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# Table of Contents

- 01 **Crowdfunding a New Church - A Multimodal Analysis of Faith-Related Giving Rhetoric on Indiegogo**  
*Adam J. Copeland*
- 19 **Renegotiating Shari'a-Based Normative Guidelines in Cyberspace - The Case of Women's 'awrah**  
*Sabine Damir-Geilsdorf & Leslie Tramontini*
- 45 **The Ahmadiyya in Germany - An Online-Platform as a Multi-Functional Tool**  
*Lauren Drover*
- 63 **Discovering the Digital Authority - Twitter as Reporting Tool for Papal Activities**  
*Damian Guzek*
- 81 **Internet and Kyais in Indonesia - Negotiation of Authority in a Mediatized Environment**  
*Fazlul Rahman*
- 107 **Attitudes Towards Women's Participation in Public Prayer Among Jewish and Muslim Websites**  
*Oren Steinitz*
- 125 **Review: Cybertheology - Thinking Christianity in the Era of the Internet**  
*Frank Bosman*



# Attitudes Towards Women's Participation in Public Prayer Among Jewish and Muslim Websites

Oren Steinitz

## Abstract

Both Jewish and Islamic legal systems have historically classified women as “others.” As Feminist attitudes slowly made their way into Western mainstream thought, both Jewish and Muslim Feminists found that the religious legal discourse had been even slower to adapt. In the Jewish world, while the non-Orthodox movements have been increasing women's active participation in public rituals for decades now, many Orthodox scholars still view gender issues as a watershed between Orthodoxy and the rest of the Jewish world. Muslim scholars, on their part, have only recently started to seriously address the topic of women's active participation in public rituals. This paper will review web-based questions and answers regarding women's active participation in public ritual, and examine whether a liberal attitude on those issues automatically sets a person—be it the inquirer or the responding scholar—outside the orthodox, or mainstream, enclave.

## Keywords

Judaism, Islam, Responsa, Fatawa, Halakhah, Shari`a, Feminism, Women, Prayer, Salaat

## 1 Introduction

Post-Colonial studies emphasize that Western-Imperial discourse often marginalizes women and homosexuals, who were considered an “other” in the eyes of the white, patriarchal, heterosexual hegemony (Ashcroft u. a., 2001: S. 170; Cavallaro, 2001: S. 122–3). While Jews and Muslims were similarly considered “others” in Western societies, they themselves have traditionally classified

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women as “others”, whose role was often limited to the domestic or private sphere.<sup>1</sup> As Feminist attitudes slowly made their way into Western mainstream thought, both Jewish and Muslim Feminists found that the religious legal discourse had been even slower to adapt. In the Jewish world, while the non-Orthodox movements have been increasing women’s active participation in public rituals for decades now, many Orthodox scholars still view gender issues as a watershed between Orthodoxy and the rest of the Jewish world. Muslim scholars, on their part, have only recently started to seriously address the topic of women’s active participation in public rituals. This paper will review web-based questions and answers regarding women’s active participation in public ritual, and examine whether a liberal attitude on those issues automatically sets a person—be it the inquirer or the responding scholar—outside the orthodox, or mainstream, enclave.

## 2 Women’s Role in Jewish Communal Prayer—A Brief Historical Review

The debate regarding women’s active participation in public prayer, as well as the permissibility of them leading it, has to do with several issues: women’s status in halakha, the perception of ritual in Jewish Law, and the subject of ‘modesty’ [*ts’ni’ut*]. Generally speaking, the lives of observant Jews, male or female, are structured by halakha, and more specifically by *mitsvot* [*mitzvah*, singular]—the 613 commandments that relate to every minor detail of a person’s both private and public lives, and are believed to be divinely ordained (Biale, 1984: S. 10–11). It is worth noting that traditional Jewish Law does not make a distinction between ‘ritualistic’ and other commandments, and all are perceived as divine ordinances that an observant Jew must follow.<sup>2</sup> While the vast majority of the *mitsvot* apply equally to both women and men, there are several exceptions to this rule. Some commandments, such as circumcision and menstrual purity, are obviously gender exclusive as they specifically relate to male or female biological attributes. There are, however, commandments that apply only to one gender and not the other, which are not to do with physical differences between the sexes. The Pentateuch itself contains several *mitsvot* that apply only to men, such as the obligation to attend the three pilgrimage festivals, and by and large maintains a strict separation

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1 For more on the connection between gender issues and the public sphere, see (Landes, 2003).

2 This approach, perhaps taken to an extreme, is evident in the works of Rabbi Joseph B. Soloveitchik discussing the role of ceremonies in Jewish Law. For example, in his eulogy for his uncle, Rabbi Yitzchok Zev Soloveitchik (‘The Brisker Rav’), he writes that “Halakha despises ceremonies. It is only concerned with two things: *midrash* [commentary] and deeds [performing the commandments].” According to him, the prevalent trend in American Judaism, especially amid non-Orthodox circles, in which Jewish ritual is enhanced by an addition of aesthetic-ceremonial symbols, is a distortion of Jewish Law. Such religious ceremonies, he claims, are nothing more than secular, or even idolatrous, tendencies in a religious disguise, and must be avoided at all cost. See (Soloveitchik, 1981: Kap. „Ma Dodekh Mi–Dod“ p. 93).

between male and female roles.<sup>3</sup> It does not, however, set a systematic formulation that explains which commandments are obligatory to both genders and which are not.

Such a formulation does exist, however in the Mishnah. In tractate *Qiddushin*, 1:7 it is stated that “[concerning] all time-bound positive commandments, men are obligated [by them] and women are exempt” (my translation). All negative *mitsvot*—such as the prohibitions of consuming non-kosher meat—apply equally to men and women; similarly, positive commandments that are not to be performed at a specific time—such as the obligation to give charity—are also to be followed regardless of gender. In its commentary on this Mishnah, the Gemara<sup>4</sup> questions the validity of this generalization and rules that the only time bound positive commandments from which women are exempt are dwelling in the *sukkah* during the festival of Tabernacles, the binding and taking of the *lulav* during the same festival, hearing the sound of the *shofar* during Rosh HaShannah, tying fringes (*tsitsit*) on four-cornered garments, and the wearing of *t’fillin* (phylacteries). Other time bound positive commandments—such as the eating of unleavened bread during Passover and the commandment to remember the Sabbath—are obligatory for both women and men. Moreover, women are exempt from other commandments, like the redemption of the first born son, even though they are not time bound.

Historically the obligation to pray three times a day is not listed among the observances from which women are exempt. Moreover, the Mishna explicitly states that “women, slaves and minors are exempt from reciting the *sh’ma*<sup>5</sup> and from *t’fillin*, and are obligated in prayer<sup>6</sup> and in *mezuzah* and in grace after meals.” Nevertheless, the issue of women’s obligation in prayer remains controversial and heavily debated in different Jewish circles. The issue has great implications due to a halakhic concept, according to which only those obligated by a certain commandment can exempt others by performing it.<sup>7</sup> Thus, if a woman is not obligated with regard to prayer, she cannot exempt others by leading them in prayer, and effectively cannot serve as a leader of public prayer. According to Micha’el Rosenberg and Ethan Tucker, the assumption that men and women are equally obligated to pray was not explicitly challenged by major halakhic authorities until the seventeenth century, when Rabbi Abraham Gombiner wrote in his commentary on the *Shulhan ‘Arukh* that whereas Maimonides wrote that prayer is a Mosaic positive commandment, the

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3 According to Rachel Biale, the differences between the social classification of men and women can be summarized in a commandment appearing in the book of Deuteronomy, forbidding men to wear women’s clothes and vice versa (22:5) (Biale, 1984: S. 11).

4 Bavli, *Qiddushin*: 33b-34a.

5 A passage from the book of Deuteronomy, “Hear O Israel, the Lord our God, the Lord is One” (6:4) that is to be recited along with several biblical paragraphs and certain benedictions twice daily.

6 When discussing prayer, the Mishna refers specifically to the *amidah*, the prayer containing nineteen benedictions that is recited in each of the three daily services.

