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Gender, Religion, and Family Law

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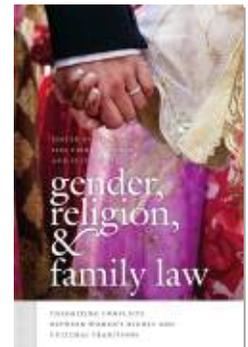
Published by Brandeis University Press

Joffe, Fishbayn.

Gender, Religion, and Family Law: Theorizing Conflicts between Women's Rights and Cultural Traditions.

Waltham: Brandeis University Press, 2012.

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Chapter Nine The *Yoetzet Halakhah* Avoiding Conflict While Instituting Change

Modern Orthodoxy,¹ like most other religious communities, has been affected by the feminist movement in modern times. As in the secular community, Modern Orthodox women are now more learned and more active in the community.² Stages in a woman's life are now openly celebrated in the Modern Orthodox community, and there is a growing demand by women to be more active in spiritual ceremonies, especially those involving prayer.³ Religious women are now also taking leadership roles not only in the secular professional community but also in the religious community. While the highest status for a woman was once leading a girls' high school or being an active *rabbanit* (wife of a rabbi), today women can become *toanot*,⁴ trained experts who argue on behalf of women in the rabbinical family courts in Israel, or *yoatzot halakhah*, female halakhic advisors on the laws of family purity.⁵ The combination of higher-learning institutions for women and more active roles in the religious community has led to tremendous changes in the status of women.

Many feminist changes in the Modern Orthodox world have drawn widespread opposition and conflict within the community. As Sylvia Barack Fishman has described, there is an "increasing troubled dynamic between Orthodox Jews who are committed to preserving a more traditional status quo and those women, men and rabbis who want to expand women's spiritual expression."⁶

Aryeh Frimer has noted that "there is hesitancy in the Orthodox community to adopt or even tolerate practices such as women's Megillah reading and women reciting the mourner's prayer."⁷ An example of a feminist change that caused a great deal of opposition and conflict is the women's prayer groups and *aliyyot* (reading from the Torah in a quorum of men).⁸ According to Frimer, the rabbinic world is seriously split on the question of the advisability of such

prayer groups for a variety of *hashkafic* (ideological) and public policy grounds. Not only has there been outspoken opposition to prayer groups that allow women to be called to the Torah, there is an abundance of literature for and against the attempted institution of this change.⁹

Opposition to feminist developments is not surprising, as most social change is met with resistance by those who wish to ensure the status quo. This is especially true in a traditional religious society, where religious leaders object to any change that would threaten existing religious norms.

In contrast to other transformative initiatives, the introduction of the *yoetzet halakhah* did not draw a great deal of attention and opposition. As noted by Graetz, “the graduates are being accepted with very little fanfare and even the Ultra-Orthodox rabbinic community seems to welcome them.”¹⁰ This limited opposition and relatively subdued reaction to the *yoetzet halakhah* is not due to the limited importance of the change. In some ways, the *yoetzet halakhah* is challenging the rabbis’ authority and the Orthodox status quo more than any other feminist initiative. Sylvia Barack Fishman has written, “Perhaps the most revolutionary development in this area has recently taken place in Israel. . . . [W]hile the program was launched quietly and discreetly, Orthodox authorities and laypersons alike recognize the momentous nature of the change it represents.”¹¹

The purpose of this article is to understand the strategy implemented to ensure the peaceful acceptance of the *yoetzet halakhah* within the Modern Orthodox community. Through the prism of conflict theory on the nature of change processes and trust building, we will analyze what attempts were made to avoid and contain conflict. What steps were taken in order to engage the trust of potential opponents to the institution of the *yoetzet halakhah*, and how did these steps succeed in limiting the conflict? Through the case study of the *yoetzet halakhah*, we will attempt to understand how acceptance of social change can be maximized and how the acceptance of this change differed in Israel and America.

Laws of Family Purity and the Role of the *Yoetzet Halakhah*

The laws of family purity are detailed intricate laws that relate to the woman’s status during menstruation and for the seven clean days following menstua-

tion. Jewish law requires husband and wife to abstain from all physical contact during this period, and only once the woman has immersed herself in a *mikveh* (ritual bath) can they reunite. A Jewish religious girl is often oblivious to these laws (apart perhaps from the fact that she knows that her mother immerses) until a short time before her marriage, when she learns these laws in order to begin fulfilling them. The laws of family purity can be daunting — to say the least — at the beginning of marriage. The laws relate to the most intimate issue of a woman's sexual relations with her new husband, and often an Orthodox girl who has grown up in a modest surrounding where these issues were not discussed in the open may find it difficult to adapt to this new reality. Although a woman may become used to the laws of family purity and become more acquainted with the details through experience, each new stage of life brings with it more challenges in this area. Whether it be going to the *mikveh* after childbirth in order to be able to resume sexual relations after postpartum bleeding, dealing with spotting during nursing, or adapting to the new status of menopause, each new stage brings with it new halakhic questions and challenges.

Traditionally, a married woman would refer to her rabbi (or she would send her husband to refer to the rabbi) or the rabbi's wife with her questions regarding questions of family purity. "For reasons of modesty, women do not wish to, and often will not, discuss a family purity question with a man. The consequences of a question not asked can range from improper observance of the halakhah to marital anguish and even to infertility."¹² If a woman is hesitant to ask a rabbi a question in this area, she may decide to abstain from marital relations rather than have to deal with the details of the question. In some cases, her decision could result in her abstaining from relations at the time of ovulation, thus inhibiting the chances of becoming pregnant. In other cases, extending the days of impurity where husband and wife are not allowed to have relations (due to the reluctance to ask a rabbi) can result in unnecessary strains on the marriage. The days of separation can cause frustration, anxiety, or even resentment between the couple.

In order to deal with this situation, Rabbanit Chana Henkin developed the Keren Ariel *Yoatzot Halakhah* program in 1997, which trains women with a background in advanced Judaic studies to become experts in the laws of family purity in order to answer women's questions in this field. Rabbanit Henkin

is the founder and dean of Nishmat — The Jerusalem Center for Advanced Jewish Study for Women and the wife of Rabbi Yehuda Herzl Henkin.¹³ Her position as a respected educator and pioneer in women's Jewish education enabled her to initiate this revolutionary program. She is currently not associated with the feminist Orthodox organizations such as Kolech or Jewish Orthodox Feminist Alliance (JOFA), and therefore the Modern Orthodox rabbinic world was not suspicious of her intentions when establishing the program.

This two-year program includes more than one thousand hours of textual study of classic rabbinic sources, including Talmud, *Rishonim*, *Shulhan Arukh*, and contemporary responsa. The course of study is supplemented by biweekly lectures in areas of behavioral and medical sciences that relate to the application of these laws in a modern society — gynecology, fertility and reproductive technology, sexuality, prenatal testing, and psychology — given by professionals in the various fields.

