The Status of Women in Jewish Tradition

Most ancient societies were patriarchal in outlook, but not all patriarchies are equally condescending toward women. Impelled by the gnawing question of whether the inferiority of women is integral to the Torah's vision, Isaac Sassoon sets out to determine where the Bible, the Talmud, and related literature, especially the Dead Sea Scrolls, sit on this continuum of patriarchal condescension. Of course, there are multiple voices in both Biblical and Talmudic literature, but more surprising is how divergent these voices are. Some points of view seem intent on the disenfranchisement and domestication of women, whereas others prove to be not far short of egalitarian. Opinions that downplay the applicability of the Biblical commandments to women and that strongly deprecate Torah study by women emerge from this study as arguably no more than the views of an especially vocal minority.

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Preface

The ancient Jewish texts pertaining to our subject have been visited and revisited; the juiciest pumped and squeezed, yet not desiccated – hence the justification for this enquiry of ours. Indeed, the significance of many of the texts remains elusive. Studying them involves decoding what are often cryptic aphorisms and then assessing what they might have meant to their authors and original audiences. Historians and feminists – two groups to have grappled with the material – know the drill. Not that historians and feminists share the same goals. To the historian's grief, religious texts tend to dwell more upon what ought to be than upon what is. But this bane of the historian is a boon to the serious Jewish feminist. For unlike the historian, ravenous to learn what happened in the past, the latter's goal is to discover legal and religious precedent to the end of upgrading gender equality within the contemporary Jewish community. So whereas the puristic historian is academic from start to finish, the socio-religious concerns of feminists lead them down a path outlined by several able pens:

> When it comes to religion, the matter of gender is more than a topic of academic concern. As in many fields, the presence of feminist research in religion has been intensified because there is more at stake than simple scholarly investigation. The institutional and theological crises in Judaism and Christianity that have been provoked by feminism have involved the interpretation of biblical texts dealing with women. What is the relationship of the biblical word to the traditional stance of church and synagogue on the role of women? In its

broadest sense that question affects many important issues, such as the validity of leadership roles for women in the formal structures of western religion, and the nature of the relationship between men and women in the informal setting of home and family. It also involves the problem of general attitudes toward women engendered by the traditional understanding of biblical texts, and it affects the way in which decisions are made for continuing or changing tradition-based patterns in both formal and informal situations.[1]

Were the Talmud simply an arcane body of ancient texts, we would not find ourselves troubled.... But there is much more at stake here: The rabbis' literary and legal legacy rests at the foundation of Judaism as it is practiced today. We therefore have a problem: How can we continue to adhere to Jewish observance today in the face of a conflict between it and our modern sense of social justice?[2]

Of course these citations must not be mistaken for license to cut corners, or worse still, to bow to ulterior agendas. Sociologists would never dream of pursuing their research proper with less than merciless rigour. It is only after the results come back from the laboratory, so to speak, that the process of application kicks in. Our priorities are the same. Like the sociologist, our commitment to scholarship is unwavering, even though the hoped-for prize lies beyond the findings themselves.

Halakhah's classification of people by gender for religious purposes rubs against the grain of our collective psyche. Yet despite all the champing at the bit to shed so alien a classification, there is a commensurate impulse to keep the halakhic edifice intact. This is the schizoid pinch in which many are caught. Any prospect of resolving it cannot begin until we broach the question of whether, or to what degree, women's secondariness is set in stone or canonized by Judaism. If it is, then victory belongs to those who consider the exclusion of women from key aspects of religion to be endemic and inevitable.[3] For them, the only amelioration possible consists in cosmetic revamping, substantive modification being viewed as a betrayal of authentic

[1] *Discovering Eve* by Carol Meyers, Oxford 1988, p. 6.
[2] *Rereading the Rabbis: A Woman's Voice* by Judith Hauptman, Boulder, CO 1998, p. 3.
[3] Or as Cynthia Ozick asks rhetorically: "If in the most fundamental text ... the lesser status of women is not worthy of a great 'Thou shalt not,' then perhaps there is nothing inherently offensive in it ... then perhaps the common status of women is not only sanctioned, but in fact, divinely ordained?" ("Forging New Identities" in *On Being a Jewish Feminist: A Reader* edited by Susannah Heschel, New York 1983, p. 144).

Judaism. Destiny, as they see it, having imposed on Judaism's epigones the stewardship and curatorship of a precious heritage, adjures them not to tinker with it. Women's script being part and parcel of that same sacrosanct legacy is no exception. We have no quarrel with such worthy sentiments, provided they do not obstruct the path of unfettered enquiry. Under the guise of conserving the heritage, myths have sometimes been allowed to befog history. A particularly lugubrious myth is that of a Judaism undifferentiated and synchronic and possessed of a monolithic set of foundational texts.

