

Women Wearing Tefilin

by: Rabbi Jeremy Rosen

One of the most significant daily rituals in Judaism is laying Tefilin, strapping leather boxes containing scrolls with certain Torah verses onto one's arm (against the heart) and one's forehead (against the brain). According to the Torah, it is to remind our hearts and minds of our religious and social obligations. Initially Tefilin would be worn all day long, except on Shabbat and festivals. But over time custom dictated putting them on only during morning services. Nevertheless, some individuals have continued to wear them all day.

According to Jewish Law, women were relieved of ritual obligations related to time, because they had to be allowed the freedom to tend to the demands of children and home without constantly being preoccupied with other obligations. Therefore, as a rule and convention, women have not worn Tefilin. But in a more flexible environment, and given the different roles that some women have adopted in recent years, there has been, both in Orthodox and non-Orthodox circles, a tendency for more and more women to want to put on Tefilin, even if it is not an obligation for them.

The decision of two schools in New York to allow girls who want to put them on during obligatory school services has created a storm in a teacup. Accusations of heresy and abandoning tradition have been hurled across the networks and blogs. Is this really so significant a challenge to the survival of traditional Judaism and mankind that it deserves so much attention? Or is it just another example of religious authority resisting any change on principle?

Judaism was always a way of life that emphasized doing, as much as thinking. Religious obligations were layered. At the top came the priests, whose daily regulations of ceremony and purity came with the obligation to look after the wider community as religious functionaries, teachers, doctors, and social workers. The layman had a raft of rules designed to get him to think about God and moral values at every stage in the working day. Women were relieved of obligations that were related to time, to give them the freedom to prioritize family and home over synagogue and public services. These differences were not issues of civil law, but exclusively ritual. They were indications not of superiority, but simply of different function.

The Talmud (Eirubin 96a) mentions that Michal, the daughter of King Saul, wore Tefilin and no one objected. The Bible tells us that she had frowned on what she considered King David's inappropriate public display of religious enthusiasm when he danced the tabernacle up into Jerusalem. She was punished for this by being barren. Her putting on Tefilin might have been thought of as an atonement or compensation. Alternatively, it might have been an example of the natural thing to do for a religious woman who had no obligation of children or housework to distract her. There are various sources that suggest that the medieval giant Rashi allowed his daughters to wear Tefilin. Perhaps

this was in recognition of their significance in acting as his amanuenses and being so knowledgeable of Torah in their own right.

Jewish law allows one to take on extra obligations if one wishes to. The only issue in general is whether a voluntary act, as opposed to an obligatory one, requires a blessing or not.

The Talmud says that Tefilin should only be worn with a "clean body". In medieval times some argued that women should be excluded from wearing Tefilin on the grounds that they could not control their periods. A typical medieval example of how women were regarded then. Because Biblically menstruation simply renders one unable to enter the sanctuary, as do a whole raft of other exclusions applicable to men as well as women, such as being in the same room as a dead person. That some societies regarded the menstrual period with fear and disgust is no more true to Judaism than objections to divorce. If that were the real reason for objecting to girls opting to wear Tefilin it could be argued that if men can be trusted to clean up, why not women too?

But in truth the issue is about a perceived challenge to halachic authority. In some cases it might well be so. But that doesn't mean it has to be! Whether and in what way some women want or should take on more public religious roles, and use ritual as a tool, is their business and choice. I am not concerned here with that issue.

A girl, a woman wants to find different ways of expressing her relationship to God and her religious tradition and wants to do more than she is obliged to. Why is this any different than a male who wishes to be stricter than the law requires? Some men lay two sets of Tefilin every day to cover the disagreement between Rashi and Rabbeynu Tam on the order of the scrolls. Some give more to charity than others. Some eat only Glatt or super Glatt kosher, or no gebroks on Pesach. Some go to the Mikvah every day, even on Shabbat. Does this make them rebels against early Torah Judaism that never heard of such things? What can possibly be wrong with someone wanting to do more rather than less, if it does not in any halachic way offend? Indeed Mikvah on Shabbat does offend the letter of the law. To say it has not been done before as a general rule is no stronger an argument against wearing Tefilin than it is against riding in a car.

Halcha is a defined legal framework that has its rules of debate and modification. But here we are not talking about challenging law, just custom. And Lord knows there are infinite varieties of custom in observant Judaism between communities, denominations, and sects.

I understand why religious establishments should fight off challenges to their authority. We live in times of excessive sensitivity and all religions try to fight off vigorously any threat to their world view. But why with aggression and disrespect? Novelty frightens, but that does not necessarily mean it is wrong. So why stop a girl who wants to put on Tefilin? If all she is doing is something that gives her a sense of spiritual uplift? If it is a feminist battle for supremacy, then I believe it misguided and bound to fail. But simply an expression of a personal desire to extend observance to another level? Where's the beef?

Once upon a time men tried to argue that women were neither as intelligent nor as in need of ritual as men. Only a caveman could possibly suggest that nowadays. Have we gone crazy that a girl who wants to put on Tefilin is to be regarded as some sort of criminal and a rabbi who supports her, a traitor? Doesn't it really make religious authority look an ass?