

Agency as Quest and Question: Feminism, Religious Studies, and Modern Jewish Thought

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Modern European liberal thought is built on the idea that (male, European, adult) individuals are agents primarily by virtue of their capacity for reason. The identification of agency with reason long shaped the study of both religion and gender. In classic accounts of religion as a human construction, modern Western theorists—Marx, Freud, Durkheim—imagined religion as a veil over an ontologically prior social force. Individual agency, by extension, constituted liberating oneself from religious belief, worship, and communal structures through the exercise of reason.

A parallel structure characterized the emergence of liberal feminism in the modern West. Women's self-determination and autonomy required liberation from oppressive social norms, public policy, and domestic arrangements. Even when feminists strayed from the emphasis on reason, liberal activist quests relied on the equation of agency with liberation from the strictures that deny personal and political autonomy to women.

In recent years, agency has become a compelling—and substantially more complicated—topic in the fertile intersection of religious studies and gender studies. The topic of agency provokes a confrontation between the philosophical structures of modern rationalism, upon which both egalitarian feminism and formative elements in the study of religion are based, and more recent postmodern destabilizations

of the rational subject. The explosion of research on gender in the study of Judaism in the last two decades has harnessed this intellectual energy to reexamine women's religious lives.

Feminist scholarship initially focused on the denial of agentic status to women in rabbinic traditions. As the title of Judith Romney Wegner's *Chattel or Person? The Status of Women in the Mishnah* (1988) implies, personhood in the Mishnah includes capacities correlated with rational agency: a legal person has the capacity to own, buy, and sell property; to enter into contracts with others; to testify in court; and so on.¹ Though tannaitic literature, not being systematic, does not present a clear theory of personhood, Wegner argued that the "autonomous woman" was the legal exception that proved the rule of women's denial of agency in much of rabbinic law.² Likewise, Rachel Biale's *Women in Jewish Law* (1984), which collected and analyzed key halakhic texts concerning women's status in rabbinic Judaism, acknowledged that "traditionally, women played a second-string role in this process of fashioning Jewish identity and attributing meaning to Jewish lives."³ Using her book, readers would understand the rabbinic sources that shaped women's lives and circumscribed their power. But since women were excluded from the community of sages, leaving almost no textual record of their own, women's agency is nowhere to be found.⁴

In recent decades, theoretically minded scholars of religion have worked relentlessly to wrest the concept of agency from its liberal origins. Influential theorists like Talal Asad built on Michel Foucault's investigation of how different regimes of power/knowledge *produce* subjectivities, a move that undermined the stability of the self-constituting subject. This poststructuralist model has enriched the scholarly toolkit, rendering agency more plastic if also more amorphous. The challenge to a feminist model in which women's agency was simply construed as either present or absent has been profound; increasingly, scholars of women in religion have sought to "develop an analytical language for thinking about modalities of agency that exceed liberatory projects (feminist, leftist, or liberal)," in the words of Saba Mahmood.⁵

Mahmood's study of the Islamic piety movement in Egypt inspired scholars of other religious traditions to extend their attention to "non-liberal" religious phenomena that had been tacitly relegated to the margins of feminist scholarly concern. Feminist religionists pursued complex notions of agency by giving new attention to precisely those practices and sites that, in earlier theoretical moments, appeared most hostile to liberal notions of agency: spirit possession; evangelical

proselytizing; and, in Judaism, ultra-Orthodoxy.⁶ Maternity, the subject of my recent research, constitutes yet another such topic. Among many white second-wave feminists, the maternal itself was often conflated with the patriarchal imperative that oppressed women, and the refusal of motherhood with liberation.⁷ By contrast, I sought a more nuanced approach to maternity that could comprehend it as a complex site of moral agency.⁸

In the study of Judaism, a new era of scholarship on women has illustrated the fruitfulness of this discourse across multiple subfields. In rabbinics, it has complicated the initial feminist approach to classical Jewish texts and traditions. The initial spadework of documenting the subordinated status of women has yielded to subtler rereadings of these texts. For instance, in attacks on women's religious heterodoxy or failure to comply with religious norms, feminist scholars of late antiquity hear traces of distinctive women's practices that resisted conforming to male elite definitions of orthoprax behavior.⁹ This more expansive feminist search orients scholars not only toward women's voices—muted as they may be within the classical literature—but also toward an understanding of how gender structures and is structured by rabbinic thought. The massive multinational, multiyear *Feminist Commentary on the Babylonian Talmud* testifies to the variety of modes through which feminist scholars approach a text that has been of singular importance in shaping Jewish religious discourse. These feminist engagements with the Talmud have revealed new links between rabbinic discourses of gender and rabbinic formulations of empire, ethnonational boundaries, disability, nonhuman animals, law, and more.¹⁰