7 Mishna, *Rosh HaShannah* 3:8 “This is the principle: anyone who is not obligated in a matter cannot discharge the many of their obligation.”

obligation to pray a fixed service three times daily is rabbinic.<sup>8</sup> Thus, Gombiner claims, most women never really adopted the practice of praying three times a day, but simply pray spontaneously every morning, and “it is possible that the sages did not extend their obligation any further.”<sup>9</sup> At any rate, even if women were once thought to be obligated to take part in formal prayer, current day Orthodox law does not assume that they are, and most Orthodox women do not regularly pray three times a day, and even those that do so, seldom do this at a synagogue in the presence of a *minyan*.<sup>10</sup>

Another issue relating to women’s participation in public worship is the public reading of the Torah. Traditional Jewish Law states that the Torah is to be read publically every Monday, Thursday and Saturday, thus rendering it a time bound positive commandment (Biale, 1984: S. 24–25). Accordingly, many traditional authorities have ruled that women are not obligated to listen to the weekly Torah readings, and by extension excluded them from reading Torah on behalf of the congregation.<sup>11</sup> The topic of *‘aliya la-torah*—‘going up’ to the Torah in order to read it or recite the accompanying benedictions—by women was actually mentioned specifically in the Talmud, where it is stated that “everyone may go up to read the Torah in the quorum of seven,<sup>12</sup> even a minor or a woman, but the sages said that a woman may not read due to the dignity of the congregation.”<sup>13</sup>

Two main issues are raised by this statement. First, it is clear that unlike many of the later authorities, the Talmud did regard women as obligated to listen to the Torah reading; otherwise they would not have been able to [theoretically] fulfil the congregation’s obligation by reading for them (Biale, 1984: S. 26–27). The other contradictory issue that arises is that somehow, women’s active participation in public ritual dishonours the congregation. The statement, however, does not specify what exactly is meant by the term “the dignity of the congregation” (*k’vod ha-tsibur*). It is tempting to understand the phrase as related to issues of sexual distraction, as traditional Jewish Law generally sees the mixing of the sexes as a problem. Nonetheless, whenever halakhic texts refer to issues of sexual distraction, they usually use different terminology, such as modesty (*ts’ni’ut*),

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8 Magen Avraham, *Orah Hayyim*, 106:2. Quoted in a paper by Rabbis Michael Rosenberg and Ethan Tucker, “Egalitarianism, Tefillah and Halakhah.” The paper was originally published on *Mechon Hadar*’s website, but has been taken off the web.

9 It is not clear whether Maimonides’ distinction between Mosaic and rabbinic prayer means that he himself considered women to be exempt from formal prayer, or was it Gombiner’s interpretation.

10 A quorum of ten adult Jews (men, traditionally) required for a complete prayer service that includes certain central prayers and a public Torah reading. See Mishna, *Megillah*, 4:3. For a discussion about the reasons for excluding women in a *minyan*, and the possibility of including them, see (Biale, 1984: S. 21–22; Weiss, 1990: S. 44–55).

11 It is worth noting that there is a specific Biblical commandment to hear a Torah reading (*mitsvat haqhel*), which specifically states that “men, women, children, and the stranger in your community” are to gather and listen to the Torah being read by the king during the *sukkot* holiday after a sabbatical year. This commandment is not practiced in contemporary times. See Deuteronomy 31:9–13.

12 The number of *‘aliyot* on a Sabbath morning service.

13 Bavli, *Megillah* 23a. My translation.

‘impure thoughts,’ or sexual transgression (*‘ervah*).<sup>14</sup> A different, more probable explanation is that the “dignity of the congregation” relates to a situation in which there are no knowledgeable men in the congregation, and a woman is the only congregant who is able to read (Sperber, 2002: S. 4). In this situation, her reading violates the congregation’s dignity by putting the men to shame.

As noted, the modern non-Orthodox movements pioneered the modification of women’s status regarding their participation in public Jewish ritual. As early as 1837, the classical Reform scholar Rabbi Abraham Geiger (1810-1874) wrote an article proposing that men and women are to be regarded as equal with regards to their religious duties, and only differences which stem from biological differences between the sexes are to be maintained (Meyer, 1995: S. 140). In preparation for the third Reform rabbinical conference, held in 1846 in Breslau, a special commission compiled a report that recommended obligating women in time-bound positive commandments, and making them countable for a *minyan* in order to encourage women’s participation in religious life. While the paper was not presented at the assembly due to lack of time, it was reported that the position was very well received.

Another breakthrough was marked in 1922, when Rabbi Mordecai M. Kaplan (1881-1983), founder of the Reconstructionist movement,<sup>15</sup> called his daughter Judith (1909-1996) to read an *‘aliyah* from the Torah in honour of her Bat Mitzvah (Cohen u. a., 2007). It is worth noting that Kaplan did not justify this move in halakhic arguments, but rather did so as a statement in support of equality between the sexes. In 1955, the Conservative Movement’s Committee on Jewish Law and Standards (CJLS) approved two responsa regarding *‘aliyot* for women. One of them, by Rabbi Aaron Blumenthal, used the *barayta*<sup>16</sup> discussed above and other halakhic sources to demonstrate that theoretically, women are eligible to receive an *‘aliyah*, and permitted women to be called up to the Torah, in order to “extend equality of status to the Jewish woman under Jewish Law” (Blumenthal, 1955). The second responsum, by Rabbi Sanders Tofield, was more reluctant, and permitted women to be called to the Torah only on special occasions, and only in addition to the regular seven honorees (Tofield, 1955). Tofield stressed that he considers it “ill advised to change the *general* pattern of the Torah reading procedure,” and that women should “find blessing in the fact that men take the *lead* in [synagogue] rituals” (Tofield, 1955: S. 190). In 1973, after a series of discussion, the CJLS approved a responsum allowing women to be included in a *minyan* (Fine, 2002). The committee, however, did not unanimously agree on the halakhic arguments that would justify this decision. While some rabbis have used traditional precedents in order to argue that women are indeed obligated to pray and are therefore eligible to lead services and be counted in a

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14 For example, the Talmud renders a woman’s voice as *‘ervah*, meaning that it bears erotic connotations. Thus, many authorities prohibit men from listening to a woman singing in certain situations. See Bavli, *qiddushin* 70a.

15 Kaplan was still regarded as a Conservative Rabbi at the time.

16 A Talmudic passage from the Tannaitic period, which was not included in the Mishna.

*minyan*, others treated the decision as a *taqqanah*—a rabbinical enactment that may override previous laws and decisions.<sup>17</sup>

While the Orthodox world has been slower to change on these issues, several innovations are worth mentioning; the first being women’s prayer groups, that meet separately from men and conduct services on their own. While such groups have been around for centuries, during the second half of the twentieth century they introduced the innovation of including a Torah reading in their services (Weiss, 1990: S. 56). Often referred to as Women’s *Minyans*, Rabbi Avi Weiss—a Modern Orthodox Rabbi, known for his liberal approach to women’s issues—stresses that from a halakhic point of view, a *minyan* for the purpose of public prayer requires ten men. Thus, he claims, these prayer groups do not constitute a *minyan*, and their services are in fact regarded as private, rather than public prayer.<sup>18</sup> As such, these services cannot contain certain elements known as *d’varim sh’biq’dushah* (public sanctification of God’s Name)<sup>19</sup>, or a ceremonial Torah reading. In order for these groups to read Torah nonetheless, certain alterations are made to the ritual, in order for it not to “count” as a halakhic public Torah reading which requires a *minyan*<sup>20</sup>. While technically, these groups do not transgress any Jewish law, they have attracted scathing criticism from more traditional Orthodox circles, who often accuse them of introducing undesirable innovations, or imitating non-Jewish (or non-Orthodox) practices (See Weiss, 1990: Kap. 8, „Additional Issues“).

A more recent innovation among Modern-Orthodox circles is the introduction of “Partnership *Minyans*.” These are prayer groups that maintain the traditional separate seating for men and women, and while men lead the parts of the service that include *d’varim sh’biq’dushah*, women lead the parts of the service that do not (See Bar-Asher Siegal, Bar Asher Siegal, 5768). Both men and women read from the Torah and receive *‘aliyot* as well as other synagogue honours. While women are not counted as part of the *minyan* in Partnership *Minyans*, it has become customary in such groups to wait for the arrival of ten men *and* ten women before starting the service. These *minyanim* mostly rely on works published by Rabbi Dr. Daniel Sperber, a prominent Orthodox rabbi and professor of Jewish law at the Bar-Ilan University. Sperber claims that the issue of *k’vod ha-tsibur*, preventing women from being called up to the Torah, can be resolved if a specific

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17 A famous example of a *taqqanah* is the one enacted by Rabbi Gershom around the year 1000CE, that introduces several new prohibitions, including a prohibition on marrying more than one woman. See (Elon, 1973: S. 632–634) For more on the rabbinical authority to override Halakhic precedents, see (Elon, 1973: S. 413–446).

18 A different – and fascinating – opinion is brought by Rabbi Yo’el Bin-Nun, who claims that ten women may be considered a *minyan* for the purpose of public prayer, and it is up to female scholars to decide what can be done within the context of a women’s prayer group. Rabbi Bin-Nun also holds that in today’s reality, women may be obligated by time-bound positive commandments. For an elaborate discussion of rabbi Bin-Nun’s halakhic methods, see (Gvanyahu, 5765).

19 These include the call for prayer (*bar’khu*), *q’dushah* (“Holy, Holy, Holy”), and the leader’s repetition of the *sh’moneh ‘esreh* (prayer of eighteen benedictions).

