

Communications

WOMEN, KERI'AT HA-TORAH, AND ALIYYOT

TO THE EDITOR:

Rabbi Aryeh Frimer and Rabbi Dov Frimer (henceforth “the Frimers”) concede (“Women, *Keri'at ha-Torah*, and *Aliyyot*,” *Tradition* 46:4 (2013), 87) that, if not for “the honor of the congregation,” a woman could in theory receive an aliyya if she recited the blessings and then read from the Torah herself. This is an important concession. But they claim that when one individual [the *oleh*] recites the blessings and a different one [the *ba'al keri'ah*] reads, women can no longer participate. They wrote (90, my bold type):

Following the lead of *Magen Avraham*, the overwhelming majority of *posekim* rule that **neither a minor nor a woman** can serve as *ba'alei keri'ah*. They base their stance on the grounds that **women are not obligated** in *keri'at ha-Torah*, while minors bear, at most, a lesser obligation than majors.

The Frimers suggest that this prohibition is entirely independent of the issue of *kevod ha-tsibbur* and they reiterated in their conclusion (97):

Under the bifurcated *oleh/ba'al keri'ah* system, because women are not obligated in *keri'at ha-Torah*, they cannot read for others, nor can others read for them. Should they do so, the *Torah* reading benedictions may well be for naught. This conclusion is *me-ikkar ha-din* (the basic law) according to the overwhelming majority of *posekim* and has nothing to do with *kevod ha-tsibbur*.

This claim was an entirely new contribution to the discussion of *aliyyot* for women, it is the core of the authors' position; their footnotes cited a list of over 50 authorities in support of it.

A survey of all of these citations is outside the scope of this short communication. However, a systematic review of the most important of them, beginning with *Magen Avraham* who is described as the “lead,” evidences a position entirely different from the one claimed by the Frimers.

- In general, these authorities do prohibit a minor from serving as *ba'al keri'ah* but they are silent in the case of a woman.

- The Frimers have *assumed*, in their conclusion quoted above, that these authorities' rulings can be extended from the case of a minor to the case of a woman. But they have not made plain in their article that their conclusion relies entirely on this assumption.
- A careful reading of the authorities cited shows that the Frimers' assumption is invalid: these authorities' reasoning, in the main, *cannot* be extended from the case of the minor to the case of a woman reading from the *Torah* or receiving an *aliyya*.

As such, rather than carrying the support of “the overwhelming majority” of *posekim*, the Frimers' claim appears to be at variance with the majority: *Magen Avraham*, *Arukh ha-Shulhan*, *Tiferet Yisrael*, *Mishna Berura*, *Iggerot Moshe*, and R. Ovadia Yosef, as cited by the Frimers, all appear to take a different view. So does *Rema*, who is cited by *Mishna Berura*, and *Ran*, who is cited both by *Mishna Berura* and R. Ovadia Yosef.

It is not the purpose of this communication to claim that these authorities would have permitted a woman to be a *ba'al keriah* or an *olah*. On the contrary, they might well have forbidden the practice on the grounds of *kevod ha-tsibbur* or because of other public policy issues. However, their citation in support of the claim that the practice is forbidden *me-ikkar ha-din* (the basic law), quite apart from the problem of *kevod ha-tsibbur*, is incorrect.

Magen Avraham (O.H. 282:6) rules that a minor may not be a *ba'al keriah*. But he does not extend this ruling to a woman. On the contrary, he rules that women **are** obliged to hear *keriah* at *ha-Torah*. If his decision in the case of a minor is based on the concept of obligation, as claimed by the authors, it might be presumed that he does permit a woman to read.

Iggerot Moshe (O.H. II:72), as cited by the authors, presents a detailed and carefully-argued explanation of *Magen Avraham*. Addressing the case of a bar-mitsva boy who has learned the wrong parasha, R. Moshe Feinstein is asked whether the boy may be permitted to read the parasha which he has learned, on behalf of the community, even though its date falls before his 13th birthday.

In his review of the case, *Iggerot Moshe* quotes *Magen Avraham* but concludes that *Magen Avraham's* decision is not based on the concept of obligation at all. Rather, he explains that the *ba'al keriah* is the agent of the *oleh* and that *Magen Avraham* prohibits a minor from serving as *ba'al keriah* because a minor lacks legal capacity to act as an agent.

Of course an adult woman does, in principle, have capacity to act as an agent and *Iggerot Moshe* states explicitly, in the course of his analysis,

that a woman has capacity to read the Torah in public on behalf of the community. So it might be presumed that he too, were it not for the “the honor of the congregation” or other public policy issues, would permit a woman to serve as *ba’alat kerī’ah*.

In order for the Frimers to cite *Iggerot Moshe* in support of their view that a woman’s Torah reading as a *ba’alat kerī’ah* is invalid, they would also need to show that, in the view of *Iggerot Moshe*, a woman lacks legal capacity to act as an agent for this particular purpose. They fail to do this.