In studies of medieval and early modern Judaisms, a new landscape has emerged as feminist scholars have examined texts and material culture that shed light on everyday life. For example, Eve Krakowski's careful work on female adolescents, relying on the Cairo Geniza documents rather than only on the textual legacy of the elite, reveals young women not as victims of a monolithically patriarchal legal structure but as actors who manipulated the prevailing customs and halakhic norms to their own benefit.¹¹ Likewise, Renée Levine Melammed mines the Geniza to read between the lines in a Maimonidean responsum, showing how "a woman, having chosen a path that was fraught with difficulties, could maneuver within the limitations imposed upon her by Jewish law."¹² As Elisheva Carlebach has shown, community records (*pinkasim*) testify to complex structures of authority within early modern Ashkenazi Jewish communities, in which we find both the circumscribed life choices facing poor women and positions of

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significant independence asserted by others.¹³ Elisheva Baumgarten's research into Jewish everyday life in the high Middle Ages brings to light women whose economic activity in the marketplace fills out the picture toward which Glikl Hamel's singular testimony gestures.¹⁴ And in the religious realm, Chava Weissler shows that early modern Yiddish religious texts and traditions enabled women to insert their needs and desires into a liturgical landscape dominated by men.¹⁵

Meanwhile, researchers of contemporary Judaism have used Mahmood's theoretical work to shed light on women in nonliberal Jewish communities, showing them to be sophisticated actors who not only are shaped by but who also shape their religious and social environments.¹⁶ For example, Ayala Fader's ethnographic study of women in a community of Bobov Hasidim in Brooklyn simultaneously disrupts and reasserts the equation of agency with autonomy; she argues that her subjects develop their own understanding of "religious modernity that dismantles an opposition between the secular and the religious" and implement their vision especially through their childrearing practices.¹⁷

As a graduate student and postdoc, I gazed longingly from the sidelines as this proliferation of scholarly work on women and gender emerged in other areas of Jewish Studies. With a few exceptions, my subfield of modern Jewish thought remained largely untouched by the remarkable developments that have become, if not fully integrated in, then at least a powerful challenge to other subfields of Jewish Studies.¹⁸ The "canon" of modern Jewish thinkers I studied as a graduate student was completely male; few female scholars worked in the subfield of modern Jewish religious thought and philosophy, and gender analysis was all but absent from the scholarship being produced.¹⁹ My historian colleagues examining central and western Europe were busy exploring the interconnection between the process of modernization for Jewish men and the discourse about and for women in the same period (an approach pioneered in, among other works, Paula Hyman's *Gender and Assimilation in Modern Jewish History* [1995] and Marion Kaplan's *The Making of the Jewish Middle Class* [1991]).²⁰ But modern Jewish thought was seemingly insulated from the wholesale transformations that have since brought so much change to the rest of Jewish Studies, and I myself did not succeed in bringing gender analysis to my dissertation work or the book that grew out of it.²¹

My second book project grew out of a frustration with the intractably androcentric nature of my subfield. I wanted to explore how gender analysis could be integrated into modern Jewish thought. But I also wanted to build on developments in the study of gender in

religious studies and in particular to engage with the rich literature developing regarding agency. As a beneficiary of several decades of academic feminism and gender studies, I approach my subfield with the *assumption* of women's agency—indeed, with the presumption that all people are agentic. My recent work is informed less by a desire to locate instances of women's agency than by the certainty that documenting its contours will reshape how we understand Jewish thought.

That certainty led me, first, to recognize the limits of the all-male canon of modern Jewish thinkers, thinkers as often beatified as analyzed in scholarship on Jewish philosophy and religious thought. As an example, I have been struck by the extent to which Franz Rosenzweig's "The Builders" has served as an intellectual lodestar for those who wish to define Jewish life metahalakhically.²² In this essay, Rosenzweig argues that *minhag* (custom) has always served as a leavening agent vis-à-vis halakhah. He illustrates this point in one instance by approvingly pointing to women's authority in domestic matters as critical to the creation of a holistic Jewish tradition: "the legal exclusion of the woman from the religious congregation," he writes, has "equal force" to "her ruling rank in the house, given to her by age-old custom, and acknowledged by the husband on Friday evening in the biblical song of the Woman of Valor."²³ Some feminist scholars have substantiated this correlation through ethnographic research, showing that in fact the male halakhic enterprise has not been exhaustive for determining Jewish norms or Jewish religiosity.²⁴ But Rosenzweig's formulation ignores the processes that regulated and circumscribed women's alternative loci of power and female forms of piety. Moreover, if we place Rosenzweig's essay in social-historical context, we may note that it was written *two decades* after fellow Lehrhaus participant Bertha Pappenheim's founding of the Jüdischer Frauenbund—that is, after two decades of activism on behalf of Jewish women's political and economic rights. The failure of this juxtaposition to become integrated into how Rosenzweig is taught is emblematic of a more general failure to render visible the hidden gender economy underneath modern Jewish thinkers' most influential texts.²⁵