But let a critical or differentiating ray beam upon them, and those same texts will be seen to shimmer and sparkle in all their rippling splendour. No adjective is wider of the mark than monolithic to describe the emergent composite – confluence if you like – of the sublime and mundane; of rapture alongside expediency.

A tradition or custom that subjects itself to investigation is taking a gamble. It may gain or lose prestige, depending on the probity of its lineage. History is replete with examples of religious practice that, on closer scrutiny, turn out to be neither scriptural nor Talmudic. Yet by dint of long usage they became part of the 'status quo'. A case in point is the women's gallery in two-tier synagogues. For long centuries, synagogues that had an upper gallery relegated their women to its pews while reserving the main floor for the men. In the past, apologists sometimes pretended that this division was halakhically mandated.[4] Today, it is conceded by the strictest halakhic interpretations that a physical partition of prescribed height is all the halakhah demands to separate the sexes during worship. Moreover, halakhah also mandates reverence for parents and comity towards elders.[5] A son that

[4] Frequently appealing to T. Suk. 4:1 and its close analogue at Suk. 51b–52a, which describe a balcony that accommodated women during the annual water-drawing festivities in the Jerusalem Temple. But what those sources actually say is that the balcony was a last resort after an earlier arrangement (Tosefta; B.T. knows of two earlier arrangements), whereby men stood inside (the women's court?) and women stood outside, had failed to stem lightheadedness (frivolity? hanky-panky?). Thus, far from proving the preference of the balcony, these sources make it abundantly clear that, if practicable, having both genders separate but on the same level is the first choice. What is more, in Zech 12:12–14 (the Talmud's scriptural authority for separation) there are no onlookers. Both men and women, even as they stand apart, actively participate in the identical miṣvah (the women's court of Herod's temple is tangential to our immediate topic; but see Chapter 13, note 30).

[5] See Qid. 32b–33b and cf. Lev 19:32; Dt 28:50.

can watch his aged mother struggle upstairs as he ambles cosily to his ground-floor seat has lost his halakhic compass. Else he would intervene. Then, he and his fellow congregants would divide both storeys with an accredited *meḥiṣah*, giving men and women the choice to stay below or climb the stairs. Such a symbiosis would meet the *meḥiṣah* requirement without infringing other miṣvot. Nevertheless, *women up–men down* became the norm in synagogues built with upper balconies, at least since the Renaissance.[6] But in the absence of halakhic instigation, what on earth triggered the gender-based 'stratification' of the available synagogue space? We suspect that deep-seated notions about the respective temperaments and capabilities of the genders, notions possibly internalized by the women themselves, may have been responsible for women assuming their spectatorial perches.

But to get back to texts and the way we propose to engage them. Juridical sources are usually underpinned by *Weltanschauung* and credo. Specifically with regard to halakhah, R. Emanuel Rackman has observed that, "In the deepest strata of halakhic thinking, logical judgement is preceded by value judgement and intuitive insight gives impetus to the logic of argument."[7]

Beliefs self-evident to the ancient writers and their society are seldom verbalized. Some lie doggo just beneath the surface whereas others may take a tug and a tease to extract. But whatever it takes, identifying a text's active ideological ingredients will be one of our prime objectives. Thankfully, enough texts provide glimpses into the thought processes of their framers, and when they touch upon women,

[6] Shmuel Safrai (*Tarbiz* 32 (5723), pp. 329–338, English summary p. 11) and Hannah Safrai ("Women and the Ancient Synagogue" in *Daughters of the King: Women and the Synagogue* edited by Susan Grossman and Rivka Haut, Philadelphia, PA, and Jerusalem 1992, pp. 39–49) found no evidence for a women's compartment in the ancient synagogue. Neither did Bernadette J. Brooten (*Women Leaders in the Ancient Synagogue: Inscriptional Evidence and Background Issues*, Chico, CA 1982). While the Safrais' and Brooten's arguments still obtain for the synagogue in antiquity, from the 11th century on, women's segregation in the synagogue is widely attested; see S. D. Goitein's reaction to Safrai in *Tarbiz* 33 (5724) p. 314; also Goitein's *A Mediterranean Society* vol. 2 1971, p. 144; Richard Krautheimer's *Mittelalterliche Synagogen*, Berlin 1927, pp. 132–137 (Heb. translation, Jerusalem 1994, pp. 84–89); "Women in the Synagogue" by William Horbury in *The Cambridge History of Judaism vol. 3* Cambridge University Press 1999, pp. 358–401; Louis M. Epstein's *Sex Laws and Customs in Judaism* New York 1948, pp. 81–83.

