* is itself generative – such that their subversive performances feed into the *halakhic* system – shifting what may become, both in the present and future, the normative religious practice of BOJW.

3. FURTHER RESEARCH TRAJECTORIES

This thesis exposes the need to further investigate some of the subjects mentioned herein, as well as several new research trajectories. In terms of further investigation, as mentioned above, Saba Mahmood's work does not examine the way in which pious practice by women impacts on normative communal practice. However, her work is located within a Muslim majority country (90%),⁷⁵⁷ whereas my research is located in the UK, where Jews are a very small minority (0.5%).⁷⁵⁸ It may be of interest to investigate the relevance of being part of majority or minority religious community and the effects this has on the performance of women's pious practices. In particular, I would suggest specifically examining the fear of betrayal by religious women to their own religious communities when they are part of minority religion. A further field of interest, which several of my interviewees alluded to, is a comprehensive inquiry into the ease with which BOJW are able to access the religious leadership of the UK. This might include research into the channels of communication between synagogue-members, their own local rabbis, more senior rabbis and possibly the London Beth Din. Specifically, questions arose as to how these channels of communication operate and whether or not BOJW's concerns are taken seriously by the religious authorities; and I believe such an inquiry would shed light on the constraints imposed by religious authorities on their congregations (especially the women) and the way in which discourses of power are mobilised. Given the newness of orthodox Jewish women occupying positions

⁷⁵⁷ Figure from: <https://www.cia.gov/library/publications/the-world-factbook/geos/eg.html>.

⁷⁵⁸ Figure from 2011 UK census, see:

[https://www.jpr.org.uk/documents/2011%20Census%20results%20\(England%20and%20Wales\)%20-%20Initial%20insights%20about%20the%20UK%20Jewish%20population.pdf](https://www.jpr.org.uk/documents/2011%20Census%20results%20(England%20and%20Wales)%20-%20Initial%20insights%20about%20the%20UK%20Jewish%20population.pdf).

of religious leadership and authority in the US and Israel, and the orthodox rabbinic responses to this phenomena, I believe an impact study would be of great benefit – both to assess the roles which these orthodox women play within their synagogue-community, and the (manifold) effects their leadership is having on their communities, in particular the women and girls.

In terms of new research trajectories, BOJW share significant cross-over of religious obligations, as well as their experience of living within a patriarchal structure, with British Muslim women. Fishbayn Joffe et al., (2013) claim that, ‘women seek to change the practices of their culture from within’, and from the observations made during this research, as well as my professional role in interfaith relations, I believe this would prove to be fertile ground for academic inquiry. Findings would contribute to anthropological, as well as gender and religious studies, and may expose the machinations of women’s normative and subversive pious performances as part of a web of religious performances.

Lastly, due to the usual constraints of a PhD, I was not able to examine the experiences of BOJW with regard to the recitation of *Kaddish* [the mourner’s prayer] in orthodox synagogues in the UK. *Kaddish* is both a prayer and public ritual and is recited only in the presence of a *minyán* [quorum of 10 men], for eleven months after the death of a parent, sibling or child; it is only recited for 30 days on the death of a spouse. Although the United Synagogue has made great strides in

enabling women to say *Kaddish* over the last five years,⁷⁵⁹ this is not true of all orthodox synagogue-communities, and experiences have varied widely. Mourning and grief are times within an orthodox Jew's life when their synagogue can become a place of refuge and comfort, yet not all BOJW are offered the opportunity to recite the mourner's prayer and some are actively excluded from doing so.

In conclusion, this research found that BOJW generate spaces within the British orthodox religious community – in public and in private – to practice piety in a non-conformist fashion. The spaces they generate both enable BOJW to perform these interventions, as well as reflect back on the normative practices of the British orthodox community. In this way, these pious practices inform, influence and shift what constitutes normative practice going forward. This research also found that BOJW generate piety through subversive pious practices in order to enhance their religious experiences, within the framework of *halakha*, and in so doing may render themselves unintelligible (temporarily or permanently) within their local orthodox Jewish community.

⁷⁵⁹ In 2016, The United Synagogue published the 'Women Mourners: A Guide to Kaddish and Mourning', which can be found at: <https://www.theus.org.uk/sites/default/files/US%20WOMEN%20KADDISH%2011pt%20%20singles%20F.pdf>.

4. APPENDICES

APPENDIX 1: WORD and PHRASE DEFINITIONS / TRANSLATIONS

All translation and/or definitions within the six chapters are in SQUARE BRACKETS []. All words listed in the DEFINITIONS are *ITALICISED* within the text of those chapters. All definitions or translations are from Hebrew, unless otherwise specified. I have not only translated a word or phrase, but attempted to give it its colloquial meaning and use, assisting the reader to contextualise its use.

For a more detailed discussion issues of translation, see: Chapter Three.

ADATH/ADASS

lit. CONGREGATION;
Usually refers to the *CHAREDI* umbrella organisation, the UNION OF ORTHODOX HEBREW CONGREGATIONS, established in 1926 to 'protect traditional Judaism';
religiously right of the *UNITED SYNAGOGUE*.
See: <http://northhendon.co.uk/>.

AGUNAH/AGUNOT

lit. CHAINED;
Refers to a woman whose husband is missing due to war or a lengthy journey and is presumed dead, but there are no witnesses to corroborate this.
Any subsequent relationship would be considered adultery, and subsequent children considered *MAMZERIM* - illegitimate.
However, in modern times, the term also refers to a woman who has not yet received her religious divorce because it is being withheld by the husband as a bargaining chip to demand: financial gain, parental rights etc. (although, *HALAKHICALLY* [Legally] this woman is suffering under the category of *MESOREVET GET* - divorce refusal).
Historically, rabbinic authorities have worked hard to alleviate these women's plight, making every effort

to find a leniency in the law; there are many responsum dealing with the topic (especially in post-Holocaust rabbinic literature). Nevertheless, there have been far many complaints against rabbinic authorities for not dealing with the problem well enough, or for their involvement in scandalous accusations of bribery in divorce cases.

Recently, the MODERN ORTHODOX community have established the PRE-NUPTIAL AGREEMENT to attempt to mitigate the problem, and there are a variety of grass-roots organisations in the UK, Israel and the United States which assist *AGUNOT*.

See: <http://www.cwj.org.il>
or <http://cwjrael.blogspot.co.uk>

It has become customary in some *MODERN ORTHODOX* communities to use the FAST OF ESTHER preceding *PURIM* as a protest against *GET REFUSAL*.

ALIYA

lit. GOING UP;
Usually refers to either:
a. Emigrating to Israel or
b. a call-up to the *BIMAH* to recite a blessing over, or read from the *TORAH* scroll, in synagogue.

ARON KODESH

lit. HOLY ARK/CUPBOARD;
Cupboard at the front of the synagogue, where the *SEFER* (pl. *SIFREI*) *TORAH* [Torah Scroll/s] are kept.

ASHKENAZI

Jews originating from Central and Eastern Europe.

BA'AL TEFILLAH

PERSON leading the PRAYERS in synagogue; in a traditionally orthodox synagogue-community,

this will be a man. For some parts of the prayer, women may lead at a *PARTNERSHIP MINYAN*.

BA'ALAT/S TESHUVA (F)	PENITENT (returnee to orthodox Judaism)
BA'AL TESHUVA (M)	PENITENT (returnee to orthodox Judaism)
BA'ALEI TESHUVA (pl.) Judaism)	PENITENTS (returnees to orthodox Judaism)
BAR MITZVAH	lit. SON of the COMMANDMENT; Boy's coming of age (celebration).
BAT/S MITZVAH COMMANDMENT;	Lit. DAUGHTER of the Girl's coming of age (celebration).
BEIT/S MIDRASH	lit. HOUSE of LEARNING; Usually refers to a study hall for <i>TORAH</i> study.
BEIS YAAKOV	lit. HOUSE of JACOB; (a collective noun referring to girls and women as described in EXODUS: CHAPTER 19, VERSE 3: 'and Moses went up to God. The LORD called to him from the mountain, saying, "Thus shall you say to the house of Jacob and declare to the children of Israel...')
	Refers either to: a. the local <i>CHAREDI</i> [Ultra- orthodox] girls' school, or b. the movement of girls' religious education (See below: <i>SARAH SHENIRER</i>).
BETH DIN / BEIS DIN (LONDON BETH DIN)	lit. COURT (of Jewish Law); Refers to the appointed judges or the <i>HALAKHIC</i> [Legal] judgments made by them; headed by <i>DAYANIM</i> [Judges].

See:

<https://www.theus.org.uk/article/about-london-beth-din>.

BIMAH

lit. PLATFORM;
Refers to THE PLATFORM in the centre or front of a synagogue from where the *BA'AL TEFILLAH* [Leader] prays, from where the *TORAH* scroll is read, or from where the *SERMON* is given.

BIRKHAT/S HaMAZON

lit. BLESSING OVER a MEAL;
Usually refers to the lengthy blessing following a meal with bread, especially on *SHABBAT* or *FESTIVALS*

BNEI AKIVA

MODERN ORTHODOX ZIONIST YOUTH MOVEMENT.

See: <https://www.bauk.org/>.

BRACHOT/S PARTY

lit. BLESSINGS party;
An event in which participants make blessings over symbolic foods, as a form of prayer – used for healing, finding life partners, fertility etc. A newly developed, mystical phenomenon – geared specifically towards girls and women. See table below, taken from Taylor-Guthartz, L. (2016) PhD Thesis, entitled, *Overlapping Worlds: The Religious Lives of Orthodox Jewish Women in Contemporary London*.

Blessing	Translation	Said over:	Associated <i>segulah</i> (virtue)
<i>bore minei mezonot</i>	Who creates varieties of nourishment	Baked goods	<i>parnasah</i> – livelihood
<i>bore peri hagefen</i>	Who creates the fruit of the vine	Wine	<i>zivug</i> – finding one's match
<i>bore peri ha'ets</i>	Who creates the fruit of the tree	Tree fruit	<i>yeladim</i> – fertility
<i>bore peri ha'adamah</i>	Who creates the fruit of the earth	Vegetables, fruit that grows on bushes, etc.	<i>refuah</i> – healing

<i>shehakol niheyeh bidevaro</i>	By whose word everything came into being	Fish, meat, milk, dairy products, etc.—anything not covered by other blessings	any request
<i>bore atsei vesamim</i>	Who creates fragrant trees	Fragrant trees or shrubs	<i>ilui neshamah</i> – elevation (of a departed soul)

CANDLE LIGHTING

RITUAL TO USHER IN THE SABBATH
and FESTIVALS;
Performed at home, traditionally by
women.

CHABURAH

See: *MISHNAH CHABURAH*

CHAG

FESTIVAL;
Usually refers to the *SHALOSH
REGALIM* – the three foot festivals
(*PESACH, SHAVUOT* and *SUKKOT*).

CHALAV YISRAEL

lit. JEWS' MILK;
Supervised *KOSHER* milk products.

CHALLAH/OT

lit. PORTION of BREAD;
SABBATH and FESTIVAL bread
loaf/ves.

CHANUKAH

lit. DEDICATION;
Refers to the FESTIVAL of LIGHTS,
lasting eight days. A candelabra
[*MENORAH*] is lit; one candle is
added each night, to a total eight.
Chanukah celebrates the flask of
sealed sacred oil found in the
second Jerusalem Temple after the
Greek siege and subsequent victory
of the Macabbees (approx. 165
BCE.)

CHAREDI

lit. TREMBLER;
Refers to an ULTRA-ORTHODOX
person.

CHAREDIM	lit. TREMBLERS ULTRA-ORTHODOX PEOPLE
CHAREIDUT/S	ULTRA-ORTHODOXY; Generally defined as orthodoxy which shuns secular education and values, through an ethic of separation. <i>Charedi</i> Jews value <i>Talmud Torah</i> (Torah study) as the ideal pursuit for men, and home-making for women – endorsing strict gender roles. More recently, especially in Israel, <i>charedi</i> women, in addition to the burden of home-making and childcare, have become financial breadwinner – in order that their husbands can remain in <i>Torah</i> learning (<i>Kollel</i>) for as long as possible. In general, large families are the norm, as is a stringent view toward <i>halakha</i> (Jewish Law).
CHASIDISM	lit. PIETISM; A sub-group of <i>CHAREDI</i> Judaism; sub-divided into (originally) geographic SECTS; a noted tendency towards religious conservatism and social seclusion; headed by a <i>REBBE</i> who is oft-consulted by his followers regarding (not exclusively) personal and communal religious matters.
CHASID CHASIDIC	lit. PIETIST; a devotee to <i>CHASIDISM</i> Associated to <i>CHASIDISM</i>
CHATAN (CHASAN) TORAH	lit. GROOM of the <i>TORAH</i> ; Person honoured with the completion of the <i>TORAH</i> reading cycle on <i>SIMCHAT TORAH</i> .
CHATAN (CHASAN) BEREISHIT/S	Person honoured with the re-starting of the <i>TORAH</i> reading cycle on <i>SIMCHAT TORAH</i> .

CHAVRUTA/SA	lit. FRIEND; Refers to a (<i>TORAH</i>) STUDY PARTNER.
CHUMASH	lit. FIFTHS; refers to the Five books of Moses; The PENTATEUCH.
DAVEN [Yiddish] DAVENING [Yiddish]	PRAY PRAYER
DVAR/DIVREI TORAH	lit. WORD/S of <i>TORAH</i> ; Usually refers to a short speech (or written article) often shared at the SABBATH meal.
DRASHA/OT	SERMON/S
ETROG/ESROG	lit. CITRON; Refers to the ritual fruit, used on <i>SUKKOT</i>
FRUM [Yiddish]	lit. PIOUS; RELIGIOUSLY OBSERVANT
GABBAI/IT	WARDEN (SEXTON) (M/F) Usually in a voluntary capacity, the <i>gabbai</i> assists the rabbi in the running of synagogue services. Specifically, the <i>gabbai</i> a. 'calls-up' synagogue attendees to read from the <i>TORAH</i> scroll or take on an honorific role in the service; b. stands alongside the reader of the tri-weekly <i>TORAH</i> reading (or yearly <i>MEGILLAH</i> readings, for example <i>MEGILLAT ESTHER</i> on <i>PURIM</i>) to ensure it is accurately chanted, correcting the reader when a mistake has been made. For women's <i>MEGILLAH</i> readings as well as in some open-orthodox communities, this role is held by women.
GEMARA	<i>TALMUD</i> (ORAL LAW); Expansive commentary on the <i>MISHNAH</i>

	<p>BABYLONIAN TALMUD - completed approx. 5th C</p> <p>PALESTINIAN/JERUSALEM TALMUD - completed approx. 4th C</p> <p>See:</p> <p>https://www.jewishvirtuallibrary.org/the-oral-law-talmud-and-mishna</p>
GROGGER	RATCHET; a noisemaker, used on PURIM, during the reading of MEGILLAT ESTHER, when the name Haman is mentioned.
HAKAFA/OT	lit. CIRCUIT/S; Usually refers to the CIRCUITS of festive dancing around <i>BIMAH</i> on <i>SIMCHAT TORAH</i> .
HALAKHA	lit. WALKING; A specific JEWISH LAW, or THE SYSTEM of JEWISH LAW
HALAKHOT/AS	JEWISH LAWS
HALAKHIC	LEGAL
HALAKHICALLY	LEGALLY
HALAKHIC TIME PERIODS:	
The Tannaim (lit. repeaters)	Sages of the <i>MISHNAH</i> (0–200)
The Amoraim (lit. sayers)	Sages of the <i>GEMARA</i> (200–500)
The Savoraim (lit. reasoners)	Persian rabbis (500–650)
The Geonim (lit. geniuses)	Babylonian rabbis (650–1038)
The Rishonim (lit. firsts)	rabbis of the late medieval period (c. 1038–1563)
The Acharonim (lit. lasts)	BEFORE the writing of the <i>SHULKHAN ARUKH</i> rabbis from approximately 1500 to present day AFTER the publication of the <i>SHULKHAN ARUKH</i>
HaMOTZI	lit. WHO BRINGS FORTH (bread from the earth); the blessing over <i>CHALLAH</i> at the beginning of the SABBATH or FESTIVAL meals (as well as on all bread).
HANOAR HATZIONI	Non-religious, pro-Israel youth movement.

HaSHEM	lit. THE NAME; refers to GOD.
HASHGACHA PRATIT/S	(DIVINE) PERSONAL INTERVENTION.
JC (The)	The Jewish Chronicle; the world's oldest Jewish weekly communal newspaper; first published in 1841.
KALLAH/KALLOT/S (pl.)	BRIDE (to be).
KEHILLAH	COMMUNITY.
KASHRUT/KASHRUS	Refers to the laws of permitted food and cooking.
KOLLEL	<i>YESHIVA</i> learning, specifically designed for married men; they are paid a minimal stipend.
KOSHER	lit. FIT (for use); Usually refers to permitted food and cooking, but is also used for other ritual or sacred items e.g. <i>TEFILLIN</i> , <i>LULAV</i> and <i>ETROG</i> .
KIBBUTZ	A COLLECTIVE community, Israel.
KIDDUSH	lit. SANCTIFICATION; Usually refers to the sanctification of <i>SHABBAT</i> or FESTIVALS, through a blessing over wine; also refers to the buffet at synagogue following <i>SHABBAT</i> or FESTIVAL morning prayers.
KIRUV	lit. COME CLOSE; Usually refers to outreach organisations and programmes which teach less- and non-affiliated Jews about orthodox Judaism See: https://www.aish.org.uk/ or https://www.ohr.edu/ or https://seed.uk.net/ or https://www.jle.org.uk/ .

KODESH	lit. HOLY; often refers to Jewish studies.
LEIN [Yiddish]	lit. READ. Chant from a ritual scroll, usually the <i>SEFER TORAH</i> ; but also used with regard to the specific tunes for <i>MEGILLAH</i> reading, and other sacred texts. The musical notes inform the meaning of the text.
LSJS	LONDON SCHOOL of JEWISH STUDIES, formally JEWS' COLLEGE; communal orthodox centre of religious and academic studies. See: http://www.lsis.ac.uk .
LUBAVITCH	An outreach <i>CHASIDIC</i> group Also know by the acronym <i>CHABAD</i> [CHOCHMAH (WISDOM), BINA (UNDERSTANDING), DA'AT (KNOWLEDGE)].
MA'AYAN	lit. SPRING, FOUNTAIN; Refers to the current Chief Rabbi's women's educational programme, launched in 2016, to 'provide our communities with exceptional female educators who will have a particular expertise in matters relating to women's health and the area of <i>Taharat Hamishpacha</i> ['family purity']. See: https://chiefrabbi.org/the-chief-rabbi-launches-the-maayan-programme/ and https://www.timesofisrael.com/for-jewish-women-in-the-uk-new-cracks-in-orthodoxys-glass-ceiling/
MADRICHA/MADRICH	ז (YOUTH) LEADER (F/M)
MAHARAT	acronym for MANHIGAT HILKHATIT v'RUCHANIT v'TORANIT ; lit. LEGAL, SPIRITUAL and <i>TORAH</i> LEADER;

	women who receive <i>SMIKHA</i> [RABBINIC ORDINATION] from <i>YESHIVAT MAHARAT</i> , the 'first orthodox Yeshiva to ordain women as clergy'; located in NY, USA. See: http://www.yeshivatmaharat.org .
MEGILLAH	lit. STORY; There are 5 <i>MEGILLOT</i> (pl.) in the BIBLE Usually refers to the specific scroll chanted publicly on <i>PURIM</i> : <i>MEGILLAT ESTHER</i> .
MEGILLAT/MEGILLAS ESTHER	lit. THE STORY of ESTHER; Refers to the scroll chanted publicly on <i>PURIM</i> .
MECHITZA	lit. SEPARATION; Usually refers to the physical separation between men and women in an orthodox Synagogue. This can take many forms: a balcony; an almost separate room; fixed wooden or metal barriers; or movable curtains. It is common for the height, material, and viscosity of these separations to be debated within communities and their rabbis.
MESORAH	lit. TRADITION; Usually refers to the 'way things are done' in particular families or communities, irrespective of whether it is an <i>halakhically</i> binding requirement.
MIDRESHET HaROVA	Women's seminary in Jerusalem, Israel; See: https://harova.org/overseas.asp .
MIDRESHET LINDENBAUM	Women's seminary in Jerusalem, Israel. The first advanced Torah learning seminary for women, founded in 1976.

	(Formally known as MICHLELET BRURIA and affectionately known as 'BROVENDER'S' after its founder Rabbi Chaim Brovender) See: http://www.midreshet-lindenbaum.org.il .
MIKVAH	lit. COLLECTION (of water); Ritual purification pool, visited by women after menstruation. See: <i>NIDDAH</i> .
MINYAN	lit. QUORUM; Refers to the 10 men required for orthodox public prayer; often used to refer to a community. See: <i>KEHILLA</i> .
MISHNAH	[The SIX orders of] ORAL LAW; Redacted by Yehuda HaNasi in approx. 70CE See: https://www.jewishvirtuallibrary.org/mishnah .
MISHNAH CHABURA	lit. ORAL LAW STUDY GROUP; (Refers to a specific women's weekly study group in Edgware, NW London).
MISHNAH BRURAH	lit. CLEAR TEACHING; A relatively contemporary <i>halakhic</i> work (1904); a commentary on <i>SHULKHAN ARUKH</i> (section ORAKH CHAIM) by Rabbi Yisrael Meir Kagan (Poland, 1838-1933), commonly known as the Chafetz Chaim.
MITZVAH/OT/S	COMMANDMENT/S or GOOD DEEDS.
MODERN ORTHODOX/Y	There are several forms of orthodoxy which claim the appellation Modern Orthodoxy. In general, Modern Orthodoxy values secular academic study; secular professions; the religious

significance of the State of Israel; and advocates for women to have a wider Jewish education (including *TALMUD*), to play a larger role in religious ritual and religious authority. As a movement, it is claimed to be founded on the teachings of Rabbi Samson Raphael Hirsch (1808-1888): '*Torah im Derekh Eretz*' (*Torah and the Ways of the World*), and Rabbi Joseph B Soloveitchik (1903-1993): '*Torah u'Madda*' (*Torah and secular knowledge*) – both espousing, to a greater or lesser degree, an orthodox life of synthesis with the secular world.

