

It's all about the woman. In this, the opening *parsha* of *sefer Shmot*, the Book of Exodus, we see women consistently serving in the role of hero, protector, even savior.

1. The midwives Shifra and Puah defy Pharaoh's order to kill every first born Hebrew male.
2. Moses' mother sends him in a basket down the river to save his life.
3. Moses' sister, Miriam, watches over the basket as it floats along
4. Pharaoh's daughter spots the basket, identifies the child as a Hebrew and resolves to raise him as her own.

Given these four examples of women acting righteously, I see this *parsha* as an opportunity

to address the issue of women's role in congregational worship. Through many conversations, I have learned that the congregation made significant changes regarding the role of women in worship under the leadership of Rabbi Richardson. I understand that he brought one of the leading *halakhic* authorities of the Conservative movement to address congregants. Rabbi Roth was the author of the *responsa*, voted on and passed by the Committee on Jewish Law and Standards (CJLS), which allowed women to

become rabbis. That *responsa* was written in 1984. While it makes some interesting arguments, several new developments have occurred during the past ten to fifteen years, about which our congregation should be aware.

The first is the egalitarian *halakhic* movement, which arose out of Harvard Hillel. These rabbis grew up in the Conservative movement but decided to be independent of it. One of their goals was to address what they believed was the misperception that the more egalitarian a

congregation becomes, the less serious it is about *halakha*. The second development is the advent of Partnership *minyanim*. These are *minyanim* that see themselves as belonging to the Orthodox world but have sought to include women in as much of the worship service as possible within their understanding of *halakha*.

Both of these movements have had a tremendous impact on the lives of Jews in and around my generation. As Jericho Jewish Center's rabbi, I am often engaged in

conversations about how to grow membership.

If we want to grow our membership, we have to

be aware of the latest developments in the

Jewish world since they will define the direction

Judaism takes moving forward. For the last few

months, I have immersed myself in the literature

of these two movements. While the arguments

of the egalitarian minyanim and Partnership

minyanim overlap, they also clearly differ.

Partnership minyanim intend and claim to

remain within the Orthodox world. Egalitarian

minyanim are dedicated to *halakha* but have no interest in belonging to Orthodoxy.

In light of these new developments in Jewish life, I believe our congregation must understand the bases that undergird the decisions of these movements. I am looking for a forum to teach the texts they use. The pulpit is clearly an opportunity to teach.

I'm going to speak about just one topic today.

That topic is women reading from the Torah,

and I'm going to rely upon Rabbi Mendel Shapiro whose responsa has been critical to the development of Partnership Minyanim, including the well known, ground-breaking congregation in Jerusalem, Shira Chadasha.

Before proceeding to his responsa, let me describe the practices of Partnership Minyanim.

They have a *mechitzah*. They allow men and women to receive aliyot and read from the Torah as well as serve as gabbaim. In addition, women may lead parts of the service that do not

involve the recitation of *devarim sh'be'kedusha*.

These are the kaddish, kedusha in the repetition of the Amidah, and Barechu in Shachrit and Maariv. Women, therefore, do lead Pesukei D'Zimra and Kabbalat Shabbat.

The cornerstone of the argument for women being permitted to read Torah comes from tractate Megillah 23A. There the Talmud cites a *Baraita*: “All may be included among the seven [called to the Torah on Shabbat], even a minor and a woman, but the Sages said that a woman

should not read the Torah because of the dignity of the congregation.” A *Baraita* is, by the way, a rabbinic teaching from the era of the Mishna that was not included in the Mishna. That’s important because in the development of *halacha*, the earlier a source is, the more authoritative it is.

When I first encountered this *Baraita*, I admit I was floored. The image we have of history is a linear path from less opportunity for fewer humans to more opportunities for more humans

in all spheres of life. How could a source so early – about 200 CE – allow for women to read from the Torah? Here is where a historical understanding of the past is crucial. While, history does proceed in a linear path regarding progress, that doesn't mean it's a straight line. Periods of openness can be succeeded by periods of narrowness.

In truth, this *Baraita* has two parts. The first part speaks to what is permitted. The second part

explains why, in spite of that permission, we do not allow this practice.

What does “All may be included in the seven called to the Torah on Shabbat, even a minor and a woman” mean? In the period of the Mishna, the Torah portion was divided, as it is today, into seven parts. The difference, however, is that the person who was called for an Aliyah also read from the Torah. And in fact, the first person called read the opening *barakah*, and the seventh person called read the closing

barakah. Only later did the practice of saying the blessing before and the blessing after following each Aliyah develop.

By the Geonic period – approximately 900 CE – the practice of a *ba'al qeriah* was established. That is what you observe in our synagogue with Mr. Goldberg. One person – in our case Mr. Goldberg reads from the Torah – but aliyot are given to seven other people.

Therefore, the *Baraita* cited in Tractate Megillah refers not only to receiving an Aliyah but reading from the Torah, too.

The second part of the *Baraita*, of course, forbids what the first part permits. The basis of the prohibition is a phrase called *kevod ha-tzibur*, which means the dignity of the congregation.

What is *kevod ha-tzibur* (the dignity of the congregation)? We have to look at other instances that are cited in the Talmud. They are:

- Forbidding a child dressed in rags from reading the Torah

- Removing the adornments from the ark in the presence of the congregation
- Rolling the sefer torah in the presence of the congregation
- and reading the Torah portion in a synagogue from a humash rather than from a sefer torah.

What the dignity of the congregation is is not eminently clear from these other instances in which it is invoked. In his masterful halakhic code, the Shulchan Aruch, its author Joseph Caro, addresses two other instances in which *kavod ha-tzibur* is at play. The first is a ruling of Maimonides, who states that someone without a beard cannot serve as the leader of services, or

shaliach tzibur, because of *kevod ha-tzibur*. The second instance that Caro cites is a practice that was fairly common by the time he composed his code of allowing a minor to lead the Maariv service Saturday night, *motzei Shabbat*. The problem here is that one who is not obligated in a *mitzvah* cannot fulfill the *mitzvah* on behalf of others. A minor is not obligated to pray three times a day, so he cannot serve as *shaliach tzibur*, yet the practice had developed. Caro had to have a way of explaining why. In both cases – the prohibition of one without a beard leading

services and a minor leading Maariv - Caro determined that *kevod ha-tzibur* could be waived. In the Beit Yosef, the code he wrote that immediately preceded the masterful Shulchan Aruch, he writes,

ולפי טעם זה יש מקום למנהג לומר שהצבור מוחלים
על כבודם

“According to this reasoning, there is room to say that the congregation can waive its dignity.”

Now, we can apply that reasoning to our *Baraita*. If a woman is permitted to receive an Aliyah and read from the Torah but doesn't

because of *kevod ha'tzibur*, then a congregation can elect to waive *kevod ha'tzibur* and allow the woman to read and receive an Aliyah.

I am sharing these arguments with you for the sake of self-understanding. Are we traditional or are we progressive? What are our practices and why are they our practices? How do the sources support the positions we have taken? My purpose has been to ground this discussion not exclusively in sociology – though the

contemporary reality must be accounted for – or
in a view that regards *halakha* as eternal.

The exciting development of egalitarian
halakhic minyanim and partnership minyanim
should interest any congregation that has a
desire to grow. Without question, the practices
that these minyanim have developed and their
reasoning will play a large role in the Jewish
world for decades to come.