Finally, at the end of his responsum, *Iggerot Moshe* adds a comment which is completely unexpected. After ruling that an under-age *ba’al korei* may not read, even in an emergency, in line with the ruling of *Magen Avraham*, he writes:

If this causes great pain to the bar mitsva and to his family, and you wish to rule leniently, relying on those who allow it, one should not protest.

R. Feinstein, in other words, is prepared to put aside the question of the validity of the *Torah* reading and the possibility that blessings recited by the *olim* may be in vain, for the sake of the feelings of the *bar mitsva* and his family.

These separate elements of *Iggerot Moshe’s* responsum all pose difficult challenges to the Frimers’ thesis. Moreover, although the responsum is cited by them, it is not quoted in full and not discussed.

Mishna Berura (in *Sha’ar Tsiun*, 282:16) and a responsum from R. Ovadia Yosef (*Yehaveh Da’at*, 5:25), also cited by the authors, bring an entirely different explanation of *Magen Avraham*. Rather than using either the concept of agency or that of obligation, their explanation is based on the ruling of *Ran*, repeated by *Rema* and *Arukh ha-Shulhan*, that a woman or a minor may read some but not all of the required number of *aliyyot*.

They suggest that *Magen Avraham* prohibits a minor from serving as *ba’al kerī’ah* because, in this case, the minor would read all of the *aliyyot* and transgress *Ran’s* and *Rema’s* ruling. This is a far simpler explanation of *Magen Avraham* than *Iggerot Moshe’s*. But this reasoning too would neither prohibit a minor nor a woman from receiving *some* of the *aliyyot* to the Torah or reading *some* of them as *ba’al/ba’alat kerī’ah*, were it not for the issue of *kevod ha-tsibbur*.

Indeed, the community of Aleppo had a long-standing tradition to permit a minor to serve as *ba’al kerī’ah* for some or even all of the *aliyyot*. The acceptability of this practice in modern times was confirmed three years ago in a responsum from the current Sephardi Chief Rabbi of Israel, Rabbi Yitzchak Yosef. I wish to thank Rabbi Raymond Harari, Rosh

ha-Yeshivah of the Yeshivah of Flatbush, for sharing this unpublished wosonsum with me.

In addition to the citations outlined above, we note two other erroneous citations claimed by the authors to support their view that a woman may not serve as *ba'alat keriah*: *Arukh ha-Shulhan* and *Tiferet Yisrael*. *Arukh ha-Shulhan* (O.H. 282:9) appears to follow the reasoning of *Mishna Berura* as described above while *Tiferet Yisrael* (on *Megilla* 4:6) is entirely silent on the question of women as *ba'alot keriah*.

In summary, the authors' claim that "the overwhelming majority of *posekim* rule that neither a minor nor a woman can serve as *ba'alei keriah*" is inconsistent with the words of the most important of the *posekim* cited in support of it: a "majority" that excludes *Magen Avraham*, *Rema*, *Arukh ha-Shulhan*, *Tiferet Yisrael*, *Mishna Berura*, *Iggerot Moshe*, and R. Ovadia Yosef cannot possibly constitute a meaningful group.

Although *Magen Avraham* rules that women are obliged to listen to the Torah reading, he also mentions a relevant textual justification as a *limud zekhut* for the custom of the women of his locality to leave the synagogue entirely during the Torah reading. The Frimers could have said that since many *posekim* rule, contrary to *Magen Avraham*, that a woman is not obliged to hear the Torah reading then they would also rule, following the assumed logic of *Magen Avraham* but not his conclusion, that she would be ineligible as a *ba'alat keriah* as well.

However, *Magen Avraham* himself, although recognizing those who rule that women are not obliged to hear the Torah reading, does not extend his disqualification of a juvenile *ba'al keriah* to a female one. Rather, he quotes the opinion of *Rabbenu Tam* in *Tosafot* (*Rosh ha-Shanah* 33a) that women may recite the blessings over the Torah reading among the seven *olim* on Shabbat in spite of the fact that they are not obliged.

Rabbenu Tam is certainly writing during the period of the *ba'al keriah*. His citation by *Magen Avraham* most probably indicates that *Magen Avraham* views women's eligibility for Torah reading as a feature of the halakha which is independent of obligation: it *could* be explained by women's obligation to hear the Torah reading, but it could also be explained, following *Rabbenu Tam*, independently of any concept of personal obligation at all. In neither case would a female *ba'alat keriah* be disqualified and *Magen Avraham* does not suggest so.

Shulhan Arukh ha-Rav (O.H. 282:5) attributes the minor's ineligibility to serve as a *ba'al keriah* specifically to his lack of obligation in the matter. So, although he does not mention the case of a woman, his reasoning could easily be extended to support the Frimers.

The Frimers also present the view of Rabbi Yosef Dov Soloveitchik based on a summary of his *shiur* recorded by R. Herschel Schachter (mi-Bet Midrasho Shel ha-Rav, Hilkhot Keri'at ha-Torah, 30-31). R. Soloveitchik discusses the question of an *aliyya* for a blind man, who is necessarily exempt from any obligation to read from the Torah because he cannot see. *Shulhan Arukh* prohibits him to “read” from memory or to have an *aliyya* but *Taz* and later authorities permit it and it is normative practice today to allow it.