[7] *Enc. Jud. Year Book* 1975–76, p. 141.

those glimpses can prove invaluable. A parade example is a tannaic explanation for the different sequence in which parents are listed in diverse scriptures. The exegesis tells us nothing about the scriptures it purports to elucidate, but volumes about its author's perspective, and by extension, perhaps also about its author's community:

> *Ribbi* [i.e. Judah the Patriarch ca. 200] says It is revealed and known before the One who spoke and the world was, that a person (**adam**) honours his mother more than his father because she coaxes him with words. Therefore in the command to honour [Ex 20:12], father precedes mother. It is also revealed and known before the One who spoke and the world was, that a person (**adam**)[8] reveres his father more than his mother because he teaches him Torah. Therefore in the command to revere [Lev 19:3], mother precedes father.[9]

This midrash takes a number of things for granted. a) Children receive their formal instruction from their fathers. b) Mothers cajole but do not instruct. c) Interaction between father and child is, consequently, aloof and pedagogic in comparison with the relaxed mother-child intimacy. d) These stereotypical models are acknowledged by the Creator and affirmed by Holy Writ. One cannot help feeling that but for the premise regarding the fixity of paternal and maternal roles, the Patriarch's exposition might never have suggested itself.

Another classic is the Talmud's explanation for why women should be excluded from the miṣvah to procreate. That miṣvah is derived from the words "be fruitful and multiply" in Genesis 1:28 – which verse goes on to enjoin subduing the earth. Since subduing is an exclusively male occupation, the Talmud concludes that the first part of the command is, likewise, intended for men only. But who decided that subduing was out of bounds to women? "It is a man's ***derekh*** to subdue but not a woman's ***derekh*** to subdue" (Yev. 65b; Qid.35a). Thus it is ultimately thanks to non-scriptural ***derekh*** that Gen 1 came to relieve its first woman, and with her all womankind, of the miṣvah to be fruitful and multiply.

[8] The context dictates that the two occurrences of **adam** in this midrash be translated person, not man, because all rabbinic sources apply the filial duty of Ex 20:12 and in essence that of Lev 19:3 to both sons and daughters. If that places *Ribbi* in the pro Torah for daughters camp so be it. Neither would it conflict with the opinion that "merit suspends" ascribed to *Ribbi* in M. Sot. 3:5 (but see note 3 in the introductory text to Part 2).

[9] Mekhilta, Horovitz/Rabin ed. p. 232; cf. Qid. 30b–31a.

Common to the two rabbinic sources just cited is their perception of Torah as taking stock in the conventional quirks of men/fathers and women/mothers. While foisting ***derekh*** and obeisance to it onto Scripture may be rare, the tactic of explaining halakhah against a template of conventional wisdom, including conventional genderism, abounds in rabbinic literature. In due course we shall meet more sources that explicitly name alleged female proclivities as the reason for their halakhot, and a preponderance that assume certain beliefs about women without articulating them. It remains for the student to sniff out any such latent or buried beliefs. Our quest, then, is not merely the end product – in the case of the Talmud its halakhic rulings about women – but as much and more, the tenets and preconceptions that may have determined the end result. Not that this kind of methodology is novel. Among the spate of books and articles to appear since the dawn of Jewish feminism, not a few have set themselves similar targets, notably in their handling of rabbinic texts.[10]

But despite its credentials, even this hardbitten methodology is no calculus, and therefore not foolproof against our wayward conceits. It is merely that a rational, explorative approach is likelier to catch the bees in its bonnet and to identify them up front. Or so we like to think. As for our own 'bees', we accept as a given that equality is morally superior to inequality. Indeed, so self-evident does this truism appear to us, that we take the liberty of referring to increased equality for women in approbative terms such as 'improvement' and 'amelioration'. In some quarters this positive evaluation of equality is seen as setting up a standard independent, and potentially subversive, of Torah. The majority of the Torah committed, however, sees fairplay and justice as bedrock Torah values.[11] For them, disgruntlement with women's status quo grows directly out of the conviction that Torah

[10] For instance, Ross Shepherd Kraemer writes: "I have deliberately approached these [rabbinic] texts as evidence for the mindsets and worldviews, or cosmologies, of their compilers. I am willing to consider the kinds of social structures that would correlate with such cosmologies, but I remain fully cognizant of the tenuous status of any attempts to reconstruct the realities of rabbinic Jewish communities" (*Her Share of the Blessings*, Oxford 1992, p. 94).