My attraction to feminist scholarship on women's agency had an additional and quite unanticipated effect: it pushed me to more consciously assert my own agency as a scholar. In my second, experimental (and most definitely posttenure) project, I made my constructive interests explicit.²⁶ I wanted to write a feminist account of the daily caregiving involved in rearing young children that would critically and constructively engage Jewish sources. I mobilized a set of resources

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that included (but was not limited to) the theological accounts of intersubjectivity that emerged in modern Jewish thought, insofar as they were useful. Just as important to my sense of agency in this project, however, was the work of pointing out the limitations of *The Great Men of Modern Jewish Thought*. Finally, in contrast to a more traditional work of scholarship, I broke with scholarly convention by occasionally making explicit the life experiences that had given rise to the central analytical questions of the book.²⁷

In bringing feminist questions to modern Jewish thought, I came to appreciate the degree to which gender and queer studies, along with cognate fields, challenged the coherence of the category of “women” and the liberal underpinnings of modern Western feminism. Butler’s argument that “gender coherence is not the ground of politics but its effect” encapsulates this challenge to the ground of feminist politics; the theoretical work of Asad, Mahmood, and others likewise challenges the western biases of those politics and other parallel liberatory movements.²⁸

These important and generative contestations, however, have not eradicated the need for feminist politics. On the contrary, in this moment of profound social and civic crisis—with a president of the United States who brags about his triumphs as a sexual predator and legitimizes fearmongering as public policy—feminist attention to issues of power, social hierarchies, and access is needed more than ever. In the face of ongoing inequities in our own guild (all-male conference rosters, journals and anthologies with all male authors, and departments and fields dominated by men²⁹), the feminist recognition that the personal is political must continually be brought to our scholarship.

Notes

For thoughtful conversations and responses to earlier drafts of this piece, I thank Rachel Neis, Riv-Ellen Prell, Martin Kavka, and Gillian Steinberg.

- 1 Judith Romney Wegner, *Chattel or Person? The Status of Women in the Mishnah* (New York, 1988).
- 2 For an attempt to reconstruct a theory of personhood embedded in the Mishnah, see Mira Balberg, “Pricing Persons: Consecration, Compensation, and Individuality in the Mishnah,” *Jewish Quarterly Review* 103, no. 2 (2013): 169–95.

- 3 Rachel Biale, *Women and Jewish Law: An Exploration of Women's Issues in Halakhic Sources* (New York, 1984), xi.
- 4 In addition to the challenges to this approach that I discuss below, the assumption of men's agency in rabbinic texts has also come into question in recent years; see, for example, Mira Balberg, *Purity, Body, and Self in Early Rabbinic Literature* (Berkeley, 2014); Ishay Rosen-Zvi, *Demonic Desires: Yetzer Hara and the Problem of Evil in Late Antiquity* (Philadelphia, 2011); and Rachel Neis, "Directing the Heart: Corporeal Language and the Anatomy of Ritual Space," in *Placing Ancient Texts: The Ritual and Rhetorical Use of Space*, ed. Mika Ahuvia and Alexander Kocar (forthcoming), 131–65.
- 5 Saba Mahmood, *Politics of Piety: The Islamic Revival and the Feminist Subject* (Princeton, 2005). The interest in comprehending agency in "nonliberal" religious phenomena has also been productive for the study of "liberal" religious and political contexts, just as this theoretical turn has challenged the bifurcations of secular/religious and liberal/nonliberal.
- 6 Mary Keller, *The Hammer and the Flute: Women, Power, and Spirit Possession* (Baltimore, 2002); Elizabeth Bucar, "Dianomy: Understanding Religious Women's Moral Agency as Creative Conformity," *Journal of the American Academy of Religion* 78, no. 3 (2010): 662–86; R. Marie Griffith, *God's Daughters: Evangelical Women and the Power of Submission* (Berkeley, 1997); Orit Avishai, "'Doing Religion' in a Secular World: Women in Conservative Religions and the Question of Agency," *Gender and Society* 22, no. 4 (2008): 409–33; Elizabeth Pritchard, "Agency without Transcendence," *Culture and Religion* 7, no. 3 (2006): 263–89.
- 7 For example, Shulamith Firestone, *The Dialectic of Sex: The Case for Feminist Revolution* (New York, 1970). A crucial exception to this tendency is Adrienne Rich, *Of Woman Born: Motherhood as Experience and Institution* (New York, 1976).
- 8 Patricia Hill Collins, "Shifting the Center: Race, Class, and Feminist Theorizing about Motherhood," in *Representations of Motherhood*, ed. Donna Bassin, Margaret Honey, and Meryle Mahrer Kaplan (New Haven, Conn., 1994); bell hooks, "Homeplace: A Site of Resistance," in *Yearning: Race, Gender, and Cultural Politics* (New York, 2015), 41–50. More recently, see Cristina L. H. Traina, *Erotic Attunement: Parenthood and the Ethics of Sensuality between Unequals* (Chicago, 2011), and Sandra Sullivan-Dunbar, *Human Dependency and Christian Ethics* (New York, 2017).
- 9 Charlotte Elisheva Fonrobert, "The Didascalia Apostolorum: A Mishnah for the Disciples of Jesus," *Journal of Early Christian Studies* 9, no. 4 (2001): 483–509.
- 10 See, for example, Charlotte Elisheva Fonrobert, "Blood and Law: Uterine Fluids and Rabbinic Maps of Identity," *Henoah* 3, no. 2 (2008): 243–66; Gwynn Kessler, *Conceiving Israel: The Fetus in Rabbinic Narratives*

