

# Sh'ma

## *a journal of Jewish responsibility*

10/187, FEBRUARY 8, 1980

### **Conservative judaism and women rabbis**

*Seymour Siegel*

On December 20, 1979 the Faculty Senate of the Jewish Theological Seminary of America adopted the following motion:

*For the past two years the prospect of a vote by the Seminary faculty on the question of ordaining women has preoccupied the attention of the Conservative movement. As the time for the vote draws near it is abundantly clear that the question has provoked unprecedented divisions at every level of the Movement. The bitter divergence of opinion threatens to inflict irreparable damage to the academic excellence of the Seminary and the pluralistic unity of the Rabbinical Assembly. Accordingly, we move that the question be tabled until such time as a balanced committee of talmudic scholars to be appointed by the Chancellor has completed a systematic study of the status of women in Jewish law. The proper resolution of the ordination question can be achieved only within this larger context. It is our hope that publication of the committee's findings will not only serve to sensitize our constituency in the nature of the halakhic process but also contribute to the formation of a consensus on the issue.*

The adoption of this motion by a vote of twenty-five to nineteen meant that for the foreseeable future women would not be admitted to the ordination program at the Jewish Theological Seminary. After the meeting, the Chancellor of the Seminary, Professor Gerson Cohen announced that he could see no value in appointing a committee.

The twenty-five member majority who voted for the resolution was made up of two groups. Sixteen had announced previously that they were opposed to the ordination of women. They had addressed a letter to the Chancellor which they also sent to all members of the Rabbinical

Assembly announcing that they would, in principle, boycott any vote on the issue in the Faculty Senate. They claimed that the ordination issue was an *halakhic* problem and should be decided only by *halakhic* scholars. Since most of the renowned talmudists on the faculty were among the sixteen announced opponents, turning the issue over to "*halakhists*" meant that it would be buried. These sixteen were joined by another group which said that though they were in general favorable to women's ordination, they did not want to risk a split in the faculty and in the movement at this time. Therefore, they joined the "sixteen" in passing the motion for tabling.

Previous to the meeting on December 20 a group of some one hundred fifty members of the Rabbinical Assembly met in a well publicized meeting held in New York in which strong opposition to women rabbis in the Conservative movement was expressed. The meeting was addressed by five of the professors of Talmud at the Seminary. By all accounts the opponents were in the minority both in the Rabbinical Assembly and in the faculty. However, they succeeded, for the time being at least, in preventing the adoption of the ordination proposal.

The arguments of the women's ordination recommendation generally based themselves on grounds of *halakhah*. Though they could not cite any convincing argument against women rabbis *per se*, they argued that some of the conventional duties of rabbis such as being *sh'lichei tsibur* (delegated to lead congregational services) and serving as witnesses were forbidden by traditional Jewish law.

### **Halakhic Changes Made In Past**

The proponents argued that since the *halakhah* did not forbid women rabbis, there was no reason to deprive women of the opportunity to serve as spiritual leaders. The *halakhic* questions raised by the other side could be solved. Others in the pro-ordination group based their views on ethical grounds. It was unfair to deprive women of the right to be rabbis just because they were women. Jewish law and practice should reflect the deepest values inherent in Jewish tradition.

In the past decades Conservative Judaism introduced important developments in *halakhah*. These included the invoking of the powers of annulment of marriages in order to solve the *agunah* question (the woman whose divorce was administratively unfeasible); permission for a *kohen* (priest) to marry a divorcee or a proselyte; permission to

use an automobile on the *Shabbat* in order to get to a synagogue if there was no other way to do so; allowing the use of wine and cheese, without rabbinic supervision, to name a few. Most striking were the responses to women's request for fuller participation in the life of Judaism: *aliyot* for women, counting of women in the *minyan*, admission of women to all the courses at the Seminary (excluding, of course, ordination upon their completion) and the appointment of women scholars to the faculty of the Seminary. None of these changes were incumbent on any particular community. Those rabbis and congregations who felt that the recommendations were unacceptable, were encouraged to assert their authority as decisors on questions of Jewish law. Yet the recommendations were gaining wider and wider acceptance. Though there had been strong differences of opinion before, the ordination of women issue did arouse a degree of emotion which other issues did not.

Why did this happen? It seems to me that there are several reasons. One of these has to do with the nature of the Seminary faculty. The other involves the *symbolic* nature of the ordination question.