[11] E.g. Gen 18:25; Dt 32:4; Jer 12:1. Also writings such as the 14th-century *Sefer ha-Kanah* (to be cited by and by).

was given to Israel because of its inherent beneficence: "You descended upon Mount Sinai and spoke with them from heaven and gave them upright judgements and true laws statutes and commandments that are good" (Neh 9:13). But heaven forbid this conviction be confused with humanism or any other philosophy that would usurp Torah's role as arbiter. No. A believing Jew sees Torah commitment as part of her/his submission to God's will. It is simply that righteousness and truth rank among Torah's chief declared goals, and as such they make a useful touchstone for checking an idea's Torah-compatibility. Any idea that tests inimical to the furtherance of those avowed goals must raise eyebrows. And make no mistake; Torah declares for righteousness unequivocally. Unlike philosophers who ever since Plato have debated whether the worth of religious precepts is intrinsic, or whether it is a function of their provenance,[12] Moses would seem to have settled the matter. "What great nation is there whose statutes and laws are righteous as is all this Torah which I am setting before you today?" (Dt 4:8).[13]

Call it another prejudice if you will, but we cannot discount the human dimension in the miracle that became sacred texts. What is the point of Moses and the other prophets unless their personality counts in the transmission of revelation? God has infinite ways of producing Torah and of reaching His creatures. But the fact is, God chose human agents, and that choice we see as integral to the revelation. Moses' soul lives in his words, because a prophet is more than a secretary or

[12] "The point I should first wish to understand is whether the pious or holy is beloved by the gods because it is holy, or holy because it is beloved of the gods" (Plato, *Euthyphro* 3:2 [Jowett's translation]). Nowadays moral law is often divided into two categories: teleological and jural. "The former was characteristic of Greek theories; the latter became dominant in Christian times. Their essential difference is this.... Under the teleological conception morality is looked upon as a matter of self-expression ... and its laws are regarded as rules for the attainment of a good which every man naturally seeks. In the jural system, on the other hand, it is not the natural value of an act that renders it moral, but its value as commanded by the law. It is not commanded because it is good, but it is good because commanded.... In the theological system moral law ... has its ground in the nature or will of God and not in the nature of man.... The rule may be for the good of man, but it is for his good because it is the divine will ..." (*Encyclopaedia of Religion and Ethics* Vol. 8, p. 833). See also *Divine Command Ethics* by Michael J. Harris, Routledge Curzon 2003.

[13] Cf. Dt 12:31 that treats as axiomatic the perversity of child sacrifice and, concomitantly, of religions that tolerate it.

a ventriloquist's dummy.[14] However, not every student of the material subscribes to this persuasion. Its mere whiff is anathema to those who, for doctrinal or other reasons,[15] deny human impulse or subjectivity any role in the formation of revealed religion, especially in the parts that dictate behaviour such as halakhah.[16]

[14] The rabbis held certain attributes prerequisite for a person to receive prophecy (Shab. 92a; Ned. 38a; *Yad*, Yesode ha-Torah 7:1 cf. also Num. Rab. 20:1; Rashi to Ps 2:10 "the prophets of Israel are people of compassion").

[15] Among the reasons conspicuous by their absence is fear of downplaying divine omnipotence – something the purists never bring up when insisting on a Torah revelation created, as it were, *ex nihilo*. But then neither does the Talmud find it blasphemous to posit God's enlisting human instrumentality in the miraculous. Indeed, the Talmud classifies parturition as *nifla'im ma'asekhah* [God's wondrous doing] – even while allowing for two subordinate contributors, namely the biological parents (Nid. 31a). The fact that Hashem grants the human parents an active role takes nothing away from the miracle; on the contrary, the endowment of such potential to men and women is part and parcel of the wonder. Evidently, then, it is not detraction from *kevod shamayim* (honour of Heaven) that fires the purists' zealotry, but perhaps the threat to an apotheosized status quo (see next note and our 'Conclusion').

[16] Fairly representative of such absolutism in a Jewish guise are the following extracts from a critique of R. Zacharias Frankel's *Darkhe Ha-mishnah* authored by [Yedidiah] Gottlieb Fischer (d. 1895), rabbi of Székesfehérvár (Stuhlweissenburg), and published serially in the periodical *Jeschurun* by its founder and editor R. Samson Raphael Hirsch. "It does not take particularly profound scholarship to demonstrate that these pronouncements by Frankel attribute to human authorship those legal provisions which all of traditional Jewry regards as being no less of Divine origin than the Law itself. It is also not difficult to determine what the Rabbinical authorities have to say.... Maimonides' introduction to his [Mishnah] Commentary contains the following passage: 'Know that all the laws God gave to Moses on Mount Sinai were given along with their explanation ... for instance, God said to Moses: You shall dwell in huts for seven days (Lev 23:42) and then He instructed him that this obligation applied only to men, not to women, and that the sick and those on a journey were also exempt ...'. According to Frankel's words, God did not give Moses any explanations ... but it was the men of the Great Assembly who explained.... With [the] notion that all the *halakhot le-moshe mi-sinai* in the Talmud are only of human origin, Frankel places himself into categorical opposition to everything that has always been accepted as true and authoritative in Torah Judaism. Thereby he has once again joined the ranks of those who deny the binding character of the tradition. Those who deny the binding character of the tradition do not deny that a tradition existed.... What they deny is that this tradition is of Divine origin" ("An Epistle of R. Gottlieb Fischer" in *Samson Raphael Hirsch: The Collected Writings* vol. 5 1984, pp. 216, 220, 231, translated from the German that appeared in *Jeschurun* 7 1860–61). Particularly telling are Fischer's "all of traditional Jewry regards as being no less of Divine origin"; "places himself into categorical opposition to everything that has always been accepted as true and authoritative in Torah Judaism"; "he ... joined the ranks of those who deny the binding character of the tradition" (cf. previous note; also *Rabbinic Authority* by Michael S. Berger, Oxford 1998, esp. pp. 20–25). *Mutatis mutandis*, not unrelated is