In the course of the discussion, after establishing that a woman's Torah reading remains valid in spite of the fact that she is exempt from the obligation to study Torah, R. Soloveitchik is presented (31) as stating that:

But, today, we require the mechanism of *shomea ke-oneh* from the reader to the one called up, as *Taz* writes . . . in order to say that *shomea ke-oneh* is operative, we require someone who is obligated and therefore a woman or a minor is ineligible to read today as a matter of law unless they say the blessings over their own reading. Thus our teacher taught.

There is no explanation as to why the mechanism of *shomea ke-oneh* should be inoperative in the case of a woman who is eligible in principle to read, while operating successfully in the case of a blind man who is forbidden to do so.

Furthermore, R. Yair Kahn, based on a different *shiur* (probably a later one) in which Rabbi Soloveitchik explained the *Rosh* differently, suggests that that this did not represent the entirety of the position of R. Soloveitchik. R. Kahn explains (see <http://www.etzion.org.il/vbm/archive/kriathatorah-kahn.docx>) that R. Soloveitchik interpreted the view of *Rosh* and *Shulhan Arukh*, who both require the *oleh* to read quietly with the *ba'al keri'ah* during the Torah reading as a result of their view, as interpreted by R. Soloveitchik, that the mechanism of *shomea ke-oneh* was entirely inoperative in any mitzvah that required reading from a scroll.

Accordingly, even nowadays, when a *ba'al korei* is employed, the *oleh* can only receive an *aliyyah* as long as he or she reads the *keri'ah* silently. *Rema* is willing to use the mechanism of *shomea ke-oneh*, based on the lenient position of Rabbenu Tam, to permit an *aliyya* for one incapable of reading such as a blind person. But this does not necessarily undermine the possibility of an *aliyya* for a woman, even if she were not considered obligated, assuming she read along silently with the *ba'al korei*, as stipulated by *Rosh*.

In summary, while it may perhaps be possible to interpret *Magen Avraham* as the Frimers have done, their interpretation appears to rest on a tenuous set of assumptions which are never made clear by the authors, and on a single halakhic source of questionable standing and limited application. These are very far from the “overwhelming majority of *posekim*” as claimed.

The honor of the congregation. Turning to the second issue, that of “the honor of the congregation” itself, the authors went on to state (103):

First, we should note that Maimonides, *Semag* and several later *posekim* are apparently of the opinion that in the specific case of women’s *aliyyot*, *kevod ha-tsibbur* [the honor of the congregation] can never be set aside, even *be-she’at ha-dehak* – i.e., even where there is no other choice available for performing the ritual.

Neither of these two leading authorities – Maimonides and *Semag* – makes any comment whatsoever as to whether the “the honor of the congregation” can be set aside. Maimonides (*Hilkhot Tefilla* 12:17, as cited by the Frimers *ad loc*) merely states that a woman should not read because of “the honor of the congregation.” *Semag* (Positive Commands, 19, as cited) is silent. Their advancement in support of the authors’ claim is misleading.

The authors’ footnote numbered 259 attributed their interpretation of Maimonides to *Ma’ase Rokei’ah*. But this source too is silent on the question of whether “the honor of the congregation” can be set aside. It merely states, without giving a reason, that Maimonides did not intend a woman ever to read from the Torah in public.

This may well be true: Maimonides forbids a father to teach his daughter Torah (*Hilkhot Talmud Torah* 1:13) and advises a husband (*Hilkhot Ishut* 13:11) that his wife should leave the house no more than once or twice each month in order to go to her father’s house, to a house of mourning, or to a celebration. The synagogue is conspicuously absent from this list of recommended destinations and we might deduce that Maimonides, unlike *Magen Avraham*, does not oblige women to hear the public Torah reading.

But our inference and *Ma’ase Rokei’ah*’s that Maimonides cannot imagine a woman reading from the Torah in public does not justify the authors’ claim that Maimonides would not allow the “honor of the congregation” to be set aside. In fact, in a well-known responsum (294) related to public Torah reading, Maimonides does permit the “honor of

the congregation” to be set aside and comments on the significance of this rabbinic phrase.

His responsum is addressed to a community that does not possess a kosher *sefer Torah* and has asked whether its members may read from a scroll that only contains one of the books of the Torah. The community also asks, in such a case, whether they should recite the customary blessings before and after the reading.

As a matter of normal practice, Maimonides forbids reading from a defective *sefer Torah* (*Hilkhot Tefilla*, 12:23, following the Talmud in *Gittin* 60a), because reading from such a scroll would infringe the “honor of the congregation.” The phrasing of this prohibition is identical to the phrasing of his prohibition of women’s Torah reading as cited above (*Hilkhot Tefilla* 12:17).

Yet, faced with the practical question of *she’at ha-dehak* – i.e., where there is no other choice available – he instructs the community that its members should read from the defective scroll that they possess. He assures them that a blessing should be recited, adding that it would be necessary if no scroll were available at all and the reading were carried out from memory.