20 Such alterations include, for instance, an omission of the *bar’khu* that precedes the reading, and an alteration of the benediction following the reading. See (Weiss, 1990: S. 77–83).

congregation decides that their dignity is not compromised by a woman's reading of the Torah (See Sperber, 2002, 2003, 2007). As expected, both the Partnership Minyanim movement and Sperber's works on the topic received a fair amount of criticism, claiming that these innovation cross the line between Orthodox and non-Orthodox Judaism. Prof. Aryeh Frimer, for instance, accused Sperber of a hasty conclusion that puts the dignity of women before the attempt to understand the will of God (Frimer, 2008). Congregations who allow women to receive *ʿaliyot*, he claims, are "hastily undoing more than two millennia of *halakhic* precedent." A recent (2014) responsum by Rabbi Hershel Schachter, a *rosh yeshiva* at the Isaac Elchanan Theological Seminary at the Yeshiva University, NYC, harshly criticized Orthodox authorities who endorse Partnership Minyanim, claiming that while allowing *ʿaliyot* for women may be technically permitted, they have become a symbol of "breaking the fences and destroying religion," and are therefore prohibited.<sup>21</sup>

As congregations that count women as equal members of a *minyan* and allow them to participate in every form of public prayer are clearly outside the realm of Orthodoxy, this case study will focus on the issues that are trying to push the boundaries of the Orthodox enclave from within: women's prayer groups and Partnership *Minyans*. Another issue that will be reviewed would be women delivering sermons in an Orthodox synagogue. While this issue does not really involve any specific halakhic objections, it is nevertheless not customary in many Orthodox communities.

### 3 Women's Role in Islamic Communal Prayer—A Brief Historical Review

In a manner similar to Jewish law, Islamic law regards prayer as a legal obligation rather than a personal spiritual act.<sup>22</sup> Ritual prayer, or *ṣalāh*, is one of the Five Pillars of Islam, and as such it is considered a *fard ʿayn* (See Juynboll, o. J.)—an individual duty that is to be performed by each Muslim of sound mind, male or female (Monnot, 2014). As in Judaism, while it is possible to pray individually, and the lack of a congregation to pray with does not annul the obligation to pray, communal prayer (*ṣalāh al-jamāʿa*) is considered to be preferred, and numerous prophetic traditions (*aḥādīth*) stress its importance.<sup>23</sup> While women are generally permitted to participate in communal prayer, they are not obligated to do so and, according to the *Encyclopedia of Islam*, are even discouraged from doing so. In order for a prayer service to be regarded as communal, two adults must be present, with one of them serving as the prayer leader (*imām*) for the other. The

21 Schachter's responsum is available at: [http://www.rcarabbis.org/pdf/Rabbi\\_Schachter\\_new\\_letter.pdf](http://www.rcarabbis.org/pdf/Rabbi_Schachter_new_letter.pdf).

22 Spontaneous personal supplications do exist in Islam and are known as *duʿāʾ*. In this context, however, I will discuss *ṣalāh* – ritual prayer. See (Böwering, 2014).

23 The Mālikī school of thought stresses the importance of communal prayer more than the other three. See (Monnot, 2014).

congregation generally stands behind the *imām* and follows his liturgical gestures. Women, if present, always stand behind the men.

The role of the *imām* is highly regarded in Muslim thought (Silters, Elewa, 2011: S. 141). An *imām* is required not only for the fulfilment of the traditional obligation to pray communally, but also for performing the central Friday noon prayer, which is accompanied by an obligatory sermon. Islamic tradition holds that the *imām* must be educated and well versed in Islamic Law, and have a good reputation in the community. It is generally assumed that the *imām* must also be male, and in fact, the *Encyclopedia of Islam* states this assumption without any reservations. (Monnot, 2014) Nevertheless, classical Islamic sources are more nuanced on this issue, and some authoritative scholars have permitted women to lead obligatory ritual prayers in certain situations.

Perhaps expectedly, the Qur’ān does not mention any permission or prohibition for women to lead prayers, and in fact, mentions very little regarding the obligation to pray (Silters, Elewa, 2011: S. 154). The commandment to pray appears in *sūrah al-baqarah* and only mentions that the believers are to be “steadfast in prayer” (2:43, 110). The *ḥadīth* literature does offer several accounts that testify that women have led prayers in some circumstances, but none of these traditions were classified as completely reliable by the classical scholars of *ḥadīth*, and none of them appear in the authoritative collections of Al-Bukhārī or Mūsliḥ. These traditions report, for instance, that the Prophet’s wife, ‘A’isha, led women in prayer while standing in the same row as them (Silters, Elewa, 2011: S. 154–155). Perhaps the most famous *ḥadīth* on the subject, which still causes controversy amongst Islamic scholars, is the *ḥadīth* of Umm Waraqah, which appears in the compilations of Abū Dawūd, Al-Dāraquṭnī, Al-Bahaqī, Al-Ḥākīm, and other classical sources (Shakir, 2005: S. 168–172; Silters, Elewa, 2011: S. 155) According to this tradition, “The Prophet (PBUH) used to visit [Umm Waraqah] in her home; he appointed a *mu’adhdhīn* [a person who performs the call to prayer] for her, and ordered her to lead the members of her household [*āhla dārihā*—which can also mean people in her area or neighbourhood] in *ṣalāh*—obligatory ritual prayer” (Narrated by Abū Dawūd).

With these sources in mind, the four Islamic schools of thought are in dispute on the issue of whether a woman can serve as an *imām* for a quorum of women. (Shakir, 2005: S. 172–173) The Ḥanbalī and Shafī’ī schools of thought permit women to lead women-only prayer services without any reservations. According to both these schools, it makes no difference whether the prayer is conducted at home or in a mosque. The Ḥanafī school, while permitting women to lead other women in prayer, renders it to be *makrūh*—a dislikable act.<sup>24</sup> All three schools insist, however, that

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24 Islamic Law generally divides all human deeds or acts into five categories. *Wajib*, or *Fard* (‘required’), are deeds that a Muslim must perform, such as praying or fasting during *ramaḍān*. *Mustahabb* or *mandūb* (recommended), are acts that are commendable, and while one receives reward for performing them, there is no punishment for neglecting these duties. *Mubāh*, or *ḥalāl* (permitted), are deeds for which a person is neither rewarded nor punished;

the woman leading the prayer service must not stand in front of the congregation but stand in the middle of the front row. The Mālikī school forbids women from leading prayers altogether. None of these schools of thought categorically permit women to lead men in obligatory ritual prayer. The Shafī'ī scholar Imām Al-Nawawī (1233-1277) went as far as stating that if a woman leads men in prayer, while her prayer is valid, the men's prayer is not and the men did not fulfil their obligation to pray by responding to the woman's prayers. There are, however, dissenting opinions among the classical scholars. A minority opinion among the Ḥanbalī school, for instance, permits women to lead mixed congregations in *tarāwīḥ*–supererogatory prayers–as long as she is standing behind the men. Perhaps surprisingly, Shafī'ī scholars Imam Al-Muzanī (d. 876) and Imam Abū Thawr (d. 857) went as far as claiming that women have the right of unrestricted prayer leadership, even in mixed congregations. This opinion is also supported by several prominent scholars from obsolete schools of thought, including Dawūd Al-Zāhirī (d. 883), (See Turki, 2014) renowned Qur'ānic commentator Muḥammad ibn Jarīr Al-Ṭabarī (d. 923), and Ṣūfī Master Ibn-ʿArabī (d. 1240). Still, the majority of scholars agree that women are not to lead a mixed congregation in any circumstance, let alone the central Friday noon prayer.

According to Ahmed Elewa and Laury Silvers, who surveyed Islamic stances towards female prayer leadership, there were several instances in history when women led men in obligatory prayer in unexpected circumstances (Silvers, Elewa, 2011: S. 143). In China, for instance, women-only mosques which are led by women *imāmat* are quite common. While men are typically barred from entering these mosques, there are reports of men participating in prayers taking place there, with the permission of the local *imāmah*. At any rate, while in the Jewish world women have been actively participating in mixed-gender public prayer for more than a century, the first recorded instance of Muslim women and men congregating together for a female-led mixed-gender Friday prayer and sermon only took place in the twenty-first century.

On March 18<sup>th</sup>, 2005, Dr. Amina Wadud, an American Islamic Studies professor, shocked the Muslim world by leading a public mixed-gender Friday noon prayer in New York City (Sharify-Funk, Haddad, 2012: S. 42; Silvers, Elewa, 2011: S. 141). According to Meena Sharify-Funk and Munira Kassam Haddad, this was the first time in history<sup>25</sup> in which the Muslim nation (*ummah*) at-large “had ever faced the possibility that a woman might *want* to lead Friday congregational prayer (let alone take the initiative to do so)” (Sharify-Funk, Haddad, 2012: S. 42). Not only did a woman lead the prayer and give the sermon (*khutbah*), but the worshippers were organized in rows in which men and women stood completely intermixed, avoiding the legal requirement for women to stand

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*Makrūh* (discouraged) are acts that are not punishable, but one is rewarded for avoiding them. A famous example of such a deed is divorce. The last category is *ḥarām* (prohibited), which are acts which are strictly forbidden by the Qur'ān or the *sunnah*, and one is rewarded for avoiding them and punished for performing them. See (Al-ʿAllāf, 2003: S. 48–56)

25 Female-led prayers were already taking place in marginal North American communities. See later.

behind the men. Moreover, some of the female worshippers did not wear a head covering, including some of the key organizers and the *mu'adhdhina*—the woman who chanted the call for prayer. Between eighty and one hundred people participated in the service, organized by the Progressive Muslim Union of North America. The prayer took place at the Synod House of the Cathedral of St. John the Divine, after three mosques and an art gallery all refused to host the event due to bomb threats. The event attracted a fair bit of media attention, and television stations broadcasted videos showing Muslim demonstrators, both male and female, who protested behind the fence surrounding the church “declaring the illegitimacy of both the act and Wadud’s Muslimness” (Sharify-Funk, Haddad, 2012: S. 42).

