

WOMEN AND CHANGE IN JEWISH LAW

Responses to the Fall 1974 Symposium

Arthur E. Green

AMONG THE MORE INTERESTING SURVIVALS of archaic religious forms in modern society is the institution of the new priesthood. The ancient priest, infallible in his knowledge, possessing the *mana* which allowed him to bless, curse and heal (the hasidic *rebbe* comes quite close in our culture), and the dispenser of advice on all occasions, lost his power in the transition from traditional to modern society. His place has been taken in our age by two new figures whom modern man has invested with these same magical qualities: the political leader and the psychiatrist. Fortunately, the first of these two neo-priestly figures has been violently dethroned by recent events in American political history. After Vietnam and Watergate we are no longer ready to say, as many of us were in 1965, that "the president *must* know something we don't know." The nakedness of the Washington emperors has been demonstrated beyond our wildest fears. The second successor to the priesthood, however, though challenged by certain professional skeptics of the intellectual community, still reigns supreme in the world of the American middle class. And since Jews are so disproportionately present among both the practitioners and clients of this new priestly art, the reign of the psychiatrist is particularly firm in the Jewish community. It would seem that this is true even among rabbis, a group who themselves have made no small attempt to inherit the mantle of priestly authority. Somehow not quite believing in the effectiveness of their own *mana*, they seek verification of their wisdom from the *true* priest of our society, longing for the ultimate blessing of "health" which only he can bestow upon their decisions.

Central to the notion of priesthood in the pre-modern world, and to the priesthood of the Roman Catholic church, is the notion that man and office may be separated from one another. It is not the priest as an individual human being, with all his admitted foibles and inadequacies, who bestows the blessing; rather, it is the office he possesses which allows him to speak with the voice of God Almighty. The same claim is most unfor-

tunately made by the disciples of certain psychiatrists: while the rest of us are liable to all sorts of unconscious neurotic motivations which are said to underlie our every word and deed, the psychiatrist (when speaking *ex cathedra*, of course) is taken to be the superman who has transcended his own psychic limitations and can thus speak with true objectivity, the new "pureness of heart." How right Rabbi Ishmael was when he spoke of the drive toward idolatry as basic to man's spiritual instincts.

psychiatric infallibility

ALL THIS IS SAID BY WAY OF EXPRESSING SHOCK and horror at the views expressed by Doctor Mortimer Ostow regarding the participation of women in synagogue services in the Fall 1974 issue of *Conservative Judaism*, as well as grave concern over the mildness of reaction to him on the part of rabbis and teachers. While Doctor Seymour Siegel is to be commended for his willingness to take issue with Doctor Ostow, one can only wonder whether the other participants in the debate have not been intimidated by the psychiatrist's mantle. The discussion points out better than anything we have seen in recent times the terrible dangers of "psychiatric infallibility," when we see that the most distorted and perverse (a word I would not choose to use had the good doctor not shown considerable fondness for it) notions may be expressed with impunity by one who bears that sacred credential.

But enough of introductory dismay. Let us get to the heart of Doctor Ostow's arguments, so that we may see what notions of "health" are being offered us. The doctor begins his discussion of recent feminist demands for participation on an equal basis by informing us that

the drive for change receives a heavy contribution from individuals who knowingly or unknowingly derive a personal gratification from obscuring the differences between the sexes. Perverse sexual fantasies and activities usually include a reversal of sexual roles: they elaborate images of the man who is penetrated, or the woman with a penis or a whip, for example. . . . The restraint imposed by our tradition discourages the acting out of such fantasies in overt homosexuality or other perverse behavior. By obliterating the visible differences between men and women, one encourages these trans-sexual fantasies, facilitating their rise from the unconscious to the conscious state and possibly facilitating their conversion into action.