Another bone of contention – and there is no point glossing over it – is the tenability of acknowledging heterogeneity within the canon. Again, some dogmatists require canonical texts to agree on all major issues of theology and law. To this end, every fissure is plastered over, every cleft lashed together. Scholarship, however, has long since become aware of the irreconcilability of the elemental components that make up the sacred documents. Once the penny drops that both Bible and Talmud are veritable orchestras, we may start to hearken for the distinct chords and cadences. Then, when audible, each will be allowed its individual integrity; which brings us to another of our prime foci.

In discussions of women's status, Bible is often pitched over against Talmud. Yet on closer inspection Bible and Talmud will be seen to encompass matchingly wide panoplies of law – not all impacting women uniformly. This is added reason to abandon hope of discovering which of the two, Bible or Talmud, is more sympathetic to women. Not that scholars need convincing any longer of such an exercise's futility. Tal Ilan chronicles the debate as to whether Bible or Talmud was the more propitious for women. She concludes "A decisive answer has not yet been found to the question … and probably never will be … for a hundred years men and women have investigated the same problem and, basing themselves on the same sources, have reached diametrically opposite conclusions."[17]

Sometimes scholars seem to forget just how unfortunate it is, except in the loosest sense, to speak of a biblical or talmudic posture towards women. The work of scholars such as Judith Hauptman has shown the wealth of diversity in rabbinic literature. But when it comes to Scripture, even this redoubtable scholar writes as though the Torah were flatter or less textured than the Talmud: "Why is it important to recognize this struggle [of the talmudic rabbis]? Because it is an advance over the Torah's outlook on women and mitzvot: it acknowledges

the engine driving the doctrinism described by George E. Mendenhall: "Typical has been the dogma that the sacred rituals have derived directly from divine inspiration. The suggestion that they originally had some historical and social context seems blasphemous to most religious 'conservatives'. What is being protected by this attitude is not the original intent or content of the form, but the authority of the socioreligious institution" (*The Tenth Generation*, Baltimore, MD 1973, p. xiii n.17).

[17] *Jewish Women in Greco-Roman Palestine*, Peabody, MA 1996, pp. 5–6.

women's changing status."[18] Another scholar to underestimate the heterogeneity within the Bible is Hannah K. Harrington. In the course of her otherwise meticulous study (to figure more extensively later on),[19] Harrington mobilizes texts such as Proverbs 31, Judges 4–5, and the stories of Hannah and Huldah to argue that Levitical purity laws could not be said to denigrate woman on account of her biological difference. We shall be examining the possibility that far from sharing the Bible's non-priestly universe (where the spirit unbridled accosts both men and women), Leviticus and related priestly texts transform that universe into a grid that effectively stymies a daughter of Israel[20] from becoming a Deborah, a Hannah, or a Huldah. But this is where it gets paradoxical; of all biblical texts, it is a priestly one that comes nearest to making women the semblable of men.

In the first chapter of Genesis humankind is created male and female. Thus man and woman are coeval (Gen 1:27). Immediately, both are spoken to conjointly by God who blesses them and also instructs them as to what they may use for food (vv.28–29). Genesis 5 (which is Gen 1's sequel) adds the important detail that the name Adam was, likewise, bestowed on both conjointly.[21] In short, nothing about their creation suggests any disparity between man and woman, but on the contrary, the *ṣelem* of God sets the selfsame divine seal on the pair.

