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7. What's Reformed about Reform Judaism?

Halakhah and Public Embodiment

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Abstract

This article proposes a twist to the traditional halakhah-centered story of what is different about Reform Judaism: I suggest that even though we might describe American Reform Judaism's distinctiveness as its approach to law – its conviction that Jewish law must be interpreted to fit the lives of Jews, and not the other way around – historically, many of its most defining moments have been about public embodiment. This article explores three such moments: the trefa banquet of 1883, conversations about women's ordination, and a ruling on patrilineal descent. Although these moments were related to Jewish law in the sense that Orthodox Jews thought that each violated halakhah, there were plenty of other violations of halakhah that did not generate such vocal objection from more observant Jews, and so violation of halakhah is not sufficient explanation for why these three became defining flashpoints. I suggest that these moments had more to do with the public presence and visibility of bodies than they did with philosophical principles or liberal theology.

Keywords: Reform Judaism, embodiment, halakhah, food, women's ordination, patrilineal descent

Introduction

A typical story about Reform Judaism goes like this: In the eighteenth and nineteenth century, European Jews experienced both a “Jewish Enlightenment” and emancipation. These dual forces, philosophical and social, made some European Jews question the tenets of orthodoxy. Must Jews always adapt themselves to Jewish law, or might Jewish law be adapted to Jews? Must law be the center of Judaism, or could it be ethics, belief, and community instead? Rabbi-philosophers such as Abraham Geiger sought to *reform* Judaism by deemphasizing and defanging law. One midrash, admittedly an atypical one for rabbinic theology, has God say: “The Sabbath is given to you, not you to the Sabbath” (Mekhilta de Rabbi Ishmael 31:13). This would have been a fitting motto for these reformers’ approach to all matters of Jewish law.

Halakhah, the Hebrew word translated as Jewish law, comes from the root word for “walk” and largely governs actions (as opposed to, say, beliefs.) It is a system of rabbinic interpretations that draw on the Talmud, itself a set of interpretations and commentaries on biblical and other sources. As such, it admits differences in opinions about many topics, such as what, precisely, you can eat during Passover. Other positions, especially clear biblical prohibitions such as avoiding pork (“And the pig, because it has a cloven hoof that is completely split, but will not regurgitate its cud; it is unclean for you”; Leviticus 11:7) share widespread agreement among halakhic authorities past and present. Reform Jews, as the story goes, are distinctive because their Judaism does not position halakhah as definitive.

Jewish law, as this typical story suggests, is the primary way that most people differentiate Reform Judaism from other branches, both historically and in the present. Geiger and the early German reformers made their arguments in the mid-nineteenth century. Across the ocean, the debate sounded very similar. In the 1880s, concerned about the spread of liberal Judaism, Rabbi Alexander Kohut declared that “Reform is a Deformity” because it refused the authority of Jewish law (12). Reform Rabbi Kaufmann Kohler reacted in a speech, defending Reform as a religious movement that embraced freedom “from all restrictions which curb the minds and encroach upon the hearts” (quoted in Cohen: 183). Decades later, though much had changed in the landscape of American Judaism, both Reform and non-Reform leaders still explained that Reform was different because its stance toward Jewish law was different. In 1941, Solomon Freehof said to his fellow Reform rabbis in the United States: “The difference between us [Reform Jews] and [Orthodox and Conservative Jews] is that they consider these ritual . . . matters as law even when they do not observe them, while we consider them as custom even when we do observe them” (290). Scholar Dana Evan Kaplan characterizes Reform Judaism as “the idea that Jews could practice their faith according to the moral precepts of Judaism but without complete adherence to the code of Jewish law” (6). As these scholars and rabbis explain, Reform Judaism reformed Judaism by demoting halakhah from its status as obligatory.

In this article, however, I am proposing a twist to this traditional halakhah-centered story: I suggest that even though we might describe American Reform Judaism’s distinctiveness as

its approach to law historically, many of its most defining moments have centered on public embodiment. This is not to say they had nothing to do with law – they did, in the sense that Orthodox Jews thought that each violated halakhah, and more importantly in the broader sense that law is so often engaged with bodies – but that these defining flashpoints seemed to have more to do with the public presence and visibility of bodies than they did with philosophical principles or liberal theology.

