

What Judaism Has Done for Women.

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RIEFLY, the whole education conferred by Judaism lies in the principle that it did not assign to woman an exceptional position; yet, by taking cognizance of the exceptional position assigned to woman by brute force, or occupied by her on account of her physical constitution and natural duties, Judaism made that education effectual and uninterrupted in its effects. It would, indeed, be possible to begin with our own Emma Lazarus, distinguished for gifts alike of heart and brain, and pass upward through history, mounting from Jewish woman's achievement to Jewish woman's achievement, our path marked by poetesses, martyrs, scholars, queens and prophetesses, until we reach the wilds of our patriarchs.

Yet, by these last only may we hope to be taught about Jewish women. In Jewish history, as in that of the rest of mankind, leaders in politics, in thought, in spiritual endeavor are only milestones. They but indicate the categories of phenomena that deserve attention. Nor do I conceive that it would be a help to dwell upon the acknowledged virtues of the modern Jewish women, which shine out upon us from the darkness of medieval prejudice and glorify the humblest home of the Jew in squalid ghetto. That has been fulsomely treated. We wish to know, as it were, the ancestry of such steadfast, incorruptible virtue. Moreover, Judaism is so compact a system that it is hazardous to speak of any kind of faith. By reason of its conservatism it requires more inexorability than any other system. Our question calls for the spiritual data about the typical women whom Judaism has prepared for nineteenth century work. To discover them we must go back to 1,900 years ago to the women of the time of Abraham

Abraham stands out in the historic picture of mankind as the typical father. He it was of whom it was known that he would command his children and his household after him that they should keep the

A Compact
System.

way of the Lord to do righteousness and justice. What was Sarah's share in this paramount work of education? Ishmael was to be removed in order that Isaac, the disciple of righteousness and justice, might not be lured away from the way of the Lord. In connection with this plan, wholly educational in its aims, it is enjoined upon Abraham: "In all that Sarah may say unto thee, hearken unto her voice."

The next generation again illustrates, not the sameness in function, but equality in position of man and woman. Isaac and Rebecca differ in their conception of educational discipline and factors. But Rebecca, more energetic than her husband, follows up sentiment and perception with practical action. She makes effectual her conviction that mankind will be blessed through the gentleness of Jacob, while Esau's rule means relapse into barbarism.

Rebecca's
Practical Ac-
tion.

From the trend of the story we may infer that there must have been much unwholesome discussion between father and mother about the comparative merits of the two favorites, and the methods of bringing up children in general. There is an echo in Rebecca's plaint: "I am weary of my life, because of the daughters of Heth," whom Esau had married. "If Jacob," she continues, "takes a wife from the daughters of Heth such as these, from the daughters of the land, what good will life do me?" And although we are told earlier in the narrative that the wives of Esau "were a grief of mind unto Isaac and to Rebecca," it is only after he has been prodded by his wife's words that Isaac charges Jacob: "Thou shalt not take a wife from the daughters of Canaan." Finally, whatever may have been the difference of opinion between them in regard to their children's affairs, before their children father and mother are completely at one, for when the first suspicion of displeasure comes to Esau it reaches him in Isaac's name alone. We are told that "then saw Esau that the daughters of Canaan were evil in the eyes of Isaac, his father." (Gen. xxviii, 6.) Isaac, the executive, had completely adopted the tactics of Rebekah, the advisory branch of the government.

The scene, moreover, is remarkable by reason of the fact that we are shown the first social innovator, the first being to act contrary to tradition and the iron-bound customs of society. Rebekah refuses to yield to birth its rights, in a case in which were involved the higher considerations of the guardianship of truth. And this reformer was a traditionally conservative woman. Rebekah is, indeed, the most individual of the women of patriarchal days, both in her feminine attractions and inner womanly earnestness. To her strong character, it is doubtless due, that Isaac became a strict monogamist, thus perhaps making, by the side of Abraham's and Jacob's numerous additions to civilization's work, his sole positive contribution to its advance.