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- (Philadelphia, 2009); and Julia Watts Belser, *Rabbinic Tales of Destruction: Sex, Gender, and Disability in the Ruins of Jerusalem* (New York, 2018).
- [14] 11 Eve Krakowski, *Coming of Age in Medieval Egypt: Female Adolescence, Jewish Law, and Ordinary Culture* (Princeton, 2018).
- Jewish Social Studies* 12 Renée Levine Melammed, "He Said, She Said: A Woman Teacher in Twelfth-Century Cairo," *AJS Review* 22, no. 1 (1997): 33. Elsewhere Melammed has focused on the substantive philanthropic activity of widows in medieval Egypt and Sepharad; see, e.g., Renée Levine Melammed, "The Jewish Woman in Medieval Iberia," in *The Jew in Medieval Iberia: 1100–1500*, ed. Jonathan Ray (Brighton, Mass., 2011).
- Vol. 24 13 Elisheva Carlebach, "Community, Authority, and Jewish Midwives in Early Modern Europe," *Jewish Social Studies* 20, no. 2 (2014): 5–33; idem, "Fallen Women and Fatherless Children: Jewish Domestic Servants in Eighteenth-Century Altona," *Jewish History* 24 (2010): 295–308.
- No. 2 14 Elisheva Baumgarten, *Practicing Piety in Medieval Ashkenaz: Men, Women, and Everyday Religious Observance* (Philadelphia, 2014).
- 15 Chava Weissler, *Voices of the Matriarchs: Listening to the Prayers of Early Modern Jewish Women* (Boston, 1998).
- 16 It is noteworthy that many of these scholars are fully aware not only of the secularism (and feminist secularity) that "provide the structuring conditions for the articulation" (Saba Mahmood, *Politics of Piety: The Islamic Revival and the Feminist Subject* [Princeton, 2012], xv) of ultra-Orthodox forms of piety but also of their own feminist commitments outside of those communities. See, for instance, Ayala Fader, *Mitzvah Girls: Bringing up the Next Generation of Hasidic Jews in Brooklyn* (Princeton, 2009).
- 17 *Ibid.*, 3. More recently, see Ilan Fuchs, *Jewish Women's Torah Study: Orthodox Religious Education and Modernity* (New York, 2014). By 1991 there were already two books on women choosing Orthodoxy: Lynn Davidman, *Tradition in a Rootless World: Women Turn to Orthodox Judaism* (Berkeley, 1993), and Debra R. Kaufman, *Rachel's Daughters: Newly Orthodox Jewish Women* (New Brunswick, N.J., 1991).
- 18 I am excited that a growing number of younger scholars have brought a new gender-studies analysis to figures who have long dominated modern Jewish thought (e.g. Larisa Reznik, "This Power Which Is Not One: Queer Temporality, Jewish Difference, and the Concept of Religion in Mendelssohn's *Jerusalem*," *Journal of Jewish Identities* 11, no. 1 [2018]: 143–77) and to integrating feminist Jewish thought into the broader corpus of the subfield (e.g., Molly Farneth, "Feminist Jewish Thought as Postliberal Theology," *Modern Theology* 33, no. 1 [2017]: 31–46).
- 19 A few exceptions to this last observation, such as articles by Susan Shapiro and Leora Batnitzky, sustained me in the hope that something might be said about gender in modern Jewish thought. See Susan Shapiro, "A Matter of Discipline: Reading for Gender in Jewish Philosophy," in *Race, Class, Gender, and Sexuality: The Big Questions*,