He goes on to declare that the rabbis specified the “honor of the congregation” as the reason for their ban because the practice remained, in its essence, valid. If the practice had been invalid the rabbis would, in Maimonides’s view, have said so directly.

In summary, Maimonides would appear to permit the “honor of the congregation” to be set aside on at least one occasion and is clear that violation of the “honor of the congregation” does not invalidate the essence of the action performed. The attribution to him of the opposite opinion, based on citations which do not address the issue, is improper. Furthermore, the responsum cited above is well-known. It is difficult to understand why the authors did not include it among the hundreds of other sources cited.

The question of *aliyyot* for women raises important issues of communal policy and practice. These issues merit careful consideration and respectful debate: the question goes to the heart of the community’s core values and it tests the community’s ability to respond to modernity.

The sources uncovered by the Frimers speak powerfully to the essence of the issue – the nature of public Torah reading and women’s role in it – and provide evidence of the multiplicity and diversity of our rabbinic sources. If their analysis then restricts the breadth of this important debate, it does the public a disservice. Indeed, the Frimers themselves warn (121):

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The halakhic process has always been about the honest search for truth – Divine truth. To adopt one particular approach simply because it yields the desired result without grappling with the arguments and the standings of the other halakhic positions, is foreign to the halakhic process, and lacks intellectual honesty and religious integrity.

Public Torah reading is described in the Talmud in *Bava Kama* (82a) as a necessity for life, vital nourishment for the Jewish people. Given the challenges and pressures faced by today's communities, this nourishment is urgently needed. May it continue to reach ever-larger numbers so that the "great eternal voice" (*kol gadol ve-lo yasaf*, Deut 5:18) continues to be heard by the entirety of the Jewish world.

BENEDICT ROTH
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PS: In the interests of transparency and clarity, and in the service of any readers of *Tradition* who may wish to examine the sources and form their own views, I have posted the originals with full translations of all the sources cited, including R. Yitzchak Yosef's *teshuvah*, available at http://traditiononline.org/pdfs/Roth_Aliyyot_Response_Sources.pdf.

RABBIS ARYEH AND DOV FRIMER RESPOND:

We thank Benedict Roth for closely reading our lengthy paper and commenting on several points. His first critique deals with our citation of a host of sources (Frimer's, notes 176 and 177) in support of our contention that neither minors nor women can serve as *ba'alei kerit*. Mr. Roth points out that many of the leading sources we referenced exclude a minor without explicitly excluding a woman. This is true, but misses the point.

The thrust of Section VI of our paper demonstrates that the *ba'al korei* institution requires the reader to be inherently obligated in *kerit* at *ha-Torah*. It is this obligation which allows for *shome'a ke-oneh* or *shelihut* (Frimer's, 88) to effect the transfer of the *mitsva* action –reading the Torah aloud– from the reader to the *oleh* who recites the *berakha*. Without this transfer, the *birkhot kerit* at *ha-Torah* of the *oleh* are for naught. As the sources document, minors – who will eventually become obligated and who may have minimal obligation due to *hinukh* — lack sufficient obligation and cannot read for *olim*. Simple logic (*kal va-homer*) dictates that the same exclusion applies to women who have no obligation whatsoever.

Only one who is himself or herself inherently obligated can be a *shali'ah be-mitsvot*. One who is not inherently obligated cannot. So an *onen*, who is exempt from all *mitsvot aseh*, cannot be a *shali'ah be-mitsva* for a fellow Jew; a *katan* cannot be a *shali'ah be-mitsvot* (in most cases) for a *gadol*; a non-Jew cannot be a *shali'ah be-mitsvot* for a Jew; and a woman cannot be a *sheliha* for *keri'at ha-Torah* as she is not obligated. Nevertheless, regarding a *katan*, R. Moshe Feinstein (*Iggerot Moshe*, O.H., II, sec. 72, end; see others in Frimers note 177) was reluctantly willing to be lenient in a case where stringency would have caused great pain to a *bar mitsva* lad and his family (*she'at ha-dehak*). This is because there are minority opinions who are lenient basing themselves on the fact that, as noted above, a minor will eventually become obligated and may have minimal obligation due to *hinukh*. However, in the case of a woman, neither are true and, hence, she certainly cannot serve as a *ba'alat keria* for others.

We explicitly stated at the opening of note 176: "The following scholars completely prohibit a minor (and a woman, who is similarly not obligated) from reading for others." Perhaps, indeed, we might have made this more explicit by writing "The following scholars completely prohibit a minor (and by implication a woman, who is similarly not obligated) from reading for others." Most do not mention women simply because the reality of their getting *aliyyot* and certainly serving as a Torah reader was not a practical issue. But the responsa cited do state the guiding principle explicitly: if you are not obligated, you cannot be a *ba'al korei*.

