

Women's Issues

Einah Metzuvah v'Orah in a Post-Modern World

by *Rabbanit Chana Henkin*

We live in post-modern times. The collective -isms of the first half of the 20th century ♦ Communism, socialism, and nationalism, which were themselves modern substitutes for the fervent religious creeds of previous centuries ♦ have been replaced in much of the Western world by an ethic of individualism and self-fulfillment. Being cultured today no longer involves the search for truth. Culture today is a panel discussion between different perspectives or disciplines arranged non-hierarchically. People seek not an ultimate truth but rather the ability to connect. Since the post-modernist is no longer engaged in pursuit of truth, he is tolerant of ♦ and potentially intrigued by ♦ everything. Everything is of interest to the post-modernist ♦ unless he is forced to be interested in it. Authority and coercion are the two deadly sins.

To everyone's surprise, observant Judaism in Israel, which after the Six Day War had been optimistic and even eschatological, has suddenly become more vulnerable to post-modernism than has American Orthodoxy. As the prediction of imminent redemption made by their teachers came to be proven painfully premature, growing numbers of the young modern, observant community in Israel have been turning away from mutually-shared goals and ideals in search of alternative modes of self-fulfillment. Within religious life, this has led to a surge in Carlebach-davening, to a quest for spirituality including Eastern spirituality, and to a renewed interest in *hassidut* and finding one's own way to God ♦ positive developments, accompanied, on the other hand, by less uniformity in religious behavior, in externals as well as creed. What is **not** "in" is coercion, and here there is a head-on clash with Judaism. Judaism demands *kabbalat ol malchut Shamayim*, the acceptance of the yoke of Heaven and the yoke of *mitzvot*, but acceptance of any yoke is anathema to the post-modernist.

Some deliverance from this tension between Judaism and post-modernism is issuing today, I believe, from an unexpected direction ♦ from women's Torah observance. A huge area of women's religious lives is governed by the principle of *Einah Metzuvah v'Orah*, which speaks not a little to the post-modern psyche. *Einah Metzuvah v'Orah* means "*she who is not commanded but observes*." Let me explain its connection with post-modernism:

Women are obligated to comply with the *mitzvot lo ta'aseh*, the negative commandments in the Torah--not to steal, not to violate the Shabbat, not to eat *hametz* on Pesach, not to mix meat and milk, and so on. They are also obligated by most of the positive *mitzvot*--to believe in God, to honor one's parents, to sanctify the Shabbat, and so on. Women are exempt, however, from fourteen commandments which are *mitzvot aseh shehazman gerama*, positive time-bound commandments. These fourteen commandments include certain *mitzvot* which give shape to

the very fabric of Judaism: the mitzva of *Talmud Torah*, Torah study, which, following belief in God, is the *mitzva* most central to Judaism. They include as well mitzvot such as hearing the shofar and sitting in the *sukkah* which are the main features of the festivals. Regarding most of these positive time-bound commandments, women are *einan metzuvot v'osot*: they are exempt but may perform them anyway. If they elect to perform these mitzvot despite their exemption, women are rewarded. In fact, regarding *einah metzuvah v'osah*, Ashkenazim now universally follow the ruling of Rabbenu Tam, brought by *Tosafot* in *Kiddushin* (31a) and *Rosh Hashana* 33a and elsewhere that not only may women perform the mitzvot from which they are exempt but they may even recite, before performing them, the blessing *asher kiddeshanu bemitzvotav vetzivanu*, "who has sanctified us by the commandments and commanded us to [perform the mitzva]" .

According to *Sefer Hassidim* (), and other authorities, women are not exempt from all Torah study; they are obliged to master the details of the mitzvot they are commanded to perform. They are freed, however--*einan metzuvot v'osot*--from that unique, dazzling and all-encompassing requirement of Judaism--Torah study for its own sake. Within the last two decades, we have witnessed one of the most remarkable transformations within Jewish life, as women intuitively realized that, in order to sustain their Judaism in a progressively intellectual and complex world, that they needed, in Torah study, to transcend the limited territory of *metzueh v'oseh* and enter the uncharted world of *einah metzuvah v'osah*.

It seems to me that the category of *einah metzuvah v'osah*, *she who is not commanded but fulfills*, extends vastly beyond what has been traditionally thought in the past. On the one hand, as mentioned, *einah metzuvah v'osah* includes all of the positive *mitzvot* from which women are exempt. On the other hand, there exist huge spaces in a woman's life which are entirely unregulated and untouched by halacha. It seems to me that it is legitimate to consider the filling of this spiritual void with new content as *einah metzuvah v'osah* .

Rabbi Soloveitchik, in his masterful exposition of his religious philosophy contained in his essay on *Shir Hashirim*, "*Uvikashtem Misham*," writes thus of the confrontation between man and God along the paths of the created world:

Halacha speaks of this confrontation between man and God within the world. We are commanded by Halacha to recite a blessing upon every cosmic event: upon the crimson rays of the setting sun and upon the purple of sunrise, when the sun drips its rays upon the mountains; upon the moon rising in the pale light; upon the stars in their paths and comets which shoot into transparent distances; upon the sight of the rainbow in the clouds and the thunder and lightning within the fog; upon flowering trees and fragrant flowers; upon the thundering of the ocean and its rushing waves; upon bread and water, the fruit of the earth and the field; upon a healthy body created in wisdom, upon its muscles and nerves; upon the ability to move and to stand erect. In short, we bless upon all that man meets which manifests the faithfulness of creation.