As was to be expected, the New York event led to a plethora of responses in the Muslim world and beyond. The majority of responses were overwhelmingly negative, and scholars from across the spectrum condemned Wadud for what they perceived to be a gross violation of *sharīʿa* law (Silvers, Elewa, 2011: S. 142–144). It is worth noting that at the time of the “Wadud Prayer,” marginal North-American Muslim communities, mainly Ṣūfī ones, had already been practicing women-led mixed-gender prayers for some time (Silvers, Elewa, 2011: S. 144–145). However, as these communities were significantly outside the Islamic mainstream, and the vast majority of Muslims have never heard of them, traditionalist scholars have generally ignored these events. The publicity of the New York service, however, made it impossible to ignore.

Many of the scholars who responded to the event, and to the idea of unrestricted female prayer leadership, did so while acknowledging the rich and varied traditions on the subject (Silvers, Elewa, 2011: S. 145–147). The most thorough analysis of legalistic arguments was offered by Imām Zaid Shakīr in an essay titled “The Issue of Female Prayer Leadership” (Shakir, 2005). While admitting that a purely technical reading of the scholarly literature on the subject can, at least in some cases, provide the basis for allowing female leadership, Shakīr’s personal stance on the matter is unambiguous. His essay begins by providing a definition of the highly contentious Arabic word *fitnah*:

Imām al-Jurjāni mentions that *fitna* is “that which clarifies the state of a person, be it good or evil.” It is also defined as “strife breaking out among various peoples.” In both these meanings, the controversy surrounding the “historic” female-led Friday (*Jumʿah*) prayer is [*fitnah*] for many Muslims in this country [USA–OS] [...] This is so when we see some people’s very faith shaken. This is so when we see spiteful accusations hurled by some Muslims at others. This is so when we see non-Muslims possessed of ill-intent seeking to exploit this controversy to create confusion among the general public and the Muslims as to what Islam is and who are its authoritative voices (Shakir, 2005: S. 167).

Acknowledging that Muslim communities are often guilty of “neglect, oppression and in some instances, degradation of [Muslim] women,” and that these issues need to be addressed, Shakīr summarizes his response by stating that it is clear that female-led prayers in general, and Friday congregational prayers specifically, are forbidden according to Sunni Islamic Law (Shakir, 2005: S. 180–181). He adds that “Islam has never advocated a strict liberationist philosophy,” and that “[Muslims’] fulfillment does not lie in our liberation, rather it lies in the conquest of our soul and its base desires.” In short, Shakīr treats the idea that liberation and freedom are central to self-actualization as being foreign to Islam, and essentially a Western import.

According to Silvers and Elewa, the social or cultural antagonism to female-led prayer is much stronger, and much more easily justified, than the legal objections (Silvers, Elewa, 2011: S. 147–148). Many contemporary Muslims, they claim, fear that “the Islamic conception of justice, which should flow from divine principles, is becoming diluted and even diverted by secular concerns and criteria.” Silvers and Elewa label this fear “westoxification.” This line of thinking caused both scholars and laity to consider the Wadud controversy to be influenced, or even planned by Western forces –either liberal or neo-conservative–who are attempting to secularize Islam and uproot its core values. Thus, keeping traditional prayer leadership roles intact would serve as a very powerful deterrent “against secularly defined female authority seeping in under cover of pietistic attempts at inclusivity” (Silvers, Elewa, 2011: S. 148).

Another motive for negative responses to female prayer leadership is modesty (Silvers, Elewa, 2011: S. 148–149). Much as in the Jewish world, modesty is considered a tenet of Islamic ethics, and interaction between the sexes is closely monitored in order to protect society from sexual wrongdoing. Women, in many Islamic communities, are seen as responsible for protecting men from sexual transgressions and are expected to guard their modesty. With this in mind, scholars such as Soad Sāleḥ, Dean of the School of Islamic studies for Girls at Al-Azhar University, claimed that the main reason behind the traditional ban on female prayer leadership is the notion that the woman’s body, even a modest one, evokes sexual thoughts and may lead to more substantial sexual transgressions such as adultery and fornication.

#### 4 Q&A Websites – A methodological Note

In recent years, Internet websites in which religious scholars answer the surfers’ religious-law<sup>26</sup> related questions have become increasingly common in both the Jewish and the Islamic worlds. Although a lot has been written regarding how the web’s lack of centralized supervision allows

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26 “Religious law” is the term that I would use for both halakhic and *sharʿī* laws.

anyone to spread their ideas (Rodman, 2003: S. 18, 27), radical though they may be, the Internet also allows web-surfers from all over the world access to esteemed spiritual leaders, regardless of their geographical location. In addition, the questioners enjoy relative anonymity, which allows them to present delicate questions that one might not dare to ask a scholar face-to-face, for various reasons.<sup>27</sup> The respondents, on their part, enjoy an unprecedented opportunity to spread their agenda all over the world, using a medium that is accessible to every web-surfer

Utilizing a discourse analysis, case study approach, this qualitative study examines English, Hebrew and Arabic websites featuring prominent religious scholars. No interviews – offline or online – were conducted, and no participating observations were used. I refrained from submitting any questions to the various websites and did not comment on any of the scholarly answers.<sup>28</sup> The reviewed websites are, I believe, a representative sample of both Orthodox Jewish and Sunni Islamic Q&A websites. The Jewish sites reviewed include mainstream Religious-Zionist *Kipa* and *Moreshet* websites, as well right-wing *Yeshiva*. All of these websites are based in Israel, and feature almost exclusively Hebrew content; therefore, all featured quotations from these websites are translated by me. The Islamic sites sample includes Centrist (*Wasafī*) sites *Islam OnLine* and *OnIslam*, *Wahhabī* site *Islam Q&A*, and Traditionalist *Sunni Path*. Unless otherwise noted, the English quotations from these websites are all in the original English, including the Arabic transliterations.<sup>29</sup> Segments translated from Arabic are marked as “my translation.”

## 5 Attitude Towards Women’s Public Prayer on Jewish Websites

Rabbi Yehudah Halevi Amichai was asked on the *Kipa* website regarding the status of women’s *minyans* that include a Torah reading.<sup>30</sup> The inquirer wanted to know whether there is a halakhic problem in such a prayer group, and whether women who pray in such a *minyan* “are to be regarded as Reform.” The rabbi answered that while he does not know the definition of a Reform Jew, he does know that such prayer groups were not customary in Jewish communities in the last few centuries, and it is forbidden to modify Jewish customs. While he essentially relies on the notion

27 For example, these websites feature a significant number of questions regarding sexual orientation and identity.

28 For an explanation of the different methodologies utilized in the field of Internet Studies see (Jensen, 2011: S. 47–50).

29 *Islam Q&A*, for instance, uses a double-a to note the long *fathah alif* sound (e.g. – *kaafir* instead of *kāfir*).

30 Rabbanei Mekhon HaTorah v’ha’Arets, “Minyan Nashim”, *Kipa*, 7 Heshvan, 5773.

<http://www.kipa.co.il/ask/show/278786-%D7%A0%D7%99%D7%99%D7%9F-%D7%A0%D7%A9%D7%99%D7%9D> Retrieved January 2014.

that a prevailing custom is effectively treated as a law,<sup>31</sup> nevertheless, Amichai does not even provide evidence to his claim that women's *minyanim* are a new phenomenon.<sup>32</sup>

Another question, posted on the same website, was slightly more general. The inquirer simply asked whether “it is possible to have a women's *minyan*.”<sup>33</sup> Rabbi ‘Uzi’el Eliyahu replied that the answer depends on what the inquirer is referring to: “It is *permitted* for a group of girls or women to pray the entire service together and sing freely. It is *prohibited* for a group of girls or women to recite *d’varim sh’biq’dushah*, or take out a Torah scroll and come up to the Torah.” Under these conditions, he adds, it is actually preferable for women to pray by themselves, as in this case they can sing in their services without any limitations. While the Rabbi does not state this explicitly, he implies that when women are praying in the women's section of a synagogue, they are not allowed to sing as their singing may be regarded as a sexual distraction (*qol b’isha ‘ervah*) to the men praying in the men's section.<sup>34</sup>

Rabbi Hayim Rettig, from the *Binot* yeshiva in Ra’anana, was posed a question on the *Kipa* website by a woman named Adi, who wanted to know if there is a fundamental halakhic problem with women reading Torah in front of other women.<sup>35</sup> Rettig's answered that “of course there is a problem,” as Torah reading should only be conducted in the presence of a *minyan*, and a group of women cannot qualify as a *minyan*. The Rabbi, however, did not limit his response to the realm of Jewish law, but added his philosophical view on the topic:

In my opinion, women's worship can be fulfilled in other ways [...] Ritual prayer, reading Torah three times a week, [and] time-bound positive commandments, are intended for men who are in need of this framework, as their spiritual power is lower. Women do not need those, [as] they can connect even without *t’fillin*, they can reach the Lord even without *tsitsit*. You [women] should go higher than where men are, [by] spontaneously praying from your hearts.