An example of the type of conversation that a *yoetzet halakhah* may have with a woman has been described by Rachele Sprecher Fraenkel:

On the line is a young woman, postpartum. After three long months, she finally got to the mikvah last night. Today she is already seeing stains and is concerned about her *halakhic* status. The oral contraceptive she recently started taking is throwing her system out of whack. The frustration that has built up during the long separation is evident in her voice. Our experience shows she might be facing an uneasy period of stains, doubts and breakthrough bleeding until her body adapts to the hormones associated with her contraceptive. I investigate the details of her current situation. To my satisfaction, I am able to tell her she is still *tehorah*. I prepare her for the coming period. Experience has taught us that when a woman's expectations are realized, her level of frustration and stress are lower. There are also a few pieces of good *halakhic* advice that could prove highly beneficial to help her avoid problems. She is glad to refresh her memory and we review together the relevant laws and advice.¹⁴

Over sixty women have graduated the program since its inception. As of now, the *yoatzot halakhah* are being consulted by women through the Nishmat Women's Halakhic Hotline¹⁵ or the Nishmat Internet site¹⁶ on thousands of questions regarding not only the laws of family purity but also questions

pertaining to fertility, contraception, and women's health and halakhah. In America, there are a number of *yoatzot halakhah* who have official positions in the community,¹⁷ and the rabbi of the synagogue encourages his congregants to bring their questions to the *yoetzet*. Only if there is a need for a halakhic decision (rather than a consultation) will the question be referred to the rabbi. In Israel, it is less common to have a *yoetzet* officially connected to a synagogue; this is probably because the synagogue plays a less central role in Orthodox life.¹⁸ In Israel, apart from working on the hotline and Internet site, the *yoatzot halakhah* teach preparatory classes on the laws of family purity to future brides, run refresher courses, and serve as informal consultants on family purity issues in their communities.

Change Processes and Conflict

The institution of the *yoetzet halakhah* is an example of social change within the religious community. In order to understand how the potential conflict resulting from this change was dealt with or avoided, we must first deepen our understanding of the different stages that take place when change occurs. Following our understanding of the change process, we can analyze the different measures of conflict reduction implemented in this case.

Kurt Lewin¹⁹ defined a process of change as one composed of the following three stages: unfreezing of the reigning status quo, movement in a new direction, and then refreezing the new status quo.

In order to *unfreeze* the current situation, an openness toward something different must be developed.

First, the awareness of the need for change must be cultivated. The motivation for creating a change must be achieved. Information obtained about the system from outside the system is a common way to increase people's understanding of the need for change. Social feedback is ambiguous and can be interpreted in many ways. Interpretation is influenced by factors such as personal needs and experiences, and the context within which the source of feedback occurs.

When a system faces a change, there are driving forces that promote the change and restraining forces that work to oppose it. In order to increase the

driving forces, tension must be created. However, the tension must be dealt with productively in order to be able to cause the change to ensue.

The next step involves *movement* in the religious system, which may be met with some degree of resistance. Resistance is the mobilization of energy to protect the status quo in the face of real or perceived threats to it. Resistant behavior is intended to protect the system from the effect of the real or imagined change.

Following the change in the system, the actions and processes that support the new level of behavior must be *refrozen*. This refreezing provides resilience against forces encouraging old patterns and behaviors. The degree of commitment to the new, changed state will determine whether the change will be adopted into the new status quo.

Over the years there has been criticism of Lewin's model for being linear and static. It ignores organizational politics and conflict and focuses on change driven from the top rather than from the grassroots and day-to-day actions of the members of the organization.

Lewin's conception of freezing and refreezing sees the organization as a static entity, ignoring the fact that organizations are fluid bodies with many players and various stages of change overlapping and affecting each other in a complex myriad of events. Sometimes rational and other times irrational decision-making processes and political struggles can obstruct the planned approach that Lewin has prescribed.²⁰

Nonetheless, Lewin's model allows us to clearly define and map out the foundations that allowed for the acceptance of the *yoetzet halakhah* within the Orthodox community. Indeed, as the change becomes a more accepted part of society, so too the complexity of this change emerges and the other influences such as the effects of the grassroots influence on the *yoetzet halakhah's* position, the political influences, and coalition building between rabbis and *yoatzot halakhah* can be analyzed as well.²¹

In the case of the *yoetzet halakhah*, Rabbanit Chana Henkin recognized that there was a need to integrate women into the halakhic system regarding laws of family purity. Many observant women do not consult a rabbi with an intimate question. Many women decide the issues for themselves — some stringently, others leniently. Unwarranted leniency may not be in accordance with halakhah, and unnecessary stringency can come at the expense of marital harmony.²²

The need for the change was discussed in correspondence in the Jewish magazine *Jewish Action*, where the claims were made that there is no need for a *yoetzet halakhah* and that women do feel comfortable approaching rabbis with their intimate questions. However, as Joel Wolowelsky points out, “Clearly the program has spoken to some need, as otherwise these *yoatzot* would have no ‘customers.’”²³ The need for the change can be measured by the response of the community in utilizing the new service of the *yoetzet halakhah*.²⁴

The recognition that there was a need for a change in the Orthodox community led to the opening of the *yoatzot halakhah* program. As in any change in a traditional religious society, there has been resistance to this change. Resistance can be undesirable, but it can also have a potentially constructive role. Resistance naturally emerges as part of the change process. A necessary prerequisite of successful change is the mobilization of the forces that oppose the change. The change can be successful if the conflict is managed correctly. There are two options in how to deal with the conflict impending from the attempt to institute change. One option is to ignore it and try to overcome it through forcing the change on the parts of the community who oppose it. The other option is to increase the resistant group’s understanding of the suggested change and attempt to get the opposing forces to participate in its planning and implementation. Understanding the need for the planned change and participation in or influence on the process will allow the resistant forces to feel invested in that change. This was the strategy that was adopted in securing the accreditation of the *yoatzot halakhah*. Rabbanit Henkin attempted to proactively include the rabbis and even get the support of rabbis who were expected to oppose the change.