#### Modern Western Values vs. Traditionalism

For the first time, the Seminary faculty was called upon to decide a question of Jewish law bearing on policies within the Conservative movement. The faculty of the Seminary, which is made up of eminent scholars, does reflect a wide spectrum of opinion on Judaism. A good number, especially those who are pre-eminent in talmudic and rabbinic studies have not been full participants in the ongoing life of the Conservative movement. They are extremely traditional, even Orthodox. They were, therefore, not amenable to being party to the introduction of a change which did represent, whatever its *halakhic* implications, a startlingly new approach. They found their natural allies among those in the Conservative rabbinate who were in general resistant to innovation. With political skill, the alliance of the traditionalists on the faculty and in the Rabbinical Assembly were able to prevent the adoption of the resolution to ordain women.

The ordination issue has assumed *symbolic* character which apparently other issues within the Conservative movement have not achieved. The problems and challenges emerging out of the movement for women's rights have posed deep dilemmas about the trends within our culture.

The feminist demands are part of a movement throughout the world to remove deficiencies and injustices which have characterized society for centuries. Status born of biology has been part of most cultures — including the Jewish culture. Many of the status differentiations are justified and even imperative. Jewish life could hardly continue if we did not recognize the inherent differences between Jews and non-Jews, for example. However, status-differentiations based on gender have come under severe attack. Women have won important gains in this area, gaining access to positions which had been closed to them in the past. The victory of the women's movement represents a breakthrough of modern sensibility over and against more traditional views. Therefore, resistance to women's enfran-

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chisement in my judgement is an expression of a rejection of today's cultural developments, in general. This is expressed in the strong hostility to women rabbis in the Conservative movement.

#### Next Step To Come From Outside Seminary

What will happen now? It is hard to predict with any degree of certainty. However, it is likely that the next battleground will be the Rabbinical Assembly. One third of that organization's membership is made up of people not ordained at the Seminary. It is probable that a woman now serving in a conservative congregation having been ordained elsewhere will apply for membership in the Rabbinical Assembly. There will be a battle over admitting her. It seems more than likely that the first Conservative woman rabbi will not be one ordained at the Jewish Theological Seminary.

It is now up to the lay and rabbinic members of the Conservative movement to make their opinions known to the leadership of the Seminary. It is unlikely that the faculty will undertake a bruising controversy over women's ordination again unless there is strong pressure to do so outside of the Seminary. As one who fought long and hard (though unsuccessfully) for the ordination of women, I await strong expressions of support for the admission of women to the Conservative rabbinate. Such vigorous expression plus the workings of the Holy Spirit will, most likely, finally move the learned members of the Seminary faculty to do the right thing.

### Beyond ordination: the procedural aspects

*Jose Faur*

The debate about ordination involves two totally unrelated areas. First, the intrinsic merits of the issue itself: whether it is permitted according to *Halakha*, how would it affect the academic standing of the Jewish Theological Seminary, and its impact on the Conservative movement both in short and long range terms. Secondly, the procedural methods by which the question of women's ordination was presented. To my mind, as significant as the first area may be, it is only peripheral to the overwhelming area of procedure.

The presentation was faulty in the *packaging price tag* and *timing*. About the *packaging*, there was a

total lack of comprehension concerning the leg-work essential for a successful presentation of such an issue. Specifically, no effort was made to develop the kind of criteria and standards that would, after a more or less intelligent discussion of the subject, allow for arrival at a general consensus. Surprisingly, no neutral body was established or charged with the supervision of such a discussion, the promotion of good will among the participants, the establishment of a forum where both sides could air their complaints, or even the arrangement of informal meetings between members of both groups to discuss their views in a relaxed atmosphere. Finally, the "rules of the game" were never defined. No one bothered to spell out the canons that would regulate the decision-making process. This is why people on both sides of the issue felt that the "others" were guilty of "abuse" and "manipulation." In truth, disharmony and strife were intrinsic to the very *way* in which the subject was presented. From its inception, this presentation effectively excluded even the possibility of a *rational* disagreement.

The *price tag* attached to this issue was grossly inflated. It reached eschatological dimensions. The Messiah — depending on your decision on this matter — will either come or forever refuse to look us in the face. This price-tag effectively excluded any sober, objective assessment of the issue at hand.

Lastly, the *timing*. The plight of the Jewish woman has been grossly underestimated. Although we had a Jewish woman occupying the position of Prime Minister, we have yet to see a woman heading a major Jewish organization or becoming the chancellor of any of the rabbinical schools of the three branches of Judaism. Very few Synagogues have elected women as their presidents, and none of the prestigious chairs in the field of Judaica have been filled by a woman. Likewise, there are no courses teaching the plight of the Jewish woman through History, and its disastrous consequences for the welfare of the community. Indeed, the question of the status of women in Talmudic and post Talmudic times has yet to be studied seriously. In the field of ritual it is shocking to discover the deliberate misinterpretation of sources, to the detriment of women. The situation of the *aguna* is nothing less than a national embarrassment. To neglect the above and proceed to examine the feasibility of women's ordination is a travesty; another instance of the callous attitude towards women's real needs and sensitivities.