Benedict Roth indicates that the view of *Magen Avraham* (O.H. 282:6) is that women are obligated in *keri'at ha-Torah* and that *Magen Avraham* offers nothing but a *limmud zekhhut* for the fact that in his own location women walk out for *keri'at ha-Torah*. Our reading of his gloss suggests that he is in doubt about this issue, with evidence on both sides of the issue. This reading finds affirmation in the *Mishna Berura*'s condensation of the *Magen Avraham* (*ibid.* no. 12) which concludes: "And women are not careful in this matter [of *keri'at ha-Torah*]. On the contrary, there are places where they are wont to walk out during the reading (*be-eit ha-keria*)." R. Moses Mordechai Karp, *Hilkhhot Hag be-Hag: Purim* (Jerusalem: Oraysa, 5791) addendum to ch. 3 n. 7, 213, suggests that *Magen Avraham* also agrees that women are not inherently obligated in *keri'at ha-Torah*. However, once *keri'at ha-Torah* begins, an obligation devolves upon them along with the men, since they are part of the *tsibbur* (community) present in *shul*. A similar interpretation is suggested by R. Yehuda Herzl Henkin in "*Mahu Kevod*

ha-Tsibbur,” *Ha-Darom* 55 (*Elul* 5746), 33 (see p. 39) and *Resp. Benei Vanim*, II, no. 10 (see p. 42). This also seems to be the position of R. Chaim Kanievsky, cited by R. Yisroel Taplin, *Ta’arikh Yisrael*, sec. 17, no. 3, n. 5*. R. Simeon Sofer (Arloi), *Resp. Hitorerut Teshuva*, I, end of sec. 5, argues that *Magen Avraham* too agrees that women are inherently exempt from *keri’at ha-Torah*; he only obligates them because walking out would constitute *bizayon ha-Torah*. The latter approach is at odds with the *Mishna Berura*’s statement that the women walk out *during* the reading. None of these readings of the *Magen Avraham*, though, would allow for a woman to read from the Torah or receive an *aliyya*. Once again, absent inherent obligation a woman cannot read for others or have others read for her.

Mr. Roth concludes his first critique by citing the long standing tradition of the Aleppo community to allow minors to serve as Torah readers. We have already discussed this issue in our response to a similar comment by R. Henry Hasson [*Tradition*, 47:3 (2014), 89-96]. As we noted there, as a rule, leading Sefardic *posekim* have come out against this phenomenon quite forcefully.

Mr. Roth notes our disagreement with R. Yair Kahn regarding R. Soloveitchik’s understanding of Rosh, arguing that according to Rosh’s approach women could receive *aliyyot* – *kevod ha-tsibbur* aside – provided they read along. With all due respect to our dear friend and respected colleague R. Kahn, our presentation of R. Soloveitchik’s position (discussed at length in Frimers, notes 172 and 181) is based on an audio tape of R. Soloveitchik’s *shiur* and, equally important, on the repeated conversations we held with R. Aharon Lichtenstein regarding the view of his father-in-law, the Rav. As R. Soloveitchik himself notes, while we advise *olim le-khattehila* to be stringent and read along quietly as required by Rosh, in practice we rule like Maharil (and R. Tam) who dissents and requires *shome’a ke-oneh* between the *ba’al korei* and the *oleh*. R. Aharon Lichtenstein (personal communication, 21 Nissan 5772; April 13, 2012) underscored that the accepted *pesak halakha* is completely in accordance with the view of Maharil not Rosh – *bein le-kula u-vein le-humra*. Hence Mr. Roth’s conjecture is inconsequential.

Rambam’s (*Hilkhot Tefilla*, 12:17) ruling regarding women’s *aliyyot* states: “A woman may not read because of the honor of the community.” The terseness of this ruling as compared to the Talmudic statement has led many leading scholars (not just the *Ma’ase Roke’ah*; see Frimers, note 259) to conclude that Rambam maintains – in the case of women’s *aliyyot* – that the honor of the community cannot be set aside. There can be little

doubt that this is in fact the most straightforward understanding of Rambam's ruling. Benedict Roth attacks this conclusion from a responsum of Rambam where he was more forthcoming in the case of using an imperfect or incomplete Torah scroll, also normally disallowed because of *kevod ha-tsibbur*. But there is no contradiction here at all. As we demonstrate in our paper, there are different types of *kevod ha-tsibbur* (see Frimers, section VII and note 222), and whether it can be set aside depends on the particular case. Thus, the fact that Rambam opposes setting aside the community's honor in the case of women's *aliyyot* does not necessarily have bearing on his stance regarding using an imperfect Torah scroll and vice versa. Not every *kavod ha-tsibbur* is cut from the same cloth.

Mr. Roth's suggestion that Rambam (*Hilkhos Ishut* 13:11) disapproved of women's *aliyyot* because he opposed their leaving their home is untenable. Rambam felt it immodest (in his times) for women to needlessly and excessively venture into the public thoroughfare. But even in that very ruling, he specifically refuses to place any limits on a woman's ability to do *mitsvot*, such as visiting her parents, mourners, or those in need of acts of kindness — despite the necessity to leave the home. The synagogue was certainly not out of bounds.

As to the similar position of *Semag*, our analysis is supported by a cadre of leading *aharonim* cited at length in note 260 of the article. One must not look at the *Semag* alone while ignoring the super-commentaries which examine and clarify the issue.

In summary, after studying Benedict Roth's criticism in depth, we believe that our conclusions remain correct as presented.