From Genesis 2:4 until the end of chapter 4 another story of the beginnings of humans and their habitat unfolds. The differences between the two make it clear that they are distinct narrations of how it all began, including how and when God brought man and woman into existence. For instance, in chapters 1 and 5, as just noted, *adam* (or *ha-adam*) is male and female of the human species created simultaneously at the divine behest. In chapter 2 the first human (here the male of the species) is formed from the earth in verse 7, but the woman does not arrive until verse 22, and then only after the man has failed to find himself a helpmate. Moreover, Eve (so named in chapter 2) is not formed directly from the earth, but out of the man (vv. 21–23),

[18] *Rereading the Rabbis*: *A Woman's Voice* by Judith Hauptman, Boulder, CO 1998, p. 238.
[19] *The Impurity Systems of Qumran and the Rabbis*, Atlanta, GA 1993.
[20] I.e. from Sinai onwards. As we shall see, priestly historiography allows for the first woman (and, presumably, other pre-Sinaitic women?) to receive divine communication (see Chapter 9, note 12, and Chapter 17, note 17).
[21] MT and Samaritan: *va-yiqra et shemam adam*. But note LXX's "his name".

and subsidiary to him (v.18). Also the diet regulations are here given to the man alone (Gen 2:16–17) before Eve has so much as materialized. Thus Eve does not receive unmediated divine commandments. To be sure, the second creation story shares with the first its depiction of humanity originating with a single couple. Also, it is chapter 2 which boasts that immortal, oracular paean to monogyny: "Therefore man leaves his father and his mother and cleaves to his wife and the two become one flesh" (Gen 2:24).[22]

However, the oracle's monogamy does not seem to us to permeate the second creation story proper. Others disagree, arguing that it must be the second no less than the first creation story's ideal, seeing that Eve's subjugation to her husband is explained as a curse brought on by sin (Gen 3:16). Sin and its fruit, so the contention, are always a deviation from the optimum.[23]

While granting that the presentation of Eve's vassalage in 3:17 as chastisement implies a reversal, we are not persuaded that what is being reversed is monogamy. That is chiefly because the narrative portion of chapter 2 seems to treat marriage itself as an afterthought, in contrast to chapter 1 that with its "be fruitful and multiply" looks to institutionalize marriage and family. If that means sundering narrative from oracle so be it; the two certainly appear to be cut from very different cloth.

But even if monogamy were Gen 2's ideal throughout, Eve would still lag behind Gen 1's primordial woman. For it is not in the monogamy contest alone that she of chapter 1 outpaces Eve. Over and above monogyny, the woman of Gen 1 is graced with the same prophecy and *ṣelem* as her husband. That is Gen 1's paragon; and it shall serve as our benchmark when reviewing gender parity in the rest of the canonical documents, both biblical and rabbinic. For convenience, we shall divide the survey into three headings homologous with the three salient features of Genesis 1 just noted, viz. a) monogamy; b) joint

[22] The translation of this verse and of all other citations from the Hebrew Bible are indebted to various versions, but primarily, to NEB (1970) and JPS (1962). Still, no translation has been followed blindly. Likewise, we are responsible for the translations of rabbinic and Qumran texts.

[23] See, for example, Leonard Swidler's *Women in Judaism* Metuchen, NJ 1976, pp. 25–28.

commandments; and c) the God-given dignity inherent in every individual human. In a word: *ṣelem* equality.[24]

[24] As to the parameters of this equality, estimations differ widely. Historically, as Carol Meyers notes, "feminists have long looked to Genesis 1 for affirmation of sexual equality.... Already in the nineteenth century, *The Woman's Bible* [by Elizabeth Cady Stanton, New York 1895] found in these verses a 'plain declaration of the existence of the feminine element in the Godhead, equal in power and glory with the masculine'" (*Discovering Eve*, p. 86). Phyllis A. Bird, on the other hand, is less sanguine: "the meaning and function of the statement, 'male and female he created them,' is considerably more limited that [*sic*] is commonly assumed.... It relates only to the blessing of fertility ... [but] is not concerned with sexual roles, the status or relationship of the sexes to one another, or marriage" ("Male and Female He Created Them" *HTR* 74:2 (1981), p. 155; reprinted in *Missing Persons and Mistaken Identities*, Minneapolis, MN 1997). However, in her final analysis even Bird concedes that "if the divine image characterizes and defines the species as a whole, it cannot be denied to any individual of the species. To be human is to be made in the image of God. And if to be human means also to be male *or* female, then both male and female must be characterized equally by the image.... Distinctions of roles, responsibilities or social status on the basis of sex – or other characteristics – are not excluded by this statement. But where such distinctions have the effect of denying to an individual or group the full and essential status of humanity in the image of God, they contradict the word of creation" (p. 159). Another modest assessment of Gen 1:27 is Ilana Pardes's: "Even if God, according to P, created man and woman simultaneously, this act, as Genesis 5 makes clear, does not quite prescribe equality between the sexes. The Priestly work may be acknowledging a certain symmetry between male and female on the cosmic level, but when dealing with the social realm, procreation turns out to be the perpetuation of seed.... Elizabeth Cady Stanton and Phyllis Trible, who put great emphasis on the liberating qualities of this verse [Gen 1:27] ... take it out of context by neglecting to examine its reappearance and development in Genesis 5" (*Countertraditions in the Bible: A Feminist Approach*, Cambridge, MA 1992, p. 56).