31 For an elaborate discussion on the legal validity of customs, see (Elon, 1973: Kap. 21–22).

32 According to Abraham Grossman, women's-only synagogues that included a female prayer leader (but not a Torah reading) have been common in medieval Germany. See (2004: S. 180–185).

33 ‘Uzi’el Eliyahu, “Minyan Nashim”, *Kipa*, 5 Av, 5764. <http://www.kipa.co.il/ask/show/45725-%D7%9E%D7%A0%D7%99%D7%99%D7%9F-%D7%A0%D7%A9%D7%99%D7%9D> Retrieved February 2014.

34 This opinion is disputed by Rabbi Eliezer Melamed, a National-*Haredi* Rabbi, who was asked directly whether or not women are allowed to sing during services. According to Melamed, women are indeed permitted to sing in synagogue, as they pray in the women's section and cannot be seen from the men's section, and since it is impossible to discern which woman is singing in what voice. He does add, however, that women are not to sing in a particularly loud voice that will stand out among other voices. Melamed, Eliezer, “*shirat nashim bizman ha-t’filah*,” *Yeshiva*, 17 Sivan, 5762. <http://www.yeshiva.org.il/ask/?id=572> Retrieved February 2014.

35 Rettig, Hayim, “*qri’ah ba-torah l’nashim*,” *Kipa*, 3 Heshvan, 5768. <http://www.kipa.co.il/ask/show/133176-%D7%A7%D7%A8%D7%99%D7%90%D7%94-%D7%91%D7%AA%D7%95%D7%A8%D7%94-%D7%9C%D7%A0%D7%A9%D7%99%D7%9D>.

This type of apologetic reasoning, ascribing to women a higher spiritual status in which rituals are superfluous, is not uncommon in Orthodox discourse. For example, Rabbi Samson Raphael Hirsch (1808-1888)—a prominent German Rabbi and intellectual, considered to be one of modern Orthodoxy’s most influential scholars—famously promoted such views. In his commentary on the Torah, Hirsch writes that “women’s exemption from time-bound positive commandments cannot be due to their inferiority [...] The Torah did not obligate women in such commandments because they do not need them.”<sup>36</sup> Such commandments, he claims, are essentially symbolic acts representing truths and values. While men require frequent ritualistic acts in order to be reminded of their purpose in the world, Hirsch claims, women possess a “natural piousness and enthusiasm to fulfill their role” and have no need for such rituals.

Another answer focusing on the supposed ontological difference between men and women was given on the *National-Haredi Yeshiva* website by Rabbi Yaakov Ariel, the Chief Rabbi of Ramat Gan, a prominent Religious-Zionist halakhic authority.<sup>37</sup> Ariel was faced with a question by a woman who started by emphasizing that she belongs to a “regular [*sic!*] (Orthodox) synagogue.” The woman reported that her synagogue president wished for his daughter to read from Torah in honour of her Bat-Mitzvah, and wondered if there is an actual prohibition for women to do so in front of other women, and what the source for the prohibition is. In addition, she asked, “how should one treat the president in this situation?” Ariel replied that “the very idea of a Bat-Mitzvah imitating a Bar-Mitzvah is a mistake.” As men and women are not identical, he writes, each of them should commemorate the event in a way that “suits their personality instead of imitating the opposite sex.” This, he claims, is essentially the idea behind the biblical prohibition on men wearing women’s clothes and vice versa.<sup>38</sup> Ariel adds that there is no room for women reading from the Torah, even without any men present, as one cannot recite the benediction over the Torah without a *minyan*, “so why bother with this artificial spectacle?”

Another answer by Rabbi Yuval Cherlow, while stressing the perception that *‘aliyot* for women are a watershed distinguishing between Orthodox Judaism and other denominations, also reluctantly permitted a women-only Torah reading.<sup>39</sup> Cherlow was approached by an inquirer whose daughter was about to turn twelve, and his wife was planning on the daughter reading Torah in honour of the occasion in a women’s *minyan*. The inquirer, who admitted that the matter is new and unfamiliar to him, wanted to know whether or not it is permissible. In his answer, the Rabbi related

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36 R’ S.R. Hirsch’s Commentary on the Torah. Leviticus 23:43.

37 Ariel, Yaakov, “*Isha sh’olah la-torah*,” *Yeshiva*, 30 Tishrei 5769. <http://www.yeshiva.org.il/ask/?id=40932> Retrieved February 2014.

38 Deuteronomy 22:5. The prohibition was later extended by the Rabbis to include additional prohibitions such as on men shaving their underarms or pubic hair or on women wearing armour. See *Shulhan ‘Arukh*, Y.D. 182.

39 Cherlow, Yuval, “*‘Aliyah la-Torah l’bat mitzvah*,” *Moreshet*, 7 Sivan 5772. <http://shut.moreshet.co.il/shut2.asp?id=152488>. Retrieved February 2014.

to the issue of *k'vod ha-tsibur*, and admitted that in contemporary times it is difficult to see the prohibition as valid and binding. Nonetheless, Cherlow stresses, the prohibition on women receiving *'aliyot* has become more important over the years, and today it serves as a dividing line between “halakhically authentic Judaism and other alternatives.”<sup>40</sup> Cherlow once again stressed the notion that ten women do not qualify as a *minyan*, and that there is no real halakhic validity to such a reading. He did suggest a way of having such a reading in a way in which the readers do not commit any transgression,<sup>41</sup> but made sure to emphasize that he does not see any real value in such a reading. “I have to admit,” he writes, “that I am not enthusiastic, and am even resistant regarding this issue [...] This is not a halakhic Torah reading,” but rather a performance which has no real meaning or significance. He ends his response by stressing that “if you choose to take this path, it is permitted according to Jewish Law, but as noted, I find it difficult to consider it as a desirable path.”

The only online answer that I have found which relates positively to idea of a women's *minyan* was posted by Rabbi Amit Kula, the Rabbi of Kibbutz Alumim, on the *Moreshet* website.<sup>42</sup> Kula was asked regarding the permissibility of women dancing with a Torah scroll during the *Simhat Torah* festival,<sup>43</sup> as well as women reading Torah in the context of a women-only *minyan*. The Rabbi began his answer by stating that there are different opinions on the matter, and that different communities may receive different rabbinical answers, so he is simply stating his own opinion. According to him, there is no halakhic problem with either of the cases, but as these are innovative customs they are to be examined in terms of profit vs. loss. “There are times in which opening the channel for women to approach the Torah scrolls causes conflicts in the congregation, disrespect for the Torah, and a lack of piety,” he writes, “and in such cases it is to be avoided.” On the other hand, he adds, “if it opens the possibility for women to approach holiness, rejoice with the Torah, and renew their covenant with the Master of the Universe—how can we try to prevent it?” Kula adds that on his Kibbutz women read from the Torah every year during *Simhat Torah*, “respectfully, and according to the teachings of halakha,” and this contributes to a feeling of spiritual uplifting among the congregation and better attendance at services.

With regards to the issue of Partnership Minyanim, the situation is similar. A vast majority of the answers reviewed consider it to be a negative phenomenon, which is located well beyond the boundaries of normative Orthodoxy. In fact, I have only encountered one online responsum that permits praying in a Partnership Minyan. The answer by Rabbi Ronen Lovitz included only one

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40 Ibid.

41 In order for the Torah blessings not to be recited in vain, the Rabbi suggested that the women who are receiving *'aliyot* will not recite the benedictions as part of the morning service, and therefore, when they are going up to the Torah they will be reciting the blessing for the first time that day.

42 Kula, Amit, “*Qri'ah ba-Torah u-minyan nashim*,” *Moreshet*. 25 Tishrei, 5768. <http://shut.moreshet.co.il/shut2.asp?id=94699>. Retrieved February 2014.

43 It is customary for the entire congregation to receive an *Aliyah* during this festival, but this honour was – of course – traditionally reserved for men only. See (Rothkoff, Sabar, 2007).

short sentence—“in my opinion, it is permissible.” Lovitz, a member of the left-leaning Orthodox rabbinical association *Beit Hillel*, and whose wife, Rivkah Lovitz, is a known feminist activist and one of the first women in Israel to serve as a rabbinic advocate, presents a view that is clearly an anomaly among the Rabbis answering web-based questions. As noted before, the answer, short and hesitant as it is, received a fair amount of scathing criticism from surfers who were quick to ‘tag’ it under categories such as “Reform,” “infidels,” and “heretics.” As will be seen, the answer is essentially an exception that proves the rule, which places Partnership Minyans well beyond the boundaries of the enclave.

Rabbi Ratson ‘Arusi, the Chief Rabbi of Qiryat Ono, was asked on the *Moreshet* website regarding his thoughts about such communities, and simply answered that one should “absolutely not” take any part in them.<sup>44</sup> ‘Arusi did not provide any explanations or citations. Similarly, Rabbi David Zuckerman was asked on the *Kipa* website whether or not it is permissible to pray in such a synagogue.<sup>45</sup> Zuckerman admitted that he never heard of such congregations, but had to research the issue. According to his findings, he asserts, “I would not call such a place a synagogue [...] so one would not even consider comparing a place in which the objective is fulfilling the word of the Lord as it was given, to a place in which the objective is—apparently—fulfilling the desires of men (and women).”