WOMEN AS CLERGY

TO THE EDITOR:

Tradition is to be commended for publishing challenging and thoughtful essays on the contentious issue of Women's Spiritual Leadership In Orthodoxy (49:1, Spring 2016). I hold no brief here for the adoption of any of the new titles or disputed roles that have been advocated by liberal segments of the Orthodox community. However, I did find some of the rhetoric in R. Kenneth Auman's essay disconcerting.

R. Auman presents a sharp dichotomy between those in the Orthodox camp who maintain traditional views and reflect "Judaism's *weltanschauung*" and "Torah values" while those advocating for innovations

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such as women's ordination as driven by the need to "satisfy feminist/egalitarian sensibilities" and the "elevation of the values of the western world over those of the halakhic world." This neat demarcation of the fault lines certainly casts those advocating for change in a less than sympathetic light. However, casting aspersions on the motivation of one's ideological opponents is neither fair nor productive.

Like many multi-faceted movements, there may indeed be some in the ranks who are motivated by pure egalitarian motives. (Though, clearly those who operate in an Orthodox ambit and are deeply committed to halakha do not practice a pure egalitarianism in religious life nor advocate for it). However, many other sincerely committed Jews and rabbinic figures have expressed both in writing and in public conversation that they are motivated by deeply rooted Jewish and Torah values such as recognizing the *tselem Elokim* in each human being, *kevod ha-briyot*, *la'asot nahat ruah le-nashim*, to help preserve *kevod ha-Torah*, and to enhance *shmirat ha-mitsvot*.

Now, one is fully entitled to disagree with applying these broad categories in this instance or to argue that other Torah values trump their application in this instance. And many have done so. Moreover, as with so many complex issues that human beings confront, we are often driven by a plethora of factors, some conscious and some subconscious. But this may hold for all participants in these debates on all sides of the issues.

What this yields is that we need a full accounting and engagement with the "other" and their deeply held perspectives with generosity and empathy, on all sides, if we really seek to avoid the schisms that R. Auman is concerned with. Moreover, once one ignores the stated motivations of one's opponents and consigns them entirely to be driven by these "agendas" foreign to Torah, one opens the door for that very weapon to be turned towards one's own motivations. Namely, are those opposed to innovations in the area of women's spiritual leadership truly driven only by halakha and concern for tradition and continuity or maybe it is also about power, patriarchy, etc.? More nuance and appreciation of each perspective would certainly help in bringing people to more discussion and possibly even moderation in the steps they take.

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TO THE EDITOR:

For all their apparent differences, the writers on women in leadership positions in the last issue agree that women's contributions to our communities are invaluable and merit support and that true leaders establish themselves more through their capabilities and commitments than through their formal credentials.

Disagreement centers on the rabbinic title and conferring of rabbinic ordination, *semikha*. But women's seminaries have been "conferring" rabbinic title for decades now without any controversy—to men without *semikha* who teach in them. The summer before he began training for *semikha*, my husband received rabbinic title from his local synagogue because that was de rigueur for any man teaching a weekly shiur. Given how liberally many men use or grant the title, one could be forgiven for forming the impression that it is the women who seek rabbinic title who most venerate it. More important, one wonders if the current *semikha* models are so successful that women's programs should aspire to replicate them.

Perhaps a more effective approach to this issue would be to reevaluate current Orthodox religious leadership and educational models as a whole in light of community needs. What should religious leaders of today know and what qualities should they develop? Is our community best served by its leaders in training spending more time learning *Yoreh De'ah* than *Orah Hayyim*? Or by their studying halakha nearly exclusively, at the expense of training in other areas of Torah, such as Jewish philosophy?

Rabbi Adlerstein's suggestion for developing additional, alternate training and certification for community leaders might be fitting for both men and women. Nishmat's *yo'etset halakha* program, of which I am a graduate, could be a good model as well, in its integration of traditional textual learning in one specialized area with supplementary studies in medicine, counseling, and related fields.

Also worth considering is whether the widespread focus on certification, oftentimes at the expense of more open-ended paths to religious growth, deserves pride of place in educational institutions for men or women.

LAURIE NOVICK
Efrat, Israel

TO THE EDITOR:

I appreciated the chance to read the articles in *Tradition* devoted to exploring new developments in women's religious leadership roles. They were thought-provoking, leaving me with as many questions as answers.

TRADITION

My personal inclination is often to find ways to finesse differences and find a path towards 80% of what one wants that coincides with 10% of the controversy. Dr. Joel Wolowelsky's article is an eloquent articulation of what that could look like. Dr. Wolowelsky, who has written on these issues for decades (and whose writings I have appreciated for many years), has staked out what common sense and a search for common ground could endorse and support.

I actually wonder how many of those who accept some sort of female religious leadership such as *yo'atsot* do not also endorse maharats and more rabbinic leadership roles. Those who are comfortable with some, but not all, models of contemporary Orthodox female religious leadership include much of the rabbinic leadership of Centrist Orthodoxy and some of my own teachers, and so that perspective looms large. We would be wise not to over-estimate how mainstream this "mainstream" position truly is within North American Orthodoxy.