On completing the *yoatzot halakhah* program, each woman undergoes a series of intense oral examinations with four rabbis. Each rabbi sits with the candidate for forty-five minutes, grilling her with questions on the material covered in the program. The questions can relate to textual passages that were part of the material studied or to practical issues that the *yoetzet* may face in the future. One of the rabbis who is on the examination board appears to be especially skeptical of the possible effects of the *yoatzot halakhah*. It is possible that if he were not involved in the examination process, he may have even opposed the *yoatzot halakhah* program. This is apparent from his questions in the examination where he not only tests the *yoetzet halakhah*’s knowledge but also her motivations and intentions. When testing me, he asked me what

I planned to do with my new title, and he warned me to refer to the rabbis with any questions that were posed to me. Integrating this rabbi as one of the examiners of the program allows him to address his reservations and to personally monitor the process to make sure it does not exceed acceptable parameters. His involvement also indicates his endorsement to other similarly skeptical members of the rabbinate.²⁵

Through reflecting on the process of the accreditation of *yoatzot halakhah*, we can identify certain factors that diminished resistance to this innovation and contained the possibilities for future conflict. The following guidelines emerge:²⁶

1. *Base the logic for the change on objective reasons, rather than on personal ones.* Rabbanit Henkin has written, “Our major concern must be the *Halakha*. Not for the purpose of empowering women, but enabling women to observe mitzvot meticulously, to blossom with the full richness of the fabric of the religious experience.”²⁷

The purpose of the *yoetzet halakhah* is to assist Orthodox women who are challenged by keeping the laws of family purity. It was not developed in order to allow learned women to achieve status and authority in the Orthodox community. Although this is one of the offshoots of the program, a woman who wishes to become a *yoetzet halakhah* in order to advance her personal learning and status will not be accepted to the program.

2. *Have regard for established group or organizational norms.* The *yoetzet halakhah* is aware of the norms in the area of the laws of family purity and does not attempt to supersede or replace the rabbis in this field. It is possible to categorize the halakhic questions posed to the *yoetzet* into two groups:²⁸ (a) Questions that have a clear halakhic ruling and are probably cited in the sources, but the questioner is unaware of the sources or does not have access to them. For women who do not feel comfortable referring their questions to a rabbi, the *yoetzet* can provide the answer because of her experience and knowledge in the field. (b) Questions that relate to a personal situation and the answer needs to be decided based on the specific details. In this case, often the *yoetzet* will tell a woman, “For this question you need to refer to a rabbi.” Then she will offer the woman to mediate between her and the rabbi and say, “Would you like me to ask the rabbi for you?” The *yoetzet* may feel more comfortable discussing the question for a third party rather than a woman asking a

personal question for herself. Because of her learning and experience as well as her access and rapport with the rabbi, the *yoetzet* also has the ability to enter into a halakhic dialogue with the rabbi regarding the details of the question. This possible advantage is counterbalanced by the fact that the introduction of a mediator between the rabbi and the woman involved can distance the rabbi from his client. The additional link in the chain may distance the rabbi from the direct encounter with the woman's emotional predicament.²⁹ The *yoetzet halakhah* decides, based on her knowledge and experience, if the question has clear halakhic precedents that have been previously dealt with in the halakhic literature or if it is a unique and novel case where the supervising rabbi needs to be consulted in order to rule, based on his greater experience and knowledge.³⁰

3. *Advocates should agree on the rationale of the proposed change and should choose the least provocative formulation of this rationale.* At the beginning of the institution of the *yoatzot halakhah*, there was some confusion as to their title. This was a result of the different perceptions of the role of the *yoetzet halakhah*. Some referred to them as *poskot* (halakhic decisors) or *toanot halakhah* (rabbinic adjudicators). The first article to be written about these women in the Israeli media³¹ wished to give the article an attractive headline. Rabbanit Henkin insisted that the title not be provocative. After negotiation, it was decided that the article would be titled "*Yoatzot Halakhah*." Since then Rabbanit Henkin³² has explained that the title — halakhic consultants or advisors — was selected to convey that these women are not rendering original halakhic rulings. For new rulings, they refer to recognized halakhic authorities. The title of these women was especially designed to avoid conflict and express the rationale of the role of the *yoetzet halakhah*. She is not a rabbi nor a halakhic authority. She is a woman well-learned in the laws of family purity and therefore trained to be a consultant on halakhah for other women.³³

4. *Observe existing norms for interacting with authority.* The technique of the *yoetzet halakhah* has been a possible source of opposition. Some have leveled the criticism that halakhic questions (especially those pertaining to the laws of family purity) should not be asked on an anonymous telephone hotline or through Internet e-mails and that this is not the normal interaction for halakhic questions. The response to any given halakhic question may differ depending on the specific background of the questioner and her personal experience and situation. This is difficult to measure on an anonymous phone

call. There is much debate regarding the responsa to anonymous halakhic questions.³⁴ The establishment of the phone hotline and e-mail questions was a risk because it opened the *yoatzot halakhah* to criticism from those who saw it as an illegitimate form of answering halakhic questions. Defenders of this decision would say that the benefit of helping people who would otherwise not ask the question at all outweighed the possible criticism and opposition that it may have spurred.

5. *Involve those most affected by the change and keep parts of the system stable.* This is seen in the reverence given to the rabbinic authority by the *yoetzet halakhah*. Even though a woman answering halakhic questions directly to women is an innovation, the authority of the rabbis in these issues remained stable. The *yoetzet* refers to the rabbi for any question she may have, and the *yoatzot halakhah* have frequent meetings with the rabbis of the hotline in order to remain informed about the rabbinic position of every issue they deal with. The relationship the *yoetzet halakhah* has with the rabbis affects their attitude toward this new position. Some rabbis may see the *yoatzot halakhah* as a threat to their position and authority within the community. The involvement and influence of the rabbis on the *yoatzot halakhah* ensured that the institution of change did not circumvent the agents who may feel most threatened by the change.

6. *Introduce change incrementally.* When smaller changes are introduced, there is a better chance that they will be successfully accepted and ensure the possibility of moving on to other changes in the future. The conflict management specialist Roger Fisher discussed fractioning conflict as an attempt to deal with conflict more successfully.³⁵ Also described as incrementalism, this approach attempts to break a larger conflict into manageable pieces. Agents of change will work on resolving smaller parts of the conflict before attempting to deal with larger issues. Participants experience constructive resolution and enhance parties' confidence as they progress to working on resolving larger issues.

This approach is evident in the authority given to the *yoatzot halakhah*. When the program first began, the *yoatzot halakhah* were not trained to determine the status of stains.³⁶ Rabbi Yaakov Warhaftig explained that this omission in the *yoatzot halakhah*'s training did not stem from a halakhic limitation. A

woman is permitted to determine the status of her personal stains, and there is no halakhic obstacle for her to determine other women's stains were she to have the required training. The procedure of showing stains to a rabbi is one of the most difficult parts of keeping the laws of family purity. Reactions of women to this procedure can range from shock that a rabbi looks at a woman's dirty underwear, refusal to take a stain to a rabbi and a preference for making a decision on her own, to an agreement (often grudgingly) to take the stain to a rabbi despite the embarrassment and unpleasantness. Many husbands are set the task to take the stain to the rabbi — not that this combats the embarrassment for the husband (or his wife).³⁷ I believe that a rabbi looking at a woman's stain on her undergarment is like any professional dealing with intimate situations. However, just as many women today prefer to consult with a female gynecologist, so many Orthodox women would prefer to consult with a woman regarding the status of her stains.

