



ICJW Online Study Program

“Women's Lifecycle Events” by Adina Ben-Chorin

WOMAN'S LIFE CYCLES FROM A JEWISH PERSPECTIVE

Session III – MARRIAGE FAMILY AND THE COMMUNITY

The traditional Jewish sense that, when grown up, a Jewish boy or girl will marry and have children, and that the couple will automatically take its natural place in the Jewish community, is being sorely tested in the 21st century. In truth, this has already been the case for several decades. (The age at which we are considered to be “grown up” is itself a matter of definition, defined not only historically but also culturally and geographically.)

In all fairness, it must be said that there are still many communities throughout the Jewish world, mostly to be found in the more traditional countries, where the traditional values and attitudes continue to hold sway. Moreover, in ‘strictly orthodox’ (Haredi) as well as in many practicing (as opposed to nominally) orthodox communities, regardless of their physical location, this pattern still holds. When young people from such communities meet, through their own initiative or by introduction, the overwhelmingly important consideration is not whether I love this person (that will come later) but is this a person with whom I can create my own family and take my rightful place in the community while fulfilling myself in the process.

For the vast majority of Jews, however, marriage, children and participation in the organized community are questions rather than statements of fact. Each of these three elements is approached individually – no more package deals - and even when the answers are in the affirmative, the “when?” and “how?” remain major issues. Decisions will be based upon personal preference, rational choice and emotions –sometimes coupled with a sense of Jewish commitment and/ or continuity and sometimes not.

This very basic conceptual change has had a tremendous impact upon the Jewish world. It took some time for us to acknowledge how much it is influencing Jewish life; having acknowledged this fact, we are only now beginning to try and deal with it.

Following are a number of questions which can help us to bring the subject into focus:

1. What percentage of marriageable age Jews – male or female - are actively contemplating
 - a. Marriage
 - b. Permanent partnerships, i.e. without formal rites?
 - What are the particular implications of a “permanent partnership”?
 - How does it differ from formal marriage for Jews, re: women; children; wider familial obligations;
 - Level of intellectual / philosophical / religious compatibility



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- What are the benefits / disadvantages of such an arrangement, especially for women / for Jewish women?
2. What percentage of (1) above are committed to finding a Jewish partner / open to the reality of a non-Jewish partner / open to the potential for conversion / maintain a “what happens will happen” attitude?
 3. What percentage of the above (1) are seeking / establishing same sex partnerships?
What are the implications of (3) for:
 - The community?
 - The non-Orthodox religious or culturally self-defined Jewish woman who wants to marry and have a family?
 - The second generation?
 4. What happens when marriage/ children is the goal of one but not of both partners?
The implications are clear; the answer is probably “no” but the ‘costs’ are high.
 5. What is happening to the Jewish children, present and future?
 - a. The actual raising of children confronts partners (of all sorts) with some very basic philosophical and emotional issues which may not otherwise rise to the surface / make themselves felt.
 - b. Raising children, either born or adopted, is today a viable and commonly accepted part of committed same sex partnerships. In addition to a. above, other issues specific to this situation require attention.

Meeting a potential Jewish partner is a world wide problem, even in the major metropolises which have large Jewish communities; how much more so in the smaller cities or even countries with total Jewish populations of under 10,000 or closer to 1000.

Israel may well be the best option for young (and not so young) Jewish adults to find a Jewish partner while spending time there, either on vacation or as volunteers in the wide variety of projects or on study programs, or after having made Aliyah, but this is not as sure a prospect as we might think. Two examples will suffice, one historic and one current. In the first instance, we have the totally unexpected situation which developed when, in the 1960's and 1970's, considerable numbers of non-Jewish volunteers from Europe flocked to the kibbutzim for romantic and ideological reasons and ended up marrying the young Jewish men / women whom they met there. In the second instance, the amazing continuing flow of halachic non-Jews, mostly from the Former Soviet Union to Israel and the resultant chaos continues to create problematic, heartbreaking situations, in terms of marriage and Jewish identity, both formal / recognized and personal. Furthermore, Israel's ongoing security situation continues to negatively affect the numbers of young Jewish men available for marriage or partnership.



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The “good news” is the fact is that there are practically no geographic limitations any more; people, especially young people, are moving around the globe in record numbers. Career motivated migration as well as leisure travel, not to mention the internet, greatly enlarge the pool of possible partners, Jewish and non-Jewish. At the same time, the potential for misunderstanding and conflict arising out of cultural differences, large and small, even among Jews, is greatly increased. (These so-called ‘small’ cultural differences are a fascinating, challenging and essential subject for discussion in and of themselves.) In these instances, simply “being Jewish” is not enough.