Rabbi Yaakov Ariel was posed a lengthy question on the *Yeshiva* website regarding Partnership Minyans.<sup>46</sup> After explaining at length what the innovations are in such communities, the inquirer stated that he finds the fact that there is such a *minyan* in his hometown (Modi’in) to be very painful, and asked if the rabbi could answer “at length” about his opinion on the matter. The inquirer wished to know whether the attitude to such a community should be any different “if the changes are not motivated by the women’s desire for equality on behalf of the women, but by their aspiration to come closer to the Almighty,” and whether or not a man who prays in such a community is fit to serve as a prayer leader in another Orthodox synagogue. While Ariel ignored most of the inquirer’s questions, he answered that “women’s involvement in prayer or Torah reading is not halakhic. There is no possibility to come closer to the Lord in non-halakhic ways. Women can pray by themselves in a private place and sing to themselves, but without a Torah reading, etc. and not in a place of public worship.”<sup>47</sup> He concluded his answer, for which he did not provide any

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44 ‘Arusi, Ratson, “‘*Aliya nashim la-Torah*,” *Moreshet*, 4 Heshvan, 5770. <http://shut.moreshet.co.il/shut2.asp?id=120674>. Retrieved February 2014.

45 Zuckerman, David, “*Shira Hadasha*,” *Kipa*, 23 Elul, 5767. <http://www.kipa.co.il/ask/show/128867-%D7%A9%D7%99%D7%A8%D7%94-%D7%97%D7%93%D7%A9%D7%94>. Retrieved February 2014.

46 Ariel, Yaakov, “*Beit Knesset Shira Hadasha*,” *Yeshiva*, 23 Iyar, 5766. <http://www.yeshiva.org.il/ask/?id=19299>. Retrieved February 2014.

47 Ibid.

sources or support, by simply stating that “one is not to pray in a place where the service is conducted in a non-halakhic manner.”

Rabbi Yuval Cherlow was approached on the *Moreshet* website by an inquirer who wanted to know the Rabbi’s opinion on “the growing phenomenon” of Partnership Minyans.<sup>48</sup> Cherlow replied that he doubts that this is indeed a growing phenomenon, and that “even though the original reasons for not granting women *‘aliyot* are no longer relevant—it [withholding *‘aliyot* from women–O.S.] became a basic tenet of the synagogue.” The source for this view, Cherlow adds, is Rabbi Joseph B. Soloveitchik’s view on the *mehitsa*—the barrier between men and women in an Orthodox synagogue—that he claimed was necessary not because it prevents men from looking at women, but because it is an essential component of the synagogue.<sup>49</sup>

Cherlow’s views, influenced by J.B. Soloveitchik,<sup>50</sup> concerning the fixed attributes of the synagogue, are also apparent in the discourse concerning women teaching classes or giving sermons in Orthodox synagogues. Cherlow was approached by an inquirer who stated that he belongs to a congregation in which most of the members, both men and women, are university graduates, “who were exposed to lecturers of the opposite sex.”<sup>51</sup> The inquirer was wondering regarding the possibility of allowing women from the congregation, “who have a vast knowledge in Torah,” to deliver a lesson traditionally conducted after services. He also wished to know what would be the proper location for this lesson. Cherlow started his reply by stating unambiguously that “women have a part in Torah. They too teach Torah, and are permitted to preach in front of the congregation. If someone has a problem with lustful feelings that arise in him when a woman is preaching, he should not listen to her preaching.” However, Cherlow adds, women are not to preach within the synagogue in front of worshipers, as the synagogue sermon in the men’s section is a part of public prayer, “even if it is given after the service.” Therefore, it is proper for the sermon or class to be given in a dedicated room, or from the women’s section. Cherlow concluded his responsum by stating that while modesty is a trait of utmost importance, “it does not mean compartmentalizing or silencing women, but rather modest conduct by both genders.”

A series of questions was posed to Rabbi Yaakov Ariel on the *Yeshiva* website, dealing with the possibility of women preaching in a synagogue. The first question was posed by an inquirer who

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48 Cherlow, Yuval, “*‘Aliyah la-torah shel nashim, ha-rav Tsvi Yehuda v’negi’a b’nashim*,” *Moreshet*, 20 Adar, 5772. <http://shut.moreshet.co.il/shut2.asp?id=150061>. Retrieved February 2014.

49 “The requirement for separation is Halachically so elementary and axiomatic, historically so typical of the Synagogue in contradistinction to the Church since antiquity, and philosophically so expressive of our religious experience, that whoever dares to question this institution either is uninformed or consciously distorts religious realities.” J. D. Soloveitchik, “An Open Letter” in (Litvin, 1959: S. 140).

50 Cherlow studied at the *Har Etzyon* Yeshiva, headed by Rabbi Dr. Aharon Lichtenstein – Soloveitchik’s prominent student and son-in-law.

51 Cherlow, Yuval, “*Divrei Torah nashim*,” *Moreshet*, 17 Kislev, 5768, <http://shut.moreshet.co.il/shut2.asp?id=96536>. Retrieved February 2014.

stated that the synagogue in which he prays allows women to preach from the *bimah* (pulpit), and “sometimes the woman does not wear a head covering and/or wears sleeveless garments [...] not to mention the length of her skirt or her low-cut shirt.”<sup>52</sup> The inquirer wished to know if it is even permissible to pray in such a *minyān*, and if it is permissible to leave the sanctuary during the woman’s sermon, “as this will probably hurt the woman as well as other people and cause a desecration of the Divine Name.” Ariel answered that “a separation between men and women must be maintained throughout the service. There is no room for a women’s sermon in the middle of the service even if they are modestly dressed, and all the more so when they are not. This is sacrilege, find yourself another synagogue.” Ariel’s answer received two follow up questions. One question dealt with the possibility of women giving a lesson in a synagogue, but not during the service.<sup>53</sup> Here, Ariel hints at the notion that those advocating women’s involvement in religious life are prone to other reforms in Jewish Law:

If the lesson is not a continuation of the service it is permissible, but only if the women are properly dressed. Also, a *d’var Torah* (‘word of Torah’), as the name implies, refers to the Torah given to Moses at Sinai and its continuation according to the unbroken tradition transmitted from generation to generation (this condition, of course, also applies to men!).

## 6 Attitudes Towards Women’s Public Prayer in Islamic Websites

While the Jewish websites reviewed did not show any significant difference between the attitude towards women-only prayer groups and mixed congregations that allow women to lead parts of the service, it seems that the situation in the Muslim websites is slightly different. As noted, there are authoritative—though not undisputed—traditional Islamic sources allowing women to lead other women in prayer, and it seems that the online discourse recognizes them. Thus, a question was posed on the *salafī Islam Q&A* website, in which the inquirer wondered if women can pray as a congregation (*jamā‘ah*) with a woman serving as the *imām*.<sup>54</sup> The website’s editorial board did not pose the question to one of their in-house scholars, but instead fully quoted a *fatwā* from a book called “*wilāyah al-mar’ah fī al-fiqh al-islāmī*” (*Women’s Leadership in Islamic Jurisprudence*) (Anwar, Ḥāfīz Muḥammad, Ṣāliḥ, Ghānim Sadlān, 1999: S. 176). The first part of the quoted scholarly opinion does not deal directly with the permissibility of an *imāmah* in congregational

52 Ariel, Yaakov, “*D’var Torah ‘al yedei nashim bi’zman ha-t’fillah*,” *Yeshiva*, 21 Kislev, 5774. <http://www.yeshiva.org.il/ask/?id=84492>. Retrieved February 2014.

53 Ariel, Yaakov, “*D’var Torah shel nashim l’aḥar ha-t’fillah*,” *Yeshiva*, 25 Kislev, 5774. <http://www.yeshiva.org.il/ask/?id=84549>. Retrieved February 2014.

54 “Women Leading Prayer,” *Islam Q&A*. Fatwa No. 14247. <http://islamqa.info/ar/14247>.

prayer, but with the permissibility of women reciting the calls for prayer (*adhān* and *iqāmah*). According to the quoted scholars, Ḥāfiẓ Muḥammad Anwar and Ghānim Sadlān Šāliḥ, women can recite the calls for prayer for themselves or other women, but not for men or a mixed congregation. Ḥāfiẓ and Ghānim add that in a case when a woman chooses to do so, she is to keep her voice low but at the same time make sure that the congregation is able to hear her. Similarly, the scholars state that is forbidden for women to lead men or a mixed congregation in prayer, but that it is *mustahabb* (recommended, or desirable, but not obligatory) for women to lead other women in prayer. In such a case, they add, the woman is to stand in the same line as the other women and not stand in front of them. The scholars did not state any difference of opinion between the schools of thought, or stated any sources for their ruling.

