

Dear _____,

Within mainstream Orthodoxy, more women than at any prior time in Jewish history are learning and teaching Torah, with passionate commitment and at unprecedented levels of scholarship and professional achievement. Motivated by yirat shamayim and ahavat Hashem, they seek not only to learn, but to teach and inspire others. Similarly, highly qualified and dedicated women are increasingly assuming leading roles in Orthodox communal life, both as professionals and within the laity. These positive developments have transformed the face of synagogues and the Orthodox community.

As women have assumed an expanding array of roles, including leadership positions of all sorts, often closed to them in the past, it becomes our challenge – and responsibility – to help define the contours of professional synagogue roles that may be played by women that are permissible within the bounds of halacha and our mesorah – and that conform to the norms of traditional halachic process.

Accompanying this memorandum are the Responses of the Rabbinic Panel to two questions posed to it by the Orthodox Union, in reference to professional synagogue roles:

1. Is it halachically acceptable for a synagogue to employ a woman in a clergy function?

2. What is the broadest spectrum of professional roles within a synagogue that women can perform within the bounds of halacha?

The Need to Address These Issues

The Orthodox Union presented these issues to our Rabbinic Panel for several significant and interrelated reasons. First, many Orthodox Union synagogue Rabbis, and their lay leadership, have requested the Orthodox Union to serve as a conduit for definitive guidance in this complex arena.

Second, the Orthodox Union concluded that the community would benefit greatly by receiving comprehensive, fully elucidated responses regarding women's professional roles that would inform and educate our increasingly sophisticated community membership. This was an instance in which brief and narrow responses – a simple “yes” or “no” – would be insufficient.

Third, over the past several years, certain synagogues have chosen to have women assume rabbinic roles and responsibilities, or rabbinic-like titles, never before practiced within Orthodox Judaism. As a lay body it was our impression that the issues presented were perceived, certainly by segments of our community, as aspects of Orthodox communal practice not necessarily governed by halacha. Other segments of our community believed that such practices were halachically

impermissible. The need for halachic and hashkafic guidance was clear. And, as an Orthodox lay organization, the Orthodox Union felt it was of critical importance that we respond to these contemporary religious issues in the manner undertaken by our community for millennia – by presenting questions to our leading Rabbinic authorities, from whom we and our community’s Rabbis have regularly sought guidance on critical and sensitive matters of halacha and hashkafa.

The Process We Followed

The Orthodox Union recognized that matters of religious practice cannot be decided by lay bodies. It was our view that such determinations should be made – in the time honored tradition of Orthodox communities throughout the millennia – by a group of leading rabbinic scholars. To that end, we identified rabbis each enjoying an exceptional national reputation for scholarship and integrity, each a significant, recognized talmid chacham; individuals to whom large segments of our communities’ rabbis routinely turn for psak on issues of significance and who have, as a consequence, dealt with national issues in communities both large and small, and both homogeneous and heterogeneous in hashkafa. We also sought to include several panel members who are, or were, themselves pulpit rabbis.

With these criteria in mind, we approached the following distinguished poskim (listed in alphabetical order), who each agreed to serve on the Rabbinic Panel:

- **Rav Daniel Feldman** – Rosh Yeshiva, Rabbi Isaac Elchanan Theological Seminary, Yeshiva University; Rabbi of Ohr Saadya of Teaneck, NJ
- **Rav Yaakov Neuburger** – Rosh Yeshiva, Rabbi Isaac Elchanan Theological Seminary, Yeshiva University; Rabbi of Congregation Beth Abraham of Bergenfield, NJ
- **Rav Michael Rosensweig** – Rosh Yeshiva, Rabbi Isaac Elchanan Theological Seminary, Yeshiva University
- **Rav Hershel Schachter** – Rosh Yeshiva and Rosh Kollel, Rabbi Isaac Elchanan Theological Seminary, Yeshiva University
- **Rav Ezra Schwartz** - Rosh Yeshiva, Rabbi Isaac Elchanan Theological Seminary, Yeshiva University; Rabbi of Mount Sinai Jewish Center in Washington Heights, NY
- **Rav Gedalia D. Schwartz** – Av Beis Din of both Beth Din of America and Chicago Rabbinical Council
- **Rav Binyamin Yudin** – Rabbinic Faculty, Yeshiva University; Rabbi of Congregation Shomrei Torah of Fair Lawn, NJ

Over a period of many months, the Rabbinic Panel met frequently, both in person and by phone.