The ear finds it hard to believe what we are hearing in these words! Women who "interpret the differential participation of the sexes in Jewish ceremonial life as discrimination," are engaging in trans-sexual fantasies, and unless their demands are held in check they (and perhaps, *halilah*, we with them) will wind up engaging in acts of overt homosexuality! What

can a person say to such logic? If we point out the many well-adjusted and happily married heterosexual women who seem to be leading participants in the Jewish women's movement, the doctor has already exercised his unique privilege of saying "knowingly or unknowingly," and we are supposed to acquiesce to this wisdom. But what are most Jewish women in the movement asking for? *Aliyot*, the right to be counted as members of the liturgical community, to lead worship, to be allowed to study Torah within the context of a rabbinical school. Do these activities, admittedly long a part of the all-male province, really amount to the working out of trans-sexual fantasies and lead down the primrose path to perversion? Could not the same be said of all attempts to end anti-female discrimination and the desire of women to penetrate (note that choice of verb!) *any* social or professional area which was previously male-dominated? Are males who cook or women who wear slacks all to be cast under the suspicion of veering toward trans-sexualism? The "argument" Doctor Ostow proposes here could be applied to condemn all the changes that thankfully have taken place in the home and family structures of Americans in the past few years, as women take their rightful place as full members of the larger society. One wonders what motivates such an attitude. *Were it expressed by anyone other than a psychiatrist*, this reader would see it as yet another sign of the terrible and all-pervasive fear of homosexuality which is the deepest sexual illness of most American males.

Yes, of course there are some overt and repressed homosexuals in radical circles of the feminist movement. But unless one has some terrible personal dread of these people and their lifestyle, the legitimate aspirations they stand for should not be ruled *treif* by association. I would guess, strictly as a nonprofessional observer, that the circles of halakhah-observing Jews probably contain an unusually high percentage of neurotic anal-retentive personalities. This hardly means that the ethical insights of halakhah are to be rejected.

Doctor Ostow's second point involves the sexual attractiveness of women who participate in the service to men in the congregation. Noting that women who are attracted to male officiants seem better able to control their sexual urges than men who see a woman on the *bimah*, he urges us toward caution. While he admits that mixed seating in Conservative congregations has not led to any noteworthy orgies in the aisles, he seems more worried about the female rabbi or *hazzan*. Perhaps the little children in the front row, while awaiting their kiddush wine, will peer under the lady's skirt!

I must say that I find this whole argument mostly amusing. I wonder in which synagogue the doctor prays; perhaps there I too would be turned on by the sisterhood president who presents the Bible to the bar mitzvah.

But this view of men in the synagogue ogling any female who participates in the service is also quite disturbing. In this age when oglers have pornography aplenty to satisfy their fantasies, it is hard to imagine that a modestly dressed woman (and women in the synagogue should be modestly dressed; *tzeniut* is too neglected in our world) reciting a blessing over the Torah should be a particularly exciting object of sexual arousal. The man who finds himself uncontrollably aroused by a female prayer leader should perhaps consult one of Doctor Ostow's colleagues. Some men I know, by the way, find themselves deeply stirred to their emotional roots by a good *male hazzan*. Perhaps they too should seek psychiatric aid.

rabbi as priest?

AT THIS POINT Doctor Ostow turns from disturbing claims within his professional province to distortions and inaccuracies in realms which are outside his area of expertise. He astoundingly asserts that "to the average congregant God is psychologically represented by the rabbi, since he is the leader and the teacher and preacher of God's word. The Torah too seems to emanate divinity." Since "the woman invites indulgence while the man demands restraint" and "the mother represents a more primitive type of sensuality, while the father represents sexuality in a more adult form," the author is forced to conclude "that the introduction of the female personality into religion serves the purpose of encouraging the tendency toward self-gratification and escaping the moral imperative." Since Judaism is presumably to be seen as an adult religion of moral imperatives, better that the female personality be left out of religion, at least in the realm of public worship.

One wonders where Doctor Ostow gets the idea that most congregants identify God and the rabbi. Are our congregants of today, ever more educated and sophisticated, really to be viewed in such infantile terms? Is this a healthy view of an adult Jewish congregation to be proposed for rabbis? If indeed the rabbi has become this sort of priest, perhaps he should begin by divesting himself of the robes of pomposity and sonorous tones, making it absolutely clear to his congregation that he makes *no* claims of identification with the Deity. But the idea that "the introduction of the female personality into religion" is to be avoided because it "unconsciously suggests a regression to indulgence and gratification as a dominant value" with all the orgiastic overtones that Doctor Ostow suggests must be horrifying to anyone with even the slightest sensitivity to the richness of feminine devotion in Judaism. Is a Jewish woman lighting candles in her home, surrounded by husband and children, a symbol of indulgence and gratification? Then why does she become this if she steps up onto the *bimah* in a synagogue? I hate

to think of my *bobbe* crying into her *feish-humesh* as "encouraging the tendency towards self-gratification." Indeed, there is a deep anti-feminism in this section of Doctor Ostow's paper which runs counter to many of the healthy instincts found in Jewish piety. The Torah, as is noted, "seems to emanate divinity." But the Torah, in much of rabbinic literature, *long before Kabbalah*, is described in feminine terms: the daughter of God, the bride of Israel, and so forth. When a Jew kisses the Torah as it is led around the synagogue, most of us take his action as a token of loving piety, not as a signal for debauchery to begin.