MOTSEI SHABBAT/ES

(EVENING) after the SABBATH.

NAASEH V'NISHMA

lit. 'WE WILL LISTEN AND WE WILL OBEY' (Exodus: 24, 7); statement linked with the receiving of the tablets at Sinai.

NA"CH

acronym for PROPHETS (*NEVI'IM*) and WRITINGS (*KETUVIM*).

NIDDAH

lit. ONE WHO IS BANISHED/EXCLUDED; Refers to the laws of the menstruant woman. See also: *TAHARAT HaMISHPACHAH*.

NISHMAT
Israel

Women's seminary in Jerusalem, 'CENTRE FOR ADVANCED *TORAH* STUDY FOR WOMEN'. Headed by RABBANIT CHANA HENKIN; founder of the first women's religious authoritative course of study and appellation *YOETZET HALAKHA*. See: <https://www.nishmat.net>.

OPEN-ORTHODOX

Left-leaning orthodoxy, approaching egalitarianism. See: Weiss, A. (2019) *Journey to Open Orthodoxy*; Ktav.

PARSHA/SEDRA	Weekly biblical PORTION; Read from a <i>SEFER TORAH</i> in synagogue on the SABBATH.
PARTNERSHIP MINYAN	OPEN-ORTHODOX COMMUNITY; Refers to newly established semi- egalitarian orthodox communities. See: http://www.kehillatnashira.org or http://www.kolrinaminyan.com .
PESACH	PASSOVER; Spring festival celebrating the redemption of the Jews from slavery in Egypt; (see Exodus 12, 1- 20).
POSEK	(legal) DECISOR; see PSAK.
PSAK	(legal) DECISION; To <i>psaken</i> , is to make these decisions. Often this refers to either RABBINIC <i>psak</i> or the decision making of the <i>DAYANIM</i> .
PURIM	lit. (feast of) LOTS; Spring festival celebrating the redemption of the Jews in Persia in approx. 400BCE, on which <i>MEGILLAT ESTHER</i> is chanted.
RABBANIT/RABBANIOT	traditionally RABBI'S WIFE/VES; or the term coined for women who receive <i>SMIKHA</i> [RABBINIC ORDINATION] from <i>MIDRESHET LINDENBAUM'S 'SUSI BRADFIELD'S WOMEN'S INSTITUTE for HALAKHIC LEADERSHIP' PROGRAMME</i> See: https://ots.org.il/program/susi- bradfield-wihl/ . <u>See also: <i>REBBETSIN</i>.</u>
RABBI (RAV)	lit. MASTER or GREAT; Leader of a Jewish community, or someone who has attained <i>SMIKHA</i> [RABBINIC ORDINATION]

See:

<http://www.jewishencyclopedia.com/articles/12494-rabbi> for further discussion of etymology.

RAMBAM

acronym for **RABBI MOSHE BEN MAIMON** (MAIMONIDES) SPAIN and NORTH AFRICA, 1135-1204; His work, the *MISHNAH TORAH* is a primary *HALAKHIC* authoritative text, and his work, *MOREH NEVUKHIN* [GUIDE for the PERPLEXED] is a primary philosophical work

See:

<http://www.jewishencyclopedia.com/articles/11124-moses-ben-maimon>.

RASHI

acronym for **RABBI SHLOMO YITZCHAKI**, FRANCE, 1040-1105; Primary and most prolific biblical and Talmudic commentator.

REBBE

LEADER of *CHASSIDIC* SECT; oft-consulted by his followers regarding (not exclusively) personal and communal religious matters; LEADERS are almost exclusively sons or sons-in-law of previous *REBBEs*, leading to *DYNASTIC* families within the *CHASSIDIC* community. (However, there are some instances when the greatest student has taken precedence over the sons or sons-in-law of a deceased *REBBE*).

REBBETSIN [Yiddish]

lit. RABBI's WIFE; generally the appellation given to a woman who serves the community with her husband;
or a woman who holds the title because of her husband's role, but has a separate career. Associated with kind deeds, religious piety, and more recently scholarship.

ROSH CHODESH	NEW MOON; Traditionally, orthodox Jewish women have a particular relationship to this monthly festival, given to them in the merit of not participating in the worship of the Golden Calf (See: Exodus, 32, 1-4; Pirkei d'Rebbe Eliezer ad loc.; <i>Shulchan Arukh</i> , OC 417; Or Zarua, Hilkhot Rosh Chodesh, 454).
ROSH HaSHANA	The NEW YEAR. Festival celebrating both the New Jewish Year; also a time of deep reflection and repentance.
SARAH SCHENIRER	Pioneer of girls' religious education (1883-1935) and THE <i>BEIS YAAKOV</i> movement See: https://jwa.org/encyclopedia/article/schenirer-sarah or https://en.wikipedia.org/wiki/Sarah_Schenirer .
SEDER	lit. ORDER; Ritual evening service and meal on the first night of <i>PESACH</i> .
SEDRA/PARSHA	lit. PORTION; Weekly biblical portion read from a <i>SEFER TORAH</i> in synagogue on the SABBATH.
SEFARDI	Jews originating from Northern Africa, Southern Spain and the Middle East.
SEFER (pl. SIFREI) TORAH	<i>TORAH SCROLL/S</i> Read aloud on Monday, Thursday and <i>Shabbat</i> in synagogue; handwritten on parchment, it contains the Pentateuch.
SEMINARY	Post high-school Jewish education for girls and women.

SHACHARIT/S	MORNING prayer service
SHABBAT/SHABBES	The SABBATH
SHADCHAN	MATCHMAKER
SHANAT SHEIRUT	Gap YEAR of voluntary SERVICE, Israel.
SHEILAH	lit. QUESTION; Refers to a question of <i>HALAKHA</i>
SHEITL [Yiddish]	lit. WIG; a type of hair-covering for married women, often from the <i>CHAREDI</i> or <i>CHASIDIC</i> community; although recently more common in other more mainstream and modern orthodox communities.
SHIDDUCH	lit. JOINING; an arranged meeting for prospective marriage partners; organised by a <i>SHADCHAN</i> [matchmaker].
SHIUR/IM	lit. MEASURE/S; Usually refers to religious class/es, but also used in <i>HALAKHIC</i> measurements (e.g. size of <i>SUKKAH</i> , volume of <i>KIDDUSH</i> wine).
SHMINI ATZERET	lit. GATHERING (on the) EIGHTH Festival celebrated after the seventh day of <i>SUKKOT</i> (hence, eighth) - whereby some of the <i>HALAKHOT</i> of <i>SUKKOT</i> apply, whilst others do not. This ambiguity means it is connected to <i>SUKKOT</i> , but retains its own identity. In Israel, <i>SIMCHAT TORAH</i> is celebrated on <i>SHMINI ATZERET</i> , whereas in the diaspora, <i>SIMCHAT TORAH</i> is celebrated the day after (the 9 th day).

SHUL [Yiddish]	SYNAGOGUE / SYNAGOGUE-COMMUNITY
SHULKHAN ARUKH	lit. the LAID TABLE; Code of Jewish Law, by Rabbi Yosef Caro in 1565, VENICE; <i>SEFARDI</i> laws and customs; Subsequently annotated by Rabbi Moshe Isserlis (1520-1572) to reflect <i>ASHKENAZI</i> laws and customs; Alongside the <i>RAMBAM'S</i> Mishnah Torah, one of the most important and frequently quoted work of Jewish law.
SIMCHAT/S TORAH	lit. JOY of the <i>TORAH</i> ; Autumn festival celebrating the concluding and re-starting of the yearly reading cycle of the <i>TORAH</i> .
SMIKHA	lit. LEANING of the hands; Refers to RABBINIC ORDINATION.
STERN COLLEGE	See YESHIVA UNIVERSITY.
SUKKOT/SUKKOS	lit. TABERNACLES; Autumn festival celebrating God's protection during the Jews' wandering in the desert.
SUKKAH	lit. HUT; Temporary dwelling, used on <i>SUKKOT</i> .
TAHARAT/S HaMISHPACHAH	LAWS of 'FAMILY PURITY'; a euphemistic phrase for the Laws of <i>NIDDAH</i> [separation] These include: physical separation from one's husband, checking for vaginal bleeding, counting five days of menstruation, plus seven of not-bleeding, preparation for, and immersion in, the <i>MIKVAH</i> [ritual pool].

TALLIT/S	lit. SHAWL Prayer shawl with <i>TZITZIT</i> attached, traditionally worn by men in the orthodox community.
TALLIT/S KATAN	lit. SMALL SHAWL Undergarment, traditionally worn by men in the orthodox community, see: <i>TZITZIT</i> .
TALMID CHACHAM	RELIGIOUS SCHOLAR
TALMUD TORAH	lit. the LEARNING of <i>TORAH</i>
TEFILLAH	PRAYER, PRAYER SERVICE
TEFILLIN	lit. PRAYER ITEM; Phylacteries, traditionally worn by orthodox men for morning prayer.
TESHUVA	REPENTANCE
TOENET/TOANOT BEIT DIN	COURT ADVOCATE/S Refers to women qualified by <i>MIDRESHET LINDENBAUM'S</i> PROGRAMME in Jewish Law, especially issues of marriage and divorce See: https://www.jofa.org/rachel-levmore .
TORAH	BIBLE; JEWISH LIFE, LORE, LAW
TRUP	TUNE for chanting sacred scrolls; including the <i>TORAH</i> , and <i>MEGILLAT ESTHER</i> .
TZNIUT/TZNIUS TZANUA/TZNIUSDIK	MODESTY MODEST
TZITZIT	lit. THREADS Refers to the threads attached to the ritual undergarment (<i>TALLIT KATAN</i>) as well as the <i>TALLIT</i> , traditionally worn by men. See: Numbers: 15, 38 and Deuteronomy 22, 12.

UNITED SYNAGOGUE	CENTRIST ORTHODOX UMBRELLA ORGANISATION, UK, founded in 1870. Headed by Chief Rabbi Ephraim Mirvis. See: http://www.theus.org.uk or https://chiefrabbi.org/ .
Yahrzeit	Lit. TIME of YEAR Anniversary of a person's death, often marked by close relatives.
Yeshiva/Yeshivot	lit. place/s of SITTING Post high-school Jewish education for boys and men (see: <i>Yeshivat Nashim</i>). Bastions of religious study, <i>HALAKHA</i> , schools of thought; and contemporary and emerging <i>TORAH</i> scholars.
Yeshiva University (YU)	Originally founded in NY in 1886, YU began as a Yeshiva which offered some secular classes to its students. Today it 'supports three undergraduate schools... seven graduate and professional schools.. and the Rabbi Isaac Elchanan Theological Seminary.' Its sister institution, Stern College, offers a parallel education for women – excluding the <i>smikha</i> [ordination] programme.
Yeshivot Nashim	lit. YESHIVA for WOMEN Usually called SEMINARY/IES.
Yiddishkeit [Yiddish]	JUDAISM, RELIGIOUS or JEWISH LIFE
Yoetzet/Yoatzot Halakha	lit. LEGAL ADVISOR/S; Refers to women qualified by <i>NISHMAT'S</i> programme in Jewish law regarding issues of menstruation, pregnancy, birth and birth control See:

<https://www.nishmat.net/keren-ariel-yoatzot-halacha/>.

YOM KIPPUR

DAY of ATONEMENT

ZIMUN

lit. INVITED;

Refers to the three adults required for additional prayers preceding *BIRCHAT HaMAZON* [GRACE AFTER MEALS]

There is *HALAKHIC* debate as to whether or not this refers to both a group of three men and/or women, and who is obligated to respond to those chanting the prayer

(See: *Shulkhan Aruch*: OC, 199, 6-7; *Rama* ad loc; *Biur Halakha* ad loc., who quotes the *Gra* as stating that “if three women eat together (and there are not three men present) they are OBLIGATED to make a *ZIMUN* – although this is not the custom”).

APPENDIX 2: EMAIL TO PARTICIPANTS

Dear friend,

I am writing to ask if you would be interested in participating in my PhD research exploring the lives of British Orthodox Jewish Women, which I am undertaking at the Gender Institute at the LSE. For more information about the Gender Institute, please visit: <http://www.lse.ac.uk/genderinstitute/home.aspx> or for information about me and/or my research, please visit:

<http://www.lse.ac.uk/genderInstitute/whosWho/researchStudents.aspx>.

I would need to interview you for approximately half-an-hour, and I am happy to visit you at a convenient location.

All interviews and interviewees are strictly anonymous and information gleaned will be used for this research only; the LSE has very strict rules and regulations with regard to research material and participants.

Please do be in touch if this of interest to you or if you would like further information.

Sincerely,

Lindsay Simmonds

APPENDIX 3: INTERVIEWEES' CONSENT FORM

Dear [NAME],

Thank you for agreeing to participate in my research of British orthodox Jewish women. This letter is simply to ensure (sic) of the confidentiality of your interview and the views you express.

As mentioned in my previous email, all interviews are strictly confidential, and any information gleaned will be used for this research project only. Additionally, all the ethical rules as laid down by the LSE will be adhered to strictly. For further information about these guidelines please refer to:

<http://www.lse.ac.uk/intranet/LSEservices/policies/pdfs/school/resEthPolPro.pdf>

Please sign below as an indication that this has been explained clearly to you and that you are satisfied with the ethical rules in place.

[NAME]:.....(DATED 00/00/00)

Thank you for your participation,

Lindsay Simmonds

APPENDIX 4: INTERVIEWS, THE SIX STARTER QUESTIONS

Although the interviews were semi-structured by six questions (see below), the interviewees were encouraged to take the conversation in whatever direction they chose. Some participants gave very short answers and others gave rich and detailed accounts of their lives and experiences, their joys and frustrations. These six questions were really used as a guide for the interviewees to talk about the issues that mattered to them, and I prompted them to speak in more detail when appropriate. THE SIX STARTER QUESTIONS:

1. Could you tell me a little bit about yourself, your family history, your personal religious journey and what you do at the moment?
2. What is your experience of, and what are your thoughts about women's and girls' education in the BOJ community?
3. How do you / do you actively participate in religious ritual, either at home or in the synagogue? What are your reflections on this participation?
4. What are your thoughts on emerging female scholars, lay and religious leaders here (UK), in the U.S. and in Israel? What are your thoughts about their possible/actual role in the orthodox community as educators, community leaders or halakhic (legal) experts?
5. What impact do you think women's and girls' education, their ritual participation and the leadership positions open to them have on your personal religious experiences, that of your community, and the future of orthodox Jewish communities here in the UK?
6. How would you label your religious affiliation?

APPENDIX 5: THE INTERVIEWEES

All Interviewees' names and obvious traceable details have been changed to ensure their anonymity. These biographies give the reader an insight into the participants' lives insofar as they reflect something about their location and their orthodox pious practices.

[1] Fiona Admor (FA) INTERVIEWED 16/09/14

A mutual close friend suggested that I contact Fiona, although I had met her a couple of times at the *Mishnah Chaburah*⁷⁶⁰. She is 37 and has a career in social work; we met at her home one evening after work, whilst her three young children slept. We chatted considerably about her upbringing in the States, which was marked by both her parents being immigrants to New York. She talked fondly about her primary and secondary school education, which was in a university school populated by academics' children and the local immigrant community – and she 'hung out with the latter'. She said she felt more immigrant than specifically Jewish immigrant and always dated non-Jewish immigrant boys in high school, with whom she felt much affiliation. Her family were not at all observant of *halakha* [Jewish law], but had a close connection to Israel where much of their family lived, and they spoke Hebrew at home. Whilst at university, Fiona was encouraged by the local *Chabad*⁷⁶¹ *rebbetsin* [rabbi's wife] to study in seminary in Israel, and she spent all of her summers there. After graduating, she went back to seminary for another year, which is where she met her husband who was training to become a rabbi. Fiona remembers a very specific conversation with him when she stated explicitly that she not want any leadership role in the Jewish community, and that she was afraid that him being a rabbi meant she would have to fulfil some role as a *rebbetsin* [rabbi's wife]. He assured her that he understood, that it was not the case and that she should pursue her own career – which is ultimately what transpired. Although

⁷⁶⁰ Women's oral law study group; see: Chapter Four for a detailed examination; also see: APPENDIX 1, DEFINITIONS.

⁷⁶¹ *Chabad* is a religious movement, which promotes young couples to become religious emissaries throughout the world, often on university campuses, to encourage non-religious Jews back to Judaism. They are exclusively from the *Lubavitch Chasidic* community. See: APPENDIX 1, DEFINITIONS or Chapter One for further information.

Fiona moved to the UK, she does not have any formal or informal role as a *rebbetsin*, even though her husband has become a prominent rabbi and educator. And, to some extent this reflects her private persona and her private religious practices; she rarely prays at synagogue, preferring to be at home, and she is not involved in any orthodox women's public rituals. She labelled herself as an 'observant' Jew.

[2] Wendy Aviv (WA) INTERVIEWED 01/10/14

I met Wendy, a single mother of three children, at my local *charedi* [ultra-orthodox] *shul* [synagogue-community] about 15 years ago. At the time, she was very disappointed with the rabbi's lack of inclusiveness in his *Shabbat* [Sabbath] morning sermons towards women who are living alone, single, separating or divorcing in the orthodox community. Subsequently, she moved out of London, to a smaller provincial community within which she feels she can contribute and be counted as a valuable member. Wendy is 43, and is an interesting BOJW, having converted to Judaism in her mid-twenties. She was brought up in a Catholic home, attended a convent school, and spent several years travelling the globe. In her teens, she began to reject her strict upbringing, motivated by the fact that when she asked questions about religious life, she 'was told not to'. Wendy studied philosophy at university, which she stated, piqued her interest in 'both nothingness and religion', after which she began to travel. Whilst abroad Wendy explored many religions and none, and eventually met her Jewish husband and moved to Jerusalem to study Judaism. At the time her husband discouraged her from converting, but she insisted, claiming 'she had finally found her peace'. After the conversion was complete, they moved to London together, had three children and divorced several years later. Wendy has worked in the arts since moving to the UK and labels herself modern orthodox. I interviewed her at her home, and I learned a great deal about her unusual life story, as well as heard her nuanced perspective of the UK's orthodox Jewish community.

[3] Vanessa Deutch (VD) INTERVIEWED 23/10/14

Vanessa, 42, is an administrator of a United Synagogue and is involved in several local community charity projects; we met at her home for her interview before she went off to work. Vanessa was brought up in a non-observant home, although her parents belonged to and regularly attended their local United Synagogue. She did not have a rigorous religious education as a child, although she attended the synagogue's *cheder* [Sunday school] for several years; yet, she became more religiously observant during her late teens after meeting a *kiruv* [outreach]⁷⁶² rabbi at her local *shul* [synagogue-community]. Her family were very supportive of her change in lifestyle and she has maintained a close relationship with her parents and siblings. As a young adult she moved to Israel to study in a seminary which focussed on self-improvement, but offered minimal textual skills; and during this time she also met her English husband on a *shidduch* [arranged meeting]; they later returned to the UK to bring up their three children. She now lives in a thriving North-West London orthodox community and belongs to a *charedi* [ultra-orthodox] synagogue-community, although she commented that she rarely attends synagogue services. Vanessa and her husband sent their children to *charedi* [ultra-orthodox] primary schools, but their religious allegiances shifted over time and they chose to move their children to modern orthodox secondary schools. Indeed, although Vanessa is a member of a *charedi* [ultra orthodox] synagogue-community, she nevertheless described her religious affiliation as, 'probably modern orthodox actually'.

[4] Miriam Engel (ME) INTERVIEWED 27/04/15

Miriam, 36, was interviewed at her home, in a community just outside London, which has had an influx of young orthodox Jewish families over the last 10 years. She was brought up as a non-Jew in a secular environment, and converted to Judaism through the London *Beth Din* [Court of Law] in her early twenties. Miriam's interest in religion began as a teenager and she 'flirted with other religions' before finding out that her father may have been Jewish. The conversion process took about ten years, as she tried out different forms of Judaism, eventually deciding

⁷⁶² *Kiruv*, religious outreach; see APPENDIX 1, DEFINITIONS.

that only an orthodox conversion ensured her Jewish identity; and interestingly now works for an orthodox rabbinic organisation. Miriam is quite recently married, and she and her husband are expecting their first child. She mentioned that her husband affectionately calls her *rabbanit* [rabbi (f)] because she feels that she sometimes needs to make her own judgments regarding *halakha* [Jewish law]. In fact, she equivocated when being asked about her religious affiliation, stating that she felt somewhere in between *charedi* [ultra-orthodox] and modern orthodox, but since becoming pregnant felt more inclined to make her own decisions, asking 'does that make me open-orthodox?' As a convert to Judaism, Miriam added an interesting bent to the interviewees' viewpoints and experiences.