Rabbi Warhaftig's reasoning for not training the *yoatzot* to determine the status of stains was simply to avoid conflict. In order to fractionalize the opposition to *yoatzot halakhah*, the decision was made to allow the *yoatzot halakhah* to be fully integrated into the Orthodox community, and only when women answering questions regarding stains was fully accepted did women undergo the necessary training. The program for the *yoatzot halakhah* includes small workshops regarding the status of stains but does not include the intense experience required to train in this field. This decision was clearly to incrementalize the change in the community, and only once trust and confidence in the *yoatzot halakhah* existed would they be trained in this field.

This approach of incrementalism has limited the authority of the *yoetzet halakhah*. Many *yoatzot halakhah* were frustrated at this limitation and felt that one of the greatest needs of women today was to have a woman available to whom they could refer these embarrassing questions. Women who will not ask a rabbi questions feel that they reach a dead end when the *yoatzot halakhah* responds to a questioner that she must bring this question to a rabbi. As the *yoatzot halakhah* become more experienced in the field, these situations become less common. However, the current framework of the *yoatzot halakhah* is restricted due to the limited halakhic experience that they have and the concentration of their studies to the laws of family purity without the broader view of other halakhic fields.

However, the success of this approach of incrementalism is now apparent, as some *yoatzot halakhah* have undergone the training necessary to determine the

status of stains. Although still not part of the official training program, there is now no opposition to this training, and the heads of the *yoatzot halakhah* program feel that training in the status of stains is acceptable for the *yoatzot halakhah* and one that the Orthodox community can withstand.

Dealing with Resistance to Change

In order to sustain social change and refreeze it as part of the status quo, there is a need for commitment by a critical mass of people in the community. When instituting the change, motivation needs to be created, resistance needs to be overcome, and then commitment needs to be generated. Focusing attention on those resistant to change often emphasizes their influence on the change itself. When dealing only with the resistant forces, the degree of attention and support needed by the individuals and groups who are less resistant becomes underemphasized. When instituting change, those who are motivated to accept the change or be part of the change need increased support, attention, and resources in order to strengthen these foundations. It may seem redundant or a waste of energy to preach to the converted, but it can play a valuable role in helping spread positive energy for change. This effort has more chances for success than trying to weaken the negative energy against the change.

When creating the *yoatzot halakhah* program, there was no attempt to win over the ultra-Orthodox community. The learning of Talmud and primary halakhic sources is still unacceptable in most ultra-Orthodox communities. How much more so would they object to women taking positions of authority and answering halakhic questions directly to other women. Were the *yoatzot halakhah* to try and gain endorsement from ultra-Orthodox rabbis, they would be met with great resistance, vocal opposition, and possible excommunication from the religious community. As a strategy to avoid this conflict, the *yoatzot halakhah* did not focus or emphasize these resisting forces. Instead, the *yoatzot halakhah* focused on the Modern Orthodox community, which already accepted learning Talmud by women and was therefore less opposed to a woman being in the position to answer halakhic questions pertaining to family purity. The result of this strategy has been the weakening of opposition in general to the *yoatzot halakhah*. There has been little negative publicity toward the

yoatzot halakhah in the ultra-Orthodox community, and few of the rabbis who do not endorse the program have publicly denounced it. This does not prove that the entire Orthodox community has accepted the *yoatzot halakhah* nor that there is no resistance to it. However, it does signify the success of the avoidance of public, broadcasted conflict. Not only have outrage and possible bans from the ultra-Orthodox community been avoided, but there is preliminary evidence that ultra-Orthodox women also call the Nishmat hotline. While calls are anonymous and most women do not identify themselves or to which community they belong, some aspects of the questions indicate that some callers are from the ultra-Orthodox community. If a woman asks, “Do ultra-Orthodox rabbis agree with this halakhic ruling?” or “What would an ultra-Orthodox rabbi say in this case?” then this is a good indication that the caller identifies with the ultra-Orthodox community.

Building Trust in Order to Avoid Conflict

Following the broader discussion of the effects of social change and the different components inherent in dealing with change processes, we will now focus on one of the main parameters that can determine the successful containment of opposition to change. Trust has been identified as a key element of successful conflict resolution and prevention. Trust is a belief in the other, the tendency to attribute virtuous intentions to the other, and willingness to act on the basis of the other’s conduct.³⁸ Distrust is not the absence of trust but is rather the fear of the other, a tendency to attribute sinister intentions to the other, and a desire to protect oneself from the effects of another’s conduct.

When instituting change in a religious community, the level of acceptance will depend on the amount of trust the agents of change have acquired. In the case of the *yoatzot halakhah*, trust needed to be won from three potential groups:

1. The rabbis — the spiritual leaders who would give halakhic legitimacy to the *yoetzet halakhah* and her status as a legitimate authority to answer questions on family purity.
2. Orthodox women — the clients of the *yoetzet halakhah*, who would need confidence in the *yoetzet halakhah*’s halakhic knowledge and Orthodox

religious commitment in order to confide in her with personal halakhic questions.

3. The husbands of those women — in order to comply with the halakhic answers their wives would receive from the *yoetzet halakhab*.

All three groups would need to have confidence in the *yoetzet halakhab*'s commitment to Orthodox halakhic values and their identification with its fundamental social structure. The women would also need to have confidence and trust that the *yoetzet halakhab* understands their question and situation and is an authoritative source on this issue. The rabbis, however, may be more concerned with the *yoetzet halakhab*'s motives and may fear a slippery slope toward feminist changes that could undermine their halakhic authority and perhaps lead to the demand for the ordination of women. The husbands of women consulting the *yoetzet halakhab* may share this fear, although their rabbi's endorsement would probably be enough to grant her legitimacy.

Trust can be divided into two major types: deterrence-based trust and identification-based trust.³⁹ Deterrence-based trust is when individuals fulfill their commitments because they fear the consequences of not acting in accordance with their promises. Trust is sustained to the degree that the deterrent is clear, possible, and likely to occur if the trust is violated. In addition to the fear of punishment for violating the trust, the trust is maintained for the rewards derived from preserving it. Deterrence-based trust can be increased by repeated interactions where both parties are aware of the benefits of the relationship and what one can gain from the other. The trust is affected by the degree of interdependence and possible alternative relationship. If personal reputation is at stake in the relationship, then short-term gains from untrustworthy acts will be balanced against the importance of maintaining a good reputation.

Identification-based trust is the full internalization of the other's desires and intentions. Parties effectively understand, agree with, and endorse each other's wants. This trust is based on mutual understanding and will develop especially when there is collective identity with collective intentions between the parties. When there are shared core values, beliefs, and concerns, then this trust is strengthened.