The submission by Rachel Levmore is a fascinating, even gripping, depiction of the multiple ways that women in Israel exercise religious leadership. The contrast with developments in North America is a striking and explicit frame for her piece, yet Levmore never truly interrogates nor fleshes out the differences between American and Israeli Judaism that to me seem at the core of understanding the different leadership paths – and paths to leadership – that have been pursued in North America and in Israel. For example, the congregational rabbi, as we function in North America, is a profession that does not exist in Israel. Moreover, Israeli state-religion has led to the secular Supreme Court and Parliament serving as crucial tools in expanding female leadership.

Rav Lichtenstein's *zts"l* submission is an exemplary display of his open-minded conservatism. The essay is permeated with a bedrock respect for tradition, but also with a tentativeness that emerges from a recognition that our perspectives are in flux and that solutions that worked for one generation may not work for others. More than Talmudic analyses or observations about sociology or religious life, I struggle to articulate for myself and convey to my community that combination of unselfconscious reverence for tradition and open-minded humility that recognizes that each moment and each new encounter with another person has the potential to shape our opinions and to see old questions in new ways.

His voice is truly missed.

(RABBI) DAVID WOLKENFELD

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RACHEL LEVMORE RESPONDS:

The comparison between Judaism, its sectors, practice, and practicalities within the United States (where it is a private, individual, or at most a community matter) as opposed to the intricacies of the Jewish-Democratic State of Israel is indeed a fascinating subject. Not only is it crucial to understand the dynamics in both countries to know how to navigate Israel-Diaspora relations, but –as David Wolkenfeld rightfully points out– to be able to discern the differing sociological developments which ultimately impact Orthodox practice and even halakha.

Although this is a subject too vast to have treated in my article, much less in a brief comment, I will expand upon one point to which was alluded. While both figures of rabbinic authority in each locale go by the same title “rabbi,” the functions of a Diaspora rabbi throughout the ages underwent core changes with the establishment of the State of Israel.

A Diaspora rabbi wears many hats: shul *rov*, pastoral confidante, *posek* if a chicken is kosher, *mesader kiddushin*, *daf-yomi* and *shiur* teacher, perhaps even a rosh yeshiva, *mesader gittin*, *posek* on *niddah* questions, marital therapist, arbiter of neighbors’ disputes, eulogist and instructor for *shiva*, moral guide, and general recognized leader chosen by the community which pays his salary. However, with the institutionalizing of the “rabbinate” in Israel came a separation of powers. The many rabbinic roles and functions were split so that no one individual could fill them all. The functions were dispersed between official institutions or volunteers: A rosh yeshiva does not rule on the kashrut of chickens; practical rulings over kashrut was entrusted to *mashgibim* employed by the religious councils who are not spiritual leaders. The religious council is responsible for burial services, *eruv*, and marriage registration. To act as a *mesader kiddushin* in Israel a rabbi would have to pass a licensing exam (it is a criminal act to be *mesader kiddushin* if one is not properly authorized by the rabbinate). To sit on a bet din and deal with divorce is the job of a State-appointed *dayyan* (who is prohibited by law to receive an additional salary as a community rabbi). The rosh yeshiva or school rebbe is not a community rabbi; the city or neighborhood rabbis (who are appointed from above) are not familiar with the thousands of families who live within their purview so they cannot offer pastoral or marital counseling; moreover, those rabbis are prohibited by law from ruling in matters of divorce, or arranging a *get* or a conversion.

Perhaps it can be posited that a woman taking on one of these rabbinic roles in Israel simply is not a threat to the concept of the rabbi as the all-encompassing leader. Furthermore, this separation of powers allows for incremental change (one rabbinic function at a time in various fields)

which is more in keeping with the historic “tradition of change” in Jewish tradition.

The lack of separation of religion and state, indeed the intertwining of them, in Israel does bring about unusual developments. There is a story about Dr. Yosef Burg, ז”ל – long-serving religious-Zionist leader who served in the first eight Knesset sessions and Israeli cabinets – who was well known for his witticisms and incisive remarks. One day reporters caught up with him and asked the question: “Dr. Burg, what is of greater importance in the Jewish-democratic state, ‘Jewish’ or ‘democratic’”? Dr. Burg’s reply: “The hyphen.”

I feel that we in Israel straddle the hyphen every day, struggling to keep our balance while simultaneously bolstered by both sides.

JOEL B. WOLOWELSKY RESPONDS:

I thank David Wolkenfeld for his kind words and join him in expressing how much we all miss the voice of Rav Lichtenstein זצ”ל in this and all our communal conversations.

I surely endorse Laurie Novick’s observation that the Nishmat *yoetset halakha* program is a good model of integrating traditional textual learning in one specialized area with supplementary studies in medicine, counseling, and related fields. Indeed, I think it is a model for additional programs in other areas. For example, women who are involved in their community *hevra kadisha* might be interested in a textual program in *avelut* with supplementary studies in medicine, counseling, and related fields.