To say that Jewish communal disputes have often been triggered by what people do with bodies in public is not to say that this is separate from law. The best understandings of Jewish law, in fact, always account for both the idea of the body as well as actual bodies. Law and bodies are not fully separable; bodies are everywhere. As Judith Butler explained in her now-classic *Bodies that Matter*, “I tried to discipline myself to stay on the subject, but I found that I could not fix bodies as an object of thought” (viii). That is, bodies can never be isolated from social processes, including law. As halakhah is never fully separable from bodies, looking at these three issues also helps expand our understanding of Jewish history even from a halakhic perspective.

Three examples from the history of Reform Judaism in America illustrate this dual point about the official and *public* presence and visibility of *bodies*: the first is about eating; the second is about gender; and the third is about birth and belonging. Though each historical incident merits extended discussion in its own right, my focus is on the importance of publicly visible bodies, and thus I am only able to offer summary treatments of these examples.

On the one hand, it should come as no surprise that what people do with their bodies in public should matter to other people, particularly those who see themselves as part of the same community. But on the other hand, many of the classic histories of religion in the United States focus on theology, philosophy, and difference of interpretation as the real meat of religious conflict and difference (e.g., Ahlstrom). Jewish history is less likely to fall into this pattern, but it remains the dominant way of telling the story of the relationship of Orthodoxy and Reform Judaism.

These three history examples, then, serve as a suggestion of reorientation of that narrative. Together they suggest that telling the story of Reform Judaism as a story about its conviction that Jewish law must be interpreted to fit the lives of Jews, and not the other way around, can be only part of the narrative. Jewish bodies must also be part of that story.

Eating: Trefe Banquet, 1883

In 1883, the Hebrew Union College (HUC) in Cincinnati was ordaining its first class of rabbis – one of the first and decidedly most high-profile rabbinical ordinations in the U.S. Also in town were the Reform-minded United American Hebrew Congregation’s tenth anniversary and a meeting of the Rabbinical Literary Association, the organization that later became the Reform rabbinical association. There was a choir with both men and women – generally considered a violation of Jewish law, but no one complained about that. After the commencement in the Plum Street Temple, a Reform synagogue, the three groups along with some of Cincinnati’s well-to-do Jewish families made their way to the banquet. A Jewish caterer was hired to serve a nine-course banquet in the fancy Highland House at the top of Mt. Adams in Cincinnati. On that menu were delicacies including little neck clams, soft shell

crabs, shrimp, and frogs' legs in cream sauce, as well as beef, chicken, and ice cream. So the meal was, to put it mildly, not kosher. The menu did not have pork – one dietary restriction that some Reform Jews did follow – but it did have both milk and meat, as well as those four critters whose consumption was prohibited by Jewish law. It quickly became known as the “trefa banquet”: the non-kosher banquet.

At the time it made a kerfuffle. One anonymous New York Jewish writer opined: “a painful episode was the banquet, on the menu of which, were dishes forbidden by Jewish law. Yet rabbis and laymen assembled for Jewish interests, instead of rising in a body and leaving the hall, sat down and participated.” (*New York Herald* [July 22, 1883], quoted in Sussman: 34). The young Zionist leader Henrietta Szold wrote of the “indignation which was felt by a surprisingly small minority . . . There was no regard paid to our dietary laws” (*Jewish Messenger* [July 27, 1883], quoted in Sussman: 34). When Reform leader Isaac Mayer Wise was first asked for an explanation, he said that the caterer had been asked to provide kosher food. But later, in his German language newspaper, he defended the choice to have non-kosher food. Another liberal rabbi implored American Jews to leave “kitchen Judaism to the antique cabinet where it belongs” (*Die Deborah* [August 17, 1883], quoted in Sussman: 33).

As the years marched on, it remained a kerfuffle in the minds of those who were there. Some did not even remember accurately; perhaps allowing the subsequent interpretations to color their memory, they elevated the event to a near-fight. David Philipson, one of the members of HUC's first ordination class wrote in his autobiography that “terrific excitement ensued when two rabbis rose from their seats and rushed from the room. Shrimp had been placed before them as the opening course of the elaborate menu” (23).

Jewish historians recount the trefa banquet as a marker of what made Reform different. Historian Jonathan Sarna describes it in detail and provides an image of its menu in his *American Judaism*: “Symbolically, the trefa banquet separated American Jews into two opposing camps that could not even break bread together. The incident both anticipated and stimulated further divisions” (145). Michael Meyer, historian of the Reform movement, discusses it in two separate sections of his magnum opus, *Response to Modernity*. American Jewish historian Hasia Diner writes of its effects dividing Orthodox Jews from more liberal Jews. She deems it a “powerful trauma” that was “offensive” to observant Jews. It “played a small but visible role in galvanizing the traditionalists,” she explains (124). Jewish Studies scholar Jordan Rosenblum writes that it “contributed to the bifurcation of American Judaism” (Rosenblum: 1). A recent podcast told listeners that it would explore “how a lavish banquet in 1883 Cincinnati kicked off a fierce debate about what it means to keep kosher. How did a dish of frogs' legs bring about one of the largest religious arguments the U.S. has ever seen?” (Carlson).