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Glossary

agunah	lit. an anchored wife, i.e. a woman whose husband disappears or refuses to grant her a divorce after the marriage has broken down. In either case she is legally still a married woman (pl. ***agunot***)
amora	a talmudic sage of the post-mishnaic period (pl. ***amoraim***)
aṣereth	convocation, festival (exact meaning uncertain)
bamah	lit. a high place (pl. ***bamot***). After the centralization of the cult, *bamot* became a pejorative by which the deuteronomistic histories refer to all cult centres outside the chosen site. For the various meanings of biblical *bamah* see D.B.D. p. 119. The rabbis used the term also to denote legitimate pre-centralization shrines
baraita	tannaic materials not included in the Mishnah (such as the Tosefta)
bat qol	an echo; muffled or lesser divine communication
bavli	the Babylonian Talmud (B.T.), developed in the Mesopotamian academies 3rd–6th centuries CE
bayit	house, household, family
berit	covenant

dat	enforceable law code, decree, religion (Persian loan word – see DBD p. 206)
derashah	rabbinic exegesis to a specific text
derekh	way, habit
'ervah	incest; any forbidden union
gemara	a work dating from the 3rd–6th centuries that elaborates the ***mishnah*** (*q.v.*) and constitutes the greater part of the Talmud
gezerah shavah	analogy based on congruous wording (see Enc. Jud. 8:367)
halakhah	an individual rabbinic ruling (pl. ***halakhot***); the corpus of rabbinic law
halakhah le-moshe mi-sinai	a self-validating oral tradition
ḥallah	cake or loaf of bread; the dough-contribution (see Num 15:19–21; Ezek 44:30)
hallel	song of praise, esp. the liturgical unit of Pss 113–118 as chanted in synagogue (and on Passover night at table)
haqhel	public reading of the Torah on Sukkot in the year of [*or* in the year following] ***shemiṭah*** (*q.v.*) (see Dt 31:10–13; M. Sot. 7:8)
Hashem	God, the Lord (see Dt 28:58)
ḥakham	a sage, wise man
ḥakhamah	feminine of ***ḥakham***
heqesh	analogy based on congruity of subject matter (see Enc. Jud. ibid.)
ḥokhmah	wisdom
ḥuppah	the bridal canopy; metonymically, the marriage ceremony
karet	cutting off, excision; esp. as punishment
kivyakhol	as if; so to speak (used to indicate the language's inadequacy when speaking of God; see M. San. 6:5)
kor	a measure of wheat (see Ezr 7:22)
lulav	unopened frond of date palm; the entire wreath of 'four species' prescribed at Lev 23:40

maqom	lit. place, location; also God (within whose grasp and embrace the world has its being)
maṣṣah (also ***matzah***)	unleavened bread especially that eaten on Passover
meḥiṣah	partition (today mostly with reference to separation of men and women during worship)
meshuaḥ milḥamah	[the priest] anointed for war (see Dt 20:2–4; M. Sot. 8:1)
midrash	rabbinic exegesis; such exegesis as a literary genre
miqveh [var. ***miqvah***]	a gathering of waters, a pool (see Gen 1:10; Lev 11:36); a ritual bath
mishnah	the compendium of rabbinic law that constitutes the oldest component of the Talmud (early 3rd century); also, a mishnaic passage (pl. ***mishnayot***). Cf. ***gemara***
miṣvah	commandment, benevolent act; pl. ***miṣvot***
mo'ed	season; festival esp. the intermediate days of the feasts of Unleavened Bread and of Tabernacles
ner	lamp
niddah	menstruant
omer sheaf	see Lev 23:10–11
'or	light, the sun
'ot	sign, symbol; also omen – esp. astrological; pl. ***'otot***
parashah	scriptural passage, especially as used in homilies [today its primary meaning is: the weekly Torah reading]
parnasah	livelihood, alimentation, providing for (verbs: ***le-farnes***, ***le-hitparnes***)
piggul	tainted food esp. sacrificial meat (see Lev 19:7; Isa 65:4)
qal vaḥomer	*a minori ad majus* argument
qaṭlanit	lit. a killer wife; a repeatedly widowed woman believed to be the cause of her husbands' deaths
qav	a measure of capacity (sixth of a *se'ah*)