The Orthodox Union, is enormously grateful to each of these individuals for their past and ongoing commitment to the community, but in particular for the countless hours, and profound seriousness and thoughtfulness, with which they assumed this responsibility.

As part of our process, we also convened a series of forums to enable members of the Rabbinic Panel to hear from a broad and diverse group of women and men regarding their perspectives on the issues being addressed. Forum participants included pulpit rabbis, educators, yoatzot halacha, communal professionals and lay leaders. In addition to meeting in small groups with members of the Rabbinic Panel, forum participants, as well as other community members, submitted brief statements outlining a variety of perspectives; each of these written statements was provided to the Rabbinic Panel.

Some Observations on the Responses of The Rabbinic Panel

We note, at the outset, that the American culture of personal autonomy and the egalitarian ethos inexorably clashes with the Torah values of placing normative halachic conduct above individual choice and halachic dictates above individual freedom. This clash is particularly pronounced in the area of gender equality in religious practice. Many have raised, and pondered, the following question: if women serve as CEOs or senior executives of major corporations – as they surely do – if they can head

government agencies, and perform at the highest levels of professional achievement – as they surely do – how can we fail to provide them with identical opportunities within the institution seemingly most significant to us outside of our families – the synagogue.

As Orthodox Jews, we believe in the deference to rabbinic authority, accepting the authority of gedolim and poskim, who in each generation translate Hashem's will into practical policy and specific application for the Torah community. Reared in the modern world, we believe in self-actualization and the ability to choose our own paths; yet as Torah Jews, we subordinate the Western emphasis on autonomy to our willing and unabashed embrace of deference to the values and principles conveyed by the Torah, as interpreted by our leading Torah scholars and halachic authorities. Halacha and halachic advocacy do not belong to the purview of circulated petitions, op-ed pieces or Facebook posts. Religious practice must, rather, be the product of a halachic *weltanschauung*, as elucidated by our mesorah and the careful, systematic explication of Torah and Torah values by renowned halachic authorities, applying time honored methods of halachic analysis developed over the millennia, and accepted over the millennia. The exploration of halacha must reflect the aspiration of uncovering G-d's will, even when uncomfortable or difficult to comprehend.

Second, we recognize that too often, the centerpiece of our communal discourse has been on what women cannot do within our synagogue structure, rather than how they contribute to, enhance and advance synagogue life. That emphasis is, in our view, both misplaced and fundamentally counterproductive to advancing our communal needs and maximizing the contributions that can be made by the totality of our community, both men and women.

Accordingly, we note that just as the Rabbinic Panel has made clear that women serving in clergy roles or holding clergy titles is at odds with halacha and our mesorah, the Panel has also proclaimed – and celebrated – the important, and fundamentally successful roles that women can and must play within our communal and synagogue structures, including as educators and scholars. Women must be encouraged to share their Torah knowledge, and their enthusiasm and wisdom, with the broader community.

We therefore urge all segments of our community to recognize and focus upon what unites us. As articulated by the Rabbinic Panel, women can and should teach Torah, including at advanced and sophisticated levels; give shiurim and divrei torah; assume communally significant roles in pastoral counseling, in bikkur cholim, in community outreach to the affiliated and unaffiliated, in youth and teen programming; and in advising on issues of taharas hamishpacha, in conjunction with local rabbinic

authority, when found by a community's local rabbinic and lay leadership to be appropriate. Let us focus our energy and communal creativity on increasing and enhancing the contributions that women make to our shuls and communities, rather than being consumed with limitations.

