

Portland State University
Women's Studies 399
Fall 2005

Women, Sexuality and Jewish Law: An Introduction
Rabbi Jonathan Seidel PhD

A comparative and historical survey of women, sexuality, and Jewish law from the perspectives of religious studies, anthropology, history, literary and cultural studies. Topics include marriage and divorce, the status of the witch and the sorceress, Niddah (menstrual status), clothing and cosmetics, and women's religious life including prayer groups, Torah study, wearing of tallit and tefillin, and new women-originating liturgies and rituals. We will also look at various traditional customs around pregnancy, miscarriage, birthing, and childbearing in Jewish folk tradition. Our course traces the development of rabbinic legal and folk discourse about women during the course of late antique medieval and modern culture. Readings from the Bible, Talmud, Zohar, ethical, *responsa* (answers to legal questions) and law code literature as well as contemporary authors We will also view films and welcome guest speakers and sing some traditional and contemporary songs.

Rachel Biale, *Women in Jewish Law*

Rachel Adler, *Engendering Judaism*

Halpern and Safrai, eds, *Jewish Legal Writings by Women*

Elisa Klapheck, *Regina Jonas, the first Woman Rabbi*

Recommended: Grossman *Pious and Rebellious*; E. Baumgarten, *Mothers and Children*

Classwork combines lectures, films, contemporary music, and partnership study of texts (halakhic, rabbinic responsa, and civil law)

Requirements:

- Regular attendance and preparation of readings 20 %
- 1 Response paper 10% due third week
- Midterm 30% (consists of one five page essay)
- Final Project and Presentation (presentation and paper of 15 pages) 40%

1. Approaching the History of Halakha today and women's studies. The history of research and the remarkable changes in gender and women's studies. Examples from the Bible and Talmud about women in society: as wives, mothers, witches, healers and and "heroines". Defining "Sexuality", "holiness" and other key terms.

2. The Basic status of women in Jewish law. Readings from the Mishnah and Talmud. The problem of "Chattel or Person" and the issue of women in Judaism from the perspective of the social sciences and the history of religion. Exploration of the topic of Niddah and how Rabbis and women cooperated and struggled around the issue of menstruation and sex in Jewish law. Readings from Tractate *Niddah* and *Kiddushin*

3. Tzinut (Modesty) the Question of Women's Dress, Hair, and the "Hirhur" of the Male. Anxiety, tension and ascetic tendencies in Talmudic and medieval Jewish sources. Readings on Tziniut, Sheitels (Wigs) Hair and Dress. The tension between Halakha and Minhag (Law and Custom) Reading: Avraham Grossman *Pious and Rebellious* chapter five - "Feminine Modesty and Women's Role in Supporting the Family"

4. Marriage - The legal status of women in marriage and changes in Jewish law from biblical to early medieval times See - Readings from Rachel Biale, responsa literature and Elisheva Baumgarten *Mothers and Children*. The changing role of the marriage ceremony and the halakhic nature (or not) of Brit Ahava or blessing ceremonies for gay couples. Recent Conservative and Reform response on this issue will be passed out. See Rachel Adler, *Engendering Judaism*

5. Torah Study, Tefillin and Tzitzit: the basic commandments - may women partake of what has been established as a culturally male practice? Readings from Mishnah, Talmud, Halpern and Safrai and other current thinkers on this issue.

6. Abortion, Birth Control, the Pill and Halakha - A brief survey of halakhic attitudes and women's control of their own bodies in medieval and modern society (readings in Halpern and selections from David Feldman, *Birth Control and Abortion in Jewish Law*

7. Divorce through the ages and the problem of the Agunah: ancient and modern solutions - how women might initiate divorce. Wife beating and abuse in the Jewish courts; contemporary halakhic solutions to age old problems. See the articles in Rachel Elijor (ed.) *Men and Women: Gender, Judaism and Democracy* (Jerusalem: Van Leer Institute 2004)

8. Women in Leadership and the Rabbinate: Halakhic considerations based on the case of Regina Jonas and the women entering the Rabbinate in the Conservative Movement in the 1980's

9. Consideration of the "Reformation of the Halakha" - a close reading of Rachel Adler's Book, *Engendering Judaism* See also Tamar Ross *Expanding the Palace of Torah*

10. Review of Current Political and Legal Issues concerning Jewish women. Class presentations and discussion including further discussion of Gay Marriage, Orthodox women and Semikah, etc.