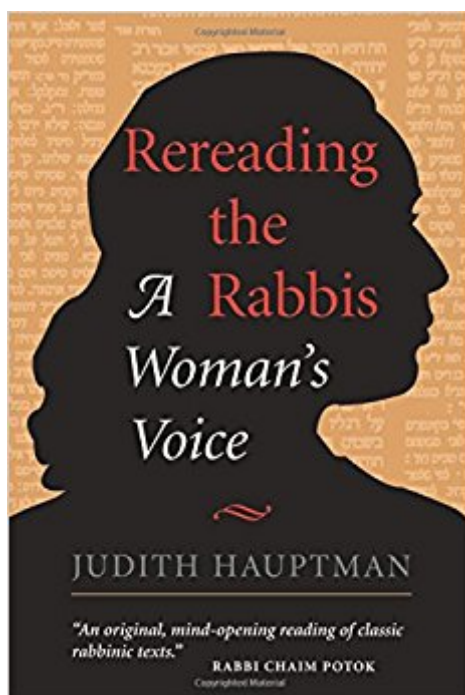


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# Rereading The Rabbis: A Woman's Voice (Radical Traditions S)



## Synopsis

Fully acknowledging that Judaism, as described in both the Bible and the Talmud, was patriarchal, Judith Hauptman demonstrates that the rabbis of the Talmud made significant changes in key areas of Jewish law in order to benefit women. Reading the texts with feminist sensibilities; recognizing that they were written by men and for men and that they endorse a set of social relations in which men control women; the author shows that patriarchy was not always and everywhere the same. Although the rabbis whose rulings are recorded in the Talmud did not achieve equality for women; or even seek it; they should be credited with giving women higher status and more rights. For example, during the course of several hundred years, they converted marriage from the purchase by a man of a woman from her father into a negotiated relationship between prospective husband and wife. They designated a bride's dowry to be one-tenth of her father's net worth, thereby ending her Torah-mandated disenfranchisement with respect to inheritance. They left the ability to grant a divorce in male hands but gave women the possibility of petitioning the courts to force a divorce. Although some of these developments may have originated in the surrounding Greco-Roman culture, the rabbis freely chose to incorporate them into Jewish law. *Rereading the Rabbis: A Woman's Voice* also breaks new ground methodologically. Rather than plucking passages from a variety of different rabbinical works and then sewing them together to produce a single, unified rabbinical point of view, Hauptman reads sources in their own literary and legal context and then considers them in relationship to a rich array of associated synchronic and diachronic materials.

## Book Information

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## Customer Reviews

Hauptman (Talmud, Jewish Theological Seminary of America, New York) provides a clear, scholarly, and accessible study of the treatment of women in Talmudic legal interpretations, comparing these interpretations with the Torah itself. This fresh approach to the problems raised for contemporary Jews by biblical and Talmudic patriarchy and by what the author sees as the second-class status of women leads to important results. Hauptman discovers that while "the rabbis upheld patriarchy as the preordained mode of social organization, as dictated by the Torah...they began to introduce numerous, significant, and occasionally bold corrective measures to ameliorate the lot of women" and occasionally granted women new benefits, "even at men's expense." Essential for Jewish collections and important for all but small public libraries. Carolyn M. Craft, Longwood Coll., Farmville, Va. Copyright 1997 Reed Business Information, Inc. --This text refers to an out of print or unavailable edition of this title.

Judith Hauptman, a well-known Talmudic scholar, is professor of Talmud at the Jewish Theological Seminary of America (in New York).

Talmudic scholar Judith Hauptman looks in detail at Talmudic passages concerning the roles and rights of Jewish women. She reads each passage in the context of its development through the years of Rabbinic activity, drawing on the Mishnah, Tosefta, and both Talmuds. Even the newcomer to Talmud will begin to gain an understanding of Talmudic legal reasoning from her careful analyses. Hauptman's thesis is that the Rabbis of the Talmud sought to improve the legal status of Jewish women beyond what Biblical law originally accorded women. In support of her thesis, Hauptman shows the evolution of legal theory and practice pertaining to women through the Talmudic period. The book is gracefully written and carefully argued. It is riveting reading for anyone interested in Jewish Women's Studies.