When marriage and having a family are shared goals, questions still arise as to timing. Marriage may be deferred for reasons of education or career; the same applies to the decision to have children. The long term result may well be loss of the degree of flexibility and compromise necessary for a successful marriage, and / or the inability, physical or psychological, to have children at all.

Jewish Weddings

The decision to marry has been taken.

1. Who will ‘make’ the wedding, i.e. make the decisions; pay the bills? This is a major issue today in many communities
 - a. with couples in their 30’s and over, especially if they are economically independent,
 - b. particularly when cultural differences play a part or traditional concepts are challenged,
 - c. the result may be extreme distress and potential havoc in family relationships
2. Will the ceremony be ‘Jewish’, i.e. Huppa and Kiddushin? *
 - a. a decision taken freely by the couple
 - b. a result of pressure from parents or peer group?
3. What sort of ceremony (non-exhaustive list):
 - a. Traditional: e.g. bride and groom each escorted by parents of the same sex; bride circling the groom seven times; bride’s face totally covered; Ketuba only in Aramaic
 - b. Modified traditional: e.g. bride and groom escorted by own parents; Ketuba in Hebrew or Hebrew plus a language familiar to the couple;
 - c. Egalitarian: e.g. modified Ketuba in which both “voices” are heard; participation of both men and women in reading / chanting of the ceremony; male and female signatures on the Ketuba.
4. Location: Synagogue / public hall / in nature
When a mixed religion couple yearns for some religious element in their wedding, how can they achieve it? A very difficult question indeed.
5. When a mixed religion couple yearns for some religious element in their wedding, and are prepared to include both traditions, how can they achieve it?



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A very difficult question. There are some very ‘liberal’ rabbis who will officiate at such a ceremony but they are a very small minority overall.

*This traditional phrase describing a Jewish marriage refers to:

1. the presence of the marriage canopy (Huppa), generally thought to represent the Jewish home which the couple will build, under which they stand for the ceremony;
2. inclusion in the ceremony of a marriage contract (Ketuba) by whose terms this woman is now publicly exclusively ‘set aside’ (mekudeshet) for her husband;
3. signifying that the partnership is sanctified (mekudash) by Jewish law and tradition.

A woman’s decision to remain single.

The single person in the Jewish community, male or female, was traditionally an anomaly. Marriage being the preferred state, a single person threw the community off balance. One did not choose to remain single and it was part of the community’s responsibility to correct the situation, through arranged marriages, outside contacts or re-marriage, in the case of divorce or death.

The single woman has been even less accepted than the single man, although older “maiden aunts” have long been significant figures in the Jewish extended family, as sources of accumulated wisdom as well as (unpaid) assistance to over-burdened mothers.

While the Halacha places the burden of “be fruitful and multiply” upon the male (a man should divorce his wife if she does not produce children), the pressure on women to marry and have children is traditionally very strong, and the sooner the better. Women as mothers is the traditional message.

As women are not represented, as such, in the traditional Jewish community, the single childless woman (once married or never married) has been at a distinct disadvantage, socially and politically. However, this situation can be seen to be changing throughout the Jewish world, albeit gradually and irregularly. Non-Orthodox religious communities of all types often count women in the Minyan (the traditional prayer quorum of 10); voting rights and the right to hold community office are being extended even in traditionally orthodox congregations, with the exception of matters of ritual. The influence of the social mores of the “host community” cannot be overestimated, positively and negatively.

With the growing ranks of highly educated, and career oriented Jewish women, finding an appropriate Jewish partner is apparently becoming more and more difficult. A fascinating related phenomenon is the growing numbers of single Jewish mothers, some of whom may be divorced or widowed (especially in Israel) but most of whom are choosing this role for themselves, making use of sperm banks and other modern techniques. Surprisingly, this has also become an option of choice for some Orthodox women, notably in Israel, who find that there is a vast gap between themselves, after a certain age, and the men who share their



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background and religious standards but not their education nor their social, political and experiential reality, often having spent much time in the closed world of yeshivot and Torah study. The option of ‘single motherhood’ is halachically (technically) acceptable, the child or children are not mamzerim (bastards according to the Halacha are children born from a married woman and a man other than her husband.), and the specially strong, deeply engrained role of motherhood is achieved.

How well these women are accepted in their communities is not known to me but their numbers are growing. (Article, in HaAretz Daily Newspaper, Summer? Fall? 2005)

It should be noted that, all of the above notwithstanding, there are still communities in the Jewish world in which women are not yet independent and their choices with regard to their future are highly limited by custom and by the wishes of their adult, usually male, family members.

Looking at Jewish marriage through the lens of Halacha.