Another historian, John Appel, wrote that, far from being an error, the menu was a deliberate provocation on the part of the school's leader, Rabbi Isaac Mayer Wise, and “was deliberately arranged by some Cincinnati businessmen.” Conservative rabbi Elliot Dorff makes a similar assertion: the banquet was “a deliberate attempt by Isaac Mayer Wise to drive the more traditional members out of the Reform camp so that he could more easily form a radical program for the Reform movement” (13). The assertion seems unlikely, but Appel and Dorff are in good company when they frame the trefa banquet as a provocative moment for Reform Judaism in the United States. The episode dramatized what was quickly becoming

clear in the late nineteenth century: Hebrew Union College would not live up to its aspirational name and represent a single, unified American Judaism after all.

But this is not to say that the trefa banquet changed the face of American Judaism. Despite the fact it offended more traditional Jews and the fierce debate, the banquet did not seem to hurt the Reform movement numerically. Although a few congregations resigned from the United American Hebrew Congregations in the wake of the banquet, others joined the following year. The denomination would soon grow to be the largest in the United States. When I list this as one of Reform's "defining moments," then, I am not suggesting that it caused a split between Reform and what would become Conservative Judaism. Nor am I suggesting that this marks the beginning of a distinctive theological or practice-based orientation of Reform Judaism. In this sense, it was not a pivotal moment, in that no tenet or practice pivoted from before it to after it. The banquet was, however, a moment in which both Reform and non-Reform Jews were confronted with the distinctiveness of the Reform movement.

It was the public and embodied character that drove this confrontation. The food at the banquet, apart from its fanciness, was not unusual for its time and its Reform attendees. In fact, Reform Jews were following a certain set of embodied norms, though not the norms of kashrut: they were eating like other upper-class Americans. Everyone involved – both Reform and Orthodox – knew that American Reform Jews did not find the laws of kashrut binding, and that Reform Jews ate non-kosher foods with frequency both in their own homes and when dining elsewhere. Dietary laws were part of the very Jewish law they had rejected.

Food is important in part because it draws lines of communal belonging. As Martha Finch notes, food plays a physical role but also a symbolic one in religious life: "Not only does it provide physical nourishment and sustenance, but those who eat invest what is (and is not) eaten with deep and compelling values" (xi). This is certainly one aspect of what was going on with the outrage over the trefa banquet.

And yet, Orthodox Jews did not express the same kind of focused outrage at Reform Jews' private eating choices as they did at the banquet. Nineteenth-century American Jews who did not live in cities ate questionably kosher food (are porcupines okay? coyotes?) and certainly non-kosher meat (Rabin). Though cities were more hospitable to keeping kosher, and some Jews – women especially – developed an American kosher cuisine (Joselit: 164-67), even many city-dwellers sometimes ate non-kosher meat, either for reasons of finance or of halakhic apathy. Many ignored rules about mixing milk and meat, and many ate halakhically prohibited seafood. American Jews had been eating non-kosher food almost as long as there had been American Jews. With the rise of Reform Judaism, the trend increased. While Orthodox rabbis certainly did not approve, Reform eating habits had never prompted the kind of fracas that the trefa banquet did. This history suggests the objections and offense from other Jews were not solely about Reform Jews' violation of halakhah. They were about Jews at a widely publicized and official Jewish event eating non-kosher food.

Gender: Ordaining Women, 1922, 1972

When, in 1922, Martha Neumark was completing the rabbinical requirements at HUC, the Central Conference of American Rabbis (CCAR) declared that women "cannot justly be

denied the privilege of ordination” (CCAR 1922: 51). The HUC faculty agreed: “in view of the fact that Reform Judaism has in many other instances departed from traditional practice, it cannot logically and consistently refuse the ordination of women” (quoted in Umansky: 350). Because Reform Judaism did not generally deem halakhah binding, it similarly could not do so in this case. Yet the HUC Board of Governors voted women’s ordination down, not because of legal objections, but for reasons of demographics and what we today might call optics: they did not want women taking over the synagogues.