We will only take a brief look at the building of trust between the women and the *yoetzet halakhab*, for this trust, although integral to the success of

the *yoetzet halakhah*, does not have the potential for conflict as does the relationship between the rabbis and the *yoetzet halakhah*. The trust between the women and the *yoetzet halakhah* is identification-based trust. A woman calling the Nishmat hotline is met with the calming voice of an understanding Orthodox woman intimately familiar with many of the same experiences as the questioner. Both women have the same desires and intentions when discussing the laws of family purity. They want to know the halakhah in order to keep it to the letter of the law, yet they also want to have an empathetic ear to understand the challenges and issues the woman is facing. I can speak personally of how true this is from my experiences before I became a *yoetzet halakhah*. When first married, I would sometimes ask questions of my rabbi. However, when I would refer my question to a *yoetzet halakhah* on the Nishmat hotline, I could feel the difference. The woman I spoke with understood exactly the situation I was describing. I could tell by her responses that she had herself experienced a similar thing. I trusted her response because I knew she understood my question. This was not the case when speaking to the rabbi. Often, I would get off the phone from the short (sometimes embarrassing) conversation not sure if he had understood what I had said.

This is also evident in the length of questions to rabbis and the *yoetzot halakhah*. Often the duration of the phone call to the rabbi is only a few minutes. The woman describes her situation and her question, and the rabbi responds with his answer. There is very little dialogue or exchange. When a woman asks a *yoetzet halakhah* a question, the average conversation is ten to fifteen minutes.⁴⁰ The question can be followed up with a discussion about how the woman feels about the halakhic response and what the consequences of the situation will be for the woman. These conversations are important from the halakhic perspective as well, as information may be revealed that was integral to the question but the woman did not realize that it was necessary or helpful to provide these details. The security and relaxed tone of the conversation not only build confidence between the questioner and the *yoetzet*, but also allow the issue to be dealt with more comprehensively. As one *yoetzet* described, “I so want to help, to give the desired answer, the one that will make the woman happy. But one must stay composed — empathetic, but a bit detached — in order to stay objective. It is a matter of trust, and these women rely on us. Our halakhic responsibility is to see the situation as a whole, to consider all circumstances, but to remain impartial and trustworthy.”⁴¹

The trust achieved between the rabbis and the *yoetzet halakhah* is a much more challenging test. Most Orthodox rabbis approach the *yoetzet halakhah* with suspicion and distrust. Rabbis feel threatened by the feminist threats of female rabbinic ordination, fearing that Orthodox halakhic values are at risk. Orthodox rabbis are immediately wary of a woman who wishes to institute a change in traditional halakhic norms, especially when it relates to or has possibilities of impeding upon the rabbis' own authority. Against this backdrop of distrust, the *yoetzet halakhah* had to develop the rabbis' trust not only in order to overcome any objection but also to receive their endorsement.

The trust between the *yoetzet halakhah* and the rabbi is composed of both deterrence-based and identification-based elements. It is easier to build deterrence-based trust first, and then, as the relationship is strengthened and both parties begin to have confidence, they can start to build a relationship based on identification. After proving to the rabbis that her major concern is the integrity of the halakhic system and its observance, the *yoetzet halakhah* could progress to build a relationship based on common goals and objectives.

The deterrence-based trust between the rabbis and the *yoetzet halakhah* stems from the desire of the Orthodox *yoetzet halakhah* to be endorsed by the Orthodox rabbis. Unlike members of some women's prayer groups who do not feel the need for rabbinical endorsement, the institution of the *yoetzet halakhah* was dependent on such endorsement. Rabbanit Henkin chose Rabbi Yaakov Warhaftig,⁴² a *rosh kollel* (head of a male institute for advanced Talmud studies), to head the program. In addition to receiving the endorsements of Rabbi Yehuda Herzl Henkin (also a leading Modern Orthodox rabbinic scholar) and Rabbi Warhaftig, Rabbanit Henkin involved other leading rabbis by having the oral examination administered by outside examiners including heads of three different learning institutions who specialize in the laws of family purity. The certificate conferred upon the *yoetzet halakhah* is signed by five leading Israeli Orthodox rabbis. The *yoetzet halakhah* knows that she has been entrusted by these rabbis to answer questions by women on halakhic issues of family purity.

The program was also endorsed by leading American rabbis. At the graduation of the first *yoetzet halakhah* in 1999, Rabbi Norman Lamm⁴³ publicly declared, "We are still at the beginning of the movement. A movement I

hope will take root and flower.” Rabbanit Henkin was conferred an honorary doctorate in 2001 by Yeshiva University for her pioneering work on behalf of women’s Torah education. This honor, conferred four years after the establishment of the *yoatzot halakhah* program, was a sign of how her program and the *yoatzot* have been accepted.

This trust is in some ways deterrent-based in that if the *yoetzet halakhah* violates this trust by going beyond her authority or exceeding halakhic limits, she will lose the rabbis’ trust and their endorsement. Every *yoetzet halakhah* is required to log every question and response she gave during her shift on the hotline. The hotline coordinator (herself one of the more experienced *yoatzot*) goes through the entries in the database and when necessary will discuss the question and answer with the *yoetzet* in order to clarify any errors for the future. The costs and benefits of consistent action by the *yoetzet halakhah* are clear to both the rabbi and the *yoetzet*. The rabbis have given their endorsement for the program despite the fear that the *yoetzet halakhah* may exceed her authority or cause others to go the next step toward female rabbinic ordination. However, they take that risk in order to allow women to answer women on these intimate issues. The rabbis realized the need and benefits of women trained to answer women on these sensitive issues. They recognized that by allowing women into this area of authority, they were also increasing the accessibility of these laws to women and allowing them to observe the laws in a more committed way.

The *yoetzet halakhah* embraces the endorsement of the rabbis, which gives her legitimacy in her community, while being aware that if she violates their trust, she will lose her legitimacy and therefore her authority in the Orthodox community.

Because the trust is deterrent-based, the rabbis impose safeguards against potential threats. One such safeguard is the duty of deference to rabbinic authority for halakhic rulings. As is stated in the text of the certificate, “if a novel decision is needed she will turn to a recognized decisor.”⁴⁴

Other safeguards include inquiry into the devoutness of the *yoetzet*. This is seen in the criteria for acceptance to the program:⁴⁵

1. Personal halakhic observance and lifestyle
2. Commitment to disseminating family purity
3. Absence of extraneous motivations

4. Strong background in learning Talmud
5. Teaching or leadership skills

Another safeguard has been to limit the authority of the *yoetzet halakhah*, not because of internal halakhic restrictions but rather to maintain the trust of the rabbis, as seen in the limitation discussed earlier of not initially preparing the *yoetzet* to deal with the evaluation of stains.⁴⁶

The identification-based trust between the *yoetzet halakhah* and rabbis stems from the common desire for women to feel comfortable and encouraged to ask halakhic questions regarding family purity laws. By having shared goals and ideals, they can work together in a relationship to achieve these goals. Identification-based trust is increased when both parties share the same concerns and are motivated by the best interests of their community. Identification-based trust has a strong emotional component and is affected by the circumstances under which the parties meet and the mood at the time that the parties encounter each other.