Third, we feel it important to comment on Yoatzot Halacha. The Rabbinic Panel recognized that Yoatzot Halacha have strengthened religious observance in many segments of our community. In these communities, the introduction of Yoatzot Halacha trained and certified by Nishmat, has resulted in a substantial increase in the number of hilchot nidda and related sheelot posed by women, who are asking far more sheelot than ever before, and receiving responses from a cadre of dedicated, knowledgeable and committed women. While the Rabbinic Panel did not unanimously encourage the institution of yoatzot, they concluded that a Yoetzet Halacha may be employed with the approval of the community's rabbinic and lay leadership, and, where employed, should continue to work in close consultation with the community rabbi(s). We believe that the recommendation of the Rabbinic Panel that the utilization of Yoatzot Halacha continue to be evaluated by poskim and communities alike, is a useful one that will foster greater exposure to and awareness of the importance of this institution, and recognition of the significant role of yoatzot in many of our communities.

Fourth, in Kohelet, Shlomo Hamelech taught that: "Divrei hakhamim b'nachat nishmain."

The words of the wise are most likely to be heard when communicated pleasantly. Efforts must be made to create an atmosphere of education and persuasion, rather than fulmination and coercion. In that spirit, the Orthodox Union has striven, and will continue to strive to encourage achdut and mutual respect. Ultimately, our community will be far better served by convening and promoting substantive dialogue and sophisticated discourse on issues that are, often, complex and nuanced. Such dialogue should bring together our eminent poskim and roshei yeshiva, our pulpit rabbis, and our laity, both men and women. Likewise, community leadership should endeavor, within the bounds of normative halachic conduct, to reach out and be inclusive, and resist pushing away any individuals who are committed to the observance of halacha and who seek to remain within the Orthodox camp.

The Broader Communal Agenda

Quite apart from the specific questions posed to the Rabbinic Panel, it is clear that numerous issues regarding the role of women within the Orthodox community remain unresolved, and require serious communal attention. Many of these challenges are not new, but have been highlighted to the Orthodox Union by comments of both men and women in the course of the series of forums that were convened by the Orthodox Union for the benefit of the Rabbinic Panel, and in the attendant written submissions we received.

We, therefore, underscore that the responses of the Rabbinic Panel that we transmit today are but the beginning of a process and not its end. We envision a continuing process of dialogue and exploration to begin to address these – and other – critical issues in a deliberate manner.

Many forum participants noted that our community would benefit greatly, and the synagogue experience would be enhanced by, an even greater presence of women functioning as educated, knowledgeable and halachically committed role models, teachers, and pastoral counselors, modelling the joy and fulfillment of Torah learning, of teaching, leadership, spiritual growth and emotional support in time of need. The failure to fully embrace the talents of women and encourage women to assume greater lay and professional roles is a tragic forfeiture of communal talent. We should focus on creating and institutionalizing roles for women that address the needs of Orthodox Jews today, by removing barriers that impede women from further contributing to our community, in halachically appropriate ways. We should fully utilize their talents and commitment, thereby fostering shmirat hamitzvot, enhancing limmud torah and expanding the richness and vibrancy of Jewish life.

Further, we must ensure that the community does not inappropriately disparage the sincere quest of many women for growth in limmud Torah, or in communal participation, as being improperly motivated. When applied, this blanket attitude not only alienates growth-oriented Torah Jews, but also

diminishes the next generation's access to talented and passionate teachers of Torah, and role models.

This subject likewise merits the thoughtful consideration and attention of our community.