[5] Xandy Engelberg (XE) INTERVIEWED 26/04/15

Xandy works as an educational psychologist within the orthodox Jewish community, and is a member of a *charedi* [ultra-orthodox] *shul* [synagogue-community] in my local neighbourhood, which is how she found out about this research. Nevertheless, when asked to describe her orthodoxy, she replied, 'modern *charedi*' and was very uncomfortable with labelling her religious affiliation. Xandy, now 52, was brought up in a small village in South Africa and she describes her upbringing as, 'very spiritual, but not at all religious' in terms of her Jewish identity, but a joyful childhood within a very loving family. Although her parents were part of the Reform Movement,⁷⁶³ she became a more committed orthodox Jew in her late teens, inspired, she said, by the arrival of a dynamic rabbi and *rebbetsin* [rabbi's wife] to her hometown, who were able to address issues she had with the suffering of the innocent and her grandmother's illness. Xandy mentioned that she was never a person who did things in half measures, so if she was going to become more

⁷⁶³ The Reform Movement, UK is also called the Progressive or Liberal movement, and is defined as a non-orthodox theology of Judaism, which rejects the adherence to the *halakhic* [Jewish legal] system. Its website states that it: 'treasures both Jewish tradition and Judaism's ability to evolve in response to the contemporary world; promotes a life of integrity based on a process of informed decision making; it makes an uncompromising commitment to gender equality and inclusion, responding to the changing realities of our community; seeks out new opportunities and spaces in which to welcome and engage with members, unaffiliated Jews and those with non-Jewish partners; is committed to Israel and the pursuit of peace; democracy; human rights and religious pluralism and means building a just society through social action and *tikkun olam*, repair of the world.' See: <https://www.reformjudaism.org.uk/about/> for further details.

religiously observant, she was going to go the whole hog – and in so doing, she also influenced both her parents' and sisters' commitment to *halakha* [Jewish law] – they are all now practicing orthodox Jews. She commented specifically that this transformation was particularly difficult for her mother, who she described as, 'a very powerful feminist.' Xandy is married with several grown-up children, some who live in the UK and others who have emigrated to Israel; she also has a number of grandchildren and she and her husband are planning to move to Israel in a year or so. I interviewed her at her home, and hers was the longest interview, lasting well over ninety minutes.

[6] Batya Epstein (BE) INTERVIEWED 29/10/14

Batya works full-time in the medical sector, in addition to bringing up her five children and her role as *rebbetsin* [rabbi's wife] at her husband's modern orthodox synagogue-community in North-West London; she is also a keen cyclist. Batya was brought up in the States, in a family who affiliated with the American conservative movement⁷⁶⁴ and attended *cheder* [Sunday school] three times a week (also on weekdays), which was the norm in her community. Her mother had very little Jewish background, but her father attended the local conservative synagogue on *Shabbat* [the Sabbath] and she often joined him. Batya, now 51, said that in her late teens she decided that when she went to university she wanted to keep *kosher* and become more religiously observant, and whilst she was there, she was offered the opportunity to travel to Israel for the summer to study at seminary on a full scholarship by a *kiruv* [outreach] rabbi.⁷⁶⁵ She mentioned that she was the first person in her family to visit Israel, and is a third generation American (on both sides of her family). Following her summer trip, she returned to the US to complete her degree after which she spent several more years studying in seminaries in both the US and Jerusalem, where she eventually met her husband. They moved to the UK in

⁷⁶⁴ Conservative Judaism: defined by the Jewish Theological Society's (JTS) website as, 'a unique blend of fidelity to Jewish tradition and thoughtful responses to modernity'. In the UK, the most comparable movement is the *Masorti* [Traditional] Movement, founded by Rabbi Dr Louis Jacobs after his fracture with the United Synagogue and Jews' College in 1964; see: https://masorti.org.uk/newsblog/newsblog/news-single/article/the-jacobs-affair.html#.XNrolmVF_II.

⁷⁶⁵ See: APPENDIX 1, DEFINITIONS.

1995 to take up a rabbinic post and have lived here since. I first met Batya in Jerusalem over 20 years ago whilst we were studying at the same seminary and we have remained close friends ever since; indeed our children attended the same orthodox primary school. Batya has a reputation in the UK as scholarly, humble and very kind, and I mention this as it is exceptional to garner respect in all the various orthodox communities; this is especially unusual given that she studied *Torah* in modern orthodox institutions, one egalitarian *yeshiva* and holds strong feminist sentiments – especially about BOJW’s education. She is, of course, a member of the modern orthodox community that her husband leads, and labelled herself as ‘staunchly modern orthodox and *tzioni* [Zionist].’ We met at her home in the evening after work, and, having several daughters, she was particularly insightful about British orthodox girls’ education.

[7] Esther Epstein (EE) INTERVIEWED 23/07/15

Esther’s interview took place at her home, which she shares with her husband, the rabbi of a local *charedi* [ultra-orthodox] synagogue-community. I have known Esther for many years in her position as *rebbetsin* [rabbi’s wife] and we have had many conversations about feminism and orthodoxy, women and gender stereotypes. Esther and I have very different religious perspectives, but we have managed to maintain a healthy tone of disagreement during our long-standing friendship; I wanted especially to hear her views about the issues raised in this research, and she was delighted to participate. Esther’s parents come from a *sefardi* [in her case, Spanish]⁷⁶⁶ heritage and she spent some of her childhood in France, as well as several years in Australia and the north of England where, in each location, her father was employed as rabbi or teacher. She studied at Gateshead Seminary, a bastion of *charedi* [ultra-orthodox] girls’ education as a young woman, before marrying, starting a family and moving to the London area. Esther teaches at a *charedi* [ultra-orthodox] girls’ high school where she has been employed for over 15 years, and she also helps out considerably at her husband’s synagogue-community (although she is not employed by them directly). Her adult children

⁷⁶⁶ See: APPENDIX 1, DEFINITIONS.

have now moved out of the family home and she has several grandchildren. She is 44 years old, and labelled herself first as *frum* [religious] and then as *charedi* [ultra-orthodox], then commented on how she thinks labelling is used divisively, so plumped for, 'caring orthodox Jew.'

[8] Atalia Fairfield (AF) INTERVIEWED 24/10/14

Atalia is 42, lives in North-West London, works in the medical field and is married with three children; I interviewed her at her home. She was brought up in an orthodox family in Manchester, attended a modern orthodox primary school, and then went on to a *charedi* [ultra-orthodox] secondary school. Atalia spoke about her feeling 'fed up' with her Jewish education by the end of secondary school, although she was still observing *halakha* [Jewish law]. She went straight onto university where she recognised how 'sheltered' her life had been, but this only drew her 'closer to her heritage', and on graduating she moved to London which she recalled as an 'eye-opener' religiously. There were many more communal and educational opportunities for young religious Jews in London compared with Manchester, Atalia noted, and she joined a modern orthodox community, attended many local religious classes and began her career. After marrying, she and her husband moved to a smaller Jewish community and joined a modern orthodox *shul* [synagogue-community]. At that time, she also became very involved in her nearest (although not very local) *Partnership Minyan* [open-orthodox community] where she regularly *leins* [chants from the *Torah* scroll] on *Shabbat* [the Sabbath]. I met Atalia at the *Mishnah Chaburah* and she was very keen to be interviewed to share her religious journey, which has taken her from ultra-orthodox schooling to public ritual participation in a *Partnership Minyan*.

[9] Hannah Frankel (HF) INTERVIEWED 26/04/15

Hannah began her career practicing Family Law, then moved into community work, taking several senior positions in Jewish orthodox welfare bodies. We met at her office, where she had an advisory role, which she has subsequently left. Hannah was brought up in a typical United Synagogue family in which her parents were not committed to *halakha* [Jewish law], but enjoyed a *Shabbat* [the Sabbath] meal

together and only ate *kosher* food in their home. She attended a private girls' secondary school and as a teenager began questioning her religious identity and her parents' religious commitments, although she did not elaborate on this. At university, she recalled becoming very involved in the flourishing students' Jewish Society, and as a result became much more committed to an orthodox life. On returning to London, and subsequently marrying, she joined a United Synagogue community where she is involved in women's education and leadership training. She has three young children who attend the local orthodox primary school and an older son who attends an independent boys' secondary school, which is popular amongst other orthodox parents. I know Hannah professionally, and she was a student of mine for several years.

[10] Nadia Jacobs (NJ) INTERVIEWED 30/09/14

Nadia is a renowned educator – she worked as a secondary school teacher for many years before moving into adult education within the Jewish community. She appears regularly on national radio discussing religious, social and political issues of the day, and more recently has become involved in interfaith work. She has a worldwide reputation for her scholarship, erudition and humour, and on a very personal note, she is a close friend. When we met for her interview at her home, she had just left her job as Head of Education at a modern orthodox school and was about to explore other educational opportunities within the Jewish community, as well as hoping to begin writing her first book. Nadia, 58, was brought up in the 1960s in a large Jewish community, where half the children at her local state primary and secondary grammar school were her Jewish friends from the neighbourhood. She had a supplementary religious education three times a week, which she said didn't teach her much, but instilled in her a love for Bible stories and sacred texts; indeed she has always been an avid reader and lover of theatre. Like several other participants, her parents were members of their local United Synagogue, but were not strictly committed to *halakha* [Jewish law]. However, Nadia said that it was her local orthodox youth group, which gave her a real sense of identity, of community and of the volunteering spirit. It was peer led, fun and Nadia made many life-long friends. Interestingly she noted that 'in those days' the

roles at the youth group were ‘very gendered’ although she always felt that her voice was heard and valued. Nadia mentioned that she has taken on the role of ‘token orthodox woman’ on many platforms: being the only orthodox woman in a Jewish charity and finding herself judged; being the only woman on an orthodox educational panel and being ignored; being the first orthodox woman to lecture at an orthodox educational conference; and she commented that at all of these, she felt ‘under scrutiny’. Since Nadia’s five children have grown up and some have left home, she and her husband have recently moved house, and they are now members of a thriving United Synagogue in London. Nadia is also a regular attendant of her local *Partnership Minyan* [open-orthodox community], which meets monthly, and she describes herself as ‘left of modern orthodox’.

[11] Nathalie D Jacobson (NDJ) INTERVIEWED 16/09/14

Nathalie, 48, is an academic and lectures widely on Jewish History. I know her professionally and we have had several very long conversations about Anglo-Jewry and orthodox women’s experiences of it. We met at her home in London, and this interview was one of the longest (lasting well over an hour), and the most informative about the shifts in practices over time in the UK orthodox Jewish community. Nathalie was brought up in a strictly orthodox home; her parents were members of one of the largest *Adath Yisrael shuls* [synagogue-community]⁷⁶⁷ under *charedi* [ultra-orthodox] leadership. Nevertheless, she recalled her father always telling her to, ‘have an open mind’ which she fears may now come back to haunt him. She went through mainstream orthodox primary and secondary schooling system, which she commented left her little in terms of rigorous Jewish education, decided to leave for sixth form and attended a girls’ independent secondary school. She noted, ‘that decision had a profound impact on my life’ as she was able to take religious studies for A’level and examine Judaism in a completely different way, and from exceptional teachers; in fact the experience persuaded her to study theology at university. Nathalie loved being able to critically engage with Jewish studies and as she tells it, ‘see it as a living religion’ and subsequently remained in academia. At

⁷⁶⁷ See: APPENDIX 1, DEFINITIONS.

home, she shares the domestic ritual roles with her husband and they work hard to bring up their three children to be acutely aware of an emphasis on gender equality, albeit within an ostensibly orthodox framework. Although Nathalie is a member of her local United Synagogue, she is also the co-founder of a *Partnership Minyan* [open-orthodox community], which meets monthly near her home. She refused outright to categorise herself with any label resembling observance or orthodoxy or commitment, simply calling herself, 'a female Jew'.

[12] Rachel Jakobstein (RJ) INTERVIEWED 01/10/14

I know Rachel from my own local synagogue-community and we study together at the *Mishnah Chaburah*; she was delighted to be a participant in this PhD. Her interview was a very relaxed affair and took place at her home whilst she was nursing her youngest child. Since Rachel was not brought up in the UK, she has a broader perspective of orthodox life worldwide, and her insights were particularly helpful in comparing BOJW's lives in the UK with other parts of the world. Rachel, now 31, met an Englishman whilst he was travelling abroad as a student, and moved to the UK to marry him. She has a psychology degree and is currently a stay-at-home-mum with four young children. Rachel volunteers for her local synagogue as well as being very involved in her children's school's charity events. As a child, she lived in South Africa, had an orthodox primary school education and noted that her family were the *frum* [religious] family in their community. When asked to describe her religious affiliation, Rachel said, 'Left of *charedi* [ultra-orthodox] and right of modern orthodox'. Indeed, she is a member of my local synagogue-community, which has an eclectic membership and neatly fits her self-description, and we have often chatted on a *Shabbat* [Sabbath] morning about many of the issues researched in this thesis. Rachel and her family recently left the UK to live in Israel, which she stated was partly due to the limited orthodox Jewish education and lifestyle offered to them and their children here.

[13] Gila Katz (GK) INTERVIEWED 20/10/14

I interviewed Gila at her home just after her six children had left for school, and before she had to leave for work. Gila is 42, grew up in Manchester and moved to London as a medical student. She was brought up in a *charedi* [ultra-orthodox] family with several siblings, although she commented that her parents had always been quite academic so she was never dissuaded from going to university, as was the norm then in the *charedi* [ultra-orthodox] community. Gila shifted towards modern orthodoxy in her teens and spent her gap-year in a modern orthodox seminary in Jerusalem. She then returned to the UK to study for her undergraduate degree, and after marrying, moved to North-West London with her husband. Although Gila and her family are members of a modern orthodox *shul* [synagogue-community], she is unhappy about the religious education it offers the women, and the philosophy of the rabbi towards women's ritual participation. I first met Gila when we both belonged to a local *charedi* [ultra-orthodox] *shul* [synagogue-community] and we have chatted about her upbringing and the varied religious paths that her siblings have chosen to take – some, in her words, 'very *charedi* [ultra-orthodox]', and some modern orthodox. She is a regular attendant of the *Mishnah Chaburah*, a regular at synagogue services on *Shabbat* [the Sabbath] and a keen runner; she labelled herself modern orthodox.

[14] Heather Keen (HK) INTERVIEWED 20/07/15

Heather is a close friend and we first met whilst our children were in primary school together. She is 44, works full-time at an NGO and her three children attend either an orthodox primary or secondary school. Heather was not brought up in the orthodox Jewish community, but converted to Judaism as an adult whilst at university and as such presented a broader perspective of the orthodox Jewish world. She has maintained a close relationship with her parents, and her several siblings, some of whom show more understanding about her conversion than others. Heather and I have had many conversations about the choice she made to convert to Judaism through the orthodox London *Beth Din* [Court of Jewish Law] and her feelings about gendered expectations in the orthodox Jewish community, especially given her academic interest in women's studies as an undergraduate, and

she was a fascinating interviewee. We met at her home, during her summer break, where she loves to garden in her spare time, and this interview was one of the longest, lasting almost an hour and a half. On being asked, Heather labelled herself as 'strictly observant', adding the axiom, '*Torah im derech erez*' [Torah and worldly pursuits].⁷⁶⁸ Heather has shifted her orthodox allegiances over time, and although she and her husband originally joined a *charedi* [ultra-orthodox] community, they have subsequently become members of a modern orthodox synagogue-community in the same neighbourhood; she is also a member of the *Mishnah Chaburah*.

[15] Naomi Kory (NK) INTERVIEWED 29/10/14

Naomi, 29, works in the interfaith sector, and it was through this work that we originally met one another and discussed this research. I interviewed her at her home just a few weeks after she had given birth to her first child, a long awaited event. Our conversation began with us chatting informally about her painful experience of infertility and how she was trying to encourage the Jewish world to talk more openly about it. Naomi was brought up in a United Synagogue community just outside London, by a mother from a Reform⁷⁶⁹ Judaism background, and by a father himself brought up in a United Synagogue community. Naomi remembers that her mother took on a more traditional lifestyle for her father, but that she retained a critical perspective and encouraged Naomi and her siblings to think about why they were performing religious rituals, and to always remember that 'being a good person' came before everything else. In her non-Jewish secondary school, Naomi enjoyed attending different religious assemblies, and recalled that she found it very interesting that, 'different people could make similar truth claims.' This led her to apply to study theology at university as well as decide to take a gap year at a modern orthodox seminary in Israel. During her time at university, Naomi became very interested in women's ritual participation and was part of a group of female Jewish students who created one of the first women's

⁷⁶⁸ This phrase was coined by Rabbi Samson Raphael Hirsch (Frankfurt, 1808-1888), reflecting his religious ideology of strict adherence to *halakha* [Jewish law] whilst advocating the imperative of learning from and contributing to the wider (secular) world.

⁷⁶⁹ See: <https://www.reformjudaism.org.uk>.

*Megillah*⁷⁷⁰ readings. Naomi and her husband live in a neighbourhood very close to where she grew up, just outside London, and she is the co-founder of her local *Partnership Minyan* [open-orthodox community]. She too did not like labelling herself within any of the orthodox groupings I offered, so chose, ‘liberal modern orthodox’ to describe her religious identity and allegiances.

[16] Bella Sanders (BS) INTERVIEWED 30/09/14

I interviewed Bella at home, after her three children had left for school and before she had to leave for work, where she oversees a local charity. Her job includes the care of Jewish families struggling with everyday provisions, and because of this, she takes a much-needed counter-perspective of life in the orthodox community. Through her work, Bella is quite well known within the British orthodox Jewish community, and as such plays an important role in highlighting gender and social inequalities, and it is through her work that she heard about this research. She comes from a traditional Jewish home in the north of England, and became more observant in her early teens, although did not describe the process in detail. Bella moved to London after completing her undergraduate degree, married, and now lives in a thriving orthodox community in North-West London, where she and her family are committed members of their local modern orthodox *shul* [synagogue-community]. Although she considers herself to be modern orthodox, Bella made several comments about the poor Jewish education for her daughters at her local modern orthodox secondary school, as well as the paucity of textual classes for women in her *shul* [synagogue-community].

[17] Amelia Shaw (AS) INTERVIEWED 17/09/14

I interviewed Amelia at her parent’s home in North-West London, just after her second child was born. She and her husband were packing up to leave the UK to take up a rabbinical position in an orthodox community abroad for a few years, but she kindly found time to talk to me. I was introduced to Amelia via a friend, and she

⁷⁷⁰ *Megillat Esther* [the scroll of Esther], colloquially called ‘the *Megillah*’ is chanted on the festival of *Purim* [the Feast of Lots]. For a detailed account of this, see: Chapter Five. See also: APPENDIX 1, DEFINITIONS.

is the youngest interviewee at 28. She was brought up in a traditional Jewish family, who were members of their local United Synagogue and kept a *kosher* home – but were not overly strict about *halakha* [Jewish law]. She said that this upbringing had engendered a varied array of siblings' commitment to Jewish life: she has one strictly orthodox brother, another who is traditional and a sister who is not religiously observant at all. As a child, Amelia attended an orthodox primary school and went on to a private secondary girls' school where she said she was asked lots of questions she didn't have the answers to, leading her to explore her Jewish heritage, and ultimately to becoming a practicing orthodox Jew. Whilst at university, Amelia spent each summer studying at a seminary in Jerusalem, and on completing her degree spent a year there, where she also experienced all-women prayer services. Amelia began her career in teaching at a Jewish secondary school, subsequently taking on *Bat-Mitzvah* [girls' coming-of-age] classes at the weekends, which she spoke of as a real joy and privilege. She commented that *Bat-Mitzvah* is an important transitional time for young Jewish women, and needs to be a positive experience, which she hoped she provided through the classes she gave and the ceremonies she created. Amelia did not want to label herself as any type of orthodox, but chose 'observant' as her way of expressing her pious practice.

[18] Wendy Stein (WS) INTERVIEWED 17/09/14

Although I did not know Wendy well, as part of the *Mishnah Chaburah*, she received an invitation to participate in this research, which she responded to very positively. She was interviewed at her home in North-West London whilst her four children were at school, and after her interview we continued to chat about her religious journey to orthodoxy. Although a member of a modern orthodox community, Wendy holds traditional views about gendered roles within the family and is a very committed home-maker. Wendy, 41, was brought up in a typical United Synagogue family in North-West London who belonged to an orthodox *shul* [synagogue-community], but were not entirely committed to *halakha* [Jewish law]. She attended the *cheder* [Sunday school] and remembers being very involved in her community. She also attended the local Jewish primary school where she was taught Jewish studies in Hebrew and felt her Jewish education was great until 11,

when she started a non-Jewish high-school and during those years her Jewish studies waned – because there was little on offer outside school. At about 16, Wendy decided she wanted to *keep Shabbat* [observe the Sabbath] and her commitment to orthodox Judaism grew over her university years; in fact she commented that the increased availability of Jewish classes in the London area and on UK university campuses had had an impact on many of her friends' religious observance. She identifies as modern orthodox, but added, 'I consider myself an observant Jew... it's a journey.' As part of the *Mishnah Chaburah*, Wendy made several comments in her interview about how this women's study group has transformed her religious life – giving greater meaning to her daily rituals, and a much better understanding of Judaism in general.