In introducing the previous issue of *Tradition* to the readers of *Torah Musings*, the editor characterized what I wrote as follows:

Semikha has a colloquial meaning so anyone whom the public sees as a rabbi should be called one. He doesn’t actually say that women should be called rabbis but that seems to me to be the article’s point.... I would say that disingenuous fairly characterizes the argument that since secular American courts consider *rebbetzins* to be clergy, therefore women should “pursue advanced study of the laws of *Shabbat*, *kashrut* and *nidda* [and] receive certification when they successfully complete their study.” One could easily argue the exact opposite, that women do not need certification in order to be considered clergy. Or more importantly, that secular American courts are irrelevant and merely a red herring in this discussion.¹

¹ <http://www.torahmusings.com/2016/07/new-periodical-tradition-491/>

Such a gross misreading of what I actually wrote –unintentionally, I assume– shows the need for me to spell out more explicitly what I had written.

True, there is no significance in the fact that a secular court recognized rebbetzins to be clergy. However, what is significant, I had said, is that the Portland Kollel, with the encouragement of Agudah, argued that its rebbetsins are clergy. The Mo'etses Gedolei HaTorah had stated that “placing women in traditional rabbinic positions departs from the Jewish *mesorah*, and that any congregation with a woman in such a position cannot call itself Orthodox” –and traditional rabbinic activities surely include giving advice on Jewish law and offering general pastoral guidance and support. Yet the Kollel argued that the “rebbetzins have taken on pastoral responsibilities independent of, but commensurate with, those of rabbis.... [and] they serve ably as pastors and confidantes to the women who seek out their wisdom, expertise and advice on matters of Jewish Law and tradition in a manner similar to how men consult with rabbis.”

Moreover, it pointed out that rebbetsin is not a title that simply reflects the status of her husband. It is a title earned by education and position, and “a rebbetsin can be so defined even if the woman is not the wife of a rabbi. There are several examples of renowned rebbetsins whose husbands are fine upstanding Jews but not rabbis.”

Surely this suggests that a woman who has earned a title based on her education and position –be it *rebbetsin*, *rabbanit*, *maharat*, clergy, or whatever– and who, while not serving as the *mara de-atra*, works in a synagogue “with pastoral responsibilities independent of, but commensurate with, those of rabbis... [including] offering advice on matters of Jewish law” is not departing from the Jewish *mesorah*. (I had purposely left out of my discussion the issue of a woman being a *mara de-atra*, looking –as David Wolkenfeld noticed– for those areas in which we can agree.)

I suggested that women who are in such community positions would be best served by getting a good grounding in the halakhot of *Shabbat*, *kashrut*, and *nidda*. I am not sure how anyone in our community could disagree with attaining a solid education for professional duties. Some in the haredi community do oppose advanced study in Talmud and halakha for women on halakhic grounds –but not those of us who support the various wonderful programs of such studies in Israel and America. And I hope that no one agrees with the member of the Mo'etses Gedolei HaTorah who said that such study would be like training those whose hands quiver to be brain surgeons.

It is true, of course, that neither men nor women need certification in order to be considered learned individuals. But as Laurie Novick reminds us, a community often awards that recognition to men with a title even though they do not have a formal certificate. One would expect the same with recognizing learned women.

But that does not necessarily mean that their titles should be identical. Rabbi can refer to a learned individual or a *mara de-atra*. Using that title for women creates confusion that unnecessarily waves a red flag, while rabbanit or rebbetsin allows people to look the other way if they are unsure about the unfolding process. I think R. Riskin was wise in not including any title in the *semikha* he awarded, certifying educational accomplishment but letting the title arise naturally. Rabbanit has proven to have wide acceptance, at least in Israel, as I pointed out. For example, the female members of Rabbanei Bet Hillel are called rabbaniyot. More recently, when Jerusalem's Ramban Synagogue, led by R. Benny Lau, appointed a female "spiritual leader" (basically the equivalent of assistant rabbi who "will also fill in for Lau's various duties when he is away, as well as giving religious lessons, religious guidance to members and similar tasks"), the title she uses is rabbanit.² (Interestingly, this is acceptable, at this stage, to the editor of *Torah Musings*, choosing to view it as "a formalized Rebbetzin position for a learned woman who does not have a pseudo-rabbinic degree; this is not a rabbinic position... Presumably, she will not be giving the *derashah* during *davening* nor selling the *chametz*, both of which have little halachic significance but represent traditionally rabbinic functions."³)

I do not think this issue of title is a trivial one, but (if I may create an analogy) I think one might well argue that female thespians are better served by working for an Emmy or Oscar award rather than debating whether they should be called actors or actresses.

And as we are talking about the importance of titles and resolutions about them, it might be interesting to also note a resolution of the UOJCA in 1976 under the heading of "Ethics" that stated that "all individuals who may have rabbinic ordination but are not serving in the pulpit or working full time in Jewish education or communal work to refrain from using the title 'Rabbi' and to eschew any privileges attached to this title."

² <http://m.jpost.com/Israel-News/Ramban-synagogue-in-south-Jerusalem-appoints-a-woman-to-serve-as-spiritual-leader-464756>

³ <http://www.torahmusings.com/2016/08/daily-reyd-657/>