Such are the ideals of equality between man and woman that have come down to us from the days of the Patriarchs. We hear of the mothers of the greatest men, of Yochebed, the mother of Moses, and of Hannah, the mother of Samuel, and the sole director of his earthly

Evidence of
Woman's Dig-
nity.

career. We still read of fathers and mothers acting in equal conjunction, as in the disastrous youth of Sampson. The law ranges them together: "If a man have a stubborn and rebellious son, who hearkeneth not to the voice of his father, or the voice of his mother, and they chastise him, and he will not hearken unto them: Then shall his father and his mother lay hold on him." (Deut. xxi, 18, 19.) It is sufficient to indicate a king's evil character to say: "For a daughter of Ahab had he for a wife" (II Kings viii, 18), attesting abundantly a wife's influence, though it be for evil. Nor could Abigail's self-confidence (I Sam. xxv) have been a sporadic phenomenon, without precedent in the annals of Jewish households. Finally, we have a most striking evidence of woman's dignity in the parallel drawn by the prophets between the relation of Israel to God and that of a wife to her husband, most beautifully in this passage which distinguishes between the husband of a Jewish woman and the lord of a medieval Griseldis: "And it shall happen at that day, saith the Lord, that thou shalt call me Ishi (my husband) and shalt not call me any more Ba'ali (my lord). And I will betroth thee unto me forever: Yea, I will betroth thee unto me in righteousness and in justice, and in loving kindness, and in mercy. And I will betroth thee unto me in faithfulness." (Hosea ii, 18, 21, 22.)

Folly of
Worshipping
Strange Gods.

But Israel was a backsliding nation. Even its crowning glory, purity of family life, was sullied, as for instance at Gibeah (Judges xx), and by David (2 Sam. xi, xii). In the process of time, Israel came into contact with strange nations, with their strange Gods and their strange treatment of women. It went after idols whose worship consisted of unchaste rites. Israel's sons married the daughter not of the stranger, but of a strange God. It was the Israelite's crown of distinction that his wife was his companion, whose equality was so acknowledged that he made with her a covenant. But this crown was dragged in the mire when he married the daughter of the strange God. Direst misfortune taught Israel the folly of worshipping strange Gods, but the blandishments of the daughters of a strange God produced the enactment of many a law by the rabbis of the Talmud. Here was the problem that confronted them: Israel's ideals of womanhood were high, but the nations around acted up to a brutal standard, and Israel was not likely to remain untainted. Thus Mosaic legislation recognizes the exceptional position occupied by woman, and profits by its knowledge thereof to lay down stringent regulations ordering the relation of the sexes.

We have the rights of woman guarded with respect to inheritance, to giving in marriage in the marriage relation, and with regard to divorce. The maid servant, the captive taken in war, the hated wife, the first wife to be dethroned by a successor—they all are remembered and protected. But woman's greatest safeguard lay in the fact that both marriage and divorce among the Jews were civil transactions, connected with a certain amount of formality. We hear of the bill of divorcement as early as the times of Moses. Marriage was preceded

in some cases by the space of a whole year, during which the woman remained with her father, by the making of a contract of betrothal which in every way was as binding as the act of marriage itself. Thus Malachi's expression, "the wife of thy covenant," was not an empty phrase. It indicates a substantial reality, and at the same time emphasizes the difference between Israel's well regulated moral household and the irregularities and violences of heathen lands.

This, then, was the Jewish basis upon which the rabbis could and did build. The subject of marriage and divorce is by them considered so important that one whole treatise out of the six constituting the Mishnah is devoted to it. But its treatment is so multifarious and exhaustive that only a very skilled Talmudist and an equally systematic mind would be able to arrange all the details under satisfactory heads sufficiently to give it a just idea of its admirable perfection. I am not able to do more than give some instances and some laws in order to illustrate how the rabbis accept woman's exceptional position, and by so doing to shield her from wrong and protect her in her right.

Marriage and
Divorce.

The marriage contract assured to the wife a certain sum of money, the minimum being fixed by law, in the case of the death of her husband, or divorce. This contract had to be duly signed and properly drawn up. Moreover, a widow is entitled to this minimum sum even though no mention is made thereof in the contract. With regard to the position of a married woman the rule was: The wife rises with the husband, but does not descend with him. The expenses of a woman's funeral, for instance, are regulated by the position of her husband; if his is superior her's is superior. A husband must provide his wife with food and raiment; is obliged to ransom her if she is taken captive, and owes her decent burial. A wife's duties are also defined. She must grind, bake bread, wash the linen, nurse her children, make her husband's bed and work in wool. If she has a servant at her disposal she is not obliged to grind, nor to bake bread, nor to wash the linen. Her work diminishes with the number of servants at her beck and call. If she has four she need do nothing. Even if she had a hundred servants her husband may exact spinning from her, for idleness leads to wicked thought. Rabbi Simon says: "If a husband has vowed that his wife shall do no work, he is obliged to divorce her, and pay her her dowry, for idleness may bring about mental alienation." This last dread of idleness throws light upon the praise accorded the virtuous woman: "The bread of idleness she doth not eat." Furthermore, there are regulations fixing the wife's right to property, her husband's claims upon it, as upon what she may earn; even the girl in her father's home could own property, of which she could dispose as she wished. A man with one wife could marry a second only with the consent of the first—a most potent measure for resisting polygamy.