Other issues likewise require careful review, exploration and communal consideration. For example, consideration should be given, within acceptable halachic parameters, to developing appropriate titles for women of significant accomplishment, holding professional positions within the synagogue and communal structure, thereby acknowledging their achievement and status. Though such titles could not – and should not – connote ordination or rabbinic function, the Rabbinic Panel has made clear that words – and titles – matter. In short, the dignity accorded such positions must be commensurate with the importance we place on them. As a result, we urge our community, with sensitivity, creativity and full regard for halachic and hashkafic norms, to constructively consider whether and, if so, how to design both appropriate job descriptions and titles for the critically important roles described above. Such titles would make manifest the degree of skill, training, and preparation necessary for such roles, and the significant status and respect to be accorded to them. We further urge consideration of the related issues of tenure, compensation (including pay equity) and benefits accorded such roles. We resolve to utilize our organizational resources to foster such communal dialogue.

Finally, certain forum participants emphasized the need for greater communal attentiveness to, and rabbinic focus on, the spiritual engagement of women in synagogue services, particularly within certain community segments, and at certain critical life stages. For example, while many within the community, both women and men, feel an inadequate sense of “connection”, some women, upon completing their Jewish studies in high school and beyond, may not find the same sense of religious engagement in shul attendance as may be enjoyed by certain of their male counterparts. Whether, and, if so, to what extent, such feelings are widespread require careful communal attention and consideration and, if found to be significant, must be addressed in deliberate and concrete ways.

We recognize that the issues raised above are hardly the only ones that must be considered. We, as a community, should strive to identify others that must be placed on the communal agenda, and that require both meaningful attention and deliberation, and creative solutions.

The Way Forward

We offer the following observations:

- 1) The unity and health of our community will be impacted by the degree to which approaches are identified to substantively encourage, support and expand women’s engagement in synagogue

communal roles, within the bounds of halacha as explicated by the Rabbinic Panel. It is essential that the voices of individuals who are yirei shamayim and committed to Torah values, both men and women, are heard in communal discussion and leadership. Accordingly, the Orthodox Union commits to explore and identify approaches by which the concerns identified herein, and other challenges and opportunities, can be discussed and studied.

2) The OU undertakes, and will continue to strive, to live by the principles enunciated in this Statement. On the professional side of the organization, the OU's recruitment, training, mentoring and promotion of talented women within our professional ranks has been a key organizational priority for the past several years. We have significantly enhanced our maternity/parental leave policy, as well as our part-time and telecommuting work options, to create a more family-friendly work environment. We established the OU Women's Affinity Group as a forum for professional women within our organization, where women can gather on a regular basis for seminars, networking and brainstorming on issues of common concern. We instituted a new compensation system whereby each program position within the OU is assigned a grade and corresponding salary range, thereby ensuring pay equity across the board. And while there remains much work ahead, our management ranks are now beginning to reflect the totality of the talent pool within our community, both male and female.

On the lay leadership side, following consultation with our Poskim, the 2015 OU elections included six talented women elected as national officers. Women populate our commissions and committees, bringing their skill and expertise to bear for the benefit of Klal Yisroel.

But there is much more that the OU can – and should – seek to achieve. The OU is, therefore, in the process of forming a new Department of Women’s Initiatives. This Department will be led by a senior professional, and will allow us to coordinate all of our programming for women, whether serving our community’s schools, shuls or individuals directly. The objective of this initiative is to advance the spiritual, religious and communal engagement of women at all stages of life, in all segments of the Orthodox community, in areas of personal and professional growth, including Torah study and community leadership.

3) We adopt as a statement of OU policy the Responses of the Rabbinic panel transmitted herewith and anticipate that Orthodox Union member synagogues will act in accordance with these Responses. The OU, through its Synagogue Standards Commission, will enter into a dialogue with synagogues to encourage and facilitate implementation of the Responses. In addition, the OU will explore various ways in which all shul members, women and men, can enhance their synagogue experience and realize greater spiritual enrichment.

Further, the OU will work with member synagogues, at the request of their respective Rabbinic and lay leadership and with their cooperation and guidance, to encourage women's involvement in all appropriate areas of leadership and participation within such member synagogues.

Moishe Bane

President

Howard Tzvi Friedman

Chairman of the Board

Allen I. Fagin

Executive Vice President / Chief Professional Officer