

Beshallah February 11, 2017

תִּקַּח מִרְיָם הַנְּבִיאָה אֶחֱזוֹת אֶהְרוֹן, אֶת הַתֵּף בְּיָדָהּ; וַתֵּצֵאנָן כָּל-הַנְּשִׂיִם אַחֲרֶיהָ, בְּתַפִּים
וּבְמַחֲלֹת. וַתַּעַן לָהֶם, מִרְיָם: שִׁירוּ לַיהוָה כִּי-גָאֵה גָאֵה...

Exodus 15:20-2 *Miriam the prophetess, the sister of Aaron, took a tambourine in her hand; and all the women went out after her with tambourines and with dances. And Miriam sang to them: "Sing to Adonai, for G-d is highly exalted..."*



"Miriam the prophetess"
By Anselm Feuerbach

In the Bible, Miriam, sister of Moses and Aaron, takes a secondary role to her brothers. Were anyone to ask, "who led the Israelite people out of Egypt?," most would certainly answer "Moses" or maybe "Moses and his brother Aaron." Seldom would the answer be, "Miriam." Yet, this week's Torah portion tells us that "Miriam the prophetess... took the tambourine in her hand; and all the women followed her with tambourines and dances. And Miriam sang to them..."

Biblical commentators (including Fox, Plaut, and Alter) tell us that it was customary in ancient days for women to lead the community in a victory dance and song following the defeat of an enemy. This was perhaps the scenario in this portion, as the crossing of the Sea of Reeds marked a successful exodus from 400 years of slavery in Egypt. It is very clear that Miriam sang to "them" meaning all men, as well as women who followed her with tambourine in hand for a victory dance. This is not the only biblical instance of women rejoicing with instruments, singing and dancing in public. This repeated motif indicates that it was the custom of the time, as depicted in Song of Deborah in Judges 5, I Samuel 18:6-7, II Samuel 19:36, Nehemiah 12:43, II Chronicles 35:25, and Ecclesiastes 2:8.

Yet the singing of women in the public domain has been a hotly contested issue in Israel for decades. The premise that ultra-Orthodox leaders assert, and the Chief Rabbinate and the Rabbi of the Wall support, is that "*kol isha*" the "voice of a woman" cannot be heard by men. This rabbinic dictum which is mentioned but three times in all of rabbinic literature (B. Berachot 24a; B. Kiddushin 70a; Y. Hallah 2:1) is based on the conversation of Talmudic rabbis, in which Rabbi Shmuel said: "A woman's voice is a sexual incitement," quoting Song of Songs 2:14. The late Rabbi Judith Abrams z'l, a brilliant and generous scholar of Talmud, taught that it was not until this century that religious communities extrapolated that men hearing the voice of *any* female in *any* singing is prohibited. She points to the extremism of fundamental beliefs that occur when a community is being threatened by change. And, she laments the idea that women must be on their guard and denied their right to sing because men adhere to this increasingly strict understanding of rabbinic scripture.

The primary domain in which this has created conflict in Israel today is at holy sites, such as the Western Wall. There, Women of the Wall have sought the right to pray audibly and with the Torah for nearly three decades. However, the case of a young woman in a religious school in Ashdod who appeared on the competitive show *The Voice*, shows another example of how this ruling can be misattributed to *halacha* (Jewish law). Ophir Ben Shitrit was suspended from school after appearing on the show. In graceful conciliation, during an interview with [The Forward](#), Ophir asserted, “Although I was suspended, it was with my agreement. I understand the situation. It’s a school that follows *halacha*. I knew that going into it. It says in the Torah, ‘*kol b’isha erva*.’ There’s nothing you can do about it. It’s a *halachic* problem according to the Torah... The school can’t suddenly decide that what’s written in the Torah isn’t important.” Somehow the school has conveyed to students inaccuracies about what is and what is not in the Torah as well as the distinction between Jewish custom and *halacha* (Jewish law). For nowhere in the Torah does it say, *kol b’isha erva* - “a woman’s voice is a sexual enticement.”

In stark contrast to these situations in ultra-Orthodox communities, where women are essentially silenced and hidden in the public domain, Israel as a nation can pride itself on taking great strides in equality for women. Though it does take effort and crusaders. Since the restrictive laws are not legal in the public domain, it is possible to successfully contest unfair discrimination of women by religious communities through legal means. A court case in 2015 in the town of [Bet Shemesh](#) involved ultra-Orthodox leaders posting signs in public demanding that women hide out of the view of men exiting the synagogue after prayers. Four modern Orthodox women went to court claiming that the signs were derogatory and infringed on their rights. They each were awarded 15,000 NIS and the courts ordered the municipality to remove the signs.

Before, during, and since the establishment of Israel, women’s rights and equality have mattered. In 1919, Rosa Ault-Straus, born in Austria and having moved to Israel after living some years in the United States, spearheaded the first nationwide women's party in the New Yishuv (the Union of Hebrew Women for Equal Rights in Eretz Israel). In 1951, the Women’s Equal Rights Bill was voted into law. Though it dealt largely with a woman’s role as mother and wife, nonetheless it created a vehicle for future progressive measures for gender equality. In 1998, the Prime Minister’s office created [The Authority for the Advancement of the Status of Women](#). In addition to advancing women’s status, the Knesset enacted Resolution Number 2578 in 2007, which approved the creation of the Equal Employment Opportunities Commissioner. This Commissioner’s office is responsible for investigating and responding to complaints concerning sexual harassment, and/or discrimination based on sex, sexual orientation, parenthood, religion, and race. Continued amendments to the laws move Israel closer to gender equality and women’s empowerment. (See: Report Submitted by the State of Israel: The Status of Women in Israel "Beijing +20" [The Authority for the Advancement of the Status of Women](#), The Prime Minister’s Office, December 2014, p. 23)

As United States Supreme Court Justice [Ruth Bader Ginsburg](#) said just before Passover 2015, “The stories we tell our children shape what they believe to be possible—which is why at Passover, we must tell the stories of the women who played a crucial role in the Exodus narrative.” So too must we listen to and celebrate the voices of women past and present who shaped Israel to be the country it is today as we strive for even greater achievement of women’s full equality in the future.

Discussion Questions:

How does Israel compare to its regional neighbors in the arena of women's equality?

How can citizens of Israel and Jews in the Diaspora ensure that increasing fundamentalism in Jewish and Arab circles will not infringe on women's rights that have been long-established in Israel?

Additional Resources:

Pmo.gov.il, Authority for the Advancement of the Status of Women, Accessed January 25, 2017.

<http://www.pmo.gov.il/English/PrimeMinistersOffice/DivisionsAndAuthorities/Pages/TheAuthorityfortheAdvancementoftheStatusofWomen.aspx>.

Ghert-Zand, Renee. "Controversial Suspension For Contestant On Israel's 'The Voice'" *The Forward*, January 27, 2013. Accessed January 25, 2017.

<http://forward.com/sisterhood/170011/controversial-suspension-for-contestant-on-israels/>.

Holtzblatt, Lauren, and Ruth Bader Ginsburg. "Justice Ruth Bader Ginsburg Reflects on the Women of Passover." *Ms. Magazine*, April 2, 2015.

A youtube video from an episode of *Kochav Haba* (Rising Star) another of of Israel's' popular reality television shows. The clip is from the December 18, 2014 episode. In the clip, a contestant from Efrat, a Jewish community located in Gush Etzion, a settlement bloc in the West Bank is asked if he would sing with a woman. Upon his answer, two of the panelists Mook E and Asaf Atdagi debate the issue of women's rights in a Jewish State. <https://www.youtube.com/watch?v=vloTyAt3BNg>