[19] Avivah Vecht (AV) INTERVIEWED 10/07/15

I interviewed Avivah at her home in a bustling orthodox Jewish community in North-West London, and her interview was without doubt the most humorous and entertaining, as well as a cynical perspective on Anglo-Jewry. I know Avivah through her work in orthodox feminism, and what began as a collegiate relationship over 20 years ago, has blossomed into a close friendship. Avivah, now 51, was brought up in South Africa, moved to Israel in her early twenties, and then to the UK on marrying in her early thirties. She has several gregarious children and a full-time career at an international charity. She recalls her religious experience as a child as split between her father regularly attending *shul* [synagogue] on *Shabbat* [the Sabbath] and her mother regularly going to the hairdresser; yet she always respected her mother's consistency, given that she didn't even attend *shul* on *Yom Kippur* [the Day of Atonement].⁷⁷¹ Avivah went to *cheder* [Sunday school] during primary school and then went on to a Jewish high-school; she became more committed to orthodoxy during her teens, something she feels was a product of being the child of Holocaust survivors: 'I think I thought "I have to save the Jewish people!"' In addition to her career, she has spent the last twenty years or so writing about feminism and

⁷⁷¹ *Rosh Hashanah* [New Year] and *Yom Kippur* [The Day of Atonement] – known together as the High Holidays: when many irreligious Jews feel an obligation to attend synagogue services, regardless of their lack of commitment during the rest of the year.

orthodoxy, and has had many conversations with her synagogue rabbi, the lay leadership and members of her local *shul* [synagogue-community] about the religious education, and ritual participation offered to women. Although, Avivah is a member of the United Synagogue, she also frequents the monthly services at a nearby *Partnership Minyan* [open-orthodox community] and labelled herself as, ‘post-denominational observant’, despite by suggested (and more comprehensible!) groupings. She mentioned too, that she spoke to her daughters and their school head regularly about what she called, ‘the unhealthy obsession with modesty’ for girls in the orthodox community. Given her experience of living in Israel and her regular travel to the US, she is acutely aware of the challenges BOJW face within the UK orthodox communities, and her insight was invaluable to this thesis.

[20] Caroline Vennet (CV) INTERVIEWED 28/10/14

I met Caroline at her home, during her very busy day. She is the active *rebbetsin* [rabbi’s wife] of a large United Synagogue and the mother of 8 children, as well as working part-time for a media organisation. Her home is open to many guests for *Shabbat* [the Sabbath] and festival meals, as well as would-be converts to Judaism. She is involved in several community welfare projects, and she and her husband offer pastoral assistance to their congregation. Caroline was brought up in a traditional United Synagogue family; they kept a *kosher* home, had a Friday night (Sabbath) meal together and only went to *shul* [synagogue] on the High Holidays – a typical Anglo-Jewish experience. In her late teens she, and her mother, became more interested in their Jewish heritage and attended a SEED conference,⁷⁷² at which Caroline says, she decided to *keep Shabbat* [observe the Sabbath]. She recalled that she met a *rebbetsin* [rabbi’s wife] who was an extremely lovely person and thought, ‘I want to be like that’; a chance meeting which, she said, became a transformative moment. Caroline and her husband have made significant changes to the experience of BOJW in their congregation, including high-level text classes and opportunities for public ritual participation. She described herself as ‘*charedi*

⁷⁷² S.E.E.D. is an outreach organisation, encouraging irreligious Jews to explore their heritage and become more observant; see also: APPENDIX 1, DEFINITIONS.

[ultra-orthodox] in practice, modern orthodox in outlook', a fusion of two of the orthodox categories offered to her; and I would describe her as quite a private person, despite her public community role.

[21] Dalia Weiss (DW) INTERVIEWED 27/11/14

I met with Dalia in her home, which she shares with her husband and two sporty children. Dalia, 47, was born in the US and then lived in Israel for several years in her early twenties, before moving to the UK to marry her English husband and pursue her career in Law in her late twenties. She is a member of her local United Synagogue, but is also a co-founder of the *Partnership Minyan* [open-orthodox community] in her neighbourhood, and her input about these communities was extremely helpful. Like others, she ignored my suggestions of religious affiliation and labelled herself, 'non-denominational, within a *halakhic* framework', indicative of the complexity of BOJW's identity and affiliations. She is involved in several community charity projects, and offers expert advice to the boards of several Jewish secondary schools on gender and education. Dalia went to modern orthodox Jewish primary and secondary schools in New York, which she recalls as a very positive experience within a very inclusive environment. She then went to university, also in the US, which gave her the space to think about her religious identity and it was during this time that she decided to go to Israel to study her religious heritage. A friend suggested an egalitarian *Yeshiva* [post-high school Jewish academy] in Jerusalem, which she thoroughly enjoyed and which enabled her to negotiate a comfortable Jewish identity, and she stayed in Jerusalem for several years afterwards. Dalia and I have worked on several communal educational and ritual projects together, and belong to the same feminist orthodox women's group, through which she became interested in this research.

APPENDIX 6: ANALYSIS, THEMES and CODING

6.1 PRIMARY SOURCES

A. 21 PARTICIPANT INTERVIEWS

B. DATA SOURCES WITHIN THE JEWISH COMMUNITY:

Community website postings and newsletters, constitutional policies, orthodox school websites and handouts, and written rabbinical religious rulings.

(The) Board of Deputies of British Jews (BOD)	(UK)
Chabad (Lubavitch, UK) POSTINGS	(UK)
Edgware Adas Yisrael Community (EAYC) POSTINGS	(Edgware, NW London)
Elstree and Borehamwood United Synagogue POSTINGS	(Greater London)
EVERYWHEREK Community WEBPOSTINGS	(London)
Finchley United Synagogue (Kinloss) POSTINGS	(NW London)
Golders Green United Synagogue POSTINGS	(NW London)
Hampstead United Synagogue	(NW London)
Hasmonean High School POSTINGS	(NW London)
Jewish Learning Exchange (JLE) POSTINGS	(NW London)
Jewish Policy Research (JPR) PUBLICATIONS	
Jewish Orthodox Feminist Alliance (JOFA) POSTINGS	(The States & UK)
The Kehila POSTINGS	(New York, USA)
London School of Jewish Studies (LSJS) POSTINGS	(Hendon, NW London)
Ma'ayan PROGRAMME MATERIAL	(Office of the Chief Rabbi, London)
Machzikei Hadass (The Edgware Shteibel)	(Edgware, NW London)
Matan POSTINGS	(Jerusalem & Ra'anana, Israel)
Menorah High School for Girls RULINGS	(NW London)
Midreshet Lindenbaum POSTINGS	(Jerusalem, Israel)
Ner Yisrael Community POSTINGS	(Hendon, NW London)
Netzach Yisroel Community (KNY) POSTINGS	(Edgware, NW London)
Nishmat's Yoatzot Halakha PROGRAMME MATERIAL	(Jerusalem, Israel)
Noam Primary School MATERIAL	(Wembley, NW London)
The Orthodox Union (OU) POSTINGS	(New York, USA)
Partnership Minyan POSTINGS	(various locations, London)
Professional Beis Midrash (PBM) POSTINGS	(worldwide)
The Rabbinical Council of America (RCA)	(New York, USA)
S.E.E.D. POSTINGS	(Edgware, NW London)
South Hampstead United Synagogue	(NW London)
Stanmore United Synagogue POSTINGS	(NW London)
United Synagogue RULINGS	(Finchley, NW London)
Yeshivat Maharat POSTINGS	(New York, USA)
Yeshurun Federation Synagogue	(Edgware, NW London)
Yeshiva University RULINGS	(New York, USA)

C. Emails, from community members or autobiographic.

6.2 SECONDARY SOURCES

A. NEWSPAPERS:

The DAILY TELEGRAPH; see: <http://www.telegraph.co.uk/news/religion/>.

The GUARDIAN; see: <https://www.theguardian.com/>.

Ha'ARETZ [Israeli newspaper]; see: <https://www.haaretz.com/jewish/>.

The JEWISH CHRONICLE (JC) (London) [weekly Jewish newspaper]; see: <http://www.thejc.com/>.

The JEWISH TRIBUNE (London) [weekly orthodox Jewish newspaper]

HaMODIA (London) [weekly orthodox Jewish newspaper]; see:

<http://www.hamodia.co.uk/>.

The TIMES of ISRAEL [Israeli newspaper]; see: <https://www.timesofisrael.com/>.

B. ONLINE FORA:

Chochmat Nashim: <https://www.chochmatnashim.org/>.

Facebook Group: 'I'm also fed up with the way women are treated in Orthodoxy'.

Facebook Group: 'MOO – Modern/Open Orthodox'.

Gateshead Seminary discussion blog:

<https://www.theyeshivaworld.com/coffeeroom/topic/gateshead-old-seminary-info/>.

Jewfem; Elana Maryles Sztokman's blog: <http://www.jewfem.com/>.

Lehrhaus online forum: <https://www.thelehrhaus.com/>.

LSE Religion and Global Society blog: <https://blogs.lse.ac.uk/religionglobalsociety/>.

6.3 SPECIFIC RESEARCH CATEGORIES

1. EDUCATION

2. RITUAL PARTICIPATION

3. LEADERSHIP and AUTHORITY

6.4 CODING

Through highlighting of repetitive words and themes, expressed by the interviewees:

ACCESS

ACCEPTIBILITY

ALIENATION

ALLOWED

ANXIETY

AUTHORITY

BOREDOM

CHALLENGE

CHANGE

CHOICE

COMMUNITY

COMPLACENCY / PASSIVITY

CONCERN

CONTRADICTIONS

CONTROL

CREATIVITY

DESIRE

DISAPPOINTMENT

DISCOURAGEMENT

DOMESTIC vs PUBLIC

EDUCATION (LACK OF)

ENCOURAGEMENT

ENJOYMENT
EXCLUSIVITY/EXCLUSION
EXPECTATIONS
FEAR
FORBIDDEN
FRUSTRATION
GENDER/ED
GOD
IDENTITY
INCLUSIVITY
IN/EQUALITY
INVISIBILITY
JOY / PASSION / PLEASURE
LEADERSHIP
LIVING IN THE UK

MANAGING
PARTICIPATION
PERMITTED
PIETY
POWER/LESSNESS
RESENTMENT
REVOLUTION
RITUAL PARTICIPATION
ROLE-MODELLING
SADNESS
SHAME
STRADDLING (DIFFERENT WORLDS)
THREAT
WORRY

APPENDIX 7: NISHMAT – YOETZET HALAKHA COURSE DETAILS⁷⁷³

Nishmat's Miriam Glaubach Center: List of Shiurim and Supplementary Lectures for Keren Ariel and U.S. Yoatzot Halacha Fellows Program

SECTION A: *Halakhic* [Legal] Sources (in Hebrew)

סימן קפ"ג שיעורי עיון:

שיטות רמב"ם ורש"י במנין ימי נידה וזבה, וכן שיטת הנוב"י והלב"ש.

שיעורי הלכה למעשה מבוסס על פוסקי ימינו וספרי הדרכה וקיצור:

1. הרגשה בימינו
2. "עקרות הלכתית" - המושג ודרכי ההתמודדות (חלק מהשיעור ניתן אחרי שלומדים את קצו)

סימן קצ"ו שיעורי עיון:

1. הפסק טהרה ובדיקות בז' נקיים מהתורה או מדרבנן?
2. הבדיקות בשבעה נקיים מדוע?
3. הסחת דעת בספירת ז' נקיים
4. שיעור על המקרים שבהם ניתן להקל בפש"ז.

שיעורי הלכה למעשה:

שאלות מעשיות באחרונים ובקו:

1. דרך הבדיקה בהפס"ט ובז"נ
2. הפס"ט שנעשה קצת אחרי שקיעה
3. האם מותר להרטיב/ לשים חומר סיכה
4. מתי ניתן להפחית בדיקות ואיך עונים על שאלות כאלה
5. מעבר מהארץ לחו"ל וספירת ז"נ
6. שכחה בדיקת יום א' או ז'
7. מעמד בדיקת לילה והאם ניתן להחשיב מוך דחוק כבדיקת יום א'
8. רחיצה לפני הפס"ט
9. הגהת הרמ"א לסעיף י' - הלכה למעשה
10. דין פולטת ש"ז הלכה למעשה
11. הקלות בפש"ז במצב של עקרות הלכתית, כלות וכו'

⁷⁷³ This detailed syllabus was shared with me, by *Nishmat*, for the purpose of this thesis only, and cannot be reproduced or used without express permission.

חישוב ימי פולטת - כתם, שטף. 12.

סימן קפ"ה

שיעורי עיון:

1. קפ"ה - מושג האמתלא - עיון בגמרות + מהרש"א, חוות דעת, חתם סופר.
2. קפ"ה - הוחזקה נידה בשכנותיה - עיון במושג ומשמעותו.

שיעורי הלכה למעשה:

1. נאמנות האישה לפסיקה במראות
2. "טמאה את עצמה" - מה זה אומר להלכה.

סימן קפו שיעורי עיון:

וסת תרומת הדשן (סימן רמ"ז בתה"ד) 1

שיעורי הלכה למעשה:

1. בדיקות הרי"ף - בדיקות לחזקה של רמ"ת בתחילת הנישואין - האם ומתי צריך לעשות. 1

סימן קפז

שיעורי עיון:

1. דין רמ"ת - מדוע אסור + נפ"מ.
2. אם יש לה וסת תולה בוסתה - פירושים שונים
3. בדיקת שפופרת - מתי מועילה ומתי לא
4. דין תליה במכה
5. דם בתולים - עד מתי תולים בו
6. נאמנות הרופאים.

שיעורי הלכה למעשה:

1. רמ"ת בימינו - הלכה למעשה
2. תליה במכה במקור (פירוט מצבים רפואיים שונים, שאלות בקו)

סימן קפ"ח

שיעורי עיון:

1. מראות הדמים - מה מטמא, נאבד העד (שש"ה, בינת אדם, צמח צדק)
 2. הצעת הרב אירבעך לפתרון עקרות הלכתית ע"י שפופרת וההתנגדות אליו.
- שיעור הלכה למעשה:** האם היסטרוסקופיה אוסרת את האישה - המושג "פתיחת הקבר".

סימנים קפד וקפט

שיעורי עיון:

1. וסתות דאורייתא או דרבנן (ומה ההגיון ב"חזקה" של קביעת וסתות).

2. רמ"א לסעיף ב' (אישה שמשנית וסתה)...-דרכים שונות להבנתו.
3. דין אישה שרואה כמה ימים (סעיפים ה-ו) - הסתירה בשו"ע + קישור לקפט סעיף ל"ב.
4. ימים. (5 כתם/ שפע - מהי תחילת הראיה) לענין פרישה ולענין ספירת

שיעורי הלכה למעשה:

1. דין היוצא לדרך, ומה נחשב יוצא לדרך בימינו.
2. דינים הנובעים מדין היוצא לדרך (טבליה בליל פרישה וכד')
3. מספר הבדיקות וזמן בימי הפרישה (פוסקי זמננו)
4. שאלות מעשיות בקפד.
5. חלק הראשון של קפט שאלות מעשיות - איך מחשבים את הוסתות (שיטות שונות), ועוד כמה שאלות.
6. חלק שני של קפט:

א וסת הגלולות

ב המרחק בין הסימן הגופני לבין ראית הדם

ג מסולקות דמים בימינו, ע"פ אחרוני זמננו.

ד וסתות הגוף בימינו

סימן ק"צ שיעורי עיון:

1. המקור ותוקף האיסור (הרגשה כסימן או סיבה)
2. גודל הכתם המטמא בימינו (האם תולים במאכולת)
3. דם על בשרה ועל חלוקה - עיון בגמרא ובראשונים (רשב"א וראב"ד)
4. בגד צבעוני - הסיבה להקל והנפ"מ.
5. כתמי עד הבדוק - האם קובעים עליהם וסת?
6. תליה בנשים אחרות - עיון בסברות בגמרא ונפ"מ.
7. עד שמש ומי רגליים - האם מבטלים הרגשה?

שיעורי הלכה למעשה :

1. השלמת דין הרגשה בימינו
2. הרגשה בלי ראיה.
3. מה נחשב לא מקב"ט - ניר, תחתונת, תחבושת.
4. איך עונים בשאלות של כתמים - הדרכה מעשית
5. סעיפים ו-ה : כללי פסיקה (ע"פ הרב עובדיה יוסף)

סימן קצ"א

שיעור עיון:

דם במי רגליים.

שיעורי הלכה למעשה:

שאלות מעשיות: דם במים או באסלה, ניר המונח על היד – האם מקב"ט?, הרגשה בקינוח מידי ומה נחשב "מיד".

סימן קצ"ב

שיעור עיון:

עיון בגמרא "תבעוה להנשא". – דם חימוד

שיעורי הלכה למעשה:

1. הכנות הכלה לחופה – בדיקות בין הטבילה לחופה
2. דם חימוד בזוגות חילוניים שחיו יחד קודם.
3. דיני יחוד כשלא בעל בלילה הראשון ופרסה נידה. – מצבים שונים.
4. חופת נידה.

סימן קצ"ג

שיעורי עיון:

1. דם בתולים – מדוע נאסר
2. מושג ה"העראה" מול "גמר ביאה"
3. רופא שהסיר בתולים.

שיעורי הלכה למעשה:

הדרכה מעשית לזוגות לפני חתונה.

סימן קצ"ד

שיעורי עיון:

1. טומאת יולדת – מתי מתחילה
2. סוגי דם ביולדת (קושי, לידה, טוהר)
3. צירים שנפסקו – האם טמאה?
4. דין פתיחת הקבר (מבפנים ומבחוץ)
5. דם טוהר בימינו.

שיעורי הלכה למעשה:

שאלות מעשיות ביולדת וכן אחרי לידה.

סימן קצ"ה

שיעורי עיון:

1. הושטת יד לשלום בין אישה לגבר (לימוד מדין חולה).
2. הסתכלות במקומות המכוסים
3. ישיבה על ספסל אחד

שיעורי הלכה למעשה:

1. טיפול בחולה + עזרת הבעל לאשתו בלידה
2. הקשיים של זוגות בקיום דיני הרחקות – איך מתמודדים, פערים בין הגבר לאישה
3. דינים נוספים באחרונים, שאלות מעשיות

סימן קצז

שיעורי עיון:

1. טבילה בשבת
2. טבילה ביום (כולל דיון במושג "טבילה בזמנה מצוה")
3. רחצה אחרי הטבילה

שיעורי הלכה למעשה:

1. מתי אפשר לדחות טבילה
2. טבילה כשבעלה אינו בעיר
3. מקום הטבילה – שאלות מעשיות (אגם, נהר, ים)...
4. הקדמת הטבילה ליום השביעי – מקרים בהם מתירים.

סימן ר

שיעורי עיון:

1. מספר הטבילות
2. מקום הברכה

שיעורי הלכה למעשה:

1. ברכה על טבילה מספק
2. ברכת שהחיינו לכלה
3. מקלחת אחרי המקוה

סימן קצח

שיעורי עיון:

1. הגדרת קפידא
2. גוף ושער בחציצה
3. שיעורים (2 תיכי חלילתא – שיטת רבותיו של רש"י מול רש"י)
4. שיעורים (2 חציצות רפואיות) גבס, סתימות בשיניים, תפרים וכו' –
5. מדוע מיעוט המקפיד חוצץ מהתורה
6. לח ויבש לגבי חציצה
7. חץ תחוב בבשר

8. בית הסתרים

שיעורי הלכה למעשה:

שאלות מעשיות מאורגנות סביב הנושאים:

1. פצעים
2. ציפורניים (כל השאלות – ארוכות, לק, בניה וכו')
3. מחלוקת "לית הלכתא" והשלכותיה ההלכתיות
4. תפקיד הבלנית ופתרונות למצבים שונים
5. כוונה בטבילה
6. אוזניים
7. שאלות מעשיות נוספות: איפור קבוע, עדשות מגע, גילוח שער בית הסתרים, שיער .OCD גבות ורגליים, התמודדות עם

סימן קצט

שיעורי עיון:

1. הרחקת חפיפה מטבילה
2. חפיפה ביום או בלילה

שיעורי הלכה למעשה:

שאלות מעשיות:

1. טבילה בליל שבת רגיל (מתי מדליקים נרות, איך מתכוננים, שעת הטבילה + טבילה במים חמים).
2. טבילה בערב חג שחל במוצ"ש (וכד' – יום ב' של רה"ש, יו"ט שני) – איך מתכוננים, חיוב אמבטיה או מקלחת
3. כמה מותר להרחיק חפיפה מטבילה
4. זמן ההכנה (האם דוקא "שעה")
5. (OCD חשש לחציצות אחרי הטבילה) גם כאן התיחסות ל
- 6.

SECTION B: Supplementary Curriculum for *Yoatzot Halacha*

The Supplementary Curriculum includes lectures on:

1. Gynecology

- a. Anatomy of the Female Reproductive System
- b. Physiology of the Normal Menstrual Cycle
- c. Menstrual Abnormalities
- d. Gynecological Diseases
- e. Gynecological Procedures
- f. Pregnancy
- g. Childbirth
- h. Breastfeeding
- i. Postpartum
- j. Contraception
- k. Non Contraceptive uses of Hormones
- l. Menopause
- m. Complementary and Alternative Medicine
- n. Infertility
- o. Halachic Issues arising from Medical Conditions
- p. Medical Chatzitzot (potential barriers to immersion)
- q. Disabilities
- r. Halachic Issues with Breast Cancer Treatment

2. Psychosocial Issues Important to the Yoetzet

- a. Marriage Preparation
- b. Family Dynamics
- c. Psychological/Psychiatric Conditions
- d. Sexuality
- e. Abuse
- f. Homosexuality
- g. Different Approaches to Religion

- h. Teaching of Kallot
- i. Educational Resources
- j. Practical Experience
- k. Assorted Other Issues Women ask About
 - i. The process of Jewish divorce
 - ii. Resources to help couples contemplating divorce
 - iii. Resources available to help women facing Get refusal
 - iv. Hair Covering

Subject: Gynecology

Topic: Anatomy of the Female Reproductive System

Learning objectives:

- The Yoetzet will be able to correctly describe the location and function of the uterus, cervix, fallopian tubes, ovaries, vagina, vulva, breasts (and their structures), hypothalamus and pituitary) in both Hebrew and English
- The Yoetzet will be able to find the medical equivalent for the halachic terms kever, petichat hakever, makor.