The laws and regulations of divorce are equally full and detailed. A passage often quoted in order to give an idea of the Jewish divorce

law is the following: The school of Shammai, clinging to Biblical ordinances, says that "a wife can be divorced only on account of infidelity." The school of Hillel says that the husband is not obliged to give a plausible motive for divorce; he may say she spoiled his meal. R. Akiba expresses the same idea in another way; he may say that he has found a more beautiful woman. And those that wish to throw contempt upon the Jewish law add that the school of Hillel, the milder school, is followed in practical decisions. This is one of the cases in which not the whole truth is told. In the first place, a woman has the same right to apply for a divorce without assigning any reason which motives of delicacy may prompt her to withhold. The idea underlying this seeming laxity is that when a man or a woman is willing to apply for a divorce on so trivial a ground then, regard and love having vanished, in the interests of morality a divorce had better be granted after due efforts have been made to effect a reconciliation. In reality, however, divorce laws were far from being lax. The facts that a woman who applied for a divorce lost her dowry, and in almost all cases a man who applied for it had to pay it, would suffice to restrain the tendency. The important points characterizing the Jewish divorce law and distinguishing it far beyond other nations of antiquity are these: A man, as a rule, could not divorce his wife without providing for her; he could not summarily send her from him as was, and is, the custom of eastern countries, but was obliged to give her a duly drawn up bill of divorcement, and women, as well as men, could sue for a divorce.

Besides these important provisions regulating woman's estate, there are various intimations in the Talmud of delicate regard paid to the finer sensibilities of women. In a mixed marriage, the child follows the religion of its mother. If men and women present themselves when alms are distributed, the women must be attended to first, so that they need not wait. When men and women had cases before Rabba, he first dispatched those of the women, as it is a humiliation for women to wait. Again, if an orphaned boy and an orphaned girl have to be supported by public charity, the girl is to be helped first, for begging is more painful to a woman than to a man. Under no circumstances could a wife be forced to clothe herself in a way to attract remark or call forth ridicule.

Women are accorded certain privileges in legal proceedings on account of their grace; that is to say, their sex. This is still subtler in the deference it pays to woman's influence. A daughter must remain with her mother. If a man dies, and his sons, his heirs, who are obliged to provide for the daughters out of the inheritance, wish to do so at their own home, while the mother wishes to keep her daughters with her, then the sons are obliged to take care of them at their mother's house. With regard to the education of women, this may be quoted: According to the Mishnah, girls learn the Bible like boys. The religious obligations of women are thus defined. All the duties toward children rest upon the father, not upon the mother. All the duties toward parents rest upon sons and daughters alike. All the

Regard to the
Finer Sensibil-
ities.

positive commandments which must be observed at a fixed time are obligatory on men and not on women.

These and such are the provisions which, originating in the hoary past, have entrenched the Jewess's position even unto this day. Whatever she may be, she is through them. But what is she? She is the inspirer of a pure, chaste family life, whose hallowing influences are incalculable; she is the center of all spiritual endeavors, the fosterer and confidante of every undertaking. To her the Talmudic sentence applies: "It is a woman alone through whom God's blessings are vouchsafed to a house. She teaches the children, speeds the husband to the place of worship and instruction, welcomes him when he returns, keeps the house godly and pure, and God's blessings rest upon all these things."

Now, finally, with what fitness to meet nineteenth century demands has Judaism endowed her daughters? Our pulses are quickened and throbbing with the new currents of an age of social dissatisfaction and breathless endeavor. The nineteenth century Jewess is wholly free to do as and what she wishes, nor need she abate a jot of her Judaism. Judaism does not, indeed, bid her become a lawyer, a physician, a bookkeeper, or a telegraph operator, nor does it forbid her becoming anything for which her talents and her opportunities fit her. It simply says nothing of her occupations. Moreover, by reason of her Jewish antecedents, the Jewess stands ready to cope with the new requirements of life. Her fitness for moral responsibility has always been great, and as for her mental capacity, it has not oozed away under artificial homage, nor been paralyzed by exclusion from the intellectual work and practical undertakings of her family. Judaism permits her daughters to go forth into this new world of ours to assume new duties and responsibilities and rejoice in its vast opportunities. But it says: "Beware of forfeiting your dignity." Remember, moreover, that, like mothers in all ages, be they kindly or unkindly disposed to women, I shall stand and wait, aye, and be ready to serve you. My Sabbath lamp shall ever be a-light; in its rays you will never fail to find yourself, your dignity, your peace of heart and mind.

Free to Do As
She Wishes.