This book explains how rabbinic tradition gradually moved towards a more pro-woman posture in several ways. For example: \*The Torah requires that a man who seduces a girl pay a "bride price" to the girl's father. The Talmud expanded this concept to require a ketubah (a payment to a wife herself upon the husband's death or divorce). \*The Torah is a bit fuzzy on the distinction between

rape and seduction, instituting a uniform penalty for both; the rabbis added additional fines for rape.\*The Torah states that when a man dies, his property passes to his sons if there are any. The Mishnah makes it clear that this rule is not meant to exclude dowries (payments by a father to his daughter upon marriage) or lifetime gifts to daughters. The author is a Conservative rabbi, and this book implicitly supports the ideology of Conservative Judaism: that just as the rabbis of 1500 years ago made Jewish law more egalitarian, today's rabbis can do the same.

Rabbinic Judaism reflects and reinforces a patriarchal society, giving men greater legal rights and religious roles than those allowed to women. Hauptman acknowledges this, but sets out to prove that \*within this context,\* the Rabbis of the Talmud are surprisingly liberal towards women, extending to them greater rights and protections than one might expect (and certainly more than the Torah requires). In large part, Hauptman succeeds in her project. The discussions of Sotah (the test for unfaithful wives), marriage, divorce, rape and inheritance are particularly successful in demonstrating a gradual change in favor of women. In other chapters, where Hauptman is trying to explain or justify rabbinic attitudes in themselves (without the comparison to Torah), she is less successful. For example, Hauptman argues that the rabbinic laws restricting women's ability to provide testimony in court and limiting their participation in religious rituals are \*not\* based on a misogynist view of women as defective, stupid, or untrustworthy. Instead, she argues that these rules are based on women's lower social status. "You can't testify against a man, even though you're likely to be honest, because you're socially inferior" does not seem to me like much of an improvement over "you can't testify because women are stupid, flighty and likely to lie." I found these chapters interesting, but ultimately unpersuasive. Hauptman writes clearly and does a good job of providing context for non-scholars. The early chapters are easier to follow and therefore provide a good introduction if you are not a Talmudic scholar. Although not an easy read, I would say this book is accessible to anyone who is willing to take the time to follow Hauptman's arguments and think them through.

The problem with Hauptman's book is not her analysis or methodology, per se, but her motivation. She seems to have a deep personal anxiety that drives her need to make the rabbis fit into a progressive model of history that makes them the precursors of modern values. The need to try to make them fit into some sort of feminist model in order to "defend" them and make them palatable for modern readers seems to me to be as flawed as the model that reads them as despicable for their patriarchal values. The analysis of the midrashic and talmudic texts that demonstrates a

complex attitude towards women -- what Hauptman calls "benevolent patriarchy" -- is interesting and important. But Hauptman falters because she writes from within the religious tradition and needs to see these texts as somehow continuous with her own values as a modern feminist. A less personally invested reading -- which really would only entail dialing down some of her rhetoric in defense of the rabbis as "contextual[ly] feminis[t]" -- would make the work a more powerful and important critical contribution to studies of Jewish theology. Of course, the caveat I have to mention: I am by no means an expert on the Talmud, so while Hauptman's readings seemed more or less convincing to me, I do not know the original texts nor enough about the history of their composition to say whether or not they are truly valid.

There seems to be a great deal of antagonism between feminists and talmudists. It's refreshing to read a book by someone who is both. The talmud isn't the Misogynistic text some make it out to be, and feminism isn't sacreligious. the two can reside together, and both gain from the proximity. Talmudic study is enlightened by feminist methodolgy and critique. Feminist studies can learn from the talmud how to deal with a real-politik that is far from perfect. The book is a must for anyone who cares about Judasim in the real-world.

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