What is the nature of a *bracha* (blessing) ♦ if not praise and thanksgiving to the Almighty on the nature of the world which is transformed, at that very moment when the blessing in mouthed, into a supernatural, wondrous world? It is none other than redemption of nature from its silence, from its orphan-state, from its alones, by means of identifying the cosmic dynamic

with the original will of the hidden Creator ♦ To what does the *bracha* attest if not upon the strange fact that, despite psychological rules that habit and routine dull sensibilities, dull lively awareness and snuff out the flame of ecstasy ♦ the Jew is energized by every phenomenon.

In other words, halacha obligates the Jew to relate to his life's events within a framework of service of God. The blessings which the rabbis required of the Jew raise his life up from the mundane to the sacred, from the momentary to the eternal; they serve to rescue the world from its "orphan" status and to connect it with God, to lift up and locate our experiences within a spiritual framework.

Much to our astonishment, the woman, in the essence other womanliness, finds herself largely outside this superstructure of sanctity. That selfsame halacha which is so sensitive to changes in weather, to the renewal of flowering of trees, to emotions of joy and grief, even to the prosaic act of relieving oneself--*nekavim nekavim, chalulim chalulim*--, to awakening in the morning, to dressing and so on and so on ♦ that same halacha is mute when it confronts the essence of a woman's existence. Is there any human experience more spiritually intense than giving birth? Yet behold, the birth experience merits no halachic notice! There are rituals and blessings regarding the children to whom we give birth, and we recite *birkat hagomel* on our recovery from the dangers of childbearing; but, since the destruction of the Temple, we have no ritual or *bracha* concerning giving birth itself. Prayers were established in place of sacrifices, but no prayer was established to come in place of the *korban yoledet*, the sacrifice which the woman brought to the Temple after childbirth. Halacha pays no attention to birth, beyond the prohibitions of laws of *niddah* and the blessing upon recuperation, and similarly overlooks the other major events of a woman's personal life, the onset and cessation of fertility, not to mention the profoundly womanly vocation of nursing a baby. The truly religious woman, who feels in her heart an authentic spiritual need to address the Almighty at her moments of spiritual exultation, may well find herself perplexed and confused by the seeming apathy of *halacha* to the major events of her life.

How do we understand *halacha's* silence? Why, for instance, was no ritual established in place of the *korban yoledet*, the sacrifice brought by the childbearing woman? I do not pretend to know the answer, but I think it is simplistic to point a finger only at *Chazal*, our Sages. No less do we need to ask, how can we understand the silence of women themselves? Perhaps *Chazal* refrained from establishing rituals and texts of prayer for women because so many women, for so much of Jewish history, did not know how to recite the prayers. *Tosafot*, in *Brachot* (45b), question whether women who answer to a men's *zimmun*, the invitation to recite the benching, fulfill their obligation *me'achar she'einan mevinot* "since they do not understand" the Hebrew prayers. They assume virtually universal illiteracy of women regarding the prayers. Perhaps that is why *Chazal* failed to address the prayer needs of women, but perhaps, too, certain prayers can only be written by a woman.

The religious woman today, it seems to me, has three options regarding her feminine experiences. The first is to ignore or suppress the spiritual dimensions and profundity of her experience, taking a cue from the *halacha's* silence. The second is to insert her own unspoken

words, and meanings and intents, between the lines of fixed prayers that do not directly reflect her experience, in order to voice the thanksgiving in her heart. The third is to pave for herself -- and for other women -- new paths to the Almighty, in an original and creative fashion. It seems to me that such a path is being spontaneously embarked on today by thousands of women across the spectrum of the religious community, as they insist upon spiritually meaningful bat mitzva and simchat bat celebrations. It is a remarkable and religiously vital course.

The truth be told, the awareness of the need for more feminine expression in prayer was not born yesterday. The medieval *techina* literature gave expression to women's connection to God and to the desire of women to envelop their lives in sanctity. In any event, with the opening of the gates of higher Torah learning to women, the idioms of Torah and *halacha* are becoming natural religious vehicles of expression by women. A search for spiritual amplification of women's life experiences awaits us, the opening of a dialogue with *HaShem* from within these unique experiences. This process has barely begun. Today's spotlights are still upon the *bat mitzva* and the *simchat bat* or *kiddush* upon birth of a daughter, --events which draw attention because of their being parallel to the *bar mitzva* and *brit milah*.

However, the experience of pregnancy and birth, the onset of fertility and its end decades later, the experience of nursing a baby--these remain for most women at best a mute, personal religious experience.