A similar question was posed on the *Wasaṭī Islam OnLine* website, in which the inquirer—identified as ‘Metin’—asked whether women can lead one another in congregational prayer.<sup>55</sup> The editorial board answered that “the majority of Muslim scholars hold the opinion that a woman can lead other women in congregational prayer,” and cited a *fatwā* by Sheikh ‘Atiyyah Saqr, the former head of the *fatawa* committee at the Egyptian Al-Azhar University. According to Saqr, congregational prayer is of utmost importance, and according to a *ḥadīth*—for which he does not cite any sources—congregational prayer is between twenty five and twenty seven times more important than the prayer of an individual. While the Malikī School, he states, forbids women altogether from leading other women in congregational prayer, the majority of scholars do allow that, if there are no men who can lead them. Saqr then mentions the Umm Warāqah *ḥadīth*, but states that the Prophet “allowed her to lead other women in her household.” As noted before, the *ḥadīth* did not actually mention if Umm Warāqah’s household included women only, and in fact many scholars claim that she led men as well.

A different opinion was presented by Sheikhs Ilyas Patel and Faraz Rabbani on the *Qibla* website.<sup>56</sup> This traditionally oriented website allow surfers to approach scholars from different schools of thought, and in this case an inquirer asked specifically about why is it considered *makrūh* (discouraged) for women to lead other women in prayer in the *Ḥanafī* school. The scholars begin their answer by citing two seemingly contradicting *aḥādīth*. According to the first one, the Prophet said that “there is no good in a congregation of women,”<sup>57</sup> and according to the second one, ‘Ā’isha, the Prophet’s wife, led women in prayer and stood in between them.<sup>58</sup> The two scholars

55 Saqr, ‘Atiyyah, “A Woman leading other Women in Prayer,” *OnIslam*, 17/8/2003, <http://www.onislam.net/english/ask-the-scholar/acts-of-worship/prayer/congregational-prayer/174734.html>. Retrieved March 2014. The question was reposted on the *OnIslam* website site after *Islam OnLine* was closed.

56 Patel, Ilyas and Rabbani, Faraz, “Women's Congregational Prayer in the Hanafi School,” *Qibla*, 2008, Question ID 1305. [http://spa.qibla.com/issue\\_view.asp?HD=1&ID=1305&CATE=4](http://spa.qibla.com/issue_view.asp?HD=1&ID=1305&CATE=4). Retrieved March 2014.

57 Reported by Al-Ṭabarānī.

58 Reported by ‘Abd Al-Razzāq Al-Šan‘ānī.

then cite Imām Zafār Al-Sunān, who explain the contradiction by stating that the first tradition “explains the general offensiveness of women’s own congregation,” while the second one indicates that at times they may be permitted, “and to teach the women the proper method of prayer” in such cases. The scholars add that without a suitable reason, “a congregation of women would be prohibitively disliked,” as this goes against the *Ḥanaḥī* legislations, according to which the preferred means of prayer for a woman is to pray alone, or behind a congregation of men.<sup>59</sup> The Sheikhs end their answer by stating that “It is also important to understand that the nature of legal responsibility differs between men and women. That which is best for men to do is not necessarily best for women, and vice versa.”

The topic of women leading mixed congregations came up in the online Islamic world as Amina Wadud announced her intentions to lead a mixed Friday noon prayer in March 2005. On March 16<sup>th</sup>, two days before the ‘Wadud-prayer’ took place, a question on the issue was posed to Sheikh Yusuf Al-Qaraḍāwī on the *Islam OnLine* website.<sup>60</sup> The question, attributed to “Abu-Ahmad” reviewed Wadud’s intentions to lead a mixed-gender Friday prayer, in which women will sit alongside men and be confined to the back rows. The inquirer states that Wadud has conducted research on the topic and claimed that there is nothing in the Qur’ān or the *sunnah* that prohibits women from leading both males and females in prayer. He asked for Al-Qaraḍāwī’s view on the topic as “he is known for his moderate opinions.” Al-Qaraḍāwī began his elaborate and lengthy answer by stating that “Throughout Muslim history it has never been heard of a woman leading the Friday Prayer or delivering the Friday sermon, even during the era when a woman, Shagarat Ad-Durr, was ruling the Muslims in Egypt during the Mamluk period.” Unlike Christian prayer, he continues, which only involves uttering supplications, Islamic prayer “involves different movements of the body,” and also requires utmost concentration. Thus, “it does not benefit a woman, whose structure of physique naturally arouses instincts in men, to lead men in Prayer and stand in front of them,” as this creates a sexual distraction that is undesirable during worship. Al-Qaraḍāwī quotes a *ḥadīth* (without citing its source) that claims that women’s best rows during worship are the last ones and vice versa, while for men the opposite is true.

Al-Qaraḍāwī then turns to a balanced legalistic discussion of the topic.<sup>61</sup> While asserting that there is not a single Muslim jurist who permitted women to lead the Friday prayer or to preach in

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59 In another online answer given on the same website, Rabbani claims that it is generally disliked for women to pray at a mosque, “because it is reversing the nature of their religious responsibility,” and women are to pray in a mosque only if they are there for another reason such as broadening their religious knowledge. See Rabbani, Faraz, “Women and Congregational Prayer,” *Qibla*, 2008, Question ID 4420. [http://spa.qibla.com/issue\\_view.asp?HD=1&ID=4420&CATE=112](http://spa.qibla.com/issue_view.asp?HD=1&ID=4420&CATE=112). Retrieved March 2014.

60 Al-Qaraḍāwī, Yūsuf, “Woman Acting as Imam in Prayer,” *On Islam*, 16/3/2005, <http://www.onislam.net/english/ask-the-scholar/acts-of-worship/prayer/congregational-prayer/170796.html>. Retrieved March 2014. The question was reposted on the *OnIslam* website site after *Islam OnLine* was closed.

61 Ibid.

front of a mixed congregation, he also admits that there is no text that specifically forbids it. The only *ḥadīth* that specifically states that “a woman may not lead a man in prayer,” he claims, is extremely weak and cannot be taken as evidence for forbidding these actions. Al-Qaradāwī adds that scholars are disputed as to whether Umm Waraqah led only the women of her household or men as well, but adds that even if men were present, they were members of her family and in such a case there would no fear of illicit sexual thoughts.

Al-Qaradāwī cites an interpretation of the Umm Waraqah *ḥadīth* by the prominent medieval Ḥanbalī scholar, Imām Ibn Qudāmah (1147-1223), who claims that the very reason for reporting the case in the *ḥadīth* literature is that the case of a woman being instructed to lead men in prayer is unusual. Unexpectedly, Al-Qaradāwī disagrees with Ibn Qudāmah, and states that he believes that “any woman well-versed in the Qur’an like Umm Waraqah may lead her family members, including men, in both obligatory and supererogatory Prayers,” and mentions that Ḥanbalī scholars have permitted women to lead men in supererogatory prayers. He then cites several *aḥādīth* that report women leading other women in prayer while standing between them, and claims that such an act is the proper Islamic action for Muslim women who are interested in engaging more deeply with ritual: “Would that our sisters who are so enthusiastic about women’s rights revive this act of Sunnah—a woman leading other women in Prayer—instead of innovating this rejected novelty: a woman leading men in Prayer.”

Concluding his lengthy answer, Al-Qaradāwī abandons the legalistic reasoning, and turns to lamenting the fact that Muslim women are even interested in leading men in prayer:

A last word to conclude this issue: What is the necessity of making all this fuss? Is that what the Muslim woman lacks—to lead men in Friday Prayer? Was that one of the Muslim women’s demands at any time? We see other religions specifying many matters for men and their women do not protest. So why do our women do so, exaggerating in their demands and arousing what will cause dissension among Muslims at such time when they need their unity the most to face afflictions, hardships, and major plots that aim at their complete destruction?<sup>62</sup>

He ends the reply by asking Muslims in the United States to reject the attempts to challenge Sharīʿa on this topic, and to “stand as one in front of these trials and conspiracies woven around them.”

A similar question was posed on the same website to Aḥmad Kutty, a scholar at the Islamic Institute of Toronto, Ontario.<sup>63</sup> In this case, the inquirer asked for the scholar’s opinion regarding “the idea that imams do not necessarily need to be male,” as the Qur’an and the *ḥadīth* are silent on

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62 Ibid.

63 Kutty, Ahmad, “Woman-led Prayers,” *OnIslam.net*, 15/6/2005, <http://www.onislam.net/english/ask-the-scholar/acts-of-worship/prayer/congregational-prayer/170904.html>. Retrieved March 2014.

the topic. Like Al-Qaraḏāwī, Kutty replied at length, not limiting his answer to legalistic reasoning but offering personal insight as well. Before addressing the question itself, Kutty stated that two concepts must be emphasized. First, he claims, “The question of *imamah* (leading) in Prayer has nothing to do with the issue of gender equity or equality between the rights of men and women.” Unlike a Catholic priest, he states, the *imām* does not serve as an intermediary between the worshiper and God, and thus “to consider *imamah* as a privilege that confers some special spiritual prerogatives on a person is enigmatic to Islam.” Second, he admits, “women need to claim their God-given rights in Muslim society,” and become active participants in all aspects of Islamic life. However, using public prayer to claim those rights, he claims, “is at best a poor choice, if not outright aberration.”

