

The Mechitsah: The Mitzvah That Doesn't Exist

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It doesn't happen often, but some aspects of Judaism still catch me off guard. As I was preparing a class on *mechitsah*, the separation via balcony, latticework or wood of women from men in a synagogue, I thought I would surely find a wealth of information. When the sages want to describe a physical object, they can be very precise, e.g., the specifications for a *sukkah* or a *mikveh*. Even though I'd been through all of the Bavli and most of the Yerushalmi, I figured I'd read about it and just forgotten. That's not how things turned out.

It turns out that the *mechitsah* is a mythical mitzvah. The sole basis for it in rabbinic literature that hangs on three words in one *mishnah*:

There was a repair (tikkun) on the women's courtyard. (B. Sukkah 51b)

This is for the *Simchat Beit Hashoevah* ceremony that closes the holiday of Sukkot. It is an all-night, get down, dancing and celebrating with music that flips all the rules on their heads. Anthropologists call such festivals "rituals of rebellion."

(<http://onlinelibrary.wiley.com/store/10.1525/aa.1955.57.5.02a00330/asset/aa.1955.57.5.02a00330.pdf;jsessionid=4DEECA5DEAE3069DF239C37E1951EA1D.f03t04?v=1&t=huu9xnba&s=30fd43df125f570e206139847d79b01844706ade>)

So day turns to night, priests' undergarments are used as wicks for the giant cauldrons that lit up the Temple and some sort of change was made in the courtyard where everyone gathered before offering their sacrifices. But this is only one night a year. If this is a true ritual of rebellion, it might be that the women take the men's places. That's it.

Mechitsah is just a custom with no *halachic* basis to it whatsoever. To cap it all off, I learned two things from my students.

1. In 1972, there was NO *MECHITSAH* AT THE WESTERN WALL.
2. When Rabbi Joseph Radinsky first worked at United Orthodox Synagogues here in Houston there was no *mechitsah* in the synagogue. This was the most persuasive piece of evidence for me, as I know him personally to be of the highest integrity.

Discussion Questions

1. Why hasn't the Women of the Wall gone after the *mechitsah* at the Western Wall on this basis? These people do not have a single *halachic* leg to stand on. If they cite "the custom of their fathers" then they can cite the custom of their fathers...as in 1972. Let's fight them where it hurts: on textual grounds.
2. There is no *halachic* basis for *mechitsahs*. The whole "women don't do positive, time-bound mitzvah" thing has more holes in it than Swiss cheese. Women can't write Torah scrolls? Gone. (Look up Jen Taylor for more on that.) *Kol ishah*? It's a man's duty not to hear a woman's voice and the Talmud affirms women singing publicly. It's on men to get some earplugs. It's time to take back Judaism from the extremists and turn it back into what the sages wanted. How do we do this?

As always, looking forward to your insights and answers!