The effect of circumstances is evident in the contrast of the feminist developments in Israel and America. The rabbis in Israel encountered the innovative idea of the *yoetzet halakhah* following the flourishing of women's learning in Israel. The opening of higher Torah learning to women in Israel predates the Israeli Orthodox feminist movement. (The first *yoetzet halakhah* program was opened in 1997, and the Orthodox feminist movement in Israel, Kolech, was established in 1998).⁴⁷ Women's learning was an accepted idea in Israel, and the authenticity of the religious motivation of the institutions and the women learning in them was not called into question. It was almost a natural step for women to progress to being involved in the halakhic process, especially in the area of sexual intimacy. It was against this background that the rabbis in Israel were asked to deal with this initiative. The mood at the time was not one of suspicion, and therefore trust was more likely to be built between the parties than distrust.

In contrast, in America, Orthodox feminists focused upon women's prayer and upon changing synagogue ritual to be more inclusive of women. The motivations of the *yoatzot halakhah* were questioned much more intensely in America, and the fear of the slippery slope toward women rabbis was much more apparent than in Israel. Rabbanit Henkin notes that the difference between the two settings enabled the *yoatzot halakhah* to be more accepted in

Israel, and unlike in America, a relationship of trust was built between the rabbis and the *yoatzot*.⁴⁸

Elements of trust and distrust may coexist because they relate to different experiences with the other or knowledge of the other in varied contexts. The rabbis in Israel could have trusted the women's learning institutions and the development in that field without extending that trust to the *yoatzot halakhah* — a much more radical change with possibly more wide-reaching consequences. The level of trust involved in a relationship can sometimes be related to the chronic disposition of the parties.⁴⁹ The situational parameters and the history of the relationship can affect the amount of trust, especially at the beginning. Due to the profound distrust of feminist movements in the Orthodox community, the *yoetzet halakhah* was definitely beginning on the left foot.

What can be done in order to restore or even establish identification-based trust?

1. Exchange information about perceived violations of trust. Identify and understand the act of any violations. An explanation as to the motivation of the violation or how the act was perceived can assist in clarifying any misunderstandings.

2. Reaffirm commitment to the ideals and beliefs that make up the shared values in the relationship. Affirm the goals and the commitment to the relationship. Strategies to avoid misunderstandings and miscommunications can be instituted for the future.

In order to lower distrust, the parties should openly acknowledge and discuss areas of mutual distrust. If any violations of the trust are inconsistent with the core beliefs and values of the relationship, then the relationship is in danger of being discontinued.

There are four suggested ways to repair trust when it is endangered and there is a risk of an escalating conflict between the parties:⁵⁰

1. Address the behavior that is causing distrust. Actions of unreliability or antagonistic activities could lead to distrust.

2. Apologize. Give an account of the trust violation. Acknowledge responsibility and express regret. Commit to alternative behavior in the future.

3. Agree to procedures for monitoring to ensure commitments are kept.

4. Minimize vulnerability or dependence on the other party when distrust develops. Identify alternative ways to have needs met.

An example of a test of trust took place at a recent meeting between a group of *yoatzot halakhah* and Rabbi Warhaftig, the head of the program. One of the *yoatzot* communicated a message from a leading rabbi that he was unhappy because he had heard that the *yoatzot* were answering questions on the hotline regarding the colors of blood stains.⁵¹ This rabbi was expressing his feeling that there had been a violation in the trust he had in the relationship because the *yoatzot* were not fulfilling the halakhic requirements as he saw them. However, this violation of trust did not cause him to publicly denounce the *yoatzot halakhah* or take action against them. Instead, he chose a path of clarification and perhaps even warning. The response of Rabbi Warhaftig was to clarify the issue with the group of *yoatzot halakhah* and set down clear guidelines of how to deal with such questions. The strength of the identification-based trust allowed a confrontation between this rabbi and the *yoatzot halakhah*. Although violations of identification-based trust can directly challenge a person's most central and cherished values, the strength of the trust in the relationship allowed for a conflict to be avoided and the violation to be dealt with swiftly and hopefully effectively.

In this example, the trust was repaired through steps 1 and 2. Although there was no public apology (and the rabbi did not demand one), the issue was dealt with in order to repair the trust between this rabbi and the *yoatzot halakhah*.

An example of the third step of repairing or maintaining trust is the database of all answers given on the hotline and the supervision of these answers. This process ensures the commitment of the rabbis to the system, knowing that there are checks and balances and the *yoetzet halakhah* is trustworthy when using her authority.

The existence of trust makes conflict resolution easier and more effective. However, trust is the first casualty in a conflict. Breaks in trust have a spiral effect in that they cause conflict and thus increase distrust. If the parties are motivated to sustain the relationship, there will be considerable attempts to rebuild the trust, and the relationship will not be abandoned at the first sign of distrust.

The fourth suggested step in repairing trust is irrelevant to the case of the *yoatzot halakhah*. Because the *yoetzet halakhah* is committed to remaining in

the Orthodox framework, they do not wish to have any alternative to the support of the Orthodox rabbis. Without the endorsement of Orthodox rabbis, they have no *raison d'être*.

Conclusion

Through the *yoatzot halakhah*, women have begun to exercise a new authoritative role within the Orthodox community, but nonetheless, this novel participation of women in the halakhic discourse did not draw the conflict that could have been expected. The institution of the *yoatzot halakhah* program was met with surprisingly minimal opposition in the world of Modern Orthodoxy, this despite the fact that other initiatives led by feminist religious women caused great opposition and even fury within the community. In the public eye, the *yoetzet halakhah* was viewed differently than other similar initiatives in that it was not labeled as a feminist endeavor.⁵²

I have suggested that the avoidance of conflict succeeded because of the building of trust between the *yoatzot halakhah*, the community, and the rabbis. The resistance was dealt with in a way that was designed to avoid the possible opposition and outcries against these women. Rabbanit Chana Henkin was careful to receive endorsement of the rabbis for this social change, thus ensuring their support within the community. She was also careful when accepting women to the program, choosing candidates who would not only succeed in the role but also would not attract opposition from critics. The fractioning of the potential conflict allowed the gradual management of opposition within the community.