Topic: Physiology of the Normal Menstrual Cycle

Learning objectives:

- The Yoetzet will be able to correctly describe the function, organ of production and time of secretion of the following hormones: LH, FSH, GnRH, estrogen, progesterone, inhibin, prolactin, oxytocin
- The Yoetzet will understand that estrogen and progesterone each represent a related group of hormones and not one hormone

Topic: Menstrual Abnormalities- Valerie Altman

Learning objectives:

- The Yoetzet will be understand the following terminology and have a basic understanding of possible causes and treatments: amenorrhea, menorrhagia, metrorrhagia

- The Yoetzet will be familiar with the following conditions and have a basic understanding of possible treatments: polyps, fibroids, PCOS

Topic: **Gynecological Diseases**

Learning objectives:

- The Yoetzet will be familiar with the following conditions and have a basic understanding of possible treatments: uterine cancer, cervical cancer, breast cancer, fibroids, PCOS, vaginismus, vestibulitis, vaginitis

Topic: **Gynecological Procedures**

Learning objectives:

The Yoetzet will understand the performance of the following procedures and their indications

Manual/speculum exam/Pap smear

Vaginal ultrasound/Cervical biopsy/Colposcopy

D&C

Endometrial ablation/Endometrial biopsy/Hysterectomy

Full & partial Hysterosalpingogram/hysteroscopy/Uterine Artery Embolization

Topic: **Pregnancy**

Learning objectives:

- The Yoetzet will understand the expected progression of a normal pregnancy including both its physical and emotional effects.
- The Yoetzet will be able to describe preconception recommendations such as folic acid supplementation and reaching optimal weight.
- The Yoetzet will be familiar with common prenatal genetic testing panels.
- The Yoetzet will be able to describe recommended medical follow up of pregnant women.
- The Yoetzet will understand the possible significant of vaginal bleeding in pregnancy and the importance of referring such women for medical care – urgently if accompanied by abdominal pain.
- The Yoetzet will be able to explain the following complications of pregnancy: pulmonary embolism, venous thrombosis, ectopic pregnancy, pre-eclampsia/eclampsia, premature onset of labor, placenta previa, gestational diabetes and gestational hypertension.
- The Yoetzet will understand the performance of the following procedures and their indications: CVS, amniocentesis, quadruple test, nuchal cord thickness,

ultrasound (vaginal and abdominal), group B strep culture, membrane stripping, membrane rupture.

- The Yoetzet will have basic understanding of the consequences of the following maternal infections in pregnancy: CMV, rubella, varicella, herpes, and toxoplasmosis.
- The Yoetzet will be familiar with the impact of fasting on pregnancy and breastfeeding.
- The Yoetzet will be familiar with various definitions of fetal loss (miscarriage, fetal demise, silent birth), know interventions for its prevention (when relevant) and resources for dealing with the emotional needs of the couple. The Yoetzet will know how to educate on the relevant halachic information, including burial.

Topic: **Childbirth**

Learning Objectives

- The Yoetzet will be able to describe the progression of normal childbirth.
- The Yoetzet will be familiar with the roles of the following professionals: obstetrician, midwife, doula, childbirth educator, childbirth coach.
- The Yoetzet will be familiar with forms of psychoprophylaxis (e.g. Lamaze) and methods (medical and non medical) for reduction of pain in childbirth.
- The Yoetzet will have a basic understanding of the performance and role of fetal monitoring
- The Yoetzet will have a basic understanding of the cesarean section procedure, its indications and complications
- The Yoetzet will be familiar with the management of fasting during pregnancy.

Topic: **Breastfeeding**

Learning Objectives

- The Yoetzet will be able to correctly describe the location and function of the nipple, areola, breast ducts
- The Yoetzet will be familiar with the 10 steps to successful breastfeeding and their importance.
- The Yoetzet will be familiar with the role of the lactation consultant.
- The Yoetzet will understand the effects of all forms of hormonal contraception on breastfeeding.
- The Yoetzet will be familiar with the management of fasting during breastfeeding.

Topic: **Postpartum**

Learning Objectives

- The Yoetzet will be able to describe the normal progress of postpartum recovery including the normal duration of lochia.
- The Yoetzet will be familiar with the condition of postpartum depression and be able to recognize its signs, initial counseling and when (and to whom) to refer.

Topic: **Contraception**

Learning Objectives

- The Yoetzet will be able to understand the underlying mechanism, method of use, and any health risks of the following contraceptives – combination hormonal contraceptives, progesterone contraceptives, intrauterine devices, barrier methods such as diaphragms, condoms and spermicides.
- The Yoetzet will be familiar with the concept of emergency contraception and the various methods used for this purpose.
- The Yoetzet will be familiar with the various methods of male and female sterilization.
- The Yoetzet will understand the halachic implications of the mechanisms of the above listed methods (e.g. hotzaat zera levatala, sirus).
- The Yoetzet will be familiar with the lactational amenorrhea method of contraception.
- The Yoetzet will be familiar with the fertility awareness method of contraception.

Topic: **Non Contraceptive uses of Hormones**

Learning Objectives

- The Yoetzet will be able to be able to discuss the risks and benefits of hormonal intervention for the prevention of chuppah niddah.
- The Yoetzet will be familiar with the debate as to the use of hormonal intervention for the treatment of halachic infertility

Topic: **Menopause**

Learning Objectives

- The Yoetzet will be able describe the normal progression of perimenopause and menopause and be familiar with suggestions for dealing with common symptoms (e.g. vaginal dryness, hot flashes)
- The Yoetzet will be able to be able to discuss the risks and benefits of hormone replacement therapy.

Topic: **Complementary and Alternative Medicine**

Learning Objectives:

- The Yoetzet should be familiar with herbs and remedies and any potential side effects of commonly used for the regulation of the menstrual cycle or other "female complaints."

Subject: **Infertility**

Learning Objectives

- The Yoetzet should understand the terms primary and secondary female infertility and be familiar with common causes of each.
- The Yoetzet should have a basic understanding of causes of male infertility.
- The Yoetzet will be able to describe the process of infertility diagnosis. She should be familiar with all the following procedures including the halachic issues raised by each: ovulation testing, semen analysis, hysterosalpingogram.
- The Yoetzet should be able to describe the following procedures and understand their indications, complications (especially regarding bleeding) and halachic issues: AI, IUI, IVF, egg retrieval, embryo implantation, ovum donation, sperm donation, ICSI.
- The Yoetzet should be familiar with the concept of halachic infertility and its diagnosis from both a medical and halachic standpoint and available treatment options.
- The Yoetzet should be familiar with organizations that support couples experiencing infertility (e.g. RESOLVE, Machon Puah, Tzir Chemed, Child of my Heart, A- TIME).

Subject: **Halachic Issues arising from Medical Conditions**

Topic: **Medical Chatzitzot**

Learning Objectives

- The Yoetzet should be familiar with medically needed equipment that may form a barrier to immersion (e.g. stitches, casts, ostomies, prostheses, dental work).
- The Yoetzet should understand the halachic principles that allow immersion, at times, with medically needed equipment.
-

Topic: **Disabilities**

Learning Objectives

- The Yoetzet will be able to understand the challenges of women with physical disabilities (e.g. difficulty walking, hearing, seeing) and their effect on keeping taharat hamishpacha and accommodations for these difficulties (e.g. lifts into mikveh).
- The Yoetzet will be able to understand the challenges of women with mental disabilities and their effect on keeping taharat hamishpacha.

Topic: **Halachic Issues with Breast Cancer Treatment**

Learning objectives

- The Yoetzet should be familiar with the basic treatments for breast cancer such as mastectomy, chemotherapy and radiation and their implications on mikveh use
- The Yoetzet should be able to describe four halachically acceptable ways for a woman to use the mikveh without having to have the mikveh attendant see her mastectomy scars
- The Yoetzet should be familiar with BRCA testing.
- The Yoetzet should be familiar with reconstructive breast surgery and its related halachic issues such as tattooing.

Subject: Psychosocial Issues Important to the Yoetzet

Topic: **Marriage**

Preparation Learning

Objectives

- The Yoetzet will be familiar with the field of marriage preparation and its basic principles (e.g.

management of conflicts, communication etc).

- The Yoetzet will be familiar with a number of local resources for the provision of such preparation.

Topic: **Family Dynamics**

Learning Objectives

- The Yoetzet will be able to understand the principles of normal family dynamics throughout the life cycle and how to minimize conflict with family members (other than the spouse e.g. children and in laws).

Topic: **Psychological/Psychiatric Conditions**

Learning Objectives

- The Yoetzet will demonstrate a basic understanding of the following conditions – depression, bipolar disorder, OCD, personality disorder – and their implications for marriage and hilchot niddah.
- The Yoetzet will be familiar with the signs of post partum depression, how to help prevent and the existence of organizations for the support of those suffering from it such as NITZA.

Topic: **Sexuality**

Learning Objectives

- The Yoetzet will be able to describe the basic female anatomy and physiology of marital relations.
- The Yoetzet will be able to describe the basic male anatomy and physiology of marital relations.
- The Yoetzet will be able to give basic counseling regarding pain with marital relations (e.g. lubricants) and know to whom to refer if further intervention is needed (e.g. urogynecologic physical therapy).
- The Yoetzet will understand anatomy of the hymen at a sufficient level to provide counseling regarding dam betulim and initiation of marital relations.

The Yoetzet will understand different emotional issues which relate to healthy intimacy:

- The Yoetzet will understand factors that inhibit enjoyable intimacy for different couples.
- The Yoetzet will learn how to re-contextualize the physical aspects of relationships postmarriage, for couples already sexually active.
- The Yoetzet will learn to guide a couple with mismatched sexual needs.
- The Yoetzet will learn how to destigmatize going for counseling.
- The Yoetzet will learn to teach women to know when to go for counseling.
- The Yoetzet will learn where and how to weave lessons on healthy **שלום בית** and communication into their work with women- cultivating relationships, navigating disagreements, perspectives on giving, prioritization of emotional needs, etc.
- The Yoetzet will learn how to guide women through mikveh night pressures.
- The Yoetzet will understand the impact of pornography upon Jewish marriages and how to educate and refer if necessary.

Topic: **Abuse**

Learning Objectives

- The Yoetzet will be able to sensitively ask about physical and emotional abuse.
- The Yoetzet will know referral resources for women suffering from physical and emotional abuse.
- The Yoetzet will be familiar with the sensitive handling of victims of rape and other sexual abuse and know referral resources for such victims.

Topic: **Homosexuality**

Learning Objectives

- The Yoetzet will be familiar with current medical understanding of homosexuality.
- The Yoetzet will be familiar with sensitive handling of homosexuality among religious men and women
- The Yoetzet will be familiar with the experience of women married to men who then declare their homosexuality.

Topic: **Different Approaches to Religion**

Learning Objectives

- The Yoetzet will be familiar with the experiences of men and women who are baalei teshuva and know how to sensitively handle halachic questions asked by people across the spectrum of this process.
- The Yoetzet will be familiar with the experiences of men and women who are converts and know how to sensitively handle halachic questions asked by people across the spectrum of this process.
- The Yoetzet will be familiar with the experiences of men and women who are questioning their religious faith and know how to sensitively handle halachic questions asked by people across the spectrum of this process.
- The Yoetzet will be familiar with the experiences of men and women who do not define themselves as Orthodox and yet want to keep at least parts of taharat hamishpacha and know how to sensitively handle halachic questions asked by such people

Subject: **Teaching of Kallot**

Topic: Educational Resources

Learning Objectives

- The Yoetzet will be familiar with all of Nishmat's educational resources such as the yoatzot websites – Hebrew and English, the Kallah Companion, Marriage Companion, Taharat Hamishpacha en espanol, and Jewish Women's Health – and a Lifetime Companion to the Laws of Jewish Family Life
- The Yoetzet should be familiar with popular books on taharat hamishpacha and the advantages and disadvantages of each
- The Yoetzet should be familiar with popular websites related to taharat hamishpacha and the advantages and disadvantages of each.

- The Yoetzet should be able to prepare couples for marital relations and to guide newlyweds in common situations that may arise (e.g. difficulty in consummation)
- The Yoetzet will become sensitive to the most common difficulties couples face in 21st century marriage .
- The Yoetzet will understand the significance of her role in framing and teaching טהרת המשפחה to a kallah.

Topic: **Practical Experience**

Learning Objectives

- The Yoetzet should be exposed to a number of experienced kallah teachers to learn their varied approaches
- The Yoetzet should be familiar with the concept of marriage preparation and know local resources that provide this.

Subject: **Assorted Other Issues Women ask About**

Learning Objectives:

- The Yoetzet should have basic familiarity with the process of Jewish divorce.
- The Yoetzet should be familiar with resources to refer couples contemplating divorce but willing to consider working on saving the marriage
- The Yoetzet should be aware of resources to refer women facing get refusal.
- The Yoetzet should be familiar with the basic sources related to questions about hair covering for married women.

APPENDIX 8: DIFFERENTIATION and EXCLUSION

EXAMPLES OF SCHOOL CURRICULA and LOCAL RELIGIOUS CLASSES; SYNAGOGUE SERVICES, SYNAGOGUE MEMBERSHIP FORMS

I have used this format: *[] to signify my added notes to original texts. These selected few forms, notices and photographs are representative of the many similar examples, which feed into the circulating discourses about BOJW's lives.

8.1 SCHOOL CURRICULA

a. HASMONEAN HIGH SCHOOL, LONDON NW9; 2019

HASMONEAN GIRLS' JEWISH STUDIES CURRICULUM:



WHAT WE LEARN AT HASMONEAN GIRLS

	Chumash	Halacha	Jewish General Knowledge/Nach	Biblical Hebrew
Year 7	Lech Lecha to Chayei Sara	Tefilla, Seder Haboker, Shabbos, 6 constant mitzvos, behaviour in public	Two tracks: 1) JGK (calendar, mitzvos, Tanach facts) 2) Nach – Textual study of the weekly haftarah	Parts of Speech, Verb Roots, Future & Past Tense
Year 8	Shemos to Beshalach	Kashrus, Brachos, Lashon Hara, Shabbos, Yom Tov	Two tracks: 1) JGK (calendar, mitzvos, Tanach facts) 2) Nach – Textual study of the weekly haftarah	Pronominal Suffixes, Common Prefixes & Suffixes
	Chumash	Halacha	Biblical Hebrew – GCSE option	RS diploma
Year 9	Shelach - Chukas	Shabbos, Chesed, Environment	GCSE option Set Text 1: The Trials of Abraham	Living Judaism, Jewish History and Culture, Philosophy
Year 10	Bamidbar (Balak-Mattos/Maased) and selections from Devarim	Shabbos, Laws of the Land, British Values, Medical Ethics, Social Media, Business Ethics, Avodah Zara	GCSE option Set Text 2: A spotlight on the period of the Judges	Living Judaism, Jewish History and Culture, Philosophy
	Chumash	Halacha	Hashkafa	Options
Year 11	Tracks of different courses in different chaburas, including study of Vayikra with Kedoshim in depth	Tefillah, Kashrus, Tzedaka	Michtav M'Eliyahu. Fundamentals of Judaism. Hashkafa in relation to calendar events.	Slot 1: Sedra discussion or Textual course on Melachim or Textual course on Women in Tanach Slot 2: Jewish history or Textual course on Melachim or Textual course on weekly Haftarah

- Kodesh EXTRA is a programme of optional Kodesh classes taking place in lunch times and after school.
- Sedra/biur tefillah presentations are given to y7-10 pupils in assemblies.
- For G & T/highest achieving pupils, Chumash and Halocho is studied in the "Accelerate" track in spoken Hebrew.

Midrasha	Chabura	Halacha	Contemporary Torah	Hashkafa	Optional	BH	RS
Year 12	Chumash topics b'lyun (in depth) e.g. Akeidas Yitzchak	Halachos of daily living and Contemporary Halachic Issues	Hashkafa course based on the Kuzari	Hashkafa based on the Sedra	Optional classes: Jewish History, Tefillah, Parsha, Great Jewish Leaders, Moral Dilemmas, Q & A, Chumash, Jewish Philosophy, Sefer Hachinuch, Nach, JGK, Halachic debate	A level set texts Samuel, Isaiah	New A level syllabus Philosophy of Religion and Ethics
Year 13	Chumash topics b'lyun (in depth) e.g. Cheit Adam HaRishon	Contemporary Halachic Issues				A level set texts Samuel, Psalms, Ezra Haggai & Zechariah	New A level syllabus Philosophy of Religion and Ethics

HASMONEAN BOYS' JEWISH STUDIES CURRICULUM:



WHAT WE LEARN AT HASMONEAN BOYS



Year	Gemoro	Chumash	Halacha	Sedra	BH	RS
7	Kiddushin 29a-33a	Beshalach+Yisro	Hilchos Seder Hayom and Bein Adam L'Chaveiro	Lesson on weekly Sedra	Parts of Speech, Verb Roots, Future and Past tense	N/A
8	Bava Metzia Perek Sheini	Vayeshev- Vayigash	Hilchos Bein Adam L'Chaveiro and Tefillah	Lesson on weekly Sedra	Pronominal Suffixes, Common Prefixes and Suffixes	N/A
9	Sukkah Perek Rishon	Chukas +Balak	Hilchos Shabbos	Lesson on weekly Sedra	Set Text 1: The Trials of Abraham	Living Judaism, Jewish History and Culture, Philosophy
10	Pesachim Perek Asiri	GCSE Texts + Bereshis Meforshim	Hilchos Shabbos	Lesson on weekly Sedra	Set Text 2: A spotlight on the period of the Judges	Living Judaism, Jewish History and Culture, Philosophy

Beis	Gemoro	Halacha	Hashkafa	Sedra	Optional	BH	RS
11						N/A	N/A
12	Makkos or Berachos or Active Kodesh	Daily Insights by Rabbi Tugendhaft	Hashkafa course based on the Kuzari	Insights from Rabbi Hartman after Shacharis and Rebbes in Friday shiur	Pre-Shacharis Shiur	A level set texts Samuel, Isaiah	New A level syllabus Philosophy of Religion and Ethics
13	Sugyas	Contemporary Halachic topics	Rabbi Daniel Rowe		Alex Jaffe Bekius Programme	A level set texts Samuel, Psalms, Ezra Haggai & Zechariah	New A level syllabus Philosophy of Religion and Ethics

8.2 LOCAL RELIGIOUS CLASSES

a. NER YISRAEL COMMUNITY, LONDON NW4, UK; 2018

Regular Weekly Shiurim

Our learning timetable is full and there is bound to be something for everyone full descriptions below. The times are subject to last minute changes so please check this week's calendar for any [updates here](#)

Rabbi Kimche's Sunday morning Rambam Shiur (directly after the second shacharit minyan around 9.00–10.00am):

A Jewish Philosophy shiur discussing central themes in hashkafa. This year we have been learning a variety of texts from the Rambam including selections from the Moreh Nevuchim and the Mishna Torah.

***[ALTHOUGH NOT ADVERTISED FOR MEN ONLY, GENERALLY ONLY MEN ATTEND]**

Rabbi Kimche's Tuesday/ Thursday morning Gemara Shiur (directly after the second shacharit minyan around 8.15–9.15am):

This is an in-depth Gemara shiur looking at selected topics in Shass. This year we have been looking at a chapter in Masechet Menachot dealing with tefillin, mezuzot and sifrei torah.

***[ALTHOUGH NOT ADVERTISED FOR MEN ONLY, ONLY MEN ATTEND]**

Rabbi Kimche's Tuesday night Nach Shiur (8.15–9.15pm):

This shiur learns Tenach in depth using selected texts from the Medrash, Talmud and classical commentaries. In the past year we have learned Sefer Shmuel, Sefer Shoftim and Sefer Daniel. We started Ezra in winter 2015.

***[FOR MEN AND WOMEN, AND BOTH ATTEND]**

Rebbetzen Kimche's Wednesday morning women's Shiur (11.15–12.15pm):

The Wednesday morning women's shiur has been a fixture in the Ner calendar for almost 30 years. In an environment where there were no daytime shiurim for women, Ner spearheaded a women's learning program which was directed at women who wanted to learn text rather than being lectured to. To facilitate maximum attendance, a crèche was provided and of course coffee! Many subjects have been dealt with, from Sefer HaChinuch to Halacha to Tenach, and as always the text provides a springboard for in-depth, relevant and lively discussions. At present we are learning topics in chumash in-depth with meforshim (texts provided), and this lovely group consists of between 10-15 ladies. It is one of the highlights of my week . . . do you dare to join??.

Thursday evening Chabura – Rabbi Marcel Bordon:

This is an opportunity for us to learn a Perek in depth over a 3 to 4 year period. During the past 18 years we have learned 5 Perakim in Shabbos, Bava Metzia, and Bava Kamma, and covered topics including the 39 Melachos, Ribbis, and Personal Injury. At present the Chabura is nearing the end of Perek Klal Godol in Shabbos. The choice of Perek is by the consensus of all participants. The shiur is hosted in the homes of its 12 participants, and we appreciate the warm reception of all their families. It's also recorded and available to those who can't make it and occasionally it is streamed for the benefit of a participant who happens to be away.

***[ALTHOUGH NOT ADVERTISED FOR MEN ONLY, ONLY MEN ATTEND]**

Daf Yomi – Michael Pollak, Avromi Blau, Avi Amor:

Come along and join this worldwide learning phenomena and let the Talmud speak and explain the perspective of authentic Judaism.

***[ALTHOUGH NOT ADVERTISED FOR MEN ONLY, GENERALLY ONLY MEN ATTEND]**

Shabbat morning Rabbi Zobin's Rambam Shiur (10.00–10.30am):

Following Ner Hashkama, this shiur has been a regular feature since the inception of the 8.00am minyan. The textual Rambam shiur is currently learning Hilchot Shabbat – a 31-chapter marathon – and welcomes all the minyan friends and members.

***[FOR MEN AND WOMEN, AND BOTH ATTEND]**

Shabbat afternoon – Womens series shiurim (6.30–7.30pm during the summer):

Extremely successful joint programme with Raleigh Close Shul, attracting over 100 women each week from a wide range of shuls in NW4 and NW11. Organised by Susan Pascoe, Debbie Meyer, and Michelle Sint of Ner Yisrael and Naomi Landy, Sandy Littman and Rebecca Samad of Raleigh Close.

