

JEWISH LAW: GENDER ISSUES  
Instructor: Norma Baumel Joseph

Reli 394C/2-AA Undergraduate  
Jeudi 1805-2010

Reli 666A/2 Graduate  
Jeudi 1805-2010 + 2025-2230  
alternate weeks

The purpose of this course is to familiarize students with the history, process and procedures of Jewish law. Our primary investigation is *halakha*, Jewish legal texts, in all of the variations and ramifications. The cases and examples used will focus on the legally complex issues surrounding matters of gender. This is not a course on women in Jewish law; it is not a sociological or anthropological exploration of the role and rituals of Jewish women throughout history. Our goal is to discern how legal precepts create the categories of distinction that separate and circumscribe female and male acts and interactions.

This is an advanced course in Jewish law. It is open to undergraduate and graduate students. All the students are expected to participate in classroom discussion and study. Graduate students will be expected to make presentations of their research projects. I will be focusing on one arena, researching and developing that with you throughout the term.

Knowledge of Hebrew is not a requirement but students will be encouraged to work with original texts wherever possible. Familiarity with Jewish history and basic legal categories is beneficial.

#### REQUIREMENTS

Undergraduates:

1. Participation - 10%
2. Midterm essay - 40%
3. Research paper- 50%

Graduates:

1. Participation - 20%
2. Research paper- 60%
3. Presentation - 20%

Texts:

Rabbi M. Lewittes, *Principles and Development of Jewish Law*.  
Articles on legal issues as recommended. (Individual articles will be photocopied in a package and available at Copies Concordia)

Recommended:

Rachel Biale, *Women and Jewish Law*

Reference:

*Encyclopedia Judaica*, various articles on Jewish law

Menachem Elon, *Principles of Jewish Law*, 4 volumes

G. Ellinson, *Ha-isha ve-hamitsvot*, translated or in Hebrew.

D. Feldman, *Marital Relations in Jewish Law*.

Possible Research Topics  
Jewish Law: Gender Issues

Women's Hair and head coverings  
Voice of women and public prayer  
Reading from the Torah and *aliyot*  
Woman's obligation in public and private prayer  
Obligatory Blessings:  
    *Gomel, shema, havdalah, kiddush, sheva berakhot, etc.*  
Grace after meals and *zimmun*  
Reading the *megillah* by and for women  
Inheritance; of daughters and wife.  
Wearing of prayer implements  
    *tefilin, tsitsit*  
*Kaddish*  
Laws of congregational leadership: rabbi, cantor...  
*Rosh Hodesh* and other celebrations  
Bat Mitsva  
Marital laws  
Women and the quorum ; *minyán*  
Menstruation restrictions and Biblical *tumah*  
Sabbath and festival candles  
Exemptions and prohibitions  
Be fruitful and multiply and female obligations  
Domestic violence  
Matrilineage  
Divorce amendments

Your research must involve examination of primary documents.  
You cannot hand in a paper that is just a rehash of secondary sources. Pick a topic that interests you early in the semester. Once you have located an area, I will help you find appropriate sources. Do not wait until the last minute or the sources will be difficult to find. Part of the assignment is for you to learn how to find sources and how to research these legal issues. Develop your bibliography as soon as you select a viable topic. Remember that there are many levels of legal material. Unraveling the sources will give you and appreciation of the history of legal precedents and decisions.

The paper will have at least 4 components:

1. A statement of the problem
2. Presentation of the key texts.
3. History of development of the question and its various solutions
4. An analysis of the gender implications

Approximate Length: Undergraduate 12-15 pages, Graduate 15-20 pages.