When the issue arose again in 1972, though there was still significant division among Reform Jews at all levels of leadership, there was little official, sustained debate within the Reform hierarchy, and HUC ordained Sally Priesand as the first woman rabbi in the U.S. The event appeared in newspapers, where journalists often commented on her appearance and her body. The *New York Times* reported: “She admits people criticize her for her miniskirts, and she also admits there have been moments when she was not accepted as a potential rabbi. But the closer she comes to ordination, the more positive she sounds, refusing to dwell on the traditional patriarchal aspects of Judaism” (Vecsey). *Newsweek* called her “the miniskirted brunette” and “the petite third-year student” when she was in rabbinical school (89). “Miniskirted Sally Priesand attends to her studies, her dates, and the theater,” the *Los Angeles Times* said in an article titled “Coed Studies to be First Woman Rabbi” (E6).

In addition to the news media, women, especially Jewish feminists, took notice. Though they were far less likely to comment on Priesand’s appearance, they too recognized the importance of her physical presence in a Jewish role of authority. Suddenly their bodies might no longer be a barrier to leadership; they could see a body “like” theirs as a rabbi. The *Ladies Home Journal* wrote: “Sally is very much the product of her – our – generation. Like so many of us, she is a microcosm of that generation – educated, with a variety of interests, committed to something we believe in (in her case, Judaism as a way of life)” (Levy: 108). Even a *Boston Globe* article praised her in a similar way: “First Woman Rabbi Succeeds in Changing View of Clergy as Father Images” (Shapiro: 1). The public visibility of her body in a rabbinical role changed the religious landscape. Leadership in “Judaism as a way of life” could be embodied officially by a woman.

But more traditional Jews objected to seeing women as rabbis. These were not specific objections about Priesand’s body in particular. It was not just that she wore a miniskirt; it was that no matter what she wore, her body would be a woman’s body, and women’s bodies were not to be ordained. Classical rabbinical texts, such as the Talmud, do not discuss ordination. Ordination, and the contemporary role of the rabbi, are very much modern phenomena. However, the Talmud does disallow women to perform a few of the duties of today’s rabbis, including serving as a witness and discharging an obligation like Torah-reading on behalf of a community. But many, including some Orthodox Jews, have argued that these particular duties can easily be given to male leaders while allowing women to do all of the other rabbinical duties, such as preaching and pastoral care (e.g., Greenberg).

Since Reform was ordaining women, some Orthodox leaders thought that they should withdraw from the New York Board of Rabbis, a pan-Jewish rabbinical organization. The next decade, the public leadership presence of women again came to a head in a similar way over the Jewish Welfare Board (JWB), though this time, more observant communities did withdraw.

A *New York Times* article described the break-up of the JWB, a formerly pan-Jewish organization: “The Jewish commission that has approved rabbis as chaplains for the United States armed forces since World War I broke up yesterday over whether a rabbi who is a woman can serve as a military chaplain.” The *Times* further reported:

The breakup came when the nation’s major Orthodox rabbinical group, the Rabbinical Council of America, announced that it was withdrawing from the 69-year-old Commission on Jewish Chaplaincy of the JWB because Reform Judaism independently approved a woman as a Navy chaplain . . . “When they endorsed a woman,” Rabbi Bernstein said of the Reform rabbinate, “we said: ‘That’s it.’ The Commission on Jewish Chaplaincy of the JWB is finished.” The decision was unanimous, he explained: “We do not want to splinter the Jewish community any further than it is,” he said. “But it is quite clear that this was imposed on us and left us with little choice. Orthodox Judaism cannot accept women rabbis” (Goldman).

According to halakhah as interpreted by many Orthodox Jews, women’s bodies cannot perform commandments on behalf of men, as many Jewish liturgical contexts assume the leaders can do. So a woman cannot be counted in a prayer quorum or lead prayer publicly. According to some, even women’s voices are inappropriate in the setting of religious services.

The Reform reasoning about women’s ordination similarly distanced itself from Orthodox Judaism on matters of what women’s bodies can do. Reform Rabbi David Ellenson recognized the objections of halakhically observant Jews, but nevertheless held fast to the divisive decision: “Given the overwhelming Orthodox halakhic consensus that women cannot be counted in a minyan (prayer quorum), cannot serve as *shelichei tsibur* (prayer leaders), may not officiate at weddings and conversions, and may not either issue a get or serve as witnesses in Jewish divorce proceeding, how could we not have anticipated that such a negative response to the issue of women as rabbis would ultimately be forthcoming from even the most moderate of Orthodox rabbinical bodies” (80). Rabbinical bodies cannot contain women’s bodies, for most Orthodox observers of halakhah. “In electing to affirm the right of women to be ordained as rabbis, our movement did depart from tradition in a serious and significant way” (80).