***[FOR MEN AND WOMEN, AND BOTH ATTEND. INTERESTINGLY, THE MEN SIT BEHIND THE LOWERED *MECHITZA* TO HEAR THIS CLASS]**

... And then Rabbi Kimche and Rabbi Zobin speak on Friday night and Shabbat mornings too!

***[FOR MEN AND WOMEN, AND BOTH ATTEND]**

b. EDGWARE ADAS YISRAEL COMMUNITY, GREATER LONDON, UK; 2019

Daf Yomi Join thousands around the world learning a page a day of Gemara. After only seven and a half years you will have completed all twenty volumes!! This learning experience will give you an overview and taste for the Jewish view on everything!!

Monday - Friday 6.00am

Shabbat before Mincha in the summer or 8am before Shacharit in the winter; Sunday 6.30am

***[ONLY AVAILABLE TO MEN, ALTHOUGH NOT ADVERTISED AS MEN ONLY]**

PBM Professionals Beit Midrash; Sunday 6:45am

***[ONLY AVAILABLE TO MEN, ALTHOUGH NOT ADVERTISED AS MEN ONLY]**

Shem MiShmuel Shiur by Rabbi Lieberman on this specific text; Sunday 9:15am

***[ONLY AVAILABLE TO MEN, ALTHOUGH NOT ADVERTISED AS MEN ONLY]**

Taharat Hamishpachah: Text-based laws of Taharat Hamishpachah in depth. Contact Rabbi Lieberman if you wish to join; Sunday 10:00am

***[ONLY AVAILABLE TO MEN, ALTHOUGH NOT ADVERTISED AS MEN ONLY]**

Daily Daf Halacha on Hilchos Eiruvim

Gain a broader knowledge of the issues involved in Eiruvim with Rabbi Lieberman. Week daily for 8 months from Monday 7th January 2019; Monday - Friday 7:35am

***[ONLY AVAILABLE TO MEN, ALTHOUGH NOT ADVERTISED AS MEN ONLY]**

Ladies Halachah Shiur

Ladies Parsha Shiur & Coffee Group

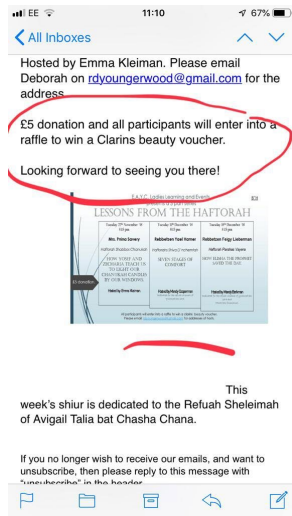
Rabbi Lieberman's Halachah Shiur for ladies during school term in BHHM followed by the regular Ladies Parsha Shiur & Coffee Group for ladies. Children and babies are welcome. Please avoid the nursery entrance. E-mail Miranda with any questions to... Join our Facebook group "EAYC & EJPS Ladies Learning & Events" for updates and notices

Monday 8:40am

Monday 9:10am

- Rambam Shiur An introduction into the halachic and philosophical world of the Rambam, **for ladies and gentlemen**. Given by Rabbi Lieberman
Monday 8:00pm
- Sefer HaChinuch Rabbi Lieberman Sefer HaChinuch Shiur in MDA preceded by a bagel breakfast every week. Thursday After Shacharit.
***[ONLY AVAILABLE TO MEN, ALTHOUGH NOT ADVERTISED AS MEN ONLY]**
- Gemara Shiur Gemara Shiur given by David Rabson. This is an opportunity to explore both the logic and structure of the Gemara. Each Shiur is self contained and participation is encouraged. **All levels welcome**. Thursday 7:50pm.
***[ONLY AVAILABLE TO MEN, ALTHOUGH NOT ADVERTISED AS MEN ONLY]**
- Nach Melachim Given by Rabbi Lieberman. We will be going through the history and details of the narrative portions of Tanach aiming to do a perek each week. **For ladies and gentlemen**.
Thursday 8:45pm

c. WOMEN'S RELIGIOUS CLASS IN A PRIVATE HOME, LONDON NW4, UK; NOVEMBER 2018



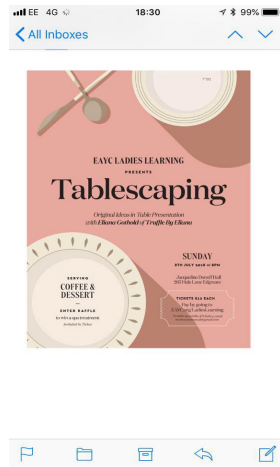
This class offered raffle tickets for beauty products, an advertising device never (yet) used for men's religious classes.

d. 'POST-PESACH PAMPER'; EAYC, UK; APRIL-MAY 2019



These classes are described as 'pampering', and again, offered raffle tickets for beauty products, an advertising device never (yet) used for men's religious classes.

e. 'TABLESCAPING', EAYC, UK; MAY 2018



This 'class' in table decorating was advertised as part of the synagogue-community's women's education programme.

e. S.E.E.D. ,EDGWARE, UK; MAY 2019



Early Birds Manchester

Start your day with a vibrant and exciting learning experience **for men**, whilst your mind is fresh and open. Tuesday mornings 6:20am followed by Shacharit and Seed style breakfast.



Women to Women London

A programme **for women** focused on topical and practical subjects with Rebbetzen Joanne Dove.



Duties of the Heart London

An ongoing series of classes focused on life skills through the eyes of our Sages with Rebbetzen Joanne Dove. **[for women]**

f. HENDON ADAS LONDON, UK; MAY 2019

Amud Yomi

DAILY AT 7:00 PM

[Edit Shiur](#)

Shiur ID# 307

Updated: 8/2/2017

Title: *Amud Yomi*

Led by: *Rabbi Y Royde*

Notes: *Shiur for Men, given in English. Daily except for Friday and Erev Yom Tov
Shabbos afternoon at 6:30 pm in Summer and 1 hour after Motsoei Shabbos in WinterDaily except for Friday and Erev Yom Tov
Shabbos afternoon at 6:30 pm in Summer and 1 hour after Motsoei Shabbos in Winter*

Gemara

THURSDAY AT 8:00 PM

[Edit Shiur](#)

Shiur ID# 310

Updated: 8/2/2017

Led by: *Mr N Turner*

Notes: *Shiur for Men, given in English. Gemara Megillah*

Gemara

Shiur ID# 309

Updated: 8/2/2017

Led by: *Rabbi S Y Bixenspanner*

Notes: *Shiur for Men, given in English. Gemara Avodah Zoroh*

Gemara

MONDAY AT 8:15 PM

[Edit Shiur](#)

Shiur ID# 308

Updated: 8/2/2017

Led by: *Rabbi A Blau*

Notes: *Shiur for Men, given in English. Complex Shiur on Seder Kodshim*

Other

WEDNESDAY AT 8:15 PM

(1 Hour)

[Edit Shiur](#)

Shiur ID# 4514

Updated: 8/2/2017

Title: *Contemporary Halocho/Nach*

Led by: *Rabbi S Y Bixenspanner*

Notes: *Shiur for Men, given in English. Contemporary Halachic Issues and Nach Sefer Shoftim on alternate weeks*

There are no *shiurim* [classes] listed for women.

g. PROFESSIONAL BEIS MEDRASH, LONDON, UK; APRIL 2018

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Are you a professional and would like to gain the skills to:

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- Enjoy the thrill of advanced Talmudic debate?
- Discover the core principles that shape the sugya?
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- Identify essential Gemara structure?

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MOZZEI SHABBOS
ב'א תשרי תשע"ח - 29 SEPTEMBER 2018

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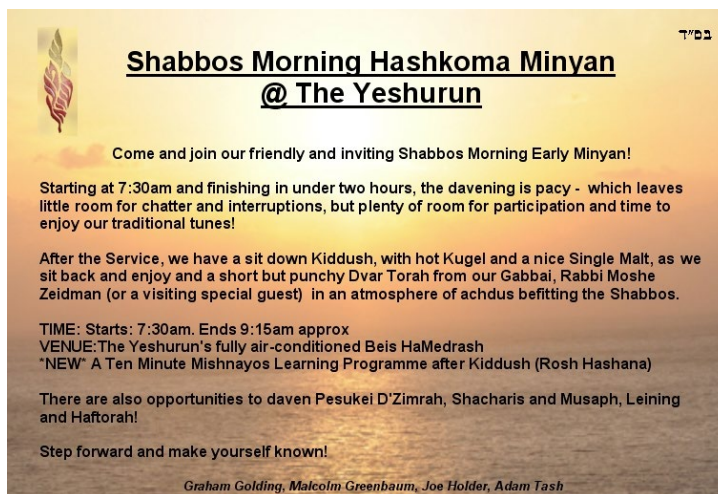
h. CENTRAL LONDON SYNAGOGUE, UK; MAY 2019

WEDNESDAY'S WOMEN'S HOUR
NEWS, SHMOOZE AND TORAH VIEWS
WITH REBBETZIN NAOMI LERER

11:00 am - 12:30 pm in the Lerers' home
May: 8, 22
June: 5, 19
July 3, 17

8.3 SYNAGOGUE SERVICES

a. EDGWARE FEDERATION SYNAGOGUE, GREATER LONDON, UK; 2016



**Shabbos Morning Hashkoma Minyan
@ The Yeshurun**

Come and join our friendly and inviting Shabbos Morning Early Minyan!

Starting at 7:30am and finishing in under two hours, the davening is pacy - which leaves little room for chatter and interruptions, but plenty of room for participation and time to enjoy our traditional tunes!

After the Service, we have a sit down Kiddush, with hot Kugel and a nice Single Malt, as we sit back and enjoy and a short but punchy Dvar Torah from our Gabbai, Rabbi Moshe Zeidman (or a visiting special guest) in an atmosphere of achdus befitting the Shabbos.

TIME: Starts: 7:30am. Ends 9:15am approx
VENUE: The Yeshurun's fully air-conditioned Beis HaMedrash
NEW A Ten Minute Mishnayos Learning Programme after Kiddush (Rosh Hashana)

There are also opportunities to daven Pesukei D'Zimrah, Shacharis and Musaph, Leining and Haftarah!

Step forward and make yourself known!

Graham Golding, Malcolm Greenbaum, Joe Holder, Adam Tash

b. NER YISRAEL, HENDON NW11; 2019

Ner is known for 'the best davening in town', with a unique atmosphere in each of its minyanim. Our Friday Night service is especially popular, with both the men's and women's section packed every week. All our services take place in one-level rooms, laid out so that **the women** can feel part of the davening.

Shabbat Youth service (9:35 am)

The Ner Youth Minyan is the largest youth minyan in the area, catering for high school aged boys and girls. With davening and leining **led by the youth themselves**, and a delicious kiddush, the minyan attracts over 50 members every Shabbat morning. Currently under the direction of our youth directors, Eliav and Aviva Sagal, the minyan is a warm and welcoming place, complemented by events throughout the year.

8.4 SYNAGOGUE MEMBERSHIP FORMS, UK

a. KEHILLAS NETZACH YISROEL, GREATER LONDON, UK; 2015

This form is set up in such a way that a woman of a female-headed household is rendered unable to work out which part of the form she should fill in. It is constructed to be filled out by a man in SECTION 1 (your information) and by a woman (or her spouse) in SECTION 2 (your spouse). I have used this format: *[] to signify my added notes to original texts.

SECTION 1 – YOUR INFORMATION

- | | |
|--|--|
| 1.
Your Full Name: | Home Telephone Number: |
| 2.
Your Hebrew Name: | 10.
Mobile Telephone Number: |
| 3.
Your Date of Birth: | 11.
Email Address: |
| 4.
Your Hebrew Date of Birth: | 12.
<i>Your Barmitzvah Sedra</i>
*[ONLY APPLICABLE TO MEN] |
| 5.
Your Marital Status (please circle):
Single Married Divorced | 13.
<i>Are you a Chazan?</i>
*[ONLY APPLICABLE TO MEN] |
| 6.
If you are married:
Date of Anniversary:
Hebrew Date of Anniversary: | 14.
<i>Are you a Torah Reader?</i>
*[ONLY APPLICABLE TO MEN] |
| 7.
Yahrtzeit Information:
Hebrew Date:
Relationship to you:
Hebrew Date:
Relationship to you: | 15.
<i>Are you a Haftorah Reader?</i>
*[ONLY APPLICABLE TO MEN] |
| 8.
Full Address: | 16.
<i>What is your Halachic Status?</i> (please circle)
Cohen Levi Yisrael
*[ONLY APPLICABLE TO MEN] |
| 9. | 17.
Your Father's Hebrew Name? |
| | 18.
Your Mother's Hebrew Name: |

SECTION 2 – ***YOUR SPOUSE’S*** INFORMATION

19.
Your Spouses Name:

20.
Your Spouses Hebrew Name:

21.
Your Spouses Date of Birth:

22.
Your Spouses Hebrew Date of Birth:

23.
Mobile Telephone Number:
Email Address:

24.
Your Spouse’s Batmitzvah Sedra:

****[ONLY APPLICABLE TO WOMEN]***

25.
Yahrtzeit Information:
Hebrew Date:
Relationship to you:
Hebrew Date:
Relationship to you:

26.
What is your Halachic Status? (please circle)
Cohen Levi Yisrael
****[ONLY APPLICABLE TO MEN; I presume this is a mistake]***

27.
Your Father’s Hebrew Name?

28.
Your Mother’s Hebrew Nam

APPENDIX 9: PHOTO GALLERY

These selected photographs are representative of the many similar examples, which feed into the circulating discourses about BOJW. I have also included photographs of orthodox Jewish women scholars in the US and Israel – note that in each photograph, the women are seated with, or in front of sacred texts.

9.1 ORTHODOX EDUCATIONAL MATERIAL, UK



Primary School Colouring Book, 2010: The entire book contains, exclusively, pictures of men; (LS, personal archive).



The Poster for the Yeshiva/Sem Fair, London, 2018: The poster differentiates between the kind of religious study experience (in Israel during a gap year) expected of young orthodox men and women from the UK. The men study with a partner from an original text, whereas the women are taught by a teacher, in a large class, taking notes; it is unclear whether or not the women have access to the original sacred texts; (LS, personal archive).

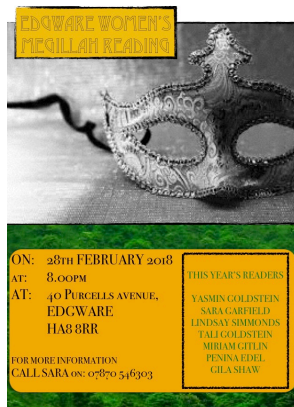
9.2 WOMEN'S MEGILLAH READINGS, UK



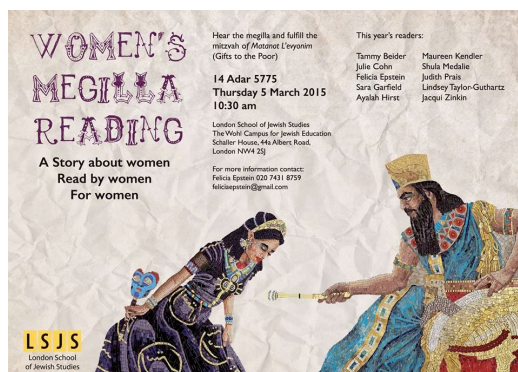
Borehamwood ,
Women's *Megillah* Reading, 2012.



Advertisement for Radlett
Women's *Megillah* Reading, 2019;
hosted at the local United Synagogue.



Advertisement for Edgware
Women's *Megillah* Reading, 2018;
hosted at a reader's home.



Advertisement for LSJS's Women's
Megillah Reading, 2015

9.3 COMMUNITY LIFE, UK



Jewish Events Show, Kinloss United Synagogue, 2017. Cakes depicting comparative decorations for a *Bar-Mitzvah* [boy's coming-of-age] with religious symbols (in this case, *Tefillin* and a *Sefer Torah*) and a *Bat-Mitzvah* [girl's coming-of-age] with a high-heeled pink shoe; (Is, personal archives).

9.4 CONTEMPORARY FEMALE EDUCATORS, SCHOLARS and COMMUNITY LEADERS



Rabbanit Chana Henkin, Dean of Nishmat; Jerusalem, Israel.



Professor Tamar Ross, Midreshet Lindenbaum; Jerusalem, Israel.



Rabba Dina Brawer, first orthodox woman in the UK to receive *smikha* [rabbinic ordination]; now resident in Boston, USA.



Rabba Sara Hurwitz; the first orthodox woman receive smikha [rabbinic ordination] from Rabbis Avi Weiss and Daniel Sperber; now employed as part of the rabbinic team at the Hebrew Institute of Riverdale, and Dean of Yeshivat Maharat; NY, USA.



Rosh Kehilla Dina Najman; the first woman to be appointed the leader of an orthodox community; NY, USA.

9.5 YESHIVOT NASHIM: CENTRES OF WOMEN'S RELIGIOUS STUDY



Beit Midrash [study hall], Matan, Israel.



Beit Midrash [study hall], Midreshet Lindenbaum, Israel.



Beit Midrash [study hall], Nishmat, Israel.

9.6 EXAMPLES OF MECHITZAs [separations]:



Kingston United Synagogue, UK; built in 1954. This *mehitza* defines a clear separation between men and women during the services, but is designed so that the women can see and hear all the proceedings, which take place on the men's side of the sanctuary. Men and women are seated on the same level. (Mainstream orthodoxy)

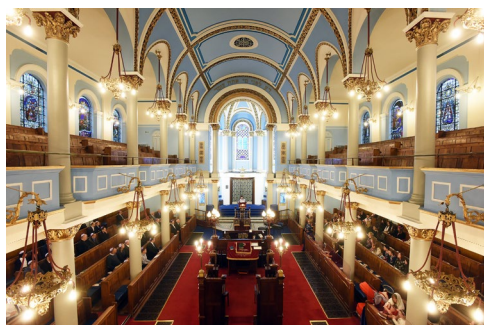


The original Lincoln Square Synagogue on the Upper West Side, NY, USA. The *mehitza* is very minimalistic and encircles the entire sanctuary. (Modern orthodoxy)



Wooden *mehitza* with peep-holes. This is a very solid separation, making it extremely difficult for the women to hear (as well as see) the proceedings in the main sanctuary. (*Chasidic* or austere *Charedi* orthodoxy)

9.7 EXAMPLE OF LADIES' GALLERIES:



Singers Hill Synagogue, Birmingham, UK; built in 1856. The men sit in the lower sanctuary, and the women sit separately above, looking over the balcony at the proceedings. Their distance from the main sanctuary makes it difficult to see and hear the proceedings, or to participate in them.

APPENDIX 10: LEGAL RULINGS

10.1 RABBI DANIEL SPERBER'S *HALAKHIC* [legal] JUSTIFICATIONS for PARTNERSHIP MINYANIM (date of publication unknown)

The Halachic Justification for Partnership Minyanim

Rabbi Daniel Sperber

Since partnership minyanim see themselves as belonging to the orthodox community, and, on the other hand, they constitute a departure from the traditional orthodox congregational model, it is important that their congregants understand the elementary basis for their halachic legitimacy.

1. The beraita in *Megillah* 23a states explicitly that women may have *aliyot* to the Torah, but that the Rabbis advised against such practice, because they felt it offended the dignity of the congregation (*kevod ha-tzibbur*). (See Text 1, following page)
2. This rabbinic position constituted conditional advice, as opposed to an absolute and permanent enactment, as may be derived from related sources. 1
3. Furthermore, the reason for this "discouragement" is no longer relevant, as may be understood from the parallel *tosefta* text. (Text 2.) 2
4. Even were it to be contended that this rabbinic "discouragement" still may have an element of contemporary authority, the counter-argument would be that, in any case, the congregation has the right to forgo that so called "dignity" (*mehillah*). 3
5. In addition to the above, in our generation, where women have been granted equal rights in all areas of activities, many of them feel distressed that in the area of Jewish ritual they are being discriminated against. Now the *halachah* is quite clear that distress (*tzaar*) or offending the dignity of the individual (*kevod ha-briyyot*) is so serious as to override at times even (biblical? and) rabbinic enactments. And, as it were on the reverse side, giving satisfaction to women by removing such offence to their dignity is sufficient cause similarly to override such enactments (e.g. *Rema, Orach Hayyim* 88:1.) 4
6. As to the question of immodesty in hearing women's singing voices (*kol be-ishah erva*), already mediaeval authorities stated that this principle does not apply in an environment of holiness, and a synagogal congregation certainly comes under such a category. 5
7. Concerning *hagbah*, lifting the Torah scroll, this is certainly permitted to a woman, as she may also do *gelilah*, as may be seen from the rulings of the *Shulhan Aruch Yoreh Deah* 289:9, and *Orach Hayyim* 88:1. 6

8. It has further been argued that partnership minyanim, by their very innovative nature, constitute a break with tradition (*masorah*). However, it may be demonstrated from a variety of sources, both early and late, that women were, under certain circumstances, granted *aliyot*, such as for example: in a private *minyan* at home, in a congregation where there were only Cohanim, etc. So there are, albeit rare, precedents for such ritual proactive. (See texts 3-5.) 7
9. There are many further details that require elaborate explanation, such as the status of the *aliyah* benedictions, 8 which parts of the service may be led by a woman, all of which issues have been scrupulously analyzed and delineated, but these go beyond the scope of this all- too-brief synopsis.

Conclusion:

Finally, it should be noted that there are those who would interpret the various sources in a different manner, and in accordance with their interpretation, they delegitimize the phenomenon of partnership minyanim. We have, however, very carefully reviewed their criticisms, and have not been convinced by them, and, indeed, have proffered counter-arguments to disprove their points, and consequently to uphold our position on the complete halachic legitimacy of partnership minyanim.