qorban	sacrifice; offering
ra'ui	fit, eligible
reshut	authority
segan	deputy, lieutenant, esp. the deputy High Priest
ṣelem	image, likeness esp. with reference to Gen 1:26–27
sheḥitah	ritual slaughter of sacrificial or profane animals
shema'	credal or liturgical recitation of Dt 6:4ff (whose incipit, or first word, is *shema'* = hear)
shemiṭah	the year of release (see Ex 23:10–11)
sheniyyot	non-scriptural [lit. second-degree *or* second-class] incest unions outlawed by the Scribes (see Yev. 21a–b)
sheqeṣ	vermin; a loathsome or repulsive thing
simḥa	rejoicing, celebration; metonymically, a festal sacrifice and/or [participation in] the associated meals at the temple
ṣiṣit	fringes or tassels esp. when attached to the corners of garments as per Num 15:38; a prayershawl
soṭah	a wife suspected of infidelity who is tested by drinking the bitter waters (Num 5:12–31)
sugya	a talmudic discussion forming a literary unit (pl. *sugyot*)
ṭaharah	purity (moral *or* ritual)
tanna	sage of the mishnaic era, esp. as contrasted with *amora* (pl. ***tannaim***; adjectives: tannaic, tannaitic)
taqqanah	(also ***takanah***) provision; remedy; a rabbinic ordinance (pl. ***taqqanot***)
targum	Aramaic paraphrase of Scripture (pl. ***targumim***)
tefillin	phylacteries
terumah	a heave offering; in rabbinic usage the firstfruits of grain, wine, and oil given to the priests (see Num 18:12 and Dt 18:4)
teshuvah	repentance
tiflut	twaddle; salacity
to'evah	abomination

torah she-be'al pe	the oral torah (as distinct from the written)
tosefta	[var. ***tosifta***] collection of tannaic material contemporary with, but not included in, the Mishnah
ṭum'ah	impurity, defilement (moral *or* ritual)
yerushalmi	the Jerusalem Talmud (a.k.a. the Palestinian Talmud) developed in the Holy Land 3rd–5th centuries CE
yeṣer	nature, inclination (see Gen 8:21; Dt 31:21)
zav	a man afflicted with a discharge (pl. ***zavim***; see Lev 15:2–15)
zavah	a woman similarly afflicted (see Lev 15:25–30)

Abbreviations

Bible

Gen	Genesis
Ex	Exodus
Lev	Leviticus
Num	Numbers
Dt	Deuteronomy
Jos	Joshua
Jud	Judges
1Sam	1 Samuel
2Sam	2 Samuel
1Kgs	1 Kings
2Kgs	2 Kings
Isa	Isaiah
Jer	Jeremiah
Ezek	Ezekiel
Hos	Hosea
Mic	Micah
Zech	Zechariah
Mal	Malachi
Ps	Psalms
Prv	Proverbs
Song	Song of Songs
Est	Esther

Neh	Nehemiah
1Chr	1 Chronicles
2Chr	2 Chronicles

Rabbinic Texts

Tosefta

T. Ber.	Tosefta Berakhot
T. Shab.	Tosefta Shabbat
T. Yom.	Tosefta Yoma
T. Suk.	Tosefta Sukkah
T. Hag.	Tosefta Hagigah
T. Yev.	Tosefta Yevamot
T. Kelim	Tosefta Kelim

Babylonian Talmud

Ber.	Berakhot
Shab.	Shabbat
Eruv.	Eruvin
Pes.	Pesahim
Yom.	Yoma
Suk.	Sukkah
Bez.	Bezah
R.H.	Rosh Hashanah
Meg.	Megillah
M.Q.	Mo'ed Qatan
Hag.	Hagigah
Yev.	Yevamot
Ket.	Ketubot
Ned.	Nedarim
Naz.	Nazir
Sot.	Sotah
Git.	Gittin
Qid.	Qiddushin
B.Q.	Bava Qama
B.M.	Bava Mesi'a
B.B.	Bava Batra
San.	Sanhedrin

Mak.	Makkot
Shevu	Shevuot
A.Z.	Avodah Zarah
Hor.	Horayot
Zev.	Zevahim
Men.	Menahot
Hul	Hullin
Bekh.	Bekhorot
Ker.	Keritot
Nid.	Niddah

Palestinian Talmud

Y. Ber.	Yerushalmi Berakhot
Y. Pe'ah	Yerushalmi Pe'ah
Y. Bik.	Yerushalmi Bikkurim
Y. Shab.	Yerushalmi Shabbat
Y. Pes.	Yerushalmi Pesahim
Y. Ta'an.	Yerushalmi Ta'anit
Y. Yev.	Yerushalmi Yevamot
Y. Sot.	Yerushalmi Sotah
Y. Qid.	Yerushalmi Qiddushin
Y. San.	Yerushalmi Sanhedrin
Y. Hor.	Yerushalmi Horayot

Midrash Aggadah

Ex. Rab.	Exodus Rabbah
Gen. Rab.	Genesis Rabbah
Num. Rab.	Numbers Rabbah
Ruth Rab.	Ruth Rabbah