Marriage in Judaism is a legal act undertaken by two responsible, of-age individuals, created and dissolved according to Jewish legal procedure, i.e. Halacha.

Although our modern attitudes might find the legalistic aspect of traditional Jewish marriage irrelevant and even distasteful, it should be recalled that the Ketuba (marriage contract) was originally instituted in order to protect the rights of the woman, i.e. she became a legally recognized part of her husband’s household. The get (referring to the actual certificate of divorce as well as the traditional process whereby a marriage is dissolved) ensured that the wife could no longer be summarily sent away on the whim of the husband and that appropriate provisions had to be made for the woman and the children.

These legal structures were extrapolated from Biblical law, both the law of the Jewish female slave (Exodus 21, 7-11) as well as that concerning the woman taken captive in war (Deut 21, 10-14). The prototype for the get, as well as regulations regarding a ‘woman who has been sent away’ are also Biblical (Deut.24, 1-4) These are fascinating texts which represent a major divergence from the commonly accepted practices of the Ancient Middle East, where they were formulated. An example of the latter has been preserved in Gen 24, 50 & 59, when Abraham’s servant goes to Haran to find a wife for Isaac. It is with Laban, Abraham’s great nephew, that he must carry out the negotiation. Laban’s reaction with regard to his sister, Rebecca is: “Here she is! Take her and go!” Only when the question arises as to whether to go immediately or to tarry for some time (for festivities or formalities), only then is Rebecca asked her opinion and she replies: “I will go.”

Even though Jewish women throughout the ages have not been totally independent, going back to the restrictive Biblical notion that they were under the authority of either father or



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husband (e.g. Numbers 30), numerous rights of women, including the right to hold property independent of her husband, were also developed within the Halacha (Jewish Family Law). A careful reading of the last chapter of Proverbs (31, 10-31), generally referred to as Eshet Hayil, draws a vivid picture of a successful, worldly-wise woman of strong character and many abilities, in addition to motherhood, whom everyone praises.

Although a woman is traditionally not a signatory to the Ketuba, which was traditionally an agreement between her father / guardian and the groom) she cannot be married against her will. (The written Ketuba, as opposed to a less formal agreement, was instituted in Talmudic times.) And while it is the man who grants the divorce to his wife (the reverse is halachically impossible), the divorce is not valid until she (or her deputy) has physically received it, in the hand, from the initiator or from his deputy. (That a woman can not be divorced against her will is one of the Takanot – regulations – promulgated by R. Gershom Meor haGolah Germany 965-1028). Thus it may be said that Jewish women have some control over their destiny.

Irrespective of whether they themselves live an observant Jewish life, many Jewish couples decide in favor of Huppa and Kiddushin (the accepted Jewish marriage model over centuries), if not out of religious commitment then out of sentiment or family factors or even a sense of Jewish continuity. Be that as it may, the first pitfall may be the Ketuba itself, which stands at the center of the wedding ceremony.

The traditional Ketuba raises questions for many women (and men) in the 21st century. Written in Aramaic (the lingua franca of the ancient Middle East, adopted by Jews from the Babylonian Exile – 586 BCE – onwards), the Ketuba comprises two major elements: the commitment of the husband to provide his wife with all her physical needs (clothing, food and sex); and the sum of money which he will pay to her if the marriage is dissolved. There is also mention of a dowry and an additional sum of money which the husband agrees to pay, and a promise by the husband to cherish and care for his wife, in accordance with Jewish traditional norms.

However, for many couples, this legalistic marriage formula is insufficient, as it does not give expression to their feelings, nor to their own concepts of marriage and partnership. The basic inequality of the document, and of the ceremony itself, is often a further cause of dissatisfaction. The Ketuba may be acceptable to one side and not to the other (usually the woman), thereby becoming in itself a source of conflict. The result within non-orthodox circles has been a demand for a differently worded Ketuba, written in Hebrew as well as in a second language understood by the couple, more intimate and reflective of the couple and the circumstances, and signed by both parties, with witnesses of both sexes signing the document. But this possibility is not yet available to a large part of the Jewish People, especially those marrying in Israel, where marriage is still controlled by the Chief Rabbinate. (All marriages contracted outside the State of Israel which are legally binding in the country



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in which they were performed are recognized by the State of Israel as legal and binding, but only for purposes of registration with the Ministry of the Interior but not by the religious authorities.)

No such development has taken place regarding the procedure of divorce. The delivery of the get (bill of divorce) to a married woman is carried out (by) (in the presence of) a specially convened Bet Din (religious court) in a dry (impersonal), formal procedure which has not been greatly altered over time.