Here too, however, women performing rabbinical duties was not new, and earlier events had not triggered the same kind of rhetoric or communal splitting. Pamela Nadell’s history of the rocky road to women’s ordination, *Women Who Would Be Rabbis*, hints of the rich history of American Jewish women in religious leadership. It is a telling century-long chronicle of women who fulfilled various rabbinical roles prior to Priesand’s public and official ordination: in the 1890s Ray Frank, the “girl rabbi of the west” who became known for her preaching and organizing of small Jewish communities, the learned Martha Neumark who completed seven and a half of the nine year rabbinical curriculum at HUC, Helen Hadassah Levinthal who completed the rabbinical curriculum at the Jewish Institute of Religion in New York in 1939 but was still not ordained, Paula Ackerman who became the spiritual leader of a synagogue after the 1950 death of her husband who had served as rabbi, and others.

Orthodox Jewish leaders did not dissolve the JWB over these women’s activities, and they did not use these women’s preaching on Yom Kippur or even reading the Torah in front of

the congregation as a reason to “splinter” the Jewish community. Though Reform women had already been doing almost everything Reform rabbis had been doing – preaching, leadership, religious instruction, pastoral care, publicly reading from the Torah, being alone with people of the opposite sex to whom they were not married, and almost everything else except officiating at marriages and funerals (Umansky) – it was the physicality of a female body standing at the pulpit or serving as a chaplain that made more observant Jews draw the line.

Birth: Patrilineal Descent, 1983

The third example of a defining moment in Reform Judaism is what is often called “patrilineal descent.” In short: unlike the halakhic rule of matrilineal descent, kids who had a Jewish father and a non-Jewish mother and participated in Jewish ritual events would be considered Jewish, with no need to convert to Judaism.

In 1983, the CCAR, the Reform rabbinical association, declared

that the child of one Jewish parent is under the presumption of Jewish descent. This presumption of the Jewish status of the offspring of any mixed marriage is to be established through appropriate and timely public and formal acts of identification with the Jewish faith and people. The performance of these mitzvot [commandments] serves to commit those who participate in them, both parent and child, to Jewish life. Depending on circumstances, mitzvot leading toward a positive and exclusive Jewish identity will include entry into the covenant, acquisition of a Hebrew name, Torah study, Bar/Bat Mitzvah, and Kabbalat Torah (Confirmation).

The move was, in part, a response to the realities of intermarriage. Almost every Reform synagogue had intermarried couples, and many of those couples had children. Synagogues had not always warmly welcomed them, but many rabbis and congregations wanted to make them feel more included, and many intermarried couples themselves advocated for their inclusion (Mehta). It was also a statement about gender egalitarianism: the Reform movement prided itself on the equality of men and women, so why should women have to convert to Judaism if their kids were to be Jewish, when men did not have to?

But if the move to patrilineal descent was designed to make things more harmonious within Reform synagogues, many non-Reform Jews complained it had the opposite effect on Reform Jews’ relationships with other Jews. The Conservative Rabbi Robert Gordis complained not because it violated halakhah, but because “of its divisiveness within the Jewish people” (Bayme: 143). A spokesperson for Agudath Israel of America, an Ultra-Orthodox group, told the *Jewish Daily Forward*: “Jewish movements’ attempts to tamper with the definition of Jewish status obviously carried the seeds of terrible disunity for Jews as a people” (Zevloff).

Even Reform Jews who disagree with patrilineal descent think it is a major marker of what differentiates Reform from all others. One Reform writer, commenting on demographic trends, recently wrote of his unease at the prediction that “the mixture of people who comprise synagogue-affiliated families will include ever-greater numbers of intermarried, non-Jews, half-Jews, and patrilineal Jews” – the specter of which should frighten all Jewish leaders, including the most ardent advocates of patrilineality” (Bayme: 141). Patrilineal Jews and “half-

Jews,” along with intermarried Jews and non-Jews, threatened his idea of a true Jewish community. Non-Jewish mothers would be attending synagogue; non-Jewish women would even be giving birth to these sort-of-but-not-really Jewish babies. Including them made the Reform community distinctive, but for him, distinctively worse. “Patrilineal acceptance has diluted the Jewish community beyond recognition,” other critics claim (Zeveloff).