The *yoatzot halakhah* program has only celebrated ten years since its inception. Many Orthodox women have still not had contact with a *yoetzet* or even heard of their existence. Time will tell whether the *yoetzet halakhah* becomes an official part of the Modern Orthodox community and a more recognized communal position. The efforts taken to avoid conflict will contribute to their ongoing success. As long as these efforts continue and the trust between the rabbis and the *yoatzot* is valued, there will be an increased chance that the *yoatzot halakhah's* activities will become more widespread.

The *yoetzet halakhah* is an example of how innovative changes can be made within the halakhic framework without causing public and destructive oppo-

sition. Perhaps in time, it may be possible to apply the test case of the *yoetzet halakhab* as an example of how to institute change in the Modern Orthodox community while successfully avoiding conflict.

Notes

1. Modern Orthodoxy is a subgroup within Orthodoxy that synthesizes Torah traditionalism and modern secular behavior. Other subgroups include ultra-Orthodoxy, which is a right-wing branch of Orthodoxy characterized by its fundamental worldview and opposition to connections with the secular world. Recently, other subgroups have evolved, such as Central Orthodoxy (a mix between Modern and ultra-Orthodoxy), Orthoprax (Jews who engage in the practical Orthodox way of life but do not necessarily subscribe to their beliefs), and Open Orthodoxy (a more left-wing liberal approach to the Orthodox way of life). See Adam S. Ferziger, *Exclusion and Hierarchy: Orthodoxy, Nonobservance, and the Emergencies of Modern Jewish Identity* (Philadelphia: University of Pennsylvania Press, 2005).

2. For a full discussion on the sociological developments of feminism in the Orthodox world, see Sylvia Barack Fishman and Steven Bayme, *Changing Minds: Feminism in Contemporary Orthodox Jewish Life* (New York: American Jewish Committee, 2000). For an analysis of the theological aspects of these developments, see Tamar Ross, *Expanding the Palace of the Torah: Orthodoxy and Feminism* (Hanover, NH: University Press of New England, 2004).

3. Sylvia Barack Fishman, “Comparative Reflections on Modern Orthodoxy and Women’s Issues,” *Edah Journal* 1:2 (2001).

4. For more on the *toenet rabbaniti*, see Nava Bak and Yedida Goldman, “Resting our Case: *Toanot Beit Din*,” *Amit* 72:1 (2000): 38–40; and Ronen Shamir, Michal Shitrai, and Nelly Elias, “Religion, Feminism and Professionalism: The Case of Rabbinical Advocates,” *Jewish Journal of Sociology* 38:2 (1996): 73–88.

5. The translation of the term *yoetzet halakhab* is “a halakhic advisor.” In order to avoid confusion in this article, I have used the Hebrew plural of this term, *yoatzot halakhab*, when referring to more than one *yoetzet halakhab*. For an explanation on why this term was chosen, see below.

6. Fishman and Bayme, *Changing Minds*, 8.

7. Aryeh A. Frimer, “Guarding the Treasure,” *BDD — Journal of Torah and Scholarship* 18 (2007): 66–106.

8. For an in-depth analysis of women's issues and modernity, see Joel B. Wolowelsky, *Women, Jewish Law, and Modernity: New Opportunities in a Post-Feminist Age* (Hoboken: KTAV Publishing House, 1997).
9. For writings in favor of the new practice, see Daniel Sperber, "Congregational Dignity and Human Dignity: Women and Public Torah Reading," *Edah Journal* 3:2 (2003); Mendel Shapiro, "Qeri'at Ha-Torah by Women: A Halakhic Analysis," *Edah Journal* 1:2 (2001). For an example of writings against the practice, see Eliav Shochetman, "Aliyat Nashim leTorah," *Sinai* 135–136 (2005): 271–349; Gidon G. Rothstein, "Women's Aliyyot in Contemporary Synagogues," *Tradition* 39:2 (2005): 36–58. It is interesting to note that in a response to Mendel Shapiro's article in the *Edah Journal*, R. Yehuda Herzl Henkin (one of the supervising rabbis of the Nishmat hotline) has objected to the practice of women's *aliyyot* in a minyan, even coining the practice as non-Orthodox.
10. Naomi Graetz, "Women and Religion in Israel," in *Jewish Feminism in Israel: Some Contemporary Perspectives*, ed. Kalpana Misra and Melanie S. Rich (Hanover, NH: University Press of New England, 2003): 17–56. The acceptance of the *yoetzet halakhab* in the ultra-Orthodox community is still highly questionable. Following the graduation of the first *yoetzot halakhab*, in an article in the English *Yated Ne'eman* newspaper (Moshe Schapiro, "Orthodox Institute Holds Graduation Ceremony for Female Rabbi," *Yated Ne'eman*, Oct. 21, 1999) wariness of this new position and the fear that it was a cover for the ordination of women rabbis was expressed. Apart from limited opposition in the media and blogosphere, to the best of my knowledge, there has not been a public condemnation or excommunication by ultra-Orthodox rabbis.
11. Sylvia Barack Fishman, "Women's Transformations of Public Judaism: Religiousity, Egalitarianism and the Symbolic Power of Changing Gender Roles," in *Who Owns Judaism? Public Religion and Private Faith in America and Israel*, ed. Eli Lederhendler (New York: Oxford University Press, 2001), 131–55.
12. Chana Henkin, "Women and the Issuing of Halakhic Rulings," in *Jewish Legal Writings by Women*, ed. Micah D. Halpern and Chana Safrai (Jerusalem: Urim Publications, 1998), 278–87.
13. Rabbi Yehuda Herzl Henkin has published four volumes of halakhic responsa, *Benei Banim*, and is the author of *Equality Lost: Essays in Torah Commentary, Halakha and Jewish Thought* (Jerusalem: Urim Publications, 1999), *Responsa on Contemporary Jewish Women's Issues* (Jersey City, NJ: KTAV Publishing House, 2003), and *Understanding Tzniut* (Jerusalem: Urim Publications, 2008).
14. Rachele Sprecher Fraenkel, "A Primary Address for Women," *JOFA Journal*, Winter 2006: 13, 16; available at www.jofa.org/pdf/06jofajournalwinter.pdf, accessed January 2, 2010.

15. Nishmat Women's Halakhic Hotline is a telephone hotline on matters of laws of family purity, in operation since December 2000. Since its inception it has received over eighty thousand calls. The hotline is conducted in Hebrew and English, six hours a day, 6:00 p.m. through midnight and on Friday mornings. A different *yoetzet* answers the phone each day, typically handling up to twenty-five calls. A rabbi is on call when a halakhic decision is needed.

16. www.yoatzot.org. The website is in English and features articles and examples of other questions previously asked on the site. There is also an option to send an e-mail question to the site, and a *yoetzet* will send a response within twenty-four hours. There are current plans to launch the Hebrew *yoetzet* site in the coming months. For an analysis of the questions asked through the Internet, see Deena Zimmerman, "So She Can Be as Dear to Him as on Their Wedding Day? Modern Concerns with *Hilkhot Niddah* as Demonstrated by Anonymous Email Questions," in *Rabbinic and Lay Communal Authority*, ed. Suzanne Last Stone (New York: Yeshiva University Press, 2006), 225–41.