Numerous women's groups, as well as religiously / spiritually involved individuals, are attempting to create modern rituals, to supplement the above procedure, which can be more meaningful, on a personal and emotional level, for the participants. As they are only the recipients of the get, in the formal sense, but tend to be the one feeling most betrayed, victimized and rejected, women are especially in need of religious and emotional support at this time.

As has been said, in Jewish law, it is the man who grants the divorce. As such, he is in a position to withhold it, even after a civil divorce has been granted, in order to pressure the ex-wife, and force her to agree to conditions which she would otherwise not accept (regarding money, child custody / education, etc.). The importance of the get for a Jewish woman lies in the fact that, without a get, she can neither marry again Jewishly nor enter into a new unmarried relationship, as she is still technically “eshet ish”, a married woman. Although he is also unable to marry halachically, the man can nonetheless maintain a non-married relationship with an unmarried Jewish woman without transgressing the Halacha. Today, the number of civilly divorced women who have no get and therefore exist in a state of Jewish limbo (“agunot”) is painfully high, and the problem is not being effectively dealt with by the Rabbinic authorities, despite pressure from our own ICJW and many other women's groups, legal groups and some elements within the so-called Modern Orthodox camp in America and parts of Europe. The JOFA Agunah Task Force (see its home page: www.jofa.org) is doing important work in this regard.

One solution which is gaining greater and greater acceptance is the prenuptial agreement, whether civil or religious. (The latter was first introduced by the American Conservative Movement – known as Masorati in other parts of the world.) In general, these agreements, signed by both partners, ensure that, should divorce become a reality, a get will be given and a mediated agreement will be arrived at concerning finances, children, etc.

A major problem relating to marriage arises from the increasingly free intermingling of young Jewish people from all backgrounds and all religious approaches, as opposed to the more traditional search for partners within one's own cultural, social and (Jewish) “ethnic” group. Cultural differences, especially with respect to the role of women, the raising of children, attitudes to extended family, economic expectations, all are potentially major



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sources of tension and conflict, especially for a couple in their thirties and above. An additional and growing problem is the Jewish status of the prospective partners. Many a Jewish person has discovered rather late in life that he or she is not halachically Jewish, due to an unknown / forgotten conversion of dubious validity in previous generations or to the different standards of conversion / Jewishness maintained in different parts of the Jewish world (i.e. patrilineal descent accepted in the Reform movement in American and the Liberal movement in England, as well as the lack of commitment in these and other communities to the traditional requirements for conversion, i.e. Bet Din and Mikve, and divorce). The arrival in Israel of many non-halachically verified Jews has further complicated the situation. Shock and heartbreak are the result.

Today, conversion is an important aspect of Jewish communal and private life, especially in the Western World. It has a major impact upon women. Typically, a Jewish man meets a non-Jewish woman (of another faith or of no proclaimed faith at all), and the couple decides to marry and raise a family. (The opposite also occurs but is probably less frequent.) Irrespective of his own level of participation in Jewish life, ritual or communal, the man may ask his prospective wife to convert to Judaism. Why should she? Over and above her own religious questions and attitude (as regards her birth religion and Judaism) lie the issues of loyalty to family and former community. The process of shedding one identity and adopting a new one is long and arduous, and cannot be encompassed in the duration of a conversion course or through the procedures and rituals connected with the act of conversion itself. Experience shows that the couple may well decide to raise their children in a Jewish home, even without conversion on the part of the mother of the family. Ironically, it will be this empathetic but nonetheless non-Jewish woman who will take on most of the responsibility for creating that “Jewish” home and environment, including ferrying the children back and forth for religious instruction. Making this complex situation work is not an easy matter. In the opposite case, when a Jewish woman marries a non-Jewish man, there is no technical question as to the Jewish identity of the children but when the man does not convert, the socio-psychological and religious issues are only slightly less complex. In each case, the relationship to non-Jewish grandparents must be carefully considered. In a strictly-orthodox framework, conversion is the only viable alternative and then the relationship to the non-Jewish family should be terminated.

How the community relates to non-Jewish or converted partners of born Jews varies tremendously from community to community, from one religious movement to the other and from country to country. Regardless of which partner is Jewish, it is often the women who have to deal with the problems of acceptance, standards and levels of participation, for themselves and for their children. The exclusivity which characterizes many Jewish communities throughout the world can make the life of a convert to Judaism, or of a person who ties his lot to that of a Jewish person but without conversion, very difficult indeed.



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Looking around us, at our Jewish communities, we find that the patterns of Jewish partnership have changed considerably in the last several generations. It cannot be denied that the situation gives cause for concern, for Judaism and for the future of the Jewish people. But hiding our collective heads in the sand is not helpful; education and open discussion, as well as open hearts, can make a difference. It is here that we, as ICJW, can make a tremendous difference.