- ed. Naomi Zack (London, 1998), and Leora Faye Batnitzky, "Dependence and Vulnerability: Jewish and Existentialist Constructions of the Human," in *Women and Gender in Jewish Philosophy*, ed. Hava Tirosch-Samuels (Indianapolis, Ind., 2004). Unfortunately, two decades after I started graduate school, many conferences and publications in Jewish Studies remain almost exclusively male; see Susannah Heschel and Sarah Imhoff, "Where Are All the Women in Jewish Studies?," *Forward*, July 3, 2018, <https://forward.com/culture/404416/where-are-all-the-women-in-jewish-studies/>.
- 20 Feminist historians of modern Judaism integrated women as actors into their accounts of European and American modernization, even as they argued for gender as a sphere in which conflicts over acculturation played out; see, for example, Paula E. Hyman, "Immigrant Women and Consumer Protest: The New York Kosher Meat Boycott of 1902," *American Jewish History* 70, no. 1 (1980): 68–90; Marion A. Kaplan, *The Making of the Jewish Middle Class: Women, Family, and Identity in Imperial Germany* (New York, 1991); and Riv-Ellen Prell, *Fighting to Become Americans: Jews, Gender, and the Anxiety of Assimilation* (Boston, 1999).
- 21 Mara H. Benjamin, *Rosenzweig's Bible: Reinventing Scripture for Jewish Modernity* (New York, 2009).
- 22 This phenomenon is partly traceable to Nahum Glatzer's work in translating Rosenzweig for American Jewish readers; on Glatzer's importance in shaping the American Jewish reception of Rosenzweig and other German Jewish thinkers, see Eugene Sheppard, "'I Am a Memory Come Alive': Nahum Glatzer and the Legacy of German-Jewish Thought in America," *Jewish Quarterly Review* 94, no. 1 (2004): 123–48.
- 23 Franz Rosenzweig, "The Builders," in *On Jewish Learning*, ed. Nahum Glatzer (New York, 1965), 84–85.
- 24 Susan Starr Sered, "Food and Holiness: Cooking as a Sacred Act among Middle-Eastern Jewish Women," *Anthropological Quarterly* 61, no. 3 (1988): 129–39; idem, *Women as Ritual Experts: The Religious Lives of Elderly Jewish Women in Jerusalem* (New York, 1992). The same example of women's authority in matters of kashrut plays an important role in the influential essay by Haym Soloveitchik, "Rupture and Reconstruction: The Transformation of Contemporary Orthodoxy," *Tradition: A Journal of Orthodox Jewish Thought* 28, no. 4 (1994): 64–130.
- 25 In the introduction to her primer on modern Jewish thought, Batnitzky explains that the figures she investigates, almost exclusively male, "largely tell the story of the Jewish religion's invention and conceptual aftereffects, without much self-consciousness about the role of women and gender in modern Jewish life and thought"; Leora Faye Batnitzky, *How Judaism Became a Religion: An Introduction to Modern Jewish Thought* (Princeton, 2011), 4. But this scholarly choice reflects a specific construction of the narrative rather than a necessity demanded by the material itself.

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- [16] 26 Mara H. Benjamin, *The Obligated Self: Maternal Subjectivity and Jewish Thought* (Bloomington, Ind., 2018).
- Jewish Social Studies* ● 27 One of the early works that inspired me to consider the connection between feminist commitments and personal narratives was The Personal Narratives Group, ed., *Interpreting Women's Lives: Feminist Theory and Personal Narratives* (Bloomington, Ind., 1989).
- Vol. 24 ● 28 Judith Butler, "Gender Trouble, Feminist Theory, and Psychoanalytical Discourse," in *Feminism/Postmodernism*, ed. Linda J. Nicholson (New York, 1990). Benjamin Baader, "The Fabric of Jewish Coherence: From Glikl of Hameln to Franz Rosenzweig's Grandmother," *Journal of Jewish Identities* 11, no. 1 (2018): 56, cites this statement in the context of a brief consideration of its effects on feminist politics.
- No. 2 ● 29 For a small sample of some of the more egregious examples, see Heschel and Imhoff, "Where Are All the Women in Jewish Studies?"

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