psychic bisexuality

THE REAL POINT HERE IS THAT SYMBOLS OF MALE AND FEMALE, in religion as in psychology, are incredibly complex and should not be dismissed by simplistic pronouncements. Both Freud and Jung speak of a psychic bisexuality in all humans, and Jung is profound in his assertion that the symbol-making faculty that lies at the core of religion has legitimate needs to turn to symbolic formations that reflect both sexes. True, Jung's point of reference is Christianity, where the feminine symbolism is much more highly developed than it is in Judaism, but the symbolic worlds of aggadic literature are a lot richer than Freud would have thought in his assumption that Judaism is a cult devoted exclusively to the masculine super-ego. Perhaps we should welcome the presence of those feminine symbols of the sacred which are found in the prophetic books of the Bible as well as in our later literature. The gentleness of a loving mother-God might serve as a good counter-balance to the sometimes overbearing austerity of God as father, king and judge. Mother Rachel, Mother Zion, and widowed Jerusalem have done much to add to the warmth of our spiritual heritage.

And here we come to the gross historical distortion of Doctor Ostow's reading of the Kabbalah. One is utterly shocked to read him saying that

the reintroduction in the Zohar of the female divinity in the form of the personified Shekhinah represented an essentially antinomian maneuver which ultimately found expression in the antinomian eroticism of Shabbetai Zevi and in the heretical orgies of the Frankists.

To this one may respond only by the old-quip: *lo am ha-aretz mitnagged*. The doctor also claims to be a Jewish historian, if seems. Anyone who knows anything about the Zohar will realize the vacuousness of such a reading. Shekhinah in the Zohar is associated constantly with symbols of the law; Shekhinah is both *Torah shebe'al peh* and *middat ha-din*, rabbinic tradition and the just, ever punishing, aspect of the divine self. Can Doctor Ostow point to a single passage in the Zohar, or in the whole of early kabbalistic literature, in which the Shekhinah is in any way related to latent

antinomianism? Doctor Siegel tried to point this out to the doctor in the discussion by reference to Scholem, but to no avail. Doctor Ostow disagrees! "I do believe," he replies to Siegel; "that (the eroticism of the Zohar) provided both the precedent and the texts for the perversions which followed." We are very happy to know of Doctor Ostow's feelings concerning this matter, but he must realize that he is in disagreement with all scholarly opinion on the subject. The assertion that any introduction of the feminine into the sacred, or any eroticism—even of the most guardedly elevated sort—leads *ipso facto* to perversion (if I understand the claim correctly) may be a more interesting reflection upon the one who asserts it than it is instructive as to the history of Judaism. (This discussion is only debased further, I might remark, by Rabbi Graubart's ugly *gematria*, which really should not have been printed.)

Having dealt adequately with kabbalistic aberration, Doctor Ostow now returns to the area of halakhah, taking up an extended discussion of *niddah*. It is really not quite clear what he is proposing in this section, where he notes that many men fear the menstruating woman and that the sight of menstrual blood leads to male impotence, so therefore

among the men who will oppose the presence of women on the bimah will be many who fear that the menstruating woman will contaminate them (emphasis mine) and the sacred objects on the bimah, especially the Torah.

We all know that there is no basis in halakhah for the notion that a menstruant can defile a *sefer Torah* or any other (?) "sacred object" on the *bimah*. If anything, we should fight this unfounded superstition. If it is contamination of his own person that worries Doctor Ostow's hypothetical Yidl, I think he'd better stay out of our synagogue altogether. He could as easily become "contaminated" by sitting next to a woman or by shaking her hand after the service as he could on the *bimah*; such a person belongs in those *shtiblekh* of Me'ah She'arim which have separate entrances for women and foot-thick brick walls in front of the *mehitzah*, not in a Conservative synagogue.

Finally, we are given a warning, a warning which I imagine a female reader might take as a rather direct threat. The synagogue is a traditional area of male dominance. Since women are competing with men in the marketplace these days, and some men are feeling terribly threatened, better leave them their preserves of superiority—or else they will punish you with impotence.