Women determined the parameters of religious devotion as we know it. Chana's prayer is viewed by the Talmud as the prototype for all silent prayer. Eli the *Kohen Gadol*, saw Chana moving her lips and thought she was drunk; apparently, he had never witnessed silent prayer. Before Chana, prayer was a ritualized recitation or chanting, out loud. Miriam the prophetess, the Torah relates, led the women *betupim ubimchilot*, with drums and dancing to give religious resonance to the miracle of the splitting of the Red Sea. She took Moshe's song of praise to *haShem* and made it the subject of ecstatic movement. Years later, King David followed in Miriam's path, and established the model for the Simchat Bet Hashoeva celebrations in the Temple. Chana and Miriam established the parameters both of intense personal devotion and ecstatic communal thanksgiving to *haShem* that we know today. These became incorporated into the collective religious psyche. Chana's prayer to God in the Book of Samuel is the source of many of the laws of prayer in the Talmud, yet, interestingly enough, that which is distinctly womanly--the fact that her prayer resulted from her having given birth--has no resonance. Spiritual amplification of women's life experiences thus remains in the domain of *einah metzuvah v'osah*.

The absence of a Talmudic tractate devoted to the parameters of *einah metzuvah v'osah* creates a remarkable, non-delineated, non-regulated field for womanly religious creativity. Many rituals and their philosophical content are based upon the obligations of the male, which in many cases are irrelevant to women, and this raises questions. For instance, if a woman is freed from *tefila betzibur*, prayer with a *minyan*, is it preferable that she nevertheless endeavor to *daven* with a *minyan*, --since that is the halachically-normative model? Or, perhaps, another model can exist which is no less genuine for a woman?

The Hebrew *einah metzuvah v'osah*, she who is not commanded but observes, can be

understood in two contrasting ways. The first and accepted explanation is that it refers to a woman who fulfills commandments *she* is not commanded to observe, but men are. But another possible meaning is that she does what neither she *nor* men are commanded to, i. e. she worships God in her own unique fashion, in a way not followed by men. According to the first explanation, a woman senses intuitively that the men's halachic model --even though it does not bind her--is the only authentic one even though it does not obligate her; and when she seeks to take upon herself elective religious activities, she adopts the so-called masculine *mitzva*. According to the second approach, the woman realizes that the masculine model is not necessarily relevant to her or does not necessarily embrace her womanly experiences, and therefore she creates her own spiritual model, *einah metzuvah v'osah*.

Let me return to the relationship between *einah metzuvah v'osah* and post-modernism, and the contemporary infusion into Judaism of religious vibrancy by women. When the post-modernist engages in prayer or ritual, he puts a premium on his own inclination and spirit. The advantages, from the Jewish point of view, lie in the spontaneity and genuineness of the activity, while the dangers lie in the ease of passage from distaste for rote performance of religious obligations, to distaste for religious obligations themselves. Thus the two models--*einah metzuvah v'osah*, on the one hand, and *metzueh v'oseh*, on the other hand, --complement each other. *Einah Metzuvah v'Osah* gives us freedom, spontaneity, and meaning. *Metzueh v'Oseh* ensures that we are worshipping God, not ourselves. By the nature of their role in Judaism, women partake of both. Perhaps, in addition to infusing Jewish life with a vital energy and religious excitement, women might give over to men a thirst for religious spontaneity, *eino metzueh v'oseh*, some uncommanded religious initiative, with which to enrich their *metzueh v'oseh*.

A final word on *Einah Metzuvah v'Osah*. The Piaetzner Rebbe asked what was Miriam's special merit that, according to the Midrash, caused the well in the desert, *be'er Miriam*, to be given to Israel? He answers, in classic Hassidic fashion, by infusing a familiar midrash with remarkable new meaning:

The Torah relates that Moshe died *al pi haShem*, literally "by the mouth of God," which the Midrash takes to mean by a Divine kiss. The Talmud in *Moed Katan* (28a) tells us that Miriam, like her brother Moshe, died a *mitat neshika*, with the kiss of the Almighty, but the Torah does not even hint at it in her case because *ein zeh derech kavod shel Ma'alah*, "it is not in God's honor." At face value, the Midrash is telling us that the Torah censored itself lest God's kiss to Miriam serve as subject matter for irreverent comments.

The Piaetzner Rebbe explains *ein zeh derech kavod shel Ma'alah* in a different way. When a man performs a mitzva, he is *metzueh v'oseh*; he performing the mitzva because God so commanded him, and the Almighty therefore deserves part of the credit. However, when a woman who, like Miriam, is *einah metzuvah v'osah*, is not commanded but nevertheless studies Torah and performs *mitzvot* which she is not required to, then the Almighty cannot claim any part in her initiative. *Ein zeh derech kavod shel Ma'alah*, the initiative and therefore the *kavod* and the credit are not shared by the Almighty, *eino shel Ma'alah*, but are that of the woman alone. Continues the Piaetzner: That is why the well was granted to Israel in Miriam's merit. The well of living holy waters, welling up from within and finding expression in elective

religious observances, symbolizes Miriam who was *einah metzuvah v'osah*. This, I believe, is a most apt symbol, a challenge and a goal for women in Orthodoxy today.