17. Bracha Rutner is a *yoetzet* for Riverdale Jewish Center, New York, and Shayna Goldberg is a *yoetzet* at Congregation Ahavath Torah, New Jersey.

18. Chana Henkin, "New Conditions and New Models of Authority: The *Yoatzot Halakhah*," in *Rabbinic and Lay Communal Authority*, 87.

19. Kurt Lewin was a German-American psychologist who was one of the first to study group dynamics and organizational development. His model of change referred to all social systems and is appropriate to be applied in the case of the *yoetzet halakhah*. For more on the model, see Kurt Lewin, *Group Decision and Social Change*, in *Readings in Social Psychology*, ed. Eleanor E. Maccoby (New York: Holt, 1958): 197–211.

20. Bernard Burnes, "Kurt Lewin and the Planned Approach to Change: A Re-appraisal," *Journal of Management Studies* 41:6 (2004).

21. For a recent analysis of these complexities, see Orit Avishai, "Halakhic *Niddah* Consultants and the Orthodox Women's Movement in Israel," *Journal of Modern Jewish Studies* 7:2 (2008).

22. Chana Henkin, "*Yoatzot Halacha*: Fortifying Tradition through Innovation," *Jewish Action* 60:2 (1999).

23. Joel Wolowelsky, "Rabbis, Rebbetzins, and Halakhic Advisors," *Tradition* 36:4 (2002): 54–63.

24. Sprecher Fraenkel, "A Primary Address for Women."

25. This appraisal is based on my personal experience with this rabbi and discussions with my colleagues. He has not expressed these feelings publicly.

26. Eric C. Marcus, "Change Processes and Conflict," in *The Handbook of*

Conflict Resolution: Theory and Practice, ed. Morton Deutsch and Peter T. Coleman (San Francisco: Jossey & Bass, 2000), 366–81.

27. Chana Henkin, “Women and the Issuing of Halakhic Rulings.”

28. This does not include the category of questions related to women’s health.

29. This position was voiced by Norma Baumel Joseph, an Orthodox feminist, in a discussion on the pros and cons of the *yoetzet*’s role as a mediator between the rabbi and a woman at the conference “Untying the Knots: Theorizing Conflicts between Gender Equality and Religious Law” at the Hadassah-Brandeis Institute at Brandeis University in Waltham, MA, on April 15, 2008.

30. For a more in-depth analysis of the scope of the authority of the *yoetzet halakhab*, see Tova Ganzel, “The Rabbi, the Posek and the *Yoetzet Halakha*,” in *Rabbis and Rabbinat: The Challenge*, ed. Yedidia Stern and Shuki Friedman (Jerusalem: The Israel Democracy Institute, 2011).

31. This article appeared in the national religious newspaper *Hazofe*, Shabbat Supplement Aug. 27, 1999, 8–9.

32. Chana Henkin, “New Conditions and New Models of Authority,” 89.

33. For the difference between the role of the *yoetzet*, rabbi, and *posek*, see Ganzel, “The Rabbi, the *Posek* and the *Yoetzet Halakha*.”

34. For an analysis on the issue of answering anonymous halakhic questions through the Internet, see Azriel Weinstein, “Mara D’atra,” *DAAT* 16 (2003): 8–10.

35. For an overview of fractioning conflict, see Heidi Burgess, Guy Burgess, and Michelle Maiese, “Incrementalism,” *Beyond Intractability: A Free Knowledge Base on More Constructive Approaches to Destructive Conflict*, accessed March 17, 2008, www.beyondintractability.org/essay/incrementalism.

36. When a woman sees a stain on her underwear and if she is unsure if the color is one that renders her impure, she will show the underwear to the rabbi in order for him determine the status of the stain and therefore her status regarding physical relations with her husband. Training to determine the status of colors is through experience called *shimush*. The rabbi will spend many hours with a more experienced rabbi seeing thousands of examples of stains and learning the nuances of which colors are acceptable and which are not.

37. Some rabbis avoid this embarrassment by placing a box outside their house in which people can place envelopes with the cloths and their phone number in order for the rabbi to call and give the answer.

38. Roy J. Lewicki and Carolyn Wiethoff, “Trust, Trust Development and Trust Repair,” in *The Handbook of Conflict Resolution*, 97.

39. *Ibid.* This division is based on the following article: Debra Shapiro, Blair H.

Sheppard, and Lisa Cheraskin, "Business on a Handshake," *Negotiation Journal* 8:4 (1992): 365–77. In their article they also refer to knowledge-based trust, which is less relevant to the case of the *yoetzet halakhah* and therefore not discussed here.

40. Deena R. Zimmerman, "The Nishmat Taharat Hamishpacha Hotline: Women Helping Women," *Le'ela* 51 (2001): 17–20.

41. Sprecher Fraenkel, "A Primary Address for Women," 16.

42. Rabbi Yaakov Warhaftig is a *rosh kollel* in the Harry Fischel Institute for Talmudic Research in Jerusalem. He has headed the *yoatzot halakhah* program since its inception in 1997.

43. Rabbi Dr. Norman Lamm served as the president of Yeshiva University during the years 1976–2002.

44. The complete translated text of the certificate is as follows: "The modest and learned woman of good character whose fear of Heaven precedes her wisdom [name] was tested by us and by a special committee of rabbis and found to be proficient in the laws of *Niddah* and immersion. In response to the needs of our generation and in order to distance many women from sin, we hereby support her and agree that she serve as a primary address for women who will wish to turn to her in these matters for guidance in the way of Torah and fear of Heaven; if a novel decision is needed she will turn to a recognized decisor."

45. Chana Henkin, "New Conditions and New Models of Authority," 89.

46. *Ibid.*, section 6.

47. For an extensive article on women's leadership and the feminist movement in Israel, see Tova Cohen, "Female Religious Leadership: Modern Orthodoxy in Israel as a Case Study" [Hebrew], *Tarbut Democratit* 10 (2006): 251–96.

48. Chana Henkin, "New Conditions and New Models of Authority," 87.

49. Lewicki, "Trust, Trust Development and Trust Repair," 94.

50. *Ibid.*, 112.

51. The color of the stain can determine whether the stain renders a woman *niddah* (the status of ritual impurity) or not. Traditionally, the decision of the type of color of a stain is decided when the rabbi actually sees the stain and is not decided based on the description of the woman.

52. As Rabbanit Henkin has noted, the *yoetzet halakhah* is not a feminist enterprise, since feminism is perceived both as anti-family and anti-religious.