Similarly to some of the rabbinical responsa reviewed, Kutty begins his legalistic reasoning for his answer by discussing the nature of Islamic prayer, and its unchanging character.<sup>64</sup> Prayer, he claims “belongs to those rather limited areas of Islamic Sharia’h that have been immutably fixed,” and cannot be modified under any circumstance. Thus, the laws of prayer as laid down by the Prophet do not provide any evidence that women can lead a mixed congregation of men and women who are not related to each other. Women are indeed able to lead men who are related to them in prayer, according to Kutty, as outlined by the case of Umm Waraqah, as well as women-only congregations. If there was any room for allowing women to lead men in prayer, he claims, it would have certainly been done by prominent women who were very close to the Prophet, such as ‘Ā’isha. Kutty adds that not only is there no legal justification for a woman to lead the Friday prayer, but also that women are not even obligated to attend it. This due to the notion that “such a duty could be in conflict with their vital duties of caring and nurturing the future generations—a function which is far more ennobled and dignified in Islam than anything else.” This type of apologetic reasoning is, as noted, quite common in Orthodox Jewish discourse (See Biale, 1984: S. 13), where women’s exemption from time-bound positive commandments is often explain by the idea that performing these commandments may interfere with women’s duty as housewives and mothers. He concludes—once again, similarly to some Jewish scholars—by stating that gender equality cannot be achieved by a struggle between men and women but by both genders understanding their “complementary, not overlapping roles.” The whole issue of female prayer leadership, says Kutty, “seems to be driven by a secular paradigm” that emphasizes competition rather than unity.

As noted before, none of the Muslim websites included in this study allow visitors to the site to comment on the scholarly answer, and thus they limit the democratic aspect of the medium. Nevertheless, surfers do have an opportunity to present their views on a topic and to relate to answers given on the website while presenting their question to a scholar. An example of this is a

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64 Ibid.

question sent by a person identified as “Riz” who sent a question to the “Ask about Islam” section of the *OnIslam* website.<sup>65</sup> Riz’s inquiry begins with him complementing the website’s scholars, and wondering why the scholarly responses on the website regarding the permissibility of female prayer leadership were all negative. “Quite frankly,” he states, “there is nothing, absolutely nothing in the Quran or the Hadith to indicate that women are prohibited from leading men in prayer, except the fact that women are told to stand in the back rows.” The inquirer mentions that there are many mosques in the Chinese Hui region that are led by women, and it is “rather extreme to believe those men have wasted their time praying, and God will not accept their prayer simply because a woman is leading them.” Riz mentioned that many of the answers on the site rely on weak *ahādīth* and many of them dismiss the Umm Warāqah *ḥadīth* as being a unique example that cannot be applied in contemporary times. However, he adds, “if the Prophet Muhammad really was against women from becoming imams [*sic!*], he would have very clearly announced that.” Riz ends his inquiry by stating that “leadership in Islam is based on merit and qualifications, rather than gender race or class.” How can it be then, he asks, that contemporary scholars prohibit women from leading prayer while relying only on weak traditions?

The answer, given by a Maan Khalife, who is only identified as a member of the website’s editorial staff, relied on several arguments that were not used in any of the other scholarly answers reviewed.<sup>66</sup> First Khalife emphasizes that the mosques in China that Riz was referring to are female-only, and that women are indeed only allowed to lead other women in prayer. As noted before, there are reports, however, that men are indeed praying in these mosques, with the *imāmah*’s permission (Sillers, Elewa, 2011: S. 143). While the inquirer noted that he does recognize that there are reliable traditions as to why women are to stand in the back row, Khalife cited a *ḥadīth* according to which the Prophet always asked the women of his household to stand behind the men while praying (Muslim 004:1390). This, the responder explains, is due to reasons of modesty, as while performing the prescribed bodily movements during worship (*ruqʿu* and *sujud*), “the behind is portrayed causing the shape of the buttocks to be more visible from behind the cloth. [*sic!*]”

Khalife turns to the issue of female leadership in general, rather than prayer leadership.<sup>67</sup> As the word *imām*, he says, refers to a community leader as well as a prayer leader, the person leading the prayers should ideally be a community leader as well. With this in mind, he cites a *ḥadīth* collected by Bukhārī (88:219), according to which “when the Prophet heard the news that the people of the Persia had made the daughter of Khosrau their Queen (ruler), he said, ‘Never will succeed such a nation as makes a woman their ruler.’” It is unclear as to why Khalife cited this

65 Khalife, Maan, “May Women Lead Mixed Congregational Prayers?,” *OnIslam.net*, 13/11/2012. <http://www.onislam.net/english/ask-about-islam/faith-and-worship/aspects-of-worship/459788-earth-rotating-or-sun-rotating.html>. Retrieved March 2014.

66 Ibid.

67 Khalife, “May Women Lead Mixed Congregational Prayers?”

tradition, or how it supports his argument, as he immediately adds that it “does not mean she may not be a community leader” but merely the leader of the entire Islamic nation. Like Kutty, Khalife adds that prayers are to be done exactly in the way prescribed by the Prophet, and that congregations in which men and women intermingle and are led by a woman are a recent innovation. He adds that since women are not permitted to pray while menstruating (based on Bukhārī 6:318), “if women were Imams, we would need two women to lead the prayers.” Khalife concludes his answer by stating that while he is certain that the Chinese mosques are only for women, if men were praying there under a woman’s leadership they are certainly unaware of the prohibition. In this case, he claims, their prayers are still accepted as “Allah rewards us according to our intention. Here, we must distinguish between not knowing and knowing but yet ignoring.”

## 7 Discussion

Several themes come to mind when examining these scholarly questions and answers. The first is to do with the boundaries of the religious enclave, Jewish or Muslim. While the issue of women leading other women in prayer is seen as borderline, with some scholars—mainly in the Muslim world—treating it as a desirable approach to increasing women’s participation in religious life, all of the scholarly answers reviewed made it clear that women leading mixed congregations is a taboo that cannot be broken without stepping outside the enclave. Remarkably, this trend was seen all across the religious spectrum, with no noticeable difference between Jews or Muslims or between the right-wing scholars of *Islam Q&A* or *Yeshiva*, and more liberal scholars who show sympathy towards feminism, such as Yuval Cherlow or Ahmad Kutty. The inquirers, on their part, are not that unanimous in their views. Even though some inquirers were clearly against the phenomenon, such as the Jewish surfer who not only assumed that it was forbidden but also wished to find out what is the proper way to protest such happenings,<sup>68</sup> others were a lot more positive.

Some surfers appear to be specifically turning to scholars known for their moderate views, in hope of them being lenient on the topic, such as the reader asking Rabbi Cherlow about his daughter celebrating her Bat-Mitzvah with a women-only Torah reading,<sup>69</sup> and the surfer who approached Sheikh Al-Qaradāwī regarding the Wadud prayer.<sup>70</sup> The responding scholars however, while providing the inquirers with well-researched answers, also affirmed the boundaries of the orthodoxy—Jewish or Muslim—and made it clear that ultimately the answer is no. The most noteworthy example of an inquirer pushing the enclave’s boundaries is of course Riz, the Muslim

68 Efrati “*Nashim qor’ot ba-Torah*”.

69 Cherlow, “*Aliyah la-Torah l’bat mitzvah*”.

70 Al-Qaradāwī, “*Woman Acting as Imam in Prayer*”.

surfer who sent a lengthy inquiry in which he outlined his own legal arguments in support of women's prayer leadership.<sup>71</sup> This, in fact, is the only Islamic inquiry reviewed in this study that demonstrated a real challenge to scholarly authorities, and an attempt to engage in an actual rational-critical debate with the responding scholars. Unfortunately, the response that Riz received did not really meet his expectations. Riz was answered by an anonymous scholar, not nearly of the same caliber as Al-Qaradāwī or even Kutty, who provided him with a disorganized answer that contained weak legalistic arguments and sexist language.

Another noticeable theme in the answers reviewed is the striking similarity between the answers given by Religious-Zionist rabbis—especially from the more liberal end of the spectrum—and the *Wasatī* scholars. Scholars from both these faiths emphasized the unchanging nature of religious ritual, even in light of social changes that appear to be demanding their alteration. Both charged the proponents of ritual change with a lack of authenticity, claiming that they are influenced by a secular mindset rather than by a sincere religious sentiment. While the Jewish responding scholars often stressed that women's place in the synagogue has been a distinguishing marker between an authentic (Orthodox) form of Judaism and the various liberal movements, this argument was generally absent from the Muslim responses as the Muslim world has no real tradition of heterodox movements characterized by a more dominant role for women in ritual. The response given by Maan Khalife, however, did mention that congregations in which men and women stand side by side are a recent innovation, lacking traditional sources.

It is also worth noting that both Rabbis and Muftīs resorted to what is often referred to in feminist circles, especially around the Blogosphere, as “mansplaining” (See Robinson, 2012); i.e. essentialistic descriptions of the woman's natural tendencies, and explanations regarding the “proper” manners for women to express their religious ideals. Here these scholars are essentially using the intellectual status they acquired in the field of religious law to promote their views on issues that are well outside their field of expertise.

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71 Khalife, “May Women Lead Mixed Congregational Prayers?”

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