Birth is obviously an embodied experience, and making the claim that a Jew could emerge from the body of a non-Jew was radical. (Though the Reconstructionist movement accepted a version of patrilineal descent a decade and a half before Reform, the small size of Reconstructionist Judaism meant it garnered less attention and consternation from more traditional Jews.)

At first, this moment seems to differ from the examples of the trefa banquet and women’s ordination, however, because it stems from the official, public interpretation of an embodied experience rather than from the public, bodily acts themselves. On one hand, this is true: childbirth is not a public event the way a banquet is.

But on the other hand, it is not the whole story. The issue of patrilineal descent also became an ongoing public one: non-Jewish mothers nurtured and raised Jewish kids, bringing them to synagogue and other Jewish communal events. These children’s embodied presence as Jews was not a mere interpretation of the past embodied event of childbirth; it was an ongoing, public affirmation of their bodily presence. Moreover, the presence and ritual participation of non-Jewish women in the synagogue also staked a claim in a public way. This public, bodily practice elicits reactions from both those who favor inclusion and those who do not, as Patricia Keer Munro describes in her aptly titled article, “What Are THEY Doing on the Bimah [altar]?”

In 2017, a Conservative rabbi wrote about the concerns he saw for dealing with patrilineal descent in Conservative congregations. One section outlines “Patrilineal Questions,” scenarios of concern that a conservative rabbi might confront. Each of the four questions is related to halakhah, but they are all also about bodies in public. One question reads: “The rabbi is asked to officiate at a life cycle event where one of the participants is of patrilineal descent and is being raised as a Jew in a Jewish family. How should the rabbi respond?” Another says: “A death occurs in the congregation and the rabbi suddenly learns that the deceased is of patrilineal descent” (Simon: 11). A life cycle event and a funeral are both public scenarios, not private or semi-private questions such as Sabbath observance.

Similar to non-kosher eating and women performing rabbinical duties, even though many Reform synagogues had already been allowing “patrilineal” Jewish children to be part of the community, it was the public declaration of the official policy that generated the response from Conservative and Orthodox communities.

As these examples show, patrilineal descent bothered some Conservative or Orthodox Jews on halakhic grounds; but in many cases, these were not the primary way they described their objections. After all, they already knew that Reform Jews did not take halakhah to be binding. It seems more that it bothered them for visceral reasons: It defied their images of what a Jewish family should look like. It allowed non-Jews (or “half-Jews”) to masquerade as

Jews in public and religious spaces. It shattered illusions of a single, completely definable Jewish people.

Conclusion

It is true: Reform's position that halakhah is not divinely mandated for Jews today is a major marker of what differentiates it from other strands of Judaism theologically. But what actually made Conservative and Orthodox Jews balk about Reform's difference were often not about legal philosophy, but instead focused on what bodies do in public spaces.

To strengthen this point, we might examine a few brief examples of halakhic issues that did not generate this same kind of controversy. For example, there has never been a widely publicized uproar about Reform communities not caring about eruvin – the physical perimeters that allows for carrying things on the Sabbath within the bounds of halakhah. These are very public (and sometimes very controversial in other spaces such as city councils), but these conversations are not about bodies. In another example, Orthodox Jews rarely express public objections that Reform women usually do not go to the mikveh, the ritual bath, after their menstruation. The mikveh example is very much about bodies, but it is about what they do in a private space.

Nor did halakhically observant Jews object nearly as vociferously when Reform Jews privately rejected kashrut or Reform communities quietly accepted children of non-Jewish women as Jewish – both things that had happened well before the conflicts outlined here. Eating non-kosher food and declaring children born of non-Jewish women to be Jewish are both closely tied to embodiment: the first because it is a bodily act, and the second because it is a communal interpretation of the bodily act of childbirth and what that means for the belonging of the child. But when these events were not public and official, they did not elicit the same rhetoric about divisions and divisiveness that the trefa banquet and the declaration of patrilineal descent did.

These three examples suggest that when we want to understand Jewish law, we should also be looking at bodies. What are bodies doing, especially in public and officially sanctioned spaces? How are those bodies reinforcing, changing, or challenging the ways law is interpreted? How are others interpreting those bodies and their public actions? When we attend to these sorts of questions, we get a much richer history – and a much thicker description of what religious law is and does.

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