The women naturally will ask why their self-esteem must be sacrificed in deference to those of shaky men. It seems unjust to recommend such a sacrifice, yet the society whose men have little self-respect and who are unreliable sexual partners is one which holds little gratification for women.

Better watch out, ladies—leave the men their little games of superiority, or else they won't be able to deliver what you *really* care about! I find this attitude one which debases Jews, both male and female. The synagogue should not exist to protect male insecurities, but as a place of prayer, study and communal gathering for all Jews. Let some other institution—the card game or the golf club—be that place where insecure males can cling to their threatened masculinity; that is not what the synagogue is all about.

Freudian determinism

LOOKING MORE GENERALLY AT DOCTOR OSTOW'S ARGUMENTS, and trying to find some thread which runs through all of them and joins them together, we can sadly note that what we find here is a highly deterministic Freudian position, presented in rather simplistic terms. Rather than working to overcome the insecurities and potential impotence of weak males, we should cater to their neurotic whims. Rather than seek to sort out the various strands of feminine religiosity, we had better leave this whole dangerous area aside. Doctor Ostow, of course, lends great comfort to the extreme right-wing of our movement. Rather than allow women a shared place in the existing liturgical life of Jewry, he vaguely proposes new and unique ritual areas in which women might take part. Knowing as he surely does that the evolution of authentic liturgical form can take centuries, he has effectively avoided any real confrontation with the changes that are needed. One wonders how he would feel about those decisions already taken by the Rabbinical Assembly to permit female participation in the service; all of his arguments would seem to militate against women in the minyan, having *aliyot*, and the like. Perhaps we should be thankful that he was not asked for his blessing at some earlier date.

There are any number of psychological approaches current in today's overflooded therapeutic marketplace. One is disappointed but not surprised to see that Freudianism of the most narrow and orthodox variety is that which has been chosen for comment on liturgical change in Judaism. Theological and liturgical traditionalists will naturally seek confirmation from the one whom they see as their counterpart in the psychiatric universe. In fact, however, this seemingly proper alliance is hardly fortuitous. Orthodox Freudianism has historically had little use for the continued survival of traditional religious forms; perhaps the doctor's willingness to leave the synagogue untouched really reflects a rather low estimate of the value of the liturgical enterprise altogether, as Ms. Hauptman began to point out. One must surely wonder how an analyst more influenced by a religious reading of the nature of the human psyche might react to our situation. If not a Jungian (for they are considered *dangerous*); how would an Erich

Fromm or an Abraham Maslow respond to the question of female participation in the liturgy? For those of us whose spiritual lives are influenced by Buber, Rosenzweig and Heschel, with their great belief in the possibility of *teshuvah* and human transformation through the discovery of true religious selfhood, the determinism of Freud must be regarded with great skepticism, surely not as the new *Torah min ha-Shamayim* around which we are to base our community of worship.

Linda R. Switkin

I APPLAUD *Conservative Judaism* (Fall, 1974) for publishing the symposium headed by Doctor Ostow. Indeed, it is of utmost importance to examine the psychological implications of extending equal rights to women. I write now not so much as a woman or a rebbetzin but as a psychologist. And as a clinical psychologist, I am appalled by the one-sidedness of the mental health point of view represented in this symposium. Even more distressing to me is that Doctor Ostow presents psychoanalytic concepts not as one opinion—however valid it may be—but as fact.

Let me now specify my criticism of Doctor Ostow's paper. He begins by assuming that the "drive for change receives a heavy contribution from individuals who . . . derive a perverse gratification from obscuring the differences between the sexes." The matter of sex differences, however, cannot be decided by rhetoric, neither by the feminists nor by the psychoanalysts; rather, it is an empirical question. Having done my dissertation in the area of sex roles, I am quite familiar with psychological findings on sex differences. And whether or not Doctor Ostow, Doctor Malev, or anyone else likes it, the research shows that there are some differences between the sexes but fewer than anticipated. Moreover, there is a very interesting mounting body of data which challenges the desirability of rigid-sex stereotyping, showing that sex stereotyping can be harmful psychologically to the male as well as to the female.

Nor does Doctor Ostow seem aware of new research which shows that sexual fantasies of women have been largely underestimated. If we are to consider sexual arousal toward women on the *bimah* as a problem, there is also the problem of women fantasizing about men. But surely both women and men have the capacity to regard one another as more than sex objects!

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