Supporting Texts:

1. מגילה כג ע"א ת"ר: הכל עולין למנין שבעה, ואפילו קטן ואפילו אשה. אבל אמרו חכמים: אשה לא תקרא בתורה מפני כבוד הציבור

The Rabbis taught us: anyone can be called up for the seven Aliyot, even a child and even a woman. But the sages said: a woman should not read the torah because of the dignity of the congregation.

2. תוספתא מגילה ג(ד) 12(, עמ' 356 ...): והכל עולין למנין שבעה, אפילו אשה, אפילו קטן. אין. מביאין את האשה לקרות ברבים. בית כנסת שאין להם מי שיקרא אלא אחד, עומד וקורא ויושב, ועומד וקורא ויושב, עומד קורא ויושב, אפילו שבעה פעמים

...Anyone can be called up for the seven Aliyot, even a woman, even a child. We do not bring a woman to read before the public. A synagogue which has only one reader, the reader stands and reads and sits, stands, reads and sits, stands, reads and sits, even seven times.

3. ר"ן למגילה שם: השתא דתקון רבנן שיברכו כולם, אשה וקטן קורין, אפילו ראשון ואחרון. Now that the sages fixed that everyone says the blessings, a woman and child may read, even for the first or last Aliyot.

4. שו"ע או"ח רפב ג: 'הכל עולים למנין שבעה, אפילו אשה...הגה: ואלו דוקא מצטרפין למנין. הקרואים, אבל לא שיהיו כולם נשים או קטנים (ר"ן וריב"ש) And they may join the rest of the Aliyot, but not all the Aliyot should be women or children.

5. 'שו"ת מהרם הרוטנבורג, מהדורת כהנא סי' מז עמ' 10 ... עיר שכולה כהנים, יקרא הכהן ב. פעמים, ושוב יקראו נשים (...היכא דלא איפשר ידחה כבוד הציבור 'השוה הגהות מיימוניות, ה'תפילה פרק יב, אות ה)

A city consisting entirely of priests, a priest should read two Aliyot, while the rest should be read by women. (... for where it is otherwise impossible – the issue of the dignity of the congregation should be overruled).

1. 1 pp.3a et seq.; 241-272.
2. 2 pp.51 et seq.
3. 3 pp. 261-267. And see R. Ovadiah Yosef, *Yabia Omer* vol.6, *Orah Hayyim* 23:1, p.73.
4. 4 pp. 74-87, 154-161.
5. 5 See my *Darkah shel Torah*, pp. 22-23, 114.
6. 6 pp. 65-73. Interestingly enough, R. Gavriel Zinner, who is hardly a modern-orthodox feminist, permits *gelilah* on the part of a woman under certain circumstances and with a number of conditions. See *Or Yisrael* 20/2, (70) 2015, p.64.
7. 7 pp. 57 et seq.
8. 8 pp. 218-229.

10.2 2015 RESOLUTION: RCA POLICY CONCERNING WOMEN RABBIS

Published by the RCA on 31/10/15⁷⁷⁴

Formally adopted by a direct vote of the RCA membership, the full text of “RCA Policy Concerning Women Rabbis” states:

Whereas, after much deliberation and discussion among its membership and after consultation with poskim, the Rabbinical Council of America unanimously passed the following [convention resolution](#) at its April 2010 convention:

1. The flowering of Torah study and teaching by God-fearing Orthodox women in recent decades stands as a significant achievement. The Rabbinical Council of America is gratified that our members have played a prominent role in facilitating these accomplishments.
2. We members of the Rabbinical Council of America see as our sacred and joyful duty the practice and transmission of Judaism in all of its extraordinary, multifaceted depth and richness – halakhah (Jewish law), hashkafah (Jewish thought), tradition and historical memory.
3. In light of the opportunity created by advanced women’s learning, the Rabbinical Council of America encourages a diversity of halakhically and communally appropriate professional opportunities for learned, committed women, in the service of our collective mission to preserve and transmit our heritage. Due to our aforesaid commitment to sacred continuity, however, we cannot accept either the ordination of women or the recognition of women as members of the Orthodox rabbinate, regardless of the title.
4. Young Orthodox women are now being reared, educated, and inspired by mothers, teachers and mentors who are themselves beneficiaries of advanced women’s Torah education. As members of the new generation rise to positions of influence and stature, we pray that they will contribute to an ever-broadening and ever-deepening wellspring of talmud Torah (Torah study), yir’at Shamayim (fear of Heaven), and dikduk b’mitzvot (scrupulous observance of commandments).

⁷⁷⁴ See: <https://rabbis.org/2015-resolution-rca-policy-concerning-women-rabbis/>.

10.3 THE ORTHODOX UNION’S RESPONSE to the HIRING of FEMALE CLERGY,

Published by the OU on 01/02/17⁷⁷⁵

To the esteemed members of the Orthodox Union’s executive committee and board of directors, in response to your questions:

- 1) Is it halakhically acceptable for a synagogue to employ a woman in a clergy function?
- 2) What is the broadest spectrum of professional roles within a synagogue that may be performed by a woman?¹

These inquiries must be answered in a way that goes beyond a simple yes or no, permitted or prohibited. The issue of female clergy is complex, and touches upon not only the dictates of *halakhah*, but also upon fundamental issues in our *hashkafat olam*. Indeed, the questions relate to the philosophy of the halakhic process itself. Furthermore, we recognize that this issue is emotionally charged; some perceive limitations on women’s roles and titles as barriers to full involvement in the Orthodox community, while others view the lifting of traditional gender distinctions in ritual as representing a rejection of the *mesorah*. This tension pits egalitarianism, a central value of modernity, against a time-honored tradition that clearly speaks of equally valued, yet different, roles for men and women.

In contemporary discourse, rabbinic discussion of these issues often appear to focus primarily on what functions performed by men are inappropriate for women. By contrast, our intention is to define halakhic parameters with the goal of clarifying practical roles that women can and, depending on the particular *kehillah*, indeed should, play in our community institutions.

The following represents our collective opinion. For the reasons noted above, we will begin with an outline of halakhic methodology.

Halakhic Methodology

There are three primary factors that may be considered by a halakhic decisor when developing a ruling: legal sources, precedent, and a relevant halakhic ethos.

NOTES

¹ At the request of the OU, we have presented our response in a style that differs somewhat from a classic *teshuva*. While traditional responsa are penned in Hebrew and include extensive sourcing and elaboration of arguments, we present here a position paper that summarizes our extensive deliberations, yet reflects the certainty of our conclusions. In addition, please note that if asked individually, each one of us would, no doubt, have written a response in our own styles, emphasizing the particular approaches that we each found most compelling. This paper represents elements of the thought of each of its seven writers.

Legal sources, which may include both textual and oral rulings, are sometimes dispositive, but often require interpretation or the application of principles. Particularly when navigating multiple sources and competing considerations, years

⁷⁷⁵ See: <https://www.ou.org/assets/Responses-of-Rabbinic-Panel.pdf>.

of sophisticated mentoring and significant experience in *psak* are required for a reliable conclusion to be reached. Self-contained, commonplace *sheilot*, such as those relating to basic *hilkhot berakhot* and *kashrut*, can often be resolved by reference to explicit legal sources alone. Issues with wider implications and multiple spheres of impact, however, demand consideration of factors that transcend strictly legal sources and require a broader approach.

Second, the Torah community's historical and widespread observance of a particular practice establishes a default position for halakhic decision-making. The Talmud resolves halakhic questions by examining the prevailing normative practice, instructing younger students, "*puk chazi mai amma de-var*" - "go out and observe the common practice." (*Eruvin* 14b) Time-honored traditions of the Torah community are revered, and *Chazal* have attributed a level of Divine sanction to those who sustain its practice: "*Im einam nevi'im - b'nei nevi'im heim*" - "if they are not [actually] prophets, they are sons of prophets." (*Pesachim* 66a)²

This is not to say that an established practice can never be altered; it must be assumed, however, that normative practice reflects a baseline truth that must be grappled with when innovations are suggested.³ Great caution must be employed before altering *mesorat Yisrael*. This deep respect for established communal norms can be found throughout the works of the *Ba'alei HaTosafot* whose writings often invoke the validity of communal practice even in the face of apparently conflicting

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² See, also, *Arukh Hashulchan* (OC 345:18) with regard to the common practice to rely upon the fact that, in a place with less than 600,000 people, the prohibition to carry is only *miderabbanan*. The *Arukh Hashulchan* raises a multitude of difficulties with this opinion, but concludes: אבל על כל פנים מה - מועיל האריכות אחרי שהעירובין נתפשטו ברוב ערי ישראל הרבה מאות שנים מקודם ורק על סמך היתר זה - מועיל האריכות אחרי שהעירובין נתפשטו ברוב ערי ישראל הרבה מאות שנים מקודם. "הלכה - כשיטה זו" - וכאלו בת קול יצא.

Furthermore, *siyata dishmaya* is assumed to guide halakhic decisions themselves - so long as they are made in a proper manner. See *Sotah* 4b and *Ketubot* 60b.

³ See *Yerushalmi Yevamot* (12:12): שומעין לו. שאין חולצין בסנדל - אין - אם יבוא אליהו ויאמר שחולצין במנעל: והמנהג שומעין לו - שהרי הרבים נהגו לחלוץ בסנדל. ומבטל את ההלכה.

See further, in the responsa of the Rosh (45). Dr. Haym Soloveitchik has written extensively on the strength of "*minhag*" - common practice - as a determining factor in halakhic inquiry. See, for example, H. Soloveitchik, *Ha-Yayin bi-Yemei ha-Beinayim: Yayin Nesekeh - Perek be-Toledot ha-Halakhah*; and "*Minhag Ashkenaz ha-Kadmon: An Assessment*," printed in the second volume of the *Collected Essays* of Dr. Soloveitchik.

Talmudic texts.⁴ This is true regarding *minhagim* (customs),⁵ and all the more so regarding matters that are dependent on the application of Jewish law. In fact, many practices that currently find expression in textual sources, and are thus understood to be textually based, were actually resolved based on the authority of precedential practice.⁶

Not only is there enormous significance in the Torah community's manner of observing a particular custom or behavior; equally significant is the community's failure or refusal to practice a certain custom or adopt a particular behavior. Although the *Mishnah* (*Eduyot* 2:2) states that "*lo ra'inu - aino raya*" (the fact that something has not been observed cannot be brought as a proof to one side of a legitimate halakhic dispute rooted in *pesukim* or *sevara*), the nonperformance of a particular practice does constitute a *minhag*, and such a *minhag* attains binding

status. In addressing the implication of a community practice, the Maharik (quoted by the Shakh at the beginning of *Yoreh Deah*) rules that, by inference, the community's failure to adopt a particular practice can be understood to reflect an objection to that practice.⁷

Finally, it is essential for a halakhic decisor to be aware of, and keenly sensitive to, the broader context of Torah values. Such values originate from, but frequently extend beyond, specific legal dictates. *Halakhah* itself, if examined closely, reflects underlying themes, and sources from *mikra*, *aggadah*, and *kabbalah* complement the halakhic rulings to express values that direct our *avodat Hashem*. These core values, derived from these multiple sources, form a "Halakhic Ethos," and throughout our history, these values have been integrated into the technical, practical

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4 See, for example, *Tosafot Berakhot* 2a, *Berakhot* 18a, and *Avodah Zarah* 2a.

5 The *Talmud Yerushalmi* (*Bava Metzia* 7:1) rules that "*minhag mevatel halakhah*." While this idea is not meant literally, and this rule is applied only with regard to monetary practices where Torah law is not explicit, this provocative phrase speaks to the extent to which *halakhah* considers normative practice to be a significant factor in determining legal reality.

6 Such examples include the prevalent practice to be lenient regarding the eating of *chadash* in areas outside and not bordering *Eretz Yisrael* (see the first page of *Kuntres Shem Chadash* from the author of *Magen ha-Elef*, Aryeh Leib ben Moshe Zuenz (c. 1768–1833)) and the universally accepted Ashkenazic practice that *kohanim* only recite *birkat Kohanim* on *Yom Tov*. See *Beit Ephraim* #6 and *Arukh Hashulchan* (*Orach Chaim* 128:64). See the relevant remarks of Dr. Soloveitchik, *ibid*, on the issue of *birkat kohanim*, in the article quoted in footnote 3.

7 An example: A question arose in New Orleans in 5620 regarding an *andarta*, a bust, in memory of a communal leader. The question was sent to the *rabbanim* of Europe, who issued a prohibitive ruling. Rav Shimshon Rafael Hirsch based his response on the fact that, in practice, Jews had no history of commemorating through human statues. Rav Hirsch quotes the aforementioned opinion of the Shakh that in the area of *minhag*, "*lo ra'inu*" is, in fact, a valid argument. Rav Nathan Marcus HaKohen Adler, the Chief Rabbi of Great Britain, offered a similar explanation. See "*Be-din Tzurat Adam ba-Olam ha-Chadash*," by Yitzchak Ehrenberg and Zev Eleff, in *Beit Yitzchak*, vol. 44 (5773), pp. 394–398.

resolution of complex halakhic issues. This important idea will be further explained in the coming section.

The Halakhic Ethos

A *weltanschauung* emerges from the totality of the vast sea of *halakhah* and Torah thought, and this collective world view serves as the basis of our *avodat Hashem*. These overriding principles are mined through the examination of *mikra*, *halakhah*, and precedent.

Mikra: While most legal sections of the Torah are comprised of specific commands, many general injunctions can be found as well. Examples of such general directives include "*kedoshim tihiyu*" (*Vayikra* 19:2), "*shabbaton*" (*Vayikra* 23:24) and "*v'asita hayashar v'hatov*" (*Devarim* 6:18). The Ramban's commentary to these *pesukim*, as elaborated below, highlights the manner by which these general exhortations significantly shape normative practice.

Halakhah: A comprehensive study of the details of specific *halakhot* reveals fundamental principles which provide guidance for the development of a deeper and

more expansive understanding of the details themselves. As our Rebbe, Rav Yosef Dov Soloveitchik, *zt"l* wrote, “Out of the sources of *halakhah*, a new world view awaits formulation.”⁸ For the Rav, the appreciation that Torah values could be derived through the examination of the Torah’s legal sources was fundamental to an understanding of Torah and the halakhic decision making process. These fundamental principles represent an important part of what we call the *mesorah*.

Precedent: The Torah worldview is also shaped by precedent. While, as discussed earlier, long-established practice assumes presumptive validity that is due enormous respect and deference, historical practice also serves as a source of more general guidance. Precedent in one area of *halakhah* is assumed to reflect fundamental truths and principles that help shape the halakhic ethos, and which thereby influence the resolution of *sheilot* in related areas. In particular, the halakhic ethos plays a critical role in providing guidance in addressing the original halakhic challenges of each generation.

Torah literature is permeated by the impact of the Torah ethos on halakhic practice. The Ramban comments that the *pasuk*’s phrase “*v’asita hayashar vehatov*” (*Devarim* 6:18), conveys much more than an exhortation to carefully follow the

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⁸ *The Halakhic Mind*, p. 102.

explicitly referenced laws. The Ramban teaches that “[T]he intent of this statement is that ... He has said that you should observe the laws and statutes which He had commanded you. Now, He says that with respect to what He had not commanded, you should likewise take heed to do the good and the right in His eyes, for He loves the good and the right. And this is a great principle, for it is impossible to mention in the Torah all aspects of man’s conduct with his neighbors and friends and all of his various transactions and the ordinances of all societies and countries.” Through this *pasuk*, *Hashem* has provided an overarching value to be used as a yardstick to measure situations not actually addressed directly by the text.^{9 10} Similarly, the Talmud applies the *pasuk* and concept of “*Derakheha darkhei noam vekhol netivoteha shalom*” (*Mishlei* 3:17) to determine halakhic issues not at all referenced by the *pasuk*.¹¹

The ethos of *halakhah* also plays a critical role in directing communal practice. For example, the *Chofetz Chaim*’s decision to champion women’s Torah study,¹² as well as the Rav’s expansion of this endorsement, was compelled primarily by extra-legal considerations.

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⁹ A similar idea can be found in the Ramban’s understanding of the mitzvah of “*shabbaton*” (*Vayikra* 23:24) on Yom Tov (and Shabbat) as extending beyond the *melakhot*. “Thus we are not to be engaged the whole day in wearisome tasks, measuring out crops of the field, weighing fruits and gifts, filling the barrels with wine and clearing them away by themselves, and moving stones from house to house and place to place” despite the fact that none of these activities entail *melakhot*. Similarly, if not for the value of *shabbaton* that extends beyond the technicalities of Yom Tov violation, “The marketplace would be full for all business transactions, the shops standing open and the shopkeepers giving credit ... and the workers would rise early to go their work and hire themselves out for such

works just as on weekdays!” (Translation by Rabbi Dr. Charles B. Chavel). The Ramban’s famous exposition of “*kedoshim tihiyu*” (*Vayikra* 19:2) likewise extends a halakhic ethos to determine practice in areas not explicitly covered by the letter of the law.

10 Other examples include the Talmud’s proscription against inflicting pain on animals which, despite the absence of a technical legal source, is predicated on Torah values and is considered binding (see *Minchat Asher Bereishit* 21:4 based on Radvaz).

11 See *Yevamot* 87b and *Sukkah* 32a. 12 *Likkutei Halakhot, Sotah* 20b: "It seems that all of this [prohibition against women learning Torah] applies only to times past when all daughters lived in their fathers' home and tradition was very strong, assuring that children would pursue their parents' path, as it says, 'Ask your father and he shall tell you.' On that basis we could claim that a daughter needn't learn Torah but merely rely on proper parental guidance. But today, in our iniquity, as parental tradition has been seriously weakened and women, moreover, regularly study secular subjects, it is certainly a great *mitzvah* to teach them *Chumash*, Prophets and Writings, and rabbinic ethics, such as *Pirkei Avot*, *Menorat HaMaor*, and the like, so as to validate our sacred belief; otherwise they may stray totally from God's path and transgress the basic tenets of religion, God forbid."

Notably, the Rav turned to the halakhic ethos in explaining the prohibition of praying in a synagogue with mixed gender seating.¹³ While the Rav briefly mentioned (but did not elaborate upon) possible legal concerns, his arguments relate primarily to the precedent of separate areas for men and women in the *Beit HaMikdash*, as well as various aspects of the “Jewish spirit of prayer.” The Rav’s global understanding of the Torah system led him to vehemently oppose the structural changes being suggested in the Orthodox synagogue of his time.¹⁴

The same is true of the Rav’s nuanced embrace of secular knowledge and modern civilization. Based on his Torah *weltanschauung*, Rav Soloveitchik developed Avraham’s words to Ephron in *Parashat Chayei Sarah*, “*Ger v’toshav anokhi imakhem*” (*Bereishit* 23:4), “I am a stranger and an inhabitant with you,” into a sophisticated, practical philosophy for engaging the world.¹⁵

Moreover, embracing the inner logic of *halakhah* as a source of values is the *sine qua non* for navigating this engagement with society in a manner that is in consonance with the Torah. Our community’s mandate to understand both the world *Hashem* created, as well as the society in which we live, must never blind us from recognizing that there are frequently societal trends which run counter to the ethos of the Torah.

Mesorah: Tradition and a Cumulative Approach

These principles, conveyed by the Torah ethos, underlie the oft-referenced concept of “*mesorah*.”

The idea of *mesorah* is often mistaken as a mere historical record of Jewish practice. That misunderstanding, combined with both the absence of historical uniformity of normative practice, and the gradual evolution of *halakhah*, can be misconstrued as compromising the authenticity of *mesorah*. Authentic *mesorah* is rather an appreciation for, and application of, tradition as the guide by which new ideas, challenges and circumstances are navigated.

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13 “On Seating and Sanctification,” in Litvin, Baruch, *The Sanctity of the Synagogue*, third edition, pp. 114-118.

14 Similarly, the Rav’s approach to the question of interfaith dialogue was primarily guided by Torah values. See “Confrontation” in *Tradition*, 1964, vol. 6 #2 and *Community, Covenant and Commitment*, pp. 259-265.

15 Rabbi Joseph B. Soloveitchik, *The Rav Speaks*, pp. 70-80.

Our precious *mesorah* has thereby been the cornerstone of not only the preservation, but also the development of our religious and spiritual heritage. *Mesorah* is the bridge between our past and our future. When studying a proposed innovation, in addition to considering its immediate implications and whether it is consistent with Torah principles, attention must be paid to the potential impact of such changes on generations through the distant future. Each and every generation confronts an ever-changing social, cultural and technical environment. Halakhic leadership must, therefore, continually probe whether proposed changes and accommodations will enable the community to advance the objectives of an authentic Torah ethos, or simply accommodate prevailing values and expectations, often in opposition to the Torah worldview.

No doubt, a commitment to follow the ethos of the Torah, in addition to the letter of the law, requires faith, commitment, and a willingness to embrace timeless principles - even when counter-cultural and incompatible with prevailing societal values. In the words of the Rav, “It is very important [that] we must not feel ... an inferiority complex, and because of that complex yield to the ... transient, passing charm of modern political or ideological *sevaros* ... There is no need for apology; we should have pride in our *mesorah*, in our heritage.”¹⁶

Halakhic Perspectives on Women Clergy

By application of halakhic methodology, we will now examine the specific questions addressed to us. Reference will be made to each of the three aforementioned factors used to arrive at a halakhic decision: legal sources, historical precedent, and the halakhic ethos. While each factor will be addressed independently, the factors inherently overlap, as emphasized earlier.

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¹⁶ Conveyed in a 1975 speech to the Rabbinic Alumni of the Rabbi Isaac Elchanan Theological Seminary. The full relevant text reads as follows: “Second, we must not yield — I mean emotionally, it is very important — we must not feel inferior, I mean develop or experience an inferiority complex, and because of that complex yield to the charm — usually it is a transient, passing charm — of modern political and ideological *sevaros* (logic). I say not only not to compromise — certainly not to compromise — but even not to yield emotionally, not to feel inferior, not to experience an inferiority complex. And it should never appear to me that it is important to cooperate just a little bit with the modern trend or with the secular, modern philosophy. In my opinion, [Judaism] does not have to apologize either to the modern woman or to the modern representatives of religious subjectivism. There is no need for apology — we should have pride in our *mesorah*, in our heritage. And of course, certainly it goes without saying, one must not try to compromise with these cultural trends, and one must not try to gear the halakhic norm to the transient ways of a neurotic society, [which] is what our society is.”

From a legal standpoint, there are multiple challenges to the ordination of women and the appointment of women to formal clergy positions:

The *Sifri* (#157, to *Devarim* 17:15) states that a woman may not be appointed king. The Rambam (*Hilkhos Melachim* 1:5), based on the Talmud (*Yevamot* 45b), extends this prohibition beyond kingship to any position of *serarah* (formal communal authority).¹⁷ As Rabbinical positions have been traditionally understood as paradigmatic of *serarah*, they would be restricted to men in accordance with the Rambam’s position.

Furthermore, the Rav assigned great significance to the ruling of the Rema (*Yoreh Deah* 1:1) barring a woman from being appointed as a community *shochet* as being representative of a general preclusion of women from *all* formal religious appointments (*minuyim*) over the community at large. The Rav explained that during the times of the Rema, appointment as the community's *shochet* required the earning of a formal "license" (*kabbalah*) from a *chakham*. When the position of *shochet* became an official religious appointment in the community, it became restricted to men.¹⁸

Consideration of the ordination of women also raises questions regarding the nature of *semikhah*. While contemporary *semikhah* differs from classic *semikhah* (as described in the Talmud) in many regards, it must, nevertheless, be viewed as an extension of the original institution of *semikhah*.¹⁹ Parallels between the current and

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17 The opinion of the Rambam is accepted by the *Arukh Hashulchan* (*Choshen Mishpat* 7:4) all well as by many other authorities; See *Amud HaYemini* (12), *Mishpetei Uziel* (*Choshen Mishpat* 4:6). Rav Moshe Feinstein, in a set of oft-quoted responsa (*Yoreh Deah* 2:44-45) permitted a woman to serve as a *mashgichah* for *kashrut* noting that there are opinions in the *Rishonim* that *serarah* applies only to positions of royalty. However, it is clear from his responsa that Rav Moshe saw the restrictive position of Rambam as the normative ruling. Nevertheless Rav Moshe ruled that there was room to rely on the non-normative lenient position with regard to the position of *mashgichah*, which is arguably not a true position of *serarah* (and even so, Rav Feinstein suggested a way to further assure that the position would not be classified as *serarah*) and in the particular case of an impoverished widow.

18 See the opening pieces in *Sefer Shiurei HaRav al Inyanei Shechitah Melichah Basar B'Chalav veTa'arovot*, edited by Rav Elyakim Koenigsberg. The formal, communal role of the *shochet* is evidenced historically. In early American synagogues, a *shochet* was employed in an official capacity even when a rabbi was not engaged by the congregation. See *The Synagogue in America*, pg. 7.

19 See *Shulchan Arukh Yoreh Deah* 242:5-6 based on *Maharik*, 113:3 and 169. The Maharik derived two *halakhot* by assuming that what was true for classical *semikhah* is still true for modern day *semikhah*. Also see Rambam (*Hilkhos Sanhedrin* 4:8) who includes the current function of *netilat reshut* in the laws of *Sanhedrin* as an extension of the original *semikhah*.

original forms of *semikhah* therefore, are relevant and valid.²⁰ Various sources indicate that the classic *semikhah* involved, and in fact may have centered on, designating individuals to serve as court judges.²¹ Since the majority halakhic view²² is that only men are eligible to be ordained as judges, even contemporary ordination would be restricted to men.²³

Finally, the sanctity of the synagogue demands a particularly enhanced level of modesty - as illustrated by the requirement of a *mechitzah*. This elevated demand for the separation of genders is incompatible with a woman presiding over a male quorum.²⁴

Members of this group differ as to the relative weights accorded to each of these concerns as well as whether each factor carries definitive halakhic significance independently, or only cumulatively. It is our unanimous opinion, however, that these considerations, combined with factors discussed below, impose a legal preclusion to the appointment of women clergy.

Precedent Regarding Women's Clergy Roles

Furthermore, halakhic history evidences a precedent of precluding women from serving as clergy or receiving ordination. Even the Rema's restriction against appointing a woman to be a *shochetet*, referenced above, has always been normative.

Current women's roles in society - even in Jewish society - are undoubtedly different than in the past. While, *baruch Hashem*, advanced Torah learning opportunities for women continue to multiply, and more women today are interested in, and capable of, learning in-depth *halakhah*, it is clear from historical and halakhic literature that

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20 See *Shu"t Rema* (24) and *Aruch Hashulchan* (*Yoreh Deah* 242:30) who seem to require eligibility for original *semikhah* in order to receive contemporary *semikhah*.

21 "סנהדרין יג :- "קרי ליה רבי' - ויהבי ליה רשותא למידן דיני קנסות *Sanhedrin* 4:2) with a similar language.

22 See *Tosafot* (*Bava Kama* 15a). *Tosafot* quote a minority opinion that women may serve as judges. *Shulchan Aruch* (*Choshen Mishpat* 7:4) rules like the overwhelming majority view in the *Rishonim*. Similarly, the *Talmud Yerushalmi* (*Yoma* 6:1) explicitly restricts women from *dayanut*. The one-time phenomenon of Devorah as *shofetet* (*Sefer Shoftim*, chapters 4-5) is discussed extensively by the *Rishonim* (to *Bava Kama* 15a and elsewhere) and is not seen as paradigmatic in any way.

23 Women are excluded from positions that reflect the paradigm of *dayanut* - even when a full-fledged judge is not specifically required. For example: although a panel for *hatarat nedarim* does not share the technical requirements of a bona fide *beit din*, women are nonetheless excluded. Rabbi Akiva Eiger explains that a panelist for *hatarat nedarim* must meet the theoretical requirements for a *dayan*. See *Sefer HaChinukh* 406, *Shu"t R. Akiva Eiger* quoted in *Pitchei Teshuvah Yoreh Deah* 228:2, and *Arukh Hashulchan* 228:10.

24 See *Eretz Ha-Tzvi* (Rav H. Schachter) 12:11-12 for a further elaboration of this concept.

women's Torah scholarship is not an entirely new phenomenon. Nonetheless, women scholars in the past, while clearly acknowledged and appreciated, impacted and guided the community without the formality of rabbinic titles or ordination.

The existence of female scholars throughout the history of our nation is, in our understanding, ample proof that the notion of *semikha* for women was conceivable. However, a continuing mesorah existed that dictated against it. We find it implausible to say that the question of female ordination has never presented itself throughout the history of our mesorah.

Finally, even if the absence of women rabbis throughout Jewish history is not fully dispositive, this phenomenon does establish a baseline status quo. We feel that the absence of institutionalized women's rabbinic leadership has been both deliberate and meaningful, and should continue to be preserved.

Our group believes that the combination of these two considerations, precedent and halakhic concerns, precludes female clergy. Given the status quo that we feel is meaningful and intentional, the burden of halakhic proof rests on the side of changing the established practice.

The Halakhic Ethos of Gender Roles

The Torah affirms the absolute equal value of men and women as individuals and as *ovdei Hashem*, but clearly and consistently speaks of role differentiation.

Kedushat Yisrael applies identically to both women and men; indeed, it is actually passed on to future generations specifically through Jewish women.

Rav Shimshon Rafael Hirsch writes, “The concept of man created in the image of G-d embraces both sexes; together, male and female comprise the term ‘human.’ G-d has created them both equally close to Him and for the same active purpose according to His Will: “*zachar u’nekeivah bara otam.*”²⁵ Similarly, expectation of, and capacity for, personal spiritual achievement does not differ between the genders,²⁶ and the vast majority of halakhic obligations apply equally to women and men.²⁷

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²⁵ *Collected Writings*, Vol. VIII, p. 85. Rav Hirsch spells out his views in a long essay entitled “The Jewish Woman”. See, in particular, the first section of this essay - pp. 83-90 in *Collected Writings*.

²⁶ See Rabbi Joseph B. Soloveitchik, *Family Redeemed* p. 71.

²⁷ *Kiddushin* 29a

Differences between the roles of men and women are, however, axiomatic, and are reflected in a multitude of legal and extra-legal sources starting with the Torah itself²⁸ and continuing through the *Achronim*. Rav Soloveitchik stressed this idea in lectures and shiurim over many decades and in many contexts.²⁹

“Two humans were created who differ from each other metaphysically, not only physiologically, even as they both partake of Divine qualities. This contradicts the perverse notion that Judaism regards woman as being inferior to man. It also cuts away another false notion that there is no distinction between them in terms of their spiritual personalities. Two sexes were formed not only for propagative purposes, but [in addition,] they constitute existential originals. They differ in their psychical natures.”³⁰

Rabbi Soloveitchik arrived at his worldviews not simply through sources that would classically be considered *machshavah* or *hashkafah*, but particularly through an understanding of the intricacies of *halakhah*. The distinctions between men and women in the observance of *mitzvot aseh she-ha-zman grama* (*Kiddushin* 29a), matrilineal, as opposed to patrilineal descent (*Kiddushin* 66b), laws applying to *Kohanim* (see, for example, *Sotah* 23), court testimony (*Shevuot* 30a), appointment to the monarchy (*Sifri* 157 to *Devarim* 17:15), and in inclusion in the composition of a minyan for communal prayer are each indicative of different roles for men and women.³¹

Gender differences have, historically, been particularly evident in the arena of public service. We believe that these distinctions are not merely a relic of times bygone; instead, they reflect a Torah ethos - a *mesorah* - of different avenues and emphases by which men and women are to achieve identical goals - the service of G-d and the

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²⁸ The *Avot* and *Imahot* were equally critical for the development of and the transmission of the mesorah. However, it is undeniable that they played very different roles.

²⁹ Many examples can be found in the essays published in *Family Redeemed*: “Adam and Eve” (1971), pp. 3-30 (especially 18-27); “Marriage” (1959), pp. 31-72 (especially 67-72); “Parenthood:

Natural and Redeemed” (undated), pp. 105-125; Torah and *Shekhinah*” (1968), pp. 158 - 180 (especially 158-166).

30 Rabbi Avraham Besdin, *Man of Faith in the Modern World*, pp. 84-85. Elsewhere, the Rav writes, “Sexual differentiation expresses more than a physical property; it manifests an ontic contrast, a dual aspect within the essence of creation, something deeper and more fundamental than natural sexual differentiation which finds its full expression in two bi-existential experiences, in two ideas of personalism” (Rabbi Joseph B. Soloveitchik, *Family Redeemed*, p. 70). Rav Hirsch, too, stresses the distinctions between men and women throughout the essay mentioned above, and in his famous explanation of the exemption for women from time bound mitzvot (see his commentary to *Vayikra* 23:46).

31 The Talmud’s invocation of the verse “*kol kevudah bat melekh penimah*” (*Tehillim* 45:14) as a factor in establishing a detail of *halakhah* highlights this notion (*Yevamot* 77a). This is yet another example where a Torah value impacts directly on a legal decision.

perpetuation of the Jewish people.³² It is the majority opinion of our panel that the appointment of women to clergy positions would be a contradiction to this halakhic ethos.

Role distinctions are not absolute. We celebrate the fact that many women engage in high-level *Torah* learning - despite the fact that their obligation in *talmud Torah* differs from that of men.³³ We encourage mothers and fathers to share responsibility and to pool their talents and abilities to best bring up their children - despite archetypal parenting roles in our tradition.³⁴ However, there is, naturally, greater room for flexibility in the informal world of one’s personal *avodat Hashem* and in the nuances of one’s family dynamics, than in the more formalized public arena. The formal structure of synagogue leadership should more closely reflect the halakhic ethos.

Women Clergy

For the reasons stated above we believe that a woman should not be appointed to serve in a clergy position.

This restriction applies both to the designation of a title for women that connotes the status of a clergy member, as well as to the appointment of women to perform clergy functions on a regular ongoing basis - even when not accompanied by a rabbinic-type title. The spectrum of functions appropriately considered as the role of clergy can be identified by duties generally expected from, and often reserved for, a synagogue rabbi. These common functions include, but are not limited to: the ongoing practice of ruling on a full-range of halakhic matters, officiating at religiously significant life-cycle events, (e.g. *brit milah*, baby naming, *bar mitzvah*,

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32 It is not unusual for the Torah to differentiate between different categories of people, both in *halakhah*, with regard to specialization of roles and in terms of formal positions of religious leadership. For example, only a *Kohein* can perform service in the *Beit Hamikdash* and eat from certain *korbanot*. Similarly, unlike an Israelite, a *Levi* played a unique role in the *Beit Hamikdash* and was entitled to receive *ma’aser*. These distinctions reflect the idea of assigning different communal responsibilities to different categories of people, while messaging that these distinctions carry with them no implications regarding their respective spiritual value.

33 Women are exempt for the overriding commandment to study Torah (*Kiddushin* 29b). However, they are obligated to study the laws relevant to the mitzvot incumbent upon them (*Yoreh Deah* 246:6).

34 See, for example, Rav Soloveitchik, *Family Redeemed*, p. 118.

bat mitzvah,³⁵ weddings and funerals),³⁶ the regular practice of delivering sermons from the pulpit during services, presiding over or “leading services” at a *minyan* and formally serving as the synagogue’s primary religious mentor, teacher, and spiritual guide.

While a synagogue rabbi performs myriad functions, it is these common functions most often performed by a rabbi that characterize his role as the synagogue’s formal religious leader. The gamut of rabbinical responsibilities has evolved over time, adapting to the needs of each generation and locale. Nonetheless, the designated role of spiritual synagogue leader can be identified through the prevailing rabbinic duties.

Communal Roles for Women

That being said, female role models are, of course, absolutely critical for the spiritual growth of our community. Communities depend, and have always depended, upon women’s participation in a wide array of critical roles, both lay and professional, that are wholly consistent with Torah’s guidelines. Women should most enthusiastically be encouraged to share their knowledge, talents, and skills - as well as their passion and devotion - to synagogues, schools and community organizations. The restriction on assuming a clergy role has not precluded, and need not preclude, women from making vital and substantial contributions to the Jewish people.

The needs and standards of communities differ significantly. As appropriate to each community and, subject to the guidance and the approval of the synagogue’s lay and rabbinic leadership, we believe that it is appropriate for women to assume the following non-exhaustive list of professional roles within the synagogue setting³⁷ *in a non-clergy capacity* (as defined above):

1. Roles women are currently assuming:
 - a. Teaching ongoing classes and *shiurim*, and delivering lectures.
 - b. Serving as a visiting scholar-in-residence
 - c. Serving in senior managerial and administrative positions, such as executive director, or director of programming and/or adult education.

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35 Of course, at a *Bat Mitzvah* celebration attended primarily or exclusively by women, it is likely that the arrangement most in keeping with the Torah ethos of *tzniyut* will involve women playing frontal roles and not men.

36 Women *speaking* at these events is common practice in our community and is not a “clergy function.”

37 In responding to the questions posed by the OU, our suggestions focus on the professional contributions of women within the synagogue. Of course, we continue to support the critical role that women have played, and must continue to play, in our educational institutions. The issue of lay leadership positions is beyond the scope of this paper.

2. Roles women are beginning to assume in some synagogue settings:
 - a. Serving as a synagogue staff member in the role of community educator or institutional scholar to supplement synagogue rabbis in enhancing the community’s educational opportunities.

- b. Serving as a synagogue staff member in the role of professional counselor to address the spiritual, psychological, or social needs of the community.
- c. Serving as a teacher and mentor to guide females through the conversion process.

While by no means an exhaustive list, these examples are illustrative of the myriad contributions that women can provide within the synagogue structure without assuming a formal clergy role. With the guidance of their local rabbi, communities can explore the opportunities that can be best implemented to deepen and enrich the Torah learning and religious experience of men and women alike.

Halakhic Advisors

Segments of our community have engaged highly knowledgeable and dedicated women who are trained to serve as halakhic advisors (“*yoatzot halakhah*”) for issues of *taharat hamishpachah*. In a number of communities these advisors have played a deeply significant role and have increased the comfort level of many women in posing halakhic questions in this most sensitive area of observance. These *yoatzot halakhah* have fielded many thousands of important questions which might not otherwise have been asked.

There may, however, be significant advantages in posing *taharat hamishpachah* queries to the same individual to whom one generally turns for *hora'ah*. This is especially true in the Diaspora where, as opposed to *Eretz Yisrael*, communities are typically organized around a synagogue rabbi and rebbetzin and *psak* is generally handled on a local level. Furthermore, answers to questions regarding *taharat hamishpachah* are often integrally connected to the dynamics of a particular family and marital relationship. Consequently, it is recommended that these questions be posed to the community rabbi who is knowledgeable in *hilkhot niddah* and also integrally involved with the couple on many levels.

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We strongly encourage synagogue rabbis to take all necessary steps to ensure that their congregants are comfortable asking questions in these areas. Rabbis should collaborate with their congregants - certainly women, but men as well - to devise practices that will provide maximum comfort for those with questions. We also encourage synagogue rabbis to further increase their sophistication and training in the applicable halakhic, medical, and psychological spheres to serve as a valuable resource.

We recognize and understand, however, that some women are, and may remain, uncomfortable asking these *sheilot* to their synagogue rabbi and often cannot, or will not, avail themselves of the options presented above. Accordingly, those best positioned to assist in this area are knowledgeable and highly trained women who are passionate and committed to helping their communities, and who are imbued with *yirat shamayim*.

Significant differences exist between the clergy functions outlined above and the role of a *yoetzet*. *Yoatzot* distinguish themselves from female clergy because, as their title implies, *yoatzot* advise, rather than issue novel rulings or decisions in disputed matters, and they do not perform other rabbinic functions. They specialize in a

limited area of *halakhah* - an area that is most relevant to women and where *tzniyut* is essential - and function outside the context of prayer services.

We do not have a consensus opinion with regard to all of the halakhic issues involved with the official position of *yoetzet halakhah*. We agree that *yoatzot* provide a valuable service, but some feel that, with regard to normative wide-spread community practice, halakhic and meta-halakhic concerns outweigh the benefits.

In light of all of the above-referenced considerations, the utilization of *yoatzot halakhah* should continue to be evaluated carefully by *poskim* and communities alike. Under all circumstances, a *yoetzet halakhah* should only be employed with the approval of the synagogue's or community's rabbis, and should continue to work in close consultation with the local rabbi(s).

Conclusions and Further Suggestions

Ultimately, our mission must be to enhance the commitment of the Jewish People to Torah and *mitzvot*. All of our actions must be measured against this foundational standard. There is much we can do as a community, both men and women, to further advance these lofty goals.

Our synagogues must continue to serve the needs of women and men. While the traditional synagogue experience continues to offer religious fulfillment to many women in our communities, some women - and men for that matter - feel disengaged from their shuls and uninspired in the synagogue. They yearn for a closer connection to *Hashem* and seek to intensify their *tefillah* experience.

It is axiomatic that the timeless traditions of *Chazal* provide the framework for living a Torah life; however, we are not always successful in bringing those traditions to life. We recognize that many who are looking for new avenues to increase their shul involvement are motivated by a genuine desire to strengthen their connection with *Hashem*. As such, the importance of *tefillah* for women and men (and children) must be stressed and efforts must be undertaken by communal leadership, both rabbinic and lay, to create an environment and *tefillah* experience that will engage every individual.

We encourage our communities to address these genuine aspirations in a manner compatible with *halakhah* and consistent with Torah values. For example, care should continue to be taken to construct *mechitzot* that not only follow halakhic requirements, but are also sensitive to the degree of engagement with the services that can be felt from the *ezrat nashim*. Similarly, women seeking greater involvement in synagogue prayer services should be encouraged to come to *shul* for weekday and *Shabbat minyanim*, and the *ezrat nashim* should be inviting and available for their attendance. Each synagogue should be encouraged to reach out to women - and particularly single women when applicable - to create meaningful ways to involve them in synagogue life. Women should be actively included in conversations related to *tefillah* and synagogue atmosphere.

The spiritual growth of our community is dependent upon a steady stream of talented women both serving as role models and teachers, and filling positions of influence. As a community, we need the best and brightest women - and men - to be motivated and well-trained to pursue careers in *avodat hakodesh*, whether in schools,

synagogues or *chesed* organizations. Finally, steps should be taken to properly recognize women who dedicate their lives and their abilities to serving and educating our community, including the attribution of fitting titles that convey the significance of these roles.

As we broaden our perspective from the letter of the law to the values that emerge from the totality of our tradition, we encounter the opportunity to more fully understand the Divine and to walk in His ways. We seek to follow the values of the Torah, preserve them, and embrace them as our guide, which we can only do by respecting our tradition and upholding the instructions and values that emerge from within it. It is with this deep level of engagement with the Torah that we are infused with a sense of purpose and transcendence, and it is through the medium of *halakhah* and Torah ethos that we find liberty and exaltation in surrendering ourselves to the Divine will.

Rabbi Daniel Feldman
Rabbi Yaakov Neuberger
Rabbi Michael Rosensweig
Rabbi Ezra Schwartz
Rabbi Gedalia Dov Schwartz
Rabbi Hershel Schachter
